

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

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www.delraybeachfl.gov



Minutes - Draft

Thursday, January 4, 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 Shelly Petrolia

Vice Mayor Ryan Boylston

Deputy Vice Mayor Rob Long

Commissioner Adam Frankel

Commissioner Angela Burns

1. ROLL CALL

The January 4, 2024, Regular City Commission Meeting was called to order at 5:11 p.m. City Clerk, Katerri Johnson called the roll, and the following were present:

Terrence Moore - City Manager
Lynn Gelin - City Manager

A motion was made by Commissioner Frankel to allow Vice Mayor Boylston to participate via Zoom, seconded by Commissioner Burns. There was a consensus to allow Vice Mayor Boylston to participate remotely.

Present: 5 - Mayor Shelly Petrolia, Commissioner Adam Frankel, Vice-Mayor Ryan Boylston, Deputy Vice Mayor Rob Long, and Commissioner Angela Burns

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

Mr. Moore requested to remove Item No. 6.M.1. from the Consent Agenda.

Mayor Petrolia requested to pull Consent Item No. 6.C. and 6.L.1. for discussion.

A motion was made by Commissioner Frankel, seconded by Deputy Vice Mayor Long, that this be approved as amended. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

3.A. Additions, Deletions, Substitutions

4. PRESENTATIONS:

4.A. DISCUSSION AND DIRECTION REGARDING THE CITY OF DELRAY BEACH'S 2024 STATE LEGISLATIVE PRIORITIES

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[2024 Potential Appropriation Requests Chart](#)

State Lobbyist, Mat Forrest, discussed the projects City staff identified as legislative priorities for the City of Delray Beach for the 2024 Florida Legislative Session. He stated the appropriation requests were well-rounded and included Parks, Roadwork, Utilities, and Emergency Equipment for First Responders.

The Commission thanked Mr. Forrest for his efforts.

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 discussed the City's practice of estimating water meter reads for billing purposes. He stated that several encoder machines had malfunctioned, resulting in higher water bills for some residents, necessitating manual meter reads. Mr. Moore assured the Commission there would be no cost to the City to repair the malfunctioning encoders under the warranty agreement with Badger Distributors.

5.A.1. UPDATE REGARDING WATER UTILITY BILLING

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Andrea Guerrero, Utilities Financial Manager, discussed the laborious task of manually reading a meter when the encoders are not functioning. She stated customers affected by high utility bills were being offered payment plans to help them come into compliance with their utility balances.

Mayor Petrolia expressed concern that the Utilities Department and City Manager should have acted expeditiously as soon as they knew there was a problem with the encoding equipment.

Mr. Moore confirmed that Badger Distributors (manufacturer of the encoder machines) were working diligently to correct the malfunctions with their equipment.

Commissioner Frankel motioned to waive the customer's responsibility to pay their inflated utility bills and have the City to assume the cost, seconded by Deputy Vice Mayor Long.

The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Vice Mayor Boylston, Deputy Vice Mayor Long, Commissioner Burns and Commissioner Frankel.

approved

Mayor Petrolia suggested placing the Utility Department under the direction of Mr. Hadjimiry, Utilities Director.

5.A.2. INTRODUCTION OF ALLIE BEHRMAN, SPECIAL EVENTS MANAGER

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Mr. Moore introduced Allie Behrman, the new Special Events Manager. He stated Ms. Behrman's credentials make her the best candidate to lead the City's robust Special Events Schedule.

5.A.3. CONCEPT REGARDING ACTIVATION OF OLD PLUMOSA SCHOOL SITE

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Sam Metott, Parks and Recreation Director, discussed potential opportunities for the City to utilize the open space at the Old Plumosa School Site, which the City leases from the School Board.

Mayor Petrolia remarked the location would benefit from a pocket park there.

There was a consensus for Mr. Metott to gather more information and bring it back to the Commission.

5.A.4. CONSIDERATIONS TO SUPPORT THE ROTARY CLUB'S REQUEST FOR PEACE POLE PLACEMENT AT CITY HALL

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

[Peace Pole Installation](#)

[IMG_3704](#)

[IMG_3700](#)

[IMG_3699](#)

Representatives from the Delray Beach Rotary Club were present to discuss the installation/planting of a Peace Pole at the entrance to City Hall. The Peace Pole would correspond with the Dr. Martin Luther King Holiday.

There was a consensus to allow the Rotary Club to install a Peace Pole in the front of the City Hall Building.

5.B. From the Public

Michelle Dadich, 23 SW 6 Street, Delray Beach
Discussed her concerns about multi-tenant housing.

James McCray, James Chess Club, Delray Beach
Stated that on Saturday, February 10, 2024, the Mayor's Chess Club will be held at Old School Square from 10-12 p.m.

Ann Stacey-Wright, 225 SW 7 Avenue, Delray Beach
Spoke on behalf of the Kemp Project.

Ernestine Holiday, 40 NW 9 Avenue, Delray Beach
Spoke on behalf of the Jetta Project and Florida Power and Light outages.

Janice D.Hill, 309 SW 15 Terrace, Delray Beach
Discussed the concept of multi-family housing.

Cynthia Ridley, 210 NW 2 Avenue, Delray Beach
Thanked the Delray Beach Police Department for their part in the twelve days of Christmas. She added she favored multi-family housing for low-income residents.

Steve English, 102 N.W 9 Avenue, Delray Beach
Offered his suggestions regarding the City's Drop Program for the Police and Fire Departments.

Matt Piekarsky, 1090 Phillips Road, Delray Beach
Spoke about the noise pollution emanating from Pop Stroke Miniature Golf.

Mitch Revlson (address not provided)
Spoke about the noise from Pop Stroke Miniature Golf.

Anna Mold, 1105 Kingston Lane, Delray Beach
Discussed the noise levels from Pop Stroke Miniature Golf.

Montre Bennett, 323 NW 2 Avenue, Delray Beach
Discussed various city issues.

Evelyn Dobson, 130 NW 3 Avenue, Delray Beach
Thanked the Commission for not holding the residents responsible for their inflated utility bills.

Andrea Bruton, 703 Place Tavant, Delray Beach
Discussed the residents feeding the cats in her neighborhood and the

street light outages.

Yvonne Odom, 3905 Lowson Blvd, Delray Beach

Discussed the lack of housing for low-income residents.

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

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Commissioner Frankel, seconded by Vice-Mayor Boylston, that this be approved as amended. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[November 14, 2023 Regular Meeting Minutes - DRAFT](#)
[December 5, 2023 Regular Meeting Minutes - DRAFT](#)
[December 12, 2023 Workshop Meeting Minutes - DRAFT](#)

This Minutes were approved.

6.B. AGREEMENT FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES BY AND BETWEEN THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS AND THE CITY OF DELRAY BEACH.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[2024 Municipal Election Agreement \(Final\) - 2024 Municipal Election Agreement \(Final\)](#)
[Simple Legal Review Approval 2024 Municipal Election Agreement](#)

This Request was approved.

6.C. RESOLUTION NO. 17-24 AMENDING THE FISCAL YEAR 2023-24 BUDGET ADOPTED BY RESOLUTION NO.145-23 ON SEPTEMBER 18, 2023.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Exhibit A - Resolution 17-24 Budget Amendment 01.04.24](#)
[Resolution 17-24 Budget Amendment FY 2023-24 01.04.2024](#)
[Simple Legal Review Approval 17-24](#)

Mayor Petrolia requested to pull Item No. 6.C from the Consent Agenda for discussion. It became Item No.7.C.C.

Mayor Petrolia questioned why these items were not anticipated when the budget was initially being prepared.

Hugh Dunkley, Finance Director, explained that the consultant was only available to accept a position after the budget adoption. He stated the software was not conceived prior to the budget adoption.

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

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

6.D. RESOLUTION NO. 13-24: APPROVAL OF STATE HOMELAND SECURITY GRANT PROGRAM AGREEMENT RENEWAL WITH THE STATE OF FLORIDA, WHICH HAS THE STATUTORY AUTHORITY TO DISBURSE FEDERAL HOMELAND SECURITY FUNDS TO PARTICIPATING MUNICIPALITIES OF A REGIONAL DOMESTIC SECURITY TASK FORCE (RDSTF).

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Simple Legal Review Approval Grant R0921](#)
[Resolution 13-24 Grant Agreement for SHSGP](#)
[FY 2023 R0921 - Federally Funded SubGrant](#)
[Agreement.City.of.Delray.Beach.Fire.Rescue.HM7C.FINAL \(002\) with City edits](#)

This Resolution was approved.

6.E. AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND RIC L. BRADSHAW, SHERIFF OF PALM BEACH COUNTY, FLORIDA, FOR DONATION OF THERAPY DOG TO ASSIST WITH LAW ENFORCEMENT NEEDS

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Donation Agt to Delray final](#)
[Legal Review Checklist Donation Agreement PBSO f](#)

This Request was approved.

6.F. AGREEMENT BETWEEN THE CITY OF DELRAY BEACH THE BOARD OF COUNTY COMMISSIONERS, PALM BEACH COUNTY, FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF THE 9-1-1

EMERGENCY CALL HANDLING SYSTEM

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist_911 PSAP AGREEMENT](#)

[911 PSAP AGREEMENT - Final draft - Master LW rev with Mayor signature block](#)

This Request was approved.

6.G. AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DEPARTMENT OF NAVY FOR RENTAL OF TWENTY-THREE (23) NIGHT VISION GOGGLES FOR SWAT TEAM

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist_NAVSEA Coop Agreement f](#)

[NAVSEA Coop Agrmt DBPD Renew 11-13-23](#)

This Request was approved.

6.H. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 310 E. ATLANTIC AVE.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 1202 SEASPRAY AVE.

ITEM(S) B1 - ACCEPTANCE OF A GENERAL UTILITY EASEMENT BY 1122 OCEAN TERRACE.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[A1a - Right of Way Deed - 310 E Atlantic Ave - Lelyn Delray Properties 1 LLC](#)

[A1b - Legal Review Right of Way Deed 310 E Atlantic Ave Lelyn Delray Properties 1 LLC](#)

[A2a - Right of Way Deed - 1202 Seaspray Ave - MMI Capital Corporation](#)

[A2b - Legal Review Right of Way Deed - 1202 Seaspray Ave - MMI Capital Corporation](#)

[B1a - General Utility Easement Agreement - 1122 Ocean Terrace - Sea to Seaside Development LLC](#)

[B1b - Legal Review General Utility Easement Agreement - 1122 Ocean Terrace - Sea to Seaside Development LLC](#)

This Request was approved.

6.I. APPROVAL OF AMENDMENT 2 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH

COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING
CONSTRUCTION/PROFESSIONAL SERVICES - FY 2022-2023

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[CRA ILA Amendment 2 2023](#)
[Simple Legal Review Amend No 2 to ILA with CRA construction and
prof services funding](#)

This Request was approved.

- 6.J.** APPROVAL OF RESOLUTION NO. 29-24, OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER, TO APPLY FOR THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REVOLVING LOAN PROGRAM FOR DRINKING WATER FACILITIES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE CORRESPONDING LOAN AGREEMENT, ANY AMENDMENTS AND/OR RENEWALS THERETO, AND TAKE ANY AND ALL ACTION NECESSARY TO CARRY OUT ALL LOAN RESPONSIBILITIES UNDER THE AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Legal Review Res 29-24 Forgivable Loan for WTP.docx](#)
[Res 29-24 State Revolving Funds - Forgivable Loan.docx](#)

This Resolution was approved.

6.K. PROCLAMATIONS:

- 6.K.1.** MARTIN LUTHER KING, JR. DAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[MARTIN LUTHER KING JR. DAY 2024](#)

This Proclamation was approved.

- 6.K.2.** NATIONAL MENTORING MONTH PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Mentoring Month 2024](#)

This Proclamation was approved.

6.L. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**6.L.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM DECEMBER 4, 2023, THROUGH DECEMBER 22, 2023.**

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[HPB \(12-6\)-108 NW 4th Avenue](#)

[HPB \(12-6\)-1019 Nassau Street](#)

[HPB \(12-6\)-Block 61 portion of the Sundy Village project](#)

[HPB \(12-6\)-City Marina - 159 Marine Way](#)

[SPRAB \(12-13\) - 354 SE 5th Ave - Part 1](#)

[SPRAB \(12-13\) - 354 SE 5th Ave - Part 2](#)

[SPRAB \(12-13\) - 354 SE 5th Ave - Part 3](#)

Mayor Petrolia requested to pull Item No. 6.L.1. from the Consent Agenda for discussion. It became Item No. 7.D.D.

Mayor Petrolia stated that she wanted to avoid seeing the degradation of the marina view.

Lynn Gelin, City Attorney, suggested staff bring back a rendering of the completed project.

A motion was made by Commissioner Frankel, seconded by Deputy Vice Mayor Long, that this Request be tabled. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

6.M. AWARD OF BIDS AND CONTRACTS:**6.M.1. APPROVAL OF RESOLUTIONS NO. 28-24 TO AWARD AGREEMENT TO STRYKER MEDICAL FOR THE PURCHASE OF NINE (9) LUCAS CHEST COMPRESSION DEVICES TO BE USED BY THE FIRE RESCUE DEPARTMENT - \$302,102.**

Sponsors: Fire Rescue Department and Purchasing Department

Attachments: Agenda Cover Report
CS2024-010 Lucas_Stryker Packet - signed
LUCAS Price Quote
CS2024-010 MSA Lucas_Stryker 12.4.23
Exhibit B- Insurance Stryker
Legal Review Checklist Stryker
Resolution 28-24

Mr. Moore requested to pull Item No. 6.M.1. from the agenda until a later date.

This Resolution was removed.

6.M.2.

RESOLUTION NO. 05-24: A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING AN AGREEMENT FOR SIXTY (60) MONTHS WITH CENTRAL SQUARE TECHNOLOGIES LLC FOR PROCUREMENT OF PUBLIC ADMINISTRATION SOFTWARE IN THE CENTRAL SQUARE CLOUD THROUGH CITY STANDARD IN AN AMOUNT NOT TO EXCEED \$1,001,000; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; AND FOR OTHER PURPOSES.

Sponsors: IT Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[CS 2024-001 Resolution No. 05-24](#)
[Memo - City Standard Approval - Central Square Oct2023 - signed](#)
[Legal Review Checklist CentralSquare](#)
[City of Delray Beach FL final \(TBE CST signed\)12.11.2023](#)

This Resolution was approved.

6.M.3.

APPROVAL OF RESOLUTION NO. 14-24 TO AWARD AN AGREEMENT WITH GENUINE PARTS COMPANY DBA NAPA AUTO PARTS FOR THE PURCHASE OF AFTERMARKET VEHICLE PARTS AND SUPPLIES UTILIZING SOURCEWELL RFP NO. 032521 - \$64,500.00

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[P2024-014 Aftermarket Vehicle Parts and Supplies \(DV edits 2\)](#)
[EXHIBIT A](#)
[Reso 14-24 Ig rev 2](#)
[Legal Review Checklist Sourcewell Aftermarket Parts](#)
[Agreement RFP No. 032521-GPC](#)
[Proposal Evaluation RFP No. 032521](#)
[Solicitation RFP No. 032521](#)

This Resolution was approved.

- 6.M.4.** APPROVAL OF RESOLUTION NO. 25-24 TO AWARD AN AGREEMENT WITH TOTAL TRUCK PARTS, INC. FOR THE PURCHASE OF HEAVY EQUIPMENT PARTS AND SERVICES UTILIZING MARTIN COUNTY RFB 2023-3467 IN THE AMOUNT OF \$45,000 PER YEAR FOR A MAXIMUM 4 YR TERM - TOTAL \$180,000

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[P2024-011 Heavy Equipment Parts & Services Vendor Signed](#)
[Exhibit A](#)
[Reso 25-24 total truck parts](#)
[Legal Review Heavy Equipment Parts V.2](#)
[Agreement RFB No. 2023-3467](#)
[Solicitation RFB No. 2023-3467](#)

This Resolution was approved.

- 6.M.5.** APPROVAL OF RESOLUTION NO. 26-24 FOR THE ISSUANCE OF PURCHASE ORDERS TO BOZARD FORD CO., AMERI-RECREATIONAL SPORTS, LLC., ALAN JAY FORD LINCOLN MERCURY, INC., AND DEERE & COMPANY, UTILIZING FLORIDA SHERIFF'S ASSOCIATION CONTRACT NO. FSA23-VEL31.0 AND FSA23-EQU21.0 AND SOURCEWELL CONTRACT NO. 091521-NAF AND 031121-DAC FOR THE PURCHASE OF NEW VEHICLES IN AN AMOUNT OF \$1,385,412.97 PLUS A CITY-CONTROLLED CONTINGENCY IN THE AMOUNT OF \$15,000 FOR A TOTAL ESTIMATED NOT TO EXCEED AMOUNT OF \$1,400,412.97

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)[Reso No. 26-24 2](#)[Exhibit A - FY24 Master Vehicle Resolution List](#)[Simple Legal Review Approval Reso No. 253-23](#)[FSA23-EQU21.0 Contract](#)[FSA23-VEL31.0 Contract](#)[Sourcewell 031121-DAC Contract](#)[Sourcewell 091521-NAF Contract](#)[1 FSA23-VEL31.0 Bozard Quote - Ford Responder W1P](#)[2 FSA23-VEL31.0 Bozard Quote 654 - Ford F350 F3H](#)[3 FSA23-VEL31.0 Bozard Quote 4670 - Ford F150 F1K](#)[4 FSA23-VEL31.0 Bozard Quote 4505 - Ford F250 F2A](#)[5 FSA23-VEL31.0 Bozard Quote 4501 - Ford F250 F2A](#)[6 FSA23-VEL31.0 Bozard Quote 4411 - F350 F3C](#)[7 FSA23-VEL31.0 Bozard Quote 4420 - F350 F3C](#)[8 FSA23-VEL31.0 Bozard Quote 7662 - F350 4x4 F3H](#)[9 FSA23-VEL31.0 Bozard Ford Interceptors Quote](#)[1 FSA23-EQU21.0 ARS Quote - Polaris Sportsman x4](#)[2 FSA23-EQU21.0 ARS Quote - Polaris Ranger](#)[1 Sourcewell 091521-NAF Alan Jay Quote 47982 - Fire Power Boost](#)[2 Sourcewell 091521-NAF Alan Jay Quote 49268.1 - Toyt Camry x2](#)[3 Sourcewell 091521-NAF Alan Jay Quote 48188 - F150 Crew Cab](#)[4 Sourcewell 091521-NAF Alan Jay Quote 48189 - F150 Reg Cab](#)[5 Sourcewell 091521-NAF Alan Jay Quote 49068 - Toyt Highlanders
x5](#)[6 Sourcewell 091521-NAF Alan Jay Quote 49284 - Ford Mavericks x2](#)[7 Sourcewell 091521-NAF Alan Jay Quote 45798.3 - Ford F350](#)[8 Sourcewell C&S Quote 482391 Alan Jay - Toyt Rav4](#)[1 Sourcewell 031121-DAC John Deere Quote 29607403 - Gator](#)

This Resolution was approved.

7. REGULAR AGENDA:

7.A.

RESOLUTION NO. 10-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A PET GROOMING SERVICE AT 155 AVENUE L, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 10-24, Puppy Palms Pet Grooming Service Conditional Use](#)

[Staff Report, Puppy Palms Conditional Use Request](#)

[Puppy Palm Narrative](#)

[Puppy Palm Traffic Statement](#)

[Puppy Palm Existing Site Plan](#)

[Puppy Palm - DEL Survey](#)

[Legal Review, Resolution No. 10-24](#)

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

Katerri Johnson, City Clerk, swore in those who wished to provided testimony on any quasi-judicial items.

Mayor Petrolia asked her colleagues to disclose any ex-parte communications for this item.

Mayor Petrolia: None

Commissioner Frankel: None

Commissioner Burns: None

Deputy Vice Mayor Long: None

Vice Mayor Boylston: None

Anthea Gianniotis, Development Services Director, entered File No. 2024-040 into the record.

Mike Covelli was present on behalf of his client, who was seeking a conditional use request for an additional 1750 square footage for a pet grooming service to operate at 155 Avenue L. He stated that the request was consistent with the objectives and policies of the Comprehensive Plan.

Anthea Gianniotis stated that the staff's findings supported the applicant's presentation. She reported that on December 18, 2023, the Planning and Zoning Board voted 5-0 to recommend approval of this item.

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

There was no cross examination or rebuttal from either side.

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

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

7.B.

RESOLUTION NO. 11-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER REQUEST TO SECTION 4.4.13(D)(2)(a)1. OF THE LAND DEVELOPMENT REGULATIONS APPROVING A 3 FEET AND 6 INCHES FRONT SETBACK, WHEREAS THE MINIMUM REQUIRED IS 10 FEET FOR THE PROPERTY LOCATED AT 605 NE 2ND STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

RESOLUTION NO. 12-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER REQUEST TO SECTION 4.4.13(I)(3)(B)1. OF THE LAND DEVELOPMENT REGULATIONS APPROVING VEHICULAR ACCESS FROM A PRIMARY STREET, WHEREAS THE ALLEY SHOULD BE THE PRIMARY SOURCE OF VEHICULAR ACCESS TO OFF-STREET PARKING FOR THE PROPERTY LOCATED AT 605 NE 2ND STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 11-24 Setback Waiver](#)
[Resolution No. 12-24 Access from a Primary Street](#)
[Edge at Pineapple Grove - SPRAB Staff Report](#)
[Waiver Justification](#)
[Site Plan and Elevations](#)
[Landscape Plans](#)
[DDA Recommendation](#)
[Legal Review Res. No. 11-24 Setback Waiver](#)
[Legal Review Res. No. 12-24 Access from a Primary Street](#)

Mayor Petrolia asked her colleagues to disclose any ex-parte communications for Resolution No. 11-24 and 12-24.

Mayor Petrolia: Spoke with some residents.

Commissioner Frankel: Spoke with Ms. Miskel and the applicant.

Commissioner Burns: Spoke with Ms. Miskel.

Deputy Vice Mayor Long: Spoke with Ms. Miskel.

Vice Mayor Boylston: Spoke with some residents.

Anthea Gianniotis entered File No. 2022-008 into the record. She stated

this was one of two separate actions/waivers; the second is Resolution No. 12-24, a Vehicular Access Waiver.

Bonnie Miskel, attorney, was present on behalf of her client to approve this waiver request for The Edge at Pineapple Grove, located at 305 NE 2 Street. The project developer stated the waiver request sought to approve vehicular access from NE 2 Street for the proposed eight-unit development at 605 NE 2 Street, known as The Edge at Pineapple Grove.

Anthea Gianniotis provided a staff report on this item. She stated neither request would result in granting a special privilege nor would either request adversely affect the neighboring area.

Mayor Petrolia opened the floor to public comments on this item.

Jill Schifferli: 321 Palm Trail, Delray Beach
Stated the Palm Trail Neighborhood strongly opposed the two waivers.

Gigi Fried: 502 Palm Trail, Delray Beach
Expressed concern this project would take up the community's green space.

Garland Williams: 25 NW 24 Court, Delray Beach
Requested the Commission to uphold the Site Plan Review and Appearance Board's (SPRAB) decision to deny this project.

Joy Howell: 25 NW 24 Court, Delray Beach
Suggested having an alternative plan to this project.

Mark Ronald: 222 NE 2 Street, Delray Beach
Believed this project posed a safety issue to the surrounding area.

Tom Carney: 135 SE 5 Avenue, Delray Beach
Discussed the safety issues of this project.

Cynthia Lloyd: 239 NE 7 Avenue, Delray Beach
Discussed her concerns about this project safety.

Jack Indekau: 419 NE 8 Avenue, Delray Beach
Discussed his community's concern about this project being approved.

Mark Forziati: 610 Renaissance Way, Delray Beach
Stated he wasn't in favor of approving the proposed project.

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

The Commission engaged in a discussion on the proposed waivers and thanked Ms. Miskel for her in-depth presentation.

Vice Mayor Boylston commented that any modifications made by the applicant to this project must be submitted to the Planning and Zoning Board before it could come back to the Commission.

A motion was made by Deputy vice Mayor Long, seconded by Commissioner Frankel to approve Resolution No. 11-24. The motion carried by the following vote:

Yes: 5 - Deputy Vice Mayor Long, Commissioner Frankel and Commissioner Burns .

No: 2 - Mayor Petrolia, Vice Mayor Boylston

approved.

A second motion was made by Deputy Vice Mayor Long, seconded by Commissioner Frankel to take Resolution No.12-24 back to the Planning and Zoning Board and bring it back to the Commission at later date.

The motion carried by the following vote:

Yes: 5 - Vice Mayor Boylston, Commissioner Burns, Mayor Petrolia, Commissioner Frankel and Deputy Vice Mayor Long.

tabled.

7.C.

RESOLUTION NO. 31-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN APPEAL OF THE DEVELOPMENT SERVICES DIRECTOR'S INTERPRETATION OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW FOR A TEMPORARY PARKING LOT AT 551 WEST LINTON BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Res. No. 31-24 Appeal of Interpretation lg rev](#)

[Appeal Request 551 W Linton Blvd](#)

[Zoning Verification Letter 551 W Linton Blvd - MDR Motors \(RB\)](#)

[Simple Legal Review Reso 31-24](#)

Michael Weiner was present on behalf of the applicant, Delray Village Shoppes Inc.

Mayor Petrolia asked her colleagues to disclose any ex-parte communications:

Mayor Petrolia: None.

Vice Mayor Boylston: Spoke with Mr. Weiner.

Deputy Vice Mayor Long: None.

Commissioner Frankel: None

Commissioner Burns: None.

Mr. Weiner provided a comprehensive presentation of the appeal to use commercial or public parking lots in general commercially zoned areas.

Anthea Gianniotis provided a staff report on this item. She stated if this appeal were granted, temporary parking lots would be allowed on properties with General Commercial Zoning with the Commission's approval subject to additional standards for the use.

Mayor Petrolia opened the floor to public comments on this item.

Christina Morrison, 1000 Lowery Street, Delray Beach
Stated car dealerships were a vital industry to the City and requested the Commission approve this request.

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

The Commission engaged in a discussion on this item.

They acknowledged the necessity to have definitive rules for this type of request due to the constant remodeling of car dealerships.

Staff was directed to bring this item back later as a text amendment.

A motion was made by Commissioner Frankel, seconded by Deputy Vice Mayor Long, that this Resolution be denied. The motion failed by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

7.D.

RESOLUTION NO. 32-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING MURAL INSTALLATIONS PURSUANT TO LAND DEVELOPMENT REGULATIONS SECTION 8.5.3 ON THE SOUTH AND EAST FACADES OF THE BUILDING LOCATED AT 302 NE 6TH 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](#)
[Staff Report - 302 NE 6th Ave Murals](#)
[Subculture Coffee Mural Elevations](#)
[SubCulture Coffee Murals Supplemental](#)
[Craig McInnis Artist Bio](#)
[Mural Maintenance Plan](#)
[302 NE 6th Avenue Survey](#)
[DDA Recommendation - NE 6th Avenue - Mural](#)
[Reso 32-24 Murals 302 NE 6th Ave legal review](#)

Mayor Petrolia asked her colleagues to disclose any ex-parte communications:

Vice Mayor Boylston: Spoke with the applicant.

Commissioner Frankel: None.

Deputy Vice Mayor Long: Spoke with the applicant.

Commissioner Burns: Emails on the server.

Mayor Petrolia: Spoke with the applicant's neighbors.

Anthea Gianniotis entered File No.'s 2024-009, 2024-012, 2024-013, and 2024-014 into the record.

Rodney Mayo, the applicant, provided a presentation highlighting the themed artwork throughout the restaurant.

Anthea Gianniotis provided a staff report on this item. She stated the Land Development Regulations allow a mural to cover 100% of the wall, provided it is not painted over windows. She reported the Public Art Advisory Board (PAAB) unanimously approved the installation of the murals.

Mayor Petrolia opened the floor to public comments on this item.

Albert Richwagen , 298 NE 6 Avenue, Delray Beach
Stated he and other local merchants disapproved of the artwork.

Daniel DeRose, 323 NE 6 Avenue, Delray Beach
Stated the mural was a distraction when driving on Federal Highway.

Reneta Rodriguez, 523 Colonial Road, West Palm Beach
Stated art should not be restricted and favored keeping the mural as it is.

Craig McGinnis, 523 Colonial Road, West Palm Beach

Favored keeping the artwork as it is.

There was no cross examination or rebuttal.

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

The Commission shared their thoughts on the presentation and acknowledged art was subjective, and some people have differing opinions on what is acceptable.

Vice Mayor Boylston favored allowing painted/wrapped buildings in neighborhoods, with Master Plans, that ask for Public Art. He stated this type of full building wrap did not align with the part of the City in which it is located.

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

Yes: 3 - Commissioner Frankel, Deputy Vice Mayor Long, and Commissioner Burns

No: 2 - Mayor Petrolia, and Vice-Mayor Boylston

7.E. NOMINATION FOR APPOINTMENT TO THE CODE ENFORCEMENT BOARD

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Code Enforcement Board](#)

[Code Enforcement Attendance](#)

[Cohen](#)

[Kiser](#)

[Land](#)

[L'Herrou](#)

[Pasik](#)

[Rudowitz](#)

[Straghn](#)

[Tito](#)

Mayor Petrolia moved the name Cohen, seconded by Commissioner Frankel. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Deputy Vice Mayor Long, Commissioner Frankel, Commissioner Burns and Vice Mayor Boylston.

approved.

Commissioner Frankel moved to reappoint Pasik, seconded by Vice Mayor Boylston. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Deputy Vice Mayor Long, Commissioner Frankel, Commissioner Burns and Vice Mayor Boylston.

approved.

Deputy Vice Mayor Long moved the name L'Herrou, seconded by Commissioner Frankel. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Deputy Vice Mayor Long, Commissioner Frankel, Commissioner Burns and Vice Mayor Boylston.

approved.

7.F.

RESOLUTION 21-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING A SPECIAL EVENT SPONSORSHIP IN AN AMOUNT NOT TO EXCEED \$20,000 FOR THE SPECIAL EVENT KNOWN AS THE 3RD ANNUAL DELRAY BEACH CONCOURS D'ELEGANCE TO BE HELD ON APRIL 21, 2024; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

[Resolution No 21-24 2024 Delray Concours d'Elegance sponsorship \(DV edits\)](#)

[DBC 2024 Request Form for City Special Event Sponsorship](#)

[Final DBC 2024 City Sponsorship Statement with Finances](#)

[DB Concours Nonprofit Letters 2024](#)

[3rd Annual Delray Beach Concours d'Elegance 2024 - Apr 20-21, 2024 \(1\)](#)

[Resolution Legal Review 21-24](#)

Jeff Oris, Assistant City Manager, was present to seek approval from the Commission to authorize a Special Event Sponsorship known as the 3rd Annual Delray Beach Concours d' Elegance Car Show to be held on April 21, 2024.

A motion was made by Vice Mayor Boylston to approve the sponsorship at the \$14,000 dollar level

A motion was made by Vice-Mayor Boylston, seconded by Deputy Vice Mayor

Long, that this Resolution be approved. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. None

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

10.A.1. INTERNAL AUDITOR FIRM SELECTION PROCESS

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Mr. Moore requested to schedule a Special Meeting on January 16, 2024, from 3:00 - 5:00 p.m. to discuss the Internal Auditor Firm Selection Process.

A motion was made by Deputy Vice Mayor Long to schedule a Special Meeting on January 16, 2024, from 3:00 - 5:00 p.m. to discuss the selection of the selection of the internal auditor firm, seconded by Commissioner Burns. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Deputy Vice Mayor Long, Commissioner Frankel, Commissioner Burns and Vice Mayor Boylston

approved

Mr. Moore advised that the City's cat program includes trapping, neutering and releasing the feral cats and stated that it is not a function of the City to feed the cats.

B. City Attorney

Requested to change the local rules that currently state that a Board/Committee must wait 30 minutes before a meeting to cancel it. She is requesting the Commission amend the time to 15 minutes. A motion was made by Commissioner Frankel to approve this request, seconded by Vice Mayor Boylston.

The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Deputy Vice Mayor Long, Commissioner Frankel, Commissioner Burns and Vice Mayor Boylston

approved

C. City Commission

Deputy Vice Mayor Long:

Suggested looking into the noise emanating from Pop Stroke.

Commissioner Frankel:

Mentioned there were traffic issues in the Downtown area during the holidays.

Commissioner Burns:

Spoke about an email received regarding high parking fees.

Vice Mayor Boylston:

Recognized the first responders for the earlier accident in Gulfstream.

Mayor Petrolia:

Wished everyone a Happy New Year.

11. ADJOURNMENT

There being no further business to discuss, Mayor Petrolia adjourned the City Commission Meeting at 10:50 p.m.