

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Draft

Tuesday, June 3, 2025

5:00 PM

Regular Meeting at 5:00 PM

Delray Beach City Hall or Watch on YouTube:

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

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 June 3, 2025 Regular City Commission Meeting was called to order at 5:00 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

3.A. Additions, Deletions, Substitutions

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve the Consent Agenda.

all were in favor

4. PRESENTATIONS:

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

Sponsors: Fire Rescue Department

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

Mayor Carney read the proclamation into the record and highlighted Mr. Koen's contributions to the Fire Department, referring to him as a valued friend. He then presented the proclamation to Mrs. Koen.

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

Sponsors: City Attorney Department

Ms. Gelin stated this item was postponed for 2 weeks.

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

Sponsors: City Clerk Department

Mr. Moore stated that this item was postponed.

4.D. PRESENTATION OF THE CITY'S FY2024 ANNUAL COMPREHENSIVE

FINANCIAL REPORT (ACFR)

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

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

Moises Ariza and Scott Montgomery, Certified Public Accountants with CBIZ Consultants, summarized the City of Delray Beach's 2024 Annual Comprehensive Financial Report (ACFR). Mr. Ariza highlighted specific sections of the report's findings to the Commission. He stated that pages 4 to 17, titled "Management's Discussion and Analysis" (MD&A), include the most critical analysis of the report. He noted that this section emphasizes the financial metrics from the past 2 fiscal years. He discussed the pension trust funds and the methodology for reporting them. He pointed out that the report (pages 151-153) shows the changes in net position for the past 10 fiscal years, which included taxable property values. He concluded that, following the Florida Auditor General's guidelines, his firm found no decline in the City's financial condition.

Commissioner Casale noted that, according to the report, the City's expenses were out pacing its revenues. Specifically, the City's expenditures totaled \$181 million, while revenues were \$175.7 million. This showed that the City has had to use \$5.3 million from its reserves (fund balance) to balance the budget for the past 3 years. She also discussed the general pension and the unfunded pensions for the police and fire departments.

The Commission thanked Mr. Ariza for his comprehensive reporting.

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

Mr. Moore addressed Consent Item No. 6.E. regarding the City's sponsorship of the Davis Cup. He noted that the value and level of sponsorship primarily consisted of in-kind contributions and that hosting the Davis Cup aligns with other tennis events.

5.B. From the Public

Nancy Chanin, 200 NE 2nd Avenue, Delray Beach
Expressed her concern that the Police Department has been operating without a contract since October, resulting in the City losing officers to the Palm Beach County Sheriff's Office.

Christina (no last name or address given)

Spoke on behalf of Donald Lenzi, who resides at 401 West Atlantic Avenue. She mentioned that 404 Grooves Kitchen and Daiquiri's Restaurant were operating as nightclubs, not restaurants, as initially believed. She stated that the club was so loud that it rattled the building next door until late into the night, at which point they would then engage in an after-party in the streets. She requested the Commission to look into this matter as soon as possible.

Kae Jonsons, 100 West Atlantic Avenue, Delray Beach (The Delray Beach Public Library)

Spoke about 3 significant family events that will be held at the Delray Beach Public Library starting on Saturday, June 7th, at 10:00 a.m. Additionally, she mentioned that from Monday - Friday, the library will offer free lunches for children aged 18 years and under from 11:30 a.m. - 12:30 p.m. through the end of July.

Montre Bennett, 323 NW 2nd Avenue, Delray Beach.

Suggested the Cemetery should hold cremations.

Thanked everyone who voted for him in the cooking competition.

Mentioned that West Atlantic Avenue could hear the music coming from East Atlantic Avenue, and West Atlantic Avenue would like to have the same opportunity to play their music.

Requested that any funds the City receives from lawsuits be applied to the new Water Tower to help offset the increase in residents' water bills.

Thanked the City for the Rock the Block Event.

Marjorie Waldo, Arts Garage

Shared information from the Florida Cultural Alliance and discussed the House Bills passed during the last legislative session, with a particular emphasis on tourism.

Laura Simon, Executive Director of the Downtown Development Authority Discussed their summer campaign titled "Love Delray".

Recognized the City as winning the Best Beach award for the second time.

Mentioned the Davis Cup will coincide with other City events, helping to generate funds for the City.

Mrs. Odell, with Changing Lives of Delray, located at 100 East Linton Blvd. Discussed the numerous programs that the organization offers to help

individuals experiencing homelessness or who are at risk to achieve self-sufficiency. The organization also works to support and promote local businesses.

Paul Cannon, 1021 East Heritage Club, Delray Beach
Requested the City come to an agreement with the Police Department's contract.

John Harris, 1000 North Dixie Highway, Boca Raton
Expressed his gratitude to the Commission for their proclamation recognizing Gun Violence Awareness.

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

Commissioner Casale requested to engage in a public presentation at an upcoming meeting to address any misinformation the public may have regarding the Police Department's salary negotiations and the reasons for the stall.

Mayor Carney supported informing residents about the contract negotiations. He proposed adding this presentation to the Commission Workshop next week.

Mr. Moore stated that the agenda for June 10th will be revised to include this item as the first item on the agenda.

6. CONSENT AGENDA: City Manager Recommends Approval

At this time, Vice Mayor Long requested to pull Consent Item No. 6.M.2. to allow him to read it into the record. It became Item No. 7.A.A. on the Regular Agenda.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve the Consent Agenda as amended.

all were in favor

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[May 20, 2025 Budget Workshop Meeting Minutes - DRAFT](#)

The Minutes were approved.

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.

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](#)

This Resolution was approved.

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.

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](#)

This Resolution was approved.

6.D. RESOLUTION NO. 119-25 AMENDING THE FISCAL YEAR 2024-25 BUDGET ADOPTED BY RESOLUTION NO.175-24 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](#)

This Resolution was approved.

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.

Sponsors: Parks & Recreation Department

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

This Request was approved.

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

Sponsors: Parks & Recreation Department

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

This Request was approved.

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)

Sponsors: Public Works Department

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

This Request was approved.

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

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Fully Executed SS2024-006 Kelly Tractor](#)

This Request was approved.

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.

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 Davidson](#)

[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](#)

This Request was approved.

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

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)

[Water_Sewer Utility Easement Agreement_410 Enfield Terrace_PCN 12-43-46-08-13-000-020 \(002\)](#)
[410 Enfield Terrace Water and Sewer Utility Easement Agreement LR](#)

This Request was approved.

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.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)

[FY2026 Delray Beach Ratification rev. kwb](#)

[Simple Legal Review Approval Ratification of South Central Regional 2025](#)

This Request was approved.

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

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Res. No. 60-25 \(Approved\).pdf](#)

[Res. No. 64-25 \(Corrected\).docx](#)

This Resolution was approved.

6.M. PROCLAMATIONS:

6.M.1. GUN VIOLENCE AWARENESS DAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[GUN VIOLENCE AWARENESS DAY PROCLAMATION 2025](#)

This Proclamation was approved.

6.M.2. PROCLAMATION LGBTQ PRIDE MONTH

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

[Pride_proclamation_2025](#)

Vice Mayor Long requested to pull this item from the Consent Agenda to allow him to read it into the record. It became Item No. 7.A.A. on the Regular Agenda.

Vice Mayor Long recognized the significance of inclusion, affirmation, and visibility and subsequently read the proclamation into the record.

A motion was made by Vice Mayor Long, seconded by Deputy Vice Mayor Burns, to approve this proclamation.

all were in favor

This Proclamation was approved.

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

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)

[Code Enforcement Officers' Appreciation Week 2025](#)

This Proclamation was approved.

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**

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](#)

This Resolution was approved.

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.

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_Iw rev](#)

[Cintas Nebraska Contract](#)

[OMNIA FAS Acceptance Agreement \(Nebraska\) 2023 \(Rev 8.1.23\)](#)

[RFP Nebraska original](#)

This Resolution was approved.

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

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 Parts Company dba Napa Auto Parts v2 - Clean](#)

[Ex A MSA - Aftermarket Vehicular Parts and Services - Sourcewell](#)

[Piggyback - Genuine Parts Company dba Napa Auto Parts](#)

[Legal Review MSA - Aftermarket Vehicular Parts and Services -](#)

[Sourcewell Piggyback - Genuine Parts Company dba Napa Auto Parts](#)

[Sourcewell Agreement RFP No. 100124-GPC](#)

[Proposal Evaluation RFP No. 100124](#)

[Sourcewell RFP and Addendums 100124](#)

This Resolution was approved.

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

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 for Minor Constructions](#)

[ITB 2025-028 Agreement I.Q. Construction, Inc. General Contractor Services for Minor Constructions](#)

[ITB 2025-028 Agreement Waypoint Contracting, Inc. General Contractor Services for Minor Constructions](#)

[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](#)

This Resolution was approved.

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

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Resolution No 104-25](#)

[P2025-017 - Maintenance, Repair and Operations \(MRO\) Supplies and Equipment](#)

[Exhibit A to Agreement](#)

[Legal Review - MRO_Kimball Midwest](#)

[Contract #R240805_Kimball Midwest](#)

[Solicitation 24-08](#)

This Resolution was approved.

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)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 94-25 Waiver 1 \(Awning Encroachment\), American Social - 5.13.25](#)

[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](#)

Mayor Carney read the quasi-judicial rules into the record for Item Nos. 7.A., 7.B., and 7.C.

Ms. Givings swore in those individuals who wished to provide testimony on any quasi-judicial item.

Ms. Gelin entered Resolution No. 94-25 and 95-25, and Resolution No. 93-25 into the record.

Mayor Carney asked his colleagues to disclose any ex parte communications for Item Nos. 7.A. or 7.B.

Mayor Carney: Spoke with the applicant, the applicant's representative, and what was on the server.

Vice Mayor Long: Spoke with the applicant, the applicant's representative, and what was on the server.

Deputy Vice Mayor Burns: Spoke with the applicant, the applicant's representative, and what was on the server.

Commissioner Markert: Spoke with the applicant, the applicant's representative, and what was on the server.

Commissioner Casale: Spoke with the applicant, the applicant's representative, and what was on the server.

Anthea Giannotes, Development Services Director, entered File No. 2025-090 into the record.

Christina Bilenki, attorney representing the applicant, presented a request for 2 separate waivers for the property located at 220 NE 1st Street, also known as American Social. These waivers would permit outdoor dining by omitting the required 4-foot curb zone adjacent to on-street parking, and grant permission to exceed the maximum awning setback encroachment of 4 feet. She provided the previously approved site plan and showcased the proposed requests.

Ms. Giannotes, provided a staff report on this item. She stated that on May 19, 2025, the Planning and Zoning Board approved Waiver No. 1 with a vote of 4-0 for the awning encroachment and approved Waiver No. 2 with a vote of 4-0 concerning the curb zone.

Mayor Carney opened the floor to anyone who wished to speak on this item.

George Long, 46 North Swinton Avenue, Delray Beach Stated that he approved of this item, and adding a café. He cautioned the Commission that a Tril Rail Station may be designed for that area in the near future.

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

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

A discussion ensued amongst the Commission, and everyone expressed their support for approving both requests, highlighting how this request would enhance the area.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Resolution No. 94-25. The motion carried by the following vote:

Yes: 5 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, Commissioner Casale, and Vice-Mayor Long

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Resolution No. 95-25. The motion carried by the following vote:

Yes: 5 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, Commissioner Casale, and Vice-Mayor Long

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)

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](#)

Mayor Carney asked his colleagues to disclose any ex parte communications for Item No. 7.B.

Mayor Carney: Spoke with Mr. Schiller.

Vice Mayor Long: Spoke with Mr. Schiller.

Deputy Vice Mayor Burns: Spoke with Mr. Schiller.

Commissioner Casale: Spoke with Mr. Schiller, the applicant's representative, and what was on the server.

Commissioner Markert: Spoke with Mr. Schiller.

Ms. Gelin entered Resolution No. 93-25 into the record.

Ms. Gianniotis entered File No. 2024-104 into the record.

Neil Schiller, attorney for the applicant, introduced the developer for this

project, Mr. Jerry Batoff, 109 5th Avenue, Delray Beach.

Mr. Schiller presented a request to use contemporary functionalism architectural design for this project. He provided examples of how this design was being utilized throughout South Florida and how it seamlessly integrates into the surrounding area.

Ms. Gianniotas provided a staff report for this item. She stated the applicant does not have sufficient documentation to show that the style is contextually and historically appropriate for use within Downtown Delray Beach. She mentioned direction has been given to consider removing Masonry Modern from the design guidelines. She stated the Planning and Zoning Board (PZB) recommended approval of this request on April 21, 2025, by a 4-2 vote, and deemed the elevations and landscaping to be contextually appropriate, contributing positively to the area. She cautioned the Commission whether the proposed design was a well-executed example of Contemporary Functionalism as outlined in the report.

Mayor Carney opened the floor to anyone who wished to speak on this item.

Seeing no one present, Mayor Carney closed public comments.

Mr. Schiller provided a rebuttal, stating that his client had initially wanted to collaborate with staff to make modifications but was rebuffed. He noted his client had intentionally not designed a building in the Masonry Modern style and confirmed that his client was amenable to continue working with staff on any modifications to refine the definition.

A discussion ensued amongst the Commission about the style of the building and its conformity.

Rafik Ibrahim, Principal Planner, noted the site plan would be returned to the Planning and Zoning Board, and changes to the design were anticipated as both parties worked together.

Ms. Gianniotas emphasized the importance of adhering to the seven approved architectural designs established by the City in 2015, noting that disregarding them undermines their intended purpose.

Peggy Fitzgerald, architect for the project, mentioned the various iterations that this design had previously undergone.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve the Masonry Modern architectural style for the project located at 109 SE 5th Avenue. The motion carried by the following vote:

Yes: 5 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, Commissioner Casale, and Vice-Mayor Long

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)

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 Atlantic Ave](#)

Ms. Gelin entered Resolution No. 110-25 into the record.

Mayor Carney asked his colleagues to disclose any ex parte communications for this item.

Mayor Carney: Spoke with the building owner.

Vice Mayor Long: The applicant reached out, but Vice Mayor Long didn't connect with him.

Deputy Vice Mayor Burns: Spoke with the applicant.

Commissioner Casale: Spoke with the applicant.

Commissioner Markert: Spoke with the applicant.

Christina Bilenki, attorney representing the applicant, was present to request the Commission's approval of an in-lieu parking fee for 4 parking spaces, totaling \$120,000. She stated the in-lieu fee request is intended to accommodate 2 parking spaces for a new 157sf walk-in cooler and 2 parking spaces for outdoor seating along the breezeway. She mentioned that approval from the Commission would allow the adaptive reuse of the building.

Ms. Gianniotis provided a staff report for this item. She stated this request supported the City's adaptive reuse or expansion of an existing building, resulting in a building not more than a total of 2 stories in height. She

mentioned that the Parking Management Advisory Board (PMAB) on May 27, 2025, was cancelled, and the item had not received a recommendation from this Board.

Mayor Carney opened the floor to anyone who wished to speak on this item.

Laura Simon, Executive Director of the Downtown Development Authority (DDA), stated that they support approving this item.

Seeing no one else present, Mayor Carney 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, to approve Resolution No. 110-25. The motion carried by the following vote:

Yes: 5 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, Commissioner Casale, and Vice-Mayor Long

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.

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](#)

Ms. Gelin entered Resolution No.103-25 and Resolution No. 102-25 into the record.

Allison Behrman, Special Events Manager, presented a staff report on this item. She indicated that the event meets the City's criteria for a Special Events Sponsorship. She shared the estimated revenue and budget for the project in 2026, noting that 100% of the show's profits would be donated to the Sandoway Discovery Center.

Discussion ensued amongst the Commission regarding the popularity of the event.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Resolution No.103-25.

all were in favor
This Resolution was approved.

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.

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](#)

Resolution No. 102-25 was entered into the record with Resolution No.103-25.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Resolution No. 102-25.

all were in favor
This Resolution was approved.

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).

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](#)

A motion was made by Vice Mayor Long, seconded by Deputy Vice Mayor Burns, to appoint Christina Godbout.

all were in favor

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)

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](#)

Ms. Gelin requested to enter into the record Items 8.A. through 8.D. together, as they were related to the same project.

Mayor Carney asked anyone who wished to speak on this item to be sworn in by the Clerk.

Mayor Carney asked his colleagues to disclose any ex parte communications for Item No. 8.A.

Mayor Carney: What was on the server.

Vice Mayor Long: What was on the server.

Deputy Vice Mayor Burns: What was on the server.

Commissioner Markert: What was on the server.

Commissioner Casale: What was on the server.

Ms. Gianniotas entered File No. 2025-088 into the record.

Ms. Gianniotas presented a staff report regarding this item. She explained that this is a City-initiated text amendment aligned with the goals of the Delray Beach Congress Avenue Strategic Plan. She highlighted that several industrial businesses are interested in relocating to this area, but are currently hindered by the existing zoning regulations. Additionally, she informed the Commission that the Planning and Zoning Board voted 6-0 to recommend approval during their meeting on February 24, 2025. There was also no objection from the Department of Commerce.

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to approve Ordinance No. 05-25. The motion carried by the following vote:

Yes: 5 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, Commissioner Casale, and Vice-Mayor Long

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)

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](#)

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

Ms. Gianniotis entered File No. 2025-052 into the record.

Ms. Gianniotis stated that the City was proposing to change the language in the Land Development Regulations for this item to include that "No adult entertainment establishment shall be located on properties with frontage on an arterial road, located south of Atlantic Avenue, or located east of the CSX railroad track". Additionally, she informed the Commission that the Planning and Zoning Board voted 6-0 to recommend approval during their meeting on February 24, 2025.

Mayor Carney opened the floor to anyone who wished to speak on Item No. 8.A. or 8.B.

Christina Morrison, 1000 Lowery Street, Delray Beach

Stated that she fully supported approving these two items and asked the Commission to approve them as well.

Seeing no one else present, Mayor Carney closed public comments for these two items.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 06-25. The motion carried by the following vote:

Yes: 5 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, Commissioner Casale, and Vice-Mayor Long

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)

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](#)

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

Ms. Gianniotis entered File No. 2025-053 into the record.

Mayor Carney asked his colleagues to disclose any ex parte communications for this item.

Mayor Carney: None.

Vice Mayor Long: None.

Deputy Vice Mayor Burns: None.

Commissioner Casale: None.

Commissioner Markert: None.

McKenna West, a certified land planner with Cotleur and Hearing, provided a presentation on behalf of the applicant, for Ordinance No. 02-25 and Ordinance No. 01-25, who was requesting a privately initiated small-scale Land Use Map Amendment from Congress Avenue Mixed Use (CMU) to Commerce Designation (CMR) for the property located at 955-975 South Congress Avenue, and from Mixed Residential Office and Commercial (MROC) to Mixed Industrial and Commercial (MIC). She stated that this request was in line with the characteristics of the surrounding area. She

addressed the limitations her client faces in securing new tenants and obtaining permits for maintenance and renovations due to the current zoning regulations. She concluded by stating that this request concurs with the Always Delray Comprehensive Plan.

Ms. Gianniotes provided a brief report on the staff's findings, confirming the information submitted by the applicant. She noted that the Planning and Zoning Board approved both ordinances with a unanimous vote of 6-0 on February 24, 2025. Additionally, the Interlocal Plan Amendment Review Committee (IPARC) raised no objections to this request on December 19, 2024. Ms. Gianniotes noted that approving this item helps implement the Street Sense advice and lowers the impact of the surrounding area.

Mayor Carney opened the floor to anyone who wished to speak on these items.

Christina Morrison, 1000 Lowery Street, Delray Beach
Stated that the proposed zoning change was needed to revitalize this area.

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

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 02-25.

all were in favor
This Ordinance was approved.

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)**

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](#)

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

Ms. Gianniotis entered File No. 2025-052 into the record.

This item was discussed with Ordinance No. 02-25.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 01-25. The motion carried by the following vote:

Yes: 5 - Commissioner Markert, Mayor Carney Jr., Deputy Vice Mayor Burns, Commissioner Casale, and Vice-Mayor Long

9. FIRST READINGS:

9.A. None

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

Mentioned that his office, along with staff, is working closely to assess the need for continuing the Parking Management Advisory Board. He requested the Commission's support in discussing this matter at the Regular City Commission Meeting on July 8th and asked to postpone any discussions about the board until that time.

The Commission unanimously supported this request.

B. City Attorney

None.

C. City Commission**Vice Mayor Long:**

Suggested that the Fire Department apply for the Safer Grant. Mr. Moore acknowledged that there would be a presentation on the grant at

the June 17th Commission Meeting. Commissioner Casale asked Mr. Moore to provide a staffing update during that meeting

Acknowledged the 20th Police Department Gala event and congratulated the entire Police Department for their dedication.

Recognized Captain Gary Ferreri for winning the Supervisor of the Year Award.

Read a letter expressing his concern about the staffing shortage of police officers.

Mentioned that moving forward, the Officer of the Year Award has been renamed to the Perry Don Francisco Award.

Commissioner Markert:

Discussed the importance of having a strong police department and expressed hope for a compromise in the negotiations for the officers' new contract.

Commissioner Casale:

Expressed her gratitude to the City Attorney for her prompt email response to Mr. Cannon's public comment earlier regarding the Police Department.

Requested an update from Mr. Moore on time and attendance implementation in light of the ACFR.

Asked Mr. Moore about the actions being taken regarding the ongoing events at Subculture that were not permitted by the City. She inquired if violations could be issued to Subculture, despite the City Attorney's statement, they could not.

Recommended investigating the idea of a hybrid restaurant situation because of the complaints that have been received.

Inquired about the noise from Grooves Kitchen and Daiquiris Restaurant located at 404 West Atlantic Avenue, which was mentioned in public comments.

Deputy Vice Mayor Burns:

Expressed her desire for the City and Police Union to reach a fair and sustainable solution for everyone.

Requested clarification on the proclamation policy. Ms. Gelin stated that

she would email the Commission the formal policy.

Mayor Carney:

Mentioned the recent passing of Mark Sauer and the Bound for College Foundation that he created.

Stated that employees who drive City vehicles must register their driver's licenses to keep track of whether they are active.

Discussed the violations issued to Subculture and stated that he witnessed an event this the past Friday night. He also mentioned that they were in default in paying their in-lieu parking fees.

Mentioned the issues with the police salaries and the drop program.

Stated it wasn't acceptable that the car accident investigation on West Atlantic Avenue wasn't completed. Mr. Moore commented that he hoped to have a complete report from Internal Affairs within the next couple of weeks.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 8:48 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.