City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444 Phone: (561) 243-7000 www.delraybeachfl.gov



Regular Commission Meeting

Regular Meeting at 5:00 PM

Monday, December 1, 2025

Commission Chambers

Delray Beach City Hall or Watch on YouTube:
https://www.youtube.com/@cityofdelraybeachfl/streams

City Commission

Mayor Thomas F. Carney, Jr.
Vice Mayor Rob Long
Deputy Vice Mayor Angela Burns
Commissioner Tom Markert
Commissioner Juli Casale

RULES FOR PUBLIC PARTICIPATION

PUBLIC COMMENT: City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor, presiding officer or a consensus of the City Commission has discretion to adjust the amount of time allocated.

Public comment shall be allowed as follows:

- A. Comments and Inquiries on Non-Agenda and Agenda Items (excluding public hearing or quasi-judicial hearing items) from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- **B.** Public Hearings/Quasi-Judicial Hearings: Any citizen is entitled to speak on items under these sections at the time these items are heard by the Commission.
- **C.** All persons desiring to do a presentation on agenda or non-agenda items that are on a portable flash drive device or a CD/DVD, must provide their media to the City Clerk no later than 12:00 p.m. one day prior to the meeting where they wish to present.

SIGN IN SHEET: Prior to the start of the Commission Meeting, individuals wishing to address the Commission should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the to speak, please complete the sign-in sheet if you have not already done so.

ADDRESSING THE COMMISSION: At the appropriate time, please step up to the lectern and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

APPELLATE PROCEDURES

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

- 1. ROLL CALL
- 2. PLEDGE OF ALLEGIANCE TO THE FLAG
- 3. AGENDA APPROVAL
- 3.A. Additions, Deletions, Substitutions

4. PRESENTATIONS:

4.A. SPECIAL RECOGNITION IN HONOR OF OMICRON DELTA ZETA CHAPTER OF ZETA PHI BETA SORORITY, INC.

<u>Sponsors:</u> City Clerk Department

<u>Attachments:</u> <u>Agenda Cover Report</u>

Recognition - Omicron Delta Zeta Chapter of Zeta Phi Beta Sorority

5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:

- 5.A. City Manager's response to inquiries and highlights
- 5.A.1. CLARITY REGARDING IMPLEMENTATION OF ROADWAY RESURFACING PROGRAM

<u>Sponsors:</u> City Manager Department

<u>Attachments:</u> <u>Agenda Cover Report</u>

5.A.2. CLARITY REGARDING FEDERAL HIGHWAY AND NE 1st STREET

<u>Sponsors:</u> City Manager Department

<u>Attachments:</u> <u>Agenda Cover Report</u>

5.B. From the Public

6. CONSENT AGENDA: City Manager Recommends Approval

6.A. CITY COMMISSION MEETING MINUTES

Recommendation: Motion to approve meeting minutes as listed below:

October 14, 2025 Regular Meeting Minutes - DRAFT

<u>Sponsors:</u> City Clerk Department

<u>Attachments:</u> <u>Agenda Cover Report</u>

October 14, 2025 Regular Meeting Minutes - DRAFT.pdf

6.B. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 300 GROVE PL.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 419 NW 3RD ST.

ITEM(S) A3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 704 N. SWINTON AVE.

ITEM(S) A4 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 146 SE 7TH AVE.

ITEM(S) A5 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 326 NW 5THAVE.

Recommendation: Consideration of the following items:

Item A1 - Motion to approve and accept a Right-of-Way Dedication by the owners of 300 Grove Pl.

Item A2 - Motion to approve and accept a Right-of-Way Dedication by the owners of 419 NW 3rd St.

Item A3 - Motion to approve and accept a Right-of-Way Dedication by the owners of 704 N. Swinton Ave.

Item A4 - Motion to approve and accept a Right-of-Way Dedication by the owners of 146 SE 7th Ave.

Item A5 - Motion to approve and accept a Right-of-Way Dedication by the owners of 326 NW 5th Ave.

Sponsors: **Public Works Department**

Agenda Cover Report Attachments:

A1a - Right of Way Deed - 300 Grove PL - Cason Court LLC

A1b - Legal Review of Right of Way Deed - 300 Grove PL - Cason Court LLC

A2a - Right of Way Deed - 419 NW 3rd St - David Hargrove Jr.

A2b - Legal Review Right of Way Deed - 419 NW 3rd St - David Hargrove Jr

A3a - Right of Way - 704 N Swinton Ave - Harrington

A3b - Legal Review Right of Way Deed - 704 N Swinton Ave - Harrington

A4a - Right of Way Deed - 146 SE 7th Ave - Brian Kassab and Carla Cesario

A4b - Legal Review Right of Way Deed - 146 SE 7th Avenue - Carla Cesario an

A5a - Right of Way Deed - 326 NW 5th Ave - Brian and Debra Hackett

A5b - Legal Review Right of Way Deed - 326 NW 5th Ave - Brian and Debra Ha

6.C. APPROVAL FOR ADDITIONAL SPENDING ON P2019-024 WITH KONE INC. FOR ELEVATOR MAINTENANCE, INSPECTION, AND MODERNIZATION IN THE AMOUNT OF \$260,000 FOR A REVISED AGREEMENT TOTAL OF \$1,822,847.00

Recommendation: Motion to approve Additional Spending on P2019-024 with Kone, Inc. for Elevator Maintenance, Inspection, and Modernization in the amount of \$260,000 for repairs to Old School Square (OSS) Parking Garage #2 (SE corner) for a revised contract total of \$1,822,847.00.

Sponsors: Public Works Department and Purchasing Department

Attachments: Agenda Cover Report

Quote - OSS Parking Garage Elevator #2

Renewal #1_P2019-024

Contract #EV2516_Renewal

Contract #EV2516_Amendment

Additional Spending Request #1

Amendment No.1_P2019-024 9.17.19

Agreement P2019-024
US Communities Contract

6.D. APPROVAL OF GRANT APPLICATION AND AWARD/FDOT/SPEED/AGGRESSIVE DRIVING ENFORCEMENT PROGRAM

Recommendation: Motion to approve application and award for the Florida Department of

Transportation (FDOT) FY 25/26 Speed/Aggressive Driving Enforcement

program.

<u>Sponsors:</u> Police Department

<u>Attachments:</u> <u>Agenda Cover Report</u>

FDOT Aggressive Driving Grant - signed by Chief .pdf

Legal Review Checklist 25 26 FDOT Speeding and Aggressive Driving Enforce

6.E. APPROVAL OF THE AFFILIATION AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES FOR SOCIAL WORK LEARNING EXPERIENCE

Recommendation: Motion to approve the Affiliation Agreement between the City of Delray

Beach and Florida Atlantic University Board of Trustees for social work

learning experience.

<u>Sponsors:</u> Police Department

<u>Attachments:</u> Agenda Cover Report

Affiliation Agreement - signed by FAU.pdf

Legal Review Checklist Affiliation Agreement.pdf

6.F. PROCLAMATIONS:

6.F.1. PROCLAMATION - WORLD AIDS DAY

Recommendation: Motion to declare December 1, 2025 as World AIDS Day.

<u>Sponsors:</u> City Clerk Department

<u>Attachments:</u> Agenda Cover Report

Proclamation - World AIDS Day - 2025

6.G. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

6.G.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM NOVEMBER 17, 2025 THROUGH NOVEMBER 24, 2025.

Recommendation: By motion, receive and file this report for actions on development

application requests from November 17, 2025 through November 24,

2025.

Sponsors: Development Services Department

Attachments: Agenda Cover Report

PZB (11-17) 14145 S. Military Trl - Conklin Car Wash

6.H. AWARD OF BIDS AND CONTRACTS:

6.H.1. APPROVAL OF RESOLUTION NO. 226-25 TO APPROVE AN AGREEMENT WITH ALLIED UNIVERSAL CORPORATION, FOR THE PURCHASE AND DELIVERY OF SODIUM HYPOCHLORITE; UTILIZING THE CITY OF FORT LAUDERDALE COOPERATIVE SOLICITATION IFB NO. 519-2, IN A TOTAL CONTRACT AMOUNT NOT TO EXCEED \$2,440,000.

Recommendation: Approval of Resolution No. 226-25 to approve an agreement with Allied

Universal Corporation, for the purchase and delivery of sodium hypochlorite; utilizing the City of Fort Lauderdale Cooperative Solicitation

IFB No. 519-2, in a total contract amount not to exceed \$2,440,000.

Sponsors: Utilities Department

Attachments: Agenda Cover Report

2026--006 LR

MSA 2026-006

Resolution No. 226-25

Exhibit A Pricing

Exhibit 1- Solicitation

Sodium Hypochlorite co-op contract award 10-24-25

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 265-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO SECTION 4.4.3(F)(2)(A) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW 34.2 PERCENT LOT COVERAGE; APPROVING A WAIVER TO SECTION 4.4.3(F)(2)(B) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A FLOOR AREA RATIO OF 0.42 FOR THE PROPERTY LOCATED AT 417 LAKE DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Recommendation: Review and consider a resolution approving a waiver request to the

maximum lot coverage and the maximum floor area ratio for 417 Lake

Drive.

Sponsors: Development Services Department

<u>Attachments:</u> Agenda Cover Report

Res. No. 265-25 417 Lake Drive Lot Coverage Ig rev Final

417 LAKE DR WAIVER - JUSTIFICATION LETTER

417 LAKE DR PLANS

PROPOSED SURVEY 417 LAKE DRIVE
Simple Legal Review Lake Ida Waiver Reso

7.B. AUDIT OF DISBURSEMENTS, OSS (AUDIT REPORT NO. 2026-01)

Recommendation: Motion to approve the Audit of Disbursements, Old School Square (Report

No. 2026-01).

Sponsors: Internal Audit

Attachments: Agenda Cover Report

Final Audit Report

7.C. NOMINATIONS FOR APPOINTMENTS TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE. BASED ON THE ROTATION SYSTEM, THE NOMINATIONS FOR APPOINTMENTS FOR TWO (2) REGULAR MEMBERS TO SERVE AN UNEXPIRED TERM ENDING JULY 31, 2026, WILL BE MADE BY VICE-MAYOR LONG (SEAT #2) AND COMMISSIONER CASALE (SEAT #3).

Recommendation: Motion to approve the appointment for two (2) regular members to serve an

unexpired term ending July 31, 2026.

<u>Sponsors:</u> City Clerk Department

<u>Attachments:</u> <u>Agenda Cover Report</u>

Exhibit A

Board Member List

2025 AHAC Attendance

Brisson, Monica
Forcier, Anick
Holly, Ryan
King Cara

7.D. NOMINATION FOR APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB). BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR ONE (1) REGULAR MEMBER TO SERVE AN UNEXPIRED TERM ENDING AUGUST 31, 2026, WILL BE MADE BY COMMISSIONER MARKERT (SEAT #1).

Recommendation: Motion to approve the nomination for the appointment of one (1) Regular

Member to serve an unexpired term ending August 31, 2026.

<u>Sponsors:</u> City Clerk Department

<u>Attachments:</u> Agenda Cover Report

Exhibit A

Board Member List

2025 SPRAB Attendance Amani, Sandra - Qualified King, Cara - Qualified

Kiselewski, Karen - Qualified

Kiser, Mereida - At Large

Talbot, Rettig - At Large

7.E. NOMINATIONS FOR APPOINTMENTS TO THE VISION 2035 COMMITTEE

Recommendation: Motion to approve appointments of committee members made by each

elected official.

<u>Sponsors:</u> City Clerk Department

<u>Attachments:</u> <u>Agenda Cover Report</u>

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 26-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, TITLE 3, "ADMINISTRATION," CHAPTER 33, "POLICE AND FIRE-RESCUE DEPARTMENTS", TO IMPLEMENT PROVISIONS OF THE 2024-2027 COLLECTIVE BARGAINING AGREEMENTS BETWEEN THE CITY AND THE PALM BEACH COUNTY POLICE BENEVOLENT ASSOCIATION; AMENDING SECTIONS 33.64, "CONTRIBUTIONS" AND 33.685, "DEFERRED RETIREMENT OPTION PLAN" TO EXTEND THE DROP FROM FIVE YEARS TO EIGHT YEARS AND REQUIRE MEMBERS WHO PARTICIPATE IN THE DROP IN EXCESS OF 60 MONTHS TO CONTRIBUTE 3% TO THE PENSION TRUST FUND; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING)

<u>Recommendation:</u> Motion to Approve Ordinance 26-25.

<u>Sponsors:</u> City Attorney Department

<u>Attachments:</u> Agenda Cover Report

Ordinance 26-25 2nd Reading

Simple Legal Review Pension Ordinance Changes Ord 26-25

BIE Ord. No. 26-25 Implement Changes to CBA

9. FIRST READINGS:

9.A. ORDINANCE NO. 24-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY BEACH, FLORIDA, **AMENDING** THE LAND **DEVELOPMENT DELRAY** REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF **ORDINANCES** CHAPTER 2, "ADMINISTRATIVE PROVISIONS," ARTICLE 2.1, "REVIEWING OFFICIALS AND AUTHORITIES," SECTION 2.1.1, "ADMINISTRATIVE OFFICIALS," TO INCLUDE THE APPROVAL OF PLATS TO THE RESPONSIBILITIES OF DIRECTOR OF DEVELOPMENT SERVICES; AMENDING SECTION 2.1.5, PLANNING AND ZONING BOARD," TO REMOVE THE CERTIFICATION OF PLATS AND INCLUDE THE APPROVAL OF SUBDIVISION PLANS TO THE DUTIES AND RESPONSIBILITIES OF THE BOARD; AMENDING SECTION 2.1.9, "THE HISTORIC PRESERVATION BOARD," TO REMOVE THE CERTIFICATION OF PLATS INCLUDE THE APPROVAL OF SUBDIVISION PLANS TO THE DUTIES AND **RESPONSIBILITIES** OF THE BOARD: **AMENDING** ARTICLE 2.2, PROCEDURES," SECTION 2.2.2, "FINANCIAL GUARANTEES," TO REQUIRE A FINANCIAL GUARANTEE BEFORE APPROVAL OF A MAJOR PLAT AND BEFORE THE ISSUANCE OF A BUILDING PERMIT FOR A MINOR PLAT OR CERTIFIED SITE PLAN; AMENDING SECTION 2.2.4, "CERTIFICATION OF ACTIONS TAKEN," TO REQUIRE A FINANCIAL GUARANTEE BEFORE APPROVAL FOR A MAJOR PLAT AND BEFORE THE ISSUANCE OF A BUILDING PERMIT FOR A MINOR PLAT, REQUIRING THE PLAT TO BE RECORDED BY THE APPLICANT, AND ADDING AN EXPIRATION FOR SUBDIVISION PLANS; AMENDING ARTICLE 2.4, "DEVELOPMENT APPLICATION REQUIREMENTS," SECTION 2.4.8, "SUBDIVISIONS AND MODIFYING THE PROCEDURE TO REVIEW AND APPROVE PLATS CONSISTENT WITH FLORIDA STATUTES SECTION 177.071; AMENDING SECTION 2.4.10, "SITE PLAN APPLICATIONS (LEVEL 1, LEVEL 2, LEVEL 3, AND LEVEL 4) AND MASTER DEVELOPMENT PLANS." TO INCLUDE SUBDIVISION PLANS AND ADOPT PROCEDURES AND REQUIRED FINDINGS FOR APPROVAL THEREOF; AMENDING SECTION 2.4.12, "CERTIFICATE OF APPROPRIATENESS," TO REQUIRE CERTIFICATE OF **APPROPRIATENESS** FOR SUBDIVISION **PLANS FOR INDIVIDUALLY** DESIGNATED STRUCTURES AND ALL **PROPERTIES LOCATED WITHIN HISTORIC** DISTRICTS: **AMENDING** CHAPTER 3, "PERFORMANCE STANDARDS," ARTICLE 3.2, "PERFORMANCE STANDARDS," SECTION "STANDARDS FOR SITE PLAN AND/OR PLAT ACTIONS," TO REMOVE PLATS FROM AND ADD SUBDIVISION PLANS; AND BY AMENDING APPENDIX A, "DEFINITIONS;" TO AMEND THE DEFINITIONS FOR "MAJOR SUBDIVISION," "MINOR SUBDIVISION" AND "PLAT" AND TO ADD A DEFINITION FOR "SUBDIVISION PLAN:" PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Consider Ordinance No. 24-25, a City-initiated amendment to revise the process for the review and approval of subdivision plats by amending Section 2.1.1, "Administrative Officials, Section 2.1.5, "The Planning and Zoning Board," Section 2.1.9, "The Historic Preservation Board," Section 2.2.2, "Financial Guarantees," Section 2.2.4, "Certification of Actions Taken," Section 2.4.8, "Subdivisions and Plats," Section 2.4.10, "Site Plan Applications (Level 1, Level 2, Level 3, and Level 4) and Master Development Plans," Section 2.4.12, "Certificate of Appropriateness," Section 3.2.3, "Standards for Site Plan and/or Plat Actions," and Appendix A, "Definitions" of the Land Development Regulations (LDR).

Sponsors: **Development Services Department**

Attachments: Agenda Cover Report

Ord No. 24-25 Amending Plat Process 11202025 lg rev final

PZB Staff Report, Subdivision Platting

Senate Bill No. 784

Ordinance Legal Review Form Ord. No. 24-25 BIE Form 10 01 2024 Ord. No. 24-25 rgbd

9.B. ORDINANCE NO. 37-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, **AMENDING** THE LAND DEVELOPMENT DELRAY BEACH CODE OF REGULATIONS OF THE CITY OF **ORDINANCES** "ADMINISTRATIVE PROVISIONS." "DEVELOPMENT CHAPTER 2. ARTICLE 2.4. APPLICATION REQUIREMENTS," SECTION 2.4.11, "RELIEF," SUBSECTION (E), "REQUESTS FOR ACCOMMODATION," TO REQUIRE REASONABLE ACCOMMODATION REQUEST BE SUBMITTED IN WRITING. TO MODIFY THE AMOUNT OF TIME TO REQUEST ADDITIONAL INFORMATION AND TO MAKE A DETERMINATION, REQUIRE OF TO ANY DENIAL Α REASONABLE ACCOMMODATION REQUEST TO STATE OBJECTIVE. **EVIDENCE-BASED** REASONS FOR THE DENIAL. TO COMPORT WITH RECENT CHANGES TO STATE LAW; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Consider Ordinance No. 37-25, amending LDR Section 2.4.11, "Relief," Subsection (E), "Requests for Accommodation," to comport with changes to State law

Sponsors: **Development Services Department**

Agenda Cover Report Attachments:

Ordinance No. 37-25, Reasonable Accommodations

CSSB 954

Legal Review, Ordinance No. 37-25

Business Impact Estimate, Ordinance No. 37-25

9.C. APPROVE AN ORDINANCE 29-25 OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING TITLE IX, "GENERAL REGULATIONS," CHAPTER 95 "EMERGENCY MANAGEMENT", SECTION 95.07 OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, BY CREATING SECTION 95.07, "ADOPTION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEMS (NIMS)"; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.(FIRST READING)

Recommendation: Approve an Ordinance 29-25 amending title IX, General Regulation,

Chapter 95, "Emergency Management", section 95.07 of the Code of Ordinances of the City of Delray Beach, by Creating 95.07. "Adoption of

the National Incident Management Systems (NIMS)".

<u>Sponsors:</u> Fire Rescue Department

Attachments: Agenda Cover Report

LEGAL REVIEW-NIMS Ordinance

Ord. No. 29-25 Adoption of NIMS 8.22.25 lg rev 10-9-25

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

- A. City Manager
- **B.** City Attorney
- C. City Commission

11. ADJOURNMENT

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the Human Resources Department at (561) 243-7125 at least 24 hours prior to the program or activity for the City to reasonably accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers.