



# CITY OF DELRAY BEACH

OFFICE OF THE CITY MANAGER

100 N.W. 1<sup>ST</sup> AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7015



## City Commission Information Letter

August 19, 2022

### **Finalization of Improvements to Cornell Art Museum**

With interest continuing to build relative to activating the Cornell Art Museum for temporary exhibits, events, and other potential considerations, the Department of Public Works has been working assertively during the past couple of months to implement improvements to support resuming operations at the facility.

As referenced in the attached electronic mail message from Director of Public Works Missie Barletto, outcomes to this effect include a fresh coat of paint throughout the interior of the facility, as well as various repairs to the flooring. Additionally, replacement of the security system and indoor track lighting will be completed during the next few weeks.

### **Policy Considerations Regarding Budgetary Transfer Authorizations**

As both Director of Finance Hugh Dunkley and I recently met with Internal Auditor Julia Davidyan and City Attorney Lynn Gelin to discuss current levels of budgetary control and dynamics related to daily operations, please be advised that direction is now being considered to amend the budget transfer and amendment policy to involve the City Commission more formally.

As referenced in the attached draft administrative policy concerning the Office of the City Manager's budgetary authority, guidance to this effect contemplates limiting administrative authority not to exceed \$65,000. Transfers from one department to another that exceed \$65,000 would also require City Commission approval.

Not only does direction to this effect align with the Office of the City Manager's existing purchasing authority of \$65,000. It also increases the level of transparency and accountability.

## **Ancillary Support and Response Concerning Sea Turtle Lighting Compliance**

In response to recent concerns regarding sea turtle hatchling disorientations experienced in the vicinity of East Atlantic Avenue and A1A (as well as along the entire Delray Beach shoreline), please be advised that direction is being offered to help ensure that reinspection of lighting violations remain a paramount focus for the Department of Neighborhood and Community Services.

As referenced in the attached electronic mail message from Director of Neighborhood and Community Services Sammie Walthour, guidance to this effect involves collaboration with the Beach Property Owners Association, who have agreed to assist the City of Delray Beach with community outreach to educate beachfront property owners about lighting options necessary to achieve compliance during sea turtle nesting season.

Additionally, as a part of Delray Beach's Sea Turtle Conservation Program, the Department of Public Works will continue to provide oversight, including sea turtle nest marking and hatchling inventory, per requirements set forth by the Florida Department of Environmental Protection and the Florida Wildlife Commission. This includes detailed monthly lighting inspections via the City's environmental consulting firm, Ecological Associates, Inc.

## **Inventory and Assessment of Historical Properties Owned by the City of Delray Beach**

In response to consensus offered during last week's regular meeting relative to assessing the current state of historical properties owned by the City of Delray Beach, please be advised that direction is currently underway to perform an inventory, to include an evaluation of respective structural and cosmetic conditions.

Guidance to this effect will be achieved through collaboration with the Delray Beach Historical Society, as well as other non-profit partners that operate in historic buildings (whereby the City of Delray Beach bears some degree of custodial responsibility). A workshop meeting to outline results and outcomes is being planned for the October 18<sup>th</sup> session.

## **Calendar of Meetings, Activities, and Functions**

With Congresswoman Lois Frankel to visit Delray Beach Fire Rescue and other public safety operations Wednesday, August 31<sup>st</sup>, Chief Tomey and I hosted a discussion earlier this week. Resulting direction included extending invitations for our elected officials, as well as public outreach necessary to advance opportunities for federal support.

Enclosures:

Electronic Mail Message from Missie Barletto – Cornell Museum  
Draft Administrative Policies and Procedures – Budget Transfer and Amendment Policy  
Electronic Mail Message from Sammie Walthour – Sea Turtles Disorientations – Lighting Enforcement Update  
Calendar for Business Week of August 15, 2022

CM/Documents/City Commission Information Letter 41

## Terrence R. Moore

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**From:** Barletto, Missie  
**Sent:** Friday, August 19, 2022 8:26 AM  
**To:** Terrence R. Moore  
**Subject:** Cornell Museum  
**Attachments:** IMG\_0421.heic

Terrence,

The repairs at the Cornell Museum are continuing to move forward. To date we have completed painting all of the interior and have repaired and varnished the areas on the floor where the social distancing stickers caused damage.

The permit application has been submitted for the security system and the lighting will be ordered as soon as the pending purchase order has been approved.

We expect to have the Museum tenant ready within 30 days.

Missie


Sent from my iPhone





# CITY OF DELRAY BEACH

## ADMINISTRATIVE POLICIES AND PROCEDURES

<b>DEPARTMENT:</b>	Finance	<b>POLICY NUMBER:</b>	BF-7
<b>SUBJECT:</b>	Budget Transfer and Amendment Policy	<b>SUPERSEDES:</b>	BF-7, Rev <del>65</del> ( <del>108-1-2021</del> 46)
<b>REVISION:</b>	<del>6</del> 7	<b>EFFECTIVE DATE:</b>	October 1, 202 <del>1</del> 4
<b>APPROVED BY:</b>	 Terrence R. Moore, ICMA -CM, City Manager		

### PURPOSE

The purpose of this policy is to define, standardize, and set forth procedures and responsibilities for amending or adjusting the adopted budget. It is understood that from time to time the originally adopted budget needs to be amended or adjusted because of unplanned or unforeseen circumstances. The City of Delray Beach formally authorizes, appropriates, and adopts the budget by fund. Expenditures cannot exceed individual fund appropriations without formal action of the City Commission. Department Heads are responsible for monitoring their respective budgets. The following information sets forth the authority and process by which the originally adopted budget may be amended or adjusted.

### POLICY

#### **BF-7.1 Definition:**

The process for amending the budget is based upon Section 166.241, Florida Statutes. This administrative policy establishes the process for making amendments or adjustments to the adopted budget. In the context of this administrative policy, the term department is defined as the following:

00-Administration	24-Neighborhood & Community Services	54-Neighborhood Services
10-Administrative Services	25-Disaster Services	59-Economic Awards
11-City Commission	26-Development Services	61-Miscellaneous
12-City Manager	34-Sanitation	71-Library
13-Finance	36-Water & Sewer	72-Parks & Recreation
14-City Attorney	37-Geographic Information Systems	73-Cultural Services
15-City Clerk	38-Stormwater	74-Special Events
16-Information Technology	39-Cemetery	75-Recreational Facilities
17-Human Resources	40-Environmental Services	79-Other Recreational Facilities
18-Pensions	41-Public Works	85-Debt Service
<del>19-Purchasing</del> 19-Purchasing	42-Engineering	90-Miscellaneous
21-Police	43-City Garage	91-Transfers
22-Fire	45-Parking Facility	95-Contingency



If a Department is not specifically listed above, or is not combined with one of the above, it will be considered a separate department based upon the individual department number established in the ERP financial accounting software.

**BF-7.2 Types of Budget Amendments/Adjustments:**

There are four types of budget amendments with specific methodology for processing each type. These are as follows:

**Type 1** - Budget appropriation request that increases the budgeted level of expenditures for a budgeted fund must be approved by Resolution, requiring formal action of the City Commission. Pursuant to Florida Statutes, budget amendments must be adopted in the same manner as the original budget.

**Type 2** – Appropriations lapse at year-end (September 30<sup>th</sup>). However, certain projects cross fiscal years and the funds must be re-appropriated to complete these projects. The Finance Director has the authority to automatically re-appropriate any unencumbered appropriations that relates to grants and capital projects. The Finance Director is also authorized to reserve any unpaid purchase orders, outstanding contracts, and other commitments from one fiscal year to the next fiscal year. These re-appropriations will increase the budgeted level of expenditures for the budgeted fund.

**Type 3** – Transfers from one Department to another Department, including transfers from the City Manager's contingency fund, not to exceed \$65,000, requires approval from the City Manager. The cumulative budget transfers to (from) a department shall not cause that department's budget to increase or decrease by more than \$65,000 in a given fiscal year without City Commission approval.

**Type 4** – Line-item transfers within a departmental budget are allowed subject to certain conditions outlined below. Please note that all budget transfer request forms require a specific explanation. If multiple transfer requests are submitted together, each request and each line require its own explanation.

**BF-7.3 Finance Director's Approval:**

The following line-item budget transfer are allowed with the approval of the Finance Director or his/her designee:

1. Transfers between line-items in the same Department and within the same major object code group. (i.e., major object code groups: Personnel, Operating, and Capital)
2. Transfer between line-items (less than \$15,000) in the same Department from an object code in one major object code group to another major object code group.

**BF-7.4 Finance Director and City Manager's Approval:**

The following line-item budget transfers require approval of the Finance Director or his/her designee and the City Manager or his/her designee:

1. Transfer between line-items (\$15,000 or more) in the same Department from an object code in one major object code group to another major object code group.
2. Any transfer between line-items in different Departments (also requires approval of both Department Directors).
3. Any transfers from the City Manager's contingency fund to a Departmental budget.

**BF- 7 .5 Instructions to request a departmental budget transfer.**

All Departmental budget transfer request forms must be routed through the appropriate approval process.

**General Information:**

No single line-item in any Departmental Budget can exceed the amended budget.

Prior to the posting of an invoice or purchase order, a budget transfer request form must be processed based on the criteria outlined above. The number of transfers completed by Departments is not limited; however, adequate budgeting and planning will prevent or reduce the number of transfers requested.

Failure of a Department Director to adequately monitor their budget, thereby exceeding the Departmental appropriated budget, can lead to disciplinary action up to and including termination.

**Year-end Appropriations:**

Appropriations that are not expended, encumbered, or specifically designated to be carried forward lapse at the end of the fiscal year (September 30<sup>th</sup>). Exceptions include:

- a. Certain unpaid purchase orders, outstanding contracts, and other commitments
- b. Unencumbered appropriations for grants and capital projects



## Terrence R. Moore

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**From:** Walthour, Sammie  
**Sent:** Friday, August 19, 2022 9:07 AM  
**To:** Terrence R. Moore  
**Subject:** Sea Turtles Disorientations - Lighting Enforcement Update

Mr. Manager,

On July 21, 2022, City staff was informed that sea turtle disorientations were occurring due to lighting from condominiums/apartments near the beach. This update provides the status of our enforcement of lighting violations.

On March 29, 2022, the preliminary night-time sea turtle light inspections were conducted by Joseph Scarola of Ecological Associates Inc. Inspector and Code Enforcement Officer Ryan Sahai. On April 20, 2022, the initial lighting evaluation was sent to Code Enforcement by Joseph Scarola, identifying eighty-four (84) properties that were noncompliant with the sea turtle lighting requirements by Florida Fish and Wildlife conservation Commission (FWC). As a result of Inspector Scarola's report, Officer Sahai established eighty-four (84) code violation cases.

As of August 5, 2022, forty-five (45) cases have been brought into compliance. The remaining cases are scheduled for Code Enforcement Board on September 8, 2022. The City will request a "finding of fact" ruling which will allow Code Enforcement to proceed with an immediate Code Board Hearing fine assessment for the next five (5) years for property owners in violation of lighting requirements during Sea Turtle Season.

Currently, night inspections will be conducted between August 18 - 20, 2022, by Joseph Scarola. Likewise, Officer Shai will also conduct night inspections at the properties identified to ensure compliance.

**Sammie L. Walthour, MSM, Director**  
Neighborhood & Community Services Department  
100 NW First Avenue  
Delray Beach, FL 33444  
Work: (561) 243-7240  
Mobile: (561) 400-4511  
[www.delraybeachfl.gov](http://www.delraybeachfl.gov)



NEIGHBORHOOD and  
COMMUNITY SERVICES

TRUST: Transparency – Respect – Unconditional support – Shared vision – Teamwork

PUBLIC RECORDS NOTE: Florida has a very broad public records law. Most written communications to or from local officials, employees, or the general public regarding city business are public records available to the public and media upon request. Your e-mail communications may therefore be subject to public disclosure.



# August 15, 2022 - August 21, 2022

August 2022							September 2022							
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	
		1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10	
14	15	16	17	18	19	20	11	12	13	14	15	16	17	
21	22	23	24	25	26	27	18	19	20	21	22	23	24	
28	29	30	31				25	26	27	28	29	30		

## Monday, August 15

- ← Chief Sims ooo →
- ← 12:00am Jeff ooo
- ← 12:00am Missie ooo
- 7:30am - 8:30am Begin CIL (CM Office)
- 8:30am - 8:40am New employee orientation (First Floor Conference Room) - Bast, Dot ↻
- 10:00am - 11:30am Mayor mtg w/CM Moore Re: Agenda & Updates (City Manager's Office) - Rangel, Delores ↻
- 11:30am - 12:00pm Delores Rangel re: PBC League of Cities Meeting (Office of the City Manager) - Vega, Brenda
- 2:00pm - 2:30pm Parker Zelle (CM Office)
- 3:00pm - 4:30pm Canceled: Cancelled - Comm. Johnson mtg w/CM Moore Re: Agenda and Updates (Commission Conference Room) -
- 4:00pm - 5:00pm Follow-Up Proposed FY 22-23 Budget Review with Commissioner Johnson (Conference Room - City Hall 1st Floor) -

## Tuesday, August 16

- ← Chief Sims ooo →
- 9:00am - 10:00am Compile Information Letter Report - Policy Considerations Regarding Budgetary Transfer Authorization (CM Office) - Terrence R. Moore
- 10:00am - 10:30am Cities Convene with Congress: A Conversation with Congresswoman Cherfilus-McCormick (Zoom (see link below)) - Brenda Jones
- 11:00am - 12:00pm Compile Information Letter Report - Finalization of Improvements at Cornell Art Museum (CM Office) -
- 1:30pm - 8:00pm August 16th Commission Meetings - Viewing of Presentations (Microsoft Teams Meeting) - Harris, Patrice
- 1:30pm - 2:00pm Special Meeting: Discussion Regarding Waste Management Amendment (Commission Chambers) - Johnson, Katerri
- 2:00pm - 4:00pm Workshop Meeting
- 4:00pm - 7:00pm City Commission Regular Meeting ↻

## Wednesday, August 17

- ← Chief Sims ooo →
- 7:30am - 8:30am Kiwanis Club of Delray Beach (Delray Beach Golf Club (2200 Highland Ave, Delray Beach, FL 33445)) - Ezra Krieg ↻
- 9:15am - 9:45am Discuss upcoming visit to FD from Representative Frankel (City Manager's office) - Billingsley, Joyce
- 10:00am - 11:00am Interdepartmental Responsibilities Relative to Back Flow Prevention Device Operations (Conference Room - City Manager) - Vega, Brenda
- 11:00am - 12:00pm Review CTR - 1915, Education & Workforce Coordinator Applicants (Conference Room - City Manager) - Vega,
- 2:00pm - 3:00pm Compile Information Letter Report - Inventory and Assessment of City of Delray Beach Owned Historical
- 3:00pm - 4:00pm Alfred "Zach" Strangh Recognition Monument (Conference Room - City Manager) - Vega, Brenda
- 4:30pm - 5:30pm Compile and Deliver (CM Office)

## Thursday, August 18

- ← Chief Sims ooo →
- 12:00am Janet ooo →
- Duane ooo
- 9:00am - 10:00am Compile Information Letter Report - Sea Turtle Disorientation/Monitoring (Collaborative Support Involving BPOA, Lighting, etc.) (CM Office) - Terrence R. Moore
- 11:00am - 12:00pm Discuss Relative Thoughts and Considerations for Completing Renovation of the Crest Theater (Office of the City Manager) - Vega, Brenda
- 1:30pm - 2:30pm ICMA Performance-Based Assessment (CM Office)
- 3:00pm - 4:30pm Various (Various) ↻
- 4:30pm - 5:00pm JP (Various)

## Friday, August 19

- ← Chief Sims ooo →
- ← Janet ooo →
- 12:00am Chief Tomey →
- 7:30am - 9:00am Finalize CIL (CM Office) ↻
- 8:30am - 9:30am Comm. Boylston mtg w/CM Moore Re: Bi-Weekly Updates (City Manager's Office) - Rangel, Delores ↻
- 10:30am - 12:30pm Various (Various)
- 2:00pm - 3:30pm Finish Credentialed Manager Annual Report (CM Office)
- 2:00pm - 3:30pm VTT002 - Virtual Think Tank (<https://us02web.zoom.us/j/84767239455?pwd=d09sZEtMakgyTmtBdDlteDZXMHJudz09>) - Rob Duncan ↻
- 4:00pm - 5:00pm Biweekly City Attorney (CM Office) - Moore, Terrence ↻

## Saturday, August 20

- ← Chief Sims ooo →
- ← Janet ooo →
- ← Chief Tomey →
- 10:00am - 11:00am Delray Beach Tennis Center (Hard Court #1) ↻
- 11:00am - 12:30pm Various, CIL Notes, etc. (CM Office)
- 12:30pm - 2:30pm Finish Credentialed Manager Annual Report

## Sunday, August 21

- ← Chief Sims ooo →
- ← Janet ooo →
- ← Chief Tomey →