

# City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

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



## Minutes - Final

Tuesday, November 19, 2024

5:00 PM

Regular Meeting at 5:00 PM

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/s>  
treams

## City Commission

*Mayor Thomas F. Carney, Jr.*

*Vice Mayor Juli Casale*

*Deputy Vice Mayor Rob Long*

*Commissioner Tom Markert*

*Commissioner Angela Burns*

## 1. ROLL CALL

The Regular City Commission Meeting was called to order at 5:03 p.m. Interim City Clerk, Alexis Givings, called the role, and the following were present:

Terrence Moore - City Manager

Lynn Gelin - City Attorney

**Present:** 4 - Commissioner Angela Burns, Commissioner Tom Markert, Vice-Mayor Juli Casale, and Mayor Thomas F. Carney Jr.

**Absent:** 1 - Deputy Vice Mayor Rob Long

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

## 3. AGENDA APPROVAL

Vice Mayor Casale requested to pull Consent Item No. 6.N.3 for discussion and it became Item No. 7.A.A. on the Regular Agenda.

Commissioner Burns requested to pull Item Nos. 6.I., 6.J., and 6.K. for discussion and they became Item Nos. 7.B.B., 7.C.C., and 7.D.D. respectively on the Regular Agenda.

Mayor Carney requested that Item No. 9.D. be deleted from the Regular Agenda until a specific date is set and more information is available. Mr. Moore stated that he would bring this item back to the Commission in early 2025.

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

**all were in favor**

3.A. Additions, Deletions, Substitutions

## 4. PRESENTATIONS:

### 4.A. RESULTS OF THE CLIMATE ACTION PLANNING SURVEY

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Always Delray References](#)

Kent Edwards, Sustainability Officer, emphasized the need for the City to take intentional steps to reduce greenhouse gas emissions and prepare for the impacts of increased heat, heavy rainfall, and tropical storms. He

highlighted that The Always Delray Comprehensive Plan includes various goals, policies, and objectives aimed at climate mitigation and resilience, particularly mentioning the development of a Climate Action Plan (CAP). Mr. Edwards suggested the next steps should involve focusing on the top responses from the CAP Survey, collaborating with both internal and external stakeholders, and holding outreach events for the public. In this context, a draft plan can be developed, with a presentation to the Commission scheduled for April 2025 during Earth Month.

The consensus of the Commission was to proceed with the development of a CAP.

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

### 5.A. City Manager's response to prior public comments and inquiries

Mr. Moore stated that the concluding class of the "Citizens Academy Program" was present.

Gina Carter, Director of Communications, acknowledged the presence of the Citizens Academy Program participants. Everyone expressed their gratitude for their efforts.

#### **5.A.1. CONSIDERATIONS REGARDING A.-G.U.I.D.E. FUNDING REVIEW**

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[CRA Funding to A-GUIDE Non-Profits through 2024](#)

Mr. Moore stated that Jeff Oris, Assistant City Manager, would be leading this presentation.

Jeff Oris discussed the migration of funding provided to Delray Beach-based nonprofit organizations through the Delray Beach Community Redevelopment Agency's (CRA) A-Guide Program (Achieving Goals Using Impact-Driven Evaluation).

Mr. Oris presented three (3) alternative funding options for the CRA to consider and choose from.

1. Direct funding agreements in the amount of fiscal year 2024-25 awards.
2. Grant awards only to non-profits that have previously received funding that is based on a scoring system similar in nature to how the CRA runs the

A-Gide Program today.

3. 3. Open grant program to defined non-profit for programs that meet an established need or desire.

The Commission discussed the best option to adopt. There was a consensus to adopt Option No.1, which will maintain current funding agreements with existing relationships for a 5-year term.

5.B. From the Public

Marjorie Waldo, Arts Garage, Delray Beach

Expressed her gratitude to the Commission for funding the Arts Garage and for all they do for the City.

Kira Bossis, 117 SW 2 Avenue, Delray Beach

Discussed the traffic being redirected to SW 2 Avenue.

Montre Bennett, 323 NW 2 Avenue, Delray Beach

Discussed various City topics and programs.

Dr. Deborah Wright, 815 MLK Street, Delray Beach

Discussed City topics and thanked former Mayor Glickstein for closing the Caring Kitchen, and handed out pictures of dirty/cracked sidewalks and alleyways.

Mr. Moore confirmed that he would look into the matter further.

Mitchell Revsine, 1105 Kingston Lane, Delray Beach

Stated the noise from Popstroke Golf was very loud in the surrounding neighborhood.

Dr. Ashley Ridley, 210 NW 2 Avenue, Delray Beach

Discussed the Drug Abuse Outreach Foundation's mission.

Jennifer Jones, 639 Kingbird Circle, Delray Beach

Discussed challenges facing the Haitian community in the City.

Paula N. Rocker, 236 NW 8 Avenue, Delray Beach

Requested an investigation be conducted on the "Wellness Check Process."

George Long, 46 N. Swinton Avenue, Delray Beach

Inquired into the number of nuisance citations the City has issued for noise.

Price Patton, 1020 Tamarind Road, Delray Beach

Stated that the Delray Beach Preservation Trust was requesting that Veteran's Park be designated as a Historic Landmark on the local registry

Sandy Zeller, 209 NW 12 Street, Delray Beach

Discussed Veteran's Park being recognized on the local registry.

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

## 6. CONSENT AGENDA: City Manager Recommends Approval

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

all were in favor

### 6.A. CITY COMMISSION MEETING MINUTES

**Sponsors:** City Clerk Department

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

[October 28, 2024 Joint Workshop with City Commission & DDA](#)

[Minutes - DRAFT](#)

[November 4, 2024 Special Meeting Minutes - DRAFT](#)

[November 4, 2024 Regular Meeting Minutes - DRAFT](#)

This Minutes was approved.

### 6.B. RESOLUTION NO. 229-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PURSUANT TO CHAPTER 100 OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, ASSESSING COSTS FOR ABATING NUISANCES UPON CERTAIN LAND(S) LOCATED WITHIN THE CITY OF DELRAY BEACH AND PROVIDING THAT A NOTICE OF LIEN SHALL ACCOMPANY THE NOTICE OF ASSESSMENT; SETTING OUT ACTUAL COSTS INCURRED BY THE CITY TO ACCOMPLISH SUCH ABATEMENT AND LEVYING THE COST OF SUCH ABATEMENT OF NUISANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR A DUE DATE AND INTEREST ON ASSESSMENTS; PROVIDING FOR THE RECORDING OF THIS RESOLUTION, AND DECLARING SAID LEVY TO BE A LIEN UPON THE SUBJECT PROPERTY FOR UNPAID ASSESSMENTS.

**Sponsors:** City Clerk Department

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

[Nuisance Abatement Resolution - 229-24](#)

[Exhibit A - Resolution No. 229-24](#)

[Legal Review - Resolution 229-24](#)

**This Resolution was approved.**

**6.C. APPROVAL OF THE BOARD'S BYLAWS ESTABLISHING THE RULE OF PROCEDURE**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[AHAC Bylaws 2024](#)

**This Request was approved.**

**6.D. APPROVAL OF RESOLUTION NO. 228-24 FOR APPROVAL OF THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT PROGRAM TECHNICAL ASSISTANCE VOUCHER AGREEMENT WITH THE UNITED STATES DEPARTMENT OF ENERGY FOR A TECHNICAL ASSISTANCE VOUCHER OF \$128,640 VALUE TO BE USED IN ASSOCIATION WITH DEVELOPMENT OF GREEN WORKFORCE-RELATED EDUCATIONAL PROGRAMS TO HELP PREPARE WORKERS FOR JOBS IN GREEN INDUSTRIES; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS THERETO AND TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Technical Assistance Voucher Terms and Conditions clean copy](#)  
[Res 228-24 - DOE EECBG Program - technical assistance voucher](#)  
[Simple Legal Review Approval Technical Assistance Voucher Terms](#)  
[NEPA Determination for Technical Assistance Vouchers](#)

**This Resolution was approved.**

**6.E. RESOLUTION NO. 221-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO NIGEL DEVELOPMENT, INC., FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 143 S. SWINTON AVENUE, AS FURTHER DESCRIBED HEREIN; DETERMINING THAT THE COMPLETED IMPROVEMENTS ARE CONSISTENT WITH LAND DEVELOPMENT REGULATION (LDR) SECTION 4.5.1(J), TAX EXEMPTION FOR HISTORIC PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.**

**Sponsors:** Development Services Department

- Attachments:** [Agenda Cover Report](#)  
[Res No. 221-24 Ad Valorem 143 S. Swinton Ave](#)  
[HPB Staff Report - 143 S. Swinton Ave.](#)  
[Certificate of Occupancy-143 S. Swinton Ave.](#)  
[Before Survey-143 S. Swinton Ave.](#)  
[After Survey-143 S. Swinton Ave.](#)  
[Plans-143 S. Swinton Ave.](#)  
[Before and After Photographs-143 S. Swinton Ave.](#)  
[Tax Information-143 S. Swinton Ave.](#)  
[Warranty Deed-143 S. Swinton Ave.](#)  
[Res. No. 221-24 Legal Review](#)

**This Resolution was approved.**

- 6.F.** CERTIFICATION OF A FINAL PLAT FOR A MINOR SUBDIVISION KNOWN AS "ALEXAN DELRAY", GENERALLY LOCATED ON THE EAST SIDE OF SOUTH CONGRESS AVENUE, WEST OF INTERSTATE 95, BETWEEN LINTON BOULEVARD AND SW 10TH STREET/LOWSON BOULEVARD.

**Sponsors:** Development Services Department

- Attachments:** [Agenda Cover Report](#)  
[Alexan Delray Final Plat](#)  
[Alexan Delray Location Map](#)  
[Alexan Delray Survey](#)

**This Request was approved.**

- 6.G.** RESOLUTION NO. 218-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE ISSUANCE OF A PURCHASE ORDER TO LOUMINEL GENERAL CONTRACTOR, LLC, FOR HOME REHABILITATION CONSTRUCTION SERVICES FOR THE CITY OF DELRAY BEACH COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, PURSUANT TO QUICK QUOTE NO. 2024-044; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** Neighborhood & Community Services

- Attachments:** [Agenda Cover Report](#)  
[Legal Review Res 218-24 - Quick Quote 2024-044 - Louminel General Contractor LLC - Trice](#)  
[Res 218-24 - Quick Quote 2024-044- Louminel General Contractor LLC - Home Rehabilitation Trice](#)  
[ITBC2024-044 - Department Concurrence Packet](#)  
[Bid Information Sheet - Trice](#)  
[CDBG Lien Agreement -Trice](#)  
[Memorandum of Understanding](#)  
[Notice to Proceed](#)  
[Subordination Policy Agreement](#)  
[Warranty Docs](#)

**This Resolution was approved.**

**6.H.** RESOLUTION NO. 219-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE ISSUANCE OF A PURCHASE ORDER TO DAN ENTERPRISES TEAM, LLC, FOR HOME REHABILITATION CONSTRUCTION SERVICES FOR THE CITY OF DELRAY BEACH COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, PURSUANT TO QUICK QUOTE NO. 2024-046; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** Neighborhood & Community Services

- Attachments:** [Agenda Cover Report](#)  
[Legal Review Res 219-24 - Quick Quote 2024-046 - Dan Enterprises Team LLC - Dent](#)  
[Res 219-24 - Quick Quote 2024-046- Dan Enterprises Team LLC - Home Rehabilitation Dent](#)  
[CDBG Lien Agreement - Dent](#)  
[ITBC2024-046 - Department Concurrence Packet](#)  
[Bid Information Sheet](#)  
[Memorandum of Understanding](#)  
[Notice to Proceed](#)  
[Subordination Policy Agreement](#)  
[Warranty Docs](#)

**This Resolution was approved.**

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

**Sponsors:** Police Department



**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist\\_24\\_25 FDOT Speeding and Aggressive Driving Enforcement Subgrant](#)  
[FDOTSubgrantAgreement-2025 - Aggressive Grant with signature blocks-interim](#)

Commissioner Burns requested to pull Consent Item No. 6.I. for discussion and it became Item No. 7.B.B. on the Regular Agenda.

Commissioner Burns asked Chief of Police Russ Mager to provide a brief summary regarding the use of these funds. He stated that Item Nos. 6.I and 6.J. specifically address aggressive and impaired driving, represent grants from the Florida Department of Transportation, and are intended for enforcement and public education efforts aimed at reducing traffic crashes and fatalities in the city.

**A motion was made by Commissioner Burns, seconded by Commissioner Markert, that this Request be approved.**

all were in favor

**6.J. APPROVAL OF GRANT APPLICATION AND AWARD/FDOT/IMPAIRED DRIVING PROGRAM**

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[FDOTSubgrantAgreement-2025 - Impaired Driving](#)  
[Legal Review Checklist\\_24\\_25 FDOT Impaired Driving Subgrant](#)

Commissioner Burns requested to pull Consent Item No. 6.J. for discussion. It became Item No. 7.C.C. on the Regular Agenda.

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

all were in favor

**6.K. APPROVAL OF APPLICATION FOR FLORIDA DEPARTMENT OF LAW ENFORCEMENT FY 24/25 ONLINE STING OPERATIONS GRANT PROGRAM**

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[FDLE Grant - Stint operations rev 2](#)  
[Legal Review Form FY 24-25 FDLE Online Sting Operations Grant](#)

Commissioner Burns requested to pull Consent Item No. 6.K. for

discussion and it became Item No. 7.D.D. on the Regular Agenda.

Police Chief Mager explained that this item relates to safeguarding children from internet crimes through the Florida Department of Law Enforcement (FDLE).

**A motion was made by Commissioner Burns, seconded by Commissioner Markert, that this Request be approved.**

all were in favor

**6.L. PROCLAMATIONS:**

**6.L.1. WORLD AIDS DAY PROCLAMATION - DECEMBER 1, 2024**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[World AIDS Day 2024](#)

**This Proclamation was approved.**

**6.M. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**

**6.M.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM OCTOBER 29, 2024, THROUGH NOVEMBER 5, 2024.**

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PAAB \(10-29\) Andres Design](#)  
[HPB\(11-06\) Sundry Village-Block 61](#)

**This Request was approved.**

**6.N. AWARD OF BIDS AND CONTRACTS:**

**6.N.1. APPROVAL OF RESOLUTION NO. 134-24, TO AWARD AN AGREEMENT WITH CARUS LLC, FOR THE SUPPLY AND DELIVERY OF POLY PHOSPHATE, PURSUANT TO ITB NO. 2024-048, IN A TOTAL AMOUNT NOT TO EXCEED \$1,404,480 (\$468,160 YEAR) RESPECTIVELY.**

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Carus LLC.pdf](#)  
[Poly Phosphate Agreement Invitation to Bid No. 2024-048.pdf](#)  
[Res 134-24- Agreement with Carus LLC - ITB 2024-036 - Poly Phosphate.pdf](#)

**This Resolution was approved.**

**6.N.2.** APPROVAL OF RESOLUTION NO. 224-24 TO AWARD A SOLE SOURCE AGREEMENT WITH PARK ASSIST, LLC FOR MAINTENANCE OF EQUIPMENT AND SOFTWARE RELATED TO THE AUTOMATED PARKING GUIDANCE SYSTEM (APGS) IN THE AMOUNT OF \$119,637.04.

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

**Attachments:** [Agenda Cover Report](#)  
[SS2024-030 Agreement - Old School Square Park Asssist Maintenance Vendor Signed Sole Source Memo - Park Assist OSSG](#)  
[Resolution No. 224-24](#)  
[Legal Review Checklist Park Assist Maintenance](#)

**This Resolution was approved.**

**6.N.3.** APPROVAL OF RESOLUTION NO. 239-24 TO AWARD AN AGREEMENT WITH MBCS COMPANY LLC FOR MEN AND WOMEN LOCKER ROOM REMODEL FOR THE PARKS AND RECREATION DEPARTMENT PURSUANT TO ITB 2025-005 , IN THE TOTAL AMOUNT OF \$66,815.00

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist MBCS](#)  
[ITB 2025-005 Men and Women Locker Room Remodel.](#)  
[Exhibit A Pricing Schedule 2025-005](#)  
[Resolution No. 239-24](#)  
[ITB2025-005- Packet Final](#)  
[Vendor Signed-AGREEMENT](#)

Vice Mayor Casale requested to pull Consent Item No. 6.N. 3 for discussion, and it became Item No. 7.A.A. on the Regular Agenda.

Vice Mayor Casale expressed her concern that the locker rooms were exclusively used for the tennis tournaments. She suggested that the beneficiaries of these events should fund the renovations instead of placing the financial burden on the taxpayers.

Lynn Gelin, City Attorney, acknowledged that the City's agreement with Match Point, the sponsors, assigns them the responsibility of renovating the locker rooms.

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

all were in favor

## 7. REGULAR AGENDA:

- 7.A.** RESOLUTION NO. 216-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A LEVEL 4 SITE PLAN, ARCHITECTURAL ELEVATIONS, AND LANDSCAPE PLAN AND APPROVING A WAIVER TO SECTION 4.6.16(H)(3)(d) OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE LANDSCAPE BARRIER WIDTH FROM THE REQUIRED 5 FEET TO 2 FEET AND 4 INCHES FOR THE PROJECT LOCATED AT 314 NE 3RD AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

**Sponsors:** Development Services Department

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

[Resolution No. 216-24 - Level 4 Site Plan with Wavier, 314 NE 3rd Avenue](#)

[Staff Report, 314 NE 3rd Avenue](#)

[Site Plan and Elevations, 314 NE 3rd Avenue](#)

[Civil Plans, 314 NE 3rd Avenue](#)

[Landscape Plans, 314 NE 3rd Avenue](#)

[Photometric Plans, 314 NE 3rd Avenue](#)

[Survey, 314 NE 3rd Avenue](#)

[Project Narrative and Waiver Justification Statement, 314 NE 3rd Avenue](#)

[TPS Letter, 314 NE 3rd Avenue](#)

[DDA Recommendation, 314 NE 3rd Avenue](#)

[Legal Review Resolution No. 216-24 Level 4 Site Plan with Wavier, 314 NE 3rd Avenue](#)

Ms. Gelin entered Resolution No. 216-24 into the record.

Alexis Givings, Interim City Clerk, swore in those individuals who wished to provide testimony on any quasi-judicial item.

Mayor Carney read the quasi-judicial rules into the record.

Anthea Gianniotis, Development Services Director, entered File No. 2024-081 into the record.

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

Mayor Carney spoke previously.

Vice Mayor Casale: spoke previously.

Commissioner Burns: spoke previously.

Commissioner Markert: spoke previously.

Jeff Costello was present on behalf of Jay Gillespie with Affiniti Architects to provide a presentation for the property located at 314 NE 3 Avenue. He stated that in August 2023, a demolition permit was issued, and the site was proposed for redevelopment as a mixed-use building. Mr. Costello emphasized that the request for the building and landscape waiver aligns with the Comprehensive Plan and the Land Development Regulations.

Ms. Gianniotis provided a staff report on this item and noted that this would be the final action for this project. She stated that on August 12, 2024, the Planning and Zoning Board recommended approval of the project with a vote of 5-0. She explained the request was for a waiver because it involved a Level 4 Site Plan.

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

Discussion ensued amongst the Commission. It was confirmed that everyone supported approving this item.

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

**all were in favor**

**7.B.**

RESOLUTION NO. 226-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER REQUEST TO SECTIONS 4.1.4(B) AND 4.1.4(D) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW CONSTRUCTION OF A NON-WORKFORCE HOUSING SINGLE-FAMILY RESIDENTIAL STRUCTURE ON LOT 2 OF THE PROPERTY LOCATED AT 302 SE 4th STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

**Sponsors:** Development Services Department

- Attachments:** [Agenda Cover Report](#)  
[Applicant Justification Statement, 302 SE 4th Street](#)  
[Resolution No. 226-24, 302 SE 4th Street Waiver](#)  
[Survey, 302 SE 4th Street](#)  
[Osceola Park Plat](#)  
[Legal Review, Resolution No. 226-24](#)

Ms. Gelin entered Resolution No. 226-24 into the record.

Ms. Gelin explained that since this item was postponed, anyone who wished to speak today would not be able to speak again when the item is brought back to the Commission.

Ms. Gianniotis entered File No. 2024-241 into the record.

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

There were no ex-parte communications from anyone.

Corey O’Gorman with Place Planning and Design was present to request that this item be postponed until the Commission Meeting on December 10, 2024.

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

Seeing no one present, Mayor Carney closed the floor to public comments.

A motion was made by Commissioner Burns, seconded by Vice Mayor Casale, to schedule Resolution No. 226-24 on December 10, 2024.

**all were in favor**

**7.C.** RESOLUTION NO. 214-24 AMENDING THE FISCAL YEAR 2023-24 BUDGET ADOPTED BY RESOLUTION NO.145-23 ON SEPTEMBER 18, 2023.

**Sponsors:** Finance Department

- Attachments:** [Agenda Cover Report](#)  
[Resolution 214-24 Budget Amendment FY 2023-24 11.9.24](#)  
[Exhibit A - Resolution 214-24 Budget Amendment 11.19.24](#)  
[Legal Review Res 214-24 Budget Amendment FY23-34](#)

Ms. Gelin entered Resolution No. 214-24 into the record.

Mr. Moore stated these were the final budget adjustments needed from the previous fiscal year.

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

**all were in favor**

**7.D.** RESOLUTION NO. 215-24 AMENDING THE FISCAL YEAR 2024-25 BUDGET ADOPTED BY RESOLUTION NO.175-24 ON SEPTEMBER 16, 2024.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Res 215-24 Budget Amendment FY 2024-25 11.9.2024](#)  
[Exhibit A - Resolution 215-24 Budget Amendment 11.19.24 FY 2024-25](#)  
[Legal Review Res 215-24 Budget Amendment](#)

Ms. Gelin entered Resolution No. 215-24 into the record.

Mr. Moore stated the budget amendments corresponded to the revised expenses of the first quarter of the current fiscal year.

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

**all were in favor**

**Yes:** 4 - Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

**Absent:** 1 - Deputy Vice Mayor Long

**7.E.** CONSULTING SERVICES INVOLVING CALVIN, GIORDANO & ASSOCIATES REGARDING CODE ENFORCEMENT OPERATIONAL ANALYSIS

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[DRAFT - CGA - Delray Beach Code Analysis 2024](#)

Mr. Moore stated the goal of this item was to conduct an operational assessment of the City's Code Enforcement division to determine if it is performing at peak efficiency, as discussed during the Commission meeting on November 4, 2024.

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

8.A. None

**9. FIRST READINGS:**

**9.A.** ORDINANCE NO. 14-24: 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 BY AMENDING CHAPTER 2, "ADMINISTRATIVE PROVISIONS," ARTICLE 2.4, "DEVELOPMENT APPLICATION REQUIREMENTS," SECTION 2.4.11, "RELIEF," TO ELIMINATE THE PUBLIC PARKING FEE PROVISIONS AND TO MODIFY THE REQUIRED FINDINGS AND PROCEDURES FOR APPROVING AN IN-LIEU OF PARKING FEE REQUEST; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," TO CORRECT CROSS-REFERENCES AND IMPROVE READABILITY; AMENDING ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS," TO ELIMINATE THE PUBLIC PARKING FEE PROVISIONS, MODIFY PROVISIONS ALLOWING FOR ALTERNATE METHODS OF PROVIDING OFF-STREET PARKING, AND ADOPTING STANDARDS FOR AN IN-LIEU OF PARKING FEE PROGRAM; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Sponsors:** Development Services Department

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

[Ord. No. 14-24 In-lieu Parking](#)

[PZB Staff Report, In-Lieu of Parking Fee](#)

[Business Impact Estimate, Ordinance No. 14-24](#)

[Legal Review, Ordinance No. 14-24](#)

Ms. Gelin entered Ordinance No.14 -24 into the record.

Ms. Gianniotis noted that a presentation would be given for this item despite it being a first reading due to changes made during a previous workshop. She stated the changes that were made refer to the Land Development Regulations and were as follows:

The in-lieu parking fee request supports at least one of the following City policy-driven goals:



1. Preservation of a historic structure by allowing for its use, adaptive reuse, or expansion while maintaining the character of the property or district by avoiding excessive use of historic properties for parking; or Investment in the West Atlantic Neighborhood sub-district consistent with the West Atlantic Master Plan; or
2. Adaptive reuse or expansion of an existing building resulting in a building no more than 2 stories in height.
3. Except for the West Atlantic Neighborhood Area Sub-district, all-new, non-historic development must provide its parking requirement in physical spaces.

Ms. Gianniotis mentioned that parking fees would be considered at 2nd Reading.

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

George Long, 46 N. Swinton Avenue, Delray Beach

Expressed his strong support for this program based on his studies.

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

The Commission engaged in a discussion regarding in-lieu fees not being an adequate solution for needing extra parking spaces. Mayor Carney stated the Commission should eventually discuss the construction fees for building a garage.

**A motion was made by Vice-Mayor Casale, seconded by Commissioner Burns, that this Ordinance be approved on first reading.**

**all were in favor**

**9.B.**

ORDINANCE NO. 32-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A 1.07-ACRE PORTION OF A 9.34-ACRE PARCEL OF LAND LOCATED SOUTH OF SHERWOOD BOULEVARD AND EAST OF SOUTH MILITARY TRAIL AT 3900 SHERWOOD BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES TO LOW DENSITY RESIDENTIAL PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT," FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)[3900 Sherwood Boulevard - PZB Report](#)[3900 Sherwood Boulevard - Ord. No. 32-24](#)[3900 Sherwood Boulevard - Justification Statement](#)[3900 Sherwood Boulevard - Traffic Statement](#)[3900 Sherwood Boulevard - TPS Letter](#)[3900 Sherwood Boulevard - Existing and Proposed Land Use Map](#)[3900 Sherwood Boulevard - Legal Review Form](#)[Business Impact Estimate, Ordinance No. 24-1488](#)

Ms. Gelin entered Ordinance No. 32-24 and Ordinance No. 33-24 into the record.

**A motion was made by Vice-Mayor Casale, seconded by Commissioner Burns, that this Ordinance be approved on first reading.**

**all were in favor**

**9.C.**

ORDINANCE NO. 33-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING LAND MEASURING APPROXIMATELY 9.34 ACRES LOCATED SOUTH OF SHERWOOD BOULEVARD AND EAST OF SOUTH MILITARY TRAIL AT 3900 SHERWOOD BOULEVARD, FROM SINGLE FAMILY RESIDENTIAL (R-1-AA) AND COMMUNITY FACILITIES TO SINGLE FAMILY RESIDENTIAL (R-1-A), AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING / QUASI JUDICIAL)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)[3900 Sherwood Boulevard - PZB Report](#)[3900 Sherwood Boulevard - Ord. No. 33-24](#)[3900 Sherwood Boulevard - Justification Statement](#)[3900 Sherwood Boulevard - Traffic Statement](#)[3900 Sherwood Boulevard - TPS Letter](#)[3900 Sherwood Boulevard - Existing and Proposed Zoning](#)[3900 Sherwood Boulevard - Legal Review Form](#)[Business Impact Estimate, Ordinance No. 33-24](#)

Anthea Gianniotis entered File No. 2024-107 and 2024-108 into the record for Ordinance No. 33-24.

The Commission did not have any ex-parte communication, although Vice Mayor Casale may have spoken with the applicant one year ago.

Mayor Carney opened the floor to anyone who wished to speak on Ordinance No. 33-24.

Seeing no one present, Mayor Carney closed public comments.

**A motion was made by Vice-Mayor Casale, seconded by Commissioner Burns, that this Ordinance be approved on first reading.**

**all were in favor**

**9.D.**

ORDINANCE NO. 34-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CITY OF DELRAY BEACH CODE OF ORDINANCES BY AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", SECTION 32.26, "COMPOSITION; APPOINTMENT; TERMS" TO REDUCE THE NUMBER OF MEMBERS OF THE EDUCATION BOARD; AMENDING SECTION 32.28. "QUALIFICATIONS OF MEMBERS" TO REQUIRE DIVERSE PROFESSIONS AND EXPERTISE FROM INDIVIDUALS WHO WISH TO SERVE ON THE BOARD; AMENDING SECTION 32.29, "DUTIES AND RESPONSIBILITIES" TO UPDATE THE PURPOSE OF THE BOARD; PROVIDING A SAVINGS CLAUSE, GENERAL REPEALER CLAUSE; AND AN EFFECTIVE DATE. (FIRST READING)

**Sponsors:** City Manager Department

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

[BIE-- Ordinance 34-24 Education Board -FIN](#)

[Ordinance 34-24 Legal Review Approval Education Board Ordinance](#)

[Education Board Ordinance 2024 Final 10-7-24](#)

Mayor Carney requested Ordinance No. 34-24 be deleted from the Regular Agenda until more information is available.

**9.E.**

ORDINANCE NO. 35-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 122, "ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS 65 YEARS AND OLDER", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, SECTION 122.01, "ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS 65 YEARS OF AGE AND OLDER," TO INCREASE THE ADDITIONAL HOMESTEAD EXEMPTION FROM \$25,000 TO \$50,000 FOR CERTAIN PERSONS SIXTY-FIVE (65) YEARS OF AGE AND OLDER AND TO ESTABLISH A SECOND ADDITIONAL

HOMESTEAD EXEMPTION IN THE AMOUNT OF THE ASSESSED VALUE OF PROPERTY FOR CERTAIN PERSONS SIXTY-FIVE YEARS OF AGE AND OLDER WHO MEET RESIDENCY, INCOME AND OTHER STATUTORY REQUIREMENTS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[35-24 Senior Homestead Exemptions Final 11-11-24](#)  
[Business Impact Estimate Form - Ordinance 35-24](#)  
[Affidavit](#)  
[Household Income Sworn Statement](#)

Ms. Gelin entered Ordinance No. 35-24 into the record.

**This Ordinance was approved on first reading.**

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

### **A. City Manager**

Reminded everyone of the public meeting on the renovation and design of the Delray Beach Municipal Golf course scheduled for Thursday, November 21, 2024, at 6:00 p.m. at the course itself.

### **B. City Attorney**

Wished everyone a Happy Thanksgiving.

### **C. City Commission**

#### **Mayor Carney**

Received a letter from John Fisher, a former Fire Fighter and bagpipe player at the Delray Beach St. Patrick's Day Parade, requesting a letter of recommendation from the Commission for him to perform at the Inaugural Day Parade in Washington, D.C. The Commission agreed to write a letter of recommendation for Mr. Fisher.

Requested putting Veteran's Park on an upcoming agenda as an action item. Mr. Moore stated this item would be on the December 10, 2024 agenda.

Stated he had been in discussions with the International Croquet Foundation about bringing the sport to Veteran's Park.

Met with the Historic Preservation Trust, staff and the City Attorney to discuss strategies for aggregating properties near West Atlantic Avenue. Mr. Moore suggested scheduling a workshop for this item in February 2025.

Mentioned matters having to do with animals should be revisited to become a text amendment vs. a conditional use amendment. Ms. Gianniotis provided staff's recommendations for this item.

Suggested the Delray Welcome Sign be painted a different color than black for better visibility. Missie Barletto, Director of Public Works, advised the Commission that a yellow backdrop would be installed to improve visibility.

Discussed closing of 7th Avenue. Ms. Gelin indicated this item was part of the Atlantic Settlement Agreement and should be reviewed before being brought back to the Commission on December 10, 2024.

Stated the Palm Beach Transportation Planning Agency (TPA) has funds available and is willing to assist the City in constructing a parking garage.

Urged the Commission to reconsider its vote (which was a tie) to hire a consultant to evaluate the Code Enforcement Department's practices and procedures.

**Commissioner Markert:**

Voiced his concern about the external auditing firm the Commission selected to audit the Code Enforcement Department. Vice Mayor Casale suggested waiting for the recommendations from the Office of the Inspector General.

**Commissioner Burns:**

Stated she had received numerous complaints about the Code Enforcement Department.

Requested clarification on which workshops public comments would be allowed. Ms. Gelin clarified that public comments are permitted on agenda items only.

Expressed her concern about the possibility of the Police Advisory Board being disbanded.

**Vice Mayor Casale:**

Congratulated Danica Sanborn from the Sandoway Discovery Center for receiving a prestigious award for her non-profit work.

Thanked Betty Jo Clay and Heather Weinbaum for delivering bags of clothing to the Interfaith Shower Truck from City Hall.

Acknowledged the Mayor's Chess Challenge.

Recognized Rob Evans, the Economic Development Director, for his innovative ideas and contributions working with local students.

Requested that Kent Edwards' Climate Presentation be heard by the Reef Restoration Committee.


Inquired about the status of the Highland Beach Audit.

Wished everyone a Happy Thanksgiving.

**11. ADJOURNMENT**

There being no further business to discuss, Mayor Carney adjourned the meeting at 8:07 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.

  
Interim City Clerk

ATTEST:

  
Mayor

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the November 19, 2024 Regular Meeting held on November 19, 2024, which minutes were formally approved and adopted by the City on December 10, 2024.

  
Interim City Clerk

NOTE TO READER:

If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval which may involve some amendments, additions or deletions as set forth above.