

**SPECIAL/WORKSHOP MEETING
AUGUST 10, 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 10, 2010.

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

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. PROPOSAL/PALM BEACH COUNTY SHERIFF'S OFFICE:** Consider directing staff to obtain a proposal from the Palm Beach County Sheriff's Office (PBSO) to provide law enforcement services.

Mr. David T. Harden, City Manager, stated just to make some introductory comments on what we have learned in looking at this so far; Palm Beach County Sheriff's Office stated they could provide a proposal before September 21, 2010. Several cities that have elected to contract with the Sheriff's Office have done so when faced with hitting the 10 mil cap or when their police department has been the subject of numerous complaints of unsatisfactory service, scandal or both. We have a nationally recognized award winning Police Department. He discussed several cities that contracted with the Sheriff's Office: City of Deerfield Beach, City of Greenacres and City of Lake Worth. The Town of Davie voted to keep their own Police Department. He discussed that there are other options to look at rather than contracting out the whole service; we are beginning to explore sharing different services with adjacent communities i.e. dispatch, crime scene investigation, dive team without giving up the entire department. He highlighted other issues which point out the complexities of the decision of going forward with this: police and fire pensions, interlocal agreement and Municipal Services Taxing Unit (MSTU) millage. Mr. Harden suggested that before we ask for a proposal from the PBSO, we have a public hearing to see how residents feel about it since it is ultimately their decision what they are willing to pay for those services. To be sure that we are requesting what we want from the PBSO, the City Manager asked that we allow the staffing and deployment study currently underway to be completed that could form the basis of a really specific request for proposal from the PBSO. He discussed the Fire Department budget and revenue for FY 2011; as well as the County's MSTU millage for fire services.

Mr. Frankel asked if the \$17 million fee includes any pension costs.

Mr. Brian Shutt, City Attorney, discussed the impact this decision would have on city ordinances.

Mayor McDuffie stated he spoke one on one with Sheriff Bradshaw who suggested that an RFP or RFQ is not required and he has a team that has done this before at the request of City Managers. Sheriff Bradshaw also stated he will go this process one time only because it is an enormous amount of work. Mayor McDuffie stated we need to be fair to our department and the PBSO regarding this process. He does not believe that we can transfer enough information fast enough to reconstitute what we need to in time to set a millage rate on September 21, 2010 because there is so much we need to take a look at. He reiterated that Sheriff Bradshaw would need the complete cost of our Police Department.

Mr. Eliopoulos stated he does not support this. He stated this is an issue where you make a decision for the people for the long term. He stated that you cannot put a price tag on the services our Police Department provides.

Mr. Fetzer stated this was a lot of good data provided by the City Manager and any decision we could or would make on this will not impact our budget situation for 2011 because this is such a huge issue it will not be proposed in time to affect that budget. He stated he has had an overwhelming response from certain residents against this; and some of the Police and Fire employees do not want this. He mentioned sharing services and stated this is something we need to work on. He stated his goal is to balance our budget this year and wanted to look at this as another opportunity to consider. He stated he would like to take this off the table and not consider at this time.

Mrs. Gray stated she concurs and would like to take this off the table. She is not interested in turning our Police and Fire Departments over to the Sheriff's Office.

Mr. Frankel stated he was surprised when Mr. Fetzer suggested this last week. He stated it was done with good intention and they are trying to balance the budget. This is a major decision and our Police Department has a major identity. He stated there are differences between Police and Fire. He stated you do not see the Fire department on a daily basis; however, Police you see and there is a different relationship. He stated he does not know if the union leadership matches with the department and is hearing what the community feels and it is not positive to switching and mentioned Walmart. He stated in having our Police Department go to the PBSO you lose character and distinction and if we look at this it needs to be done in a very careful manner; all facts need to be known. However, to do it in time for the budget process that we are going through the next several weeks would be careless. He stated he is not saying he is against it in the future, but to do it right now in a rushed manner does not serve anyone.

Mayor McDuffie stated he concurs with most of what has been said here and does not think we have the time between now and September 13, 2010 to do what is in the best interest for the community, our department or the PBSO; to gather the information to get it out. The community has been emailing him and is against this. It has been members of the community, officers and some volunteers who have emailed as well. He supports dropping this for the time being. In the next several years, it will be incumbent upon us to take a look at every expense.

Mr. Fetzner motioned to not obtain a proposal from the Palm Beach County Sheriff's Office, seconded by Mr. Eliopoulos. Upon roll call the Commission voted as follows: Mr. Fetzner – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes; Mayor McDuffie – Yes; Mr. Eliopoulos – Yes. Said motion passed with a 5 to 0 vote.

2. **CONTRACT AWARD/DANVERS CONSULTATION AND RESEARCH FIRM:**
Approve a contract award to Danvers Consultation and Research Firm in the amount of \$30,000.00 for a city wide street light audit to verify historic Florida, Power and Light (FPL) billings and to identify potential credits due to the city. Funding is available from 001-3142-541-31.90 (General Fund/Street Lighting/Other Professional Services). *(Staff requests this item be postponed to the September 7, 2010 Regular Commission Meeting.)*

Mr. Richard Hasko, Environmental Services Director introduced this item and stated there were two primary issues. He stated one was the proposed flat fee versus the performance based percentage and the other was the issue of our fee. Mr. Danvers has spoken with them about this for two (2) or three (3) years. He asked Mr. Danvers for a proposal which went back and forth regarding formatting issues. They discussed the percentage for the credit. Mr. Hasko stated he is not a proponent of performance contracting because it is very difficult to calculate; and asked Mr. Danvers to come back with a flat rate. Regarding a Request For Proposal, staff can do this if Commission wants to see if anyone else is out there that can offer the same services for scope.

Mrs. Gray asked if a flat fee is used, are there any municipalities that we can compare prices to which he has done business with recently.

Mr. Eliopoulos stated long term this will be a good thing because we want to find out how efficient we are and what we are being charged by FPL; however, his concern is will we be able to prove or get money from FPL if we have been overcharged.

Mr. Hasko discussed the scope and Mr. Harden explained how Mr. Danvers will get paid and how we will save money going forward.

Mr. Fetzner stated this was a good explanation from Mr. Hasko and he supports this.

Mr. Frankel asked why this is not being done by FPL; and how will Mr. Danvers do this.

Mr. Hasko explained the process for the audit of the street light system.

Mr. Frankel asked if there is anyone on city staff that can do this audit. He stated Mr. Danvers' track record and experience sounds good as well as the potential savings for the city. He stated it should be on FPL to charge the proper amount.

Mayor McDuffie stated FPL is a tough company to deal with and if Mr. Danvers can do this in a reasonable amount of time with a positive return to the city and is the only person around here who does this; then, he can support it.

Discussion ensued between Commission and staff regarding the contract language and the rate.

Mr. Frankel motioned to award the contract to Danvers Consultation and Research Firm, Inc. in the amount of either 1/3 of amounts recovered with a cap of \$30,000 and payment not to be made until the City receives payment from FPL, seconded by Mr. Eliopoulos. 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.

Mayor McDuffie adjourned the Special Meeting at 6:47 p.m.

WORKSHOP MEETING AGENDA

1. PRESENTATION REGARDING PALM BEACH COUNTY COMMISSION ON ETHICS

Alan Johnson, Executive Director of the Palm Beach County Commission on Ethics, thanked the Commission for inviting him. Mr. Johnson gave an overview of his background and experience. He discussed the history of the county regarding ethics issues and conducted a PowerPoint presentation regarding the formation of the Inspector General position and Palm Beach County Commission on Ethics. Mr. Johnson discussed the jurisdiction of the Inspector General regarding contracts and records; he stated this office is forensic, totally independent of the Commission on Ethics as well as the County Commission. The Commission on Ethics looks at the ethical aspect of government; employees and officials appointed or elected. The Palm Beach County Commission on Ethics issues advisory opinions and addresses complaints. Lastly, the Commission will go into the community and convince the public that they have a voice and will get a local response if they call. He stated there are only two independent entities: Miami-Dade and Palm Beach County. He stated transparency and accountability are the most important facets and outreach. In addition, Mr. Johnson discussed the County Code of Ethics and ordinances. He stated the county code of ethics is similar to the State Code of Ethics. However, the county's code of ethics is more specific. He stated complaints that are made by someone must be based on personal knowledge; frivolity is discouraged. Mr. Johnson, stated not only are the Inspector General and Commission on Ethics independent, the members were appointed from different areas of government. He stated it is extremely important that the members remain non-political. He discussed financing and stated the Commission on Ethics services are free; however, there are surcharge costs for the Inspector General regarding contracts but the rests of those costs are absorbed by the county. He stated certain municipalities want to come aboard now and mentioned the charter changes and referendum. He has had meetings with the Palm Beach County School Board and Florida Atlantic University to get everyone (students) involved with ethics; he discussed the marketing aspects of the program for getting people involved. Mr. Johnson provided his contact information and stated the referendum will take place and be on the ballot in November.

Mr. Eliopoulos stated that the people deserve this and there is just cause for this; he is worried about how this came about and how certain (lower) boards may get diluted as well as how this may affect staff. Mr. Johnson stated the State's Code of Ethics, criminal laws and sunshine laws apply to board members now; and the Commission on Ethics will train local staff and officials when the municipalities come on board so that they will know what these laws are.

Mr. Fetzer asked if there is a downside with opting to go into this at this point as opposed to waiting for the referendum.

The City Manager and City Attorney discussed this regarding the ordinances and waivers that will have to be granted.

Mr. Fetzner stated when he first found out about this process quite a while back he was very adamant that we need to be proactive for this city. He stated this is a very important issue for Palm Beach County for which we need to take responsibility. He is willing to wait for the referendum based on the legal issue the City Attorney just raised. He stated our voters will vote for this and we need to move as quickly as we can.

Mr. Johnson stated he will contact Jamie Titcomb and discuss the substantive parts of the Code of Ethics and prohibitions.

Mrs. Gray asked about the ad valorem taxes funding this initiative and how much would this be from Delray Beach. She asked if the county decides not to fund this again, will the county come back to the cities for funding.

Mr. Frankel thanked Mr. Johnson for the presentation and stated after speaking with the City Attorney on Monday, it seems there are some things that need to be worked out and he is interested in finding out what the League of Cities' position is on this. He concurs with Mr. Fetzner that this is important and we need to move quickly on this as it is certainly a necessity and wants to make sure that we do it correctly.

Mayor McDuffie thanked Mr. Johnson for coming and stated that he served on the League of Cities Lobbyist Registration Committee. He stated they liked the county's lobbyist registration system online and discussed their ideas. He stated they stopped meeting and waited for everyone to be seated regarding the Inspector General, etc. He stated if they could open dialogue again regarding this that would be good. In addition, he asked if cities will be billed if they opt in to this or will it be taken directly from the County regarding ad valorem taxes.

It was Consensus of the Commission that this is a great idea.

2. OLD SCHOOL SQUARE ANNUAL REPORT AND BUDGET PRESENTATION

Mr. Joe Gillie, Executive Director of Old School Square (OSS), thanked the Commission for having them tonight and introduced Board Members: Bob Currie, Rich McGloin, and Dr. Jay Alperin, Chair of Strategic Planning Process. Staff members, Melissa Carter, Director of Marketing/Public Relations; Peggy Murphy, Director of Center Services and Bob Schwartz, Finance Director, were present as well. He started with their value proposition: Old School Square is committed to serve as the cultural heart and gathering place of Delray Beach through festivals, special events and strong arts programs; and discussed the longstanding partnership, driven by a clear understanding of the City's annual goals and objectives regarding the economic and cultural needs of the City, between Old School Square and the City. Mr. Gillie thanked Mr. Robert Barcinski, Assistant City Manager, for spending countless hours working with OSS. He stated Old School Square is fiscally responsible to the City and to justify their partnerships to the citizens of Delray Beach; and that Old School Square belongs to the City and they are the non-profit that runs the building for the City. He stated Old School Square continues to position the City for tourism, overall growth, quality of life and citizen satisfaction. He explained the measurable value/benefits to the City and partner agencies. Old School Square generates economic impact to Downtown Delray Beach annually. In the last 20 years, over 10,000,000 people have visited Old School Square. Mr. Gillie discussed the track record of Old School Square, its many contributions to the community, various organizations that Old School Square works with and programs/events that OSS offers.

He discussed some of the challenges that are being faced by Old School Square. In addition, their 2010 revenue shortfall will be \$180,000 due to loss of sponsorships, donations and rental income.

He stated there was a decrease in State grants and discussed their five (5) year trend. Mr. Gillie discussed several changes that have been made at Old School Square regarding the strategic planning process, renaming Cornell Museum, designs and rebranding as well as certain aspects of the endowment fund.

Mr. Frankel stated that the presentation is a model for what he would like to see for other presentations given to Commission. He stated Commission has a goal to cut waste from the budget but feels there is no waste with Old School Square. He stated people are really utilizing Old School Square park; this is a great addition. He discussed his two critiques: would like to see less reduction in fees i.e. Delray Beach Film Festival and smaller festivals should be combined to have a huge event.

Mrs. Gray asked about the scholarship program and how the information is disseminated. In addition, she asked if they will request additional funds from the Community Redevelopment Agency this year; and if Old School Square has plans to assist SPADY Museum this year.

Mr. Eliopoulos thanked Mr. Gillie for the presentation and stated he loves what OSS does for the community. He stated we have budget problems and it will get tougher before it gets better. He stated some of the events may need to merge together. He stated there has to be a way to measure what a non-profit is doing if they receive money from the city. He mentioned the Financial Review Board and stated we need to look at the non-profits. Mr. Gillie discussed the demographics, employees and salaries of Old School Square.

Mr. Fetzer stated this is a great presentation and he is very proud of Old School Square. He stated the city and OSS need to be very creative together to sustain and improve what is being done. He stated OSS has a great board and we will continue to do the right thing.

Mrs. Gray stated she is receiving questions from residents about the Creative City Collaborative; and the city and CRA coming together to pool the funding to let the CCC be responsible for dividing up the funds. Mr. Gillie discussed the United Arts Campaign. Mrs. Gray stated she does not believe one organization should decide for the Commission who receives monies and who does not. Mr. Harden stated this was one idea brought up when the CCC was proposed initially but there is no effort that he is aware of to move in that direction.

Mayor McDuffie stated the visionaries who got together and saved OSS created the anchor tenant for the start of the revitalization of downtown Delray Beach. This was the single act that created the success of Atlantic Avenue. He congratulated OSS for what they have done since being given this jewel. He discussed fundraising and stated Downtown is a really busy place. He stated we need a methodology by which we could sync the calendars of the Chamber of Commerce, the City, Old School Square and the Downtown Marketing Cooperative because there are nights when we have events that overlap and everyone works very hard to make their events a success and looking at calendars would help us avoid this. Mayor McDuffie thanked OSS.

3. PARKING STUDY PRESENTATION

Mr. Scott Aronson, Parking Management Specialist, introduced Mr. Chris Hagen and Ms. Poorna Bhattacharya, Project Manager at Kimley Horn. Ms. Bhattacharya thanked the City for the opportunity to conduct the parking study. She stated the parking study started in October 2009 and two public meetings were held in November 2009 and they also worked with the review committee of staff, the Community Redevelopment Agency (CRA), the Downtown Development Authority (DDA), and the Parking Management Advisory Board (PMAB).

Ms. Bhattacharya stated since the completion of the draft of the study they have presented to the PMAB, the DDA and CRA. She indicated that this is a fairly broad study; and parking is at the core. However, there were several other components to the study including pedestrian analysis, walk ability analysis of the Downtown and Transportation Demand Management analysis as well as a review of the Roundabout shuttle service.

Regarding the parking component, Ms. Bhattacharya stated that they conducted an inventory of available public parking within the city; and conducted parking counts to identify how well parking facilities were utilized. In addition, they reviewed the City's existing parking code and current operations for parking and made recommendations based on their observations. Ms. Bhattacharya spoke of the walk ability in the Downtown area along Atlantic Avenue and a few blocks north and south; and discussed sidewalks. The study focused on the quality of pedestrian facilities. She stated every segment was evaluated based on a field review and given a score. She discussed the recommendations. She spoke of Transportation Demand Management (TDM) and some strategies that have been identified. TDM strategy focuses on reducing single occupancy vehicles. The report recommended interim and long term TDM programs requiring fairly low investment with good results. Review of the downtown shuttle disclosed that there were concerns that the public has difficulties differentiating Route 2, Library to Beach and A1A, from Routes 1 & 3 which travel between Tri Rail and the beach. Some operational recommendations were made. The City's existing in-lieu payment plan is a positive contribution to shared parking. However, the City limits in-lieu parking requests to hardships only. Recommendations were made to look into the feasibility of making in-lieu parking spaces available to everyone with a maximum limit on the number of parking spaces requested. A count of all public parking facilities both off-street and on-street was concluded to determine the available parking supply within the study area. Observations were done at specific times and months of the year to determine the usage in the parking facilities.

Mr. Chris Hagen, from Kimley Horn, stated he will discuss the listing of the parking issues that were observed from the baseline data collected. He stated they looked at the data to determine if there is a true parking deficiency in the city or is there an improper distribution of parking demand. How long the same car remained in a parking space was also determined. Certain vehicles parked on Atlantic Avenue were there over the period allowed. Studies showed that there is an unequal utilization of parking in the downtown area. It was noted that there is a lot of congestion on Atlantic Avenue during the peak hours. The congestion also adds to the shuttle not being able to operate properly causing a decrease in ridership. The parking requirements for businesses were also reviewed. Delray's parking requirements were compared with cities of similar size and demographic. It was found that the City Code offers a lot of flexibility in terms of parking. There are reduced requirements within the Central Business District (CBD) and some relief offered in the event a business owner wants to participate in the in-lieu parking program.

The goal of parking management is to help direct and get the users to the right facilities in the city and be as user friendly as possible; do this by usage of proper signage and variety of payment options. While managing parking through different strategies, there may be resolutions to parking issues such as options for short term and long term parking, as well as, enforcement through fines.

The reasons cities implement parking pricing strategies is to direct people to the appropriate locations through variations in the parking pricing and the way it is implemented; and to recoup and really charge the cost of providing parking to the actual users of the parking. He discussed free parking and stated there is really no free parking and discussed associated costs and other factors that go into parking. He stated the majority of parking outside of the beach is a cost borne by the taxpayers. In addition, Mr. Hagen stated the other benefit is that the parking program itself becomes a self sustaining entity that can recoup and cover the cost of the program itself but earn revenue to be reinvested into the city.

Best Management Practices throughout the country were consulted, as well as, a variety of strategies implemented in other cities to see if they are applicable to the area and whether or not they have been successful. The City's charge of \$1.25 is below the median of \$1.50 in the nationwide study. On-street parking is most critical for businesses and for patrons seeking parking. He discussed off-street parking as well. The rate of a \$5.00 flat fee charged in garages is also below the national average and below many other cities. There could be an economic impact if patrons are not able to find convenient parking because they are being utilized by employees or long term parkers who should be parking elsewhere. Recommendations were made for both parking types to consider the implementation of a fee based parking program on-street in certain areas within the downtown with incentive programs, such as the first 20 minutes free, first hour paid or get second hour free, etc. Mr. Hagen advised that the cost of the equipment is \$1.95 million. The estimated annual revenue is approximately \$1.2 million. There will be other operational, maintenance and enforcement costs involved.

Ms. Bhattacharya recommended that parking management be used as a tool to entice downtown economic development. She discussed enforcement and the valet queues along Atlantic Avenue stating they have been given on an ad-hoc by request. Recommendations were given to make valet queues part of a more comprehensive program. There are also certain responsibilities assumed because one parking space is being used multiple times throughout the day by many people. She also discussed organizational parking models; a vertically integrated model. Ms. Bhattacharya stated reinvesting a portion of revenues back into the areas where fees are collected is encouraged. Parking should not be viewed as a standalone element but as part of the entire transportation system. She continued to discuss other parking recommendations: short term and long term, reinvestment strategies and parking operations.

Mrs. Gray thanked Kimley Horn for the presentation and study. She stated one of her concerns is West Atlantic Avenue and she was under the impression that areas for parking were going to be recommended. In addition, she asked about sidewalks, beach parking permits and safety of the parking garages. Ms. Bhattacharya indicated that Crime Prevention Through Environmental Design (CPTED) is a useful tool regarding lighting, etc. to make areas or people feel safer.

Mr. Eliopoulos stated this was a great presentation and thorough study. He thinks that we can implement certain things in the long term. He stated he likes the fact that our sidewalks were covered in the study; and in addition the successes of downtown were highlighted.

He stated we need to work with the criteria that has been set regarding sidewalks for West Atlantic Avenue. Mr. Eliopoulos asked about the in-lieu fees possibly going towards parking meters or if they have to go towards parking structures. Ms. Bhattacharya discussed the intent of an in-lieu program and provided some examples. Mr. Eliopoulos stated the downtown business core parking fee is based on net square footage; and asked if other cities do this. He stated he believes in the parking meters; friendliness is important. The best parking on the streets should not be free. He stated he would like to see the City go back to free parking in the garages for right now.

Mr. Fetzer stated parking is a major issue for the city and stated Kimley Horn has done a very comprehensive plan. He was particularly interested in Best Practices of cities similar to us. He asked what our implementation plans are for going through and moving forward. Mr. Aronson stated he envisioned that an Implementation Committee will review the items that the consultant discussed and will start with those. Mr. Harden stated the consultant did a great job of laying out a recommend plan of action and we will start working through it. Mr. Fetzer stated he is in favor of having one of our boards or a committee oversee this implementation; it is very important that we have someone charged with responsibility and oversight of getting this done. Mr. Harden stated the PMAB is the board to work with on this regarding policy, etc. and a lot of it is staff driven.

Mr. Frankel stated everyone did a very good job and went into detail. The report is wonderful. This is the only place he knows of that gives away premium parking spots for free and charge for other spots. He believes parking meters should be placed on NE and SE 1st streets; and discussed other parking issues. As far as recommendations go, he does not agree with the first 20 minutes being free; he stated 3 hours would be more appropriate as a parking limit and there has to be certain areas (not premium spots) where employees can park. He discussed off street parking, taxpayers being given a break and valet parking. He discussed the possibility of developing an in season and off season parking idea. He mentioned that something needs to be done with the shuttle. Mr. Frankel and Kimley-Horn representatives continued discussion regarding charging for parking as well as incentives.

Mayor McDuffie asked about a strategy for distributing parking across the community. Mr. Hagen answered the question. In addition, he asked about an increase of hours and increased enforcement. He thinks vertical integration is a phenomenal idea; and thanked Kimley-Horn for the study/road map and stated it gives us a great way to get started. He stated the downtown merchants need to be involved in these decisions as well.

4. FY 2011 BUDGET

Mr. David T. Harden, City Manager, stated this item could be held since nothing required immediate attention this evening. It was the consensus of the Commission that this item would not be addressed tonight due to the lateness of the meeting.

5. R.A.C.E. INITIATIVE REPORT PRESENTATION

Ms. Alberta Perry McCarthy greeted the Commission, City Manager, City Attorney and City Clerk. She stated it was a pleasure to be here this evening and expressed that the report is not a cultural diversity or racism study; that is not what was commissioned.

Otherwise, we would be discussing the past history of Delray Beach: things that were done, had to be done and were confronted with in order to get to where we are today. This is a relationship between authorities, citizens and experts; an initiative that will help make those relationships better, wholesome for the entire City. She stated the report is an update. She highlighted in the executive summary, the style of governance which actually promotes community involvement and consensus building that has always been the thrust since the initiative was adopted in 2005 with the former consultant. It promoted initiatives for citizens to feel included and created a community type of atmosphere.

They also left the option open for citizens to participate or not; and for citizens to solve problems. Ms. McCarthy discussed charrettes and recognition that promoted community unity which allowed different cultures to showcase the best of the best. She mentioned going to workshops regarding persons discussing discriminatory experiences. The number of experiences or length of experiences affect a person's outlook of being told "no" or feeling of being left out. She stated they wanted to have continued dialog amongst the community with faith-based institutions and the city. When the first consultant was hired, there was great racial tension in the city. However, it was ironic, that it happened at that same time because the community unity initiative actually happened in 2002 and we had to go through a process of steps in order to come up with an initiative, the hiring and the RFP. By the time the city was ready to step out and get these things done; this unfortunate incident happened in our city. At the time, she came aboard, people wanted to know why the city needed an update or want the R.A.C.E. initiative to go forward, confront issues or discover if there are additional issues that need to be improved changed, discussed or measured. Ms. McCarthy stated the answer is often what one perceives is what they believe. We needed to find out what did the people who are impacted by decisions made in the city think, feel or are seeing. The other silent question is the Swinton Avenue divide, the invisible boundary between the east and west getting together. The city wanted to create a more free flowing bridge of cultural acceptance between the east and west. This is still being attempted and she hopes there will be recommendations at the end that will enhance this. Initiatives have to happen on both sides of the street before the two streets will come together.

During the last report there were eight focused (priority) areas: attitudes, feelings and behavior; public policy and administration; East/West Atlantic Avenue development; Haitian community issues; inclusion and representation of all citizens; housing; communication and economic development. The different ways utilized to address the eight issues were interviews; small group forums; community forums; review of city's hiring practices; diversity of management staff; contract awards process; review of the Community Redevelopment Agency's investments; consistency with adopted plans; identified and assessed current economic development initiatives; review of diversity and selection process of advisory boards; assessed current affordable housing needs/initiatives, access and advancement; evaluated the impact of the appointed Police Advisory Board (PAB), reviewed current gang activities with the Police Department staff, evaluated the current relationships between Haitian and African-American students at Atlantic Community High School; tested and conducted site trips of the city's communication efforts. As a footnote, Ms. McCarthy stated they also took the opportunity to have discussion and dialog with the African-American and Haitian students at Carver Middle School as well and were enlightened. She stated the background is on pages 7-9; she stated page 10 will be eliminated. She stated for those who were not here in 2004, quite a bit has changed and some things have remained the same; and there are still other things that need to be accomplished.

Since 2004, the city has experienced an explosion of real estate; in 2008, this dropped and dropped further in 2009. There is a far reaching impact because when you do not have real estate being permitted and built, then, you do not have the additional revenue in your budget. When you have this amount of real estate going into different phases of foreclosure, it impacts the market value and safety value of the neighborhood. People began to feel unsafe. In 2004, citizens were concerned about how the city could benefit them; it appeared there were an abundance of dollars coming in. Various programs were put into place at this time. There has been a great impact between African-Americans and White Americans per the Bureau of Labor Statistics. This disparity will lead you to understand the outcry regarding jobs nationally and locally. She asked what will we do about the impact of the facts. In April 2010, Delray Beach had an 11.3% unemployment rate which is the highest the city has ever had.

She highlighted several graphs as part of the PowerPoint presentation and discussed the citizen population of the city. Municipalities have the ability to change the order of things, how they are looked at and perceived. We need to begin to look at things differently, giving equal voice to everyone in the city. She stated they investigated how the city advertises itself; and discussed the All-America City designation. She referenced needed changes to the website. She stated there was a synergy that started when people came together the last item with the R.A.C.E. initiative. The challenge is how to sustain ongoing citizen engagement/involvement. The city has to continue to seek their input, to communicate with them and let them communicate with the city. It does not matter which neighborhood people come from who are unhappy about something they feel the city is doing, they all have the same rights and should be addressed the same way because every person who lives here pays taxes in some way. In addition, during this time of synergy and at the time of this report, there seemed to be an undue burden put on the minority elected official at the table and that should not be because everyone is elected citywide.

Ms. McCarthy stated she hopes this report will be looked at as a working document. It is a foundation for the city to put things in place so that the city can come together to make decisions on how to define the city for the next five or ten years. She stated a survey was done to address the eight initiatives of priority. The eight initiatives were not devised by Ms. McCarthy or the City. They were formulated by people who attended the Town Hall meetings from all walks of life and the city's boundaries. She discussed the factors and results from the meetings, as well as, forums and interviews and conversations that were had with citizens. She discussed administration, policies and a possible new branding of the city. Race Relations is a part of the culture of the city. She gave various examples of issues that were discussed between ethnic groups and things that citizens were not aware of. She discussed the feelings of citizens toward the administration of the city. She stated there have been 254 new ordinances since the last report and mentioned that Commission meetings are now video streamed. She continued to highlight the findings of the remaining initiatives. She attended several meetings in her position as the city's consultant and there was a lot of conversation and concern from citizens that things that they took the time to discuss and write about were not going to come to fruition. She stated the city does not celebrate its successes enough. Ms. McCarthy reiterated that when people are feeling included, the conversation will be changed.

At 11:00 p.m., the City Attorney reminded the Commission that a vote was needed to extend the meeting.

Mr. Eliopoulos moved to continue the meeting, seconded by Mr. Fetzer. 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 5-0 vote.

Ms. McCarthy continued her presentation; and stated they spent a lot of time with different reports for different reasons. She stated things that have been said are relevant and important. The successes, accomplishments and recent events of the city were discussed. She discussed the top three concerns of 2004: education and schools, prejudice and racism, and affordable housing. In 2009, the top concerns are: economic development, housing and communication. This is a significant change due to the things the city had already done to address the 2004 concerns. She encouraged the city to start the rebranding now; she stated there are an abundance of things to be done. She continued her discussion and stated she has some recommendations. Ms. McCarthy reviewed these recommendations with the Commission. There are nineteen other initiatives that have been given to Commission that cover small and big things all in relation to the survey, the Town Hall meeting, feedback and the goal of community unity.

She stated that she hopes some of the conversation has made a difference that has been positive. She stated over 124 telephone calls were received by her in this position; there were 49 meetings that came out of the phone calls. Delray Beach is one of the few cities that addressed relationships and is to be commended for trying and for making attempts to move forward with it. She stated one of the initiatives that came forward is to do a cultural diversity calendar; and October is Cultural Diversity Month. Ms. McCarthy thanked the Commission.

Mr. Frankel stated he was asked last week if the amount of money the city spent on this was worth it. He stated it was important to note that Ms. McCarthy did more than produce a 40-page document; there were situations that came up that she diffused. He stated he applauds what she did and hopes that she shares her message with others who were not able to hear it. He commented about the list of recent events she referenced. He stated there were two events that occurred this year that he wanted to note: the menorah and invocations.

Mrs. Gray thanked Ms. McCarthy for the presentation. She commended her for clarifying the Relationships between Authorities, Citizens and Experts and stated there were several things she worked on such as phone calls and meetings behind the scenes and commended Ms. McCarthy for the report as well.

Mr. Eliopoulos thanked Ms. McCarthy for the presentation and stated she has the ability to have people bring their guard down and talk with her. He mentioned the Jerrod Miller situation and all of the different dynamics that were going on and how Ms. McCarthy exhibited her strengths during that time with all of her efforts. He stated in Delray we are polite and sometimes have a hard time expressing what the real issues are. He was really happy with the presentation tonight more so than the report. He stated we have had a lot of issues this year and did not feel the report reflected these. He stated he loves this community and everyone in it; and he agrees that we should be proud of the accomplishments we have made. It is important that the Commission gets out and talk to the people. He discussed the infrastructure, roads and buildings, etc. regarding East and West Atlantic. He stated we need to face our issues as a city. He discussed the differences between the Town Hall meetings. He stated information and communication are important to him. Mr. Eliopoulos feels we need to get the community together again. He believes the tasks that Ms. McCarthy were given were done.

Ms. McCarthy thanked Mr. Eliopoulos for his honesty and being candid. She stated their opinions may differ on what was considered big deals. She stated every time persons come to confront because of their differences of opinion, it is a big deal. She stated she felt issues mentioned by him were significant but not race issues based on what she was charged to do. She stated there has to be caution about personal feelings being injected.

Mr. Fetzer thanked Ms. McCarthy for the report and stated she said a lot of things they needed to hear and be reminded of. He was on the R.A.C.E. Committee initially and felt a lot was accomplished with that group. He stated it is a good idea to form a volunteer R.A.C.E. Relations Committee. Mr. Fetzer stated these are things we need to talk about and move forward.

Mayor McDuffie stated many people walked into our Town Hall meetings expecting "race" as a word and not as an acronym. There were expectations in Old School Square and we took a different direction. There was pressure to put a written report out but he does not believe the report was representative of the body of work. He recommended that the transcript of what Commission heard tonight be added to the report. Mayor McDuffie extended a personal thanks to Ms. McCarthy for standing by him in the community at times and stated she was there and has always been there. He repeated a quote "Those who ignore the past are destined to repeat it." He stated let us not ignore the past, acknowledge the past and mistakes and move ahead.

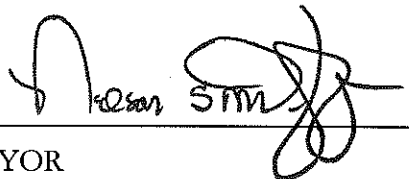
Ms. McCarthy thanked the Commission for their indulgence and time. She stated she did not have constant contact with the Commission because people were thinking that she was going to do a report based on what the city wanted her to do, that she was not working independently and unless Commission contacted her, she was not going to reach out to them. She stated she realizes that at times Commission may have felt neglected or rejected; but it was extremely important that during this time she had the ability to do whatever she wanted, however she wanted to do it and say whatever she felt was necessary.

Mayor McDuffie adjourned the Workshop Meeting at 11:59 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 10, 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.

[Faint handwritten signature]