

**SPECIAL/WORKSHOP MEETING
MARCH 11, 2010**

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 Commission Chambers at City Hall at 6:00 p.m., on Thursday, March 11, 2010.

Roll call showed:

Present - Commissioner Gary P. Eliopoulos
Commissioner Fred B. Fetzer
Mayor Nelson S. McDuffie
Commissioner Adam Frankel
Commissioner Angeleta E. Gray

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. **MUNICIPAL ELECTION RESULTS:** Canvass the returns, and declare the results of the March 9, 2010 First Nonpartisan Election.

Mr. Eliopoulos moved to approve the unofficial cumulative totals for each candidate for Commission Member/Seat #2, including all of the regular, absentee, and provisional votes as presented, and that it is hereby declared, based upon the above and foregoing unofficial results, that Fred B. Fetzer is elected as Commission Member/Seat #2, for a two year term commencing on the 25th day of March, 2010, and ending in accordance with the City Charter. Pursuant to the City's Charter, Article V, Section 5.04(C), due to Angeleta E. Gray being unopposed, she is deemed to have voted for herself, and therefore is elected to Seat #4 for which she qualified; and, therefore, elected to Seat #4 for which she qualified, seconded by Mr. Frankel. 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.

2. **PRESENTATION OF CITY SPONSORED HEALTH AND WELLNESS CENTER VENDOR FINALIST:** Consider authorization to negotiate a contract with the approved vendor as well as authorization to contract a lease agreement for space for the City's Health and Wellness Center.

Bruce Koeser, Human Resources Director presented this item. He introduced the consultants from Gallagher Benefit Services, Inc., (GBS) Jodie Jupp, Glen Elyn, Glen Volk, and Don Titcomb. He stated that the Health and Wellness Center Advisory Committee made some visits to other municipalities that have Health and Wellness Centers in place. They also spoke with other City leaders, put a team together, and have had several vendor presentations regarding the Health and Wellness Center. The Health and Wellness Center would provide primary care,

wellness coaching and dispense some common generic prescriptions at no cost to the employee. This could potentially result in a cost savings for the City of Delray Beach, while also providing proactive health and wellness coaching, better access to care and a reduction in some out-of-pocket medical expenses for employees. Jodie Jupp from Gallagher Benefit Services, Inc. also introduced GBS team, Don Titcomb, Glen Elyn and Glen Volk, the Actuary. Ms. Jupp stated that they presented their findings to Commission in October of 2009, and were given the approval to send out a Request for Proposal (RFP) for an Employee Health and Wellness Center. She discussed the summary of responses. They looked at combined experience and financial ranking factored in the following consideration: years of experience in the worksite medical center business; number of total clients (as well as those clients 3+ years); number and percentage of municipality clients, number and percentage of terminated clients and cost models and other expenses. She also discussed the combined financial and experience ranking which resulted in the vendors being ranked one through. The top three vendors as well as the ninth vendor gave a presentation to the Health and Wellness Center Advisory Committee. The consultants along with the committee narrowed the finalist down to two vendors to CareHere and Concentra. She talked about the expenses and returns between the two vendors, the estimated facility costs and operating costs (electric, water, cleaning, etc), additional cost estimated for imaging equipment, additional cost estimated for stress treadmill and audio testing, and additional cost for furniture and added exam rooms, etc. GSB team and the Health and Wellness Center Advisory Committee recommend CareHere as the vendor for the wellness and health center. The timelines and the next step, if the Request for Proposal (RFP) is awarded by the Commission is to begin vendor contracting by March 15th, discuss the facility lease commencement, and implementation expected to be 90 days with an expected opening date of June 1, 2010.

Mr. Frankel moved to award the RFP to CareHere and to enter into negotiation and negotiate a lease agreement for the medical space as presented, seconded by Mrs. Gray. 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.

3. **CONSULTING CONTRACT/BARRY STROCK CONSULTING ASSOCIATES (BSCA), INC.:** Consider approval of a consulting contract with Barry Strock Consulting Associates (BSCA), Inc. in an amount not to exceed \$15,200.00 for assistance with contract negotiations for the City's procurement of public safety software systems. Funding is available from 334-2111-521-66.10 (General Construction Fund/Books/Publications/Software).

Douglas Smith, Assistant City Manager presented this item. He discussed the hourly rate of \$150 per hour for services provided under the contract plus travel expenses at a flat rate of \$1,800 per trip up to three trips to Delray Beach or the vendor's offices. The total amount of the contract is \$15,200, unless the City provides authorization for additional billable time of travel. Discussion ensued between Commission and staff regarding contract negotiations for the City's procurement of public safety software systems. It is the consensus of the Commission to make this a per diem instead of a flat rate per staff recommendations.

Mayor McDuffie suggested making the response to the RFP part of the contract.

Mr. Fetzer moved to approve the consulting contract with Barry Strock Consulting Associations

(BSCA), Inc. with changes in language as presented, seconded by Mrs. Gray. 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 to 0 vote.

4. **NOTE, MORTGAGE MODIFICATION AND SUBORDINATION AGREEMENT - AUBURN TRACE LTD.:** Consider approval of the of the final draft of the Note, Mortgage Modification and Subordination Agreement between the City of Delray Beach and Auburn Trace, Ltd.

Brian Shutt, City Attorney presented this item. He stated that at the March 2, 2010 Commission meeting, the Commission approved the Note, Mortgage Modification and Subordination Agreement subject to changes to the Agreement. The changes were the removal of the one million dollar loan forgiveness language, addition of the exact dollar the UDAG loan would be subordinated to \$4,750,000.00, and an end date for the closing of the construction loan of April 30, 2010. Auburn Trace Ltd. has made the requested changes and upon approval by the Commission a final copy of the Agreement shall be executed by both parties.

Mr. Frankel moved to approve the Note, Mortgage Modification and Subordination Agreement with Auburn Trace Ltd. with the changes as presented, seconded by Mr. Eliopoulos. Upon roll call the Commission voted as follows: Mayor McDuffie – Yes; Mr. Eliopoulos – Yes; Mr. Fetzer – Yes; Mr. Frankel – Yes; Mrs. Gray – Yes. Said motion passed with a 5 to 0 vote.
Motion to approve the

Mayor McDuffie adjourned the Special Meeting at 6:51p.m.

WORKSHOP AGENDA

1. Green Task Force Presentation (Item Moved to WS.2)

Yalmaz Siddiqui, Chairman of the Green Task Force (GTF) conducted a PowerPoint presentation providing Commission with a status update and recommendations related to the City's sustainability efforts. He discussed some of the implementation successes related to the recommendations in the Green Task Force Report from January 2009, proposing to rename the Green Task Force to the Delray Beach Green Implementation Advancement (GIA) Board, specific environmental metrics for the City, and specific set of projects for implementation.

Mayor McDuffie stated name change is appropriate to do.

Ms. Gray commended the Green Task Force on their work and looks forward to the seminar. She asked how seminars would be funded and what could be implemented first.

Mr. Siddiqui stated that the GTF role is to recommend things that would help the City overall. The notion of low cost seminars as well as building on to existing things, or hosting trainings for staff that does not need to cost much, simply bringing people together in a venue that the City owes to talk about different topics. The Sustainability Officer will work with Commission, specific department heads and Human Resources to decide on the trainings.

Mr. Frankel thanked GTF for their presentation. He stated that he has no objection to the name change. He recommends posting the presentation on the GTF website.

Mr. Fetzer stated that the name change is appropriate. He would like the GTF to have periodic

meetings with the Commission.

Mr. Eliopoulos thanked the GTF for their presentation. Measurements are going to be the key, especially in this environment. He liked the education component. Discussion continued between staff and the GTF.

2. Parking Study Valet Parking Review (Item Moved to WS.1)

Scott Aronson, Parking Management Specialist presented this item. He stated that at the December 1, 2009, Commission meeting during the deliberations of a request from Tramonti's Restaurant to establish a valet queue, the Commission had expressed interest in assuring that the Parking Study had some review of the valet program and to what depth. He spoke with the consultant and the original RFP included some review, but it was mostly with the contract and liability insurance; there was not in depth program. He discussed the proposed scope of services from the consultant outlining a comprehensive review (City Valet Operations) and pricing for additional tasks to be performed. The eight (8) tasks are as follows: 1) Review current city valet ordinance; 2) Conduct interview with stakeholders; 3) Conduct interview with valet operators; 4) Review/survey existing valet operations to include such items as location of valet in respect to destination, number of vehicles served by location, size (number of vehicles) of staging area, location where vehicles are stored, time to return vehicle to patron, cost, dress of valet attendants, appearance of valet stands; 5) Review and identify potential locations for additional valet operations and/or reduced valet operations to serve as "super valet" locations servicing multiple businesses; 6) Conduct public meeting to discuss findings and alternatives/improvements to existing operations and city ordinance (meeting prep/exhibits); 7) Determine how the valet program will interface with a fee based program if one is instituted; and 8) Develop recommended modifications to the City's parking policies and regulations that are consistent with best parking management practices. The estimated cost for this task is \$17,210, inclusive of expenses. Staff recommends tasks 4, 5 and 7 because they would be most appropriate for what is needed. Discussion ensued between staff and Commission to have a complete Parking Study done. Commission suggested that some level of valet should be included in the Parking Study report.

3. Discussion regarding Downtown Marketing Cooperative and Downtown Development Authority (***Addendum***)

David T. Harden, City Manager, introduced this item. He asked Commission if they are willing to bring Downtown Development Authority (DDA) staff and Downtown Marketing Cooperative (DMC) staff into the City organization, housing them in City Hall subject to negotiation of acceptable agreements from all parties.

Mr. Eliopoulos stated that he is not sure where he stands with this proposal. He is concern with how we need to have representation from each partnership if they are still going to be boards.

Commissioner Fetzer stated that the City have had a great success. He has no problem with trying to look at a new organization with setup to accomplish this. He is concern that we do continue with the successes that we have had. He stated that we need to look at the cost, the organization and try to come up with a plan.

Ms. Gary stated her concerns are hiring new employees with the new budget, cutting jobs and also putting more work on the current staff. She asked how would the Assistant City Manager Mr. Barcinski handle the extra duties of more staff, making sure that the DDA and DMC reports to him, and that they do what is requested by the Commission as well as manage their staff.

Mr. Barcinski spoke in reference to the communication. He stated that with the City functions, he works very hard with these organizations to make sure things are coordinated and communicated.

Ms. Gray discussed Downtown area and would like it to be extended to include West Atlantic Avenue.

Mr. Harden reiterated that the Community Redevelopment Agency (CRA) is funding this position, and it is important that the CRA spell out their expectations in the agreement if they are going to continue to fund the position. If they become City staff, the Commission will have a lot more to say about what gets done. Currently City staff has no ability to give direction as to what gets done with the DDA or DMC.

Mr. Frankel suggested that in the future the agendas should be posted online earlier for Commission so that they have the opportunity to perform their due diligence; the weekend is not enough time. He stated that this troublesome because of all the activities that we have on the Avenue. He is concerned with moving the DMC/DDA staff into City Hall.

Mr. Jay Alperin addressed why this item was before Commission. He spoke reference the DDA giving notice of leaving the DMC. He stated that the DDA brought this before the Commission and not the DDA. Mr. Alperin discussed the reviews.

Mike Malone spoke reference wanting to see the events and activities continue.

Mr. Fetzter stated that he is in favor of hearing a proposal from the Chamber of Commerce, DDA and CRA about what direction they would take on this issue and make a decision from there.

Mr. Eliopoulos concurs with Mr. Fetzter. He would like to see staff come up with some other alternatives.

Mayor McDuffie stated that he sees this as a challenge and opportunity. He is concerned with the six (6) people of equal authority. He does not want the Commission to deal with this with paralysis. He is open to hear other ideas but does not want it dragged out.

Seabron Smith spoke but not on behalf of a DDA board member. He feels this is an opportunity to address management and authority of position.

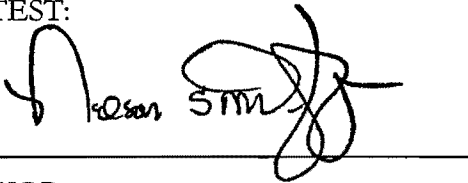
It was the consensus of the Commission to bring back at the March 25, 2010 Organizational Meeting.

Mayor McDuffie adjourned the Workshop Meeting at 9:03 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 Meeting of the City Commission held on Thursday, March 11, 2010, which Minutes were formally approved and adopted by the City Commission on April 6, 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. -+