

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

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www.mydelraybeach.com



Regular Commission Meeting

Regular Meeting at 4:00 PM

Tuesday, August 20, 2019

**Commission Chambers
Delray Beach City Hall**

City Commission

Mayor Shelly Petrolia

Vice Mayor Shirley Ervin Johnson

Deputy Vice Mayor Bill Bathurst

Commissioner Adam Frankel

Commissioner Ryan Boylston

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.

0. ROLL CALL**1. PLEDGE OF ALLEGIANCE TO THE FLAG****2. AGENDA APPROVAL****3. CITY MANAGER SELECTION**

Recommendation: The City Commission will select a City Manager.

Attachments: [Agenda Cover Report](#)
[Cerneck, Michael](#)
[Gretas, George](#)
[Napoli, Joseph](#)

4. PRESENTATIONS:**4.A. GIRLS GO BUILD PRESENTATION**

Recommendation: This is a presentation - no action required.

Sponsors: Community Improvement
Attachments: [Agenda Cover Report](#)
[GGBC City Commission Presentation2.pptx](#)

4.B. PRESENTATION OF THE FLORIDA POLICE CHIEFS ASSOCIATION 2018 LIFESAVING AWARD TO SERGEANTS MICHAEL DEBREE AND BRIAN GRIFFITH

Recommendation: Recognition of Sergeants Michael Debree and Brian Griffith for receiving the Florida Police Chiefs Association 2018 Lifesaving Award for the lifesaving act they performed on May 19, 2018.

Sponsors: Police Department
Attachments: [Agenda Cover Report](#)
[FPCA 2018 Lifesaving Award Nomination - Sergeant Michael DeBree and Sargeant Brian Griffith.pptx](#)
[Sergeant DeBree & Griffith-Chief Sims Congratulations Letter](#)

4.C. Internal Auditor's Report**4.C.1. None****5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:**

A. City Manager's response to prior public comments and inquiries

B. From the Public

6. CONSENT AGENDA: City Manager Recommends Approval**6.A. CITY COMMISSION MINUTES**

Recommendation: Motion to approve meeting minutes as listed below:

July 2, 2019 Regular Meeting Minutes
July 2, 2019 Workshop Meeting Minutes
July 9, 2019 Regular Meeting Minutes
July 9, 2019 Workshop Meeting Minutes
August 13, 2019 Special Meeting Minutes

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[July 2, 2019 Regular City Commission Minutes](#)

[July 2, 2019 Workshop City Commission Minutes](#)

[July 9, 2019 Regular City Commission Minutes](#)

[July 9, 2019 Workshop City Commission Minutes](#)

[August 13, 2019 Special City Commission Minutes](#)

6.B. PROPOSED SETTLEMENT IN PALM BEACH COUNTY CASE NO.

50-2017-CA-011349-XXXX-MB

Recommendation: Motion to Deny proposed settlement in the amount of \$200,000 made by Plaintiff in case number 50-2017-CA-011349-XXXX-MB.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

6.C. RESOLUTION NO. 150-19: ALLOWING FOR THOMAS MACMANUS TO RETAIN HIS SEAT ON THE GENERAL EMPLOYEES RETIREMENT COMMITTEE

Recommendation: Motion to Approve Resolution 150-19 allowing for Thomas MacManus to retain his seat on the General Employees Retirement Committee.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

[Resolution 150-19](#)

6.D. APPROVAL OF AN EMPLOYMENT AGREEMENT WITH DR. JULIA DAVIDYAN

Recommendation: Motion to Approve Employment Agreement with Dr. Julia Davidyan

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

[Employment Agreement](#)

6.E. ACCEPTANCE OF A HOLD HARMLESS AGREEMENT TO RECONSTRUCT NEW EXTENDED FINGER PIERS, A SEAWALL AND A DOCK INTO AND OVER THE YACHT BASIN IN THE INTRACOASTAL WATERWAY WHICH IS OWNED BY THE CITY OF DELRAY BEACH.

Recommendation: Review and consider the Hold Harmless Agreement of the submerged lands within the yacht basin to improve and reconstruct new extended finger piers, a seawall and dock.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Survey](#)

[Hold Harmless Cove 4](#)

[Exhibit A](#)

[Simple Legal Review Cove 4 Hold Harmless](#)

6.F. RESOLUTION NO. 137-19: SANITATION RATES FOR FY2020

Recommendation: Motion to approve Resolution No. 137-19 to implement a schedule of sanitation rates and fees in accordance with the City Code of Ordinances, Chapter 51, "Garbage and Trash", Section 51.70, "Regular Charges Levied: and to authorize the City of Delray Beach to collect the residential and commercial sanitation rates on the tax roll for Fiscal Year 2020.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[Resolution 137-19 FY20 Solid Waste Charges and Fees](#)

[Sanitation Rates FY20 Backup](#)

[Legal Review Sanitation Rates FY20](#)

6.G. RESOLUTION NO. 143-19 TO ESTABLISH AN EXTERNAL AUDITOR SELECTION COMMITTEE

Recommendation: Motion to Approve Resolution No. 143-19 to establish an External Auditor Selection Committee to assist the governing body in selecting an external auditor to conduct the City of Delray Beach's annual financial audit required by Florida Statute 218.39.

Sponsors: Purchasing Department

Attachments: [Agenda Cover Report](#)

[Res 143-19 Auditor Selection Committee](#)

6.H. REVOCABLE LICENSE AGREEMENT WITH THE INSTITUTE FOR REGIONAL CONSERVATION GRANTING ACCESS TO CITY PROPERTY FOR THE PURPOSE OF COLLECTING HERBARIUM SPECIMENS.

Recommendation: Motion to approve the license agreement and resolution with the Institute for Regional Conservation (IRC).

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

[Attach_1_Legal Review Checklist RLA with IRC for access to land for collection](#)

[Attach_2_RLA with IRC for access to city land for collection of plants seeds](#)

[Attach_3_IRC_requestLetter](#)

6.I. AMENDMENT TO THE RULES OF THE CITY OF DELRAY BEACH POLICE ADVISORY BOARD

Recommendation: Motion to Approve the amendment to the Rules of the City of Delray Beach Police Advisory Board, as adopted by the Police Advisory Board and to be approved by the City Commission.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

[Rules of the Police Advisory Board](#)

[Legal Review Form LW](#)

6.J. GRANT APPLICATION/EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)

Recommendation: Motion to approve application for the 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of \$29,379.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

[FY2019LocalJAGCEOCertification](#)

[Appendix C -2019 -DBPD](#)

[Applicant Disclosure of Pending Applications - JAG 2019 - DBPD](#)

[Budget_Detail_Worksheet_and_Budget_Narrative - JAG 2019](#)

[Program Narrative - JAG 2019 - DBPD](#)

[Project Abstract - JAG 2019 - DBPD](#)

[Review_Narrative - JAG 2019 - DBPD](#)

6.K. STATE AND LOCAL TASK FORCE AGREEMENT WITH THE UNITED STATES DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION (DEA)

Recommendation: Motion to retroactively approve a State and Local Task Force Agreement with Drug Enforcement Administration (DEA).

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

[Task force agreement LW review 07-31_19](#)

[Legal Review Checklist LW DEA TFO's](#)

[DOJ 4061 LW](#)

6.L. APPROVAL OF AMENDMENT NO. 1 TO RENEW THE AGREEMENT WITH WESTWAY TOWING, INC. FOR VEHICLE TOWING AND STORAGE SERVICES - \$73,000

Recommendation: Motion to Approve Amendment No. 1 with Westway Towing, Inc. to renew the Agreement under the same terms and conditions, and authorize the City Manager to approve renewal options, in the amounts below, contingent upon appropriations of funds.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist LW \(1\)](#)

[Westway Towing Agreement](#)

6.M. RESOLUTION NO. 135-19 BEACH RENOURISHMENT PROGRAM

Recommendation: Motion to Approve Resolution No. 135-19 in support of the City of Delray Beach Renourishment Program. This resolution supports the beach and coastal management programs of the Florida Department of Environmental Protection (FDEP), advising the State of Florida that the City of Delray Beach (City) will consider participation and will provide the local funding share necessary to implement any State beach and coastal management program approved by the City Commission for participation.

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Report](#)

[Res 135-19 Beach Nourishment Resolution 7.20.19](#)

[Beach Nourishment Reso Legal Ok Email](#)

6.N. FIFTH AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE COMMUNITY REDEVELOPMENT AGENCY PROVIDING FOR FUNDING IN THE AMOUNT OF \$100,000 FOR THE IRRIGATION AND MAINTENANCE OF LANDSCAPING ASSOCIATED WITH CERTAIN STREETSCAPE BEAUTIFICATION PROJECTS

Recommendation: Motion to Approve the fifth amendment to the Interlocal Agreement (ILA) between the City of Delray Beach (City) and the Community Redevelopment Agency (CRA) providing funding in the amount of \$100,000 for the irrigation and maintenance of landscaping associated with certain streetscape beautification projects.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[5th Amend Landscape ILA 8-20-19](#)

[Legal Review Checklist form v. 6 Fifth Amendment to ILA with CRA for streetscapes](#)

6.O. ITEMS (A-J) - ACCEPTANCE OF A PERPETUAL SIDEWALK EASEMENTS, UTILITY EASEMENT AND RIGHT OF WAY DEEDS FOR MULTIPLE PROPERTIES

Recommendation:

Item A

(A) Motion to approve and accept 5' sidewalk easement located on Lot A located at 100 Gleason St., #204, Lot A.

Item B

(B) Motion to approve and accept 5' and a 2' of right of way dedication on 237 NW 5th Ave.

Item D

(D) Motion to approve and accept 5' sidewalk easement located on Lot B, located at 100 Gleason St., #204, Lot B.

Item F

(F) Motion to approve and accept a 25' radial right of way dedication located on Lot A, located at the corner of Gleason St. and Miramar Dr.

Item G

(G) Motion to approve and accept a 20' and a 1.80' right of way deed located on 309 SW 5th Ave. lot #34.

Item H

(H) Motion to approve and accept variable width Right of Way dedication on SE 7th Ave. and 618 SE 4th St.

Item I

(I)) Motion to approve and accept a 2' of alley right of way dedication on 233 SW 14th Ave.

Item J

(J) Motion to approve and accept a 2' of alley right of way dedication on 229 SW 14th Ave.

Sponsors:

Public Works Department

Attachments:

[Agenda Cover Report](#)
[Legal Review 8-20 Agenda](#)
[Item \(A\)Perpetual Sidewalk Easement Agreement](#)
[Item \(A\) Exhibit A Sketch - Lot A](#)
[Item \(A\)PAPA Map 100 Gleason St. #204](#)
[Item \(A\) PAPA Page 100 Gleason ST. #204](#)
[Item \(B\) Exhibit A Sketch](#)
[Item \(B\) PAPA Map 237 NW 5th Ave](#)
[Item \(B\) PAPA Page 237 NW 5th Ave](#)
[Item \(B\) Right of Way Deed](#)
[Item \(D\) Exhibit A Sketch -Lot B](#)
[Item \(D\) PAPA Map 100 Gleason St. 204](#)
[Item \(D\) PAPA Page 100 Gleason St. 204](#)
[Item \(D\) Perpetual Sidewalk Easement Agreement](#)
[Item \(F\) Exhibit A Sketch - Lot A](#)
[Item \(F\) PAPA Map 100 Gleason St. #204](#)
[Item \(F\) PAPA Page 100 Gleason St. #204](#)
[Item \(F\) Right of Way Deed](#)
[Item \(G\) Exhibit A Sketch](#)
[Item \(G\) PAPA Map 309 SW 5th Ave](#)
[Item \(G\) PAPA Page 309 SW 5th Ave](#)
[Item \(G\) Right of Way Deed](#)
[Item \(H\) Exhibit A Sketch](#)
[Item \(H\) PAPA Map 618 SE 4th St.](#)
[Item \(H\) PAPA Page 618 SE 4th St.](#)
[Item \(H\) ROW Deed - 618 SE 4th St.](#)
[Item \(H\) SunbizPage 618 SE4th St.](#)
[Item \(I\) Exhibit A Sketch](#)
[Item \(I\) PAPA Map 233 SW 14th Ave.](#)
[Item \(I\) PAPA Page 233 SW 14th Ave.](#)
[Item \(I\) Right of Way Deed](#)
[Item \(J\) Exhibit A Sketch \(2\)](#)
[Item \(J\) PAPA Page 229 SW 14th Ave.](#)
[Item \(J\) PAPA Map Page 229 SW 14th Ave.](#)
[Item \(J\) Right of Way Deed](#)
[Item \(J\) Sunbiz145 SW 12th Ave.](#)

6.P. PROCLAMATIONS:

6.P.1. None

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

6.Q.1. REPORT OF APPEALABLE LAND USE ITEMS FROM JUNE 17, 2019, THROUGH AUGUST 2, 2019.

Recommendation: By motion, receive and file this report.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Appealable Map \(8.20.19\) r](#)

[A - Appealable Report - 215 NE 1st Avenue](#)

[B - Appealable Report - Taco Bell](#)

[C - Appealable Report - Central Park Taekwondo](#)

[D - Appealable Report - 17 NE 7th Street](#)

[E - Appealable Report - 105 NW 5th Ave](#)

[F - Appealable Report - 20 N Swinton Avenue](#)

[G - Appealable Report - Chick-Fil-A](#)

[H - Appealable Report - 250 N. Congress Ave](#)

[I - Appealable Report - Village Square Homes Phase III](#)

[J - Appealable Report - 2706 N Federal Hwy](#)

6.R. AWARD OF BIDS AND CONTRACTS:

6.R.1. APPROVAL OF RESOLUTION NO. 119-19 TO AWARD AN AGREEMENT WITH STOCKTON MAINTENANCE GROUP, INC. FOR JANITORIAL SERVICES CITYWIDE (RFP 2019-003) - \$906,675

Recommendation: Motion to approve Resolution No. 119-19 to award an agreement with Stockton Maintenance Group, Inc. for Janitorial Services Citywide (RFP 2019-003) in the estimated amount of \$906,675 for the agreement term and to authorize the City Manager to exercise any and all renewal options, in the amounts below, contingent upon appropriation of funds.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist form Janitorial Services-final](#)

[Resolution No. 119-19 Janitorial Services](#)

[SMG Agreement](#)

6.R.2. RESOLUTION NO. 124-19 TO APPROVE UTILIZING SOURCEWELL EZIQC CONTRACT NO. FL-SEA-GC02-041019-SCD WITH SHIFF CONSTRUCTION AND DEVELOPMENT, INC. FOR LED LIGHTING UPGRADES AT THE OLD SCHOOL SQUARE AND FEDERSPIEL PARKING GARAGES IN THE AMOUNT NOT-TO-EXCEED \$162,000; AND EXPANSION OF DELRAY BEACH MEMORIAL GARDENS IN THE AMOUNT NOT-TO-EXCEED \$425,000

Recommendation: Motion to Approve Resolution No. 124-19 to utilize Sourcewell (formerly known as National Joint Powers Alliance) ezIQC Contract No. FL-SEA-GC02-041019-SCD with Shiff Construction and Development, Inc. for the installation of LED lighting upgrades at the Old School Square and Federspiel parking garages in the amount not-to-exceed \$162,000 and expansion of the Delray Beach Memorial Gardens in the amount not-to-exceed \$425,000.

Sponsors: Public Works Department - Programs & Project Management and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Res 124-19 JOC Services thru Sourcewell Shiff CA rev](#)

[Legal Review Form 8-17-18 Shiff PO](#)

[Sourcewell Award - Shiff Construction](#)

[Sourcewell JOC Solicitation](#)

[Proposal - Memorial Gardens Expansion](#)

[Proposal- Parking Garage Lighting Replacement](#)

[Gordian ezIQC Overview](#)

[Gordian JOC FAQs](#)

6.R.3. APPROVAL OF RESOLUTION NO. 139-19 FOR A PURCHASE OF ONE NEW RESCUE TRANSPORT VEHICLE FROM REV RTC, INC. DBA HALL-MARK RTC UTILIZING THE FLORIDA SHERIFF'S CONTRACT NO. FSA18-VEF-13.0 - \$550,000

Recommendation: Motion to approve Resolution No. 139-19 to purchase one new rescue transport vehicle from REV RTC, Inc. dba Hall-Mark RTC in an amount not-to-exceed \$550,000 utilizing the Florida Sheriff's Association Contract No. FSA18-VEF-13.0.

Sponsors: Purchasing Department

Attachments: [Agenda Cover Report](#)

[FSA18-VEF13.0 Terms and Conditions](#)

[Hall-Mark RTC Quote](#)

[amended reso 139-19](#)

6.R.4. RESOLUTION NO. 140-19 TO APPROVE AN AGREEMENT WITH WEX BANK FOR FUEL CARD SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Recommendation: Motion to Approve Resolution No. 140-19 to approve an Agreement based upon Contract No. 973-163-10-1 between the State of Florida and WEX Bank for citywide fuel card services and authorize the City Manager to execute a master service agreement with WEX Bank and authorize the City of Delray Beach (city) City Manager to approve renewal options; contingent upon renewal by the State of Florida.

Sponsors: Purchasing Department

Attachments: [Agenda Cover Report](#)

[State of Florida Signed WEX Bank Agreement](#)

[Res 140-19 for Fuel Card Services - WEX- State of Florida](#)

[Legal Review Checklist for Fuel Card Services with Wex Bank](#)

[Agreement - Fuel Card Services- WEX - State of Florida](#)

6.R.5. APPROVAL OF RESOLUTION NO. 141-19 FOR UTILITY BILL PRINTING & MAILING SERVICES FROM ENCO UTILITY SERVICES FLORIDA LLC UTILIZING CITY OF MILTON CONTRACT (RFP #2017.10.014) - \$197,889

Recommendation: Motion to approve Resolution No. 141-19 for Utility Bill Printing & Mailing Services from Enco Utility Services Florida LLC (Enco), utilizing City of Milton Contract (RFP #2017.10.014) - \$197,889 and authorize the City Manager to approve renewal options, in the amounts below, contingent upon appropriations of funds.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist ENCO utility billing statements](#)

[Resolution 141-19](#)

[Enco Agreement](#)

6.R.6. APPROVAL OF RESOLUTION NO. 142-19 TO AWARD AN AGREEMENT TO HINTERLAND GROUP, INC. FOR THE SYSTEMS 58A & 87 FORCE MAIN REPLACEMENTS - \$1,469,444.00

Recommendation: Motion to approve Resolution No. 142-19 to award an agreement to Hinterland Group, Inc. for the upgrade of the wastewater lift stations in the System 58A (Germantown Road) and System 87 (Military Trail) wastewater networks in an amount of \$1,469,444.00.

Sponsors: Purchasing Department

Attachments: [Agenda Cover Report](#)

[ITBC 2019-028 System 58A & 87 Force main Replacements](#)

[Copy of Excel Tabulation for Bid 2019-028](#)

[Resolution](#)

[Legal Review Checklist Hinterland Group \(KWB\)](#)

[Hinterland Systems 58A 87 FM Agreement](#)

6.R.7. APPROVAL OF RESOLUTION NO. 144-19 TO AWARD AN AGREEMENT WITH CRAIG A. SMITH & ASSOCIATES FOR THE DESIGN OF NW NEIGHBORHOOD IMPROVEMENTS (RFQ 2018-054) - \$1,590,860

Recommendation: Motion to approve Resolution No. 144-19 to award an Agreement with Craig A. Smith & Associates for the design of NW Neighborhood improvements.

Sponsors: Purchasing Department

Attachments: [Agenda Cover Report](#)

[NW Neighborhood Improvements CA rev](#)

[Resolution](#)

[RFQ 2018-054 Pricing Schedule](#)

[Legal Review Checklist form NW Neighborhood Improvements](#)

[Craig A. Smith NW Neighborhood Improvement Agreement](#)

6.R.8. APPROVAL OF RESOLUTION NO. 145-19 WITH TRANE US INC. FOR AIR CONDITIONING MAINTENANCE AND REPAIR SERVICES - \$250,000

Recommendation: Motion to approve Resolution No. 145-19 with Trane US Incorporated, for air conditioning maintenance and repair services, as needed at City-owned facilities in an estimated amount of \$250,000 and authorize the City Manager to approve renewal options, in the amounts below, contingent upon appropriations of funds.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist Trane US Inc piggyback](#)

[145-19 Resolution Award of Agreement](#)

[Trane Agreement](#)

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 128-19: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A FINAL PLAT REQUEST ASSOCIATED WITH A MINOR SUBDIVISION WHICH CONTAINS NON-CONFORMITIES FOR A TWO-LOT SUBDIVISION KNOWN AS "PINEAPPLE TRAIL" PLAT, LOCATED ON THE SOUTHEAST CORNER OF NE 10TH STREET AND NE 2ND AVENUE WITHIN THE R-1-A ZONING DISTRICT.

Recommendation: Review and consider Resolution No. 128-19: Approval of a final plat and its necessity and appropriateness to create two non-conforming lots as known as "Pineapple Trail" Plat, located on the southeast corner of NE 10th Street and NE 2nd Avenue within the R-1-A zoning district.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Resolution 128-19: Proposed Pineapple Trail Plat](#)

[Resolution 128-19 with Exhibits](#)

[Resolution 128-19: 204 NE 10TH Avenue - Property Survey](#)

[Resolution 128-19: Pineapple Trail Plat - Justification](#)

7.B. STATE HOUSING INITIATIVES PARTNERSHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP) FY2019-2022

Recommendation: Motion to authorize and approve the revised Local Housing Assistance Plan (LHAP) for Fiscal Years 2019-2022, pursuant to Title 67-37 of the Florida Administrative Code.

Sponsors: Community Improvement

Attachments: [Agenda Cover Report](#)

[Executed SHIP Local Housing Assistance Plan LHAP FY19-21 50219](#)

[Delray2019-2022RCMreview with Acceptance](#)

[Delray2019-2022RCMreview](#)

7.C. ADOPTION OF RESOLUTION 152-19 ZONING IN PROGRESS WITH RESPECT TO MURALS

Recommendation: Motion to approve Resolution 152-19.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

[Reso 152-19 Zoning in Progress ResolutionMurals](#)

7.D. APPOINTMENT OF THE CHAIR AND VICE-CHAIR OF THE COMMUNITY REDEVELOPMENT AGENCY BOARD

Recommendation: Motion to Appoint the Chair and Vice-Chair of the Community Redevelopment Agency Board.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

[Res No. 57-18](#)

7.E. NOMINATION FOR APPOINTMENT TO THE BOARD OF ADJUSTMENT

Recommendation: Motion to approve nomination for appointment for (1) regular member to serve on the Board of Adjustment for an unexpired term ending August 31, 2021.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Board of Adjustment Member List](#)

[Application for Board of Adjustment](#)

7.F. NOMINATION FOR APPOINTMENT TO THE PLANNING AND ZONING BOARD

Recommendation: Motion to approve nomination for appointment for one (1) regular member to serve on the Planning and Zoning Board for an unexpired term ending August 31, 2020.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Agenda Cover Letter](#)

[Planning & Zoning Board Roster](#)

[07022019 Exhibit A 4](#)

[Planning & Zoning Applications](#)

8. PUBLIC HEARINGS:

8.A. ORDINANCE NO. 19-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING THE “ALWAYS DELRAY” COMPREHENSIVE PLAN FOR THE 2019-2040 PLANNING HORIZON BY REPEALING AND REPLACING THE ADOPTED COMPREHENSIVE PLAN IN ITS ENTIRETY; PROVIDING FOR THE GOALS, OBJECTIVES, AND POLICIES, INCLUDING THE “ALWAYS DELRAY” MAP SERIES FOR THE FOLLOWING ELEMENTS: HEALTHY COMMUNITY; HISTORIC PRESERVATION; HOUSING; MOBILITY; CAPITAL IMPROVEMENTS; ECONOMIC PROSPERITY; STRATEGIC PARTNERSHIPS; COASTAL MANAGEMENT; CONSERVATION, SUSTAINABILITY AND RESILIENCY; OPEN SPACE, PARKS, AND RECREATION; EDUCATION; NEIGHBORHOODS, DISTRICTS, AND CORRIDORS; AND PUBLIC FACILITIES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Review and consider Ordinance No. 19-19 at first reading to transmit the Always Delray Comprehensive Plan to the Department of Economic Opportunity for review.

Sponsors: Development Services Department

Attachments:

[Agenda Cover Report](#)
[Ord. No. 19-19 Always Delray Comprehensive Plan](#)
[Always Delray Workshop Revisions Exhibit](#)
[Exhibit A Current Comprehensive Plan](#)
[Exhibit B.1 Healthy Community GOPs](#)
[HCE DIA](#)
[Exhibit B.2 Historic Preservation GOPs](#)
[HPE DIA](#)
[Exhibit B.3 Housing GOPs](#)
[HOU DIA](#)
[Exhibit B.4 Mobility GOPs](#)
[Exhibit B.5 Capital Improvements GOPs](#)
[CIE DIA](#)
[Exhibit B.6 Economic Prosperity GOPs](#)
[ECP DIA](#)
[Exhibit B.7 Strategic Partnerships GOPs](#)
[SPE DIA](#)
[Exhibit B.8 Coastal Management GOPs](#)
[CME DIA](#)
[Exhibit B.9 Conservation Sustainability Resiliency GOPs](#)
[CSR DIA](#)
[Exhibit B.10 Open Space Parks Recreation GOPs](#)
[OPR DIA](#)
[Exhibit B.11 Education GOPs](#)
[EDU DIA](#)
[Exhibit B.12 Neighborhoods Districts Corridors GOPs](#)
[NDC DIA](#)
[Exhibit B.13 Public Facilities GOPs](#)
[PFE DIA](#)
[Exhibit B.14 Always Delray Map Series](#)
[DIA Map Series](#)
[Always Delray Project List](#)
[Always Delray Element Overview 13 Elements](#)

9. FIRST READINGS:

9.A. ORDINANCE NO. 21-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ANNEXING INTO THE CITY OF DELRAY BEACH, ONE (1) PARCEL OF LAND LOCATED IMMEDIATELY WEST OF SOUTH MILITARY TRAIL AND IMMEDIATELY SOUTH OF VIA DELRAY BOULEVARD, WITH THE SAME BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS HEREIN; COMPRISING APPROXIMATELY 3.57± ACRES IN SIZE AND SITUATED CONTIGUOUS TO THE EXISTING MUNICIPAL LIMITS OF THE CITY OF DELRAY BEACH; PROVIDING FOR INCLUSION OF THIS ONE (1) PARCEL INTO THE CITY AND A REDEFINITION OF THE CITY BOUNDARIES PURSUANT TO SUB-SECTION 171.044(2), FLORIDA STATUTES; PROVIDING FOR CONFORMANCE WITH ALL VOLUNTARY ANNEXATION PROCEDURES AS SET FORTH IN SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR FILING WITH PALM BEACH COUNTY AND THE DEPARTMENT OF STATE; PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (FIRST READING).

Recommendation: Review and consider Ordinance No. 21-19 on first reading, a privately initiated request for annexation of 3.57± acres, subject to Florida Statutes Section 171 and the City of Delray Beach Land Development Regulations Section 2.4.5(C)(1).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ordinance No. 21-19](#)

[7-Eleven at Via Delray_PZB Staff Report](#)

[7-Eleven at Via Delray_Justification Statement](#)

[Comprehensive Plan Map #1, Planning Area](#)

9.B. ORDINANCE NO. 22-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT FOR ONE (1) PARCEL OF LAND, AND RE-DESIGNATING SAID LAND FROM PALM BEACH COUNTY COMMERCIAL HIGH (CH-5) TO CITY OF DELRAY BEACH GENERAL COMMERCIAL (GC), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; SAID LAND LOCATED IMMEDIATELY WEST OF SOUTH MILITARY TRAIL, AND IMMEDIATELY SOUTH OF VIA DELRAY BOULEVARD WHICH MEASURES APPROXIMATELY $3.57\pm$ ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (FIRST READING).

Recommendation: Review and consider Ordinance No. 22-19 on first reading, a privately initiated request to amend the designation of $3.57\pm$ acres on the Future Land Use Map from Palm Beach County Commercial High (CH-5) to City of Delray Beach General Commercial (GC).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ordinance No. 22-19](#)

[7-Eleven at Via Delray PZB Staff Report](#)

[7-Eleven at Via Delray Justification Statement](#)

[7-Eleven at Via Delray Proposed FLUM](#)

9.C. ORDINANCE NO. 23-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND RE-DESIGNATING PORTIONS OF LAND PRESENTLY ZONED PALM BEACH COUNTY GENERAL COMMERCIAL (GC), TO CITY OF DELRAY BEACH GENERAL COMMERCIAL (GC); FOR A PARCEL OF LAND LOCATED ON THE WEST SIDE OF SOUTH MILITARY TRAIL, IMMEDIATELY SOUTH OF VIA DELRAY BOULEVARD, AND WHICH MEASURES APPROXIMATELY $3.57\pm$ ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING "CITY OF DELRAY BEACH, ZONING MAP, JUNE 29, 2017"; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Review and consider Ordinance No. 23-19 on first reading, a privately initiated request to rezone $3.57\pm$ acres from Palm Beach County General Commercial (GC) to City of Delray Beach General Commercial (GC), pursuant to the requirements in the Land Development Regulations.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ordinance No. 23-19](#)

[7-Eleven at Via Delray PZB Staff Report](#)

[7-Eleven at Via Delray Justification Statement](#)

[7-Eleven at Via Delray Proposed Zoning Map](#)

9.D. ORDINANCE NO. 24-19: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA ADOPTING A SMALL SCALE FUTURE LAND USE MAP AMENDMENT RE-DESIGNATING A PARCEL OF LAND APPROXIMATELY 0.33± ACRES IN SIZE FROM LOW DENSITY (LD) TO MEDIUM DENSITY (MD), PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, FOR THE PROPERTY LOCATED AT 1060 DEL HARBOUR DRIVE, AT THE SOUTHWEST CORNER OF DEL HARBOUR DRIVE AND SOUTH OCEAN BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Review and consider Ordinance 24-19 on First Reading, a small-scale Future Land Use Map amendment to re-designate the property at 1060 Del Harbour Drive from Low Density (LD) to Medium Density (MD).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ord No 24-19 1060 Del Harbour Drive FLUM Amendment](#)

[1060 Del Harbour Drive Aerial Location Map](#)

[1060 Del Harbour Drive Future Land Use Designation Maps](#)

[1060 Del Harbour Drive FLUM Justification Statement](#)

[1060 Del Harbor Drive Future Land Use Map Amendment PZB Staff Report](#)

[Future Land Use Element Table L-6](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission