



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

February 3, 2023

Expanded Annual Fiscal Year Proposed Budget Calendar

As a follow-up to commitments recently offered publicly to include a preliminary workshop session as a function of offering a more educational focus relative to municipal budgeting practices and principles, please be advised that the Fiscal Year 2023-2024 Proposed Budget calendar formally recognizes this direction.

As referenced attached, a specific meeting to this effect is currently being scheduled to take place Tuesday, June 13th at 3:00 p.m., whereby specific discussions regarding the rudiments of the budget process will be offered. This will likewise include current financial and economic trend analysis review, as well as preliminary revenue and expenditure projections that will ultimately support pending total fund budget recommendations for the coming fiscal year.

Meanwhile, please be advised that both the Office of the City Manager and the Department of Finance will soon initiate individual discussions with directors and managers to review and evaluate requests accordingly. This will include such for interdepartmental capital improvement planning and project considerations as well.

Impact Fee Study Analysis and Anticipated Related Considerations

Given the pace of development that continues to be experienced throughout our community, staff has determined that merit exists to both study and consider the adoption of an impact fee structure to help address resulting increased demands on public safety, parks and recreation, and other public facility resources.

With impact fee policies evident in many South Florida municipalities to help address fiscal impacts associated with many of the aforementioned challenges, the City of Delray Beach is compelled to evaluate opportunities available accordingly. Fortunately, as impact fees are collected at the time of new building

City Commission Information Letter

February 3, 2023

Page 2

permit issuance, and therefore, are not at all financially burdensome to current taxpayers, considerations to this effect are generally regarded as more equitable to existing residents.

To comply with Florida statutory requirements as outlined, direction is being offered to engage an external fiscal impact analysis consultant to assist staff in compiling recommendations to this effect for City Commission review and consideration. Once associated tasks have been completed, a workshop meeting on the subject will be offered publicly.

Status and Direction to Expand Wayfinding Signage Program

In response to an inquiry offered by Commissioner Johnson during the January 17th regular meeting concerning the status of advancing the community's wayfinding signage project, please be advised that leadership of the Department of Public Works has completed final construction documents necessary to administer contractor bidding and selection processes.

As referenced in the attached electronic mail message from Director of Public Works Missie Barletto, the scope of work requires the furnishing of all services and other deliverables necessary for the successful completion of the proposed project, including sign fabrication; sign installation; removal of existing signs; electrical permitting and installation of illuminated signs, as well as any associated parts and labor required. Other related details include applicable concrete restoration, irrigation systems, and new sod installation.

With project solicitation activities to commence during the next few weeks, resulting contract recommendations are anticipated circa early summer. As manufacturing and installation activities involve an approximate 18-month timeframe, final project completion as outlined is planned for late next year.

Public Nuisance Appeals Panel and Related Organizational and Operational Structure

In response to city administration's efforts to achieve full due diligence opportunities to resolve code violations and other infractions that adversely

City Commission Information Letter

February 3, 2023

Page 3

impact neighborhoods in our community, please be advised that authorization was recently made to reengage the Public Nuisance Appeals Panel.

As referenced in the attached memorandum that authorizes direction as noted, guidance to this effect involves activation of a three-person interdepartmental panel for the purpose of reviewing appeals of nuisance violations issued and administered. In essence, consistent with applicable provisions of the Delray Beach Code of Ordinances, a structured appeals process is now being made available accordingly.

Both Mr. Walthour and the Office of the City Attorney will likewise work collaboratively to update applicable ordinance provisions prior to implementing this new procedure.

Calendar of Meetings, Activities, and Functions

Given the November 15, 2022, City Commission approval of the \$19.8 million grant agreement with the State of Florida Department of Environmental Protection to provide supplemental funding via the Resilient Florida Program to help finance the Tropic Isle Roadway and Utility Improvement Project, both Director of Public Works Missie Barletto and I served as speakers during this past Wednesday evening's Tropic Isle Civic Association Annual Meeting.

This session was well attended, yielding an active discussion relative to the merits of this achievement, the City's pending matching financial contributions as noted, as well as providing a general overview of anticipated capital improvement and stormwater enhancements and pending quality of life outcomes as a result. Residents in attendance appeared to have therefore been generally appreciative of the City's efforts to date, with vocal enthusiasm having been openly expressed as well.

As with other neighborhood infrastructure enhancement projects, the Department of Public Works will likewise continue to engage with community

City Commission Information Letter
February 3, 2023
Page 4

stakeholders accordingly, to include periodic progress reports, public meetings, and other ancillary communications via the course of project implementation during the next few years.

Enclosures:

Fiscal Year 2023-2024 Proposed Budget Calendar
Electronic Mail Message from Missie Barletto – Wayfinding ITBC 2023
Memorandum from Sammie Walthour – Public Nuisance Appeals Panel (Chapter 100)
Chapter 100 Code Excerpt – Public Nuisance Appeals Panel
Calendar for Business Week of January 30, 2023

CM/Documents/City Commission Information Letter 58

City of Delray Beach
Proposed Operating and Capital Improvement Plan (CIP) Budget Calendar
FY 2023-24

Date	Activity	Responsibility
Wednesday, March 8, 2023	Budget Kick-Off	City Manager, Assistant City Manager, Department Heads, Finance Department
Monday, March 13, 2023 to Friday, April 7, 2023	Budget entry in Tyler, CIP forms submission to Public Works Director, and CRA funding requests submission	All City Departments
Monday, April 3, 2023 to Friday, April 14, 2023	CIP sheets per Fund review and compilation	Public Works
Monday, April 10, 2023 to Friday, May 5, 2023	Departmental Budget Review	Finance Department
Monday, April 10, 2023 to Friday, May 5, 2023	Departmental Budget Review Meetings	Finance Department, Department Heads and staff
Monday, April 17, 2023 to Friday, May 5, 2023	Departmental CIP Project meetings on Submittals/Rank	Public Works, Department Heads, Finance
Friday, May 12, 2023	City Commission Goal Setting Session	City Commission, City Manager, Assistant City Manager, Department Heads, Consultants
Monday May 8, 2023 to Wednesday, May 31, 2023	CIP Review meetings	City Manager, Assistant City Manager, Department Heads, Public Works Director, Finance
Monday, May 8, 2023 to Wednesday, May 31, 2023	City Manager Departmental Budget Review Meetings	City Manager, Assistant City Manager, Department Heads, Finance
Tuesday, June 13, 2023	Budget Workshop	City Commission, City Manager, Assistant City Manager, Department Heads, Finance
Thursday, July 6, 2023	Draft CIP Budget Book complete	Public Works
Thursday, July 6, 2023	Budget information distributed to City Commission for Workshop	Finance Department
Tuesday, July 11, 2023	Budget Workshop	City Commission, City Manager, Assistant City Manager, Department Heads, Finance
Tuesday, July 11, 2023	Set Tentative Millage Rate (City & DDA)	City Commission
Tuesday, August 22, 2023	Follow-up Budget Workshop (if necessary)	City Commission
Tuesday, August 22, 2023	CIP presentation to Planning & Zoning Board	Public Works, Development Services
Tuesday, September 5, 2023	First Public Budget Hearing (City & DDA)	City Commission
Monday, September 18, 2023	Second Public Budget Hearing (City & DDA)	City Commission

Note: All dates are tentative and subject to change

Palm Beach County:

Tentative First Public Hearing: Sep 7, 2023

Tentative Second Public Hearing: Sep 26, 2023

School Board:

Tentative Budget Adoption; Aug 2, 2023

Tentative Final Budget Adoption: Sep 13, 2023

Terrence R. Moore

From: Barletto, Missie
Sent: Tuesday, January 31, 2023 4:20 PM
To: Terrence R. Moore
Cc: Buisson, Cynthia
Subject: Wayfinding ITBC 2023

Terrence,

Please find an update concerning the Wayfinding signage project below.

On July 28, 2020, the elected officials of the City of Delray Beach, acting as the CRA Board, approved a total of 52 signs of the master plan for the wayfinding project, including the destinations presented in our Guide Signs application to District 4. These adopted destinations were curated by a committee consisting of the City's Community Redevelopment Agency staff, City Transportation Planner, City Traffic Engineer, and Downtown Development Authority Director.

The final construction documents have been provided to purchasing for construction bid solicitation. The Scope of Work requires the furnishing of all services and other deliverables necessary for the successful completion of the proposed project, including sign fabrication; sign installation; removal of existing signs; electrical permitting and installation of illuminated signs and any associated parts and labor needed; concrete restoration; irrigation; and installation of sod; per the construction documents. The City is anticipating soliciting the project in February with bids be due in March and an anticipated contract date with a Contractor around mid-June. Manufacturing and installation anticipated to take approximately 18 months, putting final completion around December 2024.

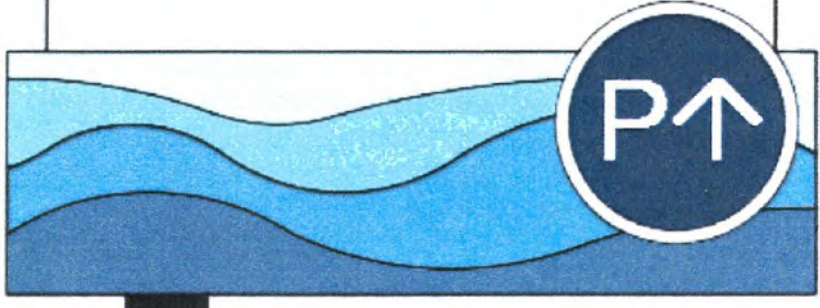
Here are some photos of the proposes signage:

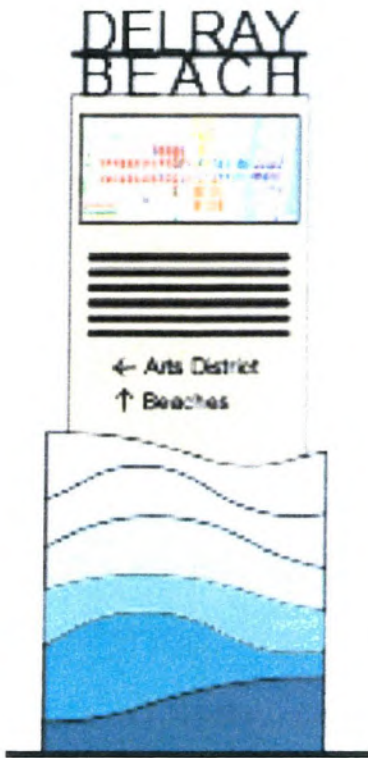
DELRAY BEACH

↑ Arts District

↑ Beaches

↑ Pompey Park







CITY OF DELRAY BEACH
NEIGHBORHOOD & COMMUNITY SERVICES
100 N.W. 1ST AVENUE • DELRAY BEACH • FLORIDA 33444 • (561) 243-7364



MEMORANDUM

TO: Terrence R. Moore, ICMA-CM, City Manager
FROM: Sammie L. Walthour, Director, Neighborhood and Community Services **SEW**
DATE: February 2, 2023
SUBJECT: Public Nuisance Appeals Panel (Chapter 100)

The Neighborhood and Community Services Department, Code Enforcement Division, has been engaged in an ongoing review of sections of the Code for the purpose of mapping key workflows (which are being used as a learning tool in the training of code officers), and to propose amendments where needed, in an effort to achieve greater operational efficiencies. As part of that work, the procedures governing determining that a public nuisance exists, issuing a notice of public nuisance, and the ability of property owners to appeal, are important to the code compliance due process and should be re-engaged. Chapter 100 of the Code of Ordinances outlines the steps to determine the existence of a public nuisance on properties located in the city, and for an appeal, which is heard by a three-person panel (Public Nuisance Appeals Panel) consisting of the City Manager or his designee, the Director of Environmental Services or the City Engineer, and the Director of Parks and Recreation or their designees.

The department will work with the City Attorney's Office to update the Ordinance prior to implementation. Detailed background on the purpose and process is as follows:

Chapter 100 Section 100.21(A) states that, "If the City Manager or his designed representative determines that a public nuisance exists in accordance with the standards set forth in this chapter on any lot, tract, parcel, or other real property within the city, whether improved or unimproved, he shall notify the owner of the property as stated upon the last complete record of the County Property Appraiser."

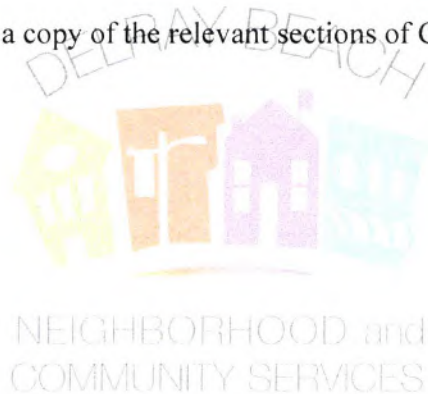
Section 100.22 (8) delineates the appeals date and procedures for a notice of public nuisance issued pursuant to section 100.21(A) which shall be as follows:

- (a) The owner shall have five (5) days from the delivery date of the notice of public nuisance to file a written petition with the City Manager or his designee for a hearing before a three-person panel. Said panel shall be composed of the City Manager, the Director of Environmental Services or the City Engineer, and the Director of Parks and Recreation, or their designees. The hearing shall be scheduled within ten (10) days of the date that the petition is received by the City Manager.
- (b) The issues to be determined at the hearing are whether the condition does in fact exist, why the condition should not be abated by the City at the expense of the owner, and the time limit for

the abatement. The source of the condition shall not be a defense against the requirement that the condition shall be abated by the owner.

- (c) If after the hearing the panel determines that the condition which exists on the property constitutes a public nuisance and is in violation of city ordinance, the owner of the property shall have a reasonable time, as determined by the panel, to correct or remove the condition, after which time the City shall have the right to have the condition abated at the expense of the property owner. If after delivery of the notice the owner has not requested a hearing within five (5) days and has not corrected the condition causing the public nuisance within seven (7) days, the City shall have the right to have the objectionable condition corrected or removed at the expense of the owner. If the City has the condition abated and payment is not received within thirty (30) days after the mailing of a notice of assessment for the cost of the work together with all costs of inspection and administration, the City shall have a lien placed against the property for the cost of the work, including inspection and administrative costs, plus interest at the rate of eight (8) percent, plus reasonable attorney's fees and other costs of collecting the sum, without further notice of the recording of said lien. Said lien shall be on a par with general City taxes.

Attached for your information is a copy of the relevant sections of Chapter 100.



Sec. 100.21. NOTICE OF VIOLATION REQUIRED; ABATEMENT AND ALTERNATIVE ENFORCEMENT.

- (A) If the City Manager or his designated representative determines that a public nuisance exists in accordance with the standards set forth in this Chapter on any lot, tract, parcel or other real property within the City, whether improved or unimproved, he shall notify the owner of the property as stated upon the last complete records of the County Property Appraiser. The notice shall be given in writing by certified mail, return receipt requested, postage prepaid, or by hand delivery which shall be effective and complete when delivered and shall be considered sufficient notice. In case of multiple or joint ownership, service as herein provided on any one owner shall be sufficient. The personal delivery by the City Manager or his designated representative in lieu of mailing shall be equivalent to mailing. In the event that the mailed notice is returned by the postal authorities or the return receipt is not received by the Code Enforcement Division within fifteen (15) days after mailing, and the notice cannot be reasonably hand delivered to the owner of the property or his agent, the notice shall be given by a physical posting of the notice on the subject property pursuant to subsection 100.22. "Reasonably hand delivered" shall mean one attempt to hand deliver, if the owner or his agent resides within the City limits, between the hours of 8:00 a.m. and 5:00 p.m. on any weekday, excluding Saturdays, Sundays and holidays.
- (B) Alternatively, City Code Enforcement Officers may issue a written warning notice in person or by certified mail, return receipt requested, postage prepaid, to the person who committed the violation. Said notice shall specify the Section of the Code of Ordinances that is being violated and the required correction date. In the event the violation enumerated on the warning notice is not corrected as specified, a Code Enforcement Officer may issue a County Court citation or a notice to appear at a hearing in County Court pursuant to Chapter 37 of the Code of Ordinances or in the alternative, a code enforcement action before the Code Enforcement Board may be instituted.
- (C) The City may also seek any and all other relief allowed pursuant to law including but not limited to injunctive relief and damages as permitted by law.

(Code 1980, § 13-16(A); Ord. No. 79-81, passed 12/8/81; Am. Ord. No. 20-82, passed 3/23/82; Am. Ord. No. 75-83, passed 11/22/83; Am. Ord. No. 59-85, passed 6/25/85; Am. Ord. No. 15-95, passed 3/7/95; Am. Ord. No. 9-99, passed 4/6/99; Ord. No. 41-05, § 4, passed 6/21/05)

Sec. 100.22. CONTENT AND FORM OF NOTICE.

- (A) The notice provided for in Section 100.21(A) shall notify the owner of the land of the following:
 - (1) That it has been determined that a public nuisance exists on the land, and what condition constitutes that nuisance.
 - (2) That the owner of the land shall have seven (7) days (three hundred sixty-five (365) days in the case of a violation of Section 100.04 pertaining to seawalls) from delivery of the Notice of Public Nuisance to remove the condition causing the nuisance on the land.
 - (3) That if the condition is not corrected or removed within the time specified, the City will have it corrected or removed at the expense of the owner, including all costs of inspection and administration. Alternatively, any of the enforcement procedures contained in Chapter 37 of the Code of Ordinances may be utilized.
 - (4) That after delivery of the notice if the owner has not requested a hearing within five (5) days and has not corrected the condition causing the public nuisance within seven (7) days, the City shall have the right to have the objectionable condition corrected or removed at the expense of the owner. If the City

has the condition abated and payment is not received within thirty (30) days after the mailing of a notice of assessment for the cost of the work, together with all costs of inspection and administration, then the City shall have a lien placed against the property for the cost of the work, including inspection and administrative costs, plus interest at the rate of eight (8) percent, plus reasonable attorney's fees and other costs of collecting the sums, without further hearing by the Code Enforcement Board or the City Commission and without further notice of the recording of said lien. Said lien shall be on a par with general city taxes.

- (5) The approximate range of cost for the City to correct the nuisance condition, exclusive of administrative costs, interest, collection costs or Attorney's fees.
- (6) That if the condition constituting a public nuisance as enumerated in the notice recurs within the twelve-month period commencing from the delivery date of the notice, the City may immediately and without further prior notice, correct or remove the condition each time it recurs within said 12-month period, at the expense of the owner, including all costs of inspection and administration.
- (7) That if the notice is not deliverable or the return receipt is not received by the Code Enforcement Division within fifteen (15) days after the mailing date and hand delivery cannot be reasonably accomplished, a copy of the notice shall be posted in plain view upon the land where the public nuisance exists and shall be considered delivered on the date posted. If the condition constituting the public nuisance is not corrected within seven (7) days after posting, the City shall have the right to enter upon the premises and take steps reasonably necessary to correct or remove the condition at the expense of the owner of the property. Posting shall be sufficient notice that recurrence of any condition cited within the twelve-month period specified above shall be subject to immediate abatement without further prior notice.
- (8) Appeal dates and procedures for a notice of public nuisance issued pursuant to [Section] 100.21(A) shall be as follows:
 - (a) The owner shall have five (5) days from the delivery date of the notice of public nuisance to file a written petition with the City Manager or his designee for a hearing before a three-person panel. Said panel shall be composed of the City Manager, the Director of Environmental Services or the City Engineer, and the Director of Parks and Recreation, or their designees. The hearing shall be scheduled within ten (10) days of the date that the petition is received by the City Manager.
 - (b) The issues to be determined at the hearing are whether the condition does in fact exist, why the condition should not be abated by the City at the expense of the owner, and the time limit for the abatement. The source of the condition shall not be a defense against the requirement that the condition shall be abated by the owner.
 - (c) If after the hearing the panel determines that the condition which exists on the property constitutes a public nuisance and is in violation of city ordinance, the owner of the property shall have a reasonable time, as determined by the panel, to correct or remove the condition, after which time the City shall have the right to have the condition abated at the expense of the property owner. If after delivery of the notice the owner has not requested a hearing within five (5) days and has not corrected the condition causing the public nuisance within seven (7) days, the City shall have the right to have the objectionable condition corrected or removed at the expense of the owner. If the City has the condition abated and payment is not received within thirty (30) days after the mailing of a notice of assessment for the cost of the work together with all costs of inspection and administration, the City shall have a lien placed against the property for the cost of the work, including inspection and administrative costs, plus interest at the rate of eight (8) percent, plus reasonable attorney's fees and other costs of collecting the sum, without further notice of the recording of said lien. Said lien shall be on a par with general City taxes.

(B) The content and notice under 100.21(B) shall conform to the requirements of law. Appeal of Code Enforcement Board orders or county court citation or a notice to appear shall be as provided by law.

(C) The notice provided [for] in [Section] 100.22(A) shall be given prior to seeking injunctive relief.

(Code 1980, §§ 13-16(b), 13-17; Ord. No. 69-78, passed 10/9/78; Ord. No. 79-81, passed 12/8/81; Am. Ord. No. 20-82, passed 3/23/82; Am. Ord. No. 75-83, passed 11/22/83; Am. Ord. No. 59-85, passed 6/25/85; Am. Ord. No. 41-89, passed 7/25/89; Am. Ord. No. 9-99, passed 4/6/99; Ord. No. 41-05, § 5, passed 6/21/05; Ord. No. 22-21, § 3, passed 1/11/22)

January 30, 2023 - February 5, 2023

January 2023

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

February 2023

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

Monday, January 30

- ← Sara ooo →
- Chief Tomey ooo
- Hugh ooo
- 7:30am - 8:30am Begin CIL (CM Office) ↻
- 10:00am - 11:30am Mayor mtg w/CM Moore Re: Agenda & Updates (City Manager's Office) - Rangel, Delores ↻
- 11:30am - 12:30pm Follow-Up Review Concerning Benefits Administration Processes (CM Office) - Terrence R. Moore
- 3:00pm - 4:00pm Comm. Johnson Mtg w/CM Moore Re: Weekly Updates (Commission Conference Room) - Rangel, Delores ↻
- 4:00pm - 5:00pm Ancillary Special Event Considerations (CM Office)

Tuesday, January 31

- ← Sara ooo →
- 8:30am - 9:30am Compile Information Letter Report - Considerations to Update Nuisance Abatement Board Organizational Structure (CM Office) - Terrence R. Moore
- 10:00am - 11:00am Introductory Meeting/Fairfield by Marriott Delray Beach (Conference Room - City Manager) - Vega, Brenda
- 11:00am - 12:00pm Goals, Objectives, and Focus for Purchasing and Procurement Operations (CM Office) - Terrence R. Moore
- 1:30pm - 2:00pm Finalization of ILA Involving DDA (CM Office) - Terrence R. Moore
- 2:00pm - 3:00pm Preliminary Analysis to Support Fire Rescue Operational Budget Adjustment Considerations (CM Office) - Terrence R. Moore
- 3:00pm - 5:00pm Various (Various)

Wednesday, February 1

- ← 12:00am Sara ooo
- Hassan ooo
- 8:30am - 9:00am Sam Metott Bi-Weekly Meeting (Office of the City Manager) - Terrence R. Moore ↻
- 9:00am - 10:00am Compile Information Letter Report - Status and Direction to Expand Wayfinding Signage Program (CM Office) -
- 10:30am - 11:30am Special Events on Atlantic Avenue (Conference Room - City Manager) - Vega, Brenda
- 2:00pm - 2:30pm Jay Stacy Bi-Weekly Meeting (City Manager Office) - Vilain, Amanda ↻
- 3:00pm - 3:30pm Code Enforcement Matters
- 4:00pm - 4:30pm Chief Tomey Bi-Weekly Meeting (City Manager's Office) - Vega, Brenda ↻
- 5:00pm - 5:30pm Parker Zelle (CM Office)
- 6:30pm - 8:30pm Annual Tropic Isle Civic Association Meeting

Thursday, February 2

- 8:30am - 9:30am Electronic Mail Message Compilation Concerning Highland Beach True-Up Balance Payment to Delray Beach (CM Office) - Terrence R. Moore
- 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 - Impact Fee Study Analysis and Anticipated Considerations (CM Office) - Terrence R. Moore
- 2:00pm - 3:00pm Compile Information Letter Report - Expanded Annual Fiscal Year Proposed Budget Calendar (CM Office) -
- 2:00pm - 2:30pm Katerri Johnson Bi-Weekly Meeting (Office of the City Manager) - Vega, Brenda ↻
- 3:00pm - 4:30pm Various (Various) ↻
- 5:30pm - 6:45pm Kiwanis Club of Delray Beach (Tim Finnegan's Irish Pub (2885 South Federal Highway, Delray Beach, FL 33483)) - Ezra

Friday, February 3

- 7:30am - 9:00am Finalize CIL (CM Office) ↻
- 10:00am - 2:00pm Mediation--Ferrigan v City of Delray Beach (ZOOM) - Gelin, Lynn
- 12:00pm - 1:00pm Press Conference Announcing the USTA's selection of the Billie Jean King Cup (Tennis Center)
- 2:00pm - 2:30pm Highland Park Mobile and the City of Delray re: Pine Grove Road (Conference Room - City Manager) - Terrence R. Moore
- 2:30pm - 3:30pm Fire Rescue Personnel Review and Recommendation (Conference Room - City Manager) - Vega, Brenda
- 5:00pm - 6:00pm Compile and Deliver (CM Office)

Saturday, February 4

- 8:00am - 10:00am Delray Beach Senior Games (Track and Field) (Atlantic High School)
- 10:00am - 11:00am Delray Beach Tennis Center (Hard Court #1) ↻
- 11:00am - 1:00pm Various, CIL Notes, etc. (CM Office) ↻

Sunday, February 5