

**SPECIAL/WORKSHOP MEETING
AUGUST 24, 2010**

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 Commission Chambers at City Hall at 6:00 p.m., on Tuesday, August 24, 2010.

Roll call showed:

Present - Commissioner Gary P. Eliopoulos
 Commissioner Fred B. Fetzner
 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
 Lanelda D. Gaskins, Deputy City Clerk

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

SPECIAL MEETING AGENDA

1. **APPOINTMENT OF OUTSIDE COUNSEL/DAVID RICKS V. CITY OF DELRAY BEACH AND DAVID HARDEN:** Consider approval of Carson & Adkins, P.A. as outside counsel in the case of David Ricks v. City of Delray Beach and David Harden

Mr. Brian Shutt, City Attorney, stated staff recommends appointing Carson & Adkins, P.A. as outside counsel to represent the City in this case due to the conflict of interest with the City Attorney's office. He stated this firm is handling the lawsuit that was filed a week ago and the cases have to be consolidated into one action and this is the reason staff recommends appointing outside counsel.

Mr. Eliopoulos stated that the firm is an outside firm and that they do not charge the City for travel time.

Mr. Frankel stated that he spoke with the City Attorney and since the firm is already familiar with the lawsuit, he supports it tonight. He stated going forward it is imperative that the City have local counsel for local cases and he would like to see that in the future. He understands that the rate the firm is giving is fair, but when there is a County firm in the County he feels it is beneficial. Mr. Frankel stated based on the firm's knowledge he supports it.

Mrs. Gray stated she does not mind looking into local firms, just make sure they are qualified.

Mayor McDuffie stated that would be prudent and that there be specifications on what the qualification would be.

Mr. Frankel moved to approve appointing Carson & Adkins, P.A. as outside counsel in the case of David Ricks v. City of Delray Beach, 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.

Mayor McDuffie adjourned the Workshop Meeting at 6:02 p.m.

WORKSHOP MEETING AGENDA

1. FY 2010/2011 Special Event and Miscellaneous Grant Funding Recommendations/Grants Committee

Mr. David T. Harden, City Manager, introduced this item and presented a PowerPoint presentation on FY 2011 Budget Challenge. He discussed the projected revenues, expenses and the recommended changes to balance the budget.

Mr. Barcinski discussed FY 2010/2011 Special Event and Miscellaneous Grant Funding Recommendations/Grant Committee. The Grant Committee looked at each individual application and they recommended a total funding level of \$181,900.00 for FY 2010/2011 which is \$13,000.00 less than the current year. The overall recommended total for both Special Event requests and Miscellaneous Grants is about 6.7% lower than last year. The Committee also thought the funding for the requests from the Mae Volen Center and Alzheimer's Community Care Center could possibly be funded by the Law Enforcement Trust Fund. Discussion ensued between the Commission and staff. Mr. Eliopoulos suggested that staff needs to evaluate some of the programs, look at how much they reach out to the community, find out what their budget is and how much is going towards serving the community. Staff needs to follow up with the non-profits and find out how they can be better and more sustainable. If there was a program in the past, he would like to see it implemented again.

The Commission commended and thanked Mr. Barcinski and the Grant Review Committee for a job well done.

2. Review of Responses to Financial Review Board's Budget Recommendations

Mr. Harden introduced this item and presented a PowerPoint presentation. He discussed each line item outlined in the City Manager's Response to the Financial Review Board GAP Closing Recommendations/Comments. Mr. Harden stated that on next week he plans to go through all of the Employee Recommendations and give the Commission a response on those.

Commission thanked Mr. Harden and staff for a great report. Discussion ensued between Commission and staff regarding some potential changes to the upcoming operating budget for FY 2010-2011. It is the consensus of the Commission to hear the Employee Recommendations next week.

3. **Fiscal Year 2011-2015 Capital Improvement Program (CIP) Presentation**

Mr. Randal Krejcarek, City Engineer, introduced this item and presented a PowerPoint presentation. He discussed the details of individual projects included in the Proposed FY 2011-2015 Capital Improvement Program.

The Commission and staff briefly discussed the proposed CIP project for FY 2011-2015.

4. **Discussion Regarding General Fund Fee Changes For FY 2010/2011**

Mr. Douglas Smith, Assistant City Manager, introduced this item. At the August 17, 2010 Regular Meeting, Commission discussed the proposed General Fund Fee changes for FY 2010-2011 and directed staff to review the old fees that had not been changed. Mr. Smith presented a PowerPoint presentation and discussed the proposed General Fund Fee Changes for FY 2010-2011. Discussion ensued between Commission and staff regarding the recommended General Fund Fee Changes for FY 2010-2011 including the options and alternatives for some of the fees such as the amount of the proposed alarm registration fee and Parks and Recreation fees.

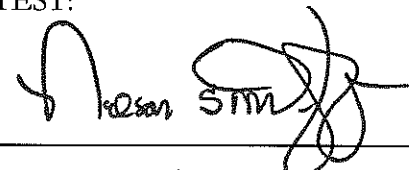
It is the consensus of the Commission for staff to review various Parks and Recreation fees for increase and implementation, and bring back to Commission at the September 7, 2010 Regular Meeting.

Mayor McDuffie adjourned the Workshop Meeting at 7:47 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 Special/Workshop Meeting of the City Commission held on Tuesday, August 24, 2010, which Minutes were formally approved and adopted by the City Commission on September 21, 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 amendments, additions or deletions to the Minutes as set forth above.

A handwritten signature in cursive script, appearing to read "James R. ...".