

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Final

Tuesday, April 22, 2025

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 Rob Long

Deputy Vice Mayor Angela Burns

Commissioner Tom Markert

Commissioner Juli Casale

1. ROLL CALL

The April 22, 2025 Regular City Commission Meeting was called to order at 5:02 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

Commissioner Casale requested that Consent Item No. 6.E. be pulled for discussion. It became Item No. 7.A.A. on the Regular Agenda. She also requested to pull Consent Item No. 6.K.5. It became Item No. 7.B.B. on the Regular Agenda.

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

all were in favor

4. PRESENTATIONS:

4.A. RESOLUTION NO. 78-25 ALBERTO ANGULO 30 YEARS OF SERVICE

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[78.25 Resolution Alberto Angulo](#)

Mayor Carney entered Resolution No. 78-25 into the record.

LeShay King, Employee Engagement Coordinator, presented Mr. Angulo with a plaque for his thirty years of service to the City.

Enrique Fernandez, Code Enforcement Administrator, highlighted Mr. Angulo's accomplishments and discussed his outstanding leadership as a Code Enforcement Officer.

A motion was made by Deputy Vice Mayor Burns, seconded by Vice Mayor Long, to approve Resolution No. 78-25.

all were in favor

4.B. PRESENTATION BY RHONDA GIGER OF PALM BEACH COUNTY COMMISSION ON ETHICS

Sponsors: City Clerk Department

Ms. Giger stated that the goal of the Palm Beach County Commission on Ethics is to educate the public and elected officials about advisory issues. She expressed her gratitude to the Commission for contacting her whenever they required assistance. She provided updated Ethics Guides for everyone. The Commission thanked Ms. Giger for her dedicated service to Palm Beach County.

4.C. PRESENTATION BY KELLY SMALLRIDGE, PRESIDENT & CEO OF THE BUSINESS DEVELOPMENT BOARD OF PALM BEACH COUNTY

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Ms. Smallridge made a presentation highlighting the mission of the Business Development Board of Palm Beach County. She stated that their mission was to recruit, retain, and expand companies in Palm Beach County through roundtable discussions and other forums. She noted that they provide services to all thirty-nine (39) cities within Palm Beach County.

The Commission engaged in a brief discussion on how Delray Beach ranks in the economic development of Palm Beach County.

Ms. Smallridge noted that Downtown Delray Beach plays a critical role in Palm Beach County's economic development. She stated that having A-rated schools would be essential for business relocations.

The Commission thanked Ms. Smallridge for her time.

4.D. CLIMATE ACTION PLAN

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[CAP Comm PPT](#)

Kent Edwards, Sustainability Officer, and Christian Chitester, Sustainability Coordinator, presented a preliminary draft of the City's Climate Action Plan. Mr. Edwards stated that a survey conducted a year earlier revealed that 80% of the City's residents supported the implementation of a Citywide Climate Action Plan. He provided examples of how the City and the community could begin implementing this plan across City-sponsored

projects and neighborhoods.

Mr. Edwards noted the Dune Restoration Management Plan and the Tree Planting Program as key improvements to the Climate Action Plan. He emphasized the advantages of having an Arborist on staff and discussed the potential implementation of a city-wide water conservation program. Mr. Edwards acknowledged that any modifications would need approval from the Commission for budgetary considerations.

The Commission thanked Mr. Edwards and Mr. Chitester for their work.

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

5.A.1. APPROVAL TO INITIATE REQUEST FOR JURISDICTIONAL TRANSFER OF WEST ATLANTIC AVENUE (STATE ROAD 806) FROM NW/SW 12TH AVENUE TO N/S SWINTON AVENUE FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO THE CITY OF DELRAY BEACH

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Delray Beach - Atlantic Avenue Transfer Request Letter](#)

Mr. Moore briefly discussed the item which concerns the City acquiring several segments of Atlantic Avenue from Florida Department of Corrections (FDOT.) He expressed that he believes this is a positive idea.

Missie Barletto, Director of Public Works, stated that on January 30, 2025, and March 7, 2025, the City of Delray Beach Public Works Department and FDOT staff met to discuss the possibility of transferring ownership of several segments of Atlantic Avenue within Delray Beach city limits. Ms. Barletto stated that since then, FDOT has been willing to officially begin negotiations for the transfer of West Atlantic Avenue (State Road 906) from NW/SW 12th Avenue to N/S Swinton Avenue from the FDOT to the City of Delray Beach. She mentioned that the City already performs a great deal of the maintenance. She explained further that approving this item would align with the City's redevelopment plans for projects, including the Set Transformation Plan and the Community Redevelopment Agency's Expansion Plan. Ms. Barletto stated that this evening's presentation was to secure the Commission's permission to move forward with preliminary negotiations and to have the Mayor sign a letter asking FDOT to begin the process formally.

The Commission engaged in a discussion about the costs of assuming the proposed area of land.

Ms. Barletto stated that since there have been no negotiations yet, there were no concrete facts regarding the actual costs involved. The Commission agreed that moving forward with this plan has been overdue.

There was consensus for the Mayor to send a letter granting permission to proceed with the proposed project.

During the discussion of this item, Mr. Moore added the following comments:

- Announced that Delray Beach received the Blue Flag Beach Designation Award for the third consecutive year. He also noted that on Thursday, May 1, 2025, at 10:00 a.m., there would be a waterfront celebration.

- Mentioned there would be a community engagement session on Thursday, April 24, 2025, at 6:00 p.m., which will be held at the Delray Beach Municipal Golf Course Clubhouse.

- Announced that the City of Delray Beach has confirmed its bid for the Davis Cup through the Palm Beach County Sports Commission.

5.B. From the Public

Neil Schiller, Attorney for agenda item No. 9.B.

Announced he would not be present for the item that evening but would attend the second reading of the item.

Yvonne Odom, 3905 Lawson Blvd, Delray Beach

Suggested that residents watch Commission Meetings online if they were unable to attend.

Requested the Commission approach Special Events in the City with fairness.

Thanked Mr. DonFrancisco for his contributions to the Kids and Cops Program.

Acknowledged the exceptional Police Department that the City has, and suggested they try to retain them so that they do not leave for better pay in other cities.

Encouraged the Commission to be mindful of public and private

partnerships regarding Old School Square.

Thanked Parks and Recreation for their assistance in launching the Delray Coco Gauff Tennis Shoe.

Victoria Mackentosh, 7501 Duce Lane, Lake Worth
Expressed her enjoyment of the Career Fair because she found a job, and she suggested that the City host more events like it.

Steve English, 102 NE 10th Street, Delray Beach
Discussed the Pride Festival and emphasized the importance of being recognized as an inclusive City.

Cheyenne Murch, 4695 Francis Drive, Delray Beach
Spoke on behalf of Subculture Coffee Shop regarding the complaints that have been filed against them.

Makaela Davis, 2301 South Congress Avenue, Boynton Beach
Discussed the positive impact that Subculture Coffee Shop and their events have had on her.

Luca Sands, 805 Delmar Way, Delray Beach
Discussed how much he enjoys Subculture because of its vibrancy.

Gary Fillweber, 93 Saxony B, Delray Beach
Stated he worked as a benefits consultant and discussed a benefits package designed for the Police Department and all City employees.

Dr. Ashley Ridley, 210 NW 2nd Avenue, Delray Beach
Discussed Alcohol Awareness Month on behalf of the Drug Abuse Foundation.

Laura Simon, Executive Director of the Downtown Development Authority
Congratulated the winners of the "Let's Move Month" contest and the City for getting the Davis Cup Championship Tennis Tournament to come to Delray Beach.

Mentioned that the Downtown Development Authority supported the inclusion of West Atlantic Avenue and FDOT in the ongoing efforts to integrate that area into the downtown region, and they hoped to see it continue to A1A.

Spoke about the importance of working with the City's business partners.

Debra Walker, 1312 NW 2nd Street, Delray Beach

Thanked the Parks and Recreation Department for getting the pool at Pompey Park open.

Requested the Commission postpone the transfer of 12th Avenue to Swinton from the FDOT to the City.

Ernestine Holladay, 40 NW 9th Avenue, Delray Beach

Suggested the Public Works Department focus more on poorly lit streets and add sidewalks on both sides of the roads.

Stated she would like to see fewer high-rise buildings.

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

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Commissioner Casale, seconded by Vice Mayor Long, 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](#)
[March 27, 2025 Workshop Meeting Minutes - DRAFT](#)
[April 1, 2025 Special Meeting Minutes - DRAFT](#)

The Minutes were approved.

6.B. RESOLUTION NO. 72-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PURSUANT TO CHAPTER 100 OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, ASSESSING COSTS FOR ABATING NUISANCES UPON CERTAIN LANDS LOCATED WITHIN THE CITY OF DELRAY BEACH AND PROVIDING THAT A NOTICE OF LIEN SHALL ACCOMPANY THE NOTICE OF ASSESSMENT; SETTING OUT ACTUAL COSTS INCURRED BY THE CITY TO ACCOMPLISH SUCH ABATEMENT AND LEVYING THE COST OF SUCH ABATEMENT OF NUISANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR A DUE DATE AND INTEREST ON ASSESSMENTS; PROVIDING FOR THE RECORDING OF THIS RESOLUTION, AND DECLARING SAID LEVY TO BE A LIEN UPON THE SUBJECT PROPERTY FOR UNPAID ASSESSMENTS.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 72-25 - Authorizing Nuisance Abatement Lien - 31 NW
13th Ave](#)

[Resolution No. 72-25 - Exhibit A](#)

[Resolution No. 72-25 - Legal Review](#)

This Resolution was approved.

6.C.

RESOLUTION NO. 74-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPOINTING THE PALM BEACH COUNTY CANVASSING BOARD TO CANVASS ALL ABSENTEE BALLOTS; TO CANVASS THE MUNICIPAL ELECTION; AND TO CONDUCT THE LOGIC AND ACCURACY TESTING FOR ALL ELECTION MACHINERY; AUTHORIZING THE CITY CLERK TO DO ALL THINGS NECESSARY TO CONDUCT THE NONPARTISAN ELECTION; PROVIDING THE TIME, MANNER, AND MEANS OF HOLDING SAID ELECTION, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 74-25 - Authorization to Canvass Elections](#)

[2021 SOE Charter Recommendations](#)

[Polling of Other Municipalities in Palm Beach County](#)

[Correspondence with SOE](#)

[Resolution No. 74-25 - Simple Legal Review](#)

This Resolution was approved.

6.D.

RESOLUTION 79-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE CONVEYANCE OF AN UNIMPROVED PARCEL LOCATED GENERALLY BETWEEN SE 8TH STREET AND SE 9TH STREET AND SE 4TH AVENUE AND SE 5TH AVENUE TO 802 SE 5TH AVE, LLC, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE MAYOR TO EXECUTE THE QUITCLAIM DEED AND ANY OTHER DOCUMENTS REQUIRED TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Sponsors: City Attorney Department

- Attachments:** [Agenda Cover Report](#)
[Res 79-25 Approving QCD Iq rev 4-3-25](#)
[Demand Letter 3](#)
[Sketch and Legal for ROW - 802 SE 5th Ave](#)

This Resolution was approved.

6.E. APPROVAL OF AN EMPLOYMENT AGREEMENT WITH ELENA GEORGIEV

Sponsors: Human Resources Department

- Attachments:** [Agenda Cover Report](#)
[Elana Georgiev Employment Agreement](#)
[Simple Legal Review employment Agreement Internal Auditor](#)

Commissioner Casale requested that Consent Item No. 6.E. be pulled for discussion. It became Item No. 7.A.A. on the Regular Agenda.

The Commission welcomed Ms. Elena Georgiev as the new Internal City Auditor.

She thanked the Human Resources Department and Raftelis Financial Consultants for facilitating a smooth transition and expressed her enthusiasm to work for the City of Delray Beach.

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

all were in favor

6.F. STATE HOUSING INITIATIVES PARTNERSHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP) FY2025-2028

Sponsors: Neighborhood & Community Services

- Attachments:** [Agenda Cover Report](#)
[City of Delray Beach LHAP 2025-2028 May 2025 FINAL FFM 32025](#)
[Exhibit-A Administrative Budget](#)
[Exhibit-B Timeline](#)
[Exhibit-C Housing Delivery Goals Chart](#)
[Exhibit-D Certification](#)
[Exhibit-E Resolution 66-25](#)
[Exhibit H Subordination](#)

This Request was approved.

6.G. CONTINUATION OF STANDARD GRANT AGREEMENT NO. L2202 BETWEEN THE CITY OF DELRAY BEACH AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[L2202 Grant Continuation_LR.docx](#)
[L2202_A4_Continuation Signature.pdf](#)
[Exhibit A](#)
[L2202 Delray Beach-Pompey Park_LLI-Fully Executed Agreement.pdf](#)
[L2202 Amendment 1 FullyExecuted.pdf](#)
[L2202 Amendment 2_FE.pdf](#)
[L2202 Amendment 3 FE.pdf](#)

This Request was approved.

6.H. APPROVAL OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE FEDERAL BUREAU OF INVESTIGATION AND THE CITY OF DELRAY BEACH

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[FBI Task Force MOU - Delray Bch PD_4.3.25](#)
[Legal Review Checklist FBI PBC Fraud Task Force MOU](#)

This Request was approved.

6.I. PROCLAMATIONS:

6.I.1. LET'S MOVE DELRAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Proclamation - Let's Move Delray](#)

This Proclamation was approved.

6.I.2. DESIGNATING APRIL 25, 2025 AS ARBOR DAY PROCLAMATION

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Proclamation - Arbor Day 2025.pdf](#)

This Proclamation was approved.

6.I.3. PARENTAL ALIENATION AWARENESS DAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Parental Alienation Awareness Day.docx](#)

This Proclamation was approved.

6.I.4. FIREFIGHTER APPRECIATION DAY PROCLAMATION

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Firefighter Appreciation Proclamation 2025](#)

This Proclamation was approved.

6.I.5. MUNICIPAL CLERKS WEEK PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Municipal Clerks Week Proclamation 2025](#)

This Proclamation was approved.

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

6.J.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM MARCH 31, 2025 THROUGH APRIL 11, 2025.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[HPB \(4-2\) 125 S. Swinton Avenue](#)
[HPB \(4-2\) 200 NE 5th Court](#)
[HPB \(4-2\) 146 SE 7th Avenue](#)

This Request was approved.

6.K. AWARD OF BIDS AND CONTRACTS:

6.K.1. APPROVAL OF RESOLUTION NO. 05-25 TO AWARD AN AGREEMENT

WITH HENRY SCHEIN MEDICAL INC., FOR MEDICAL SUPPLIES, EQUIPMENT AND PHARMACEUTICALS, UTILIZING EAGLE COUNTY HEALTH SERVICES DISTRICT DBA EAGLE COUNTY PARAMEDIC SERVICES RFB NO. 2024-02 - \$232,000

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Signed-Agreement-Henry Schein -PSAI RFB 2024-02 Medical Supplies Equip Pharma](#)
[PSAI RFB 2024-02 Medical Supplies Equipment Pharmaceuticals-Final Version](#)
[Legal Review Checklist Henry Schein Inc](#)
[Res. P2025-008 Supplies equipment and Pharmaceuticals lw rev](#)
[Signed agreement contract 3.20.25](#)

This Resolution was approved.

6.K.2.

APPROVAL OF RESOLUTION NO. 59-25 TO AWARD AN AGREEMENT WITH DOBBS EQUIPMENT, LLC, AS AN APPROVED SOLE SOURCE, FOR THE PURCHASE OF JOHN DEERE CONSTRUCTION & FORESTRY COMPANY ORIGINAL EQUIPMENT MANUFACTURER (OEM) PARTS AND REPAIR SERVICES IN THE AMOUNT OF \$60,000

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Res59-25](#)
[Exhibit A](#)
[Legal Review Checklist Dobbs 3.26.25](#)
[SS2025-0012 Dobbs Equipment and OEM parts](#)

This Resolution was approved.

6.K.3.

APPROVAL OF RESOLUTION NO. 60-25 TO AWARD AN AGREEMENT WITH SBL FREIGHTLINER, LLC DBA LOU BACHRODT FREIGHTLINER, AS AN APPROVED SOLE SOURCE, FOR THE PURCHASE OF FREIGHTLINER ORIGINAL EQUIPMENT MANUFACTURER (OEM) PARTS AND RELATED SERVICES IN THE AMOUNT OF \$130,000.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Res60-25](#)
[Exhibit A - Sole Source Approval](#)
[Legal Review Checklist Lou Bachrodt](#)
[SS2025-011 Lou Bachrodt OEM Parts and Related Services](#)

This Resolution was approved.

- 6.K.4.** APPROVAL OF RESOLUTION NO. 71-25 TO AWARD AN AGREEMENT TO DONERITE PUMPS, INC., FOR ELECTRIC MOTOR PUMP REPAIRS PURSUANT TO INVITATION TO BID (ITB) 2025-024 IN A TOTAL AMOUNT NOT TO EXCEED \$1,764,800.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[AGREEMENT ITB 2025-024](#)
[Resolution No.71-25](#)
[ITB 2025-024 Legal Review](#)
[ITB 2025-024 Electric Pump Motor Repairs Advertised](#)
[Pricing Schedule](#)

This Resolution was approved.

- 6.K.5.** APPROVAL OF RESOLUTION NO. 61-25 TO AWARD AN AGREEMENT WITH EMBARK SAFETY, LLC FOR WEB-BASED INDIVIDUAL DRIVER RECORD CHECK SERVICES UTILIZING THE ORANGE COUNTY, FLORIDA AGREEMENT ENTERED INTO PURSUANT TO INVITATION TO BID Y24-105 IN THE AMOUNT OF \$19,834.30 ANNUALLY.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Embark Safety - Orange County Piggyback](#)
[Res. No. 61-25 - Approving Piggyback Agreement with Embark Safety - Orange County](#)
[P2025-015-Embark safety-Orange County Piggyback](#)
[Ex A - P2025-015-Embark Safety - Orange County Piggyback](#)
[Y24-105 \(1\)](#)

Commissioner Casale requested that Consent Item No. 6.K.5. be pulled for discussion. It became Item No. 7.B.B. on the Regular Agenda.

Lynn Gelin, City Attorney, entered Resolution No. 61-25 into the record.

Duane D'Andrea mentioned that many City employees operate City vehicles, and that the system provided by Embark Safety, LLC, offers real-time checks of motor vehicle records for municipal employees. He noted that this system would verify employees who drive City vehicles are licensed and are in good standing.

The Commission engaged in a brief discussion and acknowledged this solution was a good idea.

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to approve Resolution No. 61-25.

all were in favor

7. REGULAR AGENDA:

- 7.A.** RESOLUTION NO. 75-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A LEVEL 4 SITE PLAN, ARCHITECTURAL ELEVATIONS, AND LANDSCAPE PLAN, APPROVING A VARIANCE REQUEST TO SECTION 4.3.4(K) OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE REQUIRED NON-VEHICULAR OPEN SPACE FROM 25 PERCENT TO 23.9 PERCENT, APPROVING A WAIVER REQUEST TO SECTION 4.4.26(H)(1) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW OVERHEAD DOORS TO FACE PUBLIC RIGHTS-OF-WAY, APPROVING A WAIVER REQUEST TO SECTION 4.4.26(H)(3) OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE MINIMUM FLOOR AREA PER TENANT OR BAY FROM 4,000 SQUARE FEET TO A RANGE OF 1,519 SQUARE FEET TO 3,038 SQUARE FEET, AND APPROVING A WAIVER REQUEST TO SECTION 4.6.16(H)(3)(A) OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE REQUIRED FIVE-FOOT LANDSCAPE STRIP BETWEEN OFF-STREET PARKING OR OTHER VEHICULAR AREAS AND THE ABUTTING PUBLIC RIGHTS-OF-WAY TO TWO FEET FOR THE PROJECT LOCATED AT 905 SW 14TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Res 75-25 Level 4 Site Plan with Variance and 3 Wavers - 905 SW 14th Ave AG](#)
[Staff Report, 905 SW 14th Ave](#)

[Applicant Narrative, 905 SW 14th Ave](#)

[Photos Adjacent Properties, 905 SW 14th Ave](#)

[Site and Floor Plan, 905 SW 14th Ave](#)

[Survey, 905 SW 14th Ave](#)

[Civil Plans, 905 SW 14th Ave](#)

[Landscape Plan, 905 SW 14th Ave](#)

[Photometrics, 905 SW 14th Ave](#)

[TPS Letter, 905 SW 14th Ave](#)

[Traffic Statement, 905 SW 14th Ave](#)

[Variance Justification Statement, Non-Vehicular Open Space, 905 SW 14th Ave](#)

[Waiver Justification Statement, Bay Size Waiver, 905 SW 14th Ave](#)

[Waiver Justification Statement, Overhead Door, 905 SW 14th Ave](#)

[Affidavit of Notification Wellfield, 905 SW 14th Ave](#)

[Legal Review Res 75-25 Lvl 4 Site Plan with a Variance and 3 Waivers, 905 SW 14th Ave](#)

Mayor Carney read the quasi-judicial rules into the record.

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

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

Commissioner Casale: Spoke with the applicant and what was on the server.

Deputy Vice Mayor Burns: What was on the server.

Vice Mayor Long: None.

Commissioner Markert: None.

Mayor Carney: None.

Lynn Gelin, City Attorney, entered Resolution No. 75-25 into the record.

Anthea Gianniotis, Development Services Director, entered File No. 2023-159 into the record. She stated that if the Commission approves Item No. 7.A, it will be accompanied by Item No. 7.A.1., which is intended to allow the existing fence to remain in the City right-of-way until the business owner is required to remove it.

Marc Tice, Architect with GHA in Deerfield Beach, Florida, presented an

overview of the proposed project involving a currently vacant office and inventory building. He explained that his firm had designed the building to align with the existing business model. Mr. Tice noted that his firm has met all of the necessary requirements, including the addition of a bus shelter and the installation of street lighting. Furthermore, he mentioned that the firm complied with the recommendations from the Planning and Zoning Board made in January 2025, which included planting hedges and trees facing the existing Island Cove residential complex. He concluded his presentation by expressing his hope that this light industrial building would create jobs and attract businesses to the area.

Anthea Gianniotis presented a staff report regarding the project, which addressed the requested waivers. She mentioned that the traffic impact on the surrounding roadways was insignificant. She stated that the applicant had met all of the required findings.

Mayor Carney opened the floor to anyone who wished to provide public comments. Seeing no one present, Mayor Carney closed public comments.

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

The Commission discussed the presentation and expressed their satisfaction with this being a light industrial project with various bay sizes to accommodate different business needs in the City

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to approve Resolution No. 75-25 with the inclusion to modify the overhead doors. 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.A.1.

APPROVAL OF AN AGREEMENT WITH GS DEERFIELD, LLC TO PERMIT THE OWNER TO LEAVE IN PLACE AND MAINTAIN AN EXISTING FENCE WITHIN THE RIGHT-OF-WAY ALONG SW 13TH AVENUE.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Agreement,905 SW 14th Ave Fence in ROW](#)
[Site Fence Plan](#)
[Legal Review Approval - Hold Harmless Agreement](#)

Anthea Gianniotis stated this item is accompanied by Item No. 7.A.

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

all were in favor

7.B.

NOMINATIONS FOR APPOINTMENTS TO THE OPIOID SETTLEMENT ADVISORY COMMITTEE. BASED ON THE ROTATION SYSTEM, THE NOMINATIONS FOR APPOINTMENTS WILL BE MADE IN THE FOLLOWING ORDER; COMMISSIONER TOM MARKERT (SEAT #1), VICE-MAYOR LONG (SEAT #2), COMMISSIONER CASALE (SEAT #3), DEPUTY VICE-MAYOR BURNS (SEAT #4) AND MAYOR CARNEY (SEAT #5).

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Ciancio, Ariana](#)

[Lefton, Jeffrey](#)

[Mazzeo, Joseph](#)

[Posovsky, Stephen](#)

[Ridley, Charles](#)

Vice Mayor Long suggested appointing all five of the applicants to the board, as there were five (5) Commissioners.

Lynn Gelin cautioned the Commission that the qualifications for the five-member committee must be met.

Mr. Moore noted that the Commission currently had five (5) viable applicants to appoint. He suggested that the search for qualified professionals could be an ongoing process, given that the terms of the board members will expire. The Commission discussed their commitment to continuing the search for skilled professionals.

A motion was made by Commissioner Markert, seconded by Commissioner Casale, to nominate Stephen Posovsky for the at-large seat.

all were in favor

A motion was made by Vice Mayor Long, seconded by Commissioner Casale, to nominate Charles Ridley for the at-large seat.

all were in favor

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to nominate Ariana Ciancio for the Police Department representative seat.

all were in favor

A motion was made by Deputy Vice Mayor Burns, seconded by Commissioner

Markert, to nominate Jeffrey Lefton for the Licensed Mental Health Professional seat.

all were in favor

A motion was made by Mayor Carney, seconded by Commissioner Casale, to nominate Joseph Mazzeo for the Fire Department representative seat.

all were in favor

- 7.C. NOMINATION FOR APPOINTMENT TO THE BOARD OF ADJUSTMENT. Based on the rotation system, the nomination for appointment for one (1) regular member to serve a term ending AUGUST 31, 2027, will be made by Commissioner MARKERT (Seat #1).

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Board of Adjustment Member List](#)
[Board of Adjustment Attendance](#)
[Kenny, Kristopher](#)
[Lands, Danielle](#)
[Ramirez, Aura](#)
[Wilson, Michelle](#)

A motion was made by Commissioner Markert, seconded by Commissioner Casale, to nominate Michelle Wilson.

all were in favor

- 7.D. RESOLUTION NO. 81-25 AMENDING THE FISCAL YEAR 2024-25 BUDGET ADOPTED BY RESOLUTION NO.175-24 ON SEPTEMBER 16, 2024.

Attachments: [Agenda Cover Report](#)
[Resolution 81-25 Budget Amendment FY 2025 - 04.08.25](#)
[Resolution # 81-25 - Exhibit A](#)
[Simple Legal Review Approval Budget Amendment Resolution 81-25](#)

Lynn Gelin entered Resolution No. 81-25 into the record.

Henry Dackowitz, Chief Financial Officer, verbalized the requested budget amendments.

Mr. Moore stated that moving forward, more details would be provided in an effort to give the Commission a more granular presentation as previously decided upon.

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to approve Resolution No. 81-25.

all were in favor

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A. ORDINANCE NO. 11-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.9, "GENERAL COMMERCIAL (GC) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ADD VETERINARY CLINICS AS A PRINCIPAL USE; AMENDING SUBSECTION (D), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO REMOVE VETERINARY CLINICS AS A CONDITIONAL USE; AMENDING SECTION 4.4.11, "NEIGHBORHOOD COMMERCIAL (NC) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ADD VETERINARY CLINICS AS A PRINCIPAL USE; AMENDING SUBSECTION (D), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO REMOVE VETERINARY CLINICS AS A CONDITIONAL USE; AMENDING SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (C), "ALLOWABLE USES," TABLE 4.4.13(A), "ALLOWABLE USES AND STRUCTURES IN THE CBD SUB-DISTRICTS," TO CLASSIFY VETERINARY CLINICS AS A PRINCIPAL USE INSTEAD OF A CONDITIONAL USE; AMENDING SECTION 4.4.16, "PROFESSIONAL AND OFFICE (POD) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ADD VETERINARY CLINICS AS A PRINCIPAL USE; AMENDING SUBSECTION (D), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO REMOVE VETERINARY CLINICS AS A CONDITIONAL USE; AND BY AMENDING SECTION 4.4.29, "MIXED RESIDENTIAL, OFFICE AND COMMERCIAL (MROC) DISTRICT," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES PERMITTED," TO ADD VETERINARY CLINICS AS A PRINCIPAL USE; AMENDING SUBSECTION (E), "CONDITIONAL USES AND STRUCTURES ALLOWED," TO REMOVE VETERINARY CLINICS AS A CONDITIONAL USE; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING/PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report](#)
[Zoning Districts That Allow Veterinary Clinics](#)
[Ordinance No. 11-25, Veterinarian Clinics](#)
[Legal Review, Ordinance No. 11-25](#)
[Business Impact Estimate \(BIE\) Form, Ordinance No. 11-25](#)
[Proof of Legal Advertisement](#)

Lynn Gelin entered Ordinance No. 11-25 into the record.

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

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 11-25.

**all were in favor
approved on first reading**

8.B.

Attachments: [Agenda Cover Report](#)
[Ord 14-25 Amending Code re Stormwater Assessment - Final Draft 03-07-2025](#)
[BIE Ord. No. 14-25 - Stormwater Ordinance Amendment Approved](#)
[Legal Review - Ord. No. 14-25 - Stormwater Assessment Amd](#)
[Delray Beach Ord# 14-25 April 12,2025 - SECOND READING PROOF](#)

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

Missie Barletto briefly spoke about the stormwater assessments and mentioned the organizations who were exempt from the fees. Additionally, she discussed modifications concerning residential common areas as part of the new ordinance. She noted that residents could appeal if they disagreed with their assessment.

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

There were no comments from the Commission.

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

**all were in favor
approved**

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 10-25: 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; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.4, "BASE DISTRICT DEVELOPMENT STANDARDS," BY AMENDING SUBSECTION (H), "SETBACKS," TO MODIFY THE BUILDING ELEMENTS AND SITE IMPROVEMENTS PERMITTED WITHIN THE BUILDING SETBACK AREA; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.15, "SWIMMING POOL, WHIRLPOOLS, AND SPAS," TO ADOPT REGULATIONS FOR POOL SETBACKS FOR DUPLEX DEVELOPMENTS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Structures in Setbacks Correctives](#)
[Ordinance No. 10-25, Structures in Setbacks](#)
[Legal Review, Ordinance No. 10-25](#)
[Business Impact Estimate, Ordinance No. 10-25](#)

Lynn Gelin entered Ordinance No. 10-25 into the record.

There was no discussion on this ordinance.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 10-25.

**all were in favor
approved on first reading**

- 9.B.** ORDINANCE NO. 13-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING LAND MEASURING APPROXIMATELY 0.79 ACRES LOCATED AT 1660 SOUTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM PROFESSIONAL AND OFFICE DISTRICT TO GENERAL COMMERCIAL DISTRICT; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.(QUASI JUDICIAL/FIRST READING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)[Ord 13-25 - 1660 S Congress Ave](#)[PZB Staff Report - 1660 S Congress Ave](#)[Traffic Statement - 1660 S Congress Ave](#)[Project Narrative - 1660 S Congress Ave](#)[Survey - 1660 S Congress Ave](#)[Existing Zoning - 1660 S Congress Ave](#)[Proposed Zoning - 1660 S Congress Ave](#)[CBRE Congress Avenue Strategies Plan](#)[BIE Ord. No. 13-25 - 1660 S Congress Ave](#)[Legal Review - Ord. No. 13-25 - 1660 S Congress Ave](#)

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

Mayor Carney: Spoke with the applicant.

Vice Mayor Casale: What was on the server, and spoke with the applicant.

Commissioner Burns: Spoke with the applicant and the representative.

Commissioner Markert: Spoke with the applicant.

Vice Mayor Long: None.

Lynn Gelin entered Ordinance No. 13-25 into the record.

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

There were no comments from the Commission.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 13-25.

all were in favor
approved on first reading

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

Spoke about the budget and noted that the City of Delray Beach was not in a deficit position; instead, the preliminary budget numbers presented indicate that the City is on track to achieve a balanced budget. He mentioned that the Budget Workshop on June 10, 2025, will explore additional considerations to help ensure a balanced budget.

Acknowledged the Department of Communications for their excellent work on the Village by the Sea magazine.

Recognized Fire Chief Martin for preparing the Hurricane Preparedness Guide, which was distributed to the City and will be discussed by elected officials at the Commission Workshop on April 29, 2025.

B. City Attorney

None.

C. City Commission

Commissioner Casale:

Spoke about the City hosting the Davis Cup Tennis Tournament.

Discussed the issues with Subculture Coffee Shop and the measures the Commission could have taken based on the advice given by the City Attorney to circumvent their consistent violations.

Vice Mayor Long:

Inquired if the City Manager was aware of any violations with Subculture Coffee Shop. Mr. Moore requested that Mr. Oris address this issue, as he was briefly overseeing the Code Enforcement Department during its managerial transition. Mr. Oris spoke about the complaint regarding a concert at Subculture, and mentioned that he did not personally witness a concert taking place. Mayor Carney raised concerns that the original approvals given to Subculture Coffee have been altered. Mr. Moore stated that there would be clarification on this matter at the next Commission Meeting on May 6, 2025.

Vice Mayor Long discussed the Code of Conduct for elected City officials.

Deputy Vice Mayor Burns:

Mentioned the conditions of the golf course and requested an update on the renovations. Mr. Moore announced a second engagement meeting on Thursday, April 24, 2025, at 6:00 p.m. at the municipal golf course to discuss programming implementations.

Mentioned that she attended the Sunrise Service hosted by the Delray Beach Interfaith Coalition.

Mayor Carney:

Requested an update from Ms. Gianniotis on the Conservation District.

Asked everyone to spread the word about voting for Delray as the best beach.

Spoke about a previous meeting where he recused himself.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 8:07 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.