

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Regular Commission Meeting

Regular Meeting at 5:00 PM

Tuesday, January 7, 2025

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Thomas F. Carney, Jr.

Vice Mayor Juli Casale

Deputy Vice Mayor Rob Long

Commissioner Tom Markert

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. PRESENTATION BY MAT FORREST OF BALLARD PARTNERS REGARDING THE UPCOMING FLORIDA LEGISLATIVE SESSION.

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. PRESENTATION CONCERNING NEW PARKING AVAILABILITY OPTION ON THE CITY OF DELRAY BEACH PHONE APP

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

5.A.2. OVERVIEW OF ENERGY SAVINGS PERFORMANCE CONTRACTING

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

5.A.3. POLICY CONSIDERATIONS REGARDING FLUORIDATION OF POTABLE WATER

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)

5.B. From the Public

6. CONSENT AGENDA: City Manager Recommends Approval

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[December 10, 2024 Regular Meeting Agenda - DRAFT](#)

[December 17, 2024 Regular Meeting Agenda - DRAFT](#)

- 6.B.** RESOLUTION NO. 16-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE 63RD ANNUAL DELRAY AFFAIR TO BE HELD APRIL 4-6, 2025; AUTHORIZING THE CLOSURE OF ATLANTIC AVENUE AND SWINTON AVENUE AS MORE SPECIFICALLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[2025 DA Special Events Amended Application \(updated 11-4-24\)](#)
[2025 DA SITE PLAN w. 500 Block - FINAL](#)
[Impact Event Resolution](#)
[Reso 16-25 LR](#)

- 6.C.** RESOLUTION NO. 18-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA DECLARING ITS OFFICIAL INTENT TO REIMBURSE THE CENTRAL GARAGE FUND - TRANSPORTATION SERVICES, WITH THE PROCEEDS DERIVED FROM THE EXECUTION AND DELIVERY OF ONE OR MORE FUTURE LEASE PURCHASE AGREEMENT(S) BETWEEN THE CITY, AS LESSEE, AND A THIRD PARTY VENDOR AS LESSOR, IN AN AGGREGATE PRINCIPAL AMOUNT IN AN ESTIMATED NOT TO EXCEED AMOUNT OF \$3,826,244 FOR CERTAIN CAPITAL EXPENDITURES APPROVED IN THE FISCAL YEAR 2024-2025 BUDGET; EXPRESSING THE INTENT FOR PURPOSES OF COMPLIANCE WITH UNITED STATES TREASURY REGULATION 1.150-2(E); PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Legal Review Res 18-25 Capital Lease Reimbursement](#)
[Res 18-25 - Capital Lease Reimbursement 01.7.2025](#)
[Res 18-25 Exhibit A - FY 2024-25 Fleet Replacement Vehicle List 1.7.2025 \(002](#)

- 6.D.** ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 1019 NASSAU ST.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 601 SW 3RD ST.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[A1a - Right of Way Deed - 1019 Nassau St - Mark and LaRonda Denkler](#)
[A1b - Legal Review Right of Way Deed - 1019 Nassau St - Mark and LaRonda I](#)
[A2a - Right of Way Deed - 601 SW 3rd St - VF Realty 02 Business LLC](#)
[A2b - Legal Review Right of Way Deed 601 SW 3rd Street - VF Realty OZ Busi](#)

- 6.E.** APPROVAL OF AN ADDITIONAL SPENDING REQUEST TO AGREEMENT RFQ 2019-051 WITH BAXTER & WOODMAN, INC. FOR ADDITIONAL CONSTRUCTION, ENGINEERING, AND INSPECTION SERVICES (CEI) FOR THE OSCEOLA PARK NEIGHBORHOOD IMPROVEMENT PROJECT IN THE AMOUNT OF \$62,000 FOR A REVISED TOTAL OF \$1,407,865

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Proposal - Additional Spending Request](#)
[Amend No. 3 to RFQ 2019-051](#)
[Amend. No. 2 to RFQ 2019-051](#)
[Amend. No. 1 to RFQ 2019-051](#)
[RFQ 2019-051](#)

- 6.F.** APPROVAL OF AMENDMENT 1 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES - FY 2023-2024

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Amend No. 1 to FY24 CRA ILA for Construction & Professional Services](#)
[Simple Legal Review Approval Amendment to CRA ILA 12.20](#)

- 6.G** APPROVE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES - FY 2024-2025

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[FY25 CRA ILA for Construction & Professional Services](#)
[Simple Legal Review Approval CRA ILA Construction Funding FY20242025 12.](#)

6.H. PROCLAMATIONS:

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

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[MARTIN LUTHER KING JR. DAY 2025](#)

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

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Mentoring Month 2025](#)

6.I. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**6.I.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM DECEMBER 9, 2024 THROUGH DECEMBER 31, 2024.**

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[SPRAB \(12-11\) 238 SE 1st Avenue](#)

6.J. AWARD OF BIDS AND CONTRACTS:**6.J.1. APPROVAL OF RESOLUTION NO. 02-25 TO AWARD A MASTER CONTRACTOR/SERVICES AGREEMENT WITH REP SERVICES, INC. FOR PARK EQUIPMENT AND PARTS UTILIZING PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS TERM CONTRACT #21-056 LP IN THE AMOUNT OF \$138,525.00.**

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[P2025-004 REP SVC PE.pdf](#)
[Exhibit A updated 11.26.24.pdf](#)
[REP Svc_21303-Coercion Affidavit Fully Executed.pdf](#)
[1. Solicitation 21-056-LP.pdf](#)
[2. RSI Palm Beach BOCC Contract 2021-2026.pdf](#)
[Res. No. 02-25- 12-20-24 \(REP Services Piggyback\)](#)
[P2025-004 PBC Piggyback LR 1.2.25](#)

6.J.2. APPROVAL OF RESOLUTION NO. 03-25 TO AWARD A MASTER CONTRACTOR/SERVICES AGREEMENT WITH PLAYMORE WEST, INC., FOR PARK AND PLAYGROUND EQUIPMENT UTILIZING THE SCHOOL DISTRICT OF MANATEE COUNTY SDMC NO. 21-0053-MR IN THE AMOUNT OF \$347,671.50.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Vendor Signed- P2025-005 Park and Playground Equipment.pdf](#)
[Exhibit A](#)
[Playmore Signed Affidavit.pdf](#)
[1. Original 21-0053 park and Playground Equipment New bid master.pdf](#)
[2. Renewal 1-TAG ON BID - MANATEE COUNTY RENEWAL OF ITB 21-0053](#)
[3. Renewal 2- 21-0053-MR R2 Playmore- FS.pdf](#)
[4. 21-0053-MR Tab R2- Pricing.pdf](#)
[Res. No. 03-25- 12-20-2024 \(Playmore West Inc. Piggyback\)](#)
[P2025-005 Park and Playground Equipment LR 1.2.25](#)

6.J.3. APPROVAL OF RESOLUTIONS NO. 06-25 AND 07-25 TO AWARD AGREEMENTS

WITH MOTPLANS.COM, LLC AND ALL AMERICAN BARRICADES, LLC FOR BARRICADES, FLASHERS, AND RELATED ITEMS UTILIZING THE CITY OF FORT LAUDERDALE ITB 203-3 IN THE AMOUNT OF \$66,667

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Res 06-25 P2024-037 Barricades and Equipment -MOTPlans - FTL Piggyback](#)
[Ex A P2024-037 Barricades and Equipment Rental \(MOTPlans\) - Fort Lauderdale](#)
[Vendor Signed- MP2024-037 Barricades \(MOTPlans\)](#)
[Legal Review Checklist P2024-037 Barricades and Equipment Rental \(MOTPlans\)](#)
[Res 07-25 P2024-037 Barricades and Equipment - All American - FTL Piggyback](#)
[Ex A P2024-037 Barricades and Equipment Rental \(All American\) - Fort Lauderdale](#)
[Vendor Signed- P2024-037 Barricades \(AllAmerican\)](#)
[Legal Review Checklist P2024-037 Barricades and Equipment Rental \(All American\)](#)
[203-3 - Agreement \(FTL-MOTplans\) - FULLY EXECUTED](#)
[203-3 - Agreement \(FTL-AllAmericanBarricades\) - FULLY EXECUTED](#)
[Bid Tabulation ITB 203-3](#)
[Solicitation ITB 203-3](#)

6.J.4. APPROVAL OF RESOLUTION NO. 08-25 TO AWARD A SOLE SOURCE AGREEMENT WITH SESCO LIGHTING TO PURCHASE DECORATIVE LIGHT POLES AND LIGHT POLE FIXTURES FOR THE CITY OF DELRAY BEACH IN THE AMOUNT OF \$164,000

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[Agreement SS2024-032 Sesco Lighting - Sole Source](#)
[Res 08-25 Sesco Sole Source](#)
[Legal Review - SS2024-032 - Sole Source - Sesco Lighting](#)
[Ex A to Res 08-25 - Sole Source with Sesco Lighting](#)

7. REGULAR AGENDA:

7.A. RESOLUTION 15-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE EASTER SUNRISE SERVICE TO BE HELD APRIL 20, 2025; AUTHORIZING THE CLOSURE OF A1A FROM ATLANTIC AVENUE TO MIRAMAR DRIVE AS MORE SPECIFICALLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Impact Event Resolution Sunrise Service](#)
[Sunrise 2025 Application](#)
[Site Map Easter Service](#)
[Reso 15-25 LR](#)

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A.** ORDINANCE NO. 27-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.7, "FAMILY/WORKFORCE HOUSING," SECTION 4.7.2, "APPLICABILITY," SUBSECTION (B), "WORKFORCE HOUSING INCENTIVE AREAS," TO CORRECT A SCRIVENER'S ERROR ON THE INFILL WORKFORCE HOUSING AREA MAP, AND BY AMENDING SECTION 4.7.4, "DENSITY BONUS AREAS," SUBSECTION (A), "THE SOUTHWEST NEIGHBORHOOD OVERLAY DISTRICT, THE CARVER ESTATES OVERLAY DISTRICT AND THE INFILL WORKFORCE HOUSING AREA," TO CORRECT A SCRIVENER'S ERROR IN THE REQUIRED IN-LIEU AMOUNT WITHIN THE SOUTHWEST NEIGHBORHOOD OVERLAY DISTRICT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING / PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Article 4.7 Corrective LDR Amendment](#)
[Ordinance No. 27-24, Article 4.7 Corrective](#)
[Business Impact Estimate, Ordinance No. 27-24](#)
[Proof of Legal Ad, Ordinance No. 27-24](#)
[Legal Review, Ordinance No. 27-24](#)

- 8.B.** ORDINANCE NO. 37-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CITY OF DELRAY BEACH CODE OF ORDINANCES, CHAPTER 74, "CIVIL TRAFFIC ENFORCEMENT", BY REPEALING THE ADOPTED CHAPTER 74 IN ITS ENTIRETY AND READOPTING SAME, AS REVISED, WITH A NEW CHAPTER 74, "SPEED DETECTION SYSTEMS IN SCHOOL ZONES" TO PROVIDE FOR THE USE AND IMPLEMENTATION OF SCHOOL ZONES SPEED LIMIT DETECTION SYSTEMS; PROVIDING FOR A LOCAL HEARING OFFICER TO HEAR APPEALS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES (SECOND READING)

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[BIE Form-Ordinance 37-24 Speed Detection Systems in School Zones - review](#)
[Ordinance Legal Review Form_Ord No 37-24 Speed Detection Systems in Sch](#)
[Ordinance 37-24](#)

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

10.A.1 PODCAST REGARDING DEPARTMENT PROJECTS

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Sponsors: City Manager Department

B. City Attorney

C. City Commission

11. ADJOURNMENT

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the Human Resources Department at (561) 243-7125 at least 24 hours prior to the program or activity for the City to reasonably accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers.