

**SPECIAL MEETING
NOVEMBER 29, 2011**

A Special Meeting of the City Commission of the City of Delray Beach, Florida, was called to order by Mayor Nelson S. McDuffie in the Conference Room at 1801 North Congress Avenue at 6:00 p.m., on Tuesday, November 29, 2011.

Roll call showed:

Present - Commissioner Thomas F. Carney, Jr.
Commissioner Jay Alperin
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 meeting to order and announced that it had been called for the purpose of considering the following Items.

SPECIAL MEETING AGENDA

1. **Non-Residential Fire Assessment Fees:** Reconsideration of the fee structure for non-resident fire assessment fees.

Mr. Carney stated he would like to discuss certain aspects of the residential fee to raise additional points for consideration. Mr. David T. Harden, City Manager, stated we have a rate structure that the Commission tentatively approved, that we will base our notices on, that treats all non-residential uses the same. Objections were raised by Ms. Pearce that the value on a per square foot basis for industrial and warehouse buildings are less and most cities charge less for those types of uses and she would like to see us do the same thing. The simplest thing to do would be to keep the structure the way we have proposed. Mr. Harden stated the consultant recommends looking at the average per square foot value for other non-residential uses compared to per square foot value for industrial and warehouses; and set up a fee structure that would be different based on those two averages. It would take them 4 or 5 days to write the numbers for that approach. Mr. Harden reiterated that we need to send out notices to every property owner of what their assessment will be and we need to know what kind of fee structure to use on the notice. Commission will not actually vote on the fees until we have the public hearing and everyone has received their notice.

Dr. Alperin asked if we reduce the amount for industrial where are we going to make it up. Mr. Harden stated other cities charge more for office and commercial uses and charge less for industrial and warehouse.

Mayor McDuffie stated that point is well taken since we have to come up with \$3.1 million; and what you take away from one will have to go to someone else when you change the rate structure.

Dr. Alperin asked if our industrial is comparable to Boynton and Boca.

Mrs. Gray stated the commercial would be more.

Mr. Frankel stated he is in agreement with Commissioner Alperin in that to keep it the same would be in line with our neighbors to the north and south; and this is the fairest way to go forward.

Mrs. Gray stated we need to stay competitive with our neighboring cities.

Mr. Carney stated he is struggling with why the distinction between industrial and commercial. He is reluctant to impose a higher burden on commercial since we are trying to attract both commercial and industrial. He stated he read the emails but agrees with Dr. Alperin and Mrs. Gray; and he is not convinced that we should do anything else other than what has been established. Mr. Harden stated in dealing with industrial and warehouse fires you encounter hazards that you would not encounter with other uses.

Interim Fire Chief Danielle Connor stated the fires present extreme hazards and explained this further.

Mr. Carney thanked Mr. Harden for the information. He spoke regarding how we have determined what the assessment will be regarding residential properties. He stated as a general observation that are more calls and more potential for fires in some of the older neighborhoods versus newer neighborhoods. He commented regarding the tiered structure and feels the set fee for everyone is a better way to go.

Mayor McDuffie stated we have to be careful that we do not make this too complicated.

Mr. Frankel stated fire service is the same for everyone regardless of where you live. He feels that having everyone pay the same fee is the most equitable way to do this.

Discussion continued between staff and Commission regarding the rate structure.

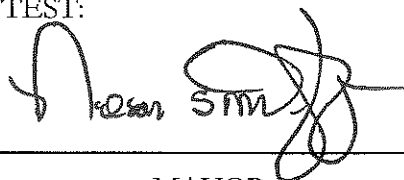
It was the consensus of Commission to proceed with the tiered rate structure.

Mayor McDuffie adjourned the Special Meeting at 6:30 p.m.



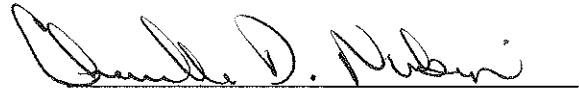
City Clerk

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 Workshop Meeting of the City Commission held on Tuesday, November 29, 2011, which Minutes were formally approved and adopted by the City Commission on December 13, 2011.



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.

