

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000 - Fax: (561) 243-3774

www.mydelraybeach.com



Regular Commission Meeting

Regular Meeting at 4:00 PM

Tuesday, May 17, 2022

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Shelly Petrolia

Vice Mayor Adam Frankel

Deputy Vice Mayor Juli Casale

Commissioner Ryan Boylston

Commissioner Shirley Ervin Johnson

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 MAYRA BELTRAN, ADMINISTRATIVE ASSISTANT, WITH EMPLOYEE OF THE MONTH FOR APRIL 2022**

Recommendation: Motion to present Mayra Beltran, Administrative Assistant, with Employee of the Month for April 2022.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Employee of the Month Nomination-Beltran](#)

4.B. 2022 HISTORIC PRESERVATION BOARD AWARDS - A PRESENTATION TO THE CITY COMMISSION OF THE 2022 HISTORIC PRESERVATION BOARD AWARDS.

Recommendation: Presentation.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

4.C. INTERNAL AUDIT PRESENTATION

Attachments: [Agenda Cover Report](#)
[Internal Audit Presentation 05_17_22](#)

4.D. SUPPORT CONSIDERATIONS FOR THE PALM BEACH COUNTY HAITIAN CARIBBEAN RESOURCE CENTER VIA THE VOLUNTEER ASSOCIATION FUND OF FLORIDA

SPONSOR: COMMISSIONER RYAN BOYLSTON

Recommendation: Presentation.

Sponsors: Boylston

Attachments: [Agenda Cover Report](#)
[Letter from Volunteer Association & Fund of Florida](#)

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.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:

Regular City Commission Meeting Minutes - January 11, 2022
Regular City Commission Meeting Minutes - February 8, 2022

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[January 11, 2022 Regular Commission Meeting Minutes - Draft](#)
[February 8, 2022 Regular Commission Meeting Minutes -Draft](#)

6.B. APPROVAL TO SUBMIT APPLICATION FOR STATE OF FLORIDA DIVISION OF HISTORICAL RESOURCES SMALL MATCHING GRANT (SMG) CYCLE.

Recommendation: Motion to approve application for State of Florida Division of Historical Resources Small Matching Grant (SMG) Cycle.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

6.C. RESOLUTION NO. 72-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH AMENDING RESOLUTION 79-18 BY ESTABLISHING SETTLEMENT AUTHORITY FOR BODILY INJURY CLAIMS FOR THE CITY'S RISK MANAGEMENT DIVISION IN THE AMOUNT OF \$15,000; PROVIDING A CONFLICTS CLAUSE, AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Recommendation: Motion to Approve Resolution 72-22.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Resolution 72-22](#)
[Resolution 79-18](#)

6.D. APPROVE THE RESTRICTIVE COVENANT MASTER AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND TRG DELRAY BEACH CONGRESS LLC

Recommendation: Motion to Approve the Restrictive Covenant Master Agreement Between The City Of Delray Beach And TRG Delray Beach Congress LLC.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Workforce housing agreement-signed by Owner](#)

- 6.E.** RESOLUTION NO. 77-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, OPPOSING SENATE BILL 620 IN THE 2022 FLORIDA LEGISLATIVE SESSION, URGING GOVERNOR RON DESANTIS TO VETO SENATE BILL 620 WHICH, IF ENACTED, WOULD ALLOW BUSINESS DAMAGES TO BE ASSESSED AGAINST COUNTIES AND MUNICIPALITIES IN CERTAIN CIRCUMSTANCES; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO GOVERNOR RON DESANTIS, THE FLORIDA LEAGUE OF CITIES, AND THE PALM BEACH COUNTY LEAGUE OF CITIES, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Recommendation: Motion to approve Resolution 77-22.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Res. No. 77-22-Opposing SB 620 FINAL](#)

- 6.F.** PROPOSED OFFER OF SETTLEMENT IN THE CASE OF JAMES KEEGAN V. CITY OF DELRAY BEACH

Recommendation: Motion to deny settlement in case of *James Keegan v. City of Delray Beach* for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

- 6.G.** RECEIVE ANNUAL FLOOD MITIGATION PLAN AND PROGRAM FOR PUBLIC INFORMATION (PPI) EVALUATION REPORT

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

None

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[330 PPI Annual Evaluation Report 3-8-2022 to PPI Cmte for aprvl](#)
[510 FMP - Annual Progress Report on Flood Mitigation Projects 2022](#)
[Legal Review not needed](#)

- 6.H.** ACCEPTANCE OF INTERNAL AUDIT REPORT: #22-01 Payroll Processing (Paid-Time Off)

Recommendation: Motion to accept the report completed by the Internal Auditor, Julia Davidyan.

Attachments: [Agenda Cover Report](#)
[22_01_Payroll Processing \(Paid Time Off\) Internal Audit Report](#)

- 6.I. PROCLAMATIONS:**

6.1.1. PROCLAMATION: KIDS TO PARKS DAY

Recommendation: Motion to proclaim May 21, 2022, as Kids to Parks Day.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Kids To Parks Day 2022](#)

6.1.2. NATIONAL SAFE BOATING WEEK PROCLAMATION

Recommendation: Motion to proclaim the week of May 21 - 27, 2022 as National Safe Boating Week.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Safe Boating Week Proclamation](#)

6.1.3. NATIONAL BEACH SAFETY WEEK

Recommendation: Motion to proclaim May 23-30, 2022 as National Beach Safety Week.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[National Beach Safety Week](#)

6.1.4. PROCLAMATION: NATIONAL TENNIS MONTH

Recommendation: Motion to proclaim the month of May as National Tennis Month in the City of Delray Beach.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Proclamation Nat'l Tennis Month.2022](#)

6.1.5. JEWISH AMERICAN HERITAGE MONTH PROCLAMATION

Recommendation: Motion to proclaim the month of May as Jewish American Heritage Month.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Jewish American Heritage Proclamation](#)

6.1.6. GUN VIOLENCE AWARENESS DAY PROCLAMATION

Recommendation: Motion to declare the first Friday in June to be National Gun Violence Awareness Day in the City of Delray Beach.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Gun Violence Awareness Day 2022](#)

6.J. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**6.J.1. REPORT OF APPEALABLE LAND USE ITEMS FROM APRIL 11, THROUGH MAY 6, 2022.**

Recommendation: By motion, receive and file this report.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map](#)
[A - Jardin Del Mar](#)
[B - 1845 SW 4th Avenue](#)
[C - Enclave at Sherwood](#)
[D - 706 NE 2nd Avenue](#)

6.K. AWARD OF BIDS AND CONTRACTS:**6.K.1. APPROVAL OF RESOLUTION NO. 52-22 TO AWARD A FIVE-YEAR AGREEMENT TO PFM FINANCIAL ADVISORS LLC FOR FINANCIAL ADVISORY SERVICES IN A NOT-TO-EXCEED AMOUNT OF \$115,000.**

Recommendation: Motion to approve Resolution No. 52-22 to award a five year Agreement to PFM Financial Advisors LLC (PFM) for financial advisory services in the not to exceed amount of \$115,000 for services for the Agreement term and authorize the City Manager to execute renewals, in the amounts detailed below, contingent on appropriation of funds.

Sponsors: Finance Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[SEMINOLE PFM FINANCIAL ADVISORS, LLC EXECUTED AGREEMENT](#)
[PFM Financial Advisor LLC, Signed Agreement](#)
[RESOLUTION NO. 52-22](#)
[Legal Review Checklist PFM Financial Advisory](#)

6.K.2. APPROVAL OF RESOLUTION NO. 53-22 TO AWARD AN AGREEMENT TO PFM ASSET MANAGEMENT, LLC. FOR INVESTMENT MANAGEMENT SERVICES UTILIZING THE CITY OF DORAL SOLICITATION NUMBER 2020-26 - \$340,000.

Recommendation: Motion to approve Resolution Number 53-22 to award a three-year Agreement to PFM Asset Management, LLC for investment management services in a not to exceed amount of \$340,000 utilizing the City of Doral's solicitation number 2020-26 and authorizing the City Manager to execute renewals, in the amounts detailed below, contingent on appropriation of funds.

Sponsors: Finance Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Doral 2021-05-14 Agreement for Investment Management Services executed](#)
[PFM Asset Management LLC Signed Agreement](#)
[RESOLUTION NO. 53-22](#)
[Legal Review Checklist PFM Asset Management 2022](#)

6.K.3. APPROVAL OF RESOLUTION NO. 67-22 TO AWARD AN AGREEMENT TO THOMPSON CONSULTING SERVICES, LLC. FOR EMERGENCY DEBRIS REMOVAL MONITORING SERVICES - \$288,150.

Recommendation: Motion to approve Resolution No. 67-22 to AWARD AN Agreement to Thompson Consulting Services, LLC for emergency debris removal monitoring services in the estimated annual amount of \$288,150. and authorize the City Manager to exercise renewal options, in the amounts below, contingent upon appropriation of funds.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Advertised Bid RFP No. 2022-013](#)
[Thompson Consulting Services Proposal](#)
[Excel Tabulation for Bid RFP No. 2022-013 JDM](#)
[City of Delray Agreement](#)
[Exhibit A - Scope of Services](#)
[Exhibit B - Pricing Schedule](#)
[Res 67-22 Thompson Consulting Services Emergency Debris Removal Monitori](#)
[Legal Review Checklist RFP 2022-013 Emergency Debris Removal Monitoring .](#)

6.K.4. APPROVAL OF RESOLUTION NO. 68-22 TO AWARD AN AGREEMENT TO CJ CONTRACTING, LLC, FOR ROOF MAINTENANCE AND REPAIR SERVICES, - \$750,000.

Recommendation: Motion to approve Resolution No. 68-22 to AWARD AN Agreement to CJ Contracting, LLC for roof maintenance and repair services in the estimated amount \$750,000, and authorize the City Manager to exercise renewal options, in the amounts below, contingent upon appropriation of funds.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Advertised Bid 2022-021 Roof Maintenance and Repair](#)
[Tabulation Report for Roof Repair](#)
[Tabulation Packet for CJ Contracting](#)
[Roof Maintenance and Repair Services contract ITB 2022-021 Signed](#)
[Res 68-22 CJ Contracting LLC Roof Repair](#)
[Legal Review Checklist CJ Contracting LLC roof repair and maintenance](#)

6.K.5. APPROVAL OF RESOLUTION NO. 70-22 TO AWARD AN AGREEMENT WITH RELATION INSURANCE SERVICES OF FLORIDA, INC. FOR PROPERTY AND CASUALTY INSURANCE BROKER SERVICES PURSUANT TO REQUEST FOR PROPOSALS NO. 2022-006 FOR THE HUMAN RESOURCES RISK MANAGEMENT DIVISION - \$132,000 FOR THE INITIAL THREE-YEAR TERM (\$44,000 PER YEAR)

Recommendation: Motion to Approve Resolution No. 70-22 to award an Agreement with Relation Insurance Services of Florida, Inc. Property and Casualty Insurance Broker Services for the Human Resources Risk Management Division pursuant to Request for Proposals (RFP) No. 2022-006 in the estimated initial three (3) year amount of \$132,000 (\$44,000 per year) and authorize the City Manager to exercise any and all renewal options in amounts below contingent upon appropriation of funds.

Sponsors: Human Resources Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Relation Insurance Services](#)
[RESOLUTION NO. 70-22](#)
[RFP 2022-006 Relation Insurance Services of Florida Inc. Agreement - Vendor](#)

7. REGULAR AGENDA:

7.A. RECOMMENDATION FOR APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY BOARD

Recommendation: Motion to recommend for appointment three (3) regular members to serve on the Delray Beach Housing Authority Board for a four (4) year term ending July 14, 2026.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Delray Beach Housing Authority](#)
[DBHA Attendance Record 2022](#)
[Buckley](#)
[Charles](#)
[Cortezi](#)
[Gomez](#)
[Metcalf](#)
[Torres](#)

7.B. NOMINATION FOR APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD

Recommendation: Motion to approve the nomination for an appointment for one (1) regular member to serve on the Downtown Development Authority Board for a three (3) year term ending July 01, 2025.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Downtown Development Authority](#)
[DDA Boundary Map Highlight](#)
[DDA Board Attendance 2021-2022](#)
[Arts](#)
[Catania](#)
[Clark](#)
[Cohen, S](#)
[Kaulina-Feldmanis](#)
[Michel](#)
[Rindos](#)
[Van Arnem](#)
[Woodson](#)
[Zirilli](#)

7.C. STATE HOUSING INITIATIVES PARTNERSHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP) FY2022-2025

Recommendation: Motion to authorize and approve the Local Housing Assistance Plan (LHAP) for Fiscal Years 2022-2025, by adopting Resolution #61-22, pursuant to Title 67-37 of the Florida Administrative Code.

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[Simple Legal Review Approval Resolution 61-22](#)
[Delray2022-2025 FINAL](#)
[2022 Exhibit A Administrative Budget](#)
[2022 Exhibit B Timeline](#)
[2022 Exhibit C Housing Delivery Goals](#)
[2022 Exhibit D Certification](#)
[Exhibit E Resolution 61-22](#)
[Exhibit H Subordination Policy](#)

7.D. DISCUSSION OF REVOCABLE LICENSE AGREEMENT/ TRIPLE THREAT DBA AMERICAN ACADEMY

Recommendation: Motion to approve the Agreement between the City of Delray Beach (City) and Triple Threat DBA American Academy.

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[AALC Brochure DBNRC 42022](#)
[Revocable License Agreement - Triple Threat DBA American Academy Commis](#)

7.E. DISCUSSION REGARDING ALLOWING THE USE OF SMALLER SIDE SETBACKS ON SINGLE-FAMILY LOTS FOR THE PROVISION OF WORKFORCE HOUSING BY OTHER AGENCIES

Recommendation: Provide Direction.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

- 7.F.** APPROVE THE REQUEST FROM THE DELRAY BEACH PUBLIC LIBRARY ASSOCIATION, INC. TO SUBLET 900 SQUARE FEET OF SPACE AT 100 WEST ATLANTIC AVENUE TO THE BUZZ AGENCY.

Recommendation: Approve THE request from the Delray Beach Public Library Association, Inc. to sublet 900 square feet of space at 100 West Atlantic Avenue to the Buzz Agency pursuant to the Lease Agreement between the Delray Beach Library Association, Inc. and the City of Delray Beach.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Library 2005 Business Lease for 99 years](#)
[Delray Beach Library Association Amendment No. 1 to the Lease Agreement](#)
[Overview of Tenant for Library Building](#)
[revised letter to Mayor and Commissioners to request sublease for Buzz Agency](#)
[02852- Delray Library Sublease with The Buzz Agency](#)

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A.** ORDINANCE NO. 09-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING APPROXIMATELY 0.183 ACRES OF LAND PRESENTLY ZONED SINGLE FAMILY RESIDENTIAL (R1) DISTRICT TO COMMUNITY FACILITIES (CF) DISTRICT FOR A PARCEL LOCATED AT 620 LAKE IDA ROAD, 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/PUBLIC HEARING)

Recommendation: Review and consider Ordinance No. 09-22, a privately initiated request for a Rezoning of the +/- 0.183-acre property located at 620 Lake Ida Road, to rezone the property from Single Family Residential (R-1-A) to Community Facilities (CF).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[620 Lake Ida Rd - Ordinance No. 09-22](#)
[620 Lake Ida Road - PZB Report](#)
[620 Lake Ida Road - Existing and Proposed Zoning](#)
[620 Lake Ida Road - Applicant Justification Statement](#)
[620 Lake Ida Road - Traffic Statement Letter](#)
[Simple Legal Review Approval Ordinance 09-22](#)

8.B. ORDINANCE NO. 10-22: 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 4.7, "FAMILY/WORKFORCE HOUSING;" AMENDING SECTION 4.7.5, "DENSITY BONUS PROGRAMS," TO UPDATE CROSS-REFERENCES; AMENDING SECTION 4.7.6, "RENTAL HOUSING UNITS," MODIFYING THE PERMISSIBLE MAXIMUM RENT FOR EACH INCOME CATEGORY; AMENDING SECTION 4.7.7, "FOR SALE HOUSING UNITS," TO ALIGN THE MAXIMUM SALES PRICE REQUIREMENTS WITH STATE STANDARDS; AMENDING SECTION 4.7.8, "RESALE AND SUBSEQUENT RENTALS OF AFFORDABLE UNITS," MODIFYING THE PERMISSIBLE CONVEYANCE OF PROPERTIES WITH RESTRICTIVE COVENANTS; AMENDING SECTION 4.7.11, "DENSITY BONUS TABLES," DELETING THE SECTION IN ITS ENTIRETY, AND RENUMBERING SECTION 4.7.12, "OTHER INCENTIVES," TO REFLECT THE DELETION OF SECTION 4.7.11; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

Recommendation: Review and consider Ordinance No. 10-22, a City-initiated amendment to Article 4.7, "Family/Workforce Housing" of the Land Development Regulations (LDR), amending Section 4.7.1, "Definitions," Section 4.7.6, "Rental housing units", Section 4.7.7, "For sale housing units", and Section 4.7.8, "Resale and subsequent rentals of affordable units"; deleting Section 4.7.11, "Density Bonus Tables"; and renumbering Section 4.7.12, "Other incentives," to reflect the deletion of Section 4.7.11.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Family/Workforce Housing LDR: Ordinance No. 10-22](#)
[Family/Workforce Housing LDR: PZB Staff Report](#)
[Family/Workforce Housing LDR: Always Delray Map DIA-7](#)
[Legal Review, Ordinance No. 10-22](#)

- 8.C.** ORDINANCE NO. 17-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING TITLE 5, "PUBLIC WORKS," CHAPTER 52, "WATER," SUBHEADING "RATES, CHARGES, AND FEES," SECTION 52.34, "WATER RATES," SUBSECTION (B), "MONTHLY RATES," INCREASING THE RATES FOR WATER FURNISHED BY THE CITY; AMENDING CHAPTER 53, "SANITARY SEWERS," SUBHEADING "USER CHARGE AND INDUSTRIAL COST RECOVERY SYSTEM," SECTION 53.130, "USER CHARGES; WHOLESAL SEWER RATES; CALCULATION OF SEWER SURCHARGE," SUBSECTION (D), "[RATES AND CHARGES.]," INCREASING THE SANITARY SEWER SERVICE CHARGES; AMENDING CHAPTER 59, "RECLAIMED WATER," SECTION 59.09, "FEES, RATES, AND CHARGES," TO REFERENCE THE COMMODITY CHARGES IN SECTION 52.34, "WATER RATES;" PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

Recommendation: Review and consider Ordinance No. 17-22, pertaining to *Title 5*, "Public Works," Chapter 52, "Water," Subheading "Rates, Charges, and Fees," Section 52.34, "Water Rates," Subsection (B), "Monthly Rates," of the Code of Ordinances of the City of Delray Beach, Florida.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Ordinance 17-22 FINAL](#)
[Legal Review Ord 17-22](#)
[Commission Presentation - 2022-03-08 - v1 \(002\)](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 11-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING TITLE 5, "PUBLIC WORKS," CHAPTER 52, "WATER," BY ENACTING A NEW SECTION 52.07, "LANDSCAPE IRRIGATION," TO IMPLEMENT THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES RULE, ESTABLISH A LANDSCAPE IRRIGATION SCHEDULE AND EXCEPTIONS THERETO, REQUIRE IRRIGATION SYSTEMS TO UTILIZE TECHNOLOGY THAT INHIBITS OR INTERRUPTS WATERING DURING PERIODS OF SUFFICIENT MOISTURE, PROVIDE FOR VARIANCES FROM THE LANDSCAPE IRRIGATION SCHEDULE, AND PROVIDE FOR ENFORCEMENT OF THIS ORDINANCE; AMENDING SECTION 52.99, "PENALTY," TO ESTABLISH PENALTIES FOR VIOLATIONS OF THIS ORDINANCE AND TO REMOVE CRIMINAL SANCTIONS BUT INCREASE THE FINANCIAL PENALTY FOR VIOLATIONS OF SECTIONS 52.65 THROUGH 52.70, WHICH PLACE RESTRICTIONS ON WATER USE DURING WATER SHORTAGE EMERGENCIES, AND INCREASE THE FINANCIAL PENALTY FOR VIOLATIONS OF SECTIONS 52.80 THROUGH 52.85, REQUIRING THE INSTALLATION AND MAINTENANCE OF BACKFLOW PREVENTION DEVICES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Ord 11-22 Irrigation Ord.docx](#)
[Legal Review Ord 11-22 Irrigation.docx](#)

- 9.B.** ORDINANCE NO. 13-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING SEVEN PARCELS OF LAND, MEASURING APPROXIMATELY 1.38 ACRES, GENERALLY LOCATED SOUTH OF LAKE IDA ROAD, NORTH OF NORTHWEST 4TH STREET, EAST OF NORTHWEST 8TH AVENUE, AND WEST OF NORTHWEST 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES (CF) TO LOW DENSITY (LD), 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)

Recommendation: Consider Ordinance No. 13-22, a City-initiated Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) land use to correct a data conversion error on seven parcels totaling 1.38 acres currently addressed as 620, 704, 706, and 710 Lake Ida Road, and 655, 701, and 709 NW 4th Street.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 13-22: 620 Lake Ida Rd et al](#)
[Ordinance No. 13-22: PZB Staff Report, LUMA, 620 Lake Ida Rd et al](#)
[Ordinance No. 13-22: Proposed Land Use Map](#)
[Legal Review: Ordinance No. 13-22](#)

- 9.C.** ORDINANCE NO. 14-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT RE-DESIGNATING A PARCEL OF LAND MEASURING APPROXIMATELY 0.18 ACRES, LOCATED GENERALLY EAST OF NORTH FEDERAL HIGHWAY AND SOUTH OF NORTH LAKE AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM MEDIUM DENSITY TO GENERAL COMMERCIAL, 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).

Recommendation: Review and consider Ordinance No. 14-22, a City-initiated Land Use Map Amendment (LUMA) from Medium Density Residential (MD) to General Commercial (GC) land use to correct a data conversion error on a parcel totaling 0.18 acres currently addressed as 716 N Lake Ave.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance 14-22 \(716 N. Lake Ave\) WMB 2022 04 15](#)
[PZB Staff Report \(716 N. Lake Ave\)](#)
[Legal Review \(716 N. Lake Ave\)](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission

11. ADJOURNMENT