

SPECIAL/WORKSHOP MEETING
JANUARY 10, 2012

A Special/Workshop Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Nelson S. McDuffie in the First Floor Conference Room at City Hall at 6:00 p.m., on Tuesday, January 10, 2012.

Roll call showed:

Present - Commissioner Thomas F. Carney, Jr.
Commissioner Jay Alperin
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

Mayor Nelson S. McDuffie called the special/workshop meeting to order and announced that it had been called for the purpose of considering the following Items.

SPECIAL MEETING AGENDA

1. **ORDINANCE NO. 44-11 (FIRST READING):** Consider an ordinance providing for revisions to the charter of the City of Delray Beach by amending Article III, "Legislative", Section 3.02, "City Commission: Composition, Eligibility, Election, and Terms"; Section 3.08, "Vacancies; Filling of Vacancies"; and Section 3.09, "Term Limits"; amending Article V, "Elections", Section 5.02, "Types of Elections"; to provide for a change in the length of a term from a two year term to a three year term and clarifying the applicability of such change; providing for a referendum election to be held on March 13, 2012. If passed, a public hearing will be held on January 17, 2012.

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR REVISIONS TO THE CHARTER OF THE CITY OF DELRAY BEACH BY AMENDING ARTICLE III, "LEGISLATIVE", SECTION 3.02, "CITY COMMISSION: COMPOSITION, ELIGIBILITY, ELECTION, AND TERMS"; SECTION 3.08, "VACANCIES; FILLING OF VACANCIES"; AND SECTION 3.09, "TERM LIMITS"; AMENDING ARTICLE V, "ELECTIONS", SECTION 5.02, "TYPES OF ELECTIONS"; TO PROVIDE FOR A CHANGE IN THE LENGTH OF A TERM FROM A TWO YEAR TERM TO A THREE YEAR TERM AND CLARIFYING THE APPLICABILITY OF SUCH CHANGE; PROVIDING FOR A REFERENDUM ELECTION TO BE HELD ON MARCH 13, 2012; PROVIDING A GENERAL REPEALER CLAUSE, A SAVING CLAUSE, AND AN EFFECTIVE DATE.

(The official copy of Ordinance No. 44-11 is on file in the City Clerk's office.)

The City Attorney read the caption of the ordinance and stated based on comments from the Regular Meeting on January 3, 2012, staff modified the language in the ordinance regarding appointments.

Mr. Carney thanked the City Attorney for the revised language.

Dr. Alperin stated the language is fine now.

Mayor McDuffie concurred that the language is much clearer than last time.

Mr. Frankel stated he had a lengthy discussion with someone from the public regarding the ordinance and they discussed the pros and cons of the ordinance. He encouraged the public to contact the Commission regarding this.

Mrs. Gray stated the three (3) year term allows the commission to build relationships with our legislators as well as staff. She asked that we make sure that the residents understand the ordinance.

Dr. Alperin stated that reporters need to make sure the facts are reported; even in the headlines. He stated the Commission voted only to put the Ordinance to the voters.

Mr. Carney stated this is a straightforward issue. He reiterated that the reasons that were articulated for doing this were to strengthen the Commission with local and state representation and with the staff.

Mayor McDuffie asked the public to contact the Commission if they have questions. He spoke regarding relationships with state legislators and Washington. He stated there are many things locally that we cannot do by ourselves. He reiterated that relationship building takes a while. He discussed history and continuity as well as institutional knowledge. Mayor McDuffie read the ballot language.

Mrs. Gray asked the City Attorney to explain the three (3) year terms and how this affects the city having an election.

Discussed continued between the Commission.

Dr. Alperin moved to approve Ordinance No. 44-11 on FIRST Reading, seconded by Mr. Frankel. Upon roll call the Commission voted as follows: Dr. Alperin – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Carney – Yes. Said motion passed with a 5 to 0 vote.

Mayor McDuffie adjourned the Special Meeting at 6:17 p.m.

WORKSHOP MEETING AGENDA

1. Art in Public Places Presentation

Mrs. Linda Karch, Director of Parks and Recreation, introduced Ms. Elayna Toby Singer, Palm Beach County Arts in Public Places Administrator. Ms. Singer stated she is not here on behalf of Palm Beach County tonight. She is here due to her work with the city's Public Art Advisory Board. She conducted a PowerPoint presentation regarding the city's public art priorities outlined in the City's and Community Redevelopment Agency's master, strategic and cultural plans. She also discussed highlights of the city's public arts ordinance.

Dr. Alperin stated he has always been excited about public art. He mentioned lighting at Old School Square.

Mr. Carney commented that the public art program is good here at the city.

Mrs. Gray asked are there any upcoming projects for other areas in the city i.e. Military Trail.

Mr. Frankel thanked Ms. Singer for the presentation and thanked the Public Art Advisory Board as well. He stated the city does a good job with its public art. In addition, he mentioned lighting.

Mayor McDuffie stated we have wonderful artists in Delray Beach. He stated there is no sense of central control regarding coordination. He discussed lighting and asked what the relationship and expectations can be between the city and Palm Beach County.

Ms. Singer stated she will present a full summary of key findings and recommendations in February to the Public Art Advisory Board and in March to the City Commission.

2. Discussion of Virtual Kiosks

Mrs. Lula Butler, Director of Community Improvement, this is a presentation from the Delray Beach Marketing Cooperative (DBMC) in partnership Blueweb Mobile Media. She stated the concept of digital signs and interactive kiosks were presented to Commission at a workshop meeting in March 2011. She stated staff will come back to Commission to discuss how to amend our code to allow this if Commission so chooses.

Ms. Sarah Martin, Executive Director of the DBMC, this is a part of their multifaceted Blueweb Mobile Media project. The virtual kiosk is the second phase of this project; the first is Wi-Fi. She stated this will act as a way finding system and a green alternative for marketing in Delray. It will address economic development as it provides a direct link to merchants and information on their websites. It can also act as an emergency platform for city messages regarding hurricanes or any other type of emergency. In addition, it can be interactive during events. It can be part of public art as well. The kiosk demonstration took place two weeks ago at the Delray Beach Public Library.

Mr. Dan Kenny, Blueweb Mobile Media, showed a video of how the interactive kiosk works.

Ms. Martin further explained the kiosk project.

Mrs. Butler stated this can be done citywide and merchants will pay for advertising to be listed on the kiosk. However, there is a conflict with the sign code regarding off premise signs.

Mr. David T. Harden, City Manager, stated this program is new and exciting. It can be done assuming Commission would like to move forward as long as we work with our attorneys closely to be sure we are not creating unintended consequences in terms of opening things up regarding window signs, etc.

Dr. Alperin stated he is excited about this concept; it a great idea. He stated this concept was discussed when he was on the Old School Square Board for Old School Square events and the surrounding area. He stated there has to be a way to word this. He discussed possible working and asked will these be free standing kiosks. Mr. Kenny stated the kiosks will be mounted to the inside of a window and the window becomes the touch screen.

Mr. Carney discussed advertising and stated he is concerned with authorizing a program that might exclude people who cannot pay for advertising-how do we protect the smaller businesses.

Mr. Kenny stated advertising will be \$75.00 per month.

Mrs. Gray asked what locations have been identified for the virtual kiosks and how many kiosks will be going in. Ms. Martin stated the following locations have been identified but they have not received approval yet: Seagate Hotel, Hands, the 110 Building, Library and Pineapple Grove. In addition, Mrs. Gray asked about the contract and maintenance.

Mr. Frankel stated he likes the fact that there will be a listing of everyone included. He stated our ordinances need to be very strict about this. He feels there are too many signs in Delray Beach.

Mr. Kenny stated this is all web based regarding updated information.

Dr. Alperin asked if this can be accessed through a webpage. Mr. Kenny stated "Google Chrome" would have to be used. The Mayor suggested a link to the DBMC webpage. Ms. Martin stated this is a single platform project. The information will be the same on each kiosk; and this is a locked internet.

Mr. Brian Shutt, City Attorney, stated as far as what we can do on the code; it will not be specific only to Blueweb Mobile Media but will be applicable and open to others as well. Regarding the code, this could be deemed off premise advertising and reiterated what may or may not be done.

Discussion continued regarding the code and Mr. Harden asked Commission to allowed staff to work on this.

Commission thanked Ms. Martin and Mr. Kenny for the presentation.

Mayor McDuffie adjourned the Workshop Meeting at 8:02 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 of the City Commission held on Tuesday, January 10, 2012, which Minutes were formally approved and adopted by the City Commission on January 17, 2012.


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 amendments, additions or deletions to the Minutes as set forth above.

1

2

3