

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Final

Tuesday, April 8, 2025

5:00 PM

Regular Meeting at 5:00 PM

Delray Beach City Hall or Watch on YouTube: or

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

City Commission

Mayor Thomas F. Carney, Jr.

Vice Mayor Rob Long

Deputy Vice Mayor Angela Burns

Commissioner Tom Markert

Commissioner Juli Casale

1. ROLL CALL

The April 8, 2025 Regular City Commission meeting was called to order at 5:03 p.m. Alexis Givings, City Clerk, called the roll, and the following were present:

Terrence Moore, City Manager
Lynn Gelin, City Attorney
Alexis Givings, City Clerk

Present: 5 - Commissioner Tom Markert, Mayor Thomas F. Carney Jr., Deputy Vice Mayor Angela Burns, Commissioner Juli Casale, and Vice-Mayor Rob Long

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

Vice Mayor Long requested that Consent Item No.6.C. be considered earlier to allow Irving Slosberg a moment to speak on behalf of Resolution No. 76-25, which honors his late daughter. It became Item No. 4.G.

Ms. Gelin requested that Consent Item No. 6.F. be pulled for discussion. It became Item No. 7.B.1. on the Regular Agenda. Ms. Gelin also requested that Consent Item No. 6.G. be pulled for discussion. It became Item No.7.B.2. on the Regular Agenda.

Mayor Carney requested that Consent Item No. 6.N.1. be pulled so that it may be heard earlier. It became Item No. 4.F. under Presentations.

A motion was made by Commissioner Casale, seconded by Vice-Mayor Long, that the Agenda be approved as amended.

all were in favor

3.A. Additions, Deletions, Substitutions

Vice Mayor Long requested that Consent Item No.6.C. be considered earlier to allow Irving Slosberg a moment to speak on behalf of Resolution No. 76-25, which honors his late daughter. It became Item No. 4.G.

Ms. Gelin requested that Consent Item No. 6.F. be pulled for discussion. It became Item No. 7.B.1. on the Regular Agenda.

Ms. Gelin also requested that Consent Item No. 6.G. be pulled for discussion. It became Item No.7.B.2. on the Regular Agenda.

Mayor Carney requested that Consent Item No. 6. N.1. be pulled so that it

may be heard earlier. It became Item No. 4.F.

A motion was made by Commissioner Casale, seconded by Vice Mayor Long, to approve the agenda as amended.

all were in favor

4. PRESENTATIONS:

4.A. "BOOTS ON THE GROUND" - VIDEO CONTEST - LET'S MOVE DANCE COMPETITION

Attachments: [Video Link](#)

A video was presented for the Let's Move Dance Competition.

4.B. SPECIAL RECOGNITION IN MEMORY OF IRVING ADAMS, JR.

Sponsors: City Clerk Department

Attachments: [Recognition - Irving Adams, Jr.](#)

Sam Metott, Parks and Recreation Director, read the proclamation for Mr. Adams into the record. He mentioned that he would present the proclamation to Mr. Adams' family.

4.C. SPECIAL RECOGNITION OF PERRY DONFRANCISCO, DELRAY CITIZENS FOR DELRAY POLICE

Sponsors: City Clerk Department

Attachments: [Recognition - Perry DonFrancisco](#)

Mayor Carney read a Special Recognition of Mr. Perry DonFrancisco.

Chuck Halberg, with the Delray Beach Chamber of Commerce, said a few brief words on behalf of the "Delray Citizens for Delray Beach Police" which Mr. DonFrancisco co-founded in the mid-1980s, and began as a scholarship fund for local police officers. They discussed the ongoing relationship between the police and residents, marking a new chapter for the organization as it continues to foster positive police-community relations.

He wished Mr. Andre Fladell and the new directors much success.

4.D. PRESENTATION OF RECOMMENDATION BY PUBLIC ART ADVISORY BOARD TO INITIATE A PILOT PROGRAM TO WRAP UTILITY BOXES IN THE DOWNTOWN AREA

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Jeff Oris, Assistant City Manager, and Bob Costello from the Public Arts Advisory Board delivered a brief presentation highlighting how neighboring cities enhance the appearance of their utility boxes. They proposed that the City of Delray Beach initiate a pilot program for this purpose.

Mr. Costello mentioned the Public Art Trust Fund currently has approximately \$23,500 in available funds, and noted that the cost to wrap four (4) utility boxes would be \$14,000. He recognized the four most prominent boxes that would benefit from being wrapped at a cost of \$3,500 each. Mr. Costello recommended the City issue a "Call to Artists" for design ideas, emphasizing that final approval must be obtained from the Florida Department of Transportation (FDOT) and Palm Beach County.

The Commission unanimously agreed this concept was excellent and aligned perfectly with the City of Delray Beach.

4.E. PRESENTATION REGARDING OUTREACH PROGRAMS TO ASSIST LOCAL SMALL BUSINESS ENTERPRISES

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Mr. Oris, along with Chief Procurement Officer Eugene Bitteker and Economic Development Manager Rob Evans, discussed potential ways the City could support local small businesses in their growth and success. Mr. Oris suggested that a small business be defined as one with ten (10) or fewer employees.

Mr. Bitteker explained that during the procurement process, the Purchasing Department could gather information to identify small businesses. He also mentioned that they would collaborate with Risk Management to help assess the insurance requirement.

Mr. Evans stated he would be holding seminars aimed at educating small businesses on how to engage with the City successfully. He also mentioned that the City will participate in the upcoming annual Small Business Expo scheduled for May.

The Commission engaged in a discussion about connecting qualified individuals to suitable jobs, using social media or the City's website. The Commission expressed their gratitude for everyone's efforts on this matter.

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

None

5.B. From the Public

Chuck Halberg, 120 NW 4th Avenue, Delray Beach

Discussed that Delray Beach Police Officers were leaving after being trained to work for other cities that pay higher salaries.

Montre Bennett, 323 NW 2nd Avenue, Delray Beach

Acknowledged that tomorrow was his late son's birthday, as well as his cousin's birthday. Expressed support for assisting small local businesses and stated that if the City was funding the Pride Festival, they should also support Black History. Stated that he was in the running for Favorite Chef.

Judy Mollica, 122 NW 3rd Avenue, Delray Beach

Expressed her disappointment at the City's decision to remove the Pride Festival.

Rachael Burgman, 111 NW 11th Street, Delray Beach

Discussed the Lake Ida neighborhood's opposition to the replatting of Roy Simon's property, which was currently under contract.

Stephine Immelman, Delray Beach Chamber of Commerce

Thanked the Commission for their partnership in the past weekend's Delray Affair Event and for allowing them to expand it to the 500 Block.

Albert Richwagon, 220 NE 13th Street, Delray Beach

Discussed the issue with Subculture's parking.

Cynthia Ridley, 210 NW 2nd Avenue, Delray Beach

Mentioned the broken bench at Libby Wesley Park. Stated that the news reported fluoride was being removed from the water.

Margaret Keller, 729 SE 3rd Avenue, Delray Beach

Discussed the Sober Homes in her neighborhood and thanked the first responders for their work.

Lee Stern, 45 East Road, Delray Beach

Discussed the salary negotiations for the City's Police Officers.

Michael Stern, 208 SW 7th Street, Delray Beach

Expressed gratitude to the police for their hard work and proposed that the City implement a hands-free policy for the entire city, not just near schools.

Mentioned that he has experienced issues due to living next to the Water Treatment Plant.

Elizabeth McCue, SE 3rd Avenue, Delray Beach

Suggested prioritizing the salaries of the City's police officers instead of allocating funds for painting utility boxes. Suggested that the City should impose a fine on homeowners who call the police or paramedics more than three (3) times. Requested to schedule a meeting with the Commission to discuss the sober homes in the area.

Andrea Bruton, 703 Place Tavant, Delray Beach

Mentioned that she is a Palm Beach County Sheriff's Officer and expressed her hope for Delray Beach to retain its police officers after providing them with training.

Seeing no one else present, Mayor Carney closed public comments.

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to approve the Consent Agenda as amended.

**all were in favor
approved as amended**

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[March 11, 2025 Regular Meeting Minutes - DRAFT](#)

[March 27, 2025 Annual Organizational - Regular Meeting Minutes - DRAFT](#)

The Minutes were approved.

6.B. RESOLUTION NO. 56-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PURSUANT TO CHAPTER 100 OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, ASSESSING COSTS FOR ABATING NUISANCES UPON CERTAIN LANDS LOCATED WITHIN THE CITY OF DELRAY BEACH AND PROVIDING THAT A NOTICE OF LIEN SHALL ACCOMPANY THE NOTICE OF ASSESSMENT; SETTING OUT ACTUAL COSTS INCURRED BY THE CITY TO ACCOMPLISH SUCH ABATEMENT AND LEVYING THE COST OF SUCH ABATEMENT OF NUISANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR A DUE DATE AND INTEREST ON ASSESSMENTS; PROVIDING FOR THE RECORDING OF THIS RESOLUTION, AND DECLARING SAID LEVY TO

BE A LIEN UPON THE SUBJECT PROPERTY FOR UNPAID ASSESSMENTS.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 56-25 - Nuisance Abatement Resolution](#)
[Resolution No. 56-25 - Exhibit A](#)
[Resolution No. 56-25 Nuisance Abatement - Backup](#)
[Resolution No. 56-25 - Legal Review](#)

This Resolution was approved.

6.C. RESOLUTION NO. 76-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, SUPPORTING LEGISLATION THAT REQUIRES HANDS-FREE PHONE USE WHILE DRIVING; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Res. No. 76-25 - Hands-Free Driving Phone Use Draft](#)
[Legal Review Form - Res. No. 76-25](#)

Vice Mayor Long requested that Consent Item No. 6.C. be considered earlier to allow Former State Representative Irving Slosberg a moment to speak on behalf of this resolution, which honors his late daughter. It became Item No. 4.G.

Former State Representative Irving Slosberg discussed this resolution aimed at improving driving safety in school zones, in memory of his daughter, who tragically lost her life in a car accident.

A motion was made by Vice Mayor Long, seconded by Deputy Vice Mayor Burns, to approve Resolution No. 76-25.

all were in favor

This Resolution was approved.

6.D. PROPOSED OFFER OF SETTLEMENT IN THE CASE OF ESTATE OF GARY RUSSELL GERBER

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

This Request was approved.

- 6.E.** RESOLUTION 62-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE SETTLEMENT OF SHOEMAKER VS. THE CITY OF DELRAY BEACH, CASE NUMBER 50-2023-CA-000910-XXXX-MB PENDING IN THE CIRCUIT COURT OF PALM BEACH COUNTY RELATING TO A PORTION OF THE UNIMPROVED DAVIS ROAD RIGHT OF WAY AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Resolution 62-25 FINAL](#)
[Exhibit A to Resolution - Quitclaim Deed](#)
[Exhibit B to Resolution- FINAL Settlement Agreement](#)
[32625 ROW settlement sign](#)
[21-039 SnL 3525 Lone Pine Rd - sl](#)

This Resolution was approved.

- 6.F.** ACCEPTANCE OF AN EASEMENT AGREEMENT FOR PEDESTRIAN CLEAR ZONE AT 142 AND 152 SE 5TH AVENUE, ALSO KNOWN AS FIFTH AVENUE TOWNHOMES, TOTALING APPROXIMATELY TWO HUNDRED AND FOURTEEN SQUARE FEET (214), AS MORE PARTICULARLY DESCRIBED HEREIN.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Easement Agreement for Pedestrian Clear Zone - 142 and 152 SE 5th Ave - Fifth Avenue Delray LLC](#)
[Legal Review Easement Agreement for Pedestrian Clear Zone - 142 and 152 SE 5th Avenue - Fifth Avenue Delray, LLC](#)

Ms. Gelin requested to pull Consent Item No. 6.F. for discussion. It became Item No. 7.B.1 on the Regular Agenda.

This Request was approved.

- 6.G.** ACCEPTANCE OF A LANDSCAPE MAINTENANCE AGREEMENT FOR THE PROPERTY LOCATED AT 142 AND 152 SE 5TH AVENUE, ALSO KNOWN AS FIFTH AVENUE TOWNHOMES.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[142 SE 5TH Avenue-Landscape Agreement \(Updated Signature Page\)](#)
[Legal Review Landscape Maintenance Agreement - 142 and 152 SE 5th Avenue - Fifth Avenue Delray, LLC](#)

Ms. Gelin requested to pull Consent Item No. 6.G. for discussion. It became Item No. 7.B.2 on the Regular Agenda.

This Request was approved.

- 6.H.** RESOLUTION NO. 77-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, TO OPPOSE PROPOSED STATE LEGISLATION CONTAINED IN SENATE BILL 954 AND HOUSE BILL 1163 REGARDING PREEMPTION OF REGULATIONS FOR RECOVERY RESIDENCES THAT SEEK, IN ALL RESPECTS, TO PREEMPT LOCAL ZONING OF RECOVERY RESIDENCES; PROVIDING FOR DISTRIBUTION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 77-25](#)
[Simple Legal Review Reso 77-25](#)
[HB 1163 as amended thru 4.1.25](#)
[SB 954 as amended 4.1.25](#)

This Resolution was approved.

- 6.I.** APPROVAL FOR ADDITIONAL SPENDING AUTHORITY WITH SYSCO FOOD SERVICES OF SOUTHEAST FLORIDA, LLC. FOR RE-SALE FOOD PRODUCTS AND SUPPLIES AT THE DELRAY BEACH MUNICIPAL GOLF CLUB IN AN AMOUNT NOT TO EXCEED \$75,000

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Sysco Increase.pdf](#)

This Request was approved.

- 6.J.** APPROVAL FOR ADDITIONAL SPENDING AUTHORITY WITH CHENEY BROTHERS, INC. FOR RE-SALE FOOD PRODUCTS AT THE DELRAY BEACH MUNICIPAL GOLF CLUB IN AN AMOUNT NOT TO EXCEED \$70,000

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Cheney Increase.pdf](#)

This Request was approved.

- 6.K.** APPROVAL OF AN ADDITIONAL SPENDING REQUEST TO RFQ 2019-007 WITH CDM SMITH INC. FOR ADDITIONAL OWNER'S REPRESENTATIVE SERVICES FOR FOR THE REPLACEMENT OF FIRE STATION NO. 113 PROJECT IN THE AMOUNT OF \$101,300 FOR A REVISED TOTAL OF \$962,425.00

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Proposal for Additional Spending #1 - RFP 2019-007](#)
[Agreement RFP 2019-007 - CDM Smith Inc. for Owner's Representative for FS 113](#)

This Request was approved.

- 6.L.** ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 217 KING LYNN.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 318 NE 8TH AVE.

ITEM(S) A3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 326 SW 5TH AVE.

ITEM(S) A4 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 317 SW 5TH AVE.

ITEM(S) A5 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 802 N. SWINTON AVE.

ITEM(S) B1 - GRANTING OF AN UNDERGROUND EASEMENT BY CITY OF DELRAY BEACH.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[A1a - Right of Way - 217 Kings Lynn - ADF 217 LLC](#)
[A1b - Legal Review Right of Way - 217 Kings Lynn - ADF 217 LLC](#)
[A2a - Right of Way - 318 NE 8th Ave - Azure 318 NE 8th Ave LLC](#)
[A2b - Legal Review - Right of Way - 318 NE 8th Ave - Azure 318 8th LLC](#)
[A3a - Right of Way - 326 SW 5th Ave - Marlana Roker & Veta Spells](#)
[A3b - Legal Review Right of Way - 326 SW 5th Ave - Marlana Roker and Veta Spells](#)
[A4a - Right of Way - 317 SW 5th Ave - Yves Fleurant](#)
[A4b - Legal Review Right of Way - 317 SW 5th Ave - Yves Fleurant](#)
[A5a - Right of Way - 802 N Swinton Ave - Hacienda Gardens LLC](#)
[A5b - Legal Review Right of Way - 802 N Swinton Ave - Hacienda Gardens LLC](#)
[B1a - Easement - FPL - Germantown Rd](#)
[B1b - Legal Review FPL Easement - Unaddressed Parcel between Swinton and FEC Railway north of 10th](#)

This Request was approved.

6.M. RATIFICATION OF SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT AND DISPOSAL BOARD (SCRWTDB) ACTIONS.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[9th Amendment to Interlocal Agreement executed by Boynton Feb 18 2025.pdf](#)
[Legal Review Amd No. 9 to ILA with Boynton Beach re Wastewater Plant.docx](#)
[Ratification letter for Delray Utilities Department 3.4.25.pdf](#)

This Request was approved.

6.N. PROCLAMATIONS:

6.N.1. NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK PROCLAMATION

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Proclamation NPSTW2025 - updated - km](#)

Mayor Carney requested to pull Consent Item No. 6.N.1. so that it could be read into the record. It became Item No. 4. F. Mayor Carney read the proclamation into the record. Police Chief Russ Mager thanked the telecommunicators for their hard work.

This Proclamation was approved.

6.N.2. NATIONAL COMMUNITY DEVELOPMENT WEEK

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[National Community Development Week 2025](#)

This Proclamation was approved.

6.N.3. ADMINISTRATIVE PROFESSIONALS WEEK - APRIL 21, 2025 - APRIL 27, 2025

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Administrative Professionals Week 2025](#)

This Proclamation was approved.

6.N.4. PROCLAMATION TO DESIGNATE THE MONTH OF APRIL AS AUTISM ACCEPTANCE MONTH

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[AutismAcceptanceProc_2025](#)

This Proclamation was approved.

6.N.5. PROCLAMATION TO DESIGNATE APRIL 2025 AS EARTH MONTH

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Proclamation - Earth Month 2025.pdf](#)

This Proclamation was approved.

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

6.O.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM MARCH 10, 2025 THROUGH MARCH 28, 2025.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB \(03-17\) - 102 SE 5th Ave](#)
[PAAB \(03-25\) - 1878 Dr Andres Way](#)

This Request was approved.

6.P. AWARD OF BIDS AND CONTRACTS:

6.P.1. None

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 65-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A MAJOR SUBDIVISION APPLICATION FOR A FINAL PLAT FOR A PROPOSED SUBDIVISION KNOWN AS "1201 GEORGE BUSH BLVD" TO REPLAT LOT 6 AND THE SOUTHERLY 54.5 FEET OF LOT 7, BLUE SEAS, RECORDED IN PLAT BOOK 23, PAGE 185, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[1201 George Bush Blvd - Resolution No. 65-25](#)
[1201 George Bush Blvd - Plat](#)
[1201 George Bush Blvd - PZ Staff Report](#)
[1201 George Bush Blvd - Survey](#)
[1201 George Bush Blvd - TPS Letter](#)
[1201 George Bush Blvd - Legal Review](#)

Mayor Carney recused himself from this item under Florida Statute 286 and stepped down from the dais, passing the gavel to Vice Mayor Rob Long.

Vice Mayor Long read the quasi-judicial rules into the record.

Alexis Givings, City Clerk, swore in those individuals who wished to provide testimony on any quasi-judicial item.

Lynn Gelin, City Attorney, entered Resolution No. 65-25 into the record.

Vice Mayor Long asked his colleagues to disclose any ex-parte communications.

Commissioner Casale: Spoke with Mr. Schiller.
Deputy Vice Mayor Burns: Spoke with Mr. Schiller.
Vice Mayor Long: Spoke with Mr. Schiller.
Commissioner Markert: Spoke with Mr. Schiller.

Anthea Gianniotis, Development Services Director, entered File No. 2023-059 and 2023-189 into the record.

Neil Schiller, attorney representing the Stamm Development Group, delivered a presentation for this item. He noted that on December 17, 2024, the Commission administratively approved the site plan. Additionally, he stated the Planning and Zoning Department unanimously voted in favor of the project, confirming that it was consistent with the Always Delray Comprehensive Plan.

Ms. Gianniotis provided a staff report on this item. She noted this item was an implementation of a previously approved project by the Commission. She stated this was being addressed in the form of a resolution because the existing building has not yet been demolished.

Vice Mayor Long opened the floor to anyone who wished to speak on this item. Seeing no one present, Vice Mayor Long closed public comments.

There was no cross-examination or rebuttal from either side.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, that this Resolution be approved.

all were in favor

7.B.

CERTIFICATION OF A FINAL PLAT FOR A MAJOR SUBDIVISION PLAT, "FIFTH AVENUE TOWNHOMES", A REPLAT OF PORTIONS OF LOTS 15 AND 16, BLOCK 102, TOWN OF LINTON, TO ESTABLISH FIVE FEE-SIMPLE LOTS AFFILIATED WITH A PREVIOUSLY APPROVED RESIDENTIAL TOWNHOME DEVELOPMENT AT 142 AND 152 SE 5TH AVENUE.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Final Plat](#)

[PZB Staff Report](#)

[Survey](#)

[Approved Level 2 Site Plan, Fifth Avenue Townhomes](#)

[Landscape Plan, Fifth Avenue Townhomes](#)

Mark Petroski, Construction Manager for this project, provided a brief

presentation for this item.

Ms. Gianniotis provided a brief overview of the site plan for the implementation of this project.

Ms. Gelin informed the Commission that due to Mayor Carney's conflict of interest with the item, a vote was needed for the easement agreement (7.B.1.) and another vote for the landscape agreement (7.B.2.).

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to approve Item Nos. 7.B, 7.B.1 and 7.B.2.

all were in favor

This Request was approved.

7.C.

AUTHORIZATION OF AN AMENDMENT TO THE CITY'S SPECIAL EVENT POLICY, SPECIFICALLY THE REMOVAL OF PRIDE FESTIVAL AND CONCERT FROM THE LIST OF CITY EVENTS CONTAINED IN SECTION 4.C. OF SAID POLICY.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Mr. Moore suggested consulting with State Lobbyist Representative Mat Forrest to identify if there were any state-level issues related to this event. He emphasized that the City's Special Event Policy is governed by the City Commission, not the office of the City Manager. Mr. Moore also mentioned that he would work closely with Sam Metott, Director of Parks and Recreation, and Jeff Oris, Assistant City Manager, regarding the City's involvement in City-hosted events.

The Commission engaged in a discussion on the special event policies and their budget impact.

Vice Mayor Long read a letter he wrote about the possible cancellation of the Pride Festival.

Mayor Carney proposed a review of the entire special events policy and its funding sources due to the upcoming budget preparation.

Mr. Moore assured the Commission that he would share his conversation with Mr. Forrest at the April 22, 2025, City Commission Meeting.

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. None

9. FIRST READINGS:

- 9.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. (FIRST READING)

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](#)

[Legal Review, Ordinance No. 05-25](#)

[Business Impact Estimate, Ordinance No. 05-25](#)

[10-day Legal Ad, Ordinance No. 05-25](#)

Ms. Gelin entered Ordinance No. 05-25 into the record.

A motion was made by Vice Mayor Long to approve Item Nos. 9.A., 9.B., 9.C. and 9.D., seconded by Commissioner Casale.

all were in favor

This Ordinance was approved on first reading.

- 9.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.(FIRST READING)

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](#)

Ms. Gelin entered Ordinance No. 06-25 into the record.

A motion was made by Vice Mayor Long, seconded by Commissioner Casale, to approve this item.

all were in favor

This Ordinance was approved on first reading.

9.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. (FIRST READING)

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](#)

Ms. Gelin entered Ordinance No. 02-25 into the record.

A motion was made by Vice Mayor Long, seconded by Commissioner Casale, to approve this item.

all were in favor

This Ordinance was approved on first reading.

9.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. (QUASI JUDICIAL/FIRST READING)

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](#)

Ms. Gelin entered Ordinance No. 01-25 into the record.

Ms. Gelin informed the Commission that the client was present and had the opportunity to make a presentation.

The client, McKenna West, chose to waived the right to present.

Mayor Carney opened the floor to public comments on this item.

Seeing no one present, Mayor Carney closed public comments.

This Ordinance was approved on first reading.

9.E.

ORDINANCE NO. 09-25: 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 4.4, "BASE ZONING DISTRICT," SECTION 4.4.19, "MIXED INDUSTRIAL AND COMMERCIAL (MIC) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF

OVERHEAD DOORS FROM FACING A PUBLIC RIGHT-OF-WAY TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; AMENDING SECTION 4.4.20, "INDUSTRIAL (I) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF OVERHEAD DOORS FROM FACING THE PUBLIC RIGHT-OF-WAY OF AN ARTERIAL OR COLLECTOR STREET TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; AND SECTION 4.4.26, "LIGHT INDUSTRIAL (LI) DISTRICT," SUBSECTION (H), "SPECIAL REGULATIONS," MODIFYING THE PROHIBITION OF OVERHEAD DOORS FROM FACING A PUBLIC RIGHT-OF-WAY TO PROHIBIT OVERHEAD DOORS FROM FACING A MINOR ARTERIAL RIGHT-OF-WAY, RESIDENTIAL ZONING DISTRICT, OR RESIDENTIAL USE; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Overhead Doors LDR Amendment](#)
[Ordinance No. 09-25, Overhead Doors LDR Amendment](#)
[Legal Review, Ordinance No. 09-25](#)
[Business Impact Estimate, Ordinance No. 09-25](#)

Ms. Gelin entered Ordinance No. 09-25 into the record.

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to approve this item.

all were in favor

This Ordinance was approved on first reading.

9.F.

ORDINANCE NO. 15-25: 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," SECTION 52.34, "WATER RATES," TO INCREASE THE RATES FOR WATER FURNISHED BY THE CITY; AND AMENDING CHAPTER 53, "SANITARY SEWERS," SECTION 53.1.30, "USER CHARGES; WHOLESALE SEWER RATES; CALCULATION OF SEWER SURCHARGE, TO INCREASE THE SANITARY SEWER RATES FOR SERVICES PROVIDED BY THE CITY; 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](#)

[Legal Review - Ord. No. 15-25 - Water and Sewer Rate Amd.pdf](#)

[BIE Ord. No. 15-25 - Water and Sewer Rate Amendments](#)

[Approved.pdf](#)

[Ordinance 15-25 - Amd Water and Sewer Rates - H - Willdan](#)

[Revisions v1.docx](#)

[Rate Study Update - March 2025](#)

Ms. Gelin entered Ordinance No. 15-25 into the record.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve this item.

all were in favor

This Ordinance was approved on first reading.

9.G.

ORDINANCE NO. 14-25 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE 5, "PUBLIC WORKS," CHAPTER 56, "STORMWATER," "SECTION 56.02, "SCOPE AND PURPOSE," TO CLARIFY THE REFERENCE TO THE SYSTEM; AMENDING SECTION 56.04, "DEFINITIONS," AMENDING THE DEFINITIONS FOR COMMON ELEMENT, NONASSESSED PROPERTY, STORMWATER MANAGEMENT ASSESSMENT, AND UNIMPROVED LAND, AND ADOPTING DEFINITIONS FOR CONDOMINIUM PROPERTY, CONDOMINIUM UNIT, AND COOPERATIVE, TO EXPAND DEFINITIONS AND CLARIFY ASSESSMENT METHOD, TO ESTABLISH A STANDARIZED RATE FOR UNIMPROVED LAND, TO ALIGN WITH THE FLORIDA STATUTES FOR NON-AD VALOREM ASSESSMENTS FOR COMMON ELEMENTS; AMENDING SECTION 56.15, "IMPOSITION OF STORMWATER MANAGEMENT ASSESSMENT, CLASSIFICATION AND CRITERIA," TO ADD CONDOMINIUM PROPERTY AS AN ADDITIONAL CLASSIFICATION; AND AMENDING SECTION 56.16, "ESTABLISHMENT OF RATE FOR STORMWATER MANAGEMENT ASSESSMENTS" TO CLARIFY HOW COMMON ELEMENTS ARE ASSESSED; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Ord 14-25 Amending Code re Stormwater Assessment - Final Draft 03-07-2025](#)

[Legal Review - Ord. No. 14-25 - Stormwater Assessment Amd](#)

[BIE Ord. No. 14-25 - Stormwater Ordinance Amendment Approved](#)

[Delray Beach Ord# 14-25 April 8, 2025 Revised Pub Date #2](#)

Ms. Gelin entered Ordinance No. 14-25 into the record.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 14-25.

all were in favor

This Ordinance was approved on first reading.

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

Reported that the broken bench in Libby Wesley Park would be replaced within the next two weeks.

B. City Attorney

Reiterated the rules for when it was appropriate to recuse oneself from the dais due to a conflict of interest.

Requested a Shade Meeting on Friday, April 11, 2025, at 12:00 p.m. A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve the Shade Meeting.

all were in favor

C. City Commission**Commissioner Markert:**

None.

Deputy Vice Mayor Burns:

Requested that the proclamation for the "Let's Move Initiative" be presented at the Commission Meeting on April 22, 2025.

Asked for clarification on what the City's Educational Goals were. Mr. Moore mentioned that more clarification would be provided in the coming weeks.

Commissioner Casale:

Discussed the cost of the new railroad gates and their necessity. She acknowledged the \$1 million dollar cost and its impact on the Capital Improvement Budget.

Mentioned that it was unclear which organizations - either the Downtown Development Authority or the City of Delray Beach was receiving donations for Old School Square. Mayor Carney stated that a disclaimer was added to the Old School Square website.

Vice Mayor Long:

Suggested that the Commission expand the text amendment for industrial use to include a light industrial use area. This effort aims to keep the area viable with businesses, rather than simply developing another residential neighborhood. Ms. Gelin noted that a privately initiated amendment would be required, and the applicant must appear at a Commission Meeting to present their case. Mr. Moore suggested including this item on the June 10, 2025 Budget Workshop Meeting.

Suggested providing the community with an update on the pay negotiations for the Police Department. Ms. Gelin mentioned that negotiations were ongoing, but she acknowledged that the latest proposed amount was being considered.

Mayor Carney:

Inquired about the protocol for situations in which the Police Department is called to a home multiple times. He expressed a desire to see homeowners held accountable and possibly charged for dispatching the Police, rather than having the taxpayers bear the cost.

Fire Chief Martin confirmed there was an ordinance that applies to nuisance alarms. He stated that the repetitive calls were managed through the Emergency Medical Services Billing Department, which was governed by Medical insurance billing. He mentioned that the Fire Department has programs that help offset the costs of the repetitive calls.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 7:37 p.m.

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.