

**MINUTES OF THE REGULAR CITY COMMISSION MEETING HELD ON TUESDAY,
DECEMBER 18, 2018, AT 6:30 P.M. AT THE INTRACOASTAL PARK CLUBHOUSE,
2240 N. FEDERAL HIGHWAY, BOYNTON BEACH, FLORIDA**

PRESENT:

Steven B. Grant, Mayor
Christina Romelus, Vice Mayor
Aimee Kelley, Commissioner

Lori LaVerriere, City Manager
James Cherof, City Attorney
Judith A. Pyle, City Clerk

ABSENT:

Justin Katz, Commissioner
Mack McCray, Commissioner

1. OPENINGS

A. Call to Order- Mayor Steven B. Grant

Mayor Grant called the meeting to order at 6:30 p.m.

Invocation

The invocation was given by Dr. Lockhart of Boynton Beach High School.

Pledge of Allegiance to the Flag led by Commissioner Kelley.

The members recited the Pledge of Allegiance to the Flag

Roll Call

City Clerk Pyle called the roll. A quorum was present.

Agenda Approval:

1. Additions, Deletions, Corrections
2. Adoption

Motion

Vice Mayor Romelus moved to approve the agenda. Commissioner Kelley seconded the motion.

Vote

The motion unanimously passed.

2. Other

A. Informational items by Members of the City Commission.

Vice Mayor Romelus indicated she had no disclosures.

Commissioner Kelley attended the boat parade on December 14, 2018. Expressed the CRA put on a great event.

Mayor Grant indicated on December 5th he attended the Magnuson house tour. Attended the Carolyn Sims Center public input meeting regarding the Kids Kingdom. December 6th attended Poinsettia Elementary School for the opening of Reading Oasis with Boynton Beach Kiwanis, Police and Fire Department. December 7th attended Veteran Park for the Pearl Harbor 77th anniversary and the Battle of the Bulge. December 8th attended the Sunshine Plaza for Rock the Plaza event. December 12th attended Coffee with a Cop at Chick-Fil-La. Attended a Coalition of Boynton West Residential Associations (COWBRA) meeting. Also attended a City Manager Mayor's meeting with Commissioner Dave Kerner, Vice Mayor, Palm Beach County. Visited the Breakers to see On The Town with Palm Beach. December 13th attended the Transportation Planning Agency (TPA) meeting. In attendance was the Florida Department of Transportation (FDOT) Secretary of District 4, Gerry O'Reilly. Attended the Palm Tran Service Board. Mayor Grant was the special guest sleigh bell ringer for the Gold Coast Band. Directed Staff to make sure events for the Gold Coast Band are placed on the calendar. December 14th attended Leisureville meeting regarding Veteran's committee. Attended the Boat Parade sponsored by the Boynton Beach CRA. December 15th attended Dog Paw-ty at the beach. Congratulated the Parks and Recreation Department which did a great job in the planning and follow through on the event. December 17th attended a meeting with Community Greening, hopefully they will work with the City to get both native and fruit trees for Boynton Beach. Attended the Inlet Communities Association (INCA) meeting. Attended the Police Benevolent Association (PBA) Luncheon.

3. Announcements, Community and Special Events and Presentations

**A. Announce the Solid Waste Pick Up Schedule for the Holiday Season by
Andrew Mack, Director of Public Works.**

Andrew Mack, Director of Public Works, announced the transfer stations were closing in observance of Christmas and New Year: December 24-25, 2018 and January 1, 2019. December 24, 2018 no commercial roll off service. If additional questions, please visit the City website.

Mayor Grant inquired about recycling items such as batteries with the Solid Waste Authority. Mr. Mack responded at this time the City does not have a recycling program available. Staff was looking into the possibility of beginning a program.

Mayor Grant indicated maybe they could start a pilot program for paint as well as electronic recycling.

- B. City offices will be closed on Monday, December 24th and Tuesday, December 25th, 2018 in observance of the Christmas holiday. City offices will also be closed on Tuesday, January 1, 2019 in observance of New Year's Day.

Mayor Grant announced the City of Boynton Beach will be closed in observance of Christmas and New Year's. Monday, December 24th, Tuesday, December 25th, 2018 and Tuesday, January 1, 2019.

- C. The City Commission has cancelled the Commission Meeting that would normally be held on Tuesday, January 1, 2019, the only Commission Meeting in January will be Tuesday, January 15, 2019 at 6:30 PM.

Mayor Grant announced the City Commission meeting for January 1, 2019 has been cancelled. The next Commission meeting would be Tuesday, January 15, 2019.

- D. Announcement by Mary DeGraffenreidt, Events and Programs Manager, regarding the 48th Annual Holiday Parade Award Winners.

Eleanor Krusell, Public Communications and Marketing Director, acknowledged Mary DeGraffenreidt, Events and Program Manager, for doing an exceptional job leading the team as well as volunteers.

Ms. DeGraffenreidt announced Saturday, December 1, 2018 the City of Boynton Beach hosted the 48th Annual Holiday Parade. Ms. DeGraffenreidt recognized the winners for the following categories: Best marching by a marching band was Boynton Beach Community High School Tiger Sound Band. Most outstanding float was Knights of Columbus at St. Marks Catholic Church. Most creative and original float was Delray Medical Center. Best Marching Unit was Galaxy E3 Elementary Cheer Team. Ms. DeGraffenreidt said the City of Boynton Beach had an amazing time as a result of everyone's participation. Congratulated all the participants and winners.

- E. Announcement by Mary DeGraffenreidt, Events and Programs Manager, regarding the 2018 Martin Luther King Jr. Celebration.

Ms. DeGraffenreidt introduced Michele Olmann, Administrative Associate.

Ms. Olmann announced Saturday, January 12, 2019 the City of Boynton Beach will host a Martin Luther King Jr. celebration event at the Carolyn Sims Center. This year's theme was bridging the gap. The event will begin at 12:00 noon and ends at 5pm.

Ms. Olmann indicated there would be children's activities. The City will feature the Boynton Beach High School Tiger Sound Band, Galaxy Cheer Squad Steppers and drumlines, gospel choir, praise dancers. Minister Ricky Gardener of St. John Missionary Baptist Church will provide an inspirational message and closing performances by Valerie Tyson Jazz Band.

4. PUBLIC AUDIENCE

INDIVIDUAL SPEAKERS WILL BE LIMITED TO 3 MINUTE PRESENTATIONS (at the discretion of the Chair, this 3-minute allowance may need to be adjusted depending on the level of business coming before the City Commission)

Chris Montague 222 West Ocean Avenue, wanted an explanation regarding a City of Boynton Beach Police Officer Nicholas Prince which drove a police car while intoxicated. Inquired as to why Officer Prince was still employed. Officer Prince was on paid leave for 14 months, and was filmed threatening to kill a civilian. The City Manager was advised to terminate his employment by Chief Harris and Chief Katz. Mayor Grant indicated this was not the venue to ask questions. Ms. LaVerriere stated Chief Gregory would speak with Mr. Montague in response to the question. Ms. LaVerriere indicated this was a personnel matter.

Dr. Pitor Blass, Tara Lakes Drive, had some ideas to improve the elections. Explained his activity here was to continue the work on the University of Boynton. Reminded everyone the City of Boynton Beach will be the first to get energy from the Gulf.

Lloyd Forrest, 3137 Orange Street, informed the Commission there was drugs and prostitution going on in his neighborhood. Requested help with the drag racing, wanted to have speed bumps installed.

Mayor Grant thanked Mr. Forrest for bringing this to the Commission's attention. Suggested he speak with Chief Gregory after the meeting.

Mayor Grant, seeing no one else coming forward, closed Public Audience.

5. ADMINISTRATIVE

- A. Appoint eligible members of the community to serve in vacant positions on City advisory boards.

Mayor Grant nominated Saddam Silverio as an alternate member for the Art Commission. Vice Mayor Romelus seconded the motion.

Vote

The motion unanimously passed

6. CONSENT AGENDA

Matters in this section of the Agenda are proposed and recommended by the City Manager for "Consent Agenda" approval of the action indicated in each item, with all of the accompanying material to become a part of the Public Record and subject to staff comments

- A. **PROPOSED RESOLUTION NO. R18-181** - Amend the FY 2018-19 budget, which will adjust budgeted appropriations and revenue sources and provide spending authority for the Capital Improvement Funds (302 & 303), the Utility Capital Improvement Funds (403 & 404), and the Fleet Fund (501) for previous years Purchase Orders and unspent project budgets.
- B. **PROPOSED RESOLUTION NO. R18-182** - Approve and authorize the Mayor to sign Agreements for the Community Development Block Grant (CDBG) Sub-Recipients as adopted in the One Year Action Plan on August 7, 2018, Resolution R18-102.
- C. Approve issuing an annual blanket purchase order to GL Staffing of Lake Park, FL for temporary labor services in the amount of \$80,000 utilizing the Town of Palm Beach Bid No. 2018-33 for Temporary Labor Services. The Town of Palm Beach's procurement process satisfies the City's competitive bid requirements.
- D. Approve utilizing the Palm Beach County, FL Sole Source Solicitation SS555443A with IXOM Water care, Inc. for MIEX System Support with the same terms, conditions, specifications and pricing. The maximum anticipated annual expenditure for the MIEX System Support services is \$52,950. Palm Beach County has complied with purchasing policies and considered this as a sole source provider of MIEX system support services.
- E. Legal Expenses - November 2018 - information at the request of the City Commission. No action required.
- F. Accept the written report to the Commission for purchases over \$10,000 for the month of November 2018.
- G. Approve the "Monarcha" record plat, conditioned on the approval being the certification of the plat documents by the City Engineer.

- H. Approve the minutes from City Commission meetings held on November 20th and December 4th, 2018.

Motion

Vice Mayor Romelus moved to approve the Consent Agenda as presented. Commissioner Kelley seconded the motion.

Vote

The motion unanimously passed

7. BIDS AND PURCHASES OVER \$100,000

- A. Approve Task Order UT-2C-02 with CDM Smith in the amount of \$180,931 in accordance with RFQ No. 046-2821-17/TP, General Consulting Services Scope Category C awarded by Commission on August 7, 2018 for Migration of lift Stations, Wells and Potable Water Storage facilities to a new Supervisory control and Data Acquisition (SCADA) platform.

Motion

Vice Mayor Romelus moved to approve. Commissioner Kelley seconded the motion.

Vote

The motion unanimously passed

- B. Approve Task Order UT-2A-01 with CH2MHill/Jacobs in the sum of \$105,358.30 in accordance with RFQ No. 046-2821-17/TP, General Consulting Services Contract, Scope Category A executed on August 22, 2018 for Nanofiltration Membrane Element Replacement at the West Water Treatment Plant.

Motion

Commissioner Kelley moved to approve. Vice Mayor Romelus seconded the motion.

Vote

The motion unanimously passed

- C. Approve an annual purchase order to Petersen Industries of Lake Wales, FL in the amount of \$100,000 as a sole source vendor.

Motion

Vice Mayor Romelus moved to approve. Commissioner Kelley seconded the motion.

Mayor Grant inquired what the City was receiving for \$100,000.

Ms. LaVerriere responded the \$100,000 provides parts, services and support for the Petersen heavy equipment, Solid Waste trash trucks, and loaders.

Mayor Grant asked how was the new canopy. Mr. Mack replied the new canopy looks great and the mechanics are very happy with the improvement to their working conditions.

Vote

The motion unanimously passed

- D. Approve issuing an annual blanket purchase order to Precision Air Systems, Inc. of Wellington, FL in the amount of \$150,000 for air conditioning repairs/services as needed at various City Buildings utilizing the Palm Beach County School District Term Contract #17C-17T. The Palm Beach County School Board's bid process satisfies the City's competitive bid requirements.

Motion

Vice Mayor Romelus moved to approve with discussion. Commissioner Kelley seconded the motion.

Vice Mayor Romelus requested clarification of inclusive buildings.

Mr. Mack replied all the buildings are included except for City Hall, Art Center, Civic Center, Fire station, and the old Police station.

Mayor Grant asked if staff was able to salvage any of the old HVAC units purchased within the past two years. Mr. Mack responded many of them were reallocated and some are being stored at the City yard.

Vote

The motion unanimously passed

- E. Authorize the purchase of replacement vehicles as approved in the fiscal year 2018-19 budget in the estimated amount of \$186,590 by utilizing the following contracts: Florida Sheriff's Association Contract #FSA18-VEL26.0, #FSA18-VEH16.0, and Sourcewell for three (3) replacement vehicles. The Florida

- F. Sheriff's Association and Sourcewell procurement process satisfies the City's competitive bid requirements.

Motion

Vice Mayor Romelus moved to approve. Commissioner Kelley seconded the motion.

Vote

The motion unanimously passed

7 P.M. OR AS SOON THEREAFTER AS THE AGENDA PERMITS

The City Commission will conduct these public hearings in its dual capacity as Local Planning Agency and City Commission.

9. CITY MANAGER'S REPORT - None

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS

- A. Review the Public Art Master Plan concept for the Town Square redevelopment project. Debby Coles-Dobay, Public Arts Manager to provide PowerPoint presentation.

Debby Coles-Dobay, Public Arts Manager stated on August 24, 2017, a Town Square input meeting was held regarding what the citizens wanted for public art. The residents were provided with a hand on interactive experience in which they choose different art types. The Art Commission has reviewed, selected and approved 6 projects. They are focused on qualified artist and fabricators. The Kinetic artwork for the City would offer branding, cultural tourism, economic development, create a one of a kind experience as well as unifying the City.

Ms. Debby Coles-Dobay showed the Town Square Public Art Master Plan, which indicated the relocation of existing art, the potential for new art, the Avenue of the Arts artwork sites, as well as the potential garage public art murals.

Provided an overview of the Town Square Public Art Budget. The City portion was \$400,000, private contributions was \$750,000.

Ms. Coles-Dobay explained what was being shown was a concept. The concept was called Reflections. This would brand the City, it could bring tourism, contribute to the economic development of the area, and create a one of a kind experience. Showed some of the artist concepts. Reflects the City's diversity and unity that is representative

of Town Square, which was derived from nature. Ms. Coles-Dobay explained the artist concepts, looking at the wings, the art looks like a seagull.

Vice Mayor asked if the structure would move on its own. Ms. Coles-Dobay replied it would move by the wind. The piece was 27 feet high by 26 feet wide, each pole was stationary. There are seven total wings. The wings would move and intersect with each other. Ms. Coles-Dobay said there are 21 total elements circulating. The wings are made out of stainless steel, and polished.

Vice Mayor Romelus asked if the rendering was what was going into the Town Square courtyard. The art piece would be more like a courtyard for gathering it would not have any steps.

Vice Mayor Romelus inquired if this was something which could be discussed with the artist. Ms. Coles-Dobay responded the artist designed it that way, because of space requirements of the area. There has been some discussion of a tier or two, but they have not come to a final conclusion.

Vice Mayor Romelus suggested tiers and have the art piece more interactive. Suggested giving it a feature which could make it man-powered, where a resident could move it at their leisure. This would add to the human effect. Mayor Grant stated he would like to echo the two tier system. A lot of people could use this as a gathering space for future event. Mayor Grant understood the issue was it cannot have the tier system on the sidewalk. The art piece would need to be set back from the sidewalk. Asked for the measurement of the tier from the ground. Ms. Coles-Dobay replied from the ground the tier was 15 feet. Explained the tier needed to be a minimum of 8 feet from the ground.

Ms. Coles-Dobay indicated the artist has done a family of similar pieces. This was a reflection of pieces which he has done in the past. She added during the day the piece would be reflective and at night it would have some colored lights. The art was constantly moving, but was engineered not to spin wildly in the wind.

Vice Mayor Romelus asked in the event of a storm, the City did not need to do anything to secure the art pieces. Ms. Coles-Dobay answered that was correct.

Ms. Coles-Dobay provided some background information for the local Kinetic Artist, Designer and Art Fabricator for the Boynton Beach Town Square project.

Kinetic Artist Ralfonso, was the most recognized artist for Kinetic art. Ralfonso has offices in West Palm Beach, Florida, and Geneva, Switzerland. Has been a supporter of Kinetic Art event since 2012. He was committed to creating a cost effective iconic kinetic artwork for the City of Boynton Beach Town Square.

EES Designs was a Fine Art Metal Fabricator, which specializes in monumental complex sculptures. He was a local artist and a Boynton Beach resident. Has a fully equipped facility which was conveniently located.

Boca Bearings is a supplier of bearings of kinetics. They are a one stop shop for everything from prototyping to production. They are also the leader in ceramic bearings. They have supported the Kinetic Art event since 2013.

This would be a public space where all ages, abilities and demographics, and engage each other. At night there will be sounds during the day and night. There will be lights at the top of the poles.

Vice Mayor Romelus asked if the poles were wide enough for those in wheelchairs to maneuver through the poles. Ms. Coles-Dobay indicated absolutely. explained all of the art was geared towards being inclusive.

Ms. Coles-Dobay showed the Old High School facility where rooms could be rented for special occasions. Noted the input from the residents indicated they wanted quiet areas as well as a vibrant space. They have created a sensory native garden in Kapok Park for gatherings, learning and reflecting. Ms. Coles-Dobay indicated the Arts Commission has collaborated with the following organizations: Community Greening, Boynton Beach Gardening Club, Schoolhouse Children's Museum, City's Sustainability Coordinator, City's Forestry and Grounds, Historical Society, the Arthur Marshall Loxahatchee Preserve Urban Refuge Program, Fairchild Million Orchids, Project, FAU Pine Jog Education Center for input.

Vice Mayor Romelus indicated she envisioned the Addison Hotel. Inquired if this would be similar to the Addison hotel courtyard. Ms. Coles-Dobay replied it will have walkways, open spaces, and benches. The Kapok tree will be connected to the Old High School. The seahorse fountain from the old Library would be incorporated at the Kapok Park.

Ms. Coles-Dobay showed the canvas area of the garages. Indicated staff engaged local emerging artists to come up with some connection to the coastal location. The Artist can come back with something which can be placed on the canvases of the garage.

Ms. Coles-Dobay continued with the Fire station, and indicated there would be window film with art reflected.

Vice Mayor Grant asked if the concept would be distributed to all the Fire stations. Collin Groff, Assistant City Manager responded there was no space for what was at Fire Station 5 to be incorporated for the other stations. Vice Mayor Romelus stated she was looking at branding. Mr. Groff stated he agreed with the branding not only the building, but with signs.

Ms. Coles-Dobay said the Police headquarters was located opposite the Fire station off of High Ridge Road. Explained the artist team came up with “Building Up the Community” as a theme. This was to preserve the sanctity of trust and build strong community relationship. The Art concept was to use the courtyard when visitors come to the police station. They will have artwork which will help them feel comfortable. Informed the Commission the planters would be used for safety, not just beauty. Explained the panels are interactive and have customized wording.

Vice Mayor Romelus asked if the art work would allow for the wheel chairs to maneuver between the panels. Ms. Coles-Dobay responded all the artwork was ADA compliant.

Vice Mayor Romelus said she would like to see if the artist could look into having the artwork more interactive. Ms. Coles-Dobay indicated she would speak to the artist. Vice Mayor Romelus inquired if there was a mechanical devise which could be incorporated to allow for the piece to move.

Mayor Grant opened to public comment. Seeing no one coming forward, public audience was closed.

Motion

Vice Mayor Romelus moved to approve. Commissioner Kelley seconded the motion.

Vote

The motion unanimously passed.

- B. PROPOSED RESOLUTION NO. R18-183** - Authorize the Mayor to sign an Asset Purchase Agreement between the City of Boynton Beach and Tropical Breeze Estates for the acquisition of the Tropical Breeze water and wastewater system, and approve the associated costs to purchase the systems, install the necessary water meters and connection to the water distribution system

Motion

Vice Mayor Romelus moved to approve with discussion. Commissioner Kelley seconded the motion.

Vice Mayor Romelus requested an explanation from staff what this agreement was about.

Michael Low, Deputy Director of Utilities, explained Tropical Breezes Estates was a mobile home park. The City have been in discussion with Tropical Breezes for about two years. Tropical Breezes have their own small water plant. They currently deliver bulk waste water to the City. The proposal was the City would take over their Waste Water Gravity systems and water mains and install the City metering system. The City has been

investigating the condition of their system over the past couple of years and the City was very confident the cost would be easily defrayed. Tropical Breezes would still pay connection charges and pay deposits. This would enable the City as a utility to widen the City customers base and defray cost. Mr. Low ensured the Commission the existing customers would not be financially penalized for the acquisition of Tropical Breeze Estates.

Vice Mayor Romelus stated since the board of Tropical Breeze was here, she assumed they were in agreement with all the terms and conditions of the agreement.

Vote

The motion unanimously passed

12. LEGAL - None

13. FUTURE AGENDA ITEMS

- A. Palm Beach County Commissioner Weinroth - District 4 wanted to introduce himself to the City Commission. - **January 15, 2019**
- B. The Public Works Department will present a brief report on operations and initiatives for the upcoming year. **January 15, 2019**
- C. Staff to bring information concerning the following land parcels for the Commission to review - **February 5, 2019**
 - Nichols Property
 - Rolling Green
 - Girl Scout Park
- D. Commission wants to discuss public safety as it relates to the Town Square Redevelopment – **TBD**
- E. Discuss a prohibition for appointed and Elected Officials in the City of Boynton Beach from serving as paid lobbyist subsequent to their time on their board or the Commission – **TBD**
- F. The Mayor has requested to discuss the issue of installing EV stations in the city and the operation of them. – **TBD**
- G. The Mayor has requested a discussion on the possibility of planting trees on some of the City's vacant lots – **TBD**

- H. Staff to review Development Department's plan review processes to identify efficiencies and technologies to assist with timely review of plans/projects – **TBD**

Mayor Grant indicated that David Scott, Director of Economic Development has prepared a PowerPoint presentation for the Opportunity Zone. Requested this item to be placed on the next agenda.

There was consensus.

14. ADJOURNMENT

Motion

There being no further business to discuss, Vice Mayor Romelus moved to adjourn. Commissioner Kelley seconded the motion.

Vote

The motion unanimously passed. The meeting was adjourned at 7:34 pm.

(Continued on next page)

CITY OF BOYNTON BEACH

Mayor - Steven B. Grant

Vice Mayor - Christina Romelus

Commissioner – Justin Katz

Commissioner – Mack McCray

Commissioner – Aimee Kelley

ATTEST

Judith A. Pyle, CMC
City Clerk

Queenester Nieves
Deputy City