

# City of Delray Beach

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[www.delraybeachfl.gov](http://www.delraybeachfl.gov)



## Minutes - Final

Tuesday, June 17, 2025

5:00 PM

Regular Meeting at 5:00 PM

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/s>  
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## City Commission

*Mayor Thomas F. Carney, Jr.*

*Vice Mayor Rob Long*

*Deputy Vice Mayor Angela Burns*

*Commissioner Tom Markert*

*Commissioner Juli Casale*

## 1. ROLL CALL

The June 17, 2025, Regular City Commission meeting was called to order at 5:02 p.m. Alexis Givings, City Clerk, called the roll, and the following were present:

Terrence Moore, City Manager  
Lynn Gelin, City Attorney  
Alexis Givings, City Clerk

**Present:** 5 - Commissioner Tom Markert, Mayor Thomas F. Carney Jr., Deputy Vice Mayor Angela Burns, Commissioner Juli Casale, and Vice-Mayor Rob Long

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

## 3. AGENDA APPROVAL

### 3.A. Additions, Deletions, Substitutions

Commissioner Casale requested that Consent Item Nos. 6.F. & 6.N.1. be pulled for discussion. They became Item Nos. 7.A. and 7.B.B., respectively, on the Regular Agenda.

Ms. Gelin requested that Item No. 7.C. be pulled from the Regular Agenda until a later date.

**A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, that this be approved as amended.**

all were in favor

## 4. PRESENTATIONS:

### 4.A. PROCLAMATION - HONORING NANCY STEWART-FRANCZAK

**Sponsors:** City Clerk Department

**Attachments:** [Proclamation - Honoring Nancy Stewart-Franczak](#)

Vice Mayor Long read the proclamation honoring the late Nancy Stewart-Franczak into the official record.

Mayor Carney presented the proclamation to a representative from the family.

### 4.B. UPDATE FROM MARK DEARMAN REGARDING THE PFAS LITIGATION SETTLEMENT

**Sponsors:** City Attorney Department

Ms. Gelin introduced Mark Dearman, the City's outside counsel. Mr. Dearman provided the Commission with an update on the preliminary PFAS litigation settlement, noting that there were still ongoing litigations.

Mr. Dearman thanked Ms. Gelin and Hassan Hadjimiry, Public Works Director, for their significant contributions and outstanding work on this case. He emphasized that their efforts have positioned the City as a representative in the class action lawsuits regarding PFAS.

Ms. Gelin mentioned that, unlike the opioid litigation, the PFAS settlement funds do not have designated uses. The City has the flexibility to allocate the funds as it sees fit.

The Commission thanked Mr. Dearman for his efforts.

**4.C. PRESENTATION OF THE PROPOSED 2025 STORMWATER NON-AD-VALOREM (NAV) ASSESSMENT RATES**

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)

Missie Barletto, Public Works Director, explained that the new stormwater rates would be based on the amount of impervious surfaces on each lot. She also mentioned that the Stormwater Capital Improvement Plan for 2025 anticipates \$67 million in capital improvement needs over the next 3 years. For 2026, she proposed raising the stormwater rate to an estimated \$20.04, noting that this rate is a new residential tier structure. The Commission is expected to review this proposal for a formal vote to adopt the new fees in mid-July.

The Commission expressed their gratitude to Ms. Barletto for her efforts.

**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

Nothing to report.

5.B. From the Public

Marjorie Waldo, Arts Garage  
Discussed the revenue streams and employment opportunities that Arts and Culture bring to a city.

Sandra Owens, no address provided.

Requested that Delray Memorial Gardens correct their error of burying an unrelated individual in the plot that she purchased for herself next to her mother and father, for when she passes.

Montre Bennett, 323 NW 2nd Avenue, Delray Beach

Discussed the importance of fostering a unified community.

Charles Kittle, 3590 Lakeview Drive, Delray Beach

Discussed the drainage issues in his neighborhood caused by the equipment used by the City next to his home.

Representative from JS Tractor and Landscaping Service, 5955 Lake Worth Road, Lake Worth

Informed the Commission that Delray Tree Service, contracted by the City, has not paid the bill for the work his company performed at the golf course, which Delray Tree Service hired him to do.

Yvonne Odom, 3905 Lawson Blvd, Delray Beach

Discussed the racial issues present in the city's schools.

Requested the Commission change the sign for the American Legion Post 188 building to read 'Post 188 C,' where the 'C' signifies 'colored.'

Urged the Commission to resolve the contract dispute with the Police Department promptly.

Lucika Suarez, 115 SW 11th Avenue, Delray Beach

Proposed increasing the square footage tax rate for businesses on Atlantic Avenue to help support funding for city schools.

Paul Cannon, 1021 East Heritage Club, Delray Beach

Stated he serves on the Police Advisory Board and suggested strategies for funding the Police Department's Drop Program, which aligns with models used in other municipalities.

Proposed to implement a special assessment for the City's agencies, similar to the stormwater mitigation assessments conducted by the City.

Steve Blum, 115 Venetian Drive C, Delray Beach

Suggested the City increase the officers' pay, as many were leaving for higher-paying salaries in other municipalities.

Pastor Stewart, 625 SW 4th Street, Delray Beach

Expressed her gratitude to the police officers for their kindness toward her grandson during his upbringing.

Seeing no one else present, Mayor Carney closed public comments.

## 6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, that the Consent Agenda be approved as amended.

all were in favor

### 6.A. CITY COMMISSION MEETING MINUTES

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[May 6, 2025 Regular Meeting Minutes - DRAFT](#)  
[May 20, 2025 Regular Meeting Minutes - DRAFT](#)

**This Minutes were approved.**

### 6.B. CITY MANAGER REQUESTS TO ATTEND ALL-AMERICA CITY AWARD CEREMONY

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[2025 AAC Finalist Packet](#)

**This Request was approved.**

### 6.C. ACCEPTANCE OF A RIGHT OF WAY DEDICATION ALONG THE EAST SIDE OF THE PARCEL KNOWN AS 905 SW 14TH AVENUE.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[ROW Dedication Deed](#)  
[Legal Review](#)  
[Site Plan \(for reference\)](#)

**This Request was approved.**

### 6.D. ACCEPTANCE OF AN EASEMENT AGREEMENT FOR PEDESTRIAN CLEAR ZONE AT 246 NE 6TH AVENUE, TOTALING APPROXIMATELY NINETY-THREE SQUARE FEET (93), AS MORE PARTICULARLY DESCRIBED HEREIN.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Easement Agreement Pedestrian Clear Zone](#)  
[Legal Review](#)  
[Site Plan \(for reference\)](#)

**This Request was approved.**

**6.E.** APPROVAL FOR ADDITIONAL SPENDING ON SOLE SOURCE NO. SS2024-028 WITH ZOLL MEDICAL CORPORATION FOR SERVICE, MAINTENANCE AND PARTS UTILIZING THEIR WORRY-FREE SERVICE PROGRAM IN THE AMOUNT OF \$35,000 FOR A REVISED TOTAL VALUE OF \$99,000.00

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[Memo, Sole Source Approval - Zoll Worry-Free Unsigned - signed \(4\)](#)

**This Request was approved.**

**6.F.** REQUEST PERMISSION FROM THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, FOR THE FIRE RESCUE DEPARTMENT TO PROCEED WITH SUBMITTING AN APPLICATION FOR THE 2025 SAFER GRANT.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[SAFER Grant application checklist](#)  
[Safer Grant Fact Sheet](#)  
[2025 SAFER Notice of Funding Opportunity](#)  
[COMM-Approval-Safer](#)

**This Request was approved.**

**6.G.** APPROVAL OF AN ADDITIONAL SPENDING REQUEST AND CONTRACT INCREASE WITH MUSCO LIGHTING LLC FOR SPORTS LIGHTING SOLUTIONS WITH RELATED TECHNOLOGY, EQUIPMENT AND SERVICES FOR RETROFIT OF LIGHTING AT MILLER PARK'S SERGIO FIELD IN THE AMOUNT OF \$470,407 FOR A REVISED TOTAL OF \$1,782,214.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Quote Sergio Field Musco.pdf](#)  
[Musco\\_Sourcwell\\_RFP041123.pdf](#)  
[MSA Musco 2024.pdf](#)

**This Request was approved.**

**6.H. APPROVAL OF THE FLORIDA DEPARTMENT OF LAW ENFORCEMENT FY 24/25 ONLINE STING OPERATIONS GRANT AMENDMENT**

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Online Sting - Amendment #1](#)  
[Legal Review Checklist Online Sting Operations Grant Award Amendment](#)  
[Grant Application \(FY 2024-2025\) - FDLE \(Online Sting Operations Grant Program\) Signed](#)  
[Case Funding Request For Online Sting Operations Grant - Florida Department of Law Enforcement \(FDLE\)](#)

**This Request was approved.**

**6.I. RATIFICATION AND APPROVAL OF AMENDMENT NO. 3 WITH AXON ENTERPRISES, INC. FOR AN ADDITIONAL SEVENTEEN (17) AXON FLEET CAMERA SYSTEMS FOR AN INCREASE OF \$145,982.40 WHICH BRINGS A NEW TOTAL OF THE AGREEMENT TO \$2,964,272.00.**

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Amendment No. 3 to the Master Contractor Services Agreement P2021-034 Axon Devices and Accessories](#)  
[Legal Review Checklist MSA Axon P2021-034 Amendment 3](#)  
[Axon Authorization form - executed](#)

**This Request was approved.**

**6.J. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 440 N. SWINTON AVE.**

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[A1a -Right of Way - 440 N Swinton Avenue - GOK Consulting LLC](#)  
[A2a - Legal Review Right of Way - 440 N Swinton Ave - GOK Consulting LLC](#)

This Request was approved.

- 6.K.** ITEM A1 - CONSIDERATION OF A MAINTENANCE OF TRAFFIC PLAN/ROAD CLOSURE PLAN FOR VISTA DEL MAR S. AND ITEM A2 - CONSIDERATION OF A MAINTENANCE OF TRAFFIC PLAN/ROAD CLOSURE PLAN FOR THOMAS STREET/SEABREEZE AVENUE

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Thomas St-MOT Plan](#)

This Request was approved.

- 6.L.** APPROVAL OF THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES - FY 2024-2025

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[1st Amend. to the ILA for Funding Construction-Professional Services FY24-25](#)  
[Simple Legal Review Approval ILA with CRA for Construction Funding](#)  
[ILA for FY 2024-2025 for Funding ConstructionProfessional Services – FY 2024-2025](#)

This Request was approved.

**6.M. PROCLAMATIONS:**

- 6.M.1.** PROCLAMATION - OBSERVANCE OF JUNETEENTH

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Observance of Juneteenth 2025](#)

This Proclamation was approved.

- 6.M.2.** PROCLAMATION - NATIONAL HIV TESTING DAY

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - National HIV Testing Day 2025](#)

This Proclamation was approved.

**6.M.3. PROCLAMATION - NATIONAL CLEAN BEACHES WEEK**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - National Clean Beaches Week 2025](#)

**This Proclamation was approved.**

**6.M.4. PROCLAMATION - OBSERVANCE OF INDEPENDENCE DAY**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Observance of Independence Day 2025](#)

**This Proclamation was approved.**

**6.N. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.N.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM MAY 28, 2025 THROUGH JUNE 4, 2028.**

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[SPRAB \(5-28\) Atlantic Crossing MSP](#)  
[HPB \(6-4\) 46 Marine Way](#)

Commissioner Casale requested to pull Consent Item No. 6.N.1. for discussion. It became Item No. 7.B.B. on the Regular Agenda.

Commissioner Casale expressed her concerns regarding the appealable item related to the reconstruction of the house at 46 Marine Way and the Historic Preservation Board's 6-0 vote of approval. She noted that this is a modest-sized historic home, while the developer plans to construct a new house that will be 3 times larger than the existing structure. Commissioner Casale stated that this project does not comply with the Land Development Regulations and is inconsistent with the historic element of the Comprehensive Plan, as well as the Secretary of the Interior's Design Standards. Additionally, she pointed out that the new home would be significantly larger and taller than neighboring houses.

Commissioner Casale requested that this item be brought back to the Commission for a de novo review. She emphasized that if this item is approved, many similar requests are likely to follow.

Ms. Gelin informed the Commission that two votes were required due to two actions eligible for appeal regarding this agenda item.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to appeal the Historic Preservation Board's decision regarding the house located at 46 Marine Way.

**all were in favor**

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to accept the Site Plan Review and Appearance Board's determination for Atlantic Crossing MSP.

**all were in favor**

## **6.O. AWARD OF BIDS AND CONTRACTS:**

- 6.O.1.** APPROVAL OF RESOLUTION NO. 108-25 AUTHORIZING AN AGREEMENT WITH FIRE-DEX GW, LLC FOR FIREFIGHTER BUNKER GEAR CLEANING, REPAIR, AND INSPECTION SERVICES UTILIZING THE SEMINOLE COUNTY IFB 604457-22/TKH.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Fire Dex](#)  
[IFB-604457-22\\_1st Am- Executed](#)  
[Res. No. 108-25 Fire Dex](#)  
[IFB-604457-22](#)  
[P2025-025-Fire-Dex Gear Wash and Repair rev. KWB 5.21.25 - Signed](#)  
[Executed IFB-604457-22 \(Fire-Dex GW\)](#)

**This Resolution was approved.**

- 6.O.2.** APPROVAL OF RESOLUTION NO. 115-25 TO AWARD AN AGREEMENT WITH SFM JANITORIAL SERVICES, LLC. FOR CITY-WIDE JANITORIAL SERVICES PURSUANT TO REQUEST FOR PROPOSAL (RFP) NO. 2025-008 IN THE AMOUNT OF \$3,384,406.50

**Sponsors:** Public Works Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 115-25](#)  
[RFP2025-008 Janitorial Services](#)  
[Exhibit A to RFP No. 2025-07](#)  
[RFP 2025-008 JANITORIAL SERVICES LR](#)  
[Final Advertisement RFP 2025-008 Janitorial Services](#)  
[Bid Submittal - SFM Janitorial Services Response to City of Delray](#)  
[RFP 202-008 Janitorial Services](#)

**This Resolution was approved.**

## 7. REGULAR AGENDA:

**7.A.** RESOLUTION NO. 107-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A REQUEST TO UTILIZE THE MASONRY MODERN ARCHITECTURAL STYLE FOR THE PROPERTY LOCATED AT 202 NE 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res 107-25 - The Link - 202 NE 6th Ave](#)  
[PZB Staff Report - The Link - 202 NE 6th Ave](#)  
[Architectural Plans - The Link - 202 NE 6th Ave](#)  
[Architectural Style Narrative - The Link - 202 NE 6th Ave](#)  
[Legal Review Res 107-25 - The Link - 202 NE 6th Ave](#)

Ms. Gelin entered Resolution No. 107-25 into the record.

Ms. Givings swore in those individuals who wished to provide testimony on any quasi-judicial item.

Mayor Carney read the quasi-judicial rules into the record for these items.

Anthea Gianniotis, Development Services Director, entered File No. 2024-228

Mayor Carney asked his colleagues to disclose any ex- parte communications for this item.

Mayor Carney: Spoke with the representative and the applicant.

Vice Mayor Long: None.

Deputy Vice Mayor Burns: What was on the server.

Commissioner Markert: Spoke with counsel and what was on the server.

Commissioner Casale: Spoke with counsel and what was on the server.

Christina Bilenki, attorney, representing the applicant, submitted a request for approval to utilize the Masonry Modern Design for the project titled "The Link", located at 202 NE 6th Avenue. She stated that the project would consist of 10 multi-family residential units and noted that the surrounding area includes 4-story townhomes and a 5-story hotel.

Peggy Fitzgerald, architect for this project, gave a brief presentation on the building's design. She explained that her team is willing to work closely with City staff to make any necessary adjustments, ensuring that the design aligns with the Masonry Modern Architectural Style.

Ms. Gianniotis provided a brief staff report on this item and confirmed that the architectural firm was amenable to working with the City on modifying the design.

Mayor Carney opened the floor to anyone who wished to speak on this item.

Seeing no one present, Mayor Carney closed public comments.

**A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, that this Resolution be approved.**

**all were in favor**

**7.B.**

RESOLUTION NO. 109-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN IN-LIEU OF PARKING FEE REQUEST FOR THE PROJECT LOCATED AT 25-27 SE 3RD AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT CONSISTENT WITH THE APPROVAL HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)

[Resolution No. 109-25 In-Lieu of Parking Request - Bungalows](#)

[Delray Bungalows - Architectural and Landscape Plans](#)

[Delray Bungalows - Project Description and Justification Statement](#)

[Delray Bungalows - Parking Occupancy Analysis](#)

[Delray Bungalows - Survey](#)

[Legal Review Res 109-25 In-Lieu of Parking Request- Bungalows](#)

Ms. Gelin entered Resolution No. 109-25 into the record.

Mayor Carney asked his colleagues to disclose any ex parte communications for this item.

Mayor Carney: What was on the server.

Vice Mayor Long: Met with the applicant and what was on the server.

Deputy Vice Mayor Burns: What was on the server.

Commissioner Markert: What was on the server.

Commissioner Casale: Met with the applicant and what was on the server.

Ms. Gianniotis entered File Nos. 2022-018 & 2025-164 into the record.

The attorney representing the properties located at 25-27 SE 3rd Avenue presented a request to convert the former office building and bank into a restaurant with both indoor and outdoor dining. He stated that the former bank teller drive-thru area would be re-purposed to serve as a covered outdoor dining oasis while keeping the 84,000 square feet of interior space as a high-quality dining restaurant. He explained that the proposed modifications would connect the renovated building to the north with the former Delray Beach Market to the south, creating a seamless pedestrian experience from East Atlantic Avenue to SE 1st Street.

He mentioned that the additional 26 parking spaces needed were solely a result of the change in use and the conversion of the outdoor bank drive-thru into an outdoor dining area. He stated that as a result, the applicant was proposing to pay into the City's in-lieu parking fund.

He explained that a parking analysis showed this request meets the Delray Beach Land Development Regulations and addresses the need for 26 in-lieu parking spaces for this business location. He also mentioned that the change in the business' use made it necessary to add additional parking spaces due to existing constraints.

Ms. Gianniotis presented a brief staff report on this item and mentioned that staff supported the request for the in-lieu parking spaces. She noted that this project was an excellent example of preserving a historic structure, as it keeps the original character of the building intact.

Mayor Carney opened the floor to public comments.

George Long, 46 North Swinton Avenue, Delray Beach  
Stated that this was an excellent example of a building that has been adaptively reused.

Seeing no one else present, Mayor Carney closed public comments.

There was no cross-examination or rebuttal from either side.

The Commission unanimously agreed that this was a strong example of adaptive reuse. However, they expressed a desire to discuss in-lieu fees at a later date.

**A motion was made by Commissioner Casale, seconded by Commissioner Markert, that this Resolution be approved.**

**all were in favor**

- 7.C.** CONSIDERATION OF THE FINAL PLAT, "SOUTHWEST 4TH AND 7TH HOMES", A MAJOR PLAT WITH WAIVERS, A REPLAT OF A PORTION OF LOT 1, WITHIN BLOCK 20 OF THE SUBDIVISION OF TOWNSHIP 46, RANGE 43 EAST, AS RECORDED IN PLAT BOOK 1, PAGE 4 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY. (QUASI JUDICIAL)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Staff Report, Southwest 4th and 7th Homes](#)  
[Project Narrative, Southwest 4th and 7th Homes](#)  
[Survey, Southwest 4th and 7th Homes](#)

Ms. Gelin requested that this item be pulled.

- 7.D.** AMENDMENT TO LOCAL RULES OF PROCEDURE AND QUASI-JUDICIAL RULES

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)

Ms. Gelin requested the Commission's clarification within the local rules that address individuals who resign from one board before completing their term to join another board.

A discussion ensued amongst the Commission on the necessity of fairness towards board members, who serve on a voluntary basis. They recognized that numerous vacancies sometimes lead to a lack of quorum for meetings.

**A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to amend the local rules to require a board member to serve at least half of their term before applying to another board.**

**all were in favor**

- 7.E.** NOMINATION FOR AN APPOINTMENT TO THE CODE ENFORCEMENT BOARD. BASED ON THE ROTATION SYSTEM, APPOINTMENT TO SERVE AN UNEXPIRED TERM ENDING JANUARY 14, 2028, FOR ONE

(1) REGULAR MEMBER WILL BE MADE BY DEPUTY VICE-MAYOR BURNS (SEAT #4).

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Code Enforment Board Member List](#)  
[Code Enforcement Board Attendance 2025](#)  
[Delehanty, Terrence](#)  
[Jones, Jennifer](#)  
[Ramirez, Aura](#)  
[Sclafani, Peter](#)

**A motion was made by Deputy Vice Mayor Burns, seconded by Commissioner Casel, to appoint Jennifer Jones to the Code Enforcement Board.**

**all were in favor**

**7.F.** NOMINATION FOR AN APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY. BASED ON THE ROTATION, THE NOMINATION FOR AN APPOINTMENT OF ONE(1) REGULAR MEMBER TO SERVE A FOUR (4) YEAR TERM ENDING JULY 1, 2029, WILL BE MADE BY VICE-MAYOR LONG (SEAT #2). THE NOMINATION FOR AN APPOINTMENT OF ONE(1) REGULAR MEMBER TO SERVE AN UNEXPIRED TERM ENDING OCTOBER 27, 2027, WILL BE MADE BY COMMISSIONER CASALE (SEAT #3).

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Delray Beach Housing Authority Board Member List](#)  
[Board Attendance 2025 DBHA](#)  
[Delehanty, Terrence](#)  
[Stamper, Christina](#)  
[Wright, Suzanne](#)

**Commissioner Casale asked that this appointment be deferred. There was a consensus amongst the Commission to defer this appointment**

**7.G.** NOMINATION FOR AN APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT FOR ONE (1) AT-LARGE MEMBER TO SERVE A TERM ENDING JULY 1, 2028, WILL BE MADE BY COMMISSIONER CASALE (SEAT #3).

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[DDA Board Member List](#)  
[DDA 2025 Attendance](#)  
[Alper, Gregg](#)  
[Amani, Sandra](#)  
[Blumenfeld, James](#)  
[Cohen, Steven](#)  
[Fredericks, Carol](#)  
[Guaglardi, Jule](#)  
[Kiser, Mereida](#)  
[O'Keeffe, Sean](#)  
[Ramirez, Aura](#)  
[Rose, Daniel](#)  
[Walden, George](#)  
[Wiggins, Page](#)

**A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to appoint Jule Guaglardi to the Downtown Development Authority.**

**all were in favor**

## **8. PUBLIC HEARINGS/SECOND READINGS:**

- 8.A.** ORDINANCE NO. 04-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES," TO ADOPT SUBSECTION (DDD), "RETAIL TOBACCO AND NICOTINE PRODUCTS DEALER," TO ENACT REGULATIONS GOVERNING THE LOCATION AND OPERATIONS OF RETAIL TOBACCO AND NICOTINE PRODUCTS DEALERS; AND BY AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (C), "ALLOWABLE USES," TO ADOPT DISTANCING REQUIREMENTS FOR STANDALONE RETAIL TOBACCO OR NICOTINE PRODUCTS DEALERS, AND BY AMENDING APPENDIX A, "DEFINITIONS," TO ADOPT A DEFINITION FOR RETAIL TOBACCO OR NICOTINE PRODUCTS DEALERS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Staff Report, Standalone Retail Tobacco](#)  
[Ordinance No. 04-25, Standalone Retail Tobacco](#)  
[DDA Recommendation, Ord. No. 04-25](#)  
[Legal Review, Ordinance No. 04-25](#)  
[Business Impact Estimate, Ordinance No. 04-25](#)  
[Proof of Legal Advertisement, Ord. No. 04-25](#)

Ms. Gelin entered Ordinance No. 04-25 into the record.

Ms. Gianniotis provided a presentation on the proposed Land Development Amendment initiated by the City, which aims to restrict retail establishments that sell tobacco and nicotine products. She noted that Laura Simon, Executive Director of the Downtown Development Authority (DDA), shared similar concerns regarding this issue.

Additionally, Ms. Gianniotis mentioned that the Planning and Zoning Board reviewed this request during its meeting on April 21, 2025, and voted 6-0 in favor of recommending approval, along with specific conditions. She clarified that these restrictions would apply to stand-alone shops, but not grocery stores or pharmacies that sell nicotine products. She added, that if a shop sells cannabidiol oil, it would be subject to the same restrictions as tobacco shops.

A discussion ensued amongst the Commission regarding the regulation of shops that sell accessory items, such as vape products, and there was consensus on the need for strict rules.

Mayor Carney opened the floor to anyone who wished to provide public comment on this item.

Laura Simon, Executive Director of the Downtown Development Authority Thanked the City for addressing this concern and requested that downtown be included in the Ordinance.

Seeing no one else present. Mayor Carney closed public comments.

**A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, that this Ordinance be approved.**

**all were in favor**

**8.B.**

RESOLUTION NO. 121-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE CONVEYANCE OF THAT CERTAIN PARCEL OF REAL PROPERTY

LOCATED AT 196 NW 8TH AVENUE, DELRAY BEACH, FLORIDA, AND THE LOT ADJACENT THERETO, AS MORE PARTICULARLY DESCRIBED HEREIN, TO THE AMERICAN LEGION POST NO. 188, INC.; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH CONVEYANCE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)

[Resolution 121-25](#)

[DelrayAmericanLegionRevisedQCDDrightofReverter FINAL for 6-17-25 agenda](#)

[Res 121-25 NOI to Sell Real Property](#)

Ms. Gelin entered Resolution No. 121-25 into the record.

She stated that as part of the settlement agreement between the City and the American Legion, the City was required to consider the conveyance of the American Legion Building, as well as the lot directly adjacent to it. She noted that the timeline for completing the renovations to the building must be met by July 1, 2028, otherwise ownership of the building would revert back to the City.

Ms. Gelin outlined the additional conditions, which are detailed in the agreement, and mentioned that as part of the settlement, the City would provide them with \$5,000 towards their legal fees.

Commissioner Casale expressed her dissatisfaction with the City paying the American Legion \$5,000 towards their legal fees.

Mayor Carney opened the floor to anyone who wished to provide public comment on this item.

Ernestine Holiday, 40 NW 9th Avenue, Delray Beach

Discussed the importance of preserving the American Legion Building for its founding members, noting that the City took the building from them before the expiration of their 99-year lease.

Andrea Bruton, 703 Place Tavante, Delray Beach

Thanked Deputy Vice Mayor Burns for her leadership and dedication in facilitating the return of the Sherwin-Williams Post 188C Building to its veterans and their families. She encouraged the entire community to come out and offer any skills they might have to help with rebuilding the building voluntarily.

Chuck Ridley, 210 NW 2nd Avenue, Delray Beach

Read a letter from Sara Selznick, President of the Shared Future Foundation, that discussed the fundraising efforts for rebuilding Post 188C, and stated that her organization was committed to matching donations up to \$50,000 over the next few months. Additionally, she mentioned that they were currently in discussions with other foundations that have expressed a strong interest in supporting this initiative. Mr. Ridley personally thanked Deputy Vice Mayor Burns and the entire Commission for their collaborative efforts in making this possible.

Dr. Deborah Wright, 815 NW 2nd Street, Delray Beach  
Expressed her eagerness to have the Post 188 building restored so that it could host events without competing with other facilities.

James Basa, 102 NW 14th Avenue, Delray Beach  
Expressed his hopes of making Post 188 a new beacon for the community, serving everyone of all ages.

Simon Barnes, No address provided.  
Applauded the Commission for helping the community return to their building.

Nancy Chanin, 200 NE 2nd Avenue, Delray Beach  
Thanked the Commission for their efforts in bringing Post 188 back to the community and encouraged anyone who was able to donate to the Shared Future Foundation.

Seeing no one else present, Mayor Carney closed public comments.

A discussion ensued amongst the Commission on this item, and each Commissioner shared their perspectives on this matter.

Deputy Vice Mayor Burns:  
Acknowledged that this day was one of restoration, respect, and recognition for Post 188C, which has served both this country and the community, and created a legacy. She thanked Post 188 for their persistence and purpose on this matter.

Vice Mayor Long:  
Stated this was a time for celebration and coalescing with the community, and hoped to bring the building back to being the community hub it once was.

Commissioner Markert:  
Stated this was a big moment for the community.

Commissioner Casale:

Expressed her happiness that the American Legion acquired the land, and wished Ms. Selznick success in her fundraising efforts. However, she stated that she would not support giving funds to anyone the City was in litigation with.

Mayor Carney:

Clarified that the City was not giving the American Legion building to the Set Community; rather, it was intended for the entire City. Additionally, he supported keeping the "C" in the logo and commended their efforts to restore the building and preserve its legacy. He applauded their continued efforts and wished them the best of luck.

**A motion was made by Deputy Vice Mayor Burns, seconded by Vice-Mayor Long, that this Resolution be approved. The motion carried by the following vote:**

- Yes:** 4 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, and Vice-Mayor Long
- No:** 1 - Commissioner Casale

## 9. FIRST READINGS:

9.A. None

## 10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

### A. City Manager

Nothing to report.

### B. City Attorney

Requested to hold off discussions on the use of the PFAS proceeds until August. Mr. Moore stated that the PFAS settlement funds would be discussed as an agenda item at the Regular City Commission Meeting on August 5th or 12th.

### C. City Commission

**Commissioner Casale:**

Expressed her happiness about the American Legion acquiring the land, and congratulated Sara Selznick on her fundraising efforts. However, she maintained her consistent stance against providing the American Legion with funds for their legal fees.

Addressed the inaccuracies in earlier public comments about police funding and pensions made by Mr. Paul Gannon.

Mentioned that the Davis Cup tickets were on sale.

Discussed a situation involving a store owner who has ongoing code enforcement violations against his business and stated he had been writing and disseminating information about a City employee. She requested that Mr. Moore put an end to those inappropriate actions and support the employee.

**Commissioner Markert:**

Met with the Davis Cup people and was looking forward to the event.

**Deputy Vice Mayor Burns:**

Nothing to report.

**Vice Mayor Long:**

Thanked the Parks and Recreation Department for the Pride Festival.

Read a letter into the record recognizing former Chief of Police Russ Mager for his dedicated service and institutional knowledge to the community, which spanned over 30 years of distinguished service. He also acknowledged Darrell Hunter for stepping up as the Interim Chief of Police.

**Mayor Carney:**

Discussed the decision on the tax rollback rate and the derogatory comments made by a business owner regarding a City employee.

Announced that he would become an ex officio member of the Downtown Development Authority (DDA).

Inquired about the City's policy regarding accidents involving City vehicles crashing into property owned by the City. Mr. Moore suggested that Risk Management, in conjunction with Public Works, would make that determination regarding liability.

Stated police officers were leaving for many reasons, not just that the Commission wasn't extending the drop plan.

## 11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 8:44 p.m.

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.

