

# City of Delray Beach

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## Minutes - Draft

Tuesday, April 21, 2026

5:00 PM

Regular Meeting at 5:00 PM

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/@cityofdelraybeachfl/streams>

## City Commission

*Mayor Thomas F. Carney, Jr.*

*Vice Mayor Angela Burns*

*Deputy Vice Mayor Tom Markert*

*Commissioner Judy Mollica*

*Commissioner Juli Casale*

## 1. ROLL CALL

The April 21, 2026 Regular Commission Meeting was called to order at 5:05 p.m. Alexis Givings, City Clerk, called the roll, and the following were present:

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

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

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

## 3. AGENDA APPROVAL

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

Mr. Moore requested that Item 5.A. be removed, noting they were unprepared and intended to involve external experts, and would bring it back later; Mayor Carney agreed. Commissioner Casale expressed concern about frequently removing items. Mayor Carney responded that the decision was up to Mr. Moore.

**A motion was made by Commission Mollica, seconded by Commissioner Casale, to approve the agenda as amended.**

all were in favor

## 4. PRESENTATIONS:

### 4.A. EXCELLENCE IN EDUCATION: PACESETTER'S AWARD

**Sponsors:** City Manager Department

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

Janai Bowens, Education & External Opportunities Manager, presented the third quarter Pace Setter Awards, recognizing outstanding students from Delray Beach Public Schools for demonstrating professionalism, accountability, engagement, and academic excellence. Ms. Bowens stated that the students' hard work has not gone unnoticed, and commended them for being leaders among your peers. She also recognized the parents, guardians, teachers, and school staff for their support and encouragement.

The following students were recognized as third quarter Pace Setter Award recipients: Rodents Excellus, Hansel Jean Baptiste, and Brianna Bocan from Atlantic High School; Wisleen Zulmar, Dollywood Florestal, and Naika

Josephat from Carver Middle School; Kai Vilmi, Henley Resnick, and Shadwick Estella from Banyan Creek Elementary; Charlie Bereka Garcia, Amaya Finney, and Nathan Spells Any from Plumosa School of the Arts; Rose Exenort, Anthony Jeter, and Maya Toledo Vasquez from Pine Grove Elementary; Colin Millard, Coraline Joseph, and Joel McMahon from S.D. Spady Elementary; Paris Small Sancino, Eugene, and Joanna Jabulen from Village Academy; and Lucia Caba, Daisha Lewis, and Jasmini Macedon from Orchard View.

**4.B. PRESENTATION BY RHONDA GIGER OF PALM BEACH COUNTY COMMISSION ON ETHICS**

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

Ms. Giger stated that the Commission on Ethics is available to answer questions and emphasized the importance of maintaining public trust in local government. She explained that, when evaluating potential ethics violations, the Commission looks for three elements: a prohibited entity, a financial benefit, and whether the benefit is special. She noted that all three elements must be present before there can be a prohibited act under the Code of Ethics.

At Mayor Carney's request, Ms. Giger further explained that a financial benefit affecting the general public would not constitute a special benefit, but a benefit applying to a limited class could meet the definition.

Mayor Carney asked questions regarding conflicts of interest involving registered agents, perceived conflicts, recusals, and campaign contributions. Ms. Giger explained that once an official divests themselves from a business or prohibited entity, the conflict no longer exists. She further stated that officials may recuse themselves if they believe there is a perceived conflict of interest, but you can't just pick and choose how you participate in your elected office.

Regarding campaign contributions, Ms. Giger stated that lawful campaign contributions are not considered conflicts under the Code of Ethics unless there is a quid pro quo.

Ms. Giger distributed updated ethics materials and reminded the Commission that the Ethics Office remains available for guidance and assistance. Mayor Carney thanked Ms. Giger for her presentation.

**4.C. PRESENTATION - FINANCIAL REVIEW FISCAL YEAR ENDED SEPTEMBER 30, 2025, AND 1ST QUARTER OF FISCAL YEAR 2026 ENDED DECEMBER 31, 2025.**

**Sponsors:** Finance Department

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

Henry Dachowitz, Chief Financial Officer, reported that the General Fund had a final amended budget of approximately \$166 million, while the City's total budget across all funds was approximately \$634 million. General Fund revenues were approximately \$10.5 million below budget expectations; however, expenditures showed a favorable variance of approximately \$8.3 million, resulting in no need to draw down reserves. He explained that favorable expenditure variances reflected actual expenditures being lower than budgeted amounts. Mr. Dachowitz stated that projected General Fund reserves at the end of FY 2025 were approximately \$48.6 million, representing 24.79% of the adjusted budget and remaining within the Commission's reserve policy range.

Reviewing the first quarter of FY 2026, Mr. Dachowitz explained that many revenue and expenditure variances were due to timing differences, particularly with property tax collections and grant expenditures. He noted that personnel savings were largely attributable to vacancies within the Police and Fire Departments. Mr. Dachowitz also reviewed financial activity across all City funds, including special revenue, capital, enterprise, and internal service funds, noting that expenditure controls generally offset revenue variances. He stated that first quarter revenues were approximately \$31 million ahead and expenditures approximately \$88 million favorable, though he expected those variances to go towards zero over future quarters as timing differences normalized.

#### 4.D. SUNSHINE LAW PRESENTATION

**Sponsors:** City Attorney Department

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

Lynn Gelin, City Attorney, provided the annual Sunshine Law presentation, explaining that Florida's Sunshine Law, codified under Florida Statute 286, promotes transparency and accountability for elected and appointed officials. She reviewed the history of the law, noting that Florida was the first state to adopt an open records law in 1909 and that access to government became a constitutional right through a 1990 voter referendum.

Ms. Gelin explained that the Sunshine Law applies to elected officials, appointed boards, and advisory committees, and outlined the three legal requirements: meetings must be open to the public, reasonable notice must be provided, and meeting minutes must be taken. She stated that official business includes any topic that could reasonably come before you and emphasized that discussions regarding City business between two or more members of the same board outside a properly noticed meeting are

prohibited.

Ms. Gelin reviewed prohibited communications, including in-person conversations, telephone calls, emails, text messages, social media interactions, and communications through intermediaries. She advised that the best practice is not to send emails to your colleagues regarding City business and recommended routing informational materials through the City Manager or City Attorney. Ms. Gelin also discussed exemptions to the Sunshine Law, including fact-finding committees, collective bargaining executive sessions, and attorney-client litigation strategy sessions. She explained that discussions during exempt sessions are strictly limited to the exempt subject matter. Regarding penalties, Ms. Gelin stated that violations may result in civil actions, criminal penalties, fines, removal from office, or suspension by the Governor. She concluded by emphasizing that when in doubt, officials should avoid the communication entirely.

Mayor Carney asked several questions regarding social media comments, properly noticed public events attended by multiple commissioners, disclaimers on emails, and perceptions of Sunshine Law violations. Ms. Gelin clarified that properly noticed gatherings are not Sunshine Law violations, though discussing City business at such events is not a best practice. She further cautioned against casually alleging Sunshine Law violations, noting such accusations can damage reputations and potentially lead to defamation concerns.

#### 4.E. FLORIDA RECOVERY OBLIGATION CALCULATION (F-ROC)

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[Commission Presentation - F-ROC](#)

Ronald Martin, Fire Chief, and David Garcia, Assistant Chief of Emergency Management, presented information regarding the Florida Recovery Obligation Calculator (“F-ROC”), a Florida Department of Emergency Management program established in 2023 to standardize disaster recovery documentation and reimbursement processes. Chief Martin stated the program is especially important for Delray Beach as a coastal community.

Mr. Garcia explained that participation in the F-ROC program is voluntary and involves completing a Disaster Readiness Assessment (DRA), during which the State reviews the City’s policies, procurement procedures, contract administration, and documentation practices to ensure compliance with federal reimbursement requirements. He stated the process is intended to strengthen the documentation required for our

federal reimbursement and improve coordination among City departments during disaster recovery efforts. Assistant Chief Garcia explained that the City's DRA score would determine the percentage of anticipated reimbursement funds the State could advance upfront following a disaster, with the maximum score allowing up to 80% reimbursement advances. He outlined the implementation timeline, noting the City intends to opt into the program beginning June 1, 2026, with the review and assessment process continuing through May 2027.

Commissioner Casale asked questions regarding FEMA reimbursements, staffing impacts, program requirements, and the categories of eligible disaster recovery costs. Chief Martin explained that the County currently acts as the applicant for disaster reimbursement requests submitted to FEMA and stated that participation in F-ROC would streamline recovery efforts and ensure the City's policies align with federal requirements. He described the program as essentially like putting FDEM on retainer to work for us.

Chief Martin further explained that Category A relates to debris removal and management, while Category B addresses emergency protective measures necessary to provide immediate life safety services during disasters. He acknowledged implementation would require significant staff coordination but emphasized the long-term benefits for disaster recovery and reimbursement efforts.

Commissioner Markert expressed support for early participation in the program, citing uncertainty surrounding FEMA operations and stating that the safest place for Delray Beach to be is actively involved in this program. The Commission thanked staff for the thorough presentation.

Mayor Carney congratulated Chief Martin for achieving approximately \$3 million in savings for the City. Chief Martin credited his team for the accomplishment.

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

5.A. City Manager's response to inquiries and highlights

### **5.A.1. CONSIDERATIONS AND UPDATE REGARDING CROQUET FIELD PRESENCE AND POTENTIAL OPPORTUNITIES.**

Sponsors: City Manager Department

Mr. Moore requested that Item 5.A. be removed

### **5.A.2. OPERATION AND ADMINISTRATION OF CLAIMS REVIEW PRACTICES**

## AND PROCESSES.

**Sponsors:** Human Resources Department

Duane D'Andrea, Human Resources Director, explained that when a claim is reported, Risk Management notifies the claimant and collects required documentation, including claim forms, photographs, repair estimates, proof of ownership, proof of insurance, and police reports if applicable. He stated that Risk Management then coordinates with the appropriate department to obtain supporting documentation, including work orders, contracts, photographs, and insurance information. Mr. D'Andrea further explained that claims are reviewed to determine liability. Claims with no liability are denied by staff, while claims involving possible liability are referred to a third-party administrator (TPA) for evaluation and settlement recommendations. Final recommendations are then reviewed by the City Attorney for approval, amendment, or denial before a final determination is made.

Vice Mayor Burns asked why the presentation was necessary. Mayor Carney responded that the presentation was requested by Commissioner Casale. Commissioner Casale expressed concerns that certain claims had allegedly not followed the outlined process and stated that the taxpayers should know what's going on here. She referenced concerns regarding previous claims handling, settlement procedures, and communication practices.

Ms. Gelin advised against discussing individual pending claims publicly and noted that updated settlement authority procedures approved by the Commission earlier in the year were intended to improve oversight and communication regarding claims. Ms. Gelin stated that departments are now meeting regularly with Risk Management and that the new process is much better.

Mayor Carney emphasized the importance of reviewing procedures to ensure the City and taxpayers are properly protected and reiterated that individual claims should not be discussed publicly while pending.

**5.A.3.**

## CLARITY REGARDING LEGISLATIVE FUNDING AND APPROPRIATIONS REQUEST PROCESSES.

**Sponsors:** City Manager Department

Mr. Moore and Jeff Oris, Assistant City Manager, provided an overview of the City's legislative funding and appropriations request process. Mr. Moore explained that state and federal funding initiatives are coordinated through the Office of the City Manager in collaboration with department directors and the City's professional lobbyists, including Ballard Partners at the state level and the Color Nine Group at the federal level. He

emphasized that the process is not an issue of elected officials, or individual elected officials lobbying for specific outcomes, but rather a professional process involving staff and legislative representatives.

Mr. Oris explained that departments submit funding requests which are reviewed for viability before being advanced through the legislative process. He noted that timelines can be compressed, citing a recent federal funding cycle in which the City had approximately six days to prepare and submit requests. He also explained that some projects may not move forward if awarded funding is insufficient to support implementation. Mayor Carney stated he requested the discussion after receiving inquiries regarding legislative initiatives and expressed that commissioners should be informed in advance regarding funding requests being pursued on behalf of the City. He stated that prior notice would help commissioners better respond to constituent questions regarding initiatives in Tallahassee and Washington, D.C. Mr. Moore agreed that improved communication with the Commission was a fair consideration and stated the City would endeavor to be upfront as we possibly can regarding legislative pursuits.

Mr. Moore also informed the Commission about an upcoming actuarial analysis regarding cost-of-living adjustments for retired general employees under the City's General Employees Retirement Plan. He explained the analysis stems from an ordinance adopted in January 2024 requiring a biannual review of retirement and disability benefits to determine whether benefits have been impacted by cost-of-living increases. Mr. Moore stated the actuarial report was expected to be provided to the Commission the following week and would include projected financial impacts and liabilities associated with any potential adjustments. He further stated the matter would become a formal agenda item within the next several weeks or so with a tentative target date of the May 19th. Commissioner Casale asked whether the item would be incorporated into the upcoming budget process or implemented prior to budget adoption. Mr. Moore responded that any policy direction resulting from the review would likely become effective October 1, 2026.

#### 5.B. From the Public

Albert Richwagon, 33483

Expressed concerns regarding lack of parking enforcement and questioned how a 25 seat grab and go coffee shop became a 50 seat restaurant with no additional parking requirements. He also raised concerns about paid parking behind Yama/Brulee and Opal, stating public right-of-way parking was being restricted and ticketed. He noted his wife received a \$135 ticket while picking up food. Mr. Richwagon requested review of the parking situation and thanked the Police Department for

addressing illegal parking.

Mayor Carney and Commissioner Casale requested staff review the matter, noting concerns about public parking access at the Yama parking structure.

Mike Tang, 33445

Addressed concerns regarding the Barwick Road project, citing roadway width, drainage issues, and sidewalk accessibility. He stated larger vehicles have difficulty navigating the narrowed lanes, roadway flooding creates safety hazards, and mailbox placement on sidewalks may force pedestrians into traffic.

Vice Mayor Burns asked whether additional engineering evaluation was being conducted on Barwick Road. Missie Barletto, Public Works Director, explained Phase 1 construction is incomplete, including final asphalt installation and storm drain adjustments. She stated drainage issues are expected to improve upon project completion. She noted the east side includes a shared-use sidewalk, while right-of-way limitations affected the west side design. She confirmed one section near Francis Drive required curb corrections and stated Phase 2 includes three additional studies related to guardrails, school traffic queuing, and other concerns raised during public outreach.

Price Patton, 33483

Requested the City declare an emergency to allow relocation of a champion tree rather than removal. He stated a tree relocation specialist determined the tree could be moved for approximately \$150,000. Mr. Patton noted \$77,000 exists in the tree fund and the Preservation Trust authorized a \$5,000 contribution toward relocation costs.

Siobhan Boroian, 33435

Spoke on behalf of Atlantic Avenue boutiques, expressing support for the employee parking program but stated merchants continue hearing negative feedback regarding the Roy Simon parking lot system. She said customers find the parking app confusing and some seasonal clients don't come downtown anymore because of parking.

Joe DelVecchio, President of High Point Seven, 33445

Raised concerns regarding Barwick Road lane widths and turning movements exiting the community. He stated vehicles must cross the center line to turn safely and expressed concern about emergency vehicles, buses, and sanitation trucks navigating the roadway. He requested roadway widening and further review.

Cynthia Ridley, 33444

Thanked Vice Mayor Burns and Commissioner Mollica for attending an event honoring her and Anne Stacy Wright at St. Paul Baptist Church. She also thanked former Commissioner David Randolph and The SET.

Rachel McGinn, 33444

Discussed flooding issues on Northeast 13th Street, stating new elevated home construction is redirecting stormwater onto existing properties. She requested immediate drainage improvements and urged the City to require developers to address drainage impacts before construction approval.

Marjorie Waldo, Arts Garage, 33444

Shared comments from Americans for the Arts regarding the importance of the arts in creating community connections. She reminded City staff about a 25% discount program for City employees at Arts Garage and announced the organization's 15th anniversary ribbon cutting event scheduled for May 28th.

Reggie Cox, 33444

Spoke in support of Item No. 7.G., The SET Transformation Plan. He referenced prior planning efforts dating back to 2013 and compared the plan's vision to the success of Pineapple Grove. Mr. Cox emphasized the importance of implementation and promotion of the plan. He also read a statement from Carver Park Neighborhood Association President Janice Hill supporting extension of the business district into the historic African American community and preservation of the community's cultural identity.

Olivier Verdier, 33444

Raised concerns about recurring outdoor music events at Atha Yoga, located at 2219 Seacrest Boulevard. He stated the monthly events continue despite police responses and requested clarification regarding permitting, enforcement mechanisms, and cancellation of the upcoming event.

Mark Bertolotti, 33445

Addressed Barwick Road concerns, stating lane widths are unsafe for residents exiting nearby senior communities. He described the roadway as a recipe for disaster and criticized mailbox placement within sidewalks. He requested officials physically inspect the area.

Jerome Weatherspoon, 33444

Requested recognition of his father, LC Weatherspoon, for his historical contributions to Delray Beach. He asked the City to add "LC Weatherspoon" to NW 12th Avenue signage as a lasting tribute to his father's legacy.

Andrea Bruton, 33445

Thanked the City Manager for resolving an invoice issue and requested future ribbon-cutting events be scheduled during evenings or weekends to allow greater community participation. She expressed concern that weekday daytime events exclude working residents and children.

Montre Bennett, 33444

Spoke regarding social justice, historical inequities, and the need for the City to do what's right by the people. He urged support for the community and referenced the ongoing SET discussions.

Yvonne Odom, 33445

Praised community advocacy efforts related to The SET Transformation Plan, Atlantic High School, golf course preservation, and Pompey Park. She emphasized the importance of citizen involvement and reminded the Commission of its responsibility to listen to residents.

Angela Hill, 33444

Urged extension of the entertainment district west of Swinton Avenue, stating the west side has historically served as a cultural corridor. She argued the area should not be restricted due to newer residents' complaints and emphasized the importance of equitable development and cultural preservation.

Chuck Ridley, 33444

Spoke in support of The SET Transformation Plan, calling it more than a plan and describing it as a promise to allow development without displacement of legacy residents. He emphasized the plan's extensive community involvement and historical foundation.

Laura Simon, Downtown Development Authority (DDA) Director, and Jule Guagliardi, DDA Board Member

Expressed support for Item No. 7.G. and stated the DDA Board supports the SET Transformation Plan. Ms. Simon also discussed downtown beautification, parking concerns, survey feedback from over 600 respondents, and recommendations related to employee parking and private parking lots.

Alex Burns, 33445

Spoke in support of the entertainment district expansion and The SET Transformation Plan. He referenced years of community meetings and requested information regarding taxpayer dollars invested in the west side since 1995. He urged collaboration.

Mayor Carney closed public comment as the allotted one-hour time period had been reached.

## 6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Vice Mayor Burns, seconded by Deputy Vice Mayor Markert, to approve the Consent Agenda.

all were in favor

### 6.A. CITY COMMISSION MEETING MINUTES

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[February 3, 2026 Regular Meeting Minutes - DRAFT.pdf](#)  
[March 26, 2026 Annual Organizational Regular Meeting Minutes - DRAFT.pdf](#)  
[April 7, 2026 Workshop Meeting Minutes - DRAFT.pdf](#)

The minutes were approved.

### 6.B. RESOLUTION NO. 76-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPOINTING THE PALM BEACH COUNTY CANVASSING BOARD TO CANVASS ALL ABSENTEE BALLOTS; TO CANVASS THE MUNICIPAL ELECTION; AND TO CONDUCT THE LOGIC AND ACCURACY TESTING FOR ALL ELECTION MACHINERY; AUTHORIZING THE CITY CLERK TO DO ALL THINGS NECESSARY TO CONDUCT THE NONPARTISAN ELECTION; PROVIDING THE TIME, MANNER, AND MEANS OF HOLDING SAID ELECTION, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 76-26 - Authorization to Canvass Elections.pdf](#)  
[Simple Legal Review Approval 76-26.pdf](#)  
[2021 SOE Charter Recommendations](#)

This Resolution was approved.

### 6.C. CITY MANAGER REQUEST TO ATTEND ANNUAL CONFERENCE/TRAINING FOR FLORIDA CITY AND COUNTY MANAGEMENT ASSOCIATION (FCCMA)

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Annual Conference Agenda 2026.pdf](#)

This Request was approved.

**6.D. APPROVAL OF AMENDMENT TO ORGANIZATIONAL CHART**

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Purchasing Department Org Chart-](#)

**This Request was approved.**

**6.E. GRANT APPLICATION/EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)**

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[local-jag-ce-certification - signature blocks.pdf](#)  
[JAG certifications.pdf](#)  
[JAG standardassurances.pdf](#)  
[bj-a-2025-172542.pdf](#)  
[Legal Review Form JAG LW 26.pdf](#)

**This Request was approved.**

**6.F. PROCLAMATIONS:****6.F.1. PROCLAMATION - DESIGNATING APRIL 24, 2026 AS ARBOR DAY**

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation - Arbor Day.docx](#)

**This Proclamation was approved.**

**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 RESOLUTION NO. 46-26 TO AWARD AN AGREEMENT WITH ROYAL AUCTION GROUP, INC. FOR AUCTIONEER SERVICES UTILIZING CITY OF FORT LAUDERDALE REQUEST FOR PROPOSAL (RFP) EVENT #21-3**

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

**Attachments:** [Agenda Cover Report](#)  
[Resolution 46-26](#)  
[Legal Review Checklist](#)  
[Agreement](#)  
[Solicitation CAM #23-0289](#)  
[Ft. Lauderdale Agreement CAM #23-0289](#)

The April 21, 2026 Regular Meeting agenda was published with a scrivener's error, listing Resolution No. 46-26 for Item No. 6.H.1., which was incorrect. Resolution No. 42-26 is the correct number and was executed as such. Accordingly, the meeting minutes acknowledge the scrivener's error, and the record has been corrected.

**This Resolution was approved.**

- 6.H.2.** APPROVAL OF RESOLUTION NO. 62-26 TO AWARD AN AGREEMENT WITH FRESH START MAINTENANCE, INC. FOR GROUNDS MAINTENANCE AT THE DELRAY BEACH MEMORIAL GARDENS MUNICIPAL CEMETERY PURSUANT TO INVITATION TO BID ("ITB") NO. 2026-019 IN A FIVE (5) YEAR AMOUNT NOT TO EXCEED \$208,000.00

**Sponsors:** Parks & Recreation Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 62-26 ct](#)  
[Legal Review Checklist Grounds Maintenance](#)  
[Agreement](#)  
[Exhibit A](#)  
[Solicitation ITB 2026-019](#)  
[Submittal](#)

**This Resolution was approved.**

- 6.H.3.** APPROVAL OF RESOLUTION NO. 65-26 TO AWARD AN AGREEMENT WITH SENTRY EQUIPMENT CORP., FOR THE MAINTENANCE AND REPAIR OF THE WATER TREATMENT PLANT'S EAST THICKENER PURSUANT TO INVITATION TO BID NO. 2026-013, IN A FIVE (5) YEAR CONTRACT VALUE NOT TO EXCEED \$369,746.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist](#)  
[Resolution 65-26](#)  
[Agreement](#)  
[Pricing Schedule](#)  
[Solicitation ITB2026-013](#)  
[Submittal](#)

**This Resolution was approved.**

**6.H.4.** APPROVAL OF RESOLUTION NO. 68-26 TO AWARD AN AGREEMENT WITH LOUMINEL GENERAL CONTRACTOR, LLC., FOR PROVIDING FENCING REPAIR, INSTALLATION, REPLACEMENT, AND MAINTENANCE SERVICES AT VARIOUS CITY OF DELRAY BEACH'S FACILITIES INCLUDING, UTILITIES, PUBLIC WORKS, AND PARK AND RECREATION DEPARTMENTS, ON AN AS NEEDED BASIS, PURSUANT TO INVITATION TO BID (ITB) NO. 2026-025, FOR A FIVE (5) YEAR NOT TO EXCEED CONTRACT VALUE OF \$565,000.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Fencing](#)  
[Resolution 68-26](#)  
[Agreement](#)  
[Pricing Schedule](#)  
[ITB 2026-025 Solicitation](#)  
[Submittal](#)

**This Resolution was approved.**

**6.H.5.** APPROVAL OF RESOLUTION NO. 45-26 TO AWARD AGREEMENTS TO ALL POWER GENERATORS CORP, 360 ENERGY SOLUTIONS, LLC, AND TAW POWER SYSTEMS, INC. DBA INTEGRATED POWER SERVICES, LLC FOR GENERATOR MAINTENANCE, REPAIR AND REPLACEMENT SERVICES PURSUANT TO INVITATION TO BID (ITB) NO. 2026-010 FOR A FIVE (5) YEAR AGREEMENT AMOUNT OF \$2,127,933.40 (\$425,586.68 YEARLY)

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

- Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist](#)  
[Resolution No.45-26](#)  
[Agreement 360 Energy Solutions, LLC](#)  
[Agreement All Power](#)  
[Agreement TAW Power System, Inc.](#)  
[Exhibit A Pricing 360 Energy Solution LLC](#)  
[Exhibit A Pricing All Power Generators Corp](#)  
[Exhibit A Pricing Taw Power Systems, Inc dba IPS](#)  
[ITB 2026-010 Solicitation](#)  
[Submittal 360 Energy Solution LLC](#)  
[Submittal All Power Generators](#)  
[Submittal TAW Power Systems, Inc dba integrated Power Services, LLC \(IPS\)](#)

**This Resolution was approved.**

**6.H.6.** APPROVAL OF RESOLUTION NO. 67-26 TO AWARD AN AGREEMENT WITH SCG FIELDS, LLC. FOR FURNISH AND INSTALL SPORTS FIELD SYNTHETIC TURF PURSUANT TO RFP NO. 2026-005 IN A FIVE (5) YEAR AMOUNT NOT TO EXCEED \$4,948,450.00 (\$989,690 yearly)

**Sponsors:** Parks & Recreation Department and Purchasing Department

- Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist RFP2026-005 Furnish and Install Sports Field Synthetic Turf Agreement](#)  
[Res No 67-26 - RFP2026-005 Furnish and Install Sports Field Synthetic Turf Agreement](#)  
[Agreement](#)  
[Ex A - RFP2026-005 Furnish and Install Sports Field Synthetic Turf Agreement](#)  
[Ex B - RFP2026-005 Furnish and Install Sports Field Synthetic Turf Agreement](#)  
[Solicitation No. RFP2026-005](#)  
[Submittal](#)

**This Resolution was approved.**

**7. REGULAR AGENDA:**

**7.A.** RESOLUTION NO. 77-26 AMENDING THE FISCAL YEAR 2025-26 BUDGET ADOPTED BY RESOLUTION NO.198-25 ON SEPTEMBER 15, 2025.

**Sponsors:** Finance Department

**Attachments:** [LRC - Resolution No. 77-26](#)

[Agenda Cover Report](#)

[Resolution 77-26](#)

[Exhibit A 77-26 Purchase Order Rollovers 04.21.2026](#)

[Exhibit A 77-26 CIP Project Balance Rollover - Final](#)

[Exhibit A 77-26 Budget Amendments with backup Rev](#)

Ms. Gelin read Resolution No. 77-26 into the record.

Mr. Dachowitz presented the proposed budget amendments. He identified an item from the Utilities department, involving the transfer of \$2,262,764.94 from the General Fund to the Water and Sewer Fund, to cover emergency utility work.

Hassan Hadjimiry, Utilities Director, explained the transfer addressed emergency repairs resulting from activities by a roadway contractor that impacted underground utility infrastructure in January 2025. He stated the contractor's stockpiling activities damaged infrastructure servicing approximately 1,300 homes and created the risk of raw sewage discharge into a nearby water body, requiring immediate emergency response. Mr. Hadjimiry stated Risk Management is actively pursuing reimbursement through the contractor or its insurance carrier. He emphasized the incident was not caused by Utilities Department negligence.

Commissioner Casale stated she reviewed extensive records regarding the matter and commended Mr. Hadjimiry. She expressed concern regarding the delay in City action but praised the Utilities Department's handling of the situation and stated the incident was no fault of the city at all.

Mr. Dachowitz presented an item from Neighborhood Services requesting authorization to transfer funds between State Housing Initiatives Partnership (SHIP) general ledger accounts. He stated the transfer is required to address a material observation identified during a SHIP monitoring review involving funds expended on a household later determined to be income-ineligible. He explained the reallocation is necessary to ensure compliance with corrective action requirements, including an increase in other miscellaneous revenue (promissory note repayment/SHIP home pay account) and an increase in expense for housing rehabilitation under other current charges.

Mr. Dachowitz then presented Parks and Recreation budget amendments, including a request to reappropriate \$500,000 received in FY2025 for the Catherine Strong Park splash pad renovation, which did not commence and is requested to be carried forward. He also described a \$200,000

FY2026 allocation originally intended for resodding Merritt Park, which will instead be redirected to sod Plumosa Park. It was confirmed that Merritt Park would still receive artificial turf.

Mr. Dachowitz then presented Public Works budget amendments for the municipal golf course renovation project, requesting an increase in the CIP budget from approximately \$24.5 million to \$32.5 million. He stated this reflects incorporation of remaining bond proceeds related to Resolution No. 257-25, which approved revenue bonds not to exceed \$33 million. He explained the \$8 million adjustment aligns bond funds within the CIP to ensure all authorized funds are available for project expenditures and reconciles funding across accounts.

**A motion was made by Commissioner Casale, seconded by Vice Mayor Burns, to approve Resolution No. 77-26.**

**all were in favor**

## 7.B.

### PRESENTATION OF THE SIX-MONTH REVIEW OF THE PILOT EMPLOYEE PARKING PROGRAM AND REQUEST FOR DIRECTION ON THE FUTURE OF THE PROGRAM

**Sponsors:** Public Works Department

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

Ms. Barletto explained the \$10 monthly employee parking permit program, available through online, phone, or in-person registration. She noted 25 downtown employers participate in the auto-renewal program, representing approximately 373 employees. Employees may also purchase a \$12 annual downtown resident permit if they live in Delray Beach. The employee permit waives parking time limits, while the resident permit does not. Permit usage statistics were reviewed, noting approximately 2,700-3,000 permits issued monthly after implementation. Ms. Barletto stated many employees shifted to the \$12 resident permit option over time. She also noted confusion regarding the program ending caused a decline in renewals in March 2026.

Ms. Barletto compared Delray Beach's program to neighboring cities, stating Delray Beach has the least expensive employee parking program at \$10 per month. She summarized feedback received from businesses and employees, including DDA survey results showing most respondents favored continuation of the program, though some preferred free parking. Additional recommendations included free parking before 4:00 p.m., reduced fees for part-time employees, expanded parking east of the Intracoastal, and annual permit options. Mayor Carney stated the program appeared successful and noted Delray Beach's rates were significantly lower than comparable cities. Commissioner Mollica supported continuing

the program while exploring long-term parking alternatives. Commissioner Markert asked about logistics for reduced rates for part-time employees. Vice Mayor Burns supported continuing the program and suggested a reduced rate for part-time employees. Commissioner Casale expressed concern regarding the financial burden on service industry workers and downtown business impacts from parking changes. She requested additional parking utilization data and discussion regarding parking revenue and business impacts before making broader parking decisions. Ms. Barletto stated a full year of data would provide the best evaluation due to seasonal impacts but agreed to provide preliminary data sooner where possible. She also noted current parking utilization averages approximately 50%.

Ms. Gelin suggested making the program permanent while requiring staff to return every six months with updates, allowing the Commission to reevaluate at any time. Mr. Moore recommended biannual updates.

Commissioner Mollica complimented staff and requested future parking revenue information, including potential impacts of a summer parking program that could reduce fees. Commissioner Casale requested a date certain for continued discussion regarding parking data, parking lots, and additional parking program considerations. Ms. Barletto initially suggested the second meeting in September but Commissioner Casale stated additional parking issues, including metered surface lots and garage parking, should be discussed sooner.

Ms. Barletto explained staff preferred allowing the program to operate for at least one full year to evaluate seasonal impacts and gather accurate data. Commissioner Casale acknowledged the importance of year-over-year comparisons but expressed concern about downtown businesses potentially experiencing reduced foot traffic during the summer season. Commissioner Markert requested discussion occur before September. Commissioner Casale stated the Commission still needed to evaluate three areas separately: metered surface lots, paid garage parking, and employee parking permits. Ms. Barletto explained additional parking data collection was limited because some lots are monitored by track pads rather than individual parking sensors. She noted the Gladiola and Railroad lots require upgraded parking sensors to provide more accurate utilization data.

Mr. Moore recommended staff prepare a preliminary comprehensive parking analysis presentation during a June workshop to assist with the FY 2026-2027 budget process and provide guidance on potential parking program opportunities before adoption of the balanced budget recommendation in July. Commissioner Casale expressed support for the

proposed workshop discussion, and Mayor Carney acknowledged consensus from the Commission to proceed.

**A motion was made by Commissioner Mollica, seconded by Vice Mayor Burns, to make the employee parking permit program permanent with staff providing updates every six months.**

**all were in favor**

**7.C. PROPOSED PROCLAMATION LIST FOR 2026-2027 AND REVIEW OF PROCLAMATION GUIDELINES**

**Sponsors:** City Clerk Department

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

[Proclamation Recognition Guidelines rev 03.13.2026](#)

[Proclamation - Recognition Request Form rev 03.13.2026](#)

[Proclamation List - 2026 - 2027\\_DRAFT](#)

Ms. Gelin stated the item was deferred from the March organizational meeting and involved reviewing the annual proclamation list to determine whether certain recurring proclamations should remain. She clarified the list addressed annual proclamations rather than special recognitions requested individually by commissioners.

Mayor Carney expressed concern about issuing proclamations for national observances and stated some items seemed unnecessary for formal proclamations. Commissioner Casale suggested deferring the item to allow further review of the list. Mr. Moore stated staff had discussed the matter internally and noted many proclamations are adopted without anyone present to accept them. Commissioners discussed several examples on the list and acknowledged the list had expanded over time without removal of outdated or unnecessary items.

Ms. Gelin explained some proclamations are requested annually by City departments, including Municipal Clerks Week and Small Business Week. Mayor Carney requested staff review the list and provide recommendations. Commissioner Markert recommended staff review the full proclamation list and return with recommendations for the Commission's consideration. Mr. Moore proposed returning with recommendations at the May 19 meeting, and the Commission reached consensus to proceed accordingly.

Vice Mayor Burns requested consideration of adding a "Get Your Green On" proclamation to the list. Ms. Gelin acknowledged it was related to Mental Health Awareness Month. There was consensus to include it.

**7.D. PROPOSED CITY COMMISSION MEETING DATES FOR 2026-27**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[2026 - 2027 Proposed Commission Meeting Dates - DRAFT](#)

Commissioner Casale presented schedule revisions and stated the revised schedule would provide additional spacing between meetings, accommodate travel schedules, and allow flexibility for workshops if needed. Mr. Moore noted additional workshops may become necessary.

**A motion a was made by Commissioner Casale, seconded by Vice Mayor Burns, to approve the meeting schedule as amended.**

all were in favor

#### 7.E. DISCUSSION REGARDING FINANCIAL REVIEW COMMITTEE STRUCTURE

**Sponsors:** City Manager Department

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

Mr. Moore explained there was no formal presentation and clarified the distinction between a Financial Review Committee and a previously discussed Audit Committee. He stated the committee concept was based on prior Commission consensus and was intended to review budgeting, financial planning, revenues, expenditures, debt considerations, and opportunities for efficiencies while working closely with the City Manager's Office and Chief Financial Officer. He noted similar committees existed in other municipalities and that Delray Beach previously had a similar structure.

Mayor Carney stated the committee would function as a hybrid between an audit and financial review committee, focusing on prospective approaches to identify savings, efficiencies, and operational improvements. He noted discussions with municipal auditors supported this type of committee structure and emphasized the importance of appointing qualified members.

Commissioner Mollica referenced prior Financial Review Committee resolutions from 2009 and summarized prior committee responsibilities, including reviewing budgets, systems, procedures, technology improvements, revenues, salaries, and benefits. She noted the former structure included nine members with professional qualifications such as CPA, accounting professional, financial planner, investment advisor, insurance professional, business owner/manager, and MBA/MPA degree holders, along with at-large members. Mayor Carney suggested including members with IT expertise and governmental auditing experience due to cybersecurity and public-sector financial oversight considerations.

Ms. Gelin stated staff needed direction regarding committee composition, qualifications, duties, terms, meeting frequency, and whether the committee should be established by resolution or codified in the City Code. She indicated the prior 2009 resolutions would serve as a starting point.

Discussion followed regarding committee size, with Mr. Moore noting seven members was a common benchmark in other municipalities, while several commissioners expressed support for a larger membership to accommodate varied expertise. Vice Mayor Burns supported including at-large members representing residents.

Commissioner Casale stated she envisioned a hybrid committee incorporating aspects of an audit committee, including reviewing audit reports and monitoring implementation of recommendations. She emphasized the importance of members with professional expertise and requested additional clarification regarding the committee's anticipated role and scope.

Commissioners discussed ensuring the committee would focus on identifying waste, fraud, abuse, efficiencies, and financial oversight while avoiding politicization. Discussion also included meeting frequency, appointment processes, staff oversight, and operating under Sunshine Law requirements.

Vice Mayor Burns expressed support for making the committee permanent. Ms. Gelin explained codifying the committee in the Code of Ordinances would provide greater permanence than a resolution.

Mayor Carney stated he would provide prior committee reports for reference. Ms. Gelin stated she would meet individually with commissioners, review the discussion, and prepare a draft proposal for future consideration.

**7.F.**

RESOLUTION NO. 63-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING A DOWNTOWN BEAUTIFICATION TASK FORCE TO REVIEW THE APPEARANCE OF AND RECOMMEND POTENTIAL IMPROVEMENTS TO THE DOWNTOWN STREETSCAPES; PROVIDING AN EFFECTIVE DATE.

**Sponsors:** City Manager Department

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

[Resolution 63-26 Establishment of Downtown Beautification Task Force](#)  
[LRC Reso for downtown task force](#)

Ms. Gelin read Resolution No. 63-26 into the record. Ms. Gelin noted the DDA submitted proposed edits that would require an amended motion if incorporated.

Mayor Carney stated the Task Force should remain a city-led, citizen-driven initiative, with DDA input welcomed but not serving as the primary implementing entity. Discussion occurred regarding the DDA's proposed revisions, including partnership language, coordination requirements, and board composition. Commissioner Casale supported maintaining the partnership with the DDA, citing its willingness to provide funding, expertise, and participation. Commissioner Markert supported allowing the DDA to lead or co-lead the effort, noting the DDA's experience and resources. Vice Mayor Burns emphasized that the Task Force should remain community-led. Commissioner Mollica stated the language could be revised while still maintaining city oversight and broad community representation.

Ms. Gelin advised that the DDA could independently create its own task force under its existing authority and recommended keeping the city task force streamlined and community-focused. Discussion also included the proposed scope of work, representation from various neighborhoods and organizations, timelines, and whether the Task Force should report through the DDA or directly to the City Commission.

**A motion was made by Vice Mayor Burns, seconded by Commissioner Mollica, to approve Resolution No. 63-26, as amended.**

Laura Simon, DDA Executive Director, stated the DDA's revisions were intended as recommendations and emphasized the DDA's desire to collaborate and provide expertise and support. Jule Guaglardi, DDA Board Member, stated the intent was to create a collaborative, citizen-focused process with diverse professional and community input.

After further discussion, Vice Mayor Burns withdrew her motion.

**A motion was made by Vice Mayor Burns and seconded by Commissioner Casale to deny Resolution No. 63-26.**

all were in favor

## 7.G.

RESOLUTION NO. 19-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING AMENDMENTS TO THE WEST ATLANTIC MASTER PLAN, NOW KNOWN AS THE SET TRANSFORMATION PLAN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 19-26, The Set Plan Update](#)  
[Exhibit A, Resolution No. 19-26 - Set Plan Amendment](#)  
[PZB Staff Report, West Atlantic Master Plan Update](#)  
[Agenda Cover Report - DBCRA West Atlantic Master Plan](#)  
[Summary of Public Outreach Meetings](#)  
[Draft Implementation Strategies](#)  
[Legal Review, Resolution No. 19-26](#)

Ms. Gelin read Resolution No. 19-26 into the record.

Mayor Carney questioned when the name change from West Atlantic Master Plan to The SET Transformation Plan was authorized. Anthea Gianniotis, Development Services Director, explained the plan was originally called the SET Master Plan before being adopted as the West Atlantic Master Plan in 2020, and that consensus to use “SET” occurred during a prior goal-setting meeting. She stated the current amendment would formalize the name change.

Mayor Carney expressed concern that changing the branding could detract from the identity of Atlantic Avenue, while acknowledging support for many components of the plan, including extending the business district westward. Discussion followed regarding recommendations within the plan, including food trucks, vendor kiosks, reduced building heights, affordable commercial opportunities, and community-driven redevelopment strategies. Ms. Gianniotis noted many recommendations originated from community meetings and would require future ordinances and Commission approval before implementation.

Mayor Carney questioned the proposed reduction of building heights along West Atlantic Avenue. Ms. Gianniotis stated the community consistently requested reducing heights to three stories to preserve neighborhood character and avoid creating barriers between neighborhoods and the corridor. Commissioner Casale supported the three-story limitation, referencing prior concerns over the scale of development projects.

Renee Jadusingh, CRA Executive Director, provided an overview of the planning process, noting the plan update included demographic and economic data updates, extensive public outreach, and revisions to implementation strategies. She explained the CRA Board began formally discussing the name change in 2023 and emphasized the plan represented community recommendations rather than mandatory actions. Ms. Jadusingh summarized the six guiding principles of the plan, including community capacity building, civic stewardship, community wealth building,

healthy community initiatives, placemaking, and strategic investments. Ms. Jadusingh also explained that the implementation plan would become a separate companion document to allow future updates without requiring a full amendment process for the master plan itself. She clarified there would be no separate governing body overseeing the plan and that substantive amendments would still require City Commission approval.

Deputy Vice Mayor Markert, Commissioner Mollica, Commissioner Casale, and Vice Mayor Burns expressed support for the updated plan and acknowledged the extensive community engagement and years of work involved in its development. Mayor Carney stated he would not delay the process despite concerns regarding the name change and emphasized the importance of maintaining Commission oversight of future amendments.

**A motion was made by Vice Mayor Burns, seconded by Commissioner Casale, to approve Resolution No. 19-26.**

**all were in favor**

Vice Mayor Burns requested a discussion regarding expansion of the entertainment district westward, referencing a prior discussion at the November 18, 2025 Workshop Meeting. Mayor Carney recommended scheduling a workshop to establish boundaries, parameters, and a resolution for the proposed expansion.

Commissioner Casale suggested considering conditional uses and waiving application fees as part of a pilot program to test how an expanded entertainment district would function in the area. Ms. Gelin stated the Commission could implement a pilot program, waive fees, or pursue conditional uses, noting that conditional uses and entertainment district expansion would require code amendments and public hearings. Vice Mayor Burns expressed support for holding a workshop to develop a permanent ordinance, citing the loss of two businesses due in part to the current noise ordinance and lack of entertainment district designation. Mayor Carney stated the workshop would allow the Commission to develop the ordinance while considering residential concerns.

There was consensus among the Commission to move forward with the workshop process. Mr. Moore stated arrangements for the workshop would be made as soon as possible.

**This Resolution was approved.**

## 7.H.

RESOLUTION NO. 78-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO THE SEAWALL HEIGHT REQUIREMENTS IN SECTION 7.1.7(D)(1) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW THE

CONSTRUCTION OF A SEAWALL ABOVE THE BASE FLOOD ELEVATION FOR THE PROPERTY LOCATED AT 1310 NW 13TH STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

**Sponsors:** Development Services Department

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

[Res 78-26 - Seawall Waiver - 1310 NW 13th Street - Audrey Balbiers](#)

[William Panoff legal review](#)

[1310 NW 13th Street - Plans](#)

[1310 NW 13th Street - Justification Statement](#)

[1310 NW 13th Street - FDEP Approval](#)

[1310 NW 13th Street - Finished Floor Elevation](#)

[1310 NW 13th Street - Survey](#)

[Legal Review Res 78-26 - Seawall Waiver - 1310 NW 13th Street -](#)

[Audrey Balbiers](#) [William Panoff](#)

[1310 NW 13th Street - photos](#)

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

Ms. Givings swore in all persons that wished to speak.

Ms. Gianniotos entered Project File PZ-000504-2026 into the record.

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

Mayor Carney: None

Vice Mayor Burns: None

Deputy Vice Mayor Markert: None

Commissioner Casale: None

Commissioner Mollica: None

Ms. Gelin read Resolution No. 78-26 into the record.

Jenna Robbins, JJ Marine Environmental, presented the application on behalf of the property owners. The proposed seawall would be constructed at elevation 11.33 feet NAVD, above the code-allowed base flood elevation of 9 feet. Ms. Robbins stated the existing seawall already exceeds code height at 9.68 feet and is experiencing erosion, structural inadequacy, and unsafe slope conditions. The proposed project would replace and stabilize approximately 112 linear feet of shoreline while retaining the existing finger pier. Ms. Robbins stated the project had received approvals from the Florida Department of Environmental

Protection and the U.S. Army Corps of Engineers and met all waiver criteria, including no adverse impacts to neighboring properties or public facilities.

Ms. Gianniotis stated this was one of several recent Lake Ida seawall requests related to elevated yard fill and shoreline transitions caused by redevelopment. She explained the proposal would stabilize the shoreline and cap the existing grade conditions without adding new structures into the water. Staff found the request consistent with applicable criteria and agency approvals.

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

There was no rebuttal from either the applicant or the City.

**A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Markert, to approve Resolution No. 78-26. The motion carried by the following vote:**

**Yes:** 5 - Mayor Carney Jr., Vice-Mayor Burns, Commissioner Mollica, Commissioner Casale, and Deputy Vice Mayor Markert

At this time, Ms. Gianniotis requested Commission consensus to direct staff to identify thresholds allowing certain seawall height deviations to be administratively approved, noting the applicant had waited several hours and this was the third similar request brought before the Commission. Mayor Carney expressed support, stating it made no sense for seawalls to remain lower than the center of the yard. Vice Mayor Burns also expressed support. There was consensus among the Commission. Ms. Gianniotis stated staff would evaluate possible code changes and thresholds for administrative approval.

**This Resolution was approved.**

**7.I.**

NOMINATION FOR AN APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT FOR ONE (1) REGULAR MEMBER TO SERVE A TERM ENDING JULY 31, 2028, WILL BE MADE BY MAYOR CARNEY (SEAT #5).

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[PAAB Member List](#)  
[PAAB 2026 Attendance](#)  
[Forcier, Anick.pdf](#)  
[Macedo, Manny](#)  
[Martino, Daniel.pdf](#)

Mayor Carney nominated Daniel Martino.

**all were in favor**

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

- 8.A.** ORDINANCE NO. 14-26: 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 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.6, "MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ALLOW MEDICAL OFFICE USES WITHIN THE MEDICAL ARTS OVERLAY DISTRICT WHEN CO-LOCATED WITH NURSING HOMES, ASSISTED LIVING FACILITIES, AND COMMUNITY RESIDENCES; AND BY AMENDING ARTICLE 4.5, "OVERLAY AND ENVIRONMENTAL MANAGEMENT DISTRICTS," SECTION 4.5.18 "MEDICAL ARTS OVERLAY DISTRICT," TO EXPAND THE OVERLAY DISTRICT TO INCLUDE CERTAIN PROPERTY WITHIN THE MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING / PUBLIC HEARING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Staff Report, Medical Arts Overlay District Expansion](#)  
[Ordinance No. 14-26, Medical Arts Overlay District](#)  
[Legal Review, Ordinance No. 14-26](#)  
[Legal Advertisement, Ordinance No. 14-26](#)  
[BIE, Ordinance No. 14-26](#)

Ms. Gelin read Ordinance No. 14-26 and Ordinance No. 15-26 into the record as they are companion items.

Mayor Carney opened the floor to public comment for Item 8.A. (Ordinance 14-26) and for Item 8.B. (Ordinance 15-26). Seeing no one present, Mayor Carney closed public comment.

**A motion was made by Commissioner Casale, seconded by Vice Mayor Burns, to approve Ordinance No. 14-26.**

all were in favor

**8.B.**

ORDINANCE NO. 15-26: 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 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.12 "PLANNED COMMERCIAL (PC) DISTRICT," SECTION 4.4.15 "PLANNED OFFICE CENTER (POC) DISTRICT," AND SECTION 4.4.21 "COMMUNITY FACILITIES (CF) DISTRICT," TO RELOCATE MEDICAL ARTS OVERLAY DISTRICT REGULATIONS FROM SUBSECTION (G), "SUPPLEMENTAL DISTRICT REGULATIONS," TO SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES;" FOR CONSISTENCY WITH OTHER REGULATIONS; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING/PUBLIC HEARING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Staff Report, Medical Arts Overlay District Expansion](#)  
[Ordinance No. 15-26](#)  
[Legal Review, Ordinance No. 15-26](#)  
[Legal Advertisement, Ordinance No. 15-26](#)  
[BIE, Ordinance No. 15-26](#)

Ms. Gelin read Ordinance No. 15-26 into the record under Item No. 8.A.

Public comment was opened and closed for this item under Item No. 8.A.

**A motion was made by Commissioner Casale, seconded by Vice Mayor Burns, to approve Ordinance No.15-26.**

all were in favor

**8.C.**

ORDINANCE NO. 21-26: 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 SECTION 4.3.3 "SPECIFIC REQUIREMENTS FOR SPECIFIC USES", BY AMENDING SUBSECTION (ZZZ),

"TRANSIENT RESIDENTIAL USES", TO ELIMINATE PROVISIONS PREEMPTED BY THE STATE; AMENDING SECTION 4.4.6 MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT, SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED", TO ADD A REFERENCE TO SECTION 4.3.3 (ZZZ) "SPECIFIC REQUIREMENTS FOR SPECIFIC USES" FOR TRANSIENT RESIDENTIAL USES; AMENDING APPENDIX "A", DEFINITIONS", TO ELIMINATE INCONSISTENCIES IN THE CURRENT DEFINITION FOR "TRANSIENT RESIDENTIAL USES" WITH STATE STATUTES; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING / PUBLIC HEARING)

**Sponsors:** Development Services Department

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

[Ord. No. 21-26 Transient Residential Uses](#)

[Staff Report, Transient Residential Uses](#)

[3IP0217-Memo to Gelin Lynn Re Vacation Rental Preemption \(June 21 2021\) with exhibits](#)

[Legal Review, Ordinance No. 21-26](#)

[Proof of Legal Ad, Ordinance No. 21-26](#)

[BIE Form, Ordinance No. 21-26](#)

Ms. Gelin read Ordinance No. 21-26 into the record.

Mayor Carney stated the amendments were necessary to bring the City into compliance with Florida law.

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

**A motion was made by Commissioner Casale, seconded by Commissioner Mollica, to approve Ordinance No. 21-26.**

**all were in favor**

Commissioner Mollica asked whether the ordinance would make transient residential use regulations more enforceable.

Ms. Gelin stated the ordinance would clarify existing obligations because current code language was inaccurate due to state preemption, requiring staff interpretation. She explained the amendment primarily provided clearer notice and consistency with state law rather than changing turnover limitations. Commissioner Mollica asked whether an Airbnb turning over

more than six times could potentially be enforceable, and Mayor Carney responded yes. Commissioner Casale asked about the applicable timeframe, and Ms. Gelin confirmed it was based on a yearly period.

Ms. Gianniotis noted the ordinance would increase public understanding of the regulations and provide greater clarity. Mayor Carney thanked staff for the presentation.

**This Ordinance was approved.**

## 9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 26-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH BY AMENDING CHAPTER 2, "ADMINISTRATIVE PROVISIONS," ARTICLE 2.1, "REVIEWING OFFICIALS AND AUTHORITIES," SECTION 2.1.5, "THE PLANNING AND ZONING BOARD" AND SECTION 2.1.6, "THE SITE PLAN REVIEW AND APPEARANCE BOARD," TO ESTABLISH THE AUTHORITY TO APPROVE THE USE OF THE MASONRY MODERN AND ART DECO ARCHITECTURAL STYLES IN THE CENTRAL BUSINESS DISTRICT; AND BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.13. "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (F), "ARCHITECTURAL STANDARDS," TO MODIFY CITY COMMISSION APPROVAL TO A DETERMINATION BY THE APPROPRIATE ADVISORY BOARD THAT THE MASONRY MODERN OR ART DECO ARCHITECTURAL STYLE IS APPROPRIATE FOR THE LOCATION AND MEETS ADOPTED ARCHITECTURAL DESIGN GUIDELINES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Staff Report, Masonry Modern and Art Deco Review Process](#)  
[Ordinance No. 26-26](#)  
[Legal Review, Ordinance No. 26-26](#)  
[BIE, Ordinance No. 26-26](#)

Ms. Gelin read Ordinance No. 26-26 into the record.

**A motion was made by Commissioner Casale, seconded by Vice Mayor Burns, to approve Ordinance No. 26-26.**

**all were in favor**

**10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:****A. City Manager**

None.

**B. City Attorney**

None.

**C. City Commission****Vice Mayor Burns:**

Stated that staff had previously been directed to investigate correcting the spelling of the Weatherspoon street name; however, changing the street name would require six homeowners to update legal documents. After discussions with the family, an alternative proposal was presented to add "L.C. Weatherspoon Avenue" in conjunction with NW 12th Avenue, where most of the Weatherspoon family resides. Consensus was reached to move forward with the honorary designation. Mr. Moore confirmed staff research verified the correct spelling, and Mayor Carney noted similar honorary street namings had been done previously. Mr. Moore stated the item would return in the form of a resolution. Ms. Gelin stated it would go to the Planning and Zoning Board first under the street naming policy. Mayor Carney and Vice Mayor Burns thanked the Weatherspoon family for their service and contributions to the City.

Raised concerns regarding the proposed Mobile Integrated Health/paramedical program funded through opioid settlement funds, stating the estimated \$344,100 cost was significantly higher than anticipated and may not be sustainable with available funding. Commissioner Casale expressed concern that the Commission had previously received presentations without complete financial information, resulting in wasted staff and board time. Commissioner Mollica asked for clarification on the program's purpose, and Commissioner Casale explained it would provide assistance and follow-up services to individuals experiencing overdoses or substance abuse incidents. Commissioner Casale suggested redirecting opioid settlement funds toward prevention efforts, specifically referencing Suzanne Spencer's local youth prevention program. Vice Mayor Burns requested quarterly updates on the use and distribution of opioid settlement funds to ensure the money is supporting the community as intended. Mr. Moore stated staff would provide an update and recommendations at an upcoming Commission meeting.

Commended Plumosa School principal, Ms. Smith for the school's recognition as a "2026 Florida School to Watch" and noted Ms. Smith would be traveling to Washington, D.C. to discuss best practices. She

praised the school's programs, performances, and student musicians, and expressed interest in showcasing local schools and inviting Plumosa students to perform before the Commission.

**Commissioner Mollica:**

Congratulated Chief Hunter for completing the Boston Marathon.

Proposed consideration of a summer parking program to support downtown businesses, including options such as free garage parking during summer months or a "Free Parking Monday" program, potentially until 4:00 p.m. She stated she had received significant public feedback regarding parking costs discouraging visitors from coming downtown and emphasized the need to support businesses during slower summer months.

**Deputy Vice Mayor Markert:**

Thanked the Fire Department for inviting him to participate in pet CPR training alongside firefighters. He noted the training equips firefighters to resuscitate cats and dogs during emergency rescue situations and stated it was another positive step forward for the department.

**Commissioner Casale:**

Thanked the Fire and Police Departments for attending the EJ's Career Day event and noted staff was addressing beach-related concerns, stating her recent visit found conditions to be satisfactory. She also raised concerns regarding a police dog loss and expressed condolences to the handler and department.

Raised concerns regarding the former Old School Square nonprofit website, stating that donation pages include campus imagery without a clear disclaimer and that this issue has persisted since 2024. She stated there is potential public confusion regarding whether donations support the organization or the campus and emphasized the need for clarity. Commissioner Mollica stated she had been in contact with representatives and indicated that no donations had been received through the website. Mayor Carney and the City Attorney noted prior discussions regarding public confusion and stated that earlier corrective changes were made, including removal of certain sponsorship-related language. Commissioner Casale reiterated that no clear disclaimer currently appears on the donation page.

Expressed broader concerns regarding financial oversight and management of city funds, citing multiple examples including prior losses, impact fee delays, utility and contract issues, claim payouts, employee separations with payouts, and special event fee waivers. She stated these

issues collectively raise concerns about transparency, accountability, and taxpayer stewardship and requested improved oversight and corrective action. Mr. Moore responded that he would provide detailed clarification and an update at an upcoming City Commission meeting, including background, outcomes, and corrective actions, and indicated an agenda item would be scheduled for that purpose. He stated the response would address the issues raised and provide transparency regarding financial management. Commissioner Casale acknowledged and thanked Mr. Moore for the response.

**Mayor Carney:**

Noted curiosity about the Highland Beach settlement and stated that the issue should be pursued.

Reiterated support for reviewing impact fees, stating they could defray a lot of the costs the taxpayers are paying.

Requested a tentative schedule for Fourth of July events. Mr. Moore stated that an update would be provided at the May 19th meeting.

Stated he would not support using the entire tree fund and questioned feasibility and cost estimates for relocating the tree, noting concerns about survival and permitting with the Lake Worth Drainage District. He concluded we lost the effort to save the tree and suggested moving on and using the tree fund elsewhere for citywide benefit. Mr. Moore confirmed that approximately \$66,000 was in the tree trust fund and explained no new deposits have been made due to developers now providing on-site tree mitigation. He stated the tree trust fund does not exist as a funding source for relocation and that any prior estimates were not applicable. Mayor Carney reiterated that even if desired, relocation funding from the tree trust was not viable and confirmed agreement with staff that the fund could not support the project. He referenced a prior effort to save the tree and acknowledged the outcome. Mr. Moore confirmed trimming activities had begun with a June 1 deadline, and that prior extension efforts had been made. Discussion continued on tree relocation feasibility and cost estimates, with multiple members noting uncertainty, lack of guarantees, and concerns that costs would exceed initial figures. Mr. Moore stated trimming and removal preparation were part of the golf course renovation program and not a standalone expenditure tied solely to the tree. Commission discussion concluded that relocation was not feasible, with consensus shifting toward removal and replacement planting as part of broader redevelopment.

Raised concerns regarding public commentary about local rules and newsletters. Ms. Gelin stated the local rules primarily govern conduct during

meetings and that any broader code of conduct would require resolution or ordinance. She noted prior intent was to maintain respectful communication and avoid disparaging colleagues. Mayor Carney referenced First Amendment political speech protections and disagreed with interpretations that external commentary violated rules. Commissioner Casale stated concerns about campaign-related communications and reporting, while maintaining disagreement on interpretation. Commissioner Markert stated newsletters were points of view letters that can confuse the public and urged a more unified approach, stating the Commission should operate as a team. He expressed concern about escalating public disagreements and recommended further discussion or a workshop to avoid continued conflict. Ms. Gelin offered to place the item on a future agenda for further discussion. Vice Mayor Burns stated a workshop may not be necessary, and Mayor Carney concluded that we all know where everybody stands.

## **11. ADJOURNMENT**

There being no further business to discuss, Mayor Carney adjourned the meeting at 11:01 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.