

City of Delray Beach

Regular Commission Meeting



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, January 19, 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

Phone: (561) 243-7000
Fax: (561) 243-3774

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. January 5, 2010 – Regular Meeting
6. **PROCLAMATIONS:**
 - A. Recognizing and Commending the **Delray Rocks Football and Cheerleading Squads**
 - B. Recognizing and Commending the winners of the **2009 Mayor’s Cup** — Delray Athletic Club
 - C. Recognizing Black History Month – February 2010
 - D. Recognizing Catholic Schools Week – January 31- February 6, 2010 (*Addendum*)
7. **PRESENTATIONS:**
 - A. **RESOLUTION NO. 02-10:** Endorsing Employer Support of the National Guard and Reserve
 - B. Recognize and commending **Dr. Bradley Bradford** – Pediatrics by the Sea
 - C. National League of Cities Congress of Cities – Joseph Elisma
 - D. S.P.I.R.I.T. (Service, Performance, Integrity, Responsibility, Innovation, Teamwork) Committee Quarterly Awards Presentation
8. **CONSENT AGENDA:** City Manager Recommends Approval.
 - A. **REVISION TO THE AGREEMENT/STANLEY CONVERGENT SECURITY SOLUTIONS, INC.:** Approve a Revision to the Agreement with Stanley Convergent Security Solutions, Inc. for the installation of Phase II of the security/fire monitoring system at the Water Treatment Plant.
 - B. **AMENDMENT NO. 1/INTERLOCAL AGREEMENT/TOWN OF GULF STREAM:** Approve Amendment No. 1 to the Interlocal Agreement with the Town of Gulf Stream to collect Palm Beach County impact fees and an administration fee in the amount of 3.4% of the total collected.

- C. **HOUSING REHABILITATION GRANT/CONTRACT AWARD:** Approve one (1) Housing Rehabilitation Grant contract award (2488 Sundy Avenue) in the amount of \$17,645.25 to Jemstone Construction Group, Inc. Funding is available from 118-1963-554-49.19 (Neighborhood Services/Other Current Charges/Housing Rehabilitation).
- D. **AMENDMENT TO THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SUB-RECIPIENT FUNDING AGREEMENT/FAIR HOUSING CENTER OF THE GREATER PALM BEACHES:** Approve an amendment to the sub-recipient funding agreement with Fair Housing Center of the Greater Palm Beaches under the Community Development Block Grant (CDBG) program for FY 2009-2010, to increase funding to \$8,000 and include service provision to and focus on immigrant populations within Delray Beach. Funding is available from 118-1961-554-49.17 (Neighborhood Services/Other Current Charges/Promotion of Fair Housing).
- E. **CONSENT TO ASSIGNMENT/BOCA PARKING SYSTEMS TO SUNSHINE STATE PARKING, LLC.:** Approve a Consent to Assignment from Boca Parking Systems to Sunshine State Parking, LLC. for spaces in the Bob Federspiel Parking Garage.
- F. **AGREEMENT/WORKFORCE ALLIANCE, INC./FLORIDA BACK TO WORK PROGRAM:** Approve an Agreement between the City and Workforce Alliance, Inc., to participate in the Florida Back to Work Program.
- G. **REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:** Accept the actions and decisions made by the Land Development Boards for the period January 4, 2010 through January 15, 2010.
- H. **AWARD OF BIDS AND CONTRACTS:**
1. Bid award to Phoenix Landscape Maintenance, Inc. at an estimated annual cost of \$28,262.36 for landscape maintenance of medians on Homewood Boulevard, Linton Boulevard and three (3) on Military Trail. Funding is available from 119-4144-572-46.40 (Beautification Trust Fund/Repair & Maintenance Services/Beautification Maintenance).
 2. Contract award to Special Products Group in the estimated annual amount of \$75,000.00 for uniform procurement for Fire-Rescue Department personnel. Funding is available from 001-2315-526-52.22 (General Fund/Operating Supplies/Uniforms/Linen Service).
 3. Purchase award to The Mohawk Group in the amount of \$64,381.15 for replacement carpeting at the Police Department. Funding is available from 334-2111-521-46.10 (General Construction Fund/Repair & Maintenance Services/Building Maintenance).

9. **REGULAR AGENDA:**

- A. **AMENDMENT NO. 3 TO AGREEMENT WITH COASTAL COMMERCIAL GROUP, LLC.:** Consider approval of Amendment No. 3 to the Agreement with Coastal Commercial Group, LLC, for an extension of the Agreement to June 1, 2015 as well as a minimal reimbursement fee to Coastal, on an annual basis, during the term of this Agreement.
- B. **REJECTION OF ALL BIDS/LANDSCAPE MAINTENANCE PROJECT:** Consider a request to reject all bids and re-bid Bid #2010-16-Landscape Maintenance for I-95 Interchanges at Atlantic Avenue and Linton Blvd., plus the 10th Street overpass.
- C. **CONSIDER ISSUING A REQUEST FOR PROPOSALS (RFP) FOR TROLLEY STYLE VEHICLES:** Provide direction to staff on whether to advertise a Request for Proposals (RFP) for trolley style vehicles to operate the Downtown Roundabout.
- D. **APPOINTMENT TO THE CODE ENFORCEMENT BOARD:** Appoint one (1) regular member to serve a three (3) year term ending January 14, 2012 on the Code Enforcement Board. Based upon the rotation system, the appointment will be made by Commissioner Gray (Seat #4).
- E. **STATUS REPORT ON WASTE MANAGEMENT ISSUES (Addendum)**

10. **PUBLIC HEARINGS:**

- A. **ORDINANCE NO. 04-10:** Consider modification of the Blood's Grove SAD (Special Activities District) Ordinance No. 46-07, in conjunction with a change to add an additional 1,088 sq. ft. to an existing 29,780 sq. ft. medical office building to total 30,868 sq. ft. for the Midtown Medical Building, located at the southwest corner of Linton Boulevard and Old Germantown Road (4600 Linton Boulevard). *(Quasi-Judicial Hearing) (The applicant has request this ordinance TABLED until the February 2, 2010 City Commission Meeting)*
- B. **ORDINANCE NO. 03-10:** Consider a privately-initiated rezoning from CF (Community Facilities) to RM (Medium Density Residential) for a 0.387 acre parcel of land known as the Bordman Property, located on the west side of Oceanview Avenue, south of Gulfstream Boulevard. *(Quasi-Judicial Hearing)*
- C. **ORDINANCE NO. 01-10 (SECOND READING/SECOND PUBLIC HEARING):** Consider a city-initiated amendment to Land Development Regulations (LDR) pertaining to Assisted Living Facilities and Continuing Care Facilities.
- D. **ORDINANCE NO. 02-10 (SECOND READING/SECOND PUBLIC HEARING):** Consider a city-initiated amendment to the Land Development Regulations (LDR) pertaining to Community Residential Homes and Group Homes.

- E. **ORDINANCE NO. 05-10:** Consider a city-initiated amendment to the Land Development Regulations (LDR) Section 2.4.7(G), “Requests for Reasonable Accommodation”, to provide an exception to the property address requirement on the “Request Form for Reasonable Accommodation”.

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. 06-10:** Consider an ordinance amending Section 53.064, “Prevention of Accidental Discharges”, by removing redundant size limits on above ground storage tanks from this section. If passed, a public hearing will be held on February 2, 2010.

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

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

POSTED: JANUARY 15, 2010