

**APRIL 20, 2010**

A Regular Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Nelson S. McDuffie in the Commission Chambers at City Hall at 6:00 p.m., Tuesday, April 20, 2010.

**1.** Roll call showed:

Present - Commissioner Gary P. Eliopoulos  
Commissioner Fred B. Fetzer  
Commissioner Adam Frankel  
Commissioner Angeleta E. Gray  
Mayor Nelson S. McDuffie

Absent - None

Also present were - David T. Harden, City Manager  
Brian Shutt, City Attorney  
Chevelle D. Nubin, City Clerk

**2.** The opening prayer was delivered by Nancy McCarthy, Delray resident and Priest Associate of St. Gregory's Episcopal Church in Boca Raton.

**3.** The Pledge of Allegiance to the flag of the United States of America was given.

**4.** **AGENDA APPROVAL.**

Mayor McDuffie noted additional information for **Item 9.A., Drug Task Force Request for City Website Link.**

Mr. Frankel moved to approve the Agenda, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes. Said motion passed with a 5 to 0 vote.

**5.** **APPROVAL OF MINUTES:**

Mr. Eliopoulos moved to approve the Minutes of the Regular Meeting of April 6, 2010, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes. Said motion passed with a 5 to 0 vote.

**6. PROCLAMATIONS:**

**6.A. Teacher Appreciation Week – May 2-8, 2010**

Mayor McDuffie read and presented a proclamation hereby proclaiming the week of May 2-8, 2010 as Teacher Appreciation Week in the City of Delray Beach, Florida. LaNita DeCarie, Director of the Little Friends Learning Center and Ministry of the First Baptist Church, came forward to accept the proclamation and gave a few brief comments.

**6.B. National Preservation Month – May 2010**

Mayor McDuffie read and presented a proclamation hereby proclaiming May 2010 as National Preservation Month. Tom Stanley came forward to accept the proclamation and gave a few brief comments.

**6.C. World Tai Chi and Qigong Day – April 24, 2010**

Mayor McDuffie read and presented a proclamation hereby proclaiming April 24, 2010 as World Tai Chi and Qigong Day. Gary Tong came forward to accept the proclamation and gave a few brief comments.

**6.D. Earth Month – April 2010**

Mayor McDuffie read and presented a proclamation hereby proclaiming April 2010 as Earth Month. Rich Reade and Yalmaz Siddiqui came forward to accept the proclamation and gave a few brief comments.

**6.E. Municipal Clerk’s Week – May 2-8, 2010**

Mayor McDuffie read and presented a proclamation hereby proclaiming May 2-8, 2010 as Municipal Clerk’s Week. Chevelle D. Nubin, City Clerk, accepted the proclamation and gave a few brief comments.

**7. PRESENTATIONS:**

**7.A. S.P.I.R.I.T. (Service, Performance, Integrity, Responsibility, Innovation, Teamwork) Committee Quarterly Employee Awards Presentation**

Rachel Saunders, Police Department, stated the Police Department responded to a scene where there was a shooting in a house and did not know whether the shooter was still inside the home. Ms. Saunders stated once the house was cleared at gunpoint there were two small children (a little boy age 2 and a little girl age 10) that were found in the back bedroom. Officer Stephanie Kearney immediately consoled the children because their mother had been shot who later died.

Officer Kearney stayed with the children for approximately five hours prior to bringing them down to the Police Department. She changed the 2 year old little boy's diaper, clothed him and took both children to McDonald's. Ms. Saunders stated another officer had to explain to the children that their mother passed away and the little girl immediately asked for Stephanie. Officer Kearney stayed with the children for five hours enduring that hard emotional scenario. Officer Saunders stated Officer Kearney went above and beyond and was a true hero.

Stephanie Kearney, Police Officer, came forward to receive the S.P.I.R.I.T. Quarterly Employee Award.

**7.B. City of Delray Beach Residents Academy Certificates – Janet Meeks**

**Janet Meeks, Education Coordinator**, presented the 17<sup>th</sup> graduating class of the Residents Academy with certificates:

**William Abell, Real Estate Manager**  
**Wendy Fuss and Stephen Fuss, Nuisance Abatement Board/Property Management**  
**Richard Gigliotti and Geraldine Gigliotti, President of High Point Chamber Volunteer**  
**Liz Golberg, Staff Member CRA**  
**Vicki Hill, Construction Auditor**  
**Diane Jeffers and Bill Jeffers, Realtor**  
**David Kurzman, Caring Kitchen, Delray Affair, etc. volunteer**  
**Wanda McCabe, Treasurer of High Point**  
**Dale Miller, Interior Design**  
**Rose Newbold, Achievement Center**  
**Florence Porrica, High Point Board of Directors**  
**Yvonne Walker, City of Delray Beach Accountant**

**Diane Jeffers, she and her husband have been residents of Delray Beach for 11-12 years and she is also a residential real estate agent**, stated she has so much more of a greater appreciation today than she has ever had living in Delray Beach just by having a better understanding of how our city government is run, our terrific Police and Fire-Rescue Departments, and how hard everyone works. Mrs. Jeffers stated she is more proud today to be able to talk to her clients and to the community about how amazing the City of Delray Beach is and everything it has to offer, and the way it is run so efficiently.

**8.**                    **CONSENT AGENDA:** City Manager Recommends Approval.

**8.A.**                    **HOLD HARMLESS AGREEMENT/JP MORGAN CHASE BANK, N.A.:** Approve a Hold Harmless Agreement with JP Morgan Chase Bank, N.A. to install a water main within Florida Department of Transportation (FDOT) right-of-way at the intersections of N.E. 7th Street and both north and southbound Federal Highway for the property located at the northwest corner of N.E. 7th Street and northbound Federal Highway.

**8.B.**                    **INTERLOCAL GRANT AGREEMENT/PALM BEACH COUNTY/BUS SHELTERS:** Approve an Interlocal Grant Agreement with Palm Beach County for reimbursement for the installation of twenty-five (25) bus shelters utilizing American Recovery Reinvestment Act (ARRA) grant funds.

**8.C.**                    **RENEWAL OF AGREEMENT WITH QUALITY TRANSPORT SERVICES, INC./DOWNTOWN ROUNDABOUT SHUTTLE SYSTEM:** Approve renewing an Agreement with Quality Transport Services, Inc. to operate the Downtown Roundabout Shuttle System to extend the agreement to April 2011, contingent upon the addition of a termination clause to allow a change to trolley-style vehicles.

**8.D.**                    **GRANT FUNDING REQUEST/METROPOLITAN PLANNING ORGANIZATION (MPO)/TRANSPORTATION ENHANCEMENT PROJECT:** Authorize staff to apply for grant funding in the amount of up to \$1,500,000.00 through the Metropolitan Planning Organization (MPO) for two (2) Transportation Enhancement projects.

**8.E.**                    **RESOLUTIONS NO. 24-10 AND NO. 25-10: FDOT MAINTENANCE MEMORANDUM OF UNDERSTANDING - JOINT PARTICIPATION AGREEMENTS/WEST ATLANTIC AVENUE LANDSCAPING PROJECT:** Approve Resolution No. 24-10 authorizing a Maintenance Memorandum of Understanding with the Florida Department of Transportation and Resolution No. 25-10 approving Joint Participation Agreements with the Florida Department of Transportation for the West Atlantic Avenue Landscaping Project.

The caption of Resolution No. 24-10 is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE BY THE CITY OF A PORTION OF STATE ROUTE 806 LOCATED WITHIN THE CITY OF DELRAY BEACH; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

office.) (The official copy of Resolution No. 24-10 is on file in the City Clerk's

The caption of Resolution No. 25-10 is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE JOINT PARTICIPATION AGREEMENTS WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE FUNDING OF LANDSCAPE, HARDSCAPE AND IRRIGATION IMPROVEMENTS ALONG STATE ROAD 806 LOCATED WITHIN THE CITY OF DELRAY BEACH; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

office.) (The official copy of Resolution No. 25-10 is on file in the City Clerk's

**8.F.** **RESOLUTION NO. 18-10:** Approve Resolution No. 18-10 assessing costs for abatement action required to remove nuisances on nine (9) properties throughout the City.

The caption of Resolution No. 18-10 is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PURSUANT TO CHAPTER 100 OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, ASSESSING COSTS FOR ABATING NUISANCES UPON CERTAIN LAND(S) LOCATED WITHIN THE CITY OF DELRAY BEACH AND PROVIDING THAT A NOTICE OF LIEN SHALL ACCOMPANY THE NOTICE OF ASSESSMENT; SETTING OUT ACTUAL COSTS INCURRED BY THE CITY TO ACCOMPLISH SUCH ABATEMENT AND LEVYING THE COST OF SUCH ABATEMENT OF NUISANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR A DUE DATE AND INTEREST ON ASSESSMENTS; PROVIDING FOR THE RECORDING OF THIS RESOLUTION, AND DECLARING SAID LEVY TO BE A LIEN UPON THE SUBJECT PROPERTY FOR UNPAID ASSESSMENTS.

office.) (The official copy of Resolution No. 18-10 is on file in the City Clerk's

**8.G. DISASTER RECOVERY INITIATIVE (DRI)/HOUSING REHABILITATION GRANT/CONTRACT AWARDS:** Approve one (1) Housing Rehabilitation grant award for the project located at 1332 Prospect Street to Jemstone Construction Group, Inc., the lowest responsive bidder, in the amount of \$18,220.92 for housing rehabilitation under the Disaster Recovery Initiative (DRI) Program. Funding is available from 118-1960-554-49.19 (Neighborhood Services/Other Current Charges/Housing Rehabilitation).

**8.H. RESOLUTION NO. 19-10/LOCAL HOUSING ASSISTANCE PLAN (LHAP) FY 2010-2013:** Approve Resolution No. 19-10, adopting the Local Housing Assistance Plan (LHAP) for Fiscal Years 2010-2013.

The caption of Resolution No. 19-10 is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE MAYOR TO EXECUTE ANY NECESSARY DOCUMENTS AND CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AND PROVIDING AN EFFECTIVE DATE.

(The official copy of Resolution No. 19-10 is on file in the City Clerk's office.)

**8.I. PROFESSIONAL SERVICES VENDOR LIST/NEIGHBORHOOD STABILIZATION PROGRAM (NSP):** Approve the list of vendors for Professional Services required to carry out activities under the Neighborhood Stabilization Program (NSP) contingent on the list being approved by the Florida Department of Community Affairs; and authorize the City Manager to sign purchase agreements for the acquisition of properties under the NSP initiative. Funding is available from 118-1935-554-34.90 (Neighborhood Services/Other Contractual Services).

**8.J. FIRST AMENDMENT TO THE CROSS EASEMENT AGREEMENT/AUBURN TRACE LLC./SCHOOL BOARD OF PALM BEACH COUNTY:** Approve a First Amendment to the Cross Easement Agreement with Auburn Trace, LLC., the School Board of Palm Beach County and the City to confirm platted drainage rights into retention areas.

**8.K. RESOLUTION NO. 22-10: ABANDONMENT OF SEWER EASEMENT FOR STAKLER HOLDINGS, LLC./PUTT N' AROUND DELRAY BEACH:** Approve Resolution No. 22-10 abandoning a 10' sewer easement dedicated to the City via an Easement Deed recorded in Official Records Book 921, Page 421 of the Public Records of Palm Beach County, Florida for development of a proposed 36-hole miniature golf course located on the west side of N.E. 5th Avenue, between 3rd and 4th Streets (350 and 362 NE 5th Avenue).

The caption of Resolution No. 22-10 is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, VACATING AND ABANDONING A SANITARY SEWER EASEMENT DEDICATED BY EASEMENT DEED, AS RECORDED IN O.R.B. 921, PAGE 421, AS MORE FULLY DESCRIBED IN EXHIBIT "A".

(The official copy of Resolution No. 22-10 is on file in the City Clerk's office.)

**8.L.1. ACCEPTANCE OF A WATER EASEMENT/STAKLER HOLDINGS, LLC./PUTT N' AROUND DELRAY BEACH:** Approve and accept a 4' easement for an existing water main in conjunction with development of a proposed 36-hole miniature golf course located on the west side of N.E. 5th Avenue, between N.E. 3rd Street and N.E. 4th Street (350 and 362 N.E. 5th Avenue).

**8.M. SPECIAL EVENT REQUEST/AVDA 5K WALK/RUN:** Approve a special event request to endorse the 13th Annual Aid to Victims of Domestic Abuse, Inc. (AVDA) 5K Walk/Run to be held on Saturday, October 9, 2010 from 7:30 a.m. until approximately 11:00 a.m., with set up at 5:00 a.m., to grant a temporary use permit per LDR Section 2.4.6(F) for the use of Anchor Park and the City right-of-way along Ocean Boulevard from Casuarina to George Bush Boulevard, to waive parking meter fees in the Anchor Park and Sandoway lots from 5:00 a.m. to 11:00 a.m., and to authorize staff assistance for providing traffic control, barricading, signage, trash clean up and removal, City generator use, and set up and use of half of the small stage; contingent on the sponsor providing the required liability insurance and hold harmless agreement.

**8.N. SPECIAL EVENT REQUESTS/ART AND JAZZ ON THE AVENUE:** Approve special event requests to endorse Art and Jazz on the Avenue to be held on May 6, 2010 from 6:00 p.m. to 10:00 p.m., to grant a temporary use permit per LDR Section 2.4.6(F) for the closure of Atlantic Avenue from Swinton to the west side of N.E./S.E. 7th Avenue, Railroad Avenue from Atlantic north to the north side of the east/west alley, and to the alleys north and south of Atlantic on N.E./S.E. 1st Avenue, N.E./S.E. 2nd Avenue, S.E. 3rd Avenue, and N.E./S.E. 4th; to authorize staff support for security, traffic control, banner hanging and removal, barricade set up and removal, trash removal and clean up and EMS assistance.

**8.O. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:** Accept the actions and decisions made by the Land Development Boards for the period April 5, 2010 through April 16, 2010.

**8.P. AWARD OF BIDS AND CONTRACTS:**

- 1.** Purchase award to CMS Imaging, Inc. in the amount of \$81,510.00 for X-Ray equipment and applicable shipping costs for the Employee Health and Wellness Center. Funding is available from 551-1571-591-31.20 (Insurance Fund: Professional Services/Medical).
- 2.** Purchase award to DCR Engineering Services, Inc. in the amount of \$50,000.00 for a Motorola ACE3600 Controller to upgrade the Fire Station Alerting System. Funding is available from 334-2311-522-63.90 (General Construction Fund: Other Improvements/Improvements Other).
- 3.** Purchase award to Hall-Mark Fire Apparatus in the amount of \$243,184.86 for one (1) 2010 Navistar 4300LP Custom Rescue Transport Vehicle. Funding is available from 501-3312-591-64.25 (Garage Fund: Machinery/Equipment/Heavy Equipment).

Mr. Frankel moved to approve the Consent Agenda, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes. Said motion passed with a 5 to 0 vote.

**9. REGULAR AGENDA:**

**9.A. DRUG TASK FORCE REQUEST FOR CITY WEBSITE LINK:** Consider approval of a request from the Delray Beach Drug Task Force to provide links to their website on the City and Police Department web sites.

**Pat Archer, former City Commissioner and current Chair of the Delray Beach Drug Task Force,** stated the Delray Beach Drug Task Force would like to have a link to the City’s website because the Delray Beach Drug Task Force has been a Mayor’s appointed Committee for some time. Mrs. Archer stated this was originally started by former Mayor Jay Alperin and former Chief of Police Rick Lincoln (current Chief of Police for Lantana) because there are different types of issues going on in our drug community and they wanted to provide a forum whereby everyone could have an opportunity to talk and bring the issues out into the open for discussion. She stated the organization consists of members of the Police Department, treatment centers, a detox center, sober houses and recovery meeting facilities. Mrs. Archer stated the Commission liaison is Commissioner Fred Fetzer and they serve at the Mayors will.

Mrs. Archer briefly reviewed the mission statement of the Delray Beach Drug Task Force and they would like to provide an opportunity for individuals who are interested within Delray Beach or from out of the city or the state to get information about what happens with the drug community because there is a lot of misinformation out there. Mrs. Archer stated Delray Beach is known as the drug capital of the United States and they are at the mercy of treatment centers, sober houses and everyone who has a blog or a website. Mrs. Archer stated the purpose of the Drug Task Force is to provide correct information on an honest basis where people can go and get the facts and they cannot do it without having visibility. She stated they have been able to get a grant to start up the website and to operate it for two years but they are not in a position to be able to pay for a search engine so by having a web link on the City's site and on the Police Department's site and eventually on the Chamber of Commerce site anyone who can go to those sites will have the opportunity to select the Delray Beach Drug Task Force and get what information is out there. Mrs. Archer stated they have the support of Police Chief Strianese and he is represented by Assistant Chief Ralph Phillips, and Delray Beach Community Relations Officer Jeff Messer, and Deana Isler who regularly attends the Drug Task Force meetings. Mrs. Archer urged the Commission to consider the proposal of the Drug Task Force.

Mr. Fetzer stated he has been fortunate enough to work with the Drug Task Force for the last couple of years and has been very impressed with the dedication of the people who are a part of this and the cooperation they have gotten from the Police Department in working together. He stated this is another example of what makes Delray Beach unique and hopes that if this website link is approved, it will help educate residents. Mr. Fetzer thanked Mrs. Archer and the Drug Task Force for all their help on this.

Mrs. Gray asked if there is a link to the City's webpage would there be a concern about our city welcoming more sober houses or halfway homes. Mrs. Archer stated she does not feel that whether or not the city has information on a website is going to have any effect whatsoever on how many sober houses we have here because most of the sober houses have their own websites. Mrs. Archer stated people come from out-of-state and instead of going to a treatment center they sometimes go to a sober house where there is no treatment whatsoever and then they are turned out on the street. Mrs. Gray expressed concern about other organizations that may want to do the same thing and asked will the City have the ability to see what goes on the webpage. Mrs. Archer stated this is just a proposal and it will be reviewed by the City Attorney and the City Commissioners.

Mr. Frankel stated in his opinion this is the largest issue we have in our city at the current time. He stated he is constantly contacted by people asking him for recommendations regarding assistance in this area and the problem we have in this area is if you do a Google search for rehabilitation, etc. everything that comes up is biased because it is a money maker. Mr. Frankel stated the Drug Task Force offers a non-biased alternative just to provide information as opposed to bring this person here so we can treat them and make money.

Mr. Frankel stated he supports the proposal; however, he expressed concern that this may not be appropriate for the Chamber of Commerce.

Mr. Eliopoulos applauds the Drug Task Force for all their hard work and stated this is a great idea.

Mayor McDuffie stated he hopes that we are able to take this and use it so that some parent who is distraught about a child who has gotten involved with substances and is out of control that we can at least provide an alternative to them when they are searching through the internet trying to find something to do with this child to help them out and explain the things that they may encounter if they do not find a reputable actual rehab center to send these people to. Mayor McDuffie stated if anyone has any recommendations that they would like taken to their Congressmen or Senators to let him know because he and Mr. Malone with the Chamber of Commerce are headed for Washington mid-week next week.

The City Attorney suggested that the motion be conditioned on the fact that no specific address of any sober house is mentioned on their website or a specific name where it doesn't appear that the Drug Task Force is making recommendations one way or the other regarding any particular sober house.

Mr. Frankel moved to approve the Drug Task Force request for the City website link with the condition as stated by the City Attorney that no specific address of any sober house is mentioned on their website or a specific name where it doesn't appear that the Drug Task Force is making recommendations one way or the other regarding any particular sober house, seconded by Mr. Eliopoulos. Upon roll call the Commission voted as follows: Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes. Said motion passed with a 5 to 0 vote.

**9.B. CONSULTING SERVICE AUTHORIZATION/AECOM TECHNICAL SERVICES, INC./VETERANS PARK:** Approve a Consulting Service Authorization with AECOM Technical Services, Inc. in the amount of \$43,500.00 for preparing a Master Plan for Veterans Park. Funding is available from 334-4126-572-31.90 (General Construction Fund/Professional Services/Other Professional Services).

Randal Krejcarek, City Engineer, stated this item is for a service authorization for Aecom Technical Services, Inc. (formerly known as Glating Jackson) for preparing a Master Plan for Veterans Park. In 1987, a Downtown Master Plan was prepared which included the City Marina, Veterans Park, and the connection along the Intracoastal Waterway between both landmarks. Mr. Krejcarek stated since then the marina has been redone and the City almost has a completion on the connection between the park and the marina. In 2002, the Parks and Recreation Master Plan recommended that the City create a master Plan for Veterans Park to address the current needs and current uses of that park. Staff recommends approval of the service authorization with AECOM Technical Services, Inc. in the amount of \$43,500.00.

Mr. Eliopoulos stated with regard to the contract there are two methods: (1) lump sum and (2) not to exceed an amount. He asked when staff actually sits down which one are they actually going with on this design. Mr. Krejcarek stated staff breaks it down by tasks and as we complete a task the City pays them and therefore staff is doing a “not to exceed” and not a lump sum.

Mr. Eliopoulos asked what the budget for this park is. Mr. Krejcarek stated staff is going to approach the Master Plan by looking at the uses, the needs of the park, parking, and the types of activities that go on in the park and that is going to tell staff what the budget is going to be for the ultimate reconstruction of the park.

Mr. Frankel moved to approve the Consulting Service Authorization with AECOM Technical Services, Inc. in the amount of \$43,500.00 for preparing a Master Plan for Veterans Park, seconded by Mr. Eliopoulos. Upon roll call the Commission voted as follows: Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes. Said motion passed with a 5 to 0 vote.

**9.C. AMENDMENT TO THE NOTE, MORTGAGE MODIFICATION AND SUBORDINATION AGREEMENT/AUBURN TRACE, LTD.:** Consider approval of an Amendment to the Note, Mortgage Modification and Subordination Agreement between the City and Auburn Trace, Ltd.

Brian Shutt, City Attorney, stated the original agreement was approved by the Commission on March 11, 2010 and in that particular agreement it was provided that the payment made to the City would take place on April 30, 2010. Mr. Shutt stated the City has been informed by Auburn Trace, Ltd. that they would like to request an extension from April 30, 2010 to May 21, 2010 in order to make that payment. The City Attorney stated it is his understanding that their closing has been moved back due to delays by the State in processing the documents related to the TCAP funds.

Mrs. Gray moved to approve the Amendment to the Note, Mortgage Modification and Subordination Agreement between the City of Delray Beach and Auburn Trace, Ltd., seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes. Said motion passed with a 5 to 0 vote.

**9.D. RESOLUTION NO. 28-10:** Consider approval of Resolution No. 28-10 opposing proposed Amendment No. 4 (Hometown Democracy) to the Florida Constitution.

The caption of Resolution No. 28-10 is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, OPPOSING AN AMENDMENT TO THE FLORIDA CONSTITUTION THAT WOULD REQUIRE VOTER APPROVAL PRIOR TO ADOPTION OF A LOCAL COMPREHENSIVE PLAN OR COMPREHENSIVE PLAN AMENDMENT(S).

(The official copy of Resolution No. 28-10 is on file in the City Clerk's office.)

The City Manager stated the Commission asked that staff prepare a resolution dealing with proposed Amendment No. 4 (Hometown Democracy) to the Florida Constitution that will be on the ballots in November. The resolution would formalize the opposition of the City Commission to that particular amendment.

Mr. Eliopoulos asked where this information will be placed. The City Manager stated staff will ensure that this information is placed on the City's website and the Commission is free to speak on it or put out any material they might put out as an individual. Mr. Eliopoulos stated he would also like to get this out to the Chamber of Commerce so they can get the information out to the business communities so everyone can understand what this is about. The City Manager stated the Chamber is very involved in this issue and has been a source of some of the information staff received about the concerns being raised about the impact on job creation and slowing down the whole process of government and land use management.

Mr. Frankel stated because of the catchy title and other information out there should this be passed by the Commission, he would ask that whatever easy to absorb information be provided.

Mr. Fetzer thanked the Chamber for its active involvement and position on this amendment and stated it is important for all the residents to understand what this amendment is about. He urged everyone to get informed about what this amendment will do to the business community and the negative things that it will do to the economy.

Mr. Eliopoulos moved to approve Resolution No. 28-10, seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes. Said motion passed with a 5 to 0 vote.

**9.E. APPOINTMENT OF OUTSIDE COUNSEL/HOUSING AND URBAN DEVELOPMENT (HUD) COMPLAINT:** Consider approval of outside counsel; Weiss, Serota, Helfman, Pastoria, Cole and Boniske, P.L.; to assist with the Housing and Urban Development (HUD) complaint that has been filed against the City as well as certain requests related to the City's reasonable accommodation ordinance.

Brian Shutt, City Attorney, stated the City currently has an ongoing complaint filed by HUD against the City regarding our reasonable accommodation ordinance and other issues where the City is seeking the guidance of Weiss, Serota, Helfman, Pastoria, Cole and Boniske to assist the City with the HUD complaint. Mr. Shutt stated at a later date there may be other involvement and if there is, then he will come back before the Commission to seek approval for that.

Mr. Eliopoulos commented about the hourly rate and asked the City Attorney if he has any ballpark figures of what the City is going to be spending. The City Attorney stated he anticipates a minimal amount of work in the beginning but it really depends on how much work is really involved once staff starts going through the HUD complaint. The City Attorney stated if there are pleadings that the City would have to answer, etc. regarding the HUD complaint, then it would be more involved than just a minimal review. Mr. Eliopoulos stated he would like to be informed should we start going down that road because he feels the Commission should put some kind of limits on it to see what they want to spend.

Mr. Eliopoulos moved to approve the appointment of outside counsel Weiss, Serota, Helfman, Pastoria, Cole and Boniske, P.L, to assist with the Housing and Urban Development (HUD) complaint, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes. Said motion passed with a 5 to 0 vote.

**9.F. APPOINTMENT TO THE POLICE ADVISORY BOARD:** Appoint one (1) regular member to the Police Advisory Board to serve an unexpired term ending July 31, 2011. Based upon the rotation system, the appointment will be made by Commissioner Fetzer (Seat #2).

Mr. Fetzer moved to appoint Matthew Monahan as a regular member to the Police Advisory Board (PAB) to serve an unexpired term ending July 31, 2011, seconded by Mr. Eliopoulos. Upon roll call the Commission voted as follows: Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes. Said motion passed with a 5 to 0 vote.

At this point, the time being 6:55 p.m., the Commission moved to **Item 11.A., Comments and Inquiries on Non-Agenda Items from the City Manager.**

**11.A. City Manager’s response to prior public comments and inquiries.**

The City Manager stated at the last meeting Pauline Moody commented about some concerns she had about shrubbery on S.W. 10<sup>th</sup> Street at the railroad (CSX tracks) and also some waste material (i.e. cement blocks, etc.) and other things that had been discarded, and broken glass on the sidewalk. The City Manager stated this has been cleaned up.

Secondly, the City Manager stated at the last meeting two ladies came in concerned about encounters they have had with dogs in the downtown area and also with panhandling. The Police Department has met with both individuals to get fully informed on their concerns and also discussed with the Police Chief what the City's leash law is and the fact that it can be enforced by police when it is appropriate to do so.

The City Manager stated Rob Ficker made a proposal for developing a butterfly garden in one of our large retention areas on Lake Ida Road. Staff does not object to trying that but will start with a smaller area. The City Manager stated the City has some smaller retention areas around the city and we will see how that works out.

Lastly, the City Manager stated there was also a concern expressed about parking along S.W. 8<sup>th</sup> Avenue obstructing traffic and the Police Department has been requested to check that on Sunday mornings to be sure that there are no violations of City Code either with regard to the width of the street that has to be kept open, or parking near fire hydrants or corners.

At this point, the time being 7:06 p.m., the Commission moved to the duly advertised Public Hearings portion of the Agenda.

**10. PUBLIC HEARINGS:**

**10.A. WAIVER REQUEST/ACQUISITION OF REAL PROPERTY:**

Consider a waiver of advertising and adoption of Resolutions as required by City Code Section 36.04, "Acquisition of Real Property", for purchase of multiple properties located within the City's Neighborhood Stabilization Program (NSP) target area.

Mayor McDuffie declared the public hearing open. There being no one from the public who wished to address the Commission regarding the waiver request, the public hearing was closed.

Lula Butler, Director of Community Improvement, stated this is a request to approve a waiver to City's Code of Ordinances Section 36.04 governing the acquisition of real property which requires advertising and the adoption by resolution to exempt purchases of multiple properties located within the City of Delray Beach target area under the Neighborhood Stabilization Program. Mrs. Butler stated as the Commission is aware from a lot of items that have come before the Commission staff has run into some problems competing with investors who are acquiring REO properties. She stated by the City Commission approving this waiver, it puts staff in a position to bid directly with the bank, have the executed agreement in place and be on par with them so that staff can meet their deadlines. Staff recommends approval of the waiver to Section 36.04 for the Neighborhood Stabilization Program (NSP).

Mayor McDuffie declared the public hearing open. There being no one from the public who wished to address the Commission regarding the waiver request, the public hearing was closed.

Mr. Fetzer moved to approve the waiver request for acquisition of real property, seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes. Said motion passed with a 5 to 0 vote.

**10.B. ORDINANCE NO. 08-10:** Consider a city-initiated amendment to the Land Development Regulations (LDR) Section 4.6.14, “Visibility at Intersections”, Section 5.3.1, “Streets” (rights-of-way), Section 6.1.2, “Streets and Alleys”, Section 6.1.3, “Sidewalks”, and Section 6.1.4, “Driveways and Points of Access”, to update current development standards to better reflect the City’s efforts to encourage multiple modes of transportation as well as providing a more reasonable and consistent application of sight visibility.

The caption of Ordinance No. 08-10 is as follows:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, REPEALING AND REPLACING SECTION 4.6.14, “VISIBILITY AT INTERSECTIONS,” TO UPDATE THE MEASUREMENT OF SIGHT VISIBILITY TRIANGLES; AMENDING SECTION 5.3., “STREETS (RIGHTS-OF-WAY), BY AMENDING SUBSECTIONS (D) AND (E); AMENDING SECTION 6.1.2, “STREETS AND ALLEYS”, SUBSECTION (C)(3), “PAVING WIDTHS”, TO PROVIDE UPDATED MINIMUM PAVING WIDTHS; AMENDING SECTION 6.1.3, “SIDEWALKS”; AND AMENDING SECTION 6.1.4, “DRIVEWAYS AND POINTS OF ACCESS”; TO UPDATE CURRENT STANDARDS TO BETTER REFLECT THE CITY’S EFFORTS TO ENCOURAGE MULTIPLE MODES OF TRANSPORTATION AS WELL AS PROVIDING A MORE REASONABLE AND CONSISTENT APPLICATION OF SIGHT VISIBILITY; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE, AND AN EFFECTIVE DATE.

(The official copy of Ordinance No. 08-10 is on file in the City Clerk’s office).

The City Attorney read the caption of the ordinance. A public hearing was held having been legally advertised in compliance with the laws of the State of Florida and the Charter of the City of Delray Beach, Florida.

Paul Dorling, AICP, Director of Planning and Zoning, stated this is a modification to several sections to provide more reasonable and consistent applications of site visibility triangles and it breaks into several categories of site visibility: (1) driveways, streets, and alleys (2) alleys and streets exist, (3) different standards within the CBD (Central Business District), different standards within the single family areas, and different standards as it relates to County, State, and Federal roadways.

On April 6, 2010, the City Commission passed Ordinance No. 08-10 at first reading and at its meeting of March 15, 2010, the Planning and Zoning Board considered the proposed text amendment and recommended approval.

Mayor McDuffie declared the public hearing open. There being no one from the public who wished to address the Commission regarding Ordinance No. 08-10, the public hearing was closed.

Mr. Eliopoulos moved to adopt Ordinance No. 08-10 on Second and FINAL Reading, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes. Said motion passed with a 5 to 0 vote.

**10.C. AMENDMENT TO COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN (FY 2008-2009)/SUB RECIPIENT FUNDING AGREEMENT/ALOHA CLEANERS NUNZIA, INC.:** Approve an Amendment to the Community Development Block Grant (CDBG) FY 2008-2009 Annual Action Plan to reallocate \$35,000.00 toward Economic Development Activities located within the CDBG target area; and authorize execution of a sub-recipient funding agreement with the Aloha Cleaners Nunzia, Inc., under the CDBG program for FY 2009-2010. Funding is available from 118-1966-554-83.01 (Neighborhood Services/Other Grants and Aids).

Lula Butler, Director of Community Improvement, stated this item is to request a reallocation of \$35,000.00 from the City's unspent housing rehabilitation line item budgeted in 2008-2009 into the economic development line item and to authorize the execution of the formal economic development agreement between the City of Delray Beach and Aloha Cleaners for the same amount. Mrs. Butler stated these funds will be used by the business to purchase a specific piece of equipment and it will create one full-time low income job as a result of that. She stated the City is allowed to do this in accordance with 24 CFR 570.301 under Federal Regulations which requires a Public Hearing before the City Commission to do this transaction. Mrs. Butler stated staff advertised on March 18, 2010 and did not receive any comments to that advertisement. Staff recommends that the City Commission approve the reallocation of these dollars and authorize the execution of the agreement between the City of Delray Beach and Aloha Cleaners.

Mayor McDuffie declared the public hearing open. There being no one from the public who wished to address the Commission regarding this item, the public hearing was closed.

Mrs. Gray moved to approve the Amendment to the Community Development Block Grant (CDBG) for fiscal year 2008-2009 Annual Action Plan to reallocate \$35,000.00 toward economic development activities and authorize execution of a sub-recipient funding agreement with the Aloha Cleaners Nunzia, Inc., seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes. Said motion passed with a 5 to 0 vote.

**10.D. RESOLUTION NO. 26-10/REVISED CONTRACT FOR SALE AND PURCHASE/WELLS FARGO FINANCIAL SYSTEM FLORIDA/3740 LANCEWOOD PLACE:** Consider approval of Resolution No. 26-10 for a new sales agreement between the City and Wells Fargo Financial System Florida for the property located at 3740 Lancewood Place increasing the price from \$135,000.00 to \$140,000.00.

The caption of Resolution No. 26-10 is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING RESOLUTION 11-10 IN ORDER TO AMEND THE PURCHASE PRICE OF CERTAIN REAL PROPERTY IN PALM BEACH COUNTY, FLORIDA, AS DESCRIBED HEREIN, HEREBY INCORPORATING AND ACCEPTING THE CONTRACT STATING THE TERMS AND CONDITIONS FOR THE SALE AND PURCHASE FROM WELLS FARGO FINANCIAL SYSTEM FL, SELLER, AND THE CITY OF DELRAY BEACH, FLORIDA.

(The official copy of Resolution No. 26-10 is on file in the City Clerk's office.)

The City Attorney read the caption of the resolution. A public hearing was held having been legally advertised in compliance with the laws of the State of Florida and the Charter of the City of Delray Beach, Florida.

Lula Butler, Director of Community Improvement, stated this item is requesting an amendment to Resolution No. 26-10 to authorize an increase from the price that the Commission approved at the last agenda from \$135,000.00 to \$140,000.00. Mrs. Butler stated this is the City's first official closing they are getting ready to do on the NSP Program. She stated this home is purchased at \$30,000.00 less than the "as is" appraised value.

Mr. Eliopoulos suggested that in the future instead of staff just providing the addresses of these properties, he would like to see photographs of the properties so that the Commission can actually see what the City is purchasing.

Mayor McDuffie asked if there is a possibility to approve a range to acquire that property rather than a fixed amount. The City Attorney stated once the City has the appraisal and if it is within the appraised value that the Commission give the authority for the City Manager to execute the agreement because from what staff has seen hours may make a difference as far as putting in a bid on one of these homes. Mrs. Butler stated staff did that on one of the items that was on the Consent Agenda under the professional service listing and noted that staff attached that particular request to that item. She stated by approving that, the Commission has done that for staff. Mrs. Butler stated staff asked for the amount up to \$280,000.00 which is the maximum allowed for purchase under the Neighborhood Stabilization Program (NSP).

Mayor McDuffie declared the public hearing open. There being no one from the public who wished to address the Commission regarding Resolution No. 26-10, the public hearing was closed.

Mr. Frankel moved to approve Resolution No. 26-10, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes. Said motion passed with a 5 to 0 vote.

**10.E. RESOLUTION NO. 17-10/CONTRACT FOR SALE AND PURCHASE/SHARON CLECKLEY/ZEDER AVENUE:** Consider approval of Resolution No. 17-10 authorizing the City to purchase a vacant lot located at Southridge Lot 20 Block 10 (Zeder Avenue), to be utilized for affordable housing purposes; and approve a Contract for Sale and Purchase between the City and Sharon Cleckley in the amount of \$20,000.00.

The caption of Resolution No. 17-10 is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE CITY TO ACQUIRE CERTAIN REAL PROPERTY IN PALM BEACH COUNTY, FLORIDA, AS DESCRIBED HEREIN, HEREBY INCORPORATING AND ACCEPTING THE CONTRACT STATING THE TERMS AND CONDITIONS FOR THE SALE AND PURCHASE FROM SHARON CLECKLEY, SELLER, AND THE CITY OF DELRAY BEACH, FLORIDA.

(The official copy of Resolution No. 17-10 is on file in the City Clerk's office.)

The City Attorney read the caption of the resolution. A public hearing was held having been legally advertised in compliance with the laws of the State of Florida and the Charter of the City of Delray Beach, Florida.

Lula Butler, Director of Community Improvement, stated this is a request for the City to enter into a purchase agreement for the sale of one vacant lot using SHIP dollars in the amount of \$20,000.00. The acquisition of vacant lots is an eligible use of the City's dollars and is approved under the City's LHAP (Local Housing Assistance Plan). Mrs. Butler stated the funds are available and staff recommends approval of Resolution No. 17-10 to acquire the vacant lot.

Mr. Eliopoulos inquired about the size of the lot. Mrs. Butler stated the size of the lot is 50 x 130.

Mr. Fetzer moved to approve Resolution No. 17-10, seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes. Said motion passed with a 5 to 0 vote.

**10.F. RESOLUTION NO. 16-10/CONTRACT FOR SALE AND PURCHASE/DEUTSCHE BANK NATIONAL TRUST COMPANY/301 S.W. 8th STREET:** Consider approval of Resolution No. 16-10 authorizing the City to purchase a foreclosed property located at 301 S.W. 8th Street, to be utilized for affordable housing purposes; and approve a Contract for Sale and Purchase between the City and Deutsche Bank National Trust Company in the amount of \$73,000.00. **(STAFF HAS REQUESTED THIS ITEM BE REMOVED AS THE PROPERTY IS NO LONGER AVAILABLE)**

Mr. Frankel moved to remove this item from the Agenda, seconded by Mrs. Gray. Upon roll call the Commission voted as follows: Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel - Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes. Said motion passed with a 5 to 0 vote.

At this point, the time being 7:18 p.m., the Commission moved to **Item 11.B., Comments and Inquiries on Non-Agenda Items from the Public.**

**11.B. From the Public.**

**11.B.1. Dr. Victor Kirson, 2050 Alta Meadows Lane #2110, Delray Beach, FL 33444 (President of the Board of Directors at Tierra Verde at Delray Beach),** stated he has joined the alliance of Delray and briefly discussed an article in the Palm Beach Post regarding the Infinity Sales Group which has 340 employees in Delray and they are going to hire 200 additional employees but they are moving to Boca Raton because they wanted larger quarters. Dr. Kirson asked if the City of Delray Beach gave the Infinity Sales Group any incentive to stay here and stated he would appreciate it if the City Manager could look into this. Dr. Kirson stated we have to do something to keep

business here in Delray Beach.

Secondly, Dr. Kirson stated Delray Beach is down approximately 20 police officers (approximately 30 when people are out on leave, etc.) and crime is on the rise. He stated there is now a request for bids on Carver Estates and for two years it was zoned for 12 residential units per acre and it is now zoned for 24 residential units per acre. Dr. Kirson stated there is a company called PRIDE out of Miami and possibly New Orleans and they are looking for a builder. He stated there is a possibility they could do 400 units of low income government subsidized housing.

**11.B.2. Douglas Kenny, 900 Dogwood Drive, Delray Beach, FL (Tropic Bay Condominium)**, stated very soon the Commission will have the task of either rezoning the Ralph Buick property to commercial to accommodate Wal-Mart or protecting the residents of Tropic Isle. Mr. Kenny stated Wal-Mart will have an undesirable impact on their community and a dramatic increase in car and truck traffic on an already busy road. He stated the Wal-Mart will run 24 hours a day seven days a week. Mr. Kenny stated there will be a serious increase in vehicular traffic, noise pollution, and light pollution as Wal-Mart lights up not only their store but their parking lots as well. He distributed photographs taken from the Tropic Bay Condominium Bldg. #7 overlooking this property. Mr. Kenny stated a big box store at Ralph Buick property is incompatible with the vision of Delray as a village-by-the-sea.

**11.B.3. Albert Richwagen, 251 N.E. 17<sup>th</sup> Street, Delray Beach, FL 33444 (Richwagen's Bike and Sport located at 298 N.E. 6<sup>th</sup> Avenue, Delray Beach, FL 33444)**, stated his family's business was established in downtown Delray Beach in 1961 and they will soon celebrate its 50<sup>th</sup> anniversary. Mr. Richwagen stated while reading the Green Implementation Advancement Board minutes he noticed that the public bike rental sharing kiosk program was discussed. He stated while he agrees with promoting green transportation he is surprised that the only 50 year old bike store in town was not notified, advised, nor consulted. Mr. Richwagen stated assembling bicycles, selling and renting bikes, and maintaining and repairing them is his core business. He stated given the economic conditions now is not the time for government to compete with small businesses. Mr. Richwagen stated he continues to be financially and civically committed to the City of Delray Beach and urged the Commission to remain committed to local small businesses by communicating and working together. He inquired about how he can formally ask about the repair contract and/or possibly being the rentor. Mr. Richwagen entered a document into the record.

**11.B.4. Dorothy Ellington, Delray Beach Housing Authority**, stated the Delray Beach Housing Authority issued an RFP (Request for Proposal) for a developer for Carver Estates. Ms. Ellingsworth stated the RFP will be consistent with the recommendations from the community when they held their strategic planning session in January. She stated the plans they have for that community were approved by the Board on January 11<sup>th</sup>. Ms. Ellingsworth stated they will have a pre-submission conference tomorrow afternoon with interested developers and hopefully get their project back on track.

**13. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS.**

**13.A. City Manager**

None.

**13.B. City Attorney**

None.

**13.C. City Commission**

**13.C.1. Mr. Fetzer**

Mr. Fetzer stated there is a rezoning request coming up in May before the Planning and Zoning Board regarding the new Wal-Mart that is being proposed at the old Ralph Buick property. He stated he would like to hear recommendations from Francisco Perez-Azua, Economic Development Director.

**13.C.2. Mr. Eliopoulos**

Mr. Eliopoulos stated he supports the Wal-Mart project and stated with regard to the process this will be going to Planning and Zoning for rezoning, then come to the Commission for recommendation, and if the project is approved it would go back through the Site Plan Review and Appearance Board (SPRAB) approval process. Mr. Eliopoulos stated then the applicant would not be coming back before the Commission unless they came for a conditional use for the 24-hours. The City Manager stated unless the Commission appeals the SPRAB decision.

Secondly, he attended the Employee Barbeque on Friday, April 16, 2010 and it was a great turnout.

**13.C.3. Mrs. Gray**

Mrs. Gray stated she had the pleasure last week of going to Miami for a fundraising event for President Barack Obama and he was the guest speaker. She stated the event was well attended and it was a nice event.

Secondly, Mrs. Gray stated she and Alberta McCarthy attended an "Undoing Racism" Workshop that was held for three days. Mrs. Gray stated she is glad that the City is investing and spending money towards RACE relations.

**13.C.4. Mr. Frankel**

Mr. Frankel stated he too attended the Employee Barbeque and it was well attended.

Secondly, Mr. Frankel stated he attended the Circle on the Square fundraiser for Old School Square and there was a record turnout. He stated the Committee Chairs and everyone involved did a great job.

Lastly, Mr. Frankel stated he would like to get more information about the Financial Review Board letter.

**13.C.5. Mayor McDuffie**

Mayor McDuffie stated he is sorry he missed the Employee Barbeque on Friday.

Secondly, Mayor McDuffie stated he met with Mrs. Archer and discussed the Drug Task Force website.

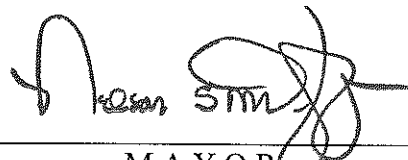
Mayor McDuffie stated he attended a celebration of American Legion Post #65. He stated Post #65 was built between the years 1919-1921 and is the oldest Post Home in the State of Florida. He stated it was a great celebration for the soldiers and they are always celebrating our veterans and active armed forces. Mayor McDuffie stated Forgotten Soldiers was also there and it was a great event.

Lastly, Mayor McDuffie stated there are at least two people in the City of Delray Beach that are 103 years old. He stated he and Commissioner Gray had an opportunity to go to lunch with a lady by the name of Rose who turned 103 years old and her daughter is 87 years old. Mayor McDuffie stated he also attended a birthday celebration at Pompey Park for Thomas Hickman who turned 103. Mr. Hickman has 13 children and over 100 grandchildren.

There being no further business, Mayor McDuffie declared the meeting adjourned at 7:28 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 Regular City Commission Meeting held on April 20, 2010, which Minutes were formally approved and adopted by the City Commission on May 11, 2010.

  
\_\_\_\_\_  
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.