

# City of Delray Beach

*100 NW 1st Avenue - Delray Beach, Florida 33444*

*Phone: (561) 243-7000*

*www.delraybeachfl.gov*



## **Regular Commission Meeting**

**1st Budget Public Hearing/Regular Meeting at 5:00 PM**

**Wednesday, September 3, 2025**

**Commission Chambers**

**Delray Beach City Hall or Watch on YouTube:**

**<https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/st>**

### **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. STATE OF EDUCATION REPORT BY SCHOOL BOARD MEMBER ERICA WHITFIELD**

**Sponsors:** City Clerk Department

**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.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:

July 15, 2025 Regular Meeting Minutes - DRAFT  
July 22, 2025 Special Meeting Minutes - DRAFT  
July 31, 2025 Special Meeting Minutes - DRAFT  
August 12, 2025 Workshop Meeting Minutes - DRAFT

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[July 15, 2025 Regular Meeting Minutes - DRAFT.pdf](#)  
[July 22, 2025 Special Meeting Minutes - DRAFT.pdf](#)  
[July 31, 2025 Special Meeting Minutes - DRAFT.pdf](#)  
[August 12, 2025 Workshop Meeting Minutes - DRAFT.pdf](#)

**6.B. PROPOSED SETTLEMENT IN THE CASE OF DANIELLE McCLENDON VS. CITY OF DELRAY BEACH**

**Recommendation:** Motion to deny the settlement proposed by Danielle McClendon for the reasons discussed in the confidential memo previously distributed to the City Commission.

**Sponsors:** City Attorney Department

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

**6.C. PROPOSED SETTLEMENT IN THE CASE OF KEITH TOMEY VS. CITY OF DELRAY BEACH**

**Recommendation:** Motion to deny the settlement proposed by Keith Tomey for the reasons discussed in the confidential memo previously distributed to the City Commission.

**Sponsors:**      City Attorney Department

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

**6.D APPROVAL FOR ADDITIONAL SPENDING ON AGREEMENT RFQ NO. 2020-020 WITH BAXTER & WOODMAN, INC. FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR THE LOWSON BOULEVARD/SW 10TH STREET FROM DOVER ROAD TO SOUTHEAST 5TH AVENUE (US-1/FEDERAL HIGHWAY) PROJECT IN THE AMOUNT OF \$155,000.00 FOR A REVISED CONTRACT TOTAL OF \$1,474,809.64**

**Recommendation:** Motion to approve additional spending on Agreement RFQ No. 2020-020 with Baxter and Woodman, Inc. for Construction Engineering and Inspection (CEI) Services for the Lowson Boulevard/SW 10th Street from Dover Road to Southeast 5th Avenue (US-1/Federal Highway) Project (Public Works Project No. 17-009) in the amount of \$155,000.00 for a revised contract total of \$1,474,809.64.

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

**Attachments:**      [Agenda Cover Report](#)  
[RFQ 2020-020 Proposal #4 Additional Spending Request](#)  
[Agenda Cover Memo - Additional Spending #3 RFQ 2020-020](#)  
[Proposal #3 - Additional Spending to RFQ 2020-020](#)  
[Agenda Cover Memo - Additional Spending #2 RFQ 2020-020](#)  
[Proposal #2 - Additional Spending to RFQ 2020-020](#)  
[Agenda Cover Memo - Additional Spending #1 RFQ 2020-020](#)  
[Proposal #1 - Additional Spending to RFQ 2020-020](#)  
[Agreement RFQ No. 2020-020](#)

**6.E. ITEM A1 - HOLD HARMLESS FOR 142 SE 5TH AVENUE**

**Recommendation:** Motion to consider the following item:

**Sponsors:**      Utilities Department

**Attachments:**      [Agenda Cover Report](#)  
[Hold Harmless for Work in State ROW - 5th Ave](#)  
[Ex B - Hold Harmless for Work in State ROW - 5th Ave](#)  
[Legal Review Hold Harmless for Work in State ROW - 5th Ave](#)

**6.F. PROCLAMATIONS:**

6.F.1. None

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

6.G.1. None

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

**6.H.1.** APPROVAL OF RESOLUTIONS NO. 168-25 AND 169-25 TO AWARD AGREEMENTS WITH ACCESS SPECIALISTS DBA SOUTHERN LOCK AND SUPPLY, AND ACCREDITED LOCK & DOOR HARDWARE CO. FOR DOOR AND LOCK HARDWARE UTILIZING THE SCHOOL BOARD OF BREVARD COUNTY ON ITB. NO. 25-0472-B-LW IN THE AMOUNT OF \$175,000.00

**Recommendation:** Motion to Approve Resolutions No. 168-25 and 169-25 to award Agreements with Southern Lock and Supply, and Accredited Lock & Door Hardware Co. for Door and Lock Hardware utilizing the School Board of Brevard County on ITB No. 25-0472-B-LW in the amount of \$175,000.00.

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

**Attachments:** [Agenda Cover Report](#)  
[Res No. 168-25](#)  
[Res No. 169-25](#)  
[P2025-030 Door & Lock Hardware Accredited](#)  
[P2025-030 Door & Lock Hardware Southern Lock](#)  
[P2025-030 Exhibit A Discount Catalog Proposal Summary](#)  
[Legal Review Checklist Accredited](#)  
[Legal Review Checklist Southern Lock](#)  
[ITB No. 25-0472-B-LW Accredited Lock & Door Hardware Co](#)  
[ITB No. 25-0472-B-LW Southern Lock](#)  
[Original Solicitation ITB No. 25-0472-B-LW](#)

**6.H.2.** APPROVAL OF RESOLUTION NO. 177-25 TO AWARD A SOLE SOURCE AGREEMENT WITH MWI CORPORATION FOR STORMWATER PUMP MAINTENANCE AND REPAIR SERVICES IN THE AMOUNT OF \$120,000.00.

**Recommendation:** Motion to approve Resolution No. 177-25 to award a Sole Source Agreement with MWI Corporation for Stormwater Pump Maintenance and Repair Services in the amount of \$120,000.00.

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

**Attachments:**      [Agenda Cover Report](#)  
[Res 177-25 - MWI Corporation - Stormwater Pump Maintenance and Repair - S](#)  
[Ex A - Res 177-25 - MWI Corporation - Stormwater Pump Maintenance and Re](#)  
[MWI Corporation - Stormwater Pump Maintenance and Repair - Sole Source](#)  
[Legal Review Checklist MWI Corporation - Stormwater Pump Maintenance and](#)

## 7. REGULAR AGENDA:

- 7.A. RESOLUTION NO. 143-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW CONCRETE PRODUCTS MANUFACTURING, INCLUDING OUTDOOR STORAGE OF AGGREGATE MATERIALS AT 1180 SW 10TH STREET WITHIN THE INDUSTRIAL ZONING DISTRICT, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

**Recommendation:** Review and consider a conditional use request to allow concrete products manufacturing, including outdoor storage of aggregate materials, at 1180 SW 10th Street, as set forth in Resolution No. 143-25.

**Sponsors:** Development Services Department

**Attachments:**      [Agenda Cover Report](#)  
[Resolution No. 143-25](#)  
[PZB Staff Report- All County Paving](#)  
[Conditional Use Narrative- All County Paving](#)  
[Site Plan Landscape- All County Paving](#)  
[Civil Plans- All County Paving](#)  
[Photometric- All County Paving](#)  
[Survey- All County Paving](#)  
[Drainage Narrative- All County Paving](#)  
[Aggregate Gravel- All County Paving](#)  
[Narrative - Fuel Storage- All County Paving](#)  
[Narrative - Truck Parking- All County Paving](#)  
[Narrative - Waste Disposal-Recycling- All County Paving](#)  
[DEP Registration- All County Paving](#)  
[Traffic Study- All County Paving](#)  
[TPS Letter- All County Paving](#)  
[Resolution 143-25 Legal Review](#)  
[Ex-Parte Search Form - Reso 143-25](#)

- 7.A.1. RESOLUTION NO. 144-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO

ALLOW STORAGE OF LIGHT TRUCKS, UP TO, AND INCLUDING TWO-TON TRUCKS, AT 1180 SW 10TH STREET WITHIN THE INDUSTRIAL ZONING DISTRICT, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

**Recommendation:** Review and consider a conditional use request to allow the storage of light trucks, up to and including two-ton trucks and light construction equipment, at 1180 SW 10th Street, as set forth in Resolution No. 144-25.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 144-25](#)  
[Staff Report- All County Paving](#)  
[Site Plan Landscape- All County Paving](#)  
[Civil Plans- All County Paving](#)  
[Photometric- All County Paving](#)  
[Survey- All County Paving](#)  
[Drainage Narrative- All County Paving](#)  
[Conditional Use Narrative- All County Paving](#)  
[Aggregate Gravel- All County Paving](#)  
[Narrative - Fuel Storage- All County Paving](#)  
[Narrative - Truck Parking- All County Paving](#)  
[Narrative - Waste Disposal-Recycling- All County Paving](#)  
[DEP Registration- All County Paving](#)  
[Traffic Study- All County Paving](#)  
[TPS Letter- All County Paving](#)  
[Resolution 144-25 Legal Review](#)  
[Ex-Parte Search Form - Reso 144-25](#)

**7.A.2. RESOLUTION NO. 145-25:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW BULK STORAGE OF GAS AND OIL AT 1180 SW 10TH STREET WITHIN THE INDUSTRIAL ZONING DISTRICT, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

**Recommendation:** Review and consider a conditional use request to allow the bulk storage of gas and oil at 1180 SW 10th Street, as set forth in Resolution No. 145-25.

**Sponsors:** Development Services Department

**Attachments:**     [Agenda Cover Report](#)  
                              [Resolution. No. 145-25](#)  
                              [Staff Report- All County Paving](#)  
                              [Site Plan Landscape- All County Paving](#)  
                              [Civil Plans- All County Paving](#)  
                              [Photometric- All County Paving](#)  
                              [Survey- All County Paving](#)  
                              [Drainage Narrative- All County Paving](#)  
                              [Conditional Use Narrative- All County Paving](#)  
                              [Aggregate Gravel- All County Paving](#)  
                              [Narrative - Fuel Storage- All County Paving](#)  
                              [Narrative - Truck Parking- All County Paving](#)  
                              [Narrative - Waste Disposal-Recycling- All County Paving](#)  
                              [DEP Registration- All County Paving](#)  
                              [Traffic Study- All County Paving](#)  
                              [TPS Letter- All County Paving](#)  
                              [Resolution 145-25 Legal Review](#)  
                              [Ex-Parte Search Form - Reso 145-25](#)

**7.B. RESOLUTION NO. 171-25 AMENDING THE FISCAL YEAR 2024-25 BUDGET ADOPTED BY RESOLUTION NO.175-24 ON SEPTEMBER 16, 2024.**

**Recommendation:** Motion to Approve Resolution No.171-25 amending the Fiscal Year 2024-25 budget adopted on September 16, 2024.

**Sponsors:** Finance Department

**Attachments:**     [Agenda Cover Report](#)  
                              [Resolution 171-25 Budget Amendment FY 2025 8.21.25](#)  
                              [Exhibit A Budget Amendment 09.03.25 Completed and REVISED FINAL](#)  
                              [Exhibit A backup documents Res#171-25 REVISED](#)  
                              [Simple Legal Review Approval 171-25](#)

**7.C. NOMINATION FOR APPOINTMENT TO THE BOARD OF TRUSTEES FOR THE POLICE RETIREMENT SYSTEMS BOARD. BASED ON THE ROTATION SYSTEM, THE APPOINTMENT FOR ONE (1) REGULAR MEMBER TO SERVE AN UNEXPIRED TERM ENDING OCTOBER 31, 2027, 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 October 31, 2027.

**Sponsors:** City Clerk Department



**Attachments:**     [Agenda Cover Report](#)  
                              [Exhibit A](#)  
                              [Board Member List](#)  
                              [2025 Attendance Police Officers' Retirement System Board of Trustees](#)  
                              [Brinckerhoff, John](#)  
                              [Crossan, Daniel](#)  
                              [Dorow, Joan](#)  
                              [Finkel, Andrew](#)  
                              [Rubenstein, Stuart](#)  
                              [Sclafani, Peter](#)

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

### **8.A. APPROVAL OF THE 2026 THROUGH 2030 CAPITAL IMPROVEMENT PROGRAM BUDGET**

**Recommendation:** Motion to approve the 2026 through 2030 Capital Improvement Program Budget.

**Sponsors:** Public Works Department and Finance Department

**Attachments:**     [Agenda Cover Report](#)  
                              [FINAL FY26 CIP BOOK 8.25.2025](#)

## **9. FIRST READINGS:**

### **9.A. ORDINANCE NO. 19-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, UPDATING THE CAPITAL IMPROVEMENT PLAN SCHEDULE IN THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH FOR FY 2025-26 TO FY 2029-30 IN ACCORDANCE WITH THE REQUIREMENTS OF POLICIES CIE 1.2.1 AND CIE 1.2.6 OF THE CAPITAL IMPROVEMENT ELEMENT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)**

**Recommendation:** Review and consider Ordinance No. 09-25, adopting the 5-Year Capital Improvement Plan for FY 2025-26 through FY 2029-30 and the FY 2025-26 Capital Improvement Budget into the Comprehensive Plan.

**Sponsors:** Development Services Department

**Attachments:**     [Agenda Cover Report](#)  
                              [PZB Staff Report, FY 25-26 CIP](#)  
                              [Ord No. 19-25 - FY 25-30 CIP](#)  
                              [Exhibit A, Ordinance No. 19-25](#)  
                              [Legal Review, Ordinance No. 19-25](#)  
                              [Business Impact Estimate, Ordinance No. 19-25](#)

### **9.B. RESOLUTION NO. 180-25: GENERAL FUND OPERATING AND DEBT SERVICE**

**PROPOSED MILLAGE RATES**

**Recommendation:** Motion to adopt Resolution No. 180-25 - Certifying to the Property Appraiser and the Tax Collector of Palm Beach County, the proposed rates of millage to be levied by the City of Delray Beach for the fiscal year beginning October 1, 2025.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 180-25 City Proposed Millage FY 2026 09.03.25 Revised](#)  
[DR420 2025 652 City Certified amended time](#)  
[180-25 Backup DR420Debt 2025 651 Certified](#)  
[Simple Legal Review Approval 180-25](#)

**9.C. RESOLUTION NO. 181-25: DOWNTOWN DEVELOPMENT AUTHORITY  
PROPOSED MILLAGE RATE**

**Recommendation:** Motion to adopt Resolution No. 181-25 Certifying to the Property Appraiser and the Tax Collector of Palm Beach County, the proposed rates of millage to be levied by the Downtown Development Authority for the fiscal year beginning October 1, 2025.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 181-25 DDA Proposed Millage FY 2026 09.03.25 Revised..](#)  
[181-25 Backup DR420 2025 1412 DDA Certified amended time](#)  
[Delray Beach DDA FY25-26 Tentative Budget Memo](#)  
[DDA FY2025-26 Budget for 9.3.25 Budget Hearing - 1 mil rev2](#)  
[Simple Legal Review Approval 181-25](#)

**9.D. RESOLUTION NO. 182-25 ADOPTION OF THE FISCAL YEAR TENTATIVE BUDGET  
BEGINNING OCTOBER 1, 2025.**

**Recommendation:** Motion to adopt Resolution No. 182-25 Adopting the Tentative Budget for the fiscal year beginning on October 1, 2025 and ending on September 30, 2026.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 182-25 Tentative Budget FY 2026 Revised](#)  
[Exhibit A- Resolution 185-25 Budget Hearing 09.03.25 v5](#)  
[FY 2025-26 Budget Worksheet Report 09.03.25 v2](#)  
[Simple Legal Review Approval 182-25](#)

**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.