

Intelligence Report

June 2012

See No Evil, Hear No Evil, Speak No Evil

A few people at a late spring City Commission meeting do not make a groundswell, but we have noticed a trend in Delray Beach politics that is troubling.

We are referring to citizens, also known as taxpayers, who reach out to their elected and appointed officials for answers, opinions, guidance and feedback and receive nothing in response.

Examples include: emails to Commissioners and Mayor never answered, questions raised at city commission meetings that receive no response, requests for meetings that seem to vanish into the ether of the bureaucracy.

This is a troubling trend that has been going on for some quite some time.

Public Comments at the June 5 City Commission meeting is a microcosm of the issue. A handful of citizens expressed dismay and frustration at being ignored. Their issues ranged widely. One resident wanted to know what happened to the plan for South Federal Highway.

Another gentleman sought to answer the question raised by a Commissioner concerning the high turnover on the Financial Review Board. His answer: people quit because they meet, spend time combing the city's budget and make recommendations only to see them ignored time and time again.

One at a time residents got up to request opinions, answers—anything that might resemble leadership.

Newly elected Commissioner Al Jacquet offered to stay after the meeting and give a constituent his cell phone number, but the others just sort of sat there.

P.S. The Intelligence Report opined some time ago that cancelling the annual Town Hall meeting was a mistake. The city recently initiated an electronic town hall. The Sun Sentinel reported that it attracted two participants.

One woman at the recent commission meeting noted that she has lived in Delray for 13 years and expects a response from her local government. We believe she deserves one.

Mayor formally launches bid for Supervisor of Elections

Citing his Fortune 100 experience and technology expertise, our Mayor Nelson S. "Woodie" McDuffie has made it official: he wants to be your next County Supervisor of Elections.

McDuffie will square off in August against incumbent Susan Bucher, who has served in many offices including the Florida State House of Representatives.

A series of fundraisers have been planned for the McDuffie campaign, including a recent one at a Delray beachfront home.

McDuffie's campaign website touts his record as mayor and his ability to deliver "flawless" property tax rolls as an IT professional at the Property Appraiser's Office.

It is our understanding that win or lose, the mayor will resign in January, two months early. He is term-limited and would otherwise serve as Mayor until March 2013.

It is unclear who might run for his seat. With national elections in November followed by the Thanksgiving holiday it is likely that candidate(s) will appear at the end of the year. In the past, Commissioner Gray has expressed an interest in the job.

As for the Supervisor's race—McDuffie supporters believe he has a shot and his detractors believe he is Don Quixote tilting at windmills. Regardless, expect Bucher to dig deep into McDuffie's record on the commission—fair game since the Mayor is touting that record as a reason to elect him.

It doesn't feel like election season, but this race will be decided within 60 days on August 14th.

Beach Cabana and Competitive Bidding - Part Deux

Last month, we ruffled some feathers by pointing out that the City Manager renewed Oceanside's beach cabana contract for three more years without a competitive bid and without consulting the Commission. The public reaction to the extension, which was done ever so quietly, has been sharp. Many residents question the ability of the City to balance its budget when it does not take advantage of income opportunities.

As we discussed in our last report, we believe that a contract this size (over \$500,000) should be decided by our elected officials even if the manager was within his rights. Several Commissioners and the Mayor have advanced various reasons for not bidding out the contract. None of the arguments has been persuasive, and for the most part they have been retracted. But public discussion was called for. (See Reader Comments below for more thoughts.)

The City seems to want this issue to go away, and we expect it will. But once again we ask: why is there so much resistance to bidding contracts?

This brings up the biggest City contract, Waste Management. Partly as a result of our reporting, there has been considerable discussion in the community and among business groups about this issue. It was the subject of lively debate at a recent DELPAC meeting. Almost all residents are in favor of bidding for all contracts and the County Inspector General has called on Delray to do so, yet a core group at City Hall continues to resist. We believe that the Commission soon should discuss the Waste Management contract in public. Once again we urge the Commissioners to follow the City's own procedures and instruct staff to prepare the paperwork required to bid out the City's biggest contract.

As we said, we ruffled some feathers. Hopefully it will produce a positive result for the residents of Delray.

Surprise.....A Decision

For some time we have called on the City Commission to make a decision on the proposal to add parking meters on Atlantic Avenue west of the Intracoastal. We take no credit but after months of indecision, the Commission voted at last. They decided to ignore all the recommendations given to them by the experts:

the \$90,000 parking study, a proposal by the Parking Management Advisory Board to add meters with one or two hours free during the day, and another proposal by the City's staff.

Instead, the Commission voted to continue the current parking arrangement. There will be no meters at this time.

All America City Award

Finally, we'd like to congratulate the city staff for its efforts in helping Delray Beach become a finalist for the 2012 All America City Award.

A contingent of city officials will be heading to Denver the end of this month to see if Delray can bring home a third award having won in 1993 and again in 2001.

The award has changed significantly in the interim. It used to be awarded based on city projects, accomplishments, and civic involvement. Initiatives such as the Eagles Nest work/study program, the City's successful Land Trust and the interracial study groups led to winning the award. Now, however, the award is based on a single issue: a promise by the City to improve 3rd grade reading skills in local schools.

The application was exhaustively researched and we hear it was well done. We believe it contains a promise to use city resources to reinforce the reading skills at one or more local elementary schools. (If so, this raises the question of funding, but that is a matter for discussion later.)

This bid is much different than the two earlier efforts. The previous bids required a great deal of civic involvement; literally hundreds of people were involved in the process. This bid is being put together by a small group at City Hall, and does not require much community input.

We hope the city wins in Denver.

It's no secret here that Delray is an All American city!

Reader Comments

Editor Note: Following our reporting on the extension of the Beach contract, local resident Shelly Petrolia had an exchange of emails with the Mayor, Commissioners and staff. Ms. Petrolia gave us permission to print her thoughts as expressed in an email sent on June 8th. She did extensive research into the contract, including a review of the original bids and an interview with the owner of the firm that offered a higher bid.

Dear Mayor McDuffie and Commissioners Frankel, Carney, Gray and Jacquet,

After spending much time and energy attempting to get YOU to pursue what would certainly be an easy \$240,000 for our City, I ask myself 'why I'm not surprised by the

lack of action taken?'. Possibly, previous Waste Management issues foreshadowed events of what to expect.

Following my initial "no-bid renewal?" email, a theme appeared; the selling of concessions/products. And even though Delray would have made an additional \$85,000 in contract fees with the 2009 Boucher bid, Oceanside was selected as vendor. Now, we are looking at an even greater loss of \$240,000 by not bidding this contract. And yet, no proof has ever surfaced to substantiate the key claims made for initially passing on the Boucher bid, ie their desire to sell concessions/products in addition to beach rentals.

And with quotes like the following...

"We will not always buy from the low bidder or the high bidder in this case." Mayor Woodie McDuffie.

and "There's just no reason for us to go out to bid again." David Harden, City Manager.

I have to wonder what is motivating the City's no-bid renewal decision.

Unfortunately, Delray's lack of interest in beefing up coffers appears to apply to certain "preferred" vendors but is not extended to the tax paying citizens of this city as evidenced by recent money grab attempts (ie fire tax fee)

That being said, I hope you do not have the audacity to ask Delray Beach citizens for future fees, tax increases or cuts to basic services when you can so easily turn away from revenue dollars practically being waved in your face. If in the future, this city plans to CRY POOR, I will be the first to CRY FOUL!

Disappointed,

Shelly Petrolia

Delray Beach Citizen

Additional Editor Note: Most readers supported the need for a competitive bid. However, one involved resident contacted us to support the City's decision not to go to competitive bidding on this particular contract. He argued that to raise the contract fee would require the concessionaire to raise prices to the public who rent beach equipment. This, he said, would reduce the competitive position of Delray to attract families and visitors. We found this argument to be interesting, although it was not offered by the Mayor, Commission or any of the City staff. This resident also believed the matter should have been discussed by the Commission in public before it was decided.