



CITY OF DELRAY BEACH

OFFICE OF THE CITY MANAGER

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



City Commission Information Letter

December 9, 2022

Solid Waste Franchise Agreement Proposal Process

As the Office of the City Manager is happy to report that the City of Delray Beach has received three proposals from companies interested in providing solid waste and recycling services to our community via a multiple year franchise agreement, please be advised that the applicable review and evaluation processes are currently underway to enable final recommendations for City Commission review and consideration.

Although the proposals received are consistent with the forecasted submission schedule discussed this past summer, the pricing and overall scope of service will require the assistance of John Archambo, an external subject matter consultant and former Palm Beach County Solid Waste Authority Executive Director.

An evaluation committee has been appointed by the Office of the City Manager to finalize tabulation results and yield recommendations for City Commission review and consideration next month.

Disparity Study Consultancy Proposal Process

Recommendations for the disparity study and associated consultancy services are currently being finalized. The evaluation committee has recently completed the review and scoring necessary to advance proposals.

The City received a total of four proposals from economic and policy impact analysis consulting firms. Recommendations for City Commission review and consideration are anticipated via the January 10th session.

Beach Renourishment and Storm Repair

In the aftermath of impacts from both Hurricane Ian and Hurricane Nicole, the City has engaged with the U.S. Army Corp of Engineers (USACE) to identify potential storm repair projects.

As referenced in the attached electronic mail message from Assistant Director of Public Works Cynthia Buisson, guidance to this effect involves collaboration with Palm Beach County, to include an official request for a Project Impact Report (PIR). Issuance of a PIR begins the process to secure federal support for repairs and renourishment.

Logistics to this effect involve a considerable amount of time, typically resulting in enhancements not being scheduled for several years. Nevertheless, the City remains vigilant, as we all look forward and finalize respective tasks.

Parking at the Palm Beach County South Courthouse

During the past several months while engaging with leadership of the Delray Beach Public Library, it was brought to our attention that formal contractual relationships exist with the City of Delray Beach, the Delray Beach Community Redevelopment Agency, and Palm Beach County, relative to use of the South County Courthouse Parking Garage located on Atlantic Avenue, immediately west of the library facility.

As noted in the attached electronic mail message from Assistant City Manager Jeff Oris, this arrangement has been in place for nearly 20 years, granting the library and the City access to the parking structure since that time.

Although this intergovernmental relationship has benefited all concerned, it has involved a financial commitment from the library to fund a portion of the annual operations and maintenance costs. For several years the City has taken on the libraries' portion of this financial responsibility, without any contractual obligation for our organization to do so.

Direction is now underway to consider a formal commitment structure regarding said financial support, as a function of existing annual contributions in support

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of the Delray Beach Public Library. Applicable policy considerations will be offered publicly via the January 10th City Commission session.

Calendar of Meetings, Activities, and Functions

In addition to various continuous efforts and engagements to support the holiday season, including tonight's participation in the annual Holiday Boat Parade and tomorrow evening's annual Delray Beach Holiday Parade, the City of Delray Beach also hosted this month's meeting of the Florida Recreation and Parks Association.

This session, having taken place earlier this week at the Fieldhouse of Old School Square, was very well attended. Director of Parks and Recreation Sam Metott and his team offered a very welcoming and hospitable environment for local government parks and recreation officials and other professionals from various cities. The Office of the City Manager wishes to offer well deserved compliments to all involved.

With the 2022 holiday season in full swing, many employees will be celebrating with family and friends over the next few weeks. Therefore, this will be the final information letter for 2022. Weekly reporting will resume beginning January 6, 2023.

My best wishes to the Delray Beach family for a happy and safe holiday season.

Enclosures:

Electronic Mail Message from Cynthia Buisson – Beach Renourishment for Storm Impacts
Electronic Mail Message from Jeff Oris – Library Parking at the Palm Beach County South Courthouse
Calendar for Business Week of December 5, 2022
CM/Documents/City Commission Information Letter 54

Terrence R. Moore

From: Buisson, Cynthia
Sent: Thursday, December 8, 2022 4:18 PM
To: Terrence R. Moore
Cc: Barletto, Missie
Subject: Beach Renourishment for Storm Impacts

Good Afternoon Mr. Moore,

The City is actively working with the United States Army Corps of Engineers (USACE) and Palm Beach County (PBC) to document impacts from the recent Hurricanes Ian and Nicole. Hurricane Ian made landfall on the Gulf Coast of Florida in late September and worked it's east across the state causing widespread storm impacts. The City and USACE performed a site visit on our beach on October 4, 2022 for preliminary assessment of impacts. Hurricane Nicole made landfall north of us on the east coast on November 9, bringing wind and waves and a significant storm surge that also impacted our beaches. The City and USACE performed another site visit on our beach on November 15, 2022.

Following these visits, the City met with our local sponsor, PBC on November 18, 2022 to discuss preliminary impacts and sand losses on our beach and other County beaches. Impacts to Delray's beach are estimated to be approximately 130,000 cubic yards of sand at this time. As a result of the discussion it was determined that the storm-induced erosion justified a request to USACE for a Project Impact Report, the next step in seeking federal funding support for rehabilitation of our beach. This letter was issued to USACE on December 8, 2022.

Additionally, the City is issuing a PO to the City's coastal consultant to perform a post-storm survey to collect survey grade data that will document actual sand losses and use the data for comparison with the USACE Project Impact Report.

Sincerely,

Cynthia Buisson, P.E., LEED® Green Associate™
Assistant Public Works Director



Swinton Operations Center
434 South Swinton Ave, Delray Beach, FL 33444
FuentesC@mydelraybeach.com
O: 561-243-7196

PUBLIC RECORDS NOTE: Florida has a very broad public records law. Most written and audio 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 and voice mail communications may therefore be subject to public disclosure.

Terrence R. Moore

From: Oris, Jeff
Sent: Friday, December 9, 2022 10:52 AM
To: Terrence R. Moore
Subject: Invoices Related to the DB Public Library and Use of South County Parking Garage
Attachments: SCounty Parking Payment Info.pdf

Mr. Moore,

Several months ago it was brought to my attention that there were outstanding invoices from Palm Beach County for a portion of operation and maintenance costs related to the Library's use of the South County Courthouse parking lot and garage. Payment of these costs are a requirement of the original Triparte and Interlocal Agreement between the City of Delray Beach, The Delray Beach Community Redevelopment Agency, the Delray Beach Public Library, and Palm Beach County which memorialized the responsibilities and costs to each party regarding the construction, operation, and future use of the parking garage. My concern was raised when I was informed that the County was awaiting payment from the City for these costs despite the fact that the invoices were directed to the Delray Beach Public Library. Having only been with the City a short time, I began to research this issue further to determine why payment was expected from the City on these expenses. I obtained the original 2003 Triparte and Interlocal Agreement and found that Section 10 of the Agreement clearly states "The County shall be physically responsible for the operation and maintenance of the Parking Facilities and the Library shall annually pay the County 31% of all on-site operation and maintenance costs including capital renewal and replacement costs, utilities, and security." The Section further expands on dates for notifications and invoicing to the Library. Contact was made with Ms. Kae Jonsons, the Library's Director of Development and Community Engagement to ask why the City was expected to pay the invoice when the original agreement clearly stated this was the responsibility of the Library. Her response was that the City has always paid these costs though she was unaware of any formal agreement or document in which this arrangement was specifically confirmed.

The aforementioned conversation with Ms. Jonsons was followed by a search for any agreement, City Commission resolution, or other document that somehow indicated that the City accepted responsibility for these costs. None was found. I further reached back for history of this matter by seeking out and speaking with several of the individuals involved in the original agreement between the parties including: former CRA Executive Director Diane Colonna, former Assistant City Manager Robert Barcinski, and former City Manager David Harden. None of these individuals had any recollection of this particular cost or why the City might have made the payment through the years. In the course of my research I also contacted both the City's Finance Department and Ms. Karyn Sykes, Director of Financial & Support Services for the Palm Beach County Department of Facilities and Operations' Strategic Planning Division, to seek further proof of how long the City had paid for this expense. The City's Finance Department was able to confirm payment of invoices as far back as FY 2016 and the County provided several receipts and a City purchase order for payment for fiscal years as far back as FY 2015 (I have attached to this email some of the information forwarded to me).

Through the above research, as well as other information I have garnered from persons associated with the Library and further discussion with the County, it is clear that the City has paid this expense each year since at least back to FY 2015 and probably further but the Library and the City have failed to put in place any formal policy or arrangement to justify payment.

Unfortunately, there are now three invoices due to the County (those for expenses in FY 2017, FY 2021, and now also for FY 2022) in the total amount of \$101, 267.84 and I am getting emails from the County as to when they will be paid. As we have no formal direction on this matter, it may be best to bring the issue to the City Commission for their direction on how to best handle this situation.

Please advise should you require any additional information regarding this matter.

December 5, 2022 - December 11, 2022

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

January 2023						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Monday, December 5

- ← 12:00am Missie ooo
- 12:00am Chief Mager 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 ↻
- 11:00am - 11:30am Cancelled - Mayor/CM Moore, M. Barletto mtg w/Residents Eric Hecht & Tom Spitalny Re: Seagate & Hibiscus (City Manager's Office) - Rangel, Delores
- 11:30am - 12:00pm USPS (USPS)
- 2:00pm - 3:00pm Summary of Professional Memberships (CM Office) - Terrence R. Moore
- 3:00pm - 4:30pm Canceled: Cancelled - Comm. Johnson mtg w/CM Moore Re: Agenda and Updates (Commission Conference Room) -

Wednesday, December 7

- ← 12:00am Chief Mager ooo
- 8:30am - 9:00am Sam Metott Bi-Weekly Meeting (Office of the City Manager) - Terrence R. Moore ↻
- 9:00am - 11:00am Executive Leadership Team Meeting (Conference Room - City Hall 1st Floor) - Vega, Brenda ↻
- 10:30am - 11:00am Solid Waste Solicitation Selection Committee (Conference Room - City Hall 1st Floor) - Graikowski, Beverly
- 11:00am - 11:30am William Corbin/Georgia State University/ICMA (Conference Call) - Vega, Brenda
- 2:00pm - 2:30pm Jay Stacy Bi-Weekly Meeting (City Manager Office) - Vilain, Amanda ↻
- 3:00pm - 4:00pm Compile Information Letter Report - Disparity Study Consultancy Proposal Consideration Process (CM Office) -
- 4:00pm - 4:30pm Canceled: Chief Tomey Bi-Weekly Meeting (City
- 5:00pm - 6:00pm Compile and Deliver (CM Office)

Friday, December 9

- 7:30am - 9:00am Finalize CIL (CM Office) ↻
- 9:00am - 10:00am Comm. Boylston mtg w/CM Moore Re: Bi-Weekly Updates (City Manager's Office) - Rangel, Delores ↻
- 10:00am - 11:00am Atlantic High School Community/Business Partners Mingle & Jingle Invite - greta.britt@palmbeachschools.org
- 11:30am - 12:30pm Department of Utilities Employee Event (SOC)
- 12:00pm - 1:30pm Various (Various)
- 3:00pm - 4:00pm Process FPL/SWMC (CM Office/Various)
- 5:30pm - 6:00pm Reminder: ICMA CoachConnect with Curtis Brown - tomorrow 5:30PM EST
(<https://icma.instaviser.com/events/408c395e-b56a-4b77-8e21-43e82a4c53a7/live?at=kyNreg1eX499PseqLOtP>) - Curtis Brown via ICMA CoachConnect

Tuesday, December 6

- ← Chief Mager ooo →
- 8:00am - 9:00am Compile December 7, 2022 Executive Leadership Team Meeting Agenda (CM Office) - Terrence R. Moore
- 10:00am - 11:00am Compile Information Letter Report - Solid Waste Franchise Agreement Proposal Consideration Process (CM Office) - Terrence R. Moore
- 11:00am - 12:00pm Brenda Vega Annual Performance Evaluation (CM Office) - Terrence R. Moore
- 11:30am - 12:00pm Various (Various)
- 12:00pm - 12:30pm Brief Hello at Florida Recreation and Park Association Monthly Meeting (Hosted by the City of Delray Beach
- 3:00pm - 4:00pm Workshop
- 3:00pm - 8:00pm December 6th Commission Meeting - Viewing of Presentations (Microsoft Teams Meeting) - Harris, Patrice
- 4:00pm - 7:00pm City Commission Regular Meeting ↻

Thursday, December 8

- Duane ooo
- 9:00am - 9:30am Anthea Gianniotis Bi-Weekly Meeting
- 10:00am - 10:30am Sammie Walthour - Bi-weekly Meeting with ACM Jeff Oris (City Manager's Office) - Walthour, Sammie ↻
- 11:00am - 12:00pm Compile Information Letter Report - Assessment Outcomes Regarding Ancillary Beach Renourishment Scheduling (CM Office) - Terrence R. Moore
- 2:00pm - 3:00pm Compile Information Letter Report - Library Parking at the Palm Beach County South Courthouse (CM Office) - Terrence R. Moore
- 3:00pm - 4:30pm Various (Various) ↻
- 4:00pm - 6:00pm Delray Beach CRA: Regular Board Meeting (Arts Warehouse, 313 NE 3rd Street, Delray Beach, FL 33444) - Waterlander,
- 5:30pm - 6:45pm Kiwanis Club of Delray Beach (Tim Finnegans Irish Pub (2885 South Federal Highway, Delray Beach, FL 33483)) - Ezra

Saturday, December 10

- 10:00am - 11:00am Delray Beach Tennis Center (Hard Court #1) ↻
- 11:00am - 1:00pm Various, CIL Notes, etc. (CM Office) ↻
- 6:00pm - 9:00pm Holiday Parade (Stage in Front of Library)

Sunday, December 11

