

# City of Delray Beach

## Regular Commission Meeting

**\*\*\*AGENDA RESULTS\*\*\***



### **RULES FOR PUBLIC PARTICIPATION**

**1. PUBLIC COMMENT:** The public is encouraged to offer comments with the order of presentation being as follows: City Staff, public comments, Commission discussion and official action. City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor or presiding officer has discretion to adjust the amount of time allocated.

Tuesday, March 16, 2010

Regular Meeting 6:00 p.m.  
Public Hearings 7:00 p.m.  
Commission Chambers  
Delray Beach City Hall

- A.** Public Hearings: Any citizen is entitled to speak on items under this section.
- B.** Comments and Inquiries on Non-Agenda Items from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- C.** Regular Agenda and First Reading Items: Public input on agendaed items, other than those that are specifically set for a formal public hearing, shall be allowed when agreed by consensus of the City Commission.

**2. SIGN IN SHEET:** Prior to the start of the Commission Meeting, individuals wishing to address public hearing or non-agendaed items should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission on an appropriate item. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the podium to speak, please complete the sign-in sheet if you have not already done so.

**3. ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the podium and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

### **APPELLATE PROCEDURES**

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

100 NW 1st Avenue  
Delray Beach, Florida 33444

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The City will furnish auxiliary aids and services to afford an individual with a disability an opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Contact Doug Smith at 243-7010, 24 hours prior to the event in order for the City to accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers.

1. **ROLL CALL.**
2. **INVOCATION.**
3. **PLEDGE OF ALLEGIANCE TO THE FLAG.**
4. **AGENDA APPROVAL.**
5. **APPROVAL OF MINUTES:**
  - A. March 2, 2010 – Regular Meeting (Approved, 5-0)
6. **PROCLAMATIONS:**
  - A. Alzheimer’s Association Palm Beach Memory Walk Day 2010 – April 10, 2010
  - B. Commending multiple medal winners - **Delray Beach 2010 Senior Games**
  - C. Recognizing and Commending the Delray Divas Step Dance Teams
  - D. Water Conservation Month – April 2010
  - E. Fair Housing America Month – April 2010
7. **PRESENTATIONS:**
  - A. Matchpoint Presentation – Mark Baron
8. **CONSENT AGENDA:** City Manager Recommends Approval. (Approved, 5-0)
  - A. **SUSAN B. WILLIAMS HOUSE RESTORATION/JUDSON ARCHITECTURE, INC.:** Approve an agreement with Judson Architecture, Inc., in the amount of \$26,500.00 for construction administration services regarding the Susan B. Williams House Restoration. Funding is available from 334-4851-575-62.89 (General Construction Fund: Buildings/Munnings/WMS Rehab).
  - B. **MEMORANDUM OF UNDERSTANDING: NATIONAL COMMUNITY STABILIZATION TRUST/REO ACQUISITION PROGRAM:** Approve a Memorandum of Understanding with the National Community Stabilization Trust to participate in the Real Estate Owned (REO) Acquisition Program.
  - C. **AMENDMENT TO THE NEIGHBORHOOD STABILIZATION PROGRAM APPLICATION BOUNDARY AREA:** Approve a request to amend the Neighborhood Stabilization Program (NSP) boundary area to add Census Tract 66.05.
  - D. **REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:** Accept the actions and decisions made by the Land Development Boards for the period March 1, 2010 through March 12, 2010.

E. **AWARD OF BIDS AND CONTRACTS:**

1. Contract award to Southland Painting Corporation in the amount of \$50,630.00 for partial rehabilitation of Clarifier #4 at the Water Treatment Plant. Funding is available from 442-5178-536-64.90 (Water & Sewer Renewal and Replacement Fund: Machinery & Equipment/Other Machinery/Equipment).
2. Contract award to Gulfstream Sports Group in the amount of \$25,125.00 for replacement of bleachers in the gym at the Community Center. Funding is available from 334-4125-572-46.10 (General Construction Fund: Repair & Maintenance Services/Building Maintenance).
3. Contract award to RSI of Florida, Inc. in the amount of \$59,640.00 for re-roofing the Water Treatment Plant Administration Building. Funding is available from 442-5178-536-62.10 (Water & Sewer Renewal & Replacement Fund/Buildings).
4. Purchase award to Garber Ford Mercury in the amount of \$24,919.00 for one (1) 2010 Ford Crown Vic Police Interceptor replacement vehicle with options. Funding is available from 501-3312-591-64.20 (Garage Fund: Machinery/Equipment/Automotive).

9. **REGULAR AGENDA:**

- A. **WAIVER REQUEST/ATLANTIC OCEAN CLUB:** Consider approval of a waiver request for Atlantic Ocean Club to Land Development Regulations (LDR) Section 4.4.13(F)(1)(c), "Height", which requires a minimum floor height of 10 feet for the ground floor and 9 feet for all other floors. Located at the northwest corner of East Atlantic Avenue and the FEC Railway. *(Quasi-Judicial Hearing)* (Motion to approve board order as presented; Approved, 5-0)
- B. **CONDITIONAL USE REQUEST/CHASE BANK:** Consider approval of a conditional use pursuant to Land Development Regulations (LDR) Section 2.4.5(E), "Establishment of a Conditional Use", to allow a 4,214 square feet bank building with drive-thru facilities for Chase Bank located at the N.W. corner of N.E. 6th Avenue and N.E. 7th Street. *(Quasi-Judicial Hearing)* (Motion to approve board order as presented; Approved, 5-0)
- C. **APPEAL/HISTORIC PRESERVATION BOARD ACTION/14 SOUTH SWINTON AVENUE:** Consider an appeal of the Historic Preservation Board's decision regarding a Certificate of Appropriateness associated with the installation of a free-standing sign on a contributing property located at 14 South Swinton Avenue. *(Quasi-Judicial Hearing)* (Motion to bring back to the April 6, 2010 City Commission Meeting; Approved, 5-0)
- D. **SUNGARD/ONESOLUTION SOFTWARE SYSTEM:** Consider an offer from SunGard for acquisition of their ONESolution software system for finance and other administrative applications. (Motion to approve staff recommendation to decline SunGard's offer at this time; Approved, 5-0)

- E. **MUNICIPAL ELECTION RESULTS:** Canvass the returns, and declare the results of the March 9, 2010 First Nonpartisan Election. *(ADDENDUM)* (Motion to approve; Approved, 5-0)

10. **PUBLIC HEARINGS:**

- A. **RESOLUTION NO. 09-10/CONTRACT FOR SALE AND PURCHASE/ANGEL ACQUISITIONS, LLC./216 S.E. 1ST AVENUE:** Consider approval of Resolution No. 09-10 authorizing the City to purchase a foreclosed real property located at 216 S.E. 1st Avenue, to be utilized for affordable housing purposes; and approve a Contract for Sale and Purchase between the City and Angel Acquisitions, LLC., in the amount of \$199,000.00. **(STAFF HAS REQUESTED THIS ITEM BE REMOVED AS THE PROPERTY IS NO LONGER AVAILABLE).** (Motion to remove; Approved, 5-0)
- B. **RESOLUTION NO. 10-10/CONTRACT FOR SALE AND PURCHASE/STELLAR HOMES OPPORTUNIA, LLC./2187 DORSON WAY:** Consider approval of Resolution No. 10-10 authorizing the City to purchase a foreclosed real property located at 2187 Dorson Way, to be utilized for affordable housing purposes; and approve a Contract for Sale and Purchase between the City and the Stellar Homes Opportunia, LLC., in the amount of \$139,000.00. **(STAFF HAS REQUESTED THIS ITEM BE REMOVED AS THE PROPERTY IS NO LONGER AVAILABLE).** (Motion to remove; Approved, 5-0)
- C. **RESOLUTION NO. 11-10/CONTRACT FOR SALE AND PURCHASE/WELLS FARGO FINANCIAL SYSTEM FLORIDA/3740 LANCEWOOD PLACE:** Consider approval of Resolution No. 11-10 authorizing the City to purchase a foreclosed property located at 3740 Lancewood Place, to be utilized for affordable housing purposes; and approve a Contract for Sale and Purchase between the City and Wells Fargo Financial System Florida in the amount of \$135,000.00. (Approved, 5-0)
- D. **RESOLUTION NO. 12-10/CONTRACT FOR SALE AND PURCHASE/U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)/1135 E. LANCEWOOD PLACE:** Consider approval of Resolution No. 12-10 authorizing the City to purchase a foreclosed real property located at 1135 E. Lancewood Place, to be utilized for affordable housing purposes; and approve a Contract for Sale and Purchase between the City and HUD in the amount of \$170,000.00. (Approved, 5-0)

11. **COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PUBLIC HEARINGS.**

- A. City Manager's response to prior public comments and inquiries.
- B. From the Public.

12. **FIRST READINGS:**

A. None

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

A. City Manager

B. City Attorney

C. City Commission

**POSTED: MARCH 12, 2010**

***\*\*\*\*\* Meeting adjourned at 7:41 p.m. \*\*\*\*\****