

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, June 3, 2025

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 Rob Long

Deputy Vice Mayor Angela Burns

Commissioner Tom Markert

Commissioner Juli Casale

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. PROCLAMATION IN MEMORY OF KERRY B. KOEN, RETIRED FIRE CHIEF**

Sponsors: Fire Rescue Department

Attachments: [Proclamation - Honoring Kerry B. Koen](#)

4.B. UPDATE FROM MARK DEARMAN REGARDING THE PFAS LITIGATION SETTLEMENT

Sponsors: City Attorney Department

4.C. LEGISLATIVE UPDATE BY SENATOR LORI BERMAN AND REPRESENTATIVE CASELLO

Sponsors: City Clerk Department

4.D. PRESENTATION OF THE CITY'S ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR)

Recommendation: No action required. This is just a presentation/informational update on our FY2024 ACFR by our auditors CBIZ CPAs

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[City of Delray Beach Annual Comprehensive Financial Report FY24 ACFR 2024](#)

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

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

5.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 20, 2025 Budget Workshop Meeting Minutes - DRAFT

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[May 20, 2025 Budget Workshop Meeting Minutes - DRAFT](#)

6.B. RESOLUTION 100-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN ANNUAL SPECIAL EVENT PERMIT FOR A SERIES OF IMPACT EVENTS KNOWN AS “ART & JAZZ ON THE AVENUE 2025” TO BE HELD ON JULY 23, 2025, SEPTEMBER 10, 2025 AND OCTOBER 22, 2025; AUTHORIZING THE CLOSURE OF CERTAIN CITY RIGHT OF WAYS 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.

Recommendation: Consider Resolution 100-25 approving an Annual Special Event Permit for a series of impact events known as Art & Jazz on the Avenue 2025 to be held on July 23, 2025, September 10, 2025, and October 22, 2025 and authorizing the closure of certain rights-of-way for the events; and authorizing the City Manager to take all actions necessary to effectuate the intent of the resolution.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[REVISED ART AND JAZZ ON THE AVE - 2025 App, Maps](#)
[Resolution 100-25](#)
[Resolution 100-25 Legal Review](#)

- 6.C.** RESOLUTION NO. 101-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE 37th ANNUAL DOWNTOWN DELRAY BEACH FESTIVAL OF THE ARTS TO BE HELD JANUARY 10-11, 2026; AUTHORIZING THE CLOSURE OF WEST ATLANTIC AVENUE FROM NW 5TH AVENUE TO 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.

Recommendation: Review and consider Resolution No 101-25, approving an impact event known as the 37th Annual Downtown Delray Beach Festival of The Arts which would include the closure of West Atlantic Avenue from NW 5th Avenue to Swinton Avenue.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[dray126permitsigned](#)
[dray126map copy](#)
[Resolution 101-25 37th Annual festival of the Arts Impact Event](#)
[Resolution 101-25 Legal Review](#)

- 6.D.** RESOLUTION NO. 119-25 AMENDING THE FISCAL YEAR 2024-25 BUDGET ADOPTED BY RESOLUTION NO.175-24 ON SEPTEMBER 16, 2024.

Recommendation: Motion to Approve Resolution No.119-25 amending the Fiscal Year 2024-25 budget adopted on September 16, 2024.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution 119-25 Budget Amendment FY 2025 \(003\)](#)
[Exhibit A - Resolution 119-25 Budget Amendment 06.03.25](#)
[Budget Transfer Railroad Ins - signed](#)
[Memo from Human Resources](#)
[Simple Legal Review Approval Budget Amendment 119-25](#)

- 6.E.** REQUEST TO APPROVE HOST FACILITY AGREEMENT BETWEEN THE UNITED STATES TENNIS ASSOCIATION INC. AND THE CITY OF DELRAY BEACH TO HOST AND SPONSOR THE DAVIS CUP TIE EVENT SEPTEMBER 12-13, 2025 IN A NOT TO EXCEED AMOUNT OF \$490,000 (includes in-kind services and waived fees) AT THE DELRAY BEACH TENNIS CENTER.

Recommendation: Motion to approve the Host Facility Agreement with the United States Tennis Association, Inc. (USTA) to host and sponsor the Davis Cup Tie Event September 12-13, 2025.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Davis Cup Agreement w USTA](#)
[Davis Cup Agreement with USTA - Legal Review](#)

- 6.F.** APPROVAL TO APPLY FOR THE HEALTHY KIDS INITIATIVE PLAYGROUND GRANT

Recommendation: Motion to approve applying for the Healthy Kids Initiative Playground Grant.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Healthy Kids Grant application 2025](#)

- 6.G.** INTERLOCAL AGREEMENT (ILA) BETWEEN THE CITY OF DELRAY BEACH AND PALM BEACH COUNTY (PBC) FOR THE UPCOMING SHORELINE PROTECTION PROJECT, SUPPORTING THE WINTER 2025 / 2026 US ARMY CORPS OF ENGINEERS (USACE) FLOOD CONTROL AND COASTAL EMERGENCY (FCCE) AND BEACH RENOURISHMENT PROJECT (PROJECT NO. 17-081)

Recommendation: Approval of an Interlocal Agreement (ILA) between the City of Delray Beach and Palm Beach County (PBC) for the upcoming Shoreline Protection project (Project No. 17-081), supporting the Winter 2025 / 2026 US Army Corps of Engineers (USACE) Flood Control and Coastal Emergency (FCCE) and Beach Renourishment project. This ILA provides a mechanism for funding the project, and the terms, conditions and obligations of the City and PBC.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[ILA 5-20-25 Final](#)
[Simple Legal Review Approval ILA with PBC for Beach Shoreline Protection](#)

- 6.H.** APPROVAL FOR ADDITIONAL SPENDING ON SOLE SOURCE NO. SS2024-006 WITH KELLY TRACTOR COMPANY FOR ORIGINAL EQUIPMENT MANUFACTURER (OEM) PARTS AND RELATED SERVICE FOR CATERPILLAR EQUIPMENT IN THE AMOUNT OF \$10,000 FOR A REVISED TOTAL VALUE OF \$30,000.00

Recommendation: Motion to approve additional spending on Sole Source No. SS2024-006 with Kelly Tractor Company for OEM Parts and Related Service for Caterpillar Construction Equipment in the amount of \$10,000 for revised total value of \$30,000.00.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Fully Executed SS2024-006 Kelly Tractor](#)

6.I. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 15 NE 16th CT.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 202 NE 5TH TER.

ITEM(S) A3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 222 SE 5TH ST.

ITEM(S) A4 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 238 SW 2ND AVE.

ITEM(S) A5 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 327 SE 3RD AVE.

Recommendation:

Consideration of the following items:

Item A1 - Motion to approve and accept a Right-of-Way Dedication by the owners of 15 NE 16th CT.

Item A2 - Motion to approve and accept a Right-of-Way Dedication by the owners of 202 NE 5TH TER.

Item A3 - Motion to approve and accept a Right-of-Way Dedication by the owners of 222 SE 5TH ST.

Item A4 - Motion to approve and accept a Right-of-Way Dedication by the owners of 238 SW 2ND AVE.

Item A5 - Motion to approve and accept a Right-of-Way Dedication by the owners of 327 SE 3RD AVE.

Sponsors:

Public Works Department

Attachments:

[Agenda Cover Report](#)

[A1a - Right of Way - 15 NE 16th Ct - Ellen Sova Trust](#)

[A1b - Legal Review Right of Way - 15 NE 16th Ct - Ellen Sova Trust](#)

[A2a - Right of Way - 202 NE 5th Ter - Marc Schliesman and Amy Davidson](#)

[A2b - Legal Review Right of Way - 202 NE 5th Terr - Marc Schliesman and Amy](#)

[A3a - Right of Way - 222 SE 5th St - KM ONE LLC](#)

[A3b - Legal Review Right of Way - 222 SE 5th St - KM ONE LLC](#)

[A4a - Right of Way - 238 SW 2nd Ave - Ian Higgins](#)

[A4b - Legal Review Right of Way - 238 SW 2nd Ave - Ian and Dana Higgins](#)

[A5a - Right of Way - 327 SE 3rd Ave - David and Mihaela Plaza](#)

[A5b - Legal Review Right of Way - 327 SE 3rd Ave - David and Mihaela Plaza](#)

6.J. ITEM A1 - ACCEPTANCE OF A WATER AND SEWER UTILITY EASEMENT FOR 410 ENFIELD TERRACE.

Recommendation: Consideration of the following item:

Item A1 - Motion to approve and accept a Water and Sewer Utility Easement Agreement for sanitary sewer piping dedication by the owner (s) of 410 Enfield Terrace, to the City of Delray Beach.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Water Sewer Utility Easement Agreement 410 Enfield Terrace PCN 12-43-46-](#)
[410 Enfield Terrace Water and Sewer Utility Easement Agreement LR](#)

6.K. RATIFICATION OF SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT AND DISPOSAL BOARD ACTION OF APRIL 28, 2025, AND APPROVAL OF THE FY2025/2026 PROPOSED BUDGET.

Recommendation: Motion to ratify actions approved by South Central Regional Wastewater Treatment and Disposal Board (SCRWTDB) at its quarterly meeting held on Monday, April 28, 2025.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[FY2026 Delray Beach Ratification rev. kwb](#)
[Simple Legal Review Approval Ratification of South Central Regional 2025](#)

6.L. MOTION TO CORRECT THE SCRIVENER'S ERROR ON RESOLUTION 60-25 ADOPTED AT THE MAY 20, 2025 CITY COMMISSION MEETING.

Recommendation: Amend Resolution No. 60-25, adopted on May 20, 2025, to reflect the correct Resolution No. 64-25

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res. No. 60-25 \(Approved\).pdf](#)
[Res. No. 64-25 \(Corrected\).docx](#)

6.M. PROCLAMATIONS:

6.M.1. 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](#)
[GUN VIOLENCE AWARENESS DAY PROCLAMATION 2025](#)

6.M.2. PROCLAMATION LGBTQ PRIDE MONTH

Recommendation: Motion to declare the month of June as LGBTQ Pride Month.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Pride proclamation 2025](#)

6.M.3. PRESENTATION OF PROCLAMATION RECOGNIZING JUNE 2-6, 2025 AS CODE ENFORCEMENT OFFICERS' APPRECIATION WEEK

Recommendation: Motion to approve June 2-6, 2025 as Code Enforcement Officers' Appreciation Week

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[Code Enforcement Officers' Appreciation Week 2025](#)

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

6.N.1. None

6.O. AWARD OF BIDS AND CONTRACTS:**6.O.1. APPROVAL OF RESOLUTION NO. 48-25 TO AUTHORIZE A NEW FIVE-YEAR AGREEMENT WITH EMS TECHNOLOGY SOLUTIONS, LLC FOR THE OPERATIVE IQ PROGRAM, DESIGNATED AS A CITY STANDARD FOR THE DELRAY BEACH FIRE RESCUE DEPARTMENT**

Recommendation: Motion to approve Resolution No. 48-25, establishing a new five-year agreement with EMS Technology Solutions, LLC (Operative IQ), designated as a City Standard, to support the Delray Beach Fire Rescue Department's (DBFR) inventory, asset, and facilities management needs. This action is consistent with Chapter 36 of the City's Code of Ordinances and the City's Purchasing Policies.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[CS2025-006 City of Delray Beach EMS Tech Main Services Agreement final](#)
[Res 48-25 Operative IQ software - City Standard lw rev](#)
[Legal Review Checklist Operative IQ](#)
[City Standard Memo](#)

6.O.2. APPROVAL OF RESOLUTION NO. 63-25 TO AUTHORIZE AN AGREEMENT WITH CINTAS CORPORATION NO. 2 FOR PURCHASE FIRE RESCUE RELATED FACILITY SERVICES AND SUPPLIES.

Recommendation: Motion to approve Resolution No. 63-25, authorizing the City Manager to execute an agreement with Cintas Corporation No. 2 for the provision of first aid, eye wash, hygiene, and other fire rescue-related products and services. These services will be procured utilizing competitively bid pricing available through the University of Nebraska's OMNIA Partners Cooperative (RFP No. 370222-4618). This procurement is consistent with Chapter 36 of the City's Code of Ordinances and the City's Purchasing Policies.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist_MSA Cintas Corp No 2.pdf](#)
[P2025-016 MSA Piggyback \(2\)](#)
[Res 63-25_P2025-009- Cintas_lw rev](#)
[Cintas Nebraska Contract](#)
[OMNIA FAS Acceptance Agreement \(Nebraska\) 2023 \(Rev 8.1.23\)](#)
[RFP_Nebraska original](#)

6.O.3. APPROVAL OF RESOLUTION NO. 91-25 TO AWARD AN AGREEMENT WITH GENUINE PARTS COMPANY DBA NAPA AUTO PARTS FOR THE PURCHASE OF AFTERMARKET VEHICLE PARTS AND SUPPLIES UTILIZING SOURCEWELL RFP NO. 100124 IN THE AMOUNT OF \$140,000.00

Recommendation: Motion to approve of Resolution No. 91-25 to award an agreement Genuine Parts Company dba Napa Auto Parts for the purchase of Aftermarket Vehicle Parts and Supplies utilizing Sourcewell RFP No. 100124 in the amount of \$140,000.00.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Res 91-25 - Napa Auto Parts - Piggyback Sourcewell RFP #100124](#)
[MSA - Aftermarket Vehicular Parts and Services - Sourcewell Piggyback - Genuine](#)
[Ex A MSA - Aftermarket Vehicular Parts and Services - Sourcewell Piggyback - C](#)
[Legal Review MSA - Aftermarket Vehicular Parts and Services - Sourcewell Piggy](#)
[Sourcewell Agreement RFP No. 100124-GPC](#)
[Proposal Evaluation RFP No. 100124](#)
[Sourcewell RFP and Addendums 100124](#)

6.O.4. APPROVAL OF RESOLUTIONS NO. 97-25, 98-25, AND 99-25 TO AWARD AGREEMENTS TO CJ CONTRACTING, LLC, I.Q. CONSTRUCTION, INC., AND WAYPOINT CONTRACTING, INC. FOR GENERAL CONTRACTOR SERVICES FOR MINOR CONSTRUCTION PROJECTS PURSUANT TO INVITATION TO BID (ITB) 2025-028 IN THE AMOUNT OF \$1,000,000.00

Recommendation: Motion to Approve Resolution No. 97-25, 98-25, and 99-25 to award Agreements to CJ Contracting, LLC, I.Q. Construction, Inc., and Waypoint Contracting, Inc. for General Contractor Services for Minor Construction Projects pursuant to ITB 2025-028 in the amount of \$1,000,000.00.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 97-25 CJ Contracting rev. kwb 5.7.25](#)
[Resolution No. 98-25 I. Q. Contructions, Inc.](#)
[Resolution No. 99-25 Waypoint Contracting, Inc.](#)
[ITB 2025-028 Agreement CJ Contracting, LLC General Contractor Services fo](#)
[ITB 2025-028 Agreement I.Q. Construction, Inc. General Contractor Services f](#)
[ITB 2025-028 Agreement Waypoint Contracting, Inc. General Contractor Servi](#)
[Legal Review - CJ Contracting](#)
[Legal Review - IQ Constructions Inc.](#)
[Legal Review - Waypoint Inc](#)
[Bid Submittal - CJ Contracting, LLC](#)
[Bid Submittal - I.Q. Constructions, Inc.](#)
[Bid Submittal - Waypoint Contracting, Inc.](#)
[Final Solicitation ITB 2025-028 General Contractor Services](#)
[ITB2025-028 Price Analysis](#)

- 6.O.5.** APPROVAL OF RESOLUTION NO. 104-25 TO AWARD AN AGREEMENT WITH MIDWEST MOTOR SUPPLY CO., DBA KIMBALL MIDWEST FOR THE PURCHASE OF MAINTENANCE, REPAIR AND OPERATIONS (MRO) SUPPLIES, EQUIPMENT, AND RELATED PRODUCTS AND SERVICES UTILIZING REGION 4 ESC/OMNIA PARTNERS REQUEST FOR PROPOSAL (RFP) NO. 24-08 IN THE AMOUNT OF \$86,000.00

Recommendation: Motion to approve of Resolution No. 104-25 to award an agreement with Midwest Motor Supply Co., dba Kimball Midwest for the purchase of MRO Supplies, Equipment, and Related Products and Services utilizing Region 4 ESC/OMNIA Partners RFP No. 24-08 in the amount of \$86,000.00.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Resolution No 104-25](#)
[P2025-017 - Maintenance, Repair and Operations \(MRO\) Supplies and Equipm](#)
[Exhibit A to Agreement](#)
[Legal Review - MRO Kimball Midwest](#)
[Contract #R240805 Kimball Midwest](#)
[Solicitation 24-08](#)

7. REGULAR AGENDA:

- 7.A.** RESOLUTION NO. 94-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO SECTION 4.4.13(D)(1) (b)1. b. OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW AN AWNING TO ENCROACH INTO THE FRONT SETBACK 9 FEET 7 INCHES, WHEREAS THE MAXIMUM ALLOWABLE ENCROACHMENT IS 4 FEET, FOR THE PROJECT LOCATED AT 220 NE 1ST STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

RESOLUTION NO. 95-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO SECTION 4.4.13(E)(2) (a)1. OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE WIDTH OF THE CURB ZONE TO 0 FEET FOR A PORTION OF THE STREETScape, FOR THE PROJECT LOCATED AT 220 NE 1ST STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Recommendation: Review and consider two separate requests for project located at 220 NE 1st Street, known as American Social: Resolution No. 94-25, a request to allow an awning to encroach into the front setback 9 feet 7 inches whereas the allowed maximum encroachment is 4 feet; and Resolution No. 95-24, a request to reduce the curb zone width from the required minimum of 4 feet to 0 feet for a portion of the streetscape.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 94-25 Waiver 1 \(Awning Encroachment\), American Social - 5.15](#)
[Resolution No. 95-25 Waiver 2 \(Curb Zone\), American Social](#)
[Waiver Justification \(Canopy Design\), American Social](#)
[Waiver Justification \(Streetscape Design\), American Social](#)
[PZB Staff Report, American Social CBD Waivers](#)
[Site Plan and Elevation Set \(For Reference Only\), American Social](#)
[Civil Plan Set \(For Reference Only\), American Social](#)
[Landscape Plan Set \(For Reference Only\), American Social](#)
[PBC TPS Approval Letter, American Social](#)
[DDA Recommendation, American Social](#)
[Simple Legal Review Approval American Social 94-25](#)
[Simple Legal Review Approval American Social 95-25](#)

- 7.B.** RESOLUTION NO. 93-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A REQUEST TO UTILIZE THE CONTEMPORARY FUNCTIONALISM ARCHITECTURAL STYLE FOR THE PROJECT LOCATED AT 109 SE 5TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Recommendation: Review and consider Resolution No. 93-25, approval of the use of the Contemporary Functionalism Architectural Style in the Central Business District for the property located at 109 SE 5th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Staff Report](#)
[Applicant Style Justification](#)
[Proposed Design \(for reference\)](#)
[Resolution 93-25](#)
[Legal Review Res 93-25](#)

- 7.C.** RESOLUTION NO. 110-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN IN-LIEU OF PARKING FEE REQUEST FOR THE PROJECT LOCATED AT 270 EAST ATLANTIC AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT CONSISTENT WITH THE APPROVAL HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Recommendation: Review and consider Resolution No. 110-25, an in-lieu of parking fee request in the amount of \$120,000 for 4 of the 46 required parking spaces associated with the development located at 270 East Atlantic Avenue, known as Roka Hula.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 110-25 In-Lieu of Parking Request- Roka Hula](#)
[In-Lieu Parking Agreement - 290 East Atlantic LLC \(Signed\)](#)
[Roka Hula - Justification Statement](#)
[Roka Hula - Site Plan](#)
[Legal Review Res 110-25 In-Lieu of Parking Request- Roka Hula](#)
[Legal Review In Lieu Parking Agreement - 290 East Atlantic LLC - 270 E Atlanti](#)

- 7.D.** RESOLUTION 103-25: 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 7, 2026 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 103-25. 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](#)
[Muscle on the Beach 2026 App and Map](#)
[Impact Event Resolution for Muscle on the Beach 103-25](#)
[Resolution 103-25 Legal Review](#)

- 7.E.** RESOLUTION 102-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING A SPECIAL EVENT SPONSORSHIP IN AN AMOUNT NOT TO EXCEED \$8,000.00 FOR THE SPECIAL EVENT KNOWN AS MUSCLE ON THE BEACH TO BE HELD ON MARCH 7, 2026; 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 Resolution 102-25, authorizing a Special Event Sponsorship in an amount not to exceed \$8,000 for the special event known as Muscle on the Beach to be set up and held on March 7, 2026; authorizing the City Manager to take all actions necessary to effectuate the intent and for other purposes.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Muscle on the Beach 2026 App and Map](#)
[Muscle Sponsorship Packet](#)
[Sponsorship Resolution 102-25](#)
[Resolution 102-25 Legal Review](#)

- 7.F.** NOMINATION FOR AN APPOINTMENT TO THE PLANNING AND ZONING BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT FOR ONE (1) QUALIFIED MEMBER TO SERVE A TERM ENDING AUGUST 31, 2027, WILL BE MADE BY VICE-MAYOR LONG (SEAT #2).

Recommendation: Motion to approve the nomination for an appointment for one (1) qualified member to serve a term ending August 31, 2027.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[P&Z Board Members List](#)
[2025 PZB Attendance](#)
[Amani, Sandra](#)
[Baffer, Benjamin](#)
[Calderbank, Chris](#)
[Cohen, Steven](#)
[Delehanty, Terrence](#)
[Fredericks, Carol](#)
[Godbout, Christina](#)
[Keane, Kevin](#)
[King, Cara](#)
[Kiselewski, Karen](#)
[Kiser, Mereida](#)
[Ramirez, Aura](#)
[Sauarez, Lucika](#)

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A.** ORDINANCE NO. 05-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN AMENDMENT BY AMENDING POLICY NDC 1.4.7 OF THE NEIGHBORHOODS, DISTRICTS, AND CORRIDORS ELEMENT OF THE ALWAYS DELRAY COMPREHENSIVE PLAN TO ALLOW FOR THE COMMERCE LAND USE DESIGNATION ALONG CONGRESS AVENUE SOUTH OF WEST ATLANTIC AVENUE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING/QUASI-JUDICIAL)

Recommendation: Consider Ordinance No. 05-25, a City initiated amendment to the Always Delray Comprehensive Plan, by adopting a text amendment to Policy NDC 1.4.7 of the Neighborhoods, Districts, and Corridors Element.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Comprehensive Plan Text Amendment \(Commerce Land Use](#)
[CBRE Congress Avenue Strategies Report](#)
[Ordinance No. 05-25, Comprehensive Plan Text Amendment](#)
[Exhibit A, Ordinance No. 05-25](#)
[Letter of No Objection, FloridaCommerce](#)
[Legal Review, Ordinance No. 05-25](#)
[Business Impact Estimate, Ordinance No. 05-25](#)
[Proof of Legal Advertisement, Ordinance No. 05-25](#)

- 8.B.** ORDINANCE NO. 06-25: 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 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES," SUBSECTION (AA), "ADULT ENTERTAINMENT ESTABLISHMENTS," TO PROHIBIT ADULT ENTERTAINMENT ESTABLISHMENTS SOUTH OF ATLANTIC AVENUE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

Recommendation: Consider Ordinance No. 06-25, a City-initiated amendment to Section 4.3.3, "Special Requirements for Specific Uses," Subsection (AA), "Adult Entertainment Establishments" to adopt regulations prohibiting the location of Adult Entertainment Establishments south of Atlantic Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Adult Entertainment LDR Amendment](#)
[Ordinance No. 06-25, Amending LDR Section 4.3.3\(AA\)](#)
[Legal Review, Ordinance No. 06-25](#)
[Business Impact Estimate, Ordinance No. 06-25](#)
[Proof of Legal Advertisement, Ord. No. 06-25](#)

- 8.C.** ORDINANCE NO. 02-25: 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 4.27 ACRES LOCATED AT 975 SOUTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM CONGRESS AVENUE MIXED USE TO COMMERCE 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. (SECOND READING/ PUBLIC HEARING)

Recommendation: Consider Ordinance No. 02-25, a privately initiated request for a small-scale Land Use Map Amendment from Congress Avenue Mixed Use (CMU) to Commerce (CMR) for the 4.27 acre property located at 955-975 South Congress Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord 02-25 - 955-975 S Congress Ave - LUM](#)
[PZB Staff Report](#)
[Existing and Proposed Land Use and Zoning](#)
[Justification Statement](#)
[Traffic Impact Statement](#)
[CBRE Congress Avenue Strategies Plan](#)
[Legal Review - Ord. No. 02-25 - LUM Amd 955-975 S Congress Ave](#)
[BIE Ord. No. 02-25 - LUMA 955-975 S Congress Ave](#)
[Proof of Legal Advertisement, Ordinance No. 02-25](#)

- 8.D.** ORDINANCE NO. 01-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING LAND MEASURING APPROXIMATELY 4.27 ACRES LOCATED AT 975 SOUTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM MIXED RESIDENTIAL, OFFICE, AND COMMERCIAL TO MIXED INDUSTRIAL AND COMMERCIAL; 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. (SECOND READING/ PUBLIC HEARING)

Recommendation: Consider Ordinance No. 01-25, a privately initiated rezoning from Mixed Industrial and Commercial (MROC) to Mixed Industrial and Commercial (MIC) for the 4.27 acre property located at 955-975 South Congress Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord 01-25 - 955-975 S Congress Ave - Rezoning](#)
[PZB Staff Report](#)
[Existing and Proposed Land Use and Zoning](#)
[Justification Statement](#)
[Traffic Impact Statement](#)
[CBRE Congress Avenue Strategies Plan](#)
[Legal Review - Ord. No. 01-25 - Rezoning 955-975 S Congress Ave](#)
[BIE Ord. No. 01-25 - Rezoning 955-975 S Congress Ave](#)
[Proof of Legal Advertisement, Ordinance No. 01-25](#)

9. FIRST READINGS:

9.A. None

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.

