

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 1, 2011

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.

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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.** (Mayor McDuffie noted Item 9.B., Final Subdivision Plat Approval/CDS Delray Redevelopment (Atlantic Plaza II), has updated information on the dais; Item 9.C., Grant Agreement/Palm Beach County/Expanding and Preserving Our Cultural Heritage, Inc. (EPOCH)/C. Spencer Pompey Amphitheater, has additional information on the dais and also the October 1, 2010 date on the cover memo in the Background Section, Paragraph 4 was an error, the correct date was October 1, 2011. Approved as amended, 5-0)
5. **APPROVAL OF MINUTES:**
 - A. February 8, 2011 – Workshop Meeting (Approved, 5-0)
 - B. February 15, 2011 – Regular Meeting (Approved, 5-0)
6. **PROCLAMATIONS:**
 - A. Recognize Church of the Palms 50th Year Anniversary – March 5, 2011
 - B. All People’s Day ® – March 22, 2011
7. **PRESENTATIONS:**
 - A. None
8. **CONSENT AGENDA:** City Manager Recommends Approval. (Approved as amended, 5-0)
 - A. **REQUEST FOR SIDEWALK DEFERRAL/921 SOUTH OCEAN BOULEVARD:** Approve a request to defer the installation of a sidewalk along Ocean Boulevard for the property located at 921 South Ocean Boulevard.
 - B. **RESOLUTION NO. 09-11:** Approve Resolution No. 09-11 to support continuance of the prescription drug monitoring program authorized by Section 893.055 of the Florida Statutes.
 - C. **AMENDMENT NO. 1 TO THE ACQUISITION AGREEMENT/PUBLIC SERVICE CORPORATION/CRYWOLF ALARM SOFTWARE:** Approve Amendment No. 1 to the Acquisition Agreement with Public Safety Corporation (PSC) for the CryWolf alarm software providing for reductions to software licensing costs.

- D. **AMENDMENT NO. 2 TO THE AGREEMENT/SUNGARD:** Approve Amendment No. 2 to the Agreement with SunGard Public Sector, Inc. in the amount of \$34,300.00 for a public safety software system to add purchase of CryWolf alarm software and FireHouse Inspection iPad module. Funding is available from 334-2111-521-66.10 (General Construction Fund: Books/Publications/Software).
- E. **TRIPARTITE INTERLOCAL AGREEMENT BETWEEN CITY OF DELRAY BEACH, PALM BEACH COUNTY SCHOOL DISTRICT AND ACHIEVEMENT CENTERS FOR CHILDREN AND FAMILIES:** Approve an Interlocal Agreement between the City of Delray Beach, Palm Beach County School District and the Achievement Centers for Children and Families for shared use of the Village Academy facilities.
- F. **REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:** Accept the actions and decisions made by the Land Development Boards for the period February 14, 2011 through February 25, 2011.
- G. **AWARD OF BIDS AND CONTRACTS:**
1. Bid award to Duval Ford in the amount of \$149,112.00 for the purchase of six (6) Ford Crown Victoria Police Interceptors pursuant to Florida Sheriffs Association Contract # 10-18-0907. Funding is available from 501-3312-591-64.20 (Garage Fund: Machinery/Equipment/Automotive).
 2. Purchase award to Emergency Vehicle Supply in the amount of \$61,314.36 for the installation and complete set up of six (6) Police Cruisers. Funding is available from 501-3312-591-64.20 (Garage Fund: Machinery/Equipment/Automotive).
 3. Bid award to Intercounty Engineering Corporation in the amount of \$1,408,505.93 for construction of the Area 11B Reclaimed Water System Project. Funding is available from 441-5181-536-65.96 (Water and Sewer Fund: Other Improvements/Reclaim Water Transmission), 448-5461-538-63.90 (Storm Water Utility Fund: Improvements Other/Other Improvements) and 442-5178-536-63.90 (Water & Sewer Renewal & Replacement Fund: Improvements Other/Other Improvements).
 4. Purchase award to Pierce Manufacturing, Inc. in the amount of \$547,724.29 after pre-payment discount utilizing the Florida Sheriffs Association Bid# 10-09-0907, Specification #15 for one (1) Pierce Velocity HDR Pumper. Funding is available from 501-3312-591-64.25 (Garage Fund: Machinery/Equipment/Heavy Equipment).

9. **REGULAR AGENDA:**

- A. **RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT WITH PROFESSIONAL FIREFIGHTERS/PARAMEDICS OF PALM BEACH COUNTY, INC. IAFF LOCAL 2928:** Consider ratification of the Collective Bargaining Agreement with Professional Firefighters/Paramedics of Palm Beach County, Inc. IAFF Local 2928. (Motion to approve; Approved, 5-0)

- B. **FINAL SUBDIVISION PLAT APPROVAL/CDS DELRAY REDEVELOPMENT (ATLANTIC PLAZA II):** Consider approval of the final plat for an 8.65 acre mixed-use development known as CDS Delray Redevelopment (Atlantic Plaza II), located north of East Atlantic Avenue, between N.E. 6th Avenue and Veterans Park. (Motion to approve; Approved, 5-0)
- C. **GRANT AGREEMENT/PALM BEACH COUNTY/EXPANDING AND PRESERVING OUR CULTURAL HERITAGE, INC. (EPOCH)/ C. SPENCER POMPEY AMPHITHEATER:** Consider approval of a Grant Agreement between Palm Beach County, the City, and EPOCH; and a commitment to provide supplemental funding in the amount of \$310,000.00 for redesign and construction of the proposed C. Spencer Pompey Amphitheater on the Spady Cultural Heritage Museum grounds. Funding to be programmed in the 2011/2012 Capital Improvement Plan. (Motion to **TABLE** to the March 15, 2011 Regular Meeting; Approved, 5-0)
- D. **RECONSIDERATION OF CREATIVE CITY COLLABORATIVE (CCC) REQUEST TO WAIVE COSTS:** Decide whether to reconsider a request from the Creative City Collaborative to waive reimbursement to the City for printing and mailing costs, estimated to be \$4,170.00 for three (3) quarters, to include a solicitation in utility bills for voluntary donations to cultural programs. (Motion to reconsider request at the March 15, 2011 Regular Meeting; Approved, 5-0)
- E. **APPOINTMENT TO THE PARKING MANAGEMENT ADVISORY BOARD:** Appoint one (1) Citizen-at-Large Representative to the Parking Management 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). (Appointed Mel Pollack and approved, 5-0)
- F. **APPOINTMENT TO THE CODE ENFORCEMENT BOARD:** Appoint one (1) regular member to the Code Enforcement Board to serve an unexpired term ending January 14, 2012. Based upon the rotation system, the appointment will be made by Commissioner Gray (Seat #4). (Appointed David Boone and approved, 5-0)
10. **PUBLIC HEARINGS:**
- A. **ORDINANCE NO. 03-11:** Privately initiated rezoning from Agricultural (A) District to Professional and Office (POD) District for a 2.09 acre vacant parcel of land located on the north side of West Atlantic Avenue, west of High Point Boulevard and the Delray Garden Center. (*Quasi-Judicial Hearing*) (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. **ORDINANCE NO. 07-11:** Consider repealing Ordinance No. 40-10 regarding proposed revisions to the Charter of the City of Delray Beach. If passed, a public hearing will be held on March 15, 2011. (Approved, 5-0)
- B. **ORDINANCE NO. 08-11:** Consider approval to amend Chapter 112, “Alarm Systems”, by amending Sections 112.20, “Application For Alarm Registration; Reporting Changes To Required Information; Renewal”, and 112.21, “Alarm Registration Required; Penalty For Failure To Register”, to provide that renewals shall be filed by May 1st each year and to clarify registration requirements for fire alarms. If passed, a public hearing will be held on March 15, 2011. (Approved, 5-0)

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

- A. City Manager
- B. City Attorney
- C. City Commission

POSTED: FEBRUARY 25, 2011

******** Meeting adjourned at 7:59 p.m. ********