

# City of Delray Beach

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[www.mydelraybeach.com](http://www.mydelraybeach.com)



## Regular Commission Meeting

Regular Meeting at 4:00 PM

Tuesday, June 14, 2022

Commission Chambers  
Delray Beach City Hall

### City Commission

*Mayor Shelly Petrolia*

*Vice Mayor Adam Frankel*

*Deputy Vice Mayor Juli Casale*

*Commissioner Ryan Boylston*

*Commissioner Shirley Ervin Johnson*

## **RULES FOR PUBLIC PARTICIPATION**

**PUBLIC COMMENT:** City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor, presiding officer or a consensus of the City Commission has discretion to adjust the amount of time allocated.

### **Public comment shall be allowed as follows:**

- A.** Comments and Inquiries on Non-Agenda and Agenda Items (excluding public hearing or quasi-judicial hearing items) from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- B.** Public Hearings/Quasi-Judicial Hearings: Any citizen is entitled to speak on items under these sections at the time these items are heard by the Commission.
- C.** All persons desiring to do a presentation on agenda or non-agenda items that are on a portable flash drive device or a CD/DVD, must provide their media to the City Clerk no later than 12:00 p.m. one day prior to the meeting where they wish to present.

**SIGN IN SHEET:** Prior to the start of the Commission Meeting, individuals wishing to address the Commission should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the to speak, please complete the sign-in sheet if you have not already done so.

**ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the lectern and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

## **APPELLATE PROCEDURES**

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

**1. ROLL CALL****2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL**

3.A. Additions, Deletions, Substitutions

**4. PRESENTATIONS:****4.A. PRESENTING RAFAEL RODRIGUES, TECHNICAL SUPPORT ANALYST I, WITH EMPLOYEE OF THE MONTH FOR MAY 2022**

**Recommendation:** Motion to present Rafael Rodrigues, Technical Support Analyst, with Employee of the Month for May 2022.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Rafael Rodrigues - Nomination Form](#)

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

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

**5.A.1. DISCUSSION AND DIRECTION CONCERNING COLLABORATION BETWEEN THE CITY OF DELRAY BEACH, BOCA MUSEUM OF ART AND VISUAL ADJECTIVES FOR ADDITIONAL ACTIVATION OF THE OLD SCHOOL SQUARE CAMPUS.**

**Recommendation:** Commission discussion and direction concerning moving forward with a collaborative effort between the City of Delray Beach (City), Boca Museum of Art (BMOA), and Visual Adjectives for additional activation of the Old School Square (OSS) Campus.

**Sponsors:** City Manager Department

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

5.B. From the Public

**6. CONSENT AGENDA: City Manager Recommends Approval**

- 6.A.** APPROVAL OF A MINOR SUBDIVISION PLAT FOR A TWO-LOT SUBDIVISION KNOWN AS "NORTHWEST 6TH AVENUE ESTATES," WHICH CONSISTS OF A REPLAT OF THE SOUTH 90 FEET OF THE NORTH 150 FEET OF THE EAST 135 FEET OF BLOCK 10, MAP OF THE TOWN OF LINTON N/K/A DELRAY BEACH, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 3, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND CURRENTLY ADDRESSED AS 242 NW 6TH AVENUE.

**Recommendation:** Consider the minor subdivision plat for the property located at 242 NW 6th Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[242 NW 6th Avenue: Proposed 6th Avenue Estates Plat](#)  
[242 NW 6th Avenue: Request Letter](#)  
[242 NW 6th Ave: Location Map](#)

- 6.B.** APPROVING THE FINAL (MAJOR) SUBDIVISION REPLAT OF A PORTION OF LOT 4, SECTION 9, MAP SHOWING SUBDIVISIONS OF PORTIONS OF TOWNSHIPS 45 AND 46 SOUTH, RANGE 43 EAST, RECORDED IN PLAT BOOK 1, PAGE 4, AND A REPLAT OF A PORTION OF CORRECTION MAP SHOWING SUBDIVISION OF PROPERTY OF HARRY SEEMILLER, RECORDED IN PLAT BOOK 9, PAGE 72, AND A REPLAT OF A PORTION OF LA-HACIENDA, RECORDED IN PLAT BOOK 15, PAGE 6, ALL OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 9, TOWNSHIP 46 SOUTH, RANGE 43 EAST, CITY OF DELRAY BEACH, PALM BEACH COUNTY, FLORIDA, ALSO KNOWN AS POPSTROKE DELRAY.

**Recommendation:** Review and consider the Final (Major) Plat for Popstroke Delray, at 1314 North Federal Highway Highway and the associated parcels with PCN numbers 12-43-46-0912-000-0052, 12-43-46-0912-000-0061, 12-43-46-0912-000-0062, 12-43-46-0939-000-0045, by adopting that the request and approval thereof is consistent with the criteria set forth in the Land Development Regulations Section 2.4.5(J)(Major Subdivisions).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Popstroke Delray Plat](#)  
[PopStroke Plat PZ Board Staff Report](#)  
[Popstroke Location Map](#)  
[Popstroke Site Plan](#)

- 6.C.** MOTION TO APPROVE EXPENDITURE OF FUNDS IN AN AMOUNT NOT TO EXCEED \$1,178,505 IN ACCORDANCE WITH AN APPROVED AGREEMENT WITH GULF BUILDING, LLC. FOR PROFESSIONAL DESIGN-BUILD ENGINEERING SERVICES FOR (PHASE I) FIRE STATION 113 PURSUANT TO RFP NO. 2019-008

**Recommendation:** Motion to approve the expenditure of funds in an amount not to exceed \$1,178,505 in accordance with an approved agreement with Gulf Building LLC. for Design-Build Engineering Services for (Phase 1) Fire Station 113 pursuant to RFP No. 2019-008 (Project No. 16-012).

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[256197 Phase 1 Acceptance\\_051222](#)  
[Gulf Building FS 113 Phase I Proposal Revised](#)  
[Agreement - Gulf Building, LLC. \(Fire Station 113 Design Build Agreement\)](#)  
[Resolution 161-19](#)

- 6.D.** ITEM(S) A1, A2, MAINTENANCE OF TRAFFIC PLAN FOR 40 N CONGRESS AVE AND MAINTENANCE OF TRAFFIC PLAN FOR 601 E ATLANTIC AVE

**Recommendation:** Recommended approval of Maintenance of Traffic / Road Closure plan for 40 N Congress Ave and 601 E Atlantic Ave.

**Consideration of the following items:**

**MAINTENANCE OF TRAFFIC PLAN/ ROAD & LANE CLOSURES**

**Item(S) A**

Item A1 - Motion to approve and accept a Maintenance of Traffic/ Road closure Plan for 40 N Congress Ave.

Item A2 - Motion to approve and accept a Maintenance of Traffic/ Road closure Plan for 601 E Atlantic Ave.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Item A1 Aura Delray](#)  
[Item A2 N FEDERAL HWY RLC. ATLANTIC AVE - NE 1ST ST. DELRAY BEAC](#)

- 6.E.** APPROVE A NO COST TIME EXTENSION AMENDMENT NO. 02 TO THE GRANT AGREEMENT 4600004144 (CONSIDERED PHASE 1 OF RECLAIMED AREA 10), WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR PROVIDING SUPPLEMENTARY FUNDING FOR CONSTRUCTION OF RECLAIMED WATER MAIN WITHIN THE SW NEIGHBORHOOD IMPROVEMENTS PROJECT AND AS PART OF THEIR COOPERATIVE FUNDING PROGRAM FOR ALTERNATIVE WATER SUPPLY.

**Sponsors:** Utilities Department

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

[Amd #2 to Agreement No. 4600004144 with SFWMD for grant funds.pdf](#)

[Legal Review Amd. #2 to grant Agreement with SFWMD.docx](#)

- 6.F.** APPROVAL TO INCREASE THE CONTRACT VALUE IN THE AMOUNT OF \$195,000 (\$65,000 PER YEAR) WITH FORTILINE WATERWORKS, FERGUSON ENTERPRISES, INC., CORE & MAIN LP, LEHMAN PIPE & PLUMBING SUPPLY CO., EMPIRE PIPE AND SUPPLY COMPANY, INC. FOR FITTINGS, PARTS, AND ACCESSORIES RELATED TO THE REPAIR AND MAINTENANCE OF WATER DISTRIBUTION AND WASTEWATER COLLECTION PIPELINES AND SERVICES. UTILIZING THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP BID #2018-19/12.

**Recommendation:** Motion to approve increase in the amount of \$195,000 (\$65,000 per year) to the contract value to Fortiline Waterworks, Ferguson Enterprises, Inc., Core & Main LP, Lehman Pipe & Plumbing Supply Co., Empire Pipe, and Supply Company, Inc. for fittings, parts, and accessories related to the repair and maintenance of Water Distribution and Wastewater Collection Pipelines and Services and authorizing the City Manager to approval renewal options, in the amount below, contingent upon appropriation of funds.

**Sponsors:** Utilities Department and Purchasing Department

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

[Agreement - Fortiline, Inc.](#)

## **6.G. PROCLAMATIONS:**

### **6.G.1. OBSERVANCE OF JUNETEENTH**

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

**Sponsors:** City Clerk Department

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

[Juneteenth Proclamation](#)

**6.G.2. NATIONAL HIV TESTING DAY PROCLAMATION - JUNE 27, 2022**

**Recommendation:** Motion to observe June 27, 2022 as National HIV Testing Day.

**Sponsors:** City Clerk Department

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

**6.G.3. OBSERVANCE OF INDEPENDENCE DAY**

**Sponsors:** City Clerk Department

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

**6.G.4. PROCLAMATION - NATIONAL CLEAN BEACHES WEEK - JULY 1 - 7, 2022**

**Recommendation:** Motion to declare July 1-7, 2022 as National Clean Beaches Week.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Clean Beaches Week 2022](#)

**6.H. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.H.1. REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 30, THROUGH JUNE 03, 2022.**

**Recommendation:** By motion, receive and file this report.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Property Location Map](#)  
[A. 249 Royal Court](#)  
[B. 231 Venetian Drive](#)

**6.I. AWARD OF BIDS AND CONTRACTS:**

- 6.I.1.** APPROVAL OF RESOLUTION NO. 14-22 TO AWARD AN AGREEMENT WITH GRANICUS, LLC FOR AGENDA MANAGEMENT AND WEBSITE HOSTING SERVICES UTILIZING REGION 14 EDUCATION SERVICE CENTER, ON BEHALF OF THE NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA) SOLICITATION NO. 39-20 IN THE AMOUNT OF \$45,232 FOR AN INITIAL RENEWAL TERM OF DECEMBER 19, 2021 - JANUARY 15, 2023.

**Recommendation:** Motion to approve Resolution No. 14-22 and to award an Agreement with Granicus, LLC for Agenda Management and Website Hosting Services utilizing Region 14 Education Service Center, on behalf of the National Cooperative Purchasing Alliance (NCPA) Solicitation No. 39-20 in the amount of \$45,232 and authorize the City Manager to exercise renewal options, in the amounts below, contingent upon appropriation of funds.

**Sponsors:** City Clerk Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Granicus](#)  
[P2022-011 Granicus Master Service Agreement - Vendor Executed](#)  
[Res 14-22 Granicus P2022-011](#)

- 6.I.2.** APPROVAL OF RESOLUTION NO. 83-22 TO APPROVE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE PHASE II TROPIC ISLES ROADWAY UNDERGROUND UTILITY IMPROVEMENTS PURSUANT TO RFQ NO. 2019-040 IN AN AMOUNT NOT TO EXCEED \$2,925,784 (PROJECT NO. 19-015).

**Recommendation:** Motion to Approve Resolution No. 83-22 to award an Agreement with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services for the Phase II Tropic Isles Roadway Underground Utility Improvements Project pursuant to RFQ No. 2019-040 (Project No. 19-015) in an amount not to exceed \$2,925,784.

**Sponsors:** Public Works Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[BidSnyc Solicitation TRFQ 2019-040](#)  
[Fully Executed Tropic Isle Phase 1 - Agreement](#)  
[Vendor Executed Agreement Phase 2](#)  
[Exhibit A - Scope of Services-Phase 2 Tropic Isle](#)  
[Exhibit B - Fee Schedule Tropic Isle Phase 2](#)  
[Resolution 83-22 kwb](#)  
[Legal Review Checklist Tropic Isles kwb](#)

**6.1.3. APPROVAL OF RESOLUTION NO. 84-22 FOR THE PURCHASE OF A TREE TRIMMING TRUCK UTILIZING THE SOURCEWELL CONTRACT NO. 012418-ALT**

**Recommendation:** Motion to approve Resolution No. 84-22 to purchase a Tree Trimming Truck from Altec Industries, Inc. in an amount not-to-exceed \$240,945. utilizing Sourcewell Contract No. 012418-ALT.

**Sponsors:** Public Works Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Altec Contract 012418](#)  
[Altec Pricing](#)  
[Altec 012418-5th Yr. Extension](#)  
[Altec Quote 5-16-22](#)  
[ALTEC Acquisition Memo-Signed 5-12-22](#)  
[Res No 84-22 Purchase Order to Altec for Bucket Truck Sourcewell Piggyback \(](#)  
[Legal Review Res 84-22 Purchase Order to Altec for Bucket Truck using Source](#)

**6.1.4. APPROVAL OF RESOLUTION NO. 92-22 TO AWARD A 3 YEAR AGREEMENT TO DESIGN LAB, INC, FOR SUPPLY, SIZING, AND CUSTOMIZATION OF WORK AND DRESS UNIFORMS FOR THE FIRE DEPARTMENT UTILIZING PASCO COUNTY SOLICITATION NO. SS-19-125 IN THE AMOUNT NOT TO EXCEED \$555,000.**

**Recommendation:** Motion to approve Resolution No. 92-22 and to award a 3 year Agreement with Design Lab, Inc. for supply, sizing, and customization of work and dress uniforms for the Fire Department utilizing Pasco County Solicitation No. SS-19-125 in the amount not to exceed \$555,000.

**Sponsors:** Purchasing Department and Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Design Lab, Inc.](#)  
[P2022-040- Master Service Agreement Design Lab Inc](#)  
[Resolution No. 92-22](#)

**7. REGULAR AGENDA:**

- 7.A.** RESOLUTION NO. 74-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER REQUEST TO SECTION 4.4.13(J)(1)(C) OF THE LAND DEVELOPMENT REGULATIONS, ALLOWING THE SUBMISSION OF A REQUEST TO ABANDON THE RIGHT-OF-WAY LOCATED IN THE 200 BLOCK OF SOUTHEAST SECOND AVENUE IN THE CENTRAL BUSINESS DISTRICT, AS MORE PARTICULARLY DESCRIBED HEREIN, TO ACCOMMODATE NEW DEVELOPMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

**Recommendation:** Review and consider Resolution No. 74-22.

**Sponsors:** Development Services Department

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

[Reso 74-22](#)

[SE 2nd Ave - SPRAB Staff Report](#)

[SE 2nd Ave - Abandonment Justification Statement REV - 2-23-22](#)

[Legal Review Res 74-22 Waiver to allow app for Abandonment of ROW in CBD](#)

- 7.B.** RESOLUTION NO. 89-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING A WAIVER REQUEST TO SECTION 4.3.4(H)(6)(B)4 OF THE LAND DEVELOPMENT REGULATIONS, APPROVING A 9.9-FOOT SPECIAL LANDSCAPE BUFFER WHERE A 20-FOOT BUFFER IS REQUIRED, FOR THE PROPERTY LOCATED AT 1800 SOUTH FEDERAL HIGHWAY, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

**Recommendation:** Review and consider Resolution No. 89-22.

**Sponsors:** Development Services Department

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

[Resolution No. 89-22](#)

[Chick-fil-A Site Plan](#)

[Chick-fil-A Landscape Plan](#)

[Applicant Justification Statement](#)

[Legal Review Resolution No. 89-22](#)

- 7.C.** DIRECTION CONCERNING CITY OWNED PARCELS LOCATED ON SW 12TH AVENUE

**Recommendation:** Discussion and Direction to Consider Accordingly.

**Sponsors:** City Manager Department

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

[Community Land Trust Letter March 16 2022](#)

[City Owned Properties Hatched Zoomed View](#)

[City Owned Properties SW 12th Ave Hatched](#)

[City Owned Properties Zoomed View\(2\) Hatched](#)

**7.D. NOMINATIONS FOR APPOINTMENT TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE**

**Recommendation:** Motion to approve the appointment for six (6) regular members to serve a two (2) year term ending July 31, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Affordable Housing Advisory Committee](#)  
[AHAC Attendance 2022](#)  
[Burns](#)  
[Catania](#)  
[Levin](#)  
[Morin](#)  
[Spates](#)  
[Walker](#)

**7.E. NOMINATION FOR APPOINTMENT TO THE EDUCATION BOARD**

**Recommendation:** Motion to approve the appointment for six (6) regular members to serve on the Education Board for a two (2) year term ending July 31, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Education Board](#)  
[EB Attendance 2022](#)  
[Augustin Badet](#)  
[Berlanga](#)  
[Cannon](#)  
[Dickerson](#)  
[Jonsons](#)  
[Knight](#)  
[Nevin](#)  
[Talley](#)  
[Torres](#)  
[Van Horn](#)

**7.F. NOMINATION FOR APPOINTMENT TO THE GREEN IMPLEMENTATION  
ADVANCEMENT BOARD**

**Recommendation:** Motion to approve the appointment of three (3) regular members for an appointment to the Green Implementation Advancement Board for a two (2) year term ending July 31, 2024.

**Sponsors:** City Clerk Department

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

[Exhibit A](#)

[Green Implementation Advancement Board 2021](#)

[GIAB 2022 Quarterly Attendance](#)

[Orellana](#)

[Stepner](#)

[Zukerburg](#)

**7.G. NOMINATION FOR APPOINTMENT TO THE PARKING MANAGEMENT ADVISORY  
BOARD**

**Recommendation:** Motion to approve the nomination for an appointment for two (2) regular members to serve on the Parking Management Advisory Board for a two (2) year term ending July 31, 2024.

**Sponsors:** City Clerk Department

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

[Exhibit A](#)

[Parking Management Advisory Board](#)

[PMAB 2022 Quarterly Attendance](#)

[Anderson](#)

[Burgess](#)

[Cascone](#)

[Cullinan](#)

[Gergen](#)

[Torres](#)

[Warner](#)

**7.H. NOMINATION FOR APPOINTMENT TO THE POLICE ADVISORY BOARD**

**Recommendation:** Motion to approve the nomination for an appointment for five (5) regular members to serve on the Police Advisory Board for a two (2) year term ending July 31, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Police Advisory Board 2022](#)  
[PAB Attendance 2022](#)  
[Augustin Badet](#)  
[Cannon](#)  
[Carkhuff](#)  
[L'Herrou](#)  
[Hecht](#)  
[McCarthy](#)  
[McNally](#)  
[Potts](#)  
[Torres](#)

**7.I. NOMINATION FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD**

**Recommendation:** Motion to approve the appointment for four (4) regular members to serve on the Public Art Advisory Board to serve a term ending July 31, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Public Art Advisory Board 2022](#)  
[PAAB 2022 Attendance](#)  
[Aronstein](#)  
[Berlanga](#)  
[Hecht](#)  
[Horning](#)  
[Kaulina-Feldmanis](#)  
[Sherman](#)  
[Spear](#)  
[Talley](#)  
[Torres](#)

**7.J. NOMINATION FOR APPOINTMENT TO THE COMMUNITY REDEVELOPMENT AGENCY BOARD**

**Recommendation:** Motion to approve the nomination for appointment of one (1) regular member to serve on the Community Redevelopment Agency Board for a four (4) year term ending July 01, 2026.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Community Redevelopment Agency](#)  
[CRA 2022 Attendance](#)  
[Arts](#)  
[Augustin Badet](#)  
[Brinson](#)  
[Catania](#)  
[Gray](#)  
[Knight](#)  
[Rindos](#)  
[Torres](#)  
[Warner](#)

**7.K. APPROVAL OF RESOLUTION NO. 73-22 TO AWARD AN AGREEMENT TO COMMUNITY GREENING CORP. FOR TREE PLANTING SERVICES - \$325,808.**

**Recommendation:** Motion to approve Resolution No. 73-22 to AWARD AN Agreement to Community Greening Corp for tree planting services in the estimated annual amount of \$325,808. and authorize the City Manager to exercise renewal options, in the amounts below, contingent upon appropriation of funds.

**Sponsors:** Purchasing Department and City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Solicitation RFP 2022-007 Tree Planting Program](#)  
[Tabulation Report](#)  
[Community Greening Proposal](#)  
[Community Greening Initial Price Proposal](#)  
[Exhibit A - Annual Fee Schedule](#)  
[Agreement Community Greening Group](#)  
[Resolution 73-22 Tree Planting Program](#)  
[Legal Review Checklist Community Greening Corp](#)

**8. PUBLIC HEARINGS/SECOND READINGS:**

- 8.A.** ORDINANCE NO. 08-22: 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 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," TABLE 4.4.13(A), "ALLOWABLE USES AND STRUCTURES IN THE CBD SUB-DISTRICTS," TO ADD OUTDOOR USE AREAS AT STAND ALONE BARS AS A CONDITIONAL USE AND ACCESSORY USE; AMENDING ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.6, "COMMERCIAL AND INDUSTRIAL USES TO OPERATE WITHIN A BUILDING," SUBSECTION (B), "ALLOWABLE OUTSIDE USAGE," TO INCLUDE PERMANENT SEATING AT STAND ALONE BARS AS AN ALLOWABLE OUTSIDE USE, AND SUBSECTION (C), "RESTRICTIONS ON OUTSIDE USAGE," TO ESTABLISH REGULATIONS GOVERNING OUTSIDE USAGE AT STAND ALONE BARS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING/PUBLIC HEARING)

**Recommendation:** Review and consider Ordinance No. 08-22, a privately initiated amendment to Section 4.4.13, Table 4.4.13(A), "Allowable Uses and Structures in the CBD Sub-Districts" and Section 4.6.6, "Commercial and industrial uses to operate within a building," of the Land Development Regulations (LDR) to allow outdoor consumption of alcohol at stand alone bars serving only beer and wine north of Lake Ida Road within the Central Core Sub-District of the Central Business District, and to provide regulations that support the health, safety, and general welfare of the public.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 08-22](#)  
[Ordinance No. 08-22: Staff Report, Outdoor Use Areas at Standalone Bars](#)  
[Ordinance No. 08-22: Justification Statement](#)  
[Ordinance No. 08-22: Stand Alone Bars Map, CBD & Residential Zoning](#)  
[Ordinance No. 08-22: DDA Recommendation](#)  
[Legal Review, Ord. No. 08-22](#)

**8.B.** ORDINANCE NO. 11-22: 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," BY ENACTING A NEW SECTION 52.07, "LANDSCAPE IRRIGATION," TO IMPLEMENT THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES RULE, ESTABLISH A LANDSCAPE IRRIGATION SCHEDULE AND EXCEPTIONS THERETO, REQUIRE IRRIGATION SYSTEMS TO UTILIZE TECHNOLOGY THAT INHIBITS OR INTERRUPTS WATERING DURING PERIODS OF SUFFICIENT MOISTURE, PROVIDE FOR VARIANCES FROM THE LANDSCAPE IRRIGATION SCHEDULE, AND PROVIDE FOR ENFORCEMENT OF THIS ORDINANCE; AMENDING SECTION 52.99, "PENALTY," TO ESTABLISH PENALTIES FOR VIOLATIONS OF THIS ORDINANCE AND TO REMOVE CRIMINAL SANCTIONS BUT INCREASE THE FINANCIAL PENALTY FOR VIOLATIONS OF SECTIONS 52.65 THROUGH 52.70, WHICH PLACE RESTRICTIONS ON WATER USE DURING WATER SHORTAGE EMERGENCIES, AND INCREASE THE FINANCIAL PENALTY FOR VIOLATIONS OF SECTIONS 52.80 THROUGH 52.85, REQUIRING THE INSTALLATION AND MAINTENANCE OF BACKFLOW PREVENTION DEVICES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 11-22 KB rev. amended after 2nd reading](#)

## **9. FIRST READINGS:**

9.A. None

## **10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:**

**A. City Manager**

**B. City Attorney**

**C. City Commission**

## **11. ADJOURNMENT**