

# City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

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



## Regular Commission Meeting

Regular Meeting at 4:00 PM / 2nd Public Budget Hearing at 5:01

<sup>PM</sup>  
Monday, September 18, 2023

Commission Chambers  
Delray Beach City Hall

### City Commission

*Mayor Shelly Petrolia*  
*Vice Mayor Ryan Boylston*  
*Deputy Vice Mayor Rob Long*  
*Commissioner Adam Frankel*  
*Commissioner Angela Burns*

## **RULES FOR PUBLIC PARTICIPATION**

**PUBLIC COMMENT:** City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor, presiding officer or a consensus of the City Commission has discretion to adjust the amount of time allocated.

### **Public comment shall be allowed as follows:**

- A.** Comments and Inquiries on Non-Agenda and Agenda Items (excluding public hearing or quasi-judicial hearing items) from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- B.** Public Hearings/Quasi-Judicial Hearings: Any citizen is entitled to speak on items under these sections at the time these items are heard by the Commission.
- C.** All persons desiring to do a presentation on agenda or non-agenda items that are on a portable flash drive device or a CD/DVD, must provide their media to the City Clerk no later than 12:00 p.m. one day prior to the meeting where they wish to present.

**SIGN IN SHEET:** Prior to the start of the Commission Meeting, individuals wishing to address the Commission should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the to speak, please complete the sign-in sheet if you have not already done so.

**ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the lectern and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

## **APPELLATE PROCEDURES**

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

**1. ROLL CALL****2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL**

3.A. Additions, Deletions, Substitutions

**4. PRESENTATIONS:****4.A. PRESENTING OLIVIA SALVIO, CUSTOMER SERVICE REP, WITH EMPLOYEE OF THE MONTH FOR JULY 2023.**

**Recommendation:** Motion to approve Olivia Salvio as Employee of the Month for July 2023.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[EOM Olivia Salvio](#)

**4.B. GREENHOUSE GAS REDUCTION AND CLIMATE ACTION PLAN**

**Recommendation:** The City Commission is asked to hear the presentation and provide feedback on greenhouse gas reduction and Climate Action planning.

**Sponsors:** City Manager Department

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

**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

**5.A.1. INTRODUCTION OF ROB EVANS, ECONOMIC DEVELOPMENT MANAGER**

**Sponsors:** City Manager Department

**5.A.2. CITY OF DELRAY BEACH WATER TREATMENT PLANT, DESIGN BUILD PROJECT STATUS UPDATE.**

**Sponsors:** Utilities Department

**5.A.3. FOLLOW-UP REVIEW AND ANALYSIS REGARDING PREVIOUS EMPLOYEE COLA AND OTHER FINANCIAL RELATED CONSIDERATIONS**

**Sponsors:** City Manager Department

5.B. From the Public

**6. CONSENT AGENDA: City Manager Recommends Approval**

**6.A. CITY COMMISSION MEETING MINUTES**

**Recommendation:** Motion to approve meeting minutes as listed below:

August 15, 2023 Workshop Meeting Minutes

August 15, 2023 Regular Meeting Minutes

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[August 15, 2023 Workshop Meeting Minutes](#)  
[August 15, 2023 Regular Meeting Minutes](#)

**6.B. ACCEPTANCE OF A LANDSCAPE MAINTENANCE AGREEMENT FOR THE PROPERTY LOCATED AT 2800 - 2812 FLORIDA BLVD**

**Recommendation:** Acceptance of a Landscape Maintenance Agreement (LMA) for the property located at 2800 - 2812 Florida Blvd.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Landscape Maintenance Agreement](#)  
[Landscape Plan](#)  
[Legal Review Approval](#)

**6.C. RESOLUTION NO. 178-23 AMENDING THE FISCAL YEAR 2022-23 BUDGET ADOPTED BY RESOLUTION NO. 157-22 ON SEPTEMBER 19, 2022**

**Recommendation:** Motion to Approve Resolution No. 178-23 amending the budget for Fiscal Year 2022-23 adopted on September 19, 2022.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 178-23 Budget Amendment](#)  
[Exhibit A - Resolution 178-23 Budget Amendment 9.18.2023](#)  
[Simple Legal Review Approval Budget Amendment 178-23](#)

**6.D. AMEND AND RENEW AGREEMENT WITH THE STANDARD FOR EMPLOYEE BASIC LIFE, SUPPLEMENTAL, SPOUSE AND DEPENDENT LIFE INSURANCE, EMPLOYEE ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE AND RETIREE LIFE EFFECTIVE OCTOBER 1, 2023.**

**Recommendation:** Motion to amend and renew agreement with The Standard for Employee Basic Life, Supplemental, Spouse and Dependent Life Insurance, Employee Accidental Death and Dismemberment Insurance and Retiree Life effective October 1, 2023.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Approval the Standard.](#)  
[Amendment Request Form - 163645 - AMND-39789 - V1.](#)  
[The Standard Agreement 10-1-2017.](#)  
[2020-06-10 - Delray Beach - Standard - 2020-21 Renewal.](#)  
[2021-10-01 - Delray Beach - Standard - Life Policy Amendment 4.](#)  
[2023-05-23 - Delray Beach - 2023-2024 Life-AD&D RFP.](#)  
[2023-10-01 - Delray Beach - Basic Life Renewal Evaluation 2023-2024.](#)  
[Gehring Group - Christian Bergstrom - Life Insurance Renewal Recap.](#)

**6.E. RENEW AGREEMENT WITH SOLSTICE HEALTHPLANS, INC FOR DENTAL INSURANCE EFFECTIVE OCTOBER 1, 2023 AND RETROACTIVE APPROVAL TO OCTOBER 1, 2019.**

**Recommendation:** Motion to renew agreement with Solstice Healthplans, Inc for Dental insurance effective October 1, 2023 and retroactive approval to October 1, 2019.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[City of Delray Beach - Solstice Proposal V3.](#)  
[Group Application - City of Delray Beach - Eff 10-1-19.](#)  
[14058 City of Delray Beach Dental Contract - PPO.](#)  
[City of Delray Beach 2023 Renewal Group Auth form.](#)  
[City of Delray Beach - Dental RFQ 2019.](#)  
[14058 City of Delray Beach Dental Contract -- B Plans.](#)  
[Simple Legal Review Approval Solstice.](#)

**6.F. APPROVE RESOLUTION NO.179-23 FOR RENEWAL OF PROPERTY INSURANCE POLICY FLORIDA MUNICIPAL INSURANCE TRUST (FMIT)**

**Recommendation:** Staff is requesting approval for renewal of Property, Excess Workers' Compensation and Excess Liability Insurance from the Florida Municipal Trust Fund (FMIT) for \$2,804,427 for the coverage period 10/1/2023 through 9/30/2024.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution for FMIT Renewal 23 24](#)  
[FMIT Quote Comparison..](#)  
[FMIT Market Summary.](#)  
[Legal Review Res 179-23..](#)

**6.G. APPROVE RESOLUTION NO.128-23 TO AWARD AN AGREEMENT WITH TARGET SOLUTIONS, LLC FOR LEARNING MANAGEMENT SYSTEM IN A TOTAL NOT TO EXCEED AMOUNT OF \$217,575 FOR A FIVE YEAR PERIOD.**

**Recommendation:** Motion to approve Resolution No. 128-23 to award an agreement to Target Solutions, LLC in a total not to exceed amount of \$217,575 for a five year period.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist TargetSolutions.](#)  
[Res 128-23..](#)  
[Vendor Signed CS2023-010 Targret Solutions](#)  
[City Standard Memo Signed and Agreement 7.3.23](#)

- 6.H.** APPROVAL TO INSTALL POCKET REFUGES AT SPADY CULTURAL HERITAGE MUSEUM, DELRAY SWIM AND TENNIS CLUB, LAKE VIEW PARK, OLD SCHOOL SQUARE PARK, ORCHARD VIEW PARK, AND PINE GROVE PARK IN PARTNERSHIP WITH THE NATIONAL WILDLIFE REFUGE ASSOCIATION AND THE US FISH AND WILDLIFE ASSOCIATION.

**Recommendation:** Motion to approve the installation of pocket refuges at six (6) park location throughout the City of Delray Beach and to allow the City Manager to choose an alternate location(s) if the following are unavailable or locations deemed unsuitable:

Spady Cultural Heritage Museum 170 NW 5th Avenue  
Delray Swim and Tennis Club 2350 Jaeger Drive  
Lake View Park 1100 Lake Drive  
Old School Square Park 95 NE 1st Avenue  
Orchard View Park 4060 Old Germantown Road  
Pine Grove Park 1041 SW 7th Avenue

The National Wildlife Refuge Association (NWRA) and the US Fish and Wildlife Service (USFWS) will provide up to \$5,500.00 for plants, signage, and tools and the City of Delray Beach (City) will provide the locations and the purchase of mulch not to exceed \$3,000.00.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Pocket Refuge Proposal Letter 2023](#)

- 6.I.** APPROVAL OF A BID WAIVER WITH SOUTHEAST TRUCK SPECIALISTS, INC., FOR SUPPLEMENTAL COLLISION REPAIRS TO FIRE TRUCK 201733 IN THE AMOUNT OF \$41,484.40, FOR A FY23 TOTAL OF \$84,905.16.

**Recommendation:** Motion to approve a bid waiver with Southeast Truck Specialists, Inc., for supplemental collision repairs to Fire Truck 201733 in the amount of \$41,484.40, for a FY23 total of \$84,905.16.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[BW2023-006 No. 2](#)

- 6.J.** APPROVAL OF RESOLUTION 174-23 AND A GRANT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP GRANT 22FRP134), FOR SUPPLEMENTARY FUNDING UNDER THE RESILIENT FLORIDA PROGRAM FOR THE THOMAS STREET PUMP STATION IMPROVEMENT PROJECT IN THE AMOUNT OF \$2,500,000.

**Recommendation:** Motion to Approve Resolution 173-23 and execute a grant agreement with the State of Florida Department of Environmental Protection (FDEP GRANT 22FRP134), Division of Resilient Florida Program, for supplementary funding for the Thomas Street Pump Station Improvement Project in the amount of \$2,500,000; Project No. 18-017.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Thomas Street Grant Agreement](#)  
[Reso No. 174-23 Thomas Street Grant Agreement](#)  
[22FRP134 - City of Delray Beach Thomas Street Pump Station Improvement- F](#)

- 6.K.** APPROVAL OF RESOLUTION 175-23 AND A GRANT AGREEMENT WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP GRANT 23FRP42), FOR PROVIDING SUPPLEMENTARY FUNDING UNDER THE RESILIENT FLORIDA PROGRAM, FOR THE MARINE WAY DRAINAGE IMPROVEMENT PROJECT IN THE AMOUNT OF \$10,000,000.

**Recommendation:** Motion to Approve Resolution 175-23 and execute a grant agreement with the State of Florida Department of Environmental Protection (FDEP GRANT 23FRP42), Division of Resilient Florida Program, for providing supplementary funding for the Marine Way Drainage Improvement Project in the amount of \$10,000,000; Project No. 17-047.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Marine Way Grant Agreement](#)  
[Reso No. 175-23 Marine Way Grant](#)  
[22FRP42 - City of Delray Beach Marine Way Drainage Improvements - For Exe](#)



**6.L. ITEM(S) A1, MAINTENANCE OF TRAFFIC PLAN/ ROAD CLOSURE PLAN FOR 925 SW 13th Ave.**

**Recommendation: Consideration of the following items:**

Per LDR 7.1(C) (1)

*Maintenance of Traffic (MOT) Plan. All construction parking and staging that involves travel lane, bike lane, or sidewalk closures shall submit a MOT Plan as follows: (Ord. No. 50-20, § 2*

*<[https://library.municode.com/fl/delray\\_beach/codes/land\\_development\\_regulations/?nodeId=CH2ADPR](https://library.municode.com/fl/delray_beach/codes/land_development_regulations/?nodeId=CH2ADPR)>, 10-20-20)*

*Closures greater than 14 days throughout the course of construction, which eliminate travel lanes or change the flow of traffic must be approved by the City Commission. Street closures that do not exceed 14 days throughout the course of construction may be approved administratively. (Ord. No. 50-20, § 2*

*<[https://library.municode.com/fl/delray\\_beach/codes/land\\_development\\_regulations/?nodeId=CH2ADPR](https://library.municode.com/fl/delray_beach/codes/land_development_regulations/?nodeId=CH2ADPR)>, 10-20-20)*

Having exceeded the allowable 14 days throughout the course of construction the following Maintenance of Traffic plans are petitioning additional closures as follows:

**MAINTENANCE OF TRAFFIC PLAN/ ROAD & LANE CLOSURES**

**Item(S) A**

Item A1 - Stanford Construction Co. - Motion to approve and accept a Maintenance of Traffic/ Road closure Plan for 925 SW 13th Ave.

**Sponsors:**

Public Works Department

**Attachments:**

[Agenda Cover Report](#)

[Item A1 STANFORD CONSTRUCTION - SW 8TH ST & SW 12TH AVE DELRA](#)

- 6.M.** APPROVAL TO INCREASE THE CONTRACT VALUE OF ITBC NO. 2020-004 WITH RIC-MAN CONSTRUCTION, INC. FOR PHASE I OF THE OSCEOLA PARK NEIGHBORHOOD IMPROVEMENT PROJECT IN AN AMOUNT NOT-TO-EXCEED \$67,971.43, FOR A REVISED CONTRACT TOTAL OF \$4,124,298.43.

**Recommendation:** Motion to approve a contract value increase of ITBC No. 2020-004 with Ric-Man Construction, Inc. for Phase I of the Osceola Park Neighborhood Improvement Project in an amount not-to-exceed \$67,971.43, for a revised contract total of \$4,124,298.43.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Fully Executed Agreement 2020-004](#)  
[Legal Review Checklist 2020-004](#)  
[Resolution 41-20](#)

- 6.N.** APPROVAL OF AMENDMENT NO. 1 TO RFQ NO. 2020-040 WITH E&M EQUIPMENT CORP., FOR THE ADDITION OF A CONTINGENCY LINE ITEM FOR THE LOWSON BOULEVARD FROM DOVER ROAD TO SOUTHEAST 5TH AVENUE (US-1/FEDERAL HIGHWAY) PROJECT, IN THE AMOUNT OF \$210,902 FOR A REVISED CONTRACT AMOUNT OF \$6,357,339.

**Recommendation:** Motion to approve Amendment No. 1 to RFQ No. 2020-040 with E&M Equipment Corp., for the addition of a contingency line item for the Lowson Boulevard from Dover Road to Southeast 5th Avenue (US-1/Federal Highway) Project, in the amount of \$210,902 for a revised total contract amount of \$6,357,339.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[2020-040 Amendment No. 1](#)  
[Exhibit A - Price Schedule](#)  
[Legal Review Checklist Amendment to Construction Services for Lowson Blvd. to Agreement 2020-040](#)

**6.O. APPROVAL OF A LETTER OF AGREEMENT (LOA) WITH THE FLORIDA AGENCY FOR HEALTHCARE ADMINISTRATION (AHCA) FOR PARTICIPATION IN THE MANAGED CARE ORGANIZATION (MCO) PORTION OF THE PUBLIC EMERGENCY MEDICAL TRANSPORTATION (PEMT) PROGRAM.**

**Recommendation:** Staff recommends the approval of the Letter of Agreement (LOA) with AHCA to facilitate additional reimbursement of Medicaid dollars for providing emergency medical transportation to individuals covered by one of Medicaid's Managed Care Organizations.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[SFY 2023-24 PEMT LOA - Delray Beach Fire Rescue.pdf](#)  
[Year 5 MCO SFY 2023-23 Model-Draft.pdf](#)  
[Legal Review Public Emergency Medical Transportation Letter of Agreement.pdf](#)

**6.P. PROCLAMATIONS:**

**6.P.1. CONSTITUTION WEEK PROCLAMATION - SEPTEMBER 17-23, 2023**

**Recommendation:** Motion to declare September 17-23, 2023 as Constitution Week.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Constitution Week Proclamation](#)

**6.P.2. NATIONAL WALK YOUR CHILD TO SCHOOL DAY PROCLAMATION - OCTOBER 4, 2023**

**Recommendation:** Consideration of a proclamation for National Walk or Bike to School Day.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Walk and Bike to School Day](#)

**6.P.3. ENERGY EFFICIENCY DAY PROCLAMATION**

**Recommendation:** Motion to proclaim October 4, 2023 as Energy Efficiency Day.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[EEDay-2023 Proclamation](#)

**6.P.4. INDIGENOUS PEOPLES DAY - OCTOBER 9, 2023**

**Recommendation:** Motion to declare and observe Monday, October 9, 2023 as Indigenous Peoples Day.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Indigenous People's Day Proclamation 2023](#)

**6.Q. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.Q.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM AUGUST 21, 2023 THROUGH SEPTEMBER 8, 2023.**

**Recommendation:** By motion, receive and file this report for actions on development application requests from August 21, 2023 through September 8, 2023.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[SPRAB \(8-23\) 9.A Virginia Philip Wine](#)  
[SPRAB \(8-23\) 9.B Ciao](#)  
[SPRAB \(8-23\) 9.D Valhalla Condominiums](#)  
[HPB \(9-6\) 8.A. 80 Depot Ave.](#)

**6.R. AWARD OF BIDS AND CONTRACTS:****6.R.1. APPROVAL OF RESOLUTION NO. 135-23 TO AWARD AN AGREEMENT WITH BENNETT FIRE PRODUCTS COMPANY, INC., FOR THE PURCHASE OF FIRE FIGHTER PERSONAL PROTECTIVE EQUIPMENT, SUPPLIES AND SERVICES UTILIZING LAKE COUNTY SOLICITATION NO. 22-730B - \$900,000.**

**Recommendation:** Motion to approve Resolution 135-23 to award agreement to Bennett Fire Products Company, Inc. for the purchase of fire fighter personal protective equipment (PPE) for an amount not to exceed \$900,000 utilizing Lake County Contract Number: 22-730B.

**Sponsors:** Fire Rescue Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Bennett Fire Products.pdf](#)  
[Resolution No. 135-23 for Bennett Fire Products Company, Inc.pdf](#)  
[Master Contractor Agreement 2023-047 Bennett Fire Products Company Inc. le](#)  
[Exhibit A - Delray Beach PPE Quote 7142023.pdf](#)  
[Lake Co 22-730B Bennett thru 07-31-25.pdf](#)

- 6.R.2.** APPROVAL OF RESOLUTION NO. 158-23 TO AWARD AN AGREEMENT TO DELL MARKETING LP, FOR PURCHASE OF TECHNOLOGY PRODUCTS, SERVICES AND SOLUTIONS; UTILIZING REGION 14 EDUCATION SERVICE CENTER, AVAILABLE THROUGH NATIONAL COOPERATIVE PURCHASING ALLIANCE PURSUANT TO RFP NUMBER 45-42. - \$200,000 ANNUAL.

**Recommendation:** Motion to approve Resolution No. 158-23 to award an Agreement to Dell Marketing LP, for the purchase of technology products, services and solutions in the estimated amount of \$200,000 per year through November 30, 2025 (\$400,000 total), utilizing the Region 14 Education Service Center, on behalf of itself and other Government Agencies and made available through the National Cooperative Purchasing Alliance (NCPA) pursuant to Request for Proposal (RFP) No.45-42, contingent on appropriations of funds.

**Sponsors:** IT Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist MSA with Dell Marketing - Piggyback Region 14 Education Service Center](#)  
[Res 158-23 MSA with Dell Marketing - Piggyback from Region 14 Education Service Center](#)  
[Agreement with Dell Marketing LP - piggyback Region 14 Education Service Center](#)  
[Agreement - Final](#)  
[Dell Award Letter](#)

- 6.R.3.** APPROVAL OF RESOLUTION NO. 162-23 FOR THE PURCHASE OF TECHNOLOGY PRODUCTS, SERVICES AND SOLUTIONS THROUGH INSIGHT PUBLIC SECTOR, INC.; UTILIZING COBB COUNTY GEORGIA SOLICITATION NO. 23-6692-03, - \$1,500,000 ANNUAL

**Recommendation:** Motion to approve Resolution No. 162-23 with Insight Public Sector, Inc., for the purchase of technology products, equipment services and solutions.

**Sponsors:** IT Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Insight](#)  
[Resolution 162-23](#)  
[P2023-045 Technology Product Solution and Related Services](#)  
[Cobb County Contract](#)  
[Omnia Partner Executive Summary](#)  
[Annual purchases through Insight](#)

**6.R.4. MOTION TO APPROVE RESOLUTION NO. 155-23 TO AWARD AN AGREEMENT WITH RENOSYS CORP. TO PERFORM POOL LINER REPAIR AND REPLACEMENT AT POMPEY PARK POOL PURSUANT TO INVITATION TO BID NO. 2023-056 IN THE AMOUNT OF \$82,688**

**Recommendation:** Motion to approve Resolution No. 155-23 to award an agreement with RenoSys Corp. to perform pool liner repair and replacement at Pompey Park Pool pursuant to Invitation to Bid No. 2023-056 in the estimated amount of \$82,688; authorizing the City Manager to execute any amendments and to effectuate this agreement contingent upon appropriation of funds.

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

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Renosys Corp](#)  
[Res No. 155-23 RenoSys](#)  
[ITB2023-056 Pool Liner Repair and Replacement 2023](#)  
[Vendor Executed-City of Delray Beach - Reno Signed](#)

**6.R.5. APPROVAL OF RESOLUTION NO. #169-23 APPROVING A BID WAIVER AND AWARDING AGREEMENT WITH FUSUS, INC. FOR PUBLIC AND COMMUNITY VIDEO SOURCES VIEWING PLATFORM**

**Recommendation:** Motion to approve Resolution No. #169-23 approving a Bid Waiver and awarding agreement with Fusus, Inc. for public and community video sources viewing platform in the amount not to exceed \$300,000.

**Sponsors:** Police Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 169-23 FUSUS 2023 - Bid Waiver](#)  
[Template - Memo Bid Waiver Approval - FUSUS Inc](#)  
[Delray Beach PD FL Sole Source Letter 101022](#)  
[Fusus Purchase Packet 8.1.2023 Delray Beach PD FL](#)  
[Fusus Terms & Conditions - June 2023.docx \(1\)](#)  
[Fully Executed-BW 2023-011 FUSUS, Inc. - signed](#)  
[FUSUS Vendor Executed Agreement 2023](#)  
[Legal Review Checklist Fusus](#)

- 6.R.6.** APPROVAL OF RESOLUTION NO. 170-23 TO APPROVE AN AGREEMENT WITH DON BELL SIGNS, LLC. FOR THE FABRICATION, CONSTRUCTION, AND INSTALLATION OF THE WAYFINDING AND GATEWAY SIGNAGE PROJECT, PURSUANT TO ITBC NO. 2023-014 (PROJECT NO. 21-007) - \$ 1,219,611.00.

**Recommendation:** Motion to approve Resolution No. 170-23 to award an Agreement with Don Bell Signs, LLC., for the Fabrication, Construction, and Installation of the Wayfinding and Gateway Signage Project pursuant to ITBC No. 2023-014 (Project No. 21-007) - \$1,219,611.00.

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

**Attachments:** [Agenda Cover Report](#)  
[Agreement 2023-014](#)  
[Resolution 170-23](#)  
[Legal Review Checklist wayfinding](#)  
[Recommendation of Award EOR](#)

- 6.R.7.** RESOLUTION NO. 187-23 TO APPROVE UTILIZING SOURCEWELL EZIQC CONTRACT NO. FL-R10-GC04-111821-DMS WITH DAVID MANCINI & SONS, INC. FOR THE SW ALLEYWAYS AND OSCEOLA PARK NEIGHBORHOOD (SE 1ST AVENUE) PROJECTS IN AN AMOUNT NOT-TO-EXCEED \$2,440,000.00 (PROJECT NOS. 2017-103 AND 2016-095).

**Recommendation:** Motion to Approve Resolution No. 187-23 to utilize Sourcewell ezIQC Contract No. FL-R10-GC04-111821-DMS with David Mancini & Sons, Inc. for the SW Alleyways and Osceola Park Neighborhood (SE 1st Avenue) projects in an amount not-to-exceed \$2,440,000.00 (Project Nos. 2017-103 and 2016-095).

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

**Attachments:** [Agenda Cover Report](#)  
[MSA David Mancini & Sons - Sourcewell Piggyback - SW Alleyways & Osceola](#)  
[Res 187-23 MSA David Mancini & Sons - Sourcewell Piggyback - SW Alleyway](#)  
[Legal Review Checklist MSA David Mancini & Sons - Sourcewell Piggyback - S'](#)  
[Contract FL-R10-GC04-111821-DMS](#)  
[Contract Extension FL-R10-GC04-111821-DMS](#)

**6.R.8. APPROVAL OF RESOLUTION NO. 88-23 TO AWARD AN AGREEMENT TO ADT COMMERCIAL, LLC., FOR FACILITY TECHNOLOGY INTEGRATION & SECURITY SYSTEM SERVICES UTILIZING RFP 22-07 ISSUED BY REGION 4 EDUCATION SERVICE CENTER FOR AN INITIAL TERM AMOUNT OF \$454,706.24.**

**Recommendation:** Motion to approve Resolution No. 88-23 to award an agreement to ADT Commercial, LLC., for Facility Technology Integration & Security System Services utilizing RFP 22-07 issued by Region 4 Education Service Center for an initial term amount of \$454,706.24.

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

**Attachments:** [Agenda Cover Report](#)  
[P2023-023 ADT](#)  
[Resolution 88-23](#)  
[Legal Review Checklist form ADT](#)  
[RFP 22-07](#)

**7. REGULAR AGENDA:**

**7.A. CITY OF DELRAY BEACH AND SERVICE EMPLOYEES INTERNATIONAL UNION, FLORIDA PUBLIC SERVICES UNION, CTW, CLC. MEMO OF UNDERSTANDING (MID AGREEMENT SALARY CONSIDERATION)**

**Recommendation:** Motion to approve the Memo of Understanding (MOU) between the City of Delray Beach and Service Employees International Union, Florida Public Services Union, CTW, CLC.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[MOU SEIU 2023](#)  
[APPENDIX A Revised 10.02.23.](#)  
[MOU with SEIU](#)



- 7.B.** RESOLUTION NO. 186-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN APPEAL AND APPROVING A WAIVER TO SECTION 5.3.1(A) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW FOR A REDUCTION OF THE REQUIRED RIGHT OF WAY DEDICATION FOR SE 1ST AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.(QUASI JUDICIAL)

**Recommendation:** Review and consider Resolution No. 186-23, of an appeal to Section 5.3.1(A) of the Land Development Regulations to allow a reduction of a right-of-way along the west side of SE 1st Avenue associated with the construction of 5 new, 2-story, duplex buildings for the project known as Downtown Delray Villas.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 186-23 ROW Reduction Downtown Delray Villas](#)  
[DSMG Memo-Downtown Delray Villas](#)  
[130 SE 1ST AVE \(8.17.23\) DSMG MEETING](#)  
[Applicant Appeal Letter-Downtown Delray Villas-2023-10-17](#)  
[Survey-Downtown Delray Villas-2023-09-18](#)  
[Plans-Downtown Delray Villas-2023-09-18](#)  
[Simple Legal Review Approval Downtown Delray Villas 186-23](#)

- 7.C.** RESOLUTION NO. 177-23, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE SERVICE AUTHORIZATIONS RELATED TO CONTINUING CONTRACTS FOR ENGINEERING, SURVEYING, LANDSCAPING, AND ARCHITECTURAL CONSULTING SERVICES, PURSUANT TO SECTION 287.055, FLORIDA STATUTES, THE CONSULTANTS' COMPETITIVE NEGOTIATION ACT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Staff recommends increasing the maximum limit for Continuing Contracts in accordance with the increased limits, as provided for in Section 287.055, Florida Statutes.

**Sponsors:** Finance Department

**Attachments:**

[Agenda Cover Report](#)  
[Legal Review Res 177-23 Increase CM authority to execute SA under CCNA Ag](#)  
[Res 177-23 - CCNA Continuing Contracts Increased Limits WMB](#)  
[RFQ 2017-048 Final](#)  
[2017-048 Agreement with A.D.A. Engineering](#)  
[2017-048 Agreement with Avirom & Associates, Inc.](#)  
[2017-048 Agreement with Baxter & Woodman, Inc DBA Mathews Consulting](#)  
[2017-048 Agreement with BERMELO, AJAMIL & PARTNERS, INC.](#)  
[2017-048 Agreement with BISCAYNE ENGINEERING COMPANY, INC.](#)  
[2017-048 Agreement with Calvin, Giordano and Associates Inc.](#)  
[2017-048 Agreement with Carnahan, Proctor and Cross, Inc.](#)  
[2017-048 Agreement with Carollo Engineers, Inc.](#)  
[2017-048 Agreement with Calvin, Giordano and Associates Inc.](#)  
[2017-048 Agreement with CB&I ENVIRONMENTAL & INFRASTRUCTURE, INC](#)  
[2017-048 Agreement with Chen Moore and Associates, Inc.](#)  
[2017-048 Agreement with Coastal Systems International, Inc.](#)  
[2017-048 Agreement with Craven Thompson & Associates](#)  
[2017-048 Agreement with Edsa, Inc.](#)  
[2017-048 Agreement with ENGENUITY GROUP, INC.](#)  
[2017-048 Agreement with Erdman Anthony of Florida Inc.](#)  
[2017-048 Agreement with Gartek Engineering Corporation](#)  
[2017-048 Agreement with GLE ASSOCIATES, INC.](#)  
[2017-048 Agreement with Keith and Schnars, P.A.](#)  
[2017-048 Agreement with Kimley-Horn](#)  
[2017-048 Agreement with MARLIN ENGINEERING, INC.](#)  
[2017-048 Agreement with MASTER CONSULTING ENGINEERS, INC.](#)  
[2017-048 Agreement with MICHAEL B. SCHORAH AND ASSOCIATES, INC.](#)  
[2017-048 Agreement with Pinnacle Ecological, Inc.](#)  
[2017-048 Agreement with SGM ENGINEERING, INC.](#)  
[2017-048 Agreement with T.Y. Lin International](#)  
[2017-048 Agreement with Wantman Group](#)

- 7.D.** APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT FOR THE NEW CONSTRUCTION OF FIRE STATION NO. 113 IN A GUARANTEED MAXIMUM PRICE (GMP) OF \$10,107,866; ALONG WITH THE PALM BEACH COUNTY (PBC) REQUIRED OFF-SITE EMERGENCY TRAFFIC SIGNALIZATION IN THE AMOUNT NOT TO EXCEED \$870,280; PLUS, THE OWNER'S CONTINGENCY LINE ITEM IN THE AMOUNT OF \$500,000 FOR A GRAND TOTAL AMOUNT OF \$11,478,146 WITH GULF BUILDING, LLC. PURSUANT TO RFP NO. 2019-008.

**Recommendation:** Motion to approve Amendment No. 1 to the Agreement for the new construction of Fire Station No. 113 in a GMP of \$10,107,866 (\$637.44 / S.F.) along with the PBC required off-site emergency traffic signalization in the amount not to exceed \$870,280; plus, the Owner's Contingency Line Item in the amount of \$500,000 for a Grand Total Amount of \$11,478,146 with Gulf Building, LLC. pursuant to RFP No. 2019-008 (Project No. 16-012).

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[AIA Document A141 2014 Exhibit A Amendment No. 1 FS 113 091523](#)  
[A141 Amd to Fire Station - Attachment A Itemized Statement of GMP](#)  
[A141 Amd to Fire Station - Attachment B Add Alternatives](#)  
[ATTACHMENT C-QUALIFICATIONS AND CLARIFICATIONS 091423](#)  
[ATTACHMENT D-SCHEDULE](#)  
[A141 Amd to Fire Station - Attachment E Drawing Log](#)  
[Legal Review A141 Amd to Fire Station 091523](#)  
[Delray Beach FS 113 - City Commission GMP Presentation\\_FINAL 091523](#)

- 7.E.** APPROVAL OF RESOLUTION NO. 188-23 TO AWARD AN AGREEMENT WITH KAUFFS OF PALM BEACH, INC., FOR VEHICLE TOWING AND STORAGE SERVICES - \$156,712.50 FOR THE INITIAL THREE-YEAR TERM

**Recommendation:** Motion to approve Resolution No. 188-23 to award an Agreement with Kauffs of Palm Beach, Inc., for the Citywide Vehicle Towing and Storage Services in the estimated projected revenue amount of \$156,712.50 (\$52,237.50 per year) through 1 October, 2026 and authorizing the City Manager to approve renewal options, in the amount below, contingent upon appropriation of funds.

**Sponsors:** Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Packet for Bid RFQ 2023-007 Final](#)  
[0. Submitted Bid 04.12.23](#)  
[Resolution No. 188-23 lg rev final](#)  
[Vendor Signed 2023-007 Agreement](#)  
[Legal Review Checklist form v. 7 WMB 3 5 2021](#)

**7.F. NOMINATION FOR APPOINTMENT TO THE CODE ENFORCEMENT BOARD**

**Recommendation:** Motion to approve the nomination for an appointment for one (1) regular member to serve on the Code Enforcement Board for an unexpired term ending January 14, 2025.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Code Enforcement Board](#)  
[Code Enforcement Attendance](#)  
[Bowens](#)  
[Delehanty](#)  
[Kiser](#)  
[Land](#)  
[Rudowitz](#)

**7.G. RESOLUTION NO. 191-23: A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING A SPECIAL EVENT SPONSORSHIP IN AN AMOUNT NOT TO EXCEED \$3,000 FOR THE SPECIAL EVENT KNOWN AS THE DELRAY BEACH BED RACE; 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.**

**Recommendation:** Review and consider City sponsorship of the Delray Beach Bed Races to be held October 7, 2023 on SE 2nd Avenue between SE 1st and SE 2nd Streets in an amount not to exceed \$3,000.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No 191-23 Delray Beach Bed Race sponsorship\\_lg rev 9-12-23](#)  
[Simple Legal Review Approval DB Bed Race Sponsorship](#)  
[DBC Bed Race 2023 Request Form for City Special Event Sponsorship - 07242](#)  
[DBC Bed Race Oct 7 City Sponsorship Statement](#)  
[2023 Bed Race Site Plan](#)  
[DBC Bed Race 2023 Invoice](#)  
[Fire Benevolent Bed Race letter](#)  
[Fire Benevolent IRS letter](#)  
[ACCF bed race letter](#)  
[ACCF Tax Exempt Form](#)  
[SETAC Original DBC Bed Races Application](#)

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

**8.A. RESOLUTION NO. 143-23: GENERAL FUND OPERATING AND DEBT SERVICE FINAL MILLAGE RATES**

**Recommendation:** Motion to adopt Resolution No. 143-23 - Certifying to the Property Appraiser and the Tax Collector of Palm Beach County, the final rates of millage to be levied by the City of Delray Beach for the fiscal year beginning October 1, 2023.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 143-23 FY 2024 City Final Millage Rate - Final Budget Hearing 9.18](#)  
[FY 2023-24 TRIM Files 9.18.2023](#)  
[Simple Legal Review Approval 143-23](#)

**8.B. RESOLUTION NO. 144-23: DOWNTOWN DEVELOPMENT AUTHORITY FINAL MILLAGE RATE**

**Recommendation:** Motion to adopt Resolution No. 144-23 - Certifying to the Property Appraiser and the Tax Collector of Palm Beach County, the final rates of millage to be levied by the Downtown Development Authority for the fiscal year beginning October 1, 2023.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 144-23 FY 2024 DDA Final Millage Rate - Final Budget Hearing 9.18](#)  
[DDA FY23-24 Proposed Budget Memo for City Commission 9.5.23 Mtg Final \(0](#)  
[Simple Legal Review Approval 144-23](#)

**8.C. RESOLUTION NO. 145-23: ADOPTION OF THE FISCAL YEAR FINAL BUDGET BEGINNING OCTOBER 1, 2023**

**Recommendation:** Motion to adopt Resolution No. 145-23 - Adopting the Final Budget for the fiscal year beginning on October 1, 2023 and ending on September 30, 2024.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 145-23 FY 2024 City Final Budget - Final Budget Hearing 9.18](#)  
[Exhibit A- City of Delray Beach - Final Budget 9.18.2023](#)  
[FY 2023-24 Proposed Budget Delray Beach](#)  
[Simple Legal Review Approval 145-23](#)

- 8.D.** ORDINANCE NO. 29-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, UPDATING THE CAPITAL IMPROVEMENT PLAN SCHEDULE IN THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH FOR FY 2023-24 TO FY 2027-28 IN ACCORDANCE WITH THE REQUIREMENTS OF POLICIES CIE 1.2.1. AND CIE 1.2.6 OF THE CAPITAL IMPROVEMENT ELEMENT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

**Recommendation:** Review and consider Ordinance No. 29-23, adopting the 5-Year Capital Improvement Plan for FY 2023-24 through FY 2027-28 and the FY 2023-24 Capital Improvement Budget into the Comprehensive Plan.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Staff Report, FY 23-24 CIP](#)  
[Ordinance No. 29-23](#)  
[Exhibit A - Ordinance No. 29-23](#)  
[Legal Review](#)  
[Proof of Legal Ad](#)

- 8.E.** ORDINANCE NO. 28-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA; AMENDING CHAPTER 101, "PARKS, BEACHES AND RECREATION," SECTION 101.32, "ASSEMBLIES"; TO PROHIBIT THE CLOSURE OF THE ATLANTIC AVENUE BRIDGE, THE GEORGE BUSH BOULEVARD BRIDGE, AND THE LINTON BOULEVARD BRIDGE DURING A SPECIAL EVENT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance 28-23.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance 28-23](#)

- 8.F.** ORDINANCE NO. 35-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA; AMENDING CHAPTER 101, "PARKS, BEACHES AND RECREATION," SECTION 101.36, "ADDITIONAL RULES APPLYING TO PARKS, RECREATIONAL FACILITIES AND THE MUNICIPAL BEACH"; SUBSECTION (B), "HOURS OF OPERATION," TO CLARIFY THE HOURS OF OPERATION FOR THE MUNICIPAL BEACH; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance 35-23.

**Sponsors:** City Attorney Department

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

[Ordinance 35-23 Amending Sec 101.36 Additional Rules Applying to Parks Rec](#)

- 8.G.** ORDINANCE NO. 34-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CREATING AN ENTIRELY NEW TITLE 12, "TAXATION", OF THE CODE OF ORDINANCES BY ENACTING A NEW CHAPTER 122, "ADDITIONAL HOMESTEAD EXEMPTION FOR PERSONS 65 YEARS OR OLDER," AUTHORIZING AN ADDITIONAL \$25,000 HOMESTEAD EXEMPTION FOR ELIGIBLE PERSONS, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Staff recommends approval of Ordinance No. 34-23 on second reading.

**Sponsors:** Finance Department

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

[household income sworn statement\\_dr501sc](#)

[Limited Income Senior Exemption for Persons 65 and Older](#)

[Ord 34-23\\_creating new Title 12 Add'l homestead exemption - Finance](#)

[Simple Legal Review Approval Ord 34-23](#)

## **9. FIRST READINGS:**



- 9.A.** ORDINANCE NO. 21-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ANNEXING INTO THE CITY OF DELRAY BEACH A PARCEL OF LAND LOCATED WEST OF BARWICK ROAD, IMMEDIATELY NORTH OF LAKE WORTH DRAINAGE DISTRICT L-31 CANAL, AND IMMEDIATELY SOUTH OF 133RD ROAD SOUTH, WHICH MEASURES APPROXIMATELY 5.08 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, AND IS SITUATED CONTIGUOUS TO THE EXISTING MUNICIPAL LIMITS OF THE CITY OF DELRAY BEACH; PROVIDING FOR INCLUSION OF THIS PARCEL INTO THE CITY BOUNDARIES AND A REDEFINITION OF THE CITY BOUNDARIES PURSUANT TO SECTION 171.044(2), FLORIDA STATUTES; PROVIDING FOR CONFORMANCE WITH ALL VOLUNTARY ANNEXATION PROCEDURES AS SET FORTH IN SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR FILING WITH PALM BEACH COUNTY AND THE DEPARTMENT OF STATE; PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

**Recommendation:** Review and consider Ordinance No. 21-23, a privately initiated request for annexation of a parcel of land located at 4594 133rd Road South, subject to Florida Statutes Section 171 and the City of Delray Beach Land Development Regulations Section 2.4.5(C)(1).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 21-23](#)  
[PZB Staff Report](#)  
[Map AD-1 Planning Area](#)  
[Map AD-23 Annexation Areas](#)  
[Traffic Study, 4594 133rd Road South](#)  
[TPS Review Letter, 4594 133rd Road South](#)  
[Applicant Project Narrative, 4594 133rd Road South](#)  
[Legal Review, Ordinance No. 21-23](#)

- 9.B.** ORDINANCE NO. 22-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A PARCEL OF LAND MEASURING APPROXIMATELY 5.08 ACRES LOCATED WEST OF BARWICK ROAD, IMMEDIATELY NORTH OF LAKE WORTH DRAINAGE DISTRICT L-31 CANAL, AND IMMEDIATELY SOUTH OF 133RD ROAD SOUTH, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM PALM BEACH COUNTY MEDIUM RESIDENTIAL TO LOW DENSITY RESIDENTIAL, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT," FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 22-23 LUMA 4594 133 Road South](#)  
[PZB Staff Report](#)  
[Map AD-1 Planning Area](#)  
[Map AD-23 Annexation Areas](#)  
[Map - Proposed Land Use 4594 133rd Road South](#)  
[Applicant Project Narrative, 4594 133rd Road South](#)  
[Traffic Study, 4594 133rd Road South](#)  
[TPS Letter, 4594 133rd Road South](#)  
[Legal Review, Ordinance No. 22-23](#)

- 9.C.** ORDINANCE NO. 23-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING A PARCEL OF LAND MEASURING APPROXIMATELY 5.08 ACRES LOCATED WEST OF BARWICK ROAD, IMMEDIATELY NORTH OF LAKE WORTH DRAINAGE DISTRICT L-31 CANAL, AND IMMEDIATELY SOUTH OF 133RD ROAD SOUTH, FROM PALM BEACH COUNTY AGRICULTURE RESIDENTIAL TO SINGLE FAMILY R-1-A, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING/QUASI-JUDICIAL)

**Recommendation:** Review and consider Ordinance No. 23-23, a privately initiated rezoning request rezoning request from Palm Beach County Agriculture Residential (AR) to City of Delray Beach Single Family Residential (R-1-A), totaling 5.08 acres, located west of Barwick Road and north of the Lake Worth Drainage District L-31 Canal.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 23-23 Rezoning 4594 133 Road South](#)  
[PZB Staff Report](#)  
[Map AD-1, Planning Area](#)  
[Map AD-23, Annexation Areas](#)  
[Map - Proposed Zoning, 4594 133rd Road South](#)  
[Traffic Study, 4594 133rd Road South](#)  
[TPS Letter, 4594 133rd Road South](#)  
[Applicant Project Narrative, 4594 133rd Road South](#)  
[Legal Review, Ordinance No. 23-23](#)

- 9.D.** ORDINANCE NO. 30-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING 0.4 ACRES OF LAND LOCATED AT 1201 GEORGE BUSH BOULEVARD FROM RESIDENTIAL OFFICE TO MEDIUM DENSITY RESIDENTIAL, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE “CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021”; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING / QUASI-JUDICIAL)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 30-23](#)  
[PZB Staff Report, 1201 George Bush Blvd.](#)  
[Applicant Justification Statement](#)  
[Map - Existing Zoning](#)  
[Map - Proposed Zoning](#)  
[Traffic Statement](#)  
[TPS Letter](#)  
[School Capacity Availability Determination \(SCAD\) Letter](#)  
[Legal Review, Ordinance No. 30-23](#)

- 9.E.** ORDINANCE NO. 31-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES, CHAPTER 2, “ADMINISTRATIVE PROVISIONS,” BY REPEALING THE ADOPTED CHAPTER 2 AND REPLACING IT IN ITS ENTIRETY TO UPDATE THE EXISTING REGULATIONS TO REMOVE DUPLICATIVE PROVISIONS; TO PROVIDE A MORE EFFICIENT DEVELOPMENT APPROVAL PROCESS BY ESTABLISHING REVIEW THRESHOLDS FOR SITE PLAN REVIEW; TO UPDATE THE RESPONSIBILITIES OF REVIEWING OFFICIALS AND AUTHORITIES TO BE CONSISTENT WITH THE REVIEW THRESHOLDS FOR THE SITE PLAN REVIEW PROCESS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** **Recommended Action:**

Review and consider Ordinance No. 31-23, a City-initiated amendment to the Land Development Regulations (LDR), repealing and replacing Chapter 2, “Administrative Provisions” to amend development review procedures.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 31-23: PZB Staff Report](#)  
[Ordinance No. 31-23: Chapter 2 LDR Amendments](#)  
[Ordinance No. 31-23: Exhibit A, Repeal Chapter 2](#)  
[Ordinance No. 31-23: Exhibit B, Replaced Chapter 2](#)

- 9.F.** ORDINANCE NO. 32-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES, CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.1, SECTION 4.1.4, "USE OF LOTS OF RECORD," TO UPDATE PROVIDING UPDATED LANGUAGE FOR CLARITY AND CONSISTENCY WITH CHAPTER 2, "ADMINISTRATIVE PROVISIONS"; AMENDING ARTICLE 4.2, "ANNEXATION AND INITIAL ZONING" BY REPEALING AND RESERVING ARTICLE 4.2 IN ITS ENTIRETY TO ELIMINATE DUPLICATION WITH CHAPTER 2, "ADMINISTRATIVE PROVISIONS"; AMENDING ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES," BY ADOPTING A NEW SUBSECTION 4.3.3(BB), "PERFORMANCE STANDARDS FOR MULTI-FAMILY DEVELOPMENT," FOR CONSISTENCY WITH CHAPTER 2, "ADMINISTRATIVE PROVISIONS," AMENDING SECTION 4.3.4, "BASE DISTRICT DEVELOPMENT STANDARDS," SUBSECTION (J), "HEIGHT" PROVIDING UPDATED LANGUAGE FOR CLARITY AND CONSISTENCY WITH CHAPTER 2; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.1, "AGRICULTURE ZONE DISTRICT (A)," SECTION 4.4.2, "RURAL RESIDENTIAL (RR) ZONE DISTRICT," SECTION 4.4.3, "SINGLE FAMILY RESIDENTIAL (R-1) DISTRICTS," SECTION 4.4.4, "MOBILE HOME (MH) DISTRICT," SECTION 4.4.5, "LOW DENSITY RESIDENTIAL (RL) DISTRICT," SECTION 4.4.6, "MEDIUM DENSITY RESIDENTIAL (RM) DISTRICT," SECTION 4.4.7, "PLANNED RESIDENTIAL DEVELOPMENT (PRD) DISTRICT," SECTION 4.4.9, "GENERAL COMMERCIAL (GC) DISTRICT," SECTION 4.4.10, "AUTOMOTIVE COMMERCIAL (AC) DISTRICT," SECTION 4.4.11, "NEIGHBORHOOD COMMERCIAL (NC) DISTRICT," SECTION 4.4.12, "PLANNED COMMERCIAL (PC) DISTRICT," SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SECTION 4.4.14, "RESORT/TOURISM (RT) DISTRICT," SECTION 4.4.15, "PLANNED OFFICE CENTER (POC) DISTRICT," SECTION 4.4.16, "PROFESSIONAL AND OFFICE (POD) DISTRICT," SECTION 4.4.17, "RESIDENTIAL OFFICE (RO) DISTRICT," SECTION 4.4.19, "MIXED INDUSTRIAL AND COMMERCIAL (MIC) DISTRICT," SECTION 4.4.20, "INDUSTRIAL (I) DISTRICT," SECTION 4.4.21, "COMMUNITY FACILITIES (CF) DISTRICT," SECTION 4.4.22, "OPEN SPACE (OS) DISTRICT," SECTION 4.4.23, "CONSERVATION (CD) DISTRICT," SECTION 4.4.24, "OLD SCHOOL SQUARE HISTORIC DISTRICT (OSSHAD)," SECTION 4.4.25, "SPECIAL ACTIVITIES DISTRICT (SAD)," SECTION 4.4.26, "LIGHT INDUSTRIAL (LI) DISTRICT," SECTION 4.4.27, "OPEN SPACE AND RECREATION (OSR) DISTRICT," SECTION 4.4.29, "MIXED RESIDENTIAL, OFFICE AND COMMERCIAL (MROC) DISTRICT" PROVIDING UPDATED LANGUAGE FOR CLARITY AND CONSISTENCY WITH CHAPTER 2; AMENDING ARTICLE 4.7, "FAMILY/WORKFORCE HOUSING," FOR CONSISTENCY WITH CHAPTER 2 AND PROVIDING UPDATED LANGUAGE FOR CLARITY AND CONSISTENCY WITH CHAPTER 2; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

**Recommendation:** **Recommended Action:**

Review and consider Ordinance No. 32-23, a City-initiated amendment to Chapter 4, "Zoning Regulations" of the Land Development Regulations

(LDR), to provide consistency with the LDR amendments to Chapter 2 in Ordinance No. 31-23.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 32-23: PZB Staff Report](#)  
[Ordinance No. 32-23: Chapter 4 LDR Amendments](#)

- 9.G.** ORDINANCE NO. 33-23: 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 3, "PERFORMANCE STANDARDS," ARTICLE 3.2, "PERFORMANCE STANDARDS," SECTION 3.2.4, "STANDARDS FOR SPECIFIC AREAS OR PURPOSES," TO INCLUDE STANDARDS FOR TRANSPORTATION DEMAND MANAGEMENT; AMENDING CHAPTER 6, "INFRASTRUCTURE AND PUBLIC PROPERTY," ARTICLE 6.1, "DESIGN STANDARDS AND REQUIREMENTS," SECTION 6.1.14, "TRANSIT," TO REQUIRE PROVISIONS FOR BUS SHELTERS FOR QUALIFYING DEVELOPMENTS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** **Recommended Action:**

Review and consider Ordinance No. 33-23, a City-initiated amendment to Chapter 3, "Performance Standards" and Chapter 6, "Infrastructure and public property" of the Land Development Regulations (LDR), to adopt requirements and procedures removed from Chapter 2, "Administrative Provisions," by Ordinance No. 31-23.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord. No. 33-23 Chapters 3 and 6 LDR Amendments](#)

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

**A. City Manager**

**B. City Attorney**

**10.B. ADOPTION OF CITY COMMISSION POLICY CONCERNING REIMBURSEMENT  
1. AND RECOVERY OF ATTORNEY'S FEES AND COSTS FOR ETHICS  
COMPLAINTS THAT HAVE BEEN DISMISSED.**

**Recommendation:** Motion to Adopt City Commission Policy Concerning the Reimbursement and Recovery of Attorney's Fees and Costs For Dismissed Ethics Complaints.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ethics Complaint Atty Fees Policy](#)  
[FS 112.317 Penalties](#)

**C. City Commission**

**11. ADJOURNMENT**