

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Draft

Tuesday, April 9, 2024

5:00 PM

Regular Meeting at 5:00 PM

Delray Beach City Hall or Watch on YouTube:

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

Mayor Thomas F. Carney, Jr.

Vice Mayor Juli Casale

Deputy Vice Mayor Rob Long

Commissioner Tom Markert

Commissioner Angela Burns

1. ROLL CALL

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

Mayor Carney requested Consent Item No. 6.H.1. be pulled for discussion. It became Item No. 7.A.A. on the Regular Agenda.

A motion was made by Deputy Vice Mayor Long, seconded by Vice-Mayor Casale, that this be approved as amended. The motion carried by the following vote:

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

3.A. Additions, Deletions, Substitutions

None.

4. PRESENTATIONS:

4.A. RESOLUTION NO. 72-24 SHAWN BECKOWITZ 30 YEARS OF SERVICE

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Shawn Beckowitz 30 Year Resolution](#)

Mayor Carney read Resolution No. 72-24 into the record and thanked Captain Beckowitz for his 30 years of service to the City of Delray Beach.

Division Chief Craig Mahoney recognized Shawn Beckowitz for his outstanding career as a Firefighter and Police Officer.

A motion was made by Commissioner Markert, seconded by Vice-Mayor Casale, that this Resolution be approved. The motion carried by the following vote:

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

4.B. RESOLUTION NO. 79-24 TOMMIE OSBORN 30 YEARS OF SERVICE

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Tommie Osborn 30 Year resolution](#)

Mayor Carney read Resolution No. 79-24 into the record and thanked

Firefighter/EMT Osborn for his 30 years of dedicated service to the City of Delray Beach.

Division Chief Craig Mahoney acknowledged firefighter Tommie Osborne for his exemplary career as a firefighter and mentor to his colleagues.

A motion was made by Commissioner Markert, seconded by Deputy Vice Mayor Long, that this Resolution be approved. The motion carried by the following vote:

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

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

Sponsors: City Clerk Department

Senator Lori Berman reported that the City of Delray Beach had secured a robust budget of seventeen billion dollars, which included funding for the SW 8th Avenue Restoration Project and the North Swinton Phase II underground utility improvement project. She gave an overview of various bills and discussed the increased property insurance costs. Senator Berman mentioned that the Senate renamed A1A from the Florida Keys to Jupiter as “Jimmy Buffet Highway.”

Mayor Carney thanked Senator Berman for her hard work.

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

Mr. Moore requested to have Missie Barletto, Director of Public Works, provide an update on the Swinton Avenue and Atlantic Avenue intersection improvement project.

5.A.1. IMPLEMENTATION OF THE SWINTON AVENUE & ATLANTIC AVENUE INTERSECTION IMPROVEMENT PROJECT

Sponsors: City Manager Department

Ms. Barletto provided an overview of the Urban Core Mobility Joint Project between Development Services and the Public Works departments to address the issues at the Swinton and Atlantic Avenue Intersection. She stated the project's goal was to improve bicycle/pedestrian safety at the Atlantic Avenue and Sinton Avenue intersections. Ms. Barletto shared the feedback received from the City's stakeholders and the previous Commission on their vision for the intersection.

The Commission thanked Ms. Barletto for the presentation.

5.B. From the Public

Martin Dorow, 236 SE 5 Avenue, Delray Beach

Suggested first responders wear shorts to keep themselves cool.

Montre Bennett, 323 NW 2 Avenue, Delray Beach

Gave honor to his cousin and son who had passed.

Carol Anderson, 4812 Bexley Park Drive, Delray Beach

Thanked the Commission for having a plan in place for the intersection of Swinton and Atlantic Avenue.

Andrea Bruton, 703 Place Tavant, Delray Beach

Thanked the Commission for changing the Commission Meetings to 6:00 p.m. and asked the Commission to have ribbon-cutting ceremonies on Saturdays to allow working residents to attend.

Ron Platt, 5120 Pineview Circle, Delray Beach

Discussed the importance of addressing the Downtown Development Authority's issue with a board member who falsified information on his application. He mentioned Laura Simon deserved a better evaluation than the one she received.

Yvonne Odom, 3905 Lawson Blvd, Delray Beach

Congratulated Mayor Carney.

George Long, 46 North Swinton Avenue, Delray Beach

Discussed various city issues.

Debra Walker, 1312 NW 2nd Street, Delray Beach

Discussed the difficulties when driving around a roundabout.

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

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Vice-Mayor Casale, seconded by Deputy Vice Mayor Long, that this be approved as amended. The motion carried by the following vote:

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

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[March 5, 2024 Regular Meeting Minutes - DRAFT](#)

The Minutes were approved.

6.B. RESOLUTION NO. 64-24 AMENDING THE FISCAL YEAR 2023-24 BUDGET ADOPTED BY RESOLUTION NO.145-23 ON SEPTEMBER 18, 2023.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution 64-24 Budget Amendment FY 2023-24 04.09.2024](#)
[Legal Review Res 64-24 Budget Amd to FY 23-24](#)
[Exhibit A - Resolution 64-24 Budget Amendment 4.9.24](#)

This Resolution was approved.

6.C. ITEM A-1 HOLD HARMLESS AGREEMENT FOR WORK PERFORMED WITHIN THE STATE RIGHT-OF-WAY AT 302, 318, 338, AND 346 SE 5TH AVE.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Legal Review Hold Harmless Agreement for State ROW - 318 SE 5th Ave - 318 SE 5th Ave LLC.pdf](#)
[Hold Harmless Agreement for State ROW - 318 SE 5th Ave - 318 SE 5th Ave LLC.pdf](#)

This Request was approved.

6.D. HOUSING REHABILITATION GRANT AWARD TO HORIZON GENERAL CONTRACTING & DEVELOPMENT, LLC. FOR 629 SW 8th AVENUE IN THE AMOUNT OF \$75,839.76

Sponsors: Neighborhood & Community Services

- Attachments:** [Agenda Cover Report](#)
[Legal Review CDBG Lien Agreement - Rozie Beachem - 629 SW 8th Ave](#)
[CDBG Lien Agreement -Beachem FINAL](#)
[Affordable Housing Program Certification](#)
[Quote Information Sheet Beachem](#)
[Q 2024-003 - Department Concurrence Approval - signed](#)
[Memorandum of Understanding](#)
[Notice to Proceed](#)
[Notice of Commencement Beachem](#)
[2a. PARKING PLAN AFFIDAVIT](#)
[Warranty Docs](#)

This Request was approved.

6.E. HOUSING REHABILITATION GRANT AWARD TO HORIZON GENERAL CONTRACTING & DEVELOPMENT, LLC. FOR 3406 PLACE VALENCAY IN THE AMOUNT OF \$74,346.61

Sponsors: Neighborhood & Community Services

- Attachments:** [Agenda Cover Report](#)
[Legal Review SHIP Lien Agreement - Philomene and Narline Menard - 3406 Place Valencay](#)
[SHIP Lien Agreement - Philomene Menard and Narline Menard FINAL](#)
[Affordable Housing Program Certification for Menard](#)
[Quote Information Sheet Menard](#)
[Memorandum of Understanding](#)
[Notice to Proceed](#)
[2a. PARKING PLAN AFFIDAVIT](#)
[Notice of Commencement Philomene Menard final](#)
[Warranty Docs](#)

This Request was approved.

6.F. PROCLAMATIONS:

6.F.1. PROCLAMATION: ROCK THE BLOCK

Sponsors: Neighborhood & Community Services

- Attachments:** [Agenda Cover Report](#)
[Rock the Block](#)

This Proclamation was approved.

6.F.2. PROCLAMATION TO DESIGNATE THE MONTH OF APRIL AS WATER CONSERVATION MONTH.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[2024_Water Conservation Proclamation.doc](#)

This Proclamation was approved.

6.F.3. PROCLAMATION TO DESIGNATE THE MONTH OF APRIL AS AUTISM ACCEPTANCE MONTH

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[AutismAcceptanceProc_2024](#)

This Proclamation was approved.

6.F.4. SEXUALLY TRANSMITTED DISEASE AWARENESS MONTH

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Sexually Transmitted Disease Awareness Month](#)

This Proclamation was approved.

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

6.G.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM FEBRUARY 26, 2024 THROUGH MARCH 29, 2024.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB \(2-26\) Harbour's Edge](#)
[HPB \(3-6\) Sundry Village-Building G](#)
[SPRAB \(3-28\) Parks at Delray](#)

This Request was approved.

6.H. AWARD OF BIDS AND CONTRACTS:

6.H.1. APPROVAL OF RESOLUTION NO. 54-24 TO RETROACTIVELY

APPROVE A CITY STANDARD AGREEMENT WITH BADGER METER, INC., FOR WATER METERING TECHNOLOGY PRODUCTS FOR THE UTILITIES DEPARTMENT (UTILITIES) IN A TOTAL NOT-TO-EXCEED ESTIMATED AMOUNT OF \$320,000 (RESPECTIVELY \$160,000 PER YEAR).

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Badger Meter Inc. City Standard.pdf](#)
[Resolution 54-24 Badger Meter City Standard No Mayor name](#)
[Executed - CS2024-0013 Agreement Vendor Signed](#)

Mayor Carney requested that Item No. 6.H.I., be pulled from the Consent Agenda for discussion and become Item No. 7.A.A., on the Regular Agenda.

Hassan Hadjimiry, Director of Utilities, discussed the necessity of continuing to engage in business with Badger Systems for the newly constructed homes in the city. He assured the Commission the funds would not be used for the existing malfunctioning meters. He added Badger was covering the warranty issues.

A motion was made by Vice-Mayor Casale, seconded by Deputy Vice Mayor Long, that this Resolution be approved. The motion carried by the following vote:

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

6.H.2.

APPROVAL OF RESOLUTION NO. 70-24 TO AWARD AN AGREEMENT WITH J-MAC CLEANING SERVICES, INC. FOR LANDSCAPE MAINTENANCE OF THE GATEWAY FEATURE ALONG ATLANTIC AVENUE PURSUANT TO ITB 2024-004 FOR AN INITIAL THREE-YEAR TERM COST OF \$54,120.00 (\$18,040 PER YEAR) WITH THE OPTION TO RENEW FOR AN ADDITIONAL TWO (2) YEARS- TOTAL CONTRACT VALUE OF \$90,200.00

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[LegalReview ITB 2024-004 Landscape Maintenance Gateway](#)
[Resolution 70-24 JMAC Gateway updated](#)
[ITB 2024-004 Agreement JMac Gateway](#)
[Packet for Bid ITB 2024-004 Final](#)
[City of Delray 2024-004 Landscape Maintenance Atlantic Ave Gateway](#)

This Resolution was approved.

7. REGULAR AGENDA:

- 7.A.** RESOLUTION NO. 82-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, RECOGNIZING THAT THE CITY OF DELRAY BEACH IS CONSIDERING AMENDMENTS TO THE CITY'S LAND DEVELOPMENT REGULATIONS WITH RESPECT TO IN LIEU OF PARKING REQUESTS; EXTENDING THE PENDING ORDINANCE DOCTRINE PERIOD PREVIOUSLY INVOKED BY THE CITY COMMISSION; RESTATING THAT THE CITY WILL DEFER THE PROCESSING AND APPROVAL OF ALL APPLICATIONS FOR IN LIEU OF PARKING REQUESTS DURING THE PENDENCY OF THE CITY'S CONSIDERATION OF THESE AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

[Resolution 82-24](#)

[Resolution 102-23](#)

[Resolution 196-23](#)

Lynn Gelin, City Attorney, stated that Resolution 82-24 would extend the pending "zoning in progress" previously adopted by the City Commission on May 2, 2023, and subsequently extended on October 17, 2023, by 180 days.

A motion was made by Vice-Mayor Casale, seconded by Deputy Vice Mayor Long, that this Resolution be approved. The motion carried by the following vote:

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

- 7.B.** REVIEW AND ADOPTION OF DELRAY BEACH CITY COMMISSION LOCAL RULES OF PROCEDURE AND QUASI-JUDICIAL RULES

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

[Local RulesFinal Draft 4-9-24](#)

Mayor Carney proposed changing the Commission's voting method to a voice vote, except for matters requiring a super majority or a voice vote requested by any member of the City Commission.

A motion was made by Deputy Vice Mayor Long, seconded by Commissioner Burns, that this Request be approved. The motion carried by the following vote:

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

7.C. NOMINATION FOR APPOINTMENT TO THE POLICE ADVISORY BOARD

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Police Advisory Board](#)
[Police Advisory Board Attendance 2024](#)
[Potts](#)
[Rudowitz](#)
[Strasser](#)

John Strasser was appointed.

A motion was made by Commissioner Markert, seconded by Vice-Mayor Casale, that this Appointment be approved. The motion carried by the following vote:

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

7.D. CITY COMMISSION MEETING DATES FOR 2024-25

Sponsors: City Clerk Department

Attachments: [2024 - 2025 Commission Meeting Calendar Dates](#)
[April 2024 – March 2025 Calendar](#)

The Commission discussed the 2024-25 Commission/Workshop meeting dates; however, some of the dates were amended to accommodate their schedules.

A motion was made by Vice-Mayor Casale, seconded by Deputy Vice Mayor Long, that this Request be approved as amended. The motion carried by the following vote:

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

7.E. DESIGNATION OF PALM BEACH TRANSPORTATION PLANNING AGENCY (TPA) GOVERNING BOARD MEMBER

Sponsors: City Clerk Department

A motion was made by Vice Mayor Casale, seconded by Commissioner Markert to nominate Mayor Carney as the Governing Board Member to serve on the Palm Beach Transportation Planning Agency.

The motion carried by the following vote:

Yes: 3 - Mayor Carney, Vice Mayor Casale, Commissioner Markert
No: 2 - Deputy Vice Mayor Long, Commissioner Burns

approved

Vice Mayor Casale nominated Deputy Vice Mayor Long, seconded by Deputy Vice Mayor Long to serve as the alternate Governing Board Member on the Palm Beach Transportation Planning Agency.

A vote carried as follows:

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

approved

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. None

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

None.

B. City Attorney

Requested a Shade Meeting to be held on May 7, 2024 at 4:00 p.m.

A motion was made by Vice Mayor Casale, seconded by Commissioner Burns to approve the Shade Meeting requested for May 7, 2024, at 4:00 p.m.

By a show of hands, all were in favor.

approved

C. City Commission

Deputy Vice Mayor Long:

Requested the Commission approval to remove anyone who disrupts a

meeting with defamatory or neo-Nazi speech.

Commended the Police Department for their rapid response to a shooting that took place near the Old School Square Parking Garage.

Police Chief Mager acknowledged security measures had already been increased in the area.

Commissioner Markert:

None.

Vice Mayor Casale:

Discussed the unfinished projects throughout the city.

Requested the Commission explore improving the unfunded pension liability.

Thanked Sam Metott, Parks and Recreation Director for acknowledging Autism Awareness Acceptance Month.

Commissioner Burns:

Requested a workshop to discuss the proceeds from the General Obligation Bond.

Mr. Moore stated that the Goal Setting Workshop scheduled for May 3rd would address a variety of concerns.

Requested a workshop to discuss the use of settlement funds from the opioid litigation case.

Mayor Carney:

Discussed the 7th Avenue closure.

Requested an update on the Water Treatment Plant.

Mr. Moore discussed the design-build schedule of the Water Treatment Plant.

Requested a workshop to engage the community on how to use raised funds for parks improvements.

Requested a meeting to discuss the Capital Improvement Budget with the new Commission.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 6:53 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.