

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 6:00 PM

Tuesday, June 18, 2024

Commission Chambers

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/>

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 THE INDEPENDENT CPA FIRM OF MARCUM LLP OF THE CITY'S ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2023.

Recommendation: Acceptance of the Annual Comprehensive Financial Report as presented.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[City of Delray Beach ACFR FY 2023](#)

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:

May 21, 2024 Regular Meeting Minutes - DRAFT

June 4, 2024, Special Meeting (Closed Attorney/Client Session) Minutes - DRAFT

June 4, 2024 Regular Meeting Minutes - DRAFT

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[May 21, 2024 Regular Meeting Minutes - DRAFT](#)
[June 4, 2024 Special Meeting \(Closed Attorney Client Session\) Minutes - DRAFT](#)
[June 4, 2024 Regular Meeting Minutes - DRAFT](#)

6.B. RESOLUTION NO. 125-24 AMENDING THE FISCAL YEAR 2023-24 BUDGET ADOPTED BY RESOLUTION NO.145-23 ON SEPTEMBER 18, 2023.

Recommendation: Motion to Approve Resolution No. 125-24 amending the Fiscal Year 2023-24 budget adopted on September 18, 2023.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution 125-24 Budget Amendment FY 2023-24 6.18.24](#)
[Exhibit A - Resolution 125-24 Budget Amendment 6.18.24](#)
[Simple Legal Review Approval budget amendment](#)

6.C. RESOLUTION 127-24 TO ALLOW CITY MANAGER TO EXECUTE SHIP AGREEMENTS UNDER LOCAL HOUSING ASSISTANCE PLAN (LHAP)

Recommendation: Motion to authorize and approve Resolution #127-24 to the Local Housing Assistance Plan (LHAP) for Fiscal Years 2022-2025, pursuant to Title 67-37 of the Florida Administrative Code allowing the City Manager to expedite the process of awarding said agreements.

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist](#)
[Resolution 127-24](#)

6.D. REQUEST FOR PERMISSION TO APPLY FOR POOL SAFELY GRANT PROGRAM THROUGH THE U.S. CONSUMER PRODUCT SAFETY COMMISSION

Recommendation: Motion to request permission to apply for Pool Safely Grant Program through the U.S. Consumer Product Safety Commission and authorizing the City Manager signing authority.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Simple Review for Grant Application.docx](#)
[SF424_2_1 Page 4_Federal Assistance Application_Pool Safety Grant.pdf](#)
[SF-424B.Assurances for Non-Construction Programs_Pool Safety Grant.pdf](#)
[SFLLL_1_2 P-V1.2_Disclosure of Lobbying Activities.pdf](#)

6.E. GRANT APPLICATION/THE VIRGINIA AND HARVEY KIMMEL FAMILY FOUNDATION

Recommendation: Motion to approve application to The Virginia and Harvey Kimmel Family Foundation for multi-year grant funding of additional Community Outreach Officer in the total amount not to exceed \$450,000

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Community Outreach Officer Calculation 5-24-2024](#)
[Harvey and Virginia Kimmell Family Foundation Grant Request_6.5.24](#)

6.F. PROPOSED OFFER OF SETTLEMENT IN THE CASE OF ALISON GENCO V. CITY OF DELRAY BEACH

Recommendation: Motion to reject settlement offer proposed by Alison Genco for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

6.G. PROCLAMATIONS:**6.G.1. OBSERVANCE OF JUNETEENTH**

Recommendation: Motion to observe Juneteenth on June 19th as the celebration commemorating the ending of slavery in the United States.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Juneteenth Proclamation 2024](#)

6.G.2. NATIONAL HIV TESTING DAY PROCLAMATION - JUNE 27, 2024

Recommendation: Motion to observe June 27, 2024 as National HIV Testing Day.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National HIV Testing Day 2024](#)

6.G.3. PROCLAMATION - NATIONAL CLEAN BEACHES WEEK - JULY 1 - 7, 2024

Recommendation: Motion to declare July 1-7, 2024 as National Clean Beaches Week.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Clean Beaches Week 2024](#)

6.G.4. OBSERVANCE OF INDEPENDENCE DAY

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Observance of Independence Day 2024](#)

6.H. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

6.H.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM MAY 20, 2024 THROUGH JUNE 7, 2024.

Recommendation: By motion, receive and file this report for actions on development application requests from May 20, 2024, through June 7, 2024.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[SPRAB \(5-22\) Rainberry Bay Circle](#)
[HPB \(6-5\) 170 Marine Way](#)
[HPB \(6-5\) 108 N. Swinton Avenue](#)

6.I. AWARD OF BIDS AND CONTRACTS:

6.I.1. APPROVAL OF RESOLUTION NO. 73-24 TO AWARD AN AGREEMENT WITH CANON SOLUTIONS AMERICA, INC. FOR REPLACEMENT, MAINTENANCE, AND REPAIRS OF MULTIFUNCTION DEVICES; UTILIZING UNIVERSITY OF CALIFORNIA / OMNIA PARTNERS COOPERATIVE AGREEMENT NO. 202000275 IN THE AMOUNT OF \$630,500.00

Recommendation: Recommended Action:

Motion to Approve Resolution No. 73-24 to award an Agreement with Canon Solutions America, Inc., utilizing the University of California / Omnia Partners Cooperative Agreement No. 202000275 in the amount of \$630,500.00; authorizing the City Manager to exercise two one-year renewal options, in the amount below, contingent upon appropriation of funds.

Sponsors: IT Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Resolution 73-24 Print goods and services](#)
[P2024-025 Print Goods and Services - MSA](#)
[Canon America Print Goods and Services LR](#)
[COI](#)
[COI Approval](#)
[Original RFP document](#)
[MSA # 2020002755 Signed](#)

6.1.2. APPROVAL OF RESOLUTION NO. 126-24 TO AWARD AN AGREEMENT WITH FLORIDA ULS OPERATING LLC DBA HAVERLAND AG INNOVATIONS INC FOR BASEBALL FIELD MAINTENANCE AT POMPEY PARK PURSUANT TO INVITATION TO BID NO. 2024-028 IN THE AMOUNT OF \$513,371.75 FOR TOTAL CONTRACT TERM OF FIVE YEARS

Recommendation: Motion to approve Resolution No. 126-24 to award an agreement with Florida ULS Operating LLC DBA Haverland AG Innovations Inc. for baseball field maintenance at Pompey Park pursuant to the Invitation to Bid No. 2024-028 in the amount of \$513,371.75 for a total term of five (5) years (\$102,674.35 annually); authorizing the City manager to take all actions necessary to effectuate this agreement; and for other purposes.

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Ballfields_Legal_Review.pdf](#)
[Agreement ITB 2024-028 Pompey Park Baseball Field 2024.docx](#)
[ITB_2024-028_Pompey_Park_Baseball_Field_Maintenance_Services-Final_2024.docx](#)
[Resolution No. 126-24 Pompey Ballfields 2024.docx](#)

6.1.3. APPROVAL OF RESOLUTION 140-24 FOR THE ISSUANCE OF A PURCHASE ORDER TO ASAP COMPLETE TREE SERVICE AND LANDSCAPE DESIGN, LLC FOR SOD AND SOD INSTALLATION OF GREENS AT LAKEVIEW GOLF CLUB AND THE DELRAY BEACH MUNICIPAL GOLF COURSE UTILIZING Q2024-026 IN THE AMOUNT OF \$72,151.25.

Recommendation: Motion to approve Resolution No. 140-24 for the issuance of a Purchase Order (PO) to ASAP Complete Tree Service and Landscape Design, LLC for Sod and Sod Installation of greens at Lakeview Golf Club and the Delray Beach Municipal Golf Course utilizing Q2024-026 in the amount of \$72,151.25.

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Simple Legal Review Approval 140-24](#)
[Q2024-026_Sod_Advertised.pdf](#)
[Tabulation Packet for Q2024-026- ASAP](#)
[Reso No. 140-24](#)

6.1.4. APPROVAL OF RESOLUTION NO. 136-24 RATIFYING THE PURCHASE ORDER ISSUED TO COMMERCIAL ENERGY SPECIALISTS, INC. FOR A TOTAL AMOUNT OF \$132,284.79 FOR THE PURCHASE AND INSTALLATION OF NEW SAND FILTERS FOR THE POOL AT POMPEY PARK

Recommendation: Motion to approve Resolution No. 136-24 ratifying the purchase order issued to Commercial Energy Specialists, Inc., for a total amount of \$132,284.79 for the purchase and installation of new sand filters for the pool at Pompey Park.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Res 136-24 - Emergency Purchase - Pompey Pool Filters - Commercial Energy](#)
[Legal Review Res 136-24 - Emergency Purchase of Pool Filters for Pompey Pa](#)
[AUTHORIZATION FORM_CES_Pool.log](#)
[CES.PO.pdf](#)

6.1.5. APPROVAL OF RESOLUTION # 119-24 TO AWARD A CITY STANDARD AGREEMENT WITH FLORIDA BULLET, INC. TO PURCHASE AMMUNITION FOR CITY OF DELRAY BEACH POLICE DEPARTMENT IN THE AMOUNT OF \$800,000.00

Recommendation: Motion to approve Resolution # 119-24 to award a City Standard Agreement with Florida Bullet, Inc. to purchase ammunition for City of Delray Beach Police Department in the amount of \$800,000.00.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Florida Bullet Inc Master Contractor Services Agreeeme](#)
[Vendor Signed SS2024-026 Ammunition](#)
[Res 119-24 Ammo](#)
[SS2024-026- Ammo - signed](#)

6.1.6. APPROVAL OF RESOLUTION NO. 128-24 TO AWARD AN AGREEMENT TO MAINGUY ENVIRONMENTAL CARE, INC. FOR LANDSCAPE MAINTENANCE SERVICES FOR STORMWATER RETENTION AREAS PURSUANT TO INVITATION TO BID (ITB) 2024-026 IN THE AMOUNT OF \$536,760 FOR A FIVE YEAR CONTRACT.

Recommendation: Motion to Approve Resolution No. 128-24 to award an Agreement to Mainguy Environmental Care, Inc. for Landscape Maintenance Services for Stormwater Retention Areas pursuant to Invitation to Bid (ITB) 2024-026 in the amount of \$536,760.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[ITB 2024-026 Landscape Maintenance Stormwater Retention Areas - Mainguy](#)
[Exhibit A - ITB 2024-026 - Landscape Maintenance of Stormwater Retention Ar](#)
[Res 128-24 ITB 2024-026 - Landscape Services for Retention Areas - Mainguy](#)
[Legal Review Checklist ITB 2024-026 - Landscape Maintenance of Stormwater](#)
[ITB 2024-026 Mainguy Environmental Care, Inc Bid Submittal](#)
[ITB 2024-026 Advertised Solicitation](#)

6.1.7. APPROVAL OF RESOLUTION NO. 129-24 TO ISSUE A PURCHASE ORDER TO FRAZER, LTD. FOR THE PURCHASE OF A NEW FRAZER MEDIUM DUTY RESCUE AMBULANCE UTILIZING BUYBOARD CONTRACT NO. 650-21, IN THE AMOUNT OF \$573,183.25.

Recommendation: Motion to approve Resolution No. 129-24 to issue a Purchase Order to Frazer, Ltd. for the purchase of a new Frazer Medium Duty Rescue Ambulance utilizing BuyBoard Contract No. 650-21 in the amount of \$573,183.25.

Sponsors: Public Works Department - Fleet Division

Attachments: [Agenda Cover Report](#)
[Reso No. 129-24 Buyboard](#)
[Exhibit A Reso. No 197-23](#)
[Reso 129-24 Legal Review](#)
[BuyBoard Proposal - Delray Beach Fire Rescue Medium Duty Rescue Ambulan](#)
[BuyBoard Contract No. 650-21](#)
[BuyBoard Contract No. 650-21 Bid Tabulation](#)
[BuyBoard Contract No. 650-21 Solicitation](#)

- 6.1.8.** APPROVAL OF RESOLUTION NO. 133-24 TO ISSUE A PURCHASE ORDER TO BERWIN, INC. DBA J.C. ARCHITECTURAL INTERIOR PRODUCTS FOR THE PURCHASE OF OFFICE FURNITURE FOR HUMAN RESOURCES UTILIZING STATE OF FLORIDA ALTERNATE CONTRACT SOURCE (ACS) CONTRACT NO. 56120000-24-NY-ACS, IN THE AMOUNT OF \$52,339.65.

Recommendation: Motion to approve Resolution No. 133-24 to issue a Purchase Order to Berwin, Inc. dba J.C. Architectural Interior Products for the purchase of Office Furniture for Human Resources utilizing State of Florida Alternate Contract Source (ACS) Contract No. 56120000-24-NY-ACS, in the amount of \$52,339.65.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Reso No. 133-24](#)
[Simple Legal Review Approval Furniture purchase](#)
[J.C. White Quote](#)
[Jasper Reseller Information Form](#)
[ACS Contract No. 56120000-24-NY-ACS](#)
[Master Contract No. PC70219](#)

- 6.1.9.** APPROVAL OF AMENDMENT NO. 1 TO AGREEMENT RFQ NO. 2022-034 OWNERS REPRESENTATIVE SERVICES FOR DESIGN-BUILD CONSTRUCTION PROJECT OF A NEW WATER TREATMENT PLANT (WTP), AND RELATED IMPROVEMENTS TO INCLUDE WORK AUTHORIZATION NO. 2 TOTALING \$522,957.08, AND WORK AUTHORIZATION NO. 3, TOTALING \$119,989.93, WITH HAZEN & SAWYER, P.C., IN A TOTAL CONTRACT INCREASE VALUE AMOUNT OF \$642,947.01.

Recommendation: Approval of Amendment No. 1 to Agreement RFQ No. 2022-024 Owners Representative Services for Design-Build Construction Project of a new Water Treatment Plant (WTP), and related improvements to include Work Authorization No. 2 totaling \$522,957.08, and Work Authorization No. 3, totaling \$119,989.93 with Hazen & Sawyer, P.C. in a total increase value amount of \$672,947.01.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Legal Review Amd #1 to RFQ 2022-034 Agmt - Owner's Rep for Water Treatme](#)
[Amd #1 to Agmt for RFP 2022-034 - Owner's Rep for Water Treatment Plant - L](#)
[Ex A Amd #1 to Agmt for RFP 2022-034 - Work Authorization No. 2.pdf](#)
[Ex B Amd #1 to Agmt for RFP 2022-034 - Work Authorization No. 3.pdf](#)

7. REGULAR AGENDA:

- 7.A.** RESOLUTION NO. 104-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF INTEREST IN A PORTION OF RIGHT-OF-WAY BISECTING 2001 S. FEDERAL HIGHWAY, TOTALING APPROXIMATELY FIVE THOUSAND THREE HUNDRED AND TWO SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Recommendation: Review and consider Resolution No. 104-24, a request to abandon a 20-foot-wide portion of City-owned Right-of-Way bisecting 2001 South Federal Highway, totaling approximately 5,302 square feet in area.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res. No. 104-24: Abandonment of ROW](#)
[Sketch and Description - ROW Abandonment](#)
[Survey - 2001 S Federal Highway](#)
[City Engineer Recommendation](#)
[Del-Raton Park Plat](#)
[Gateway Shopping Center Plat](#)
[Legal Review Res. No. 104-24 Abandonment of ROW](#)

- 7.A.1.** REPORT OF AN APPEALABLE DEVELOPMENT APPLICATION ACTION FOR A LEVEL 3 SITE PLAN FOR DELRAY MAZDA, LOCATED AT 2001 SOUTH FEDERAL HIGHWAY.

Recommendation: By motion, receive and file this report for an action on a Level 3 Site Plan application request from the May 20, 2024 Planning and Zoning Board Meeting.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB \(5-20\) Delray Mazda Site Plan](#)

7.A.2. ITEM 1 - ACCEPTANCE OF A GENERAL UTILITY EASEMENT AGREEMENT BY 2001 S FEDERAL HIGHWAY.

ITEM 2 - ACCEPTANCE OF A HOLD HARMLESS AGREEMENT BY 2001 S FEDERAL HIGHWAY.

ITEM 3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 2001 S FEDERAL HIGHWAY.

ITEM 4 - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENT BY 2001 S FEDERAL HIGHWAY.

Recommendation: Consideration of the following items:

Item 1 - Motion to approve and accept a General Utility Easement Agreement by the owners of 2001 S Federal Highway.

Item 2 - Motion to approve and accept a Hold Harmless Agreement by the owners of 2001 S Federal Highway.

Item 3 - Motion to approve and accept a Right-of-Way Dedication by the owners of 2001 S Federal Highway.

Item 4 - Motion to approve and accept a Perpetual Sidewalk Easement by the owners of 2001 S Federal Highway.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Item 1. General Utilities Easement Agreement: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 1. Exhibit A. Sketch and Description - General Utility Easement: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 1. Legal Review Utilities Easement Agreement: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 2. Hold Harmless Agreement: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 2. Exhibit B. Sketch and Description - General Utility Easement: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 2. Exhibit C. Mazda Site Plan: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 2. Legal Review Hold Harmless MDR Motors, LLC - 2001 S Federal Highway](#)

[Item 3. Right of Way Deed \(Corner Clip\): MDR Motors LLC - 2001 S Federal Highway](#)

[Item 3. Exhibit A. Right of Way Deed \(Corner Clip\): MDR Motors LLC - 2001 S Federal Highway](#)

[Item 3. Legal Review Right of Way Deed: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 4. Perpetual Sidewalk Easement: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 4. Exhibit A - Perpetual Sidewalk Easement: MDR Motors LLC - 2001 S Federal Highway](#)

[Item 4. Legal Review Perpetual Sidewalk Easement Agreement: MDR Motors LLC - 2001 S Federal Highway](#)

- 7.B.** RESOLUTION NO. 109-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A FINAL PLAT WITH WAIVERS FOR A TWO-LOT MINOR SUBDIVISION KNOWN AS "530 NORTH SWINTON AVENUE PLAT," FOR THE PROPERTY LOCATED AT 530 NORTH SWINTON AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL/PUBLIC HEARING)

Recommendation: Review and consider Resolution No. 109-24, a request for final approval of a minor subdivision plat with waivers to Land Development Regulations (LDR) Section 4.3.4(K), Development Standards Matrix - Nonresidential Zoning Districts, to reduce the minimum required lot width and lot frontage from 95 feet to 83.03 feet on Lot 1, and from 75 feet to 70.20 feet on Lot 2, created by the "530 North Swinton Avenue Plat," on a single piece of property currently addressed as 530 North Swinton Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 109-24, 530 N Swinton Ave Plat](#)
[Exhibit A: Legal Description](#)
[Exhibit B: 530 North Swinton Avenue Plat](#)
[Legal Review](#)

7.C. RESOLUTION NO. 137-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO SECTION 4.5.1(F)(3) OF THE LAND DEVELOPMENT REGULATIONS TO APPROVE THE DEMOLITION OF STRUCTURES LOCATED AT 19 SE 2ND STREET, 148 SE 1ST AVENUE, AND 130 SE 1ST AVENUE PRIOR TO THE ISSUANCE OF A BUILDING PERMIT IN ACCORDANCE WITH THE CERTIFICATE OF APPROPRIATENESS FOR THE PROJECT KNOWN AS MAGNOLIA PLACE, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE DEMOLITION OF SAID STRUCTURES IN CONJUNCTION WITH THE ISSUANCE OF BUILDING PERMITS FOR THE FOUNDATIONS; PROVIDING A CONFLICTS CLAUSE AND AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

Recommendation: Review and consider Resolution No. 137-24 for a waiver request to LDR Section 4.5.1(F)(3) to allow demolition of three non-contributing structures in the Old School Square Historic District in conjunction with the issuance of foundation permits for the project known as Magnolia Place (fka Downtown Delray Villas).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res. No. 137-24-Magnolia Place Demolition Waiver](#)
[HPB SR-Magnolia Place-2024-156-WAI-HPB-Final](#)
[Demolition Justification Letter-Magnolia Place](#)
[Survey-Magnolia Place](#)
[Approved Site Plan-Magnolia Place](#)
[Existing Site Plan-Magnolia Place](#)
[Legal Review-Magnolia Place-Downtown Delray Villas](#)

7.D. RESOLUTION 123-24 : A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS MUSCLE ON THE BEACH TO BE HELD MARCH 1, 2025 IN AND AROUND THE OLD SCHOOL SQUARE CAMPUS; 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.

Recommendation: Review and consider Resolution No 123-24 . approving an impact event known as Muscle on the Beach in and around the Old School Square campus.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Impact Event Resolution Muscle on the Beach](#)
[Special Events Application 2025](#)
[2025 Muscle on the Beach map](#)
[Simple Legal Review Approval Impact Event Resolution Muscle on the Beach](#)

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

Recommendation: Motion to approve the nomination for one (1) tax-qualified member to serve an unexpired term ending July 1, 2026.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Downtown Development Authority](#)
[DDA Board Attendance 2023-2024](#)
[DDA Map](#)
[Benson, Mavis](#)
[Costilo, Alan](#)
[Dockerty](#)
[Rose, Daniel](#)
[Van Arnem, Harold](#)

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

Recommendation: Motion to approve the nomination for one (1) tax-qualified member and one (1) regular member to serve a term ending July 1, 2027.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Downtown Development Authority](#)

[DDA Board Attendance](#)

[DDA Map](#)

[Alper, Gregg](#)

[Amedeo](#)

[Beal](#)

[Benson, Mavis](#)

[Blumenfeld](#)

[Cohn](#)

[Cohen, Steven](#)

[Costilo, Alan](#)

[Denkler, Mark](#)

[Dockerty](#)

[Fredericks, Carol](#)

[Grimes](#)

[Jones](#)

[Kaufman](#)

[Kiser, Mereida](#)

[Knight, James](#)

[Leish](#)

[Likosar, Shelly](#)

[Nelson](#)

[O'Conner](#)

[Platt](#)

[Rose, Daniel](#)

[Salzman](#)

[Sylvester](#)

[Van Arnem, Harold](#)

[Walden, George](#)

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A.** ORDINANCE NO. 18-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 33, "POLICE AND FIRE-RESCUE DEPARTMENTS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING "POLICE OFFICERS' RETIREMENT SYSTEM," SECTION 33.65, "ADMINISTRATION"; AMENDING "FIREFIGHTERS' RETIREMENT SYSTEM," AND SECTION 33.79, "ADMINISTRATION" TO PROVIDE FOR STAGGERED TERMS FOR TRUSTEES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.(SECOND READING)

Recommendation: Staff recommends approval of Ordinance No.18-24 on second reading.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[Ordinance 18-24 Amending Chapter 33 Staggered Terms for Trustees](#)

[Ordinance 18-24 Staggered Terms](#)

[Ordinance 18-24 Staggered Trustee terms BIE](#)

[Police Actuarial Impact Statement for staggered terms May 2024](#)

[Fire Actuarial Impact Statement for staggered terms May 2024](#)

- 8.B.** ORDINANCE NO. 01-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES," SECTION 96.08, "HAZARDOUS SUBSTANCES AND HAZARDOUS WASTE; RECOVERY OF COST," BY ADOPTING A NEW TITLE, "RECOVERY OF COSTS," ADOPTING A NEW DEFINITION FOR FIRE RESCUE RESPONSE, AMENDING THE DEFINITIONS OF COST, HAZARDOUS SUBSTANCE OR HAZARDOUS WASTE, AND PERSON, AND BY ADOPTING REGULATIONS FOR REIMBURSEMENT TO THE CITY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Staff recommends the approval of the ordinance to facilitate additional reimbursement of funds to offset the expenses incurred by the City to sustain and purchase specialized equipment for mitigating Hazardous Materials incidents.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)

[Ordinance 01-24 - Recovery of Fire Costs - Legal Review](#)

[BIE--Ord 01-24 Amd Code to allow for recovery of costs for Fire Services](#)

[ord 01-24 Fire costs and services](#)

- 8.C.** ORDINANCE NO. 11-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH BY AMENDING CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES," BY ADDING SECTION 96.18, "AUTOMATED EXTERNAL DEFIBRILLATOR AND BLEEDING CONTROL KITS" TO REQUIRE DEFIBRILLATORS AND BLEEDING CONTROL KITS THROUGHOUT THE CITY FOR SPECIFIC OCCUPANCIES, OUTLINING INSTALLATION AND OPERATION INCLUDING LOCATION REQUIREMENTS, INSPECTION PROCEDURES, MAINTENANCE AND USE REQUIREMENTS, ENFORCEMENT PROCEDURES, AND PROVIDING DEFINITIONS FOR AUTOMATED EXTERNAL DEFIBRILLATORS AND BLEEDING CONTROL KITS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Staff recommends the approval of the ordinance to increase the safety of our residents, visitors, and business owners. The AED will increase survivability in the case of a cardiac arrest and the bleeding control kits will allow first aid to be rendered prior to the arrival of Fire Rescue.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[AED Ordinance kwb 1.22.24](#)
[Ordinance 11-24 AED Amd](#)
[Simple Legal Review Approval AED Ordinance](#)
[BIE - Ord 11-24 AED ordinance Fin](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 13-24: 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 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.4, "BASE DISTRICT DEVELOPMENT STANDARDS," SUBSECTION (H), "SETBACKS," BY AMENDING SUBSECTION (4), "STRUCTURES ALLOWED IN SETBACKS," TO MODIFY THE STRUCTURES AND BUILDING FEATURES PERMITTED WITHIN REQUIRED BUILDING SETBACKS; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.15, "SWIMMING POOL, WHIRLPOOLS, AND SPAS," FOR CONSISTENCY WITH OTHER EDITS; AND AMENDING APPENDIX A, "DEFINITIONS," TO ADD A DEFINITION FOR "BAY WINDOW;" PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Consider Ordinance No. 13-24, a City-initiated request to amend and update Section 4.3.4(H), "Setbacks," Section 4.6.15(G), "Yard Encroachment," and Appendix A, "Definitions," of the Land Development Regulations (LDR) relative to building design elements and site improvements allowed in building setbacks.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 13-24](#)
[PZB Staff Report, Ordinance No.13-24](#)
[Legal Review, Ordinance No. 13-24](#)
[Business Impact Estimate Form, Ordinance No. 13-24](#)

- 9.B.** ORDINANCE NO. 16-24: 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 0.5021 ACRES LOCATED AT 200 SE 7TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES 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)

Recommendation: Consider Ordinance No. 16-24, a privately initiated request for a small-scale Land Use Map Amendment from Community Facilities (CF) to Low Density (LD) for a +/- 0.5021-acre property located at 200 SE 7th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[200 SE 7th Avenue - Ord. No. 16-24](#)
[200 SE 7th Avenue - PZB Report](#)
[200 SE 7th Avenue - Justification Statement](#)
[200 SE 7th Avenue - Existing & Proposed Land Use Map](#)
[200 SE 7th Avenue - Traffic Statement](#)
[200 SE 7th Avenue - Business Impact Est.](#)
[200 SE 7th Avenue - Legal Review Form](#)

- 9.C.** ORDINANCE NO. 17-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING A PARCEL OF LAND MEASURING APPROXIMATELY 0.5021 ACRES LOCATED AT 200 SE 7TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES TO SINGLE FAMILY RESIDENTIAL (R-1-AA), 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: Consider Ordinance No. 17-24, a privately initiated request for a rezoning from Community Facilities (CF) to Single-Family Residential (R-1-AA) for a +/- 0.5021 acre property located at 200 SE 7th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[200 SE 7th Avenue - Ord. No. 17-24](#)
[200 SE 7th Avenue - PZB Report](#)
[200 SE 7th Avenue - Justification Statement](#)
[200 SE 7th Avenue - Existing & Proposed Zoning Map](#)
[200 SE 7th Avenue - Traffic Statement](#)
[200 SE 7th Avenue - Business Impact Estimate](#)
[200 SE 7th Avenue - Legal Review Form](#)

- 9.D.** ORDINANCE NO. 22-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 35 “EMPLOYEE POLICIES AND BENEFITS”, SUBHEADING “RETIREMENT PLAN”, BY AMENDING SECTION 35.105, “ADMINISTRATION BY RETIREMENT COMMITTEE” TO PROVIDE FOR COMMITTEE MEMBER TERM LIMITS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Motion to approve Ordinance 22-24.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[GE Pension Ordinance - Board Term Limits Ig rev](#)
[Simple Legal Review Approval Ordinance 22-24](#)
[Business Impact Estimate Form - Ordinance No 22-24 \(Retirement Plan Commi](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

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.