

# City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

[www.delraybeachfl.gov](http://www.delraybeachfl.gov)



## Minutes - Final

Tuesday, May 21, 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

The Regular City Commission Meeting was called to order at 5:42 p.m.  
City Clerk, Katerri Johnson, called the role, and the following were present:

Terrence Moore - City Manager

Lynn Gelin - City Attorney

**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. 4.B. be removed and brought back at the June 4, 2024, City Commission Meeting.

Mr. Moore requested to remove Item No. 8.B. from the agenda.

Vice Mayor Casale requested to pull the following consent items:

Consent Item No. 6.A., it became Item No. 7.A.A. on the Regular agenda

Consent Item No. 6.C., it became Item No. 7.B.B. on the Regular Agenda.

Consent Item No. 6.H.I. (303 SE 7 Avenue), it became Item No. 7.D.D. on the Regular Agenda.

Consent Item No. 6.I.2., it became Item No. 7.E.E. on the Regular Agenda.

Mayor Carney requested to pull Consent Item No. 6.I.1., it became Item No. 7.F.F. on the Regular Agenda.

**A motion was made by Vice-Mayor Casale, seconded by Commissioner Markert, 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

## 4. PRESENTATIONS:

### 4.A. CITY OF DELRAY BEACH, FUTURE WATER TREATMENT PLANT PROGRESS UPDATE PRESENTATION

**Sponsors:** Utilities Department

Hassan Hadjimiry, Director of Utilities, and representatives from CDM Smith, the design firm selected to build the new Water Treatment Facility, provided a progress report on the future water treatment plant.

CDM Smith representatives updated the project's revised plan to provide

potable water through 2040. They mentioned that in August 2023, the City was listed as a priority on the National Rescue Funds for principal forgiveness. They stated they were aggressively working toward hitting their goal dates.

The Commission thanked Mr. Hadjimiry and the representatives from CDC Smith for their presentation.

**4.B. REVIEW OF VETERAN'S PARK'S PROPOSED PARKING AREA AND EXPANDED PARK AREA IN CONJUNCTION WITH CONSTRUCTION OF ATLANTIC CROSSING, SEQUENCE II**

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Veteran's Park: Applicant Request Letter](#)  
[Veteran's Park: Applicant Presentation](#)  
[Veteran's Park: Proposed Plan](#)  
[Veteran's Park: Rendering, Proposed Plan](#)  
[Atlantic Crossing Sequence Plan](#)

Mayor Carney requested to remove Consent Item No. 4.B. and would bring it back at the June 4, 2024, Commission Meeting.

**This Presentation was tabled.**

**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 stated the City Manager's office would not intervene with the Downtown Development Authority Board or its practices for board appointments. He also mentioned that various City departments would collaborate to vet the Sober Homes

5.B. From the Public

Montre Bennett, 323 NW 2 Avenue, Delray Beach  
Discussed various City topics.

Marjorie Waldo, representing the Arts Garage, Delray Beach  
Provided a synopsis of the upcoming events and shows.

Ann Stacey Wright, 225 SW 7 Avenue, Delray Beach  
Stated the Set Community and the Elders Table were aligned with having the Old School Square personnel return to run the campus.

Ms. Aktas, 122 Royal Way, Jupiter

Discussed the election results throughout the different districts.

Micki Isaacson, 11260 Glen Orchard Lane, Boynton Beach

Suggested holding workshops for residents on how to properly fill out a ballot

Candas Rojas, 3006 Waterside Street, Boynton Beach

Suggested that the residents use filtered water until the new treatment plant is completed in 2027.

Adam Welsch, 2900 SW 22 Circle, Delray Beach

Discussed the improper flooring that the City installed in his home.

Jim Chard, 401 SE 4 Avenue, Delray Beach

Discussed the Old Caver Building plans and the audit performed by Old School Square.

Jenise Dahill, 309 SW 15 Terrace, Delray Beach

Discussed the significance of international and national cultural history.

Laura Simon, Executive Director of the Downtown Development Authority  
Spoke about the upcoming events hosted by the Downtown Development Authority and congratulated the 2024 graduating class of Atlantic High School.

Mavis Benson, 800 Greensward Court, Delray Beach

She expressed her support for appointing Dr. Alan Costilo to the Downtown Development Authority Board.

Peter Arts, 1746 Fern Forest Place, Delray Beach

Stated he supported appointing Dr. Alan Costilo to the Downtown Development Authority Board.

Ernestine Holiday, 40 NW 9 Avenue, Delray Beach

Stated she does not support hiring Police Chief Russ Mager as a police consultant for the City once he retires.

Debra Davis Walker, 1312 NW 2 Street, Delray Beach

Stated the City would be spending unnecessary dollars on a police consultant. She mentioned that Pompey Park Pool was closed.

Reggie Cox, 715 NW 2 Street, Delray Beach

Discussed the history of the West Atlantic Collation Board/Set Community.

Yvonne Odom, 3905 Lawson Blvd, Delray Beach  
Requested the Commission allow Old School Square to rerun it again.

Chuck Ridley, 210 NW 2 Avenue, Delray Beach  
Requested the Commission move past their differences and allow Old School Square to run it again.

Joy Howell, 25 NW 24 Court, Boca Raton  
Stated that she didn't favor doing business with anyone who had previously sued them; she was referring to Old School Square.

Richard Jennings McConnell, 399 NE 3 Court, Boca Raton  
Stated art teachers and classes at the Boca Raton Art School were excellent and would be a great addition to the City of Delray Beach.

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

Vice Mayor Casale requested that Consent Item No. 6.G.3, be pulled to allow the Student Ambassadors to be recognized. It became Item Regular No. 7.A.A. on the Regular Agenda.

## 6. CONSENT AGENDA: City Manager Recommends Approval

### 6.A. CITY COMMISSION MEETING MINUTES

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[April 16, 2024 Regular Meeting Minutes - DRAFT](#)  
[May 7, 2024 Special Meeting \(Closed Attorney Client Session\) Minutes - DRAFT](#)

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

Vice Mayor Casale requested that the Commission minutes be made available more promptly unless the meetings are back-to-back.

Mr. Moore assured Vice Mayor Casale that he would look into the matter.

**A motion was made by Vice-Mayor Casale, seconded by Commissioner Markert, that the Minutes 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.B. APPROVAL FOR ADDITIONAL SPENDING WITH SAFE 4 PLAY, LLC., CONTRACT NO. R230201 WITH REGION 4 EDUCATIONAL SERVICE CENTER FOR A REVISED TOTAL AMOUNT OF \$71,400.

**Sponsors:** Parks & Recreation Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Safe 4 Play PO](#)  
[Safe4Play Estimate 2687 additionalSpend](#)  
[Perfect Turf Contract R230201](#)

**This Request was approved.**

**6.C.** AMENDMENT OF LEASE AGREEMENT FOR SIDEWALK CAFES  
WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTATION  
RIGHT-OF-WAY.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[FDOT - Sidewalk Cafe Amendment 413840-1 FINAL](#)  
[Legal Review FDOT - Sidewalk Cafe Amendment 413840-1](#)  
[Renewal of Lease Agreement - FDOT Sidewalk Cafes 5.18.2021](#)  
[Lease Agreement - FDOT Sidewalk Cafes 7.1.2016](#)

Vice Mayor Casale requested Consent Item No 6.C. be pulled for discussion. It became Item No. 7.B.B. on the Regular Agenda. She asked if the restaurants were paying the City for the sidewalk cafes.

Missie Barletto, Director of Public Works, confirmed the City was receiving compensation from the restaurants.

**This Request was approved.**

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

**6.D.** ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY  
108 NW 4th AVE.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY  
130 NW 8th AVE.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[A1a - Right of Way Deed - 108 NW 4th Ave - Niki Mercedes, Mark Teufel, and Sandra Amani](#)  
[A1b - Legal Review Right of Way Deed 108 NW 4th Ave - Mercedes, Teufel, and Amani](#)  
[A2a - Right of Way Deed - 130 NW 8th Ave - Eliana Miranda and Antonio Fogaca](#)  
[A2b - Legal Review Right of Way Deed - 130 NW 8th Ave - Eliana Miranda and Antonio Fogaca](#)

This Request was approved.

- 6.E.** ACCEPTANCE TO APPROVE AND ACCEPT WATER AND SEWER EASEMENT(S) AGREEMENTS FOR TWO (2) UNADDRESSED PARCELS BEARING PROPERTY CONTROL NUMBER PCN: 12-43-46-04-50-012-0000 AND PCN: 12-43-46-04-50-018-0000, AND ALSO ONE (1) PROPERTY LOCATED AT 2215 DELRAY RIDGE LANE, PCN: 12-43-46-04-50-000-0010, DESIGNATED AS DELRAY RIDGE, PALM BEACH COUNTY, FLORIDA, OWNED BY DELRAY RIDGE, LLC.

**Sponsors:** Utilities Department

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

[Legal Review - 3 Water and Sewer Easement Agreements - PCNs 12-43-46-04-50-018-0000 and 12-43-46-04-50-012-0000 and 2215 Delray Ridge Lane.docx](#)  
[W&S Easement 12-43-46-04-50-012-0000.pdf](#)  
[W&S Easement 12-43-46-04-50-000-0010.pdf](#)  
[W&S Easement 12-43-46-04-50-018-0000.pdf](#)

This Request was approved.

- 6.F.** RESOLUTION NO. 122-24, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA AUTHORIZING THE CITY MANAGER TO RETROACTIVELY APPROVE CREDITS TO CUSTOMERS OF THE CITY'S WATER UTILITY SYSTEM AS STATED HEREIN; REPEALING ALL RESOLUTIONS INCONSISTENT HERewith; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** Finance Department

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

[Utility Credits Resolution 122-24 - Delray Beach V2 lg rev 5-15-24](#)  
[LRC Resolution 122-24](#)  
[Reso. 122-24 Exhibit A Credit Refunds v4](#)

Vice Mayor Casale requested to pull Consent Item No. 6.F. for discussion. It became Item No. 7.C.C. on the Regular Agenda.

Vice Mayor Casale expressed concerns about authorizing retroactive adjustments of \$515,418.45 to customers until a third party corroborates this amount. She also inquired whether other departments were using the restricted Enterprise Utilities Fund.

Hugh Dunkley, Director of Finance, stated on January 4, 2024, the Commission instructed the Finance Department to reimburse residents

whose meter readings were overestimated during manual readings due to the faulty Badger Meters.

Mayor Carney inquired about the fees, noting that these were separate bills that the Commission voted to approve on January 4, 2024.

Vice Mayor Casale requested a report be filed with the Office of the Inspector (OIG) to perform a full audit of the Utility Billing.

Ms. Gelin, City Attorney, stated it was up to the Commission to decide whether a mandatory report should be submitted to the OIG to investigate potential violations. She mentioned that because of workforce shortages, installation of new parts for the Badger Meters took much longer than January 4, 2024.

Mr. Moore reported that 2% of the meters were being manually read. He stated moving forward, any utility billing estimates would be reported to the Commission.

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

**Yes:** 4 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, and Mayor Carney Jr.

**No:** 1 - Vice-Mayor Casale

## 6.G. PROCLAMATIONS:

### 6.G.1. OBSERVANCE OF MEMORIAL DAY

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Memorial Day Observance 2024](#)

**This Proclamation was approved.**

### 6.G.2. PROCLAMATION RECOGNIZING JUNE 3-7, 2024 AS CODE ENFORCEMENT OFFICERS' APPRECIATION WEEK

**Sponsors:** Neighborhood & Community Services

**Attachments:** [Agenda Cover Report](#)  
[Code Enforcement Officers' Appreciation Week 2024](#)

**This Proclamation was approved.**

### 6.G.3. RECOGNIZING STUDENT AMBASSADORS: KATELYNN FOSTER,



EMMA GARCIA-DELGADO, LEAH GREEN, DANIEL HALPERN AND  
EMILY JOSEPH

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Student ambassador proclamation 2024 \(002\)](#)

Vice Mayor Casale requested that Consent Item No. 6.G.3. be pulled to allow the Student Ambassadors to be recognized. It became Item Regular No. 7.A.A. on the Regular Agenda.

Mayor Carney read the proclamation into the record and acknowledged the student ambassadors who were present.

**This Proclamation was approved.**

## **6.H. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**

### **6.H.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM APRIL 23, 2024 THROUGH MAY 17, 2024.**

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PAAB \(4-23\) 1874, Bldg D, Facade 1](#)  
[PAAB \(4-23\) 1876, Bldg C, Facades 1 and 4](#)  
[HPB \(5-1\) 303 SE 7th Avenue](#)  
[HPB \(5-1\) Sundy Village Block 61 Landscape](#)

Vice Mayor Casale requested to pull Consent Item No. 6.H.I. for discussion. It became Item No. 7.D.D. on the Regular Agenda.

Vice Mayor Casale inquired if the property at 303 SE 7 Avenue had paid the \$15,000 fine that a Special Magistrate had ordered them to pay for demolishing more of the home than they were allowed to.

Sam Walthour, Director of Neighborhood and Community Services, stated he was awaiting a status update from the Special Magistrate, and the City wouldn't back down on collecting the fine.

**A motion was made by Vice-Mayor Casale, seconded by Deputy Vice Mayor Long, 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.

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

- 6.I.1. APPROVAL OF RESOLUTION NO. 78-24 TO AWARD A CITY STANDARD AGREEMENT WITH TENCARVA MACHINERY COMPANY, LLC D/B/A HUDSON PUMP & EQUIPMENT COMPANY, FOR THE PURCHASE OF TWO (2) GOULD'S LIME SLURRY PUMPS, FOR THE CITY OF DELRAY BEACH (CODB) WATER TREATMENT PLANT (WTP), IN A TOTAL PURCHASE PRICE OF \$101,974 (\$50,987 EACH RESPECTIVELY).

**Sponsors:** Utilities Department

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

[CS2024-0014 Agreement.docx](#)

[Resolution 78-24 City Standard.docx](#)

[Tencarva Machinery Company City Standard.pdf](#)

Mayor Carney requested to pull Consent Item No. 6.I.1. for discussion. It became Item No. 7.F.F. on the Regular Agenda.

Mayor Carney inquired about the warranty for the Badger Meters.

Hassan Hadjimiry, Director of Utilities, stated the meters had a 20-year warranty, while the other components had a 10-year warranty.

**A motion was made by Deputy Vice Mayor Long, 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.

- 6.I.2. APPROVAL OF RESOLUTION NO. 117-24 TO AWARD AN AGREEMENT WITH MICHELIN NORTH AMERICA, INC. FOR TIRES WITH RELATED EQUIPMENT AND SUPPLIES UTILIZING SOURCEWELL CONTRACT NO. 082521-MLN IN THE AMOUNT OF \$586,666.

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

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

[P2024-026- Tires with related equipment and supplies \(Michelin\)](#)

[Michelin Legal Review](#)

[Reso No. 117-24](#)

[Sourcewell Pricing 082521-MLN](#)

[Sourcewell Contract 082521-MLN](#)

[Sourcewell RFP 082521](#)

Vice Mayor Casale requested to pull Consent Item No. 6.I.2. It became Item No. 7.D.D. on the Regular Agenda.

Vice Mayor Casale expressed her concern that the Purchasing Department is piggybacking on existing contracts rather than actively procuring other companies for more competitive pricing.

Mr. Moore confirmed that the companies are thoroughly evaluated to ensure the best prices are obtained.

**A motion was made by Vice-Mayor Casale, seconded by Commissioner Burns, 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.I.3.

APPROVAL OF RESOLUTION NO. 118-24 TO AWARD SERVICE AUTHORIZATION NO. 10 WITH APTIM ENVIRONMENTAL & INFRASTRUCTURE, INC. FOR COASTAL ENGINEERING CONSULTING SERVICES IN THE AMOUNT NOT-TO-EXCEED \$102,489.50

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[2024 Coastal Services Proposal\\_r1 \(003\)](#)  
[Simple Legal Review Approval Aptim Service Authorization](#)  
[Reso Service Authorization Aptim Beach Nourishment](#)

**This Resolution was approved.**

## 7. REGULAR AGENDA:

### 7.A.

RESOLUTION NO. 96-24, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT AND ANY SUBSEQUENT AMENDMENTS AND RENEWALS THERETO WITH PLANTE & MORAN PLLC FOR INTERNAL AUDITOR SERVICES PURSUANT TO RFP 2023-064; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Reso 96-24 Plante Moran authority for CM to execute](#)  
[Reso No. 96-24 UPDATED lg rev](#)  
[Packet for Bid RFP 2023-064 Final](#)

Ms. Gelin entered Resolution No. 96-24 into the record.

Mr. Dunkley stated that during the January 16, 2024, City Commission

Meeting, Plante & Moran, LLC was chosen as the internal auditor pursuant to Request for Proposal (RFP) No. 2023-064 for an initial 3-year term for the cost of \$293,250.00.

The Commission discussed the pros and cons of choosing an out-of-state internal auditor versus employing a full-time in-house staff auditor.

Mr. Moore stated the Human Resources Department would assemble a pool of potential candidates for the full-time staff auditor position, from which the Commission would select.

**A motion was made by Vice-Mayor Casale, seconded by Commissioner Markert, that this Resolution be denied. 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. NOMINATION FOR APPOINTMENT TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Affordable Housing Advisory Committee](#)  
[2024 Quarterly Attendance](#)  
[Adelstein](#)  
[Augustin Badet](#)  
[Canton](#)  
[Cohn](#)  
[Dumitrescu](#)  
[Olieberg](#)  
[Petillo](#)  
[Thompson](#)

Thompson was appointed.

**A motion was made by Mayor Carney, Jr., 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.C. NOMINATION FOR APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Downtown Development Authority](#)  
[DDA Board Attendance 2023-2024](#)  
[DDA Map](#)  
[Costilo, Alan](#)  
[Dockerty, Robert](#)  
[Rose, Daniel](#)  
[Van Arnem, Harold 3](#)

Ms. Gelin suggested deferring the appointment until more applications could be received and properly reviewed. She recommended revising the board applications for suitability and allowing potential candidates to speak for 3 minutes during public comments.

There was a consensus to defer this appointment until the June 18, 2024, Commission Meeting.

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

- 8.A.** ORDINANCE NO. 12-24: 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 2, "ADMINISTRATIVE PROVISIONS," ARTICLE 2.4, "DEVELOPMENT APPLICATION REQUIREMENTS," SECTION 2.4.6, "REGULATION OF USES," TO MODIFY TEMPORARY PARKING LOT REGULATIONS TO ALLOW TEMPORARY PARKING LOTS IN GENERAL COMMERCIAL ZONING, LIMITED TO OFF-SITE STORAGE OF AUTOMOTIVE DEALERSHIP VEHICLE INVENTORY; TO RENUMBER TABLE 2.4.3-A to 2.4.6-A AND DESIGNATE THE DEVELOPMENT SERVICES DIRECTOR TO APPROVE USES UNDER A TENT; TO ELIMINATE CITY ENGINEER APPROVAL FOR GRADING PLANS; TO REQUIRE TECHNICAL ADVISORY COMMITTEE REVIEW OF SITE PLANS; TO REQUIRE COMPLIANCE WITH THE SITE PLAN AND ANY CONDITIONS OF APPROVAL PRIOR TO APPLYING FOR PERMIT RENEWAL, AND TO ELIMINATE THE REQUIREMENT FOR THE PARKING MANAGEMENT ADVISORY BOARD TO REVIEW THE SITE PLAN AND RECOMMEND APPROVAL IN ORDER TO PROCEED TO CITY COMMISSION; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord. No. 12-24 Temporary Parking Lots GC](#)  
[Map - Existing and Proposed Location of Temporary Parking Lots](#)  
[Simple Legal Review Approval, Temporary Parking Lots Ord 12-24](#)  
[Proof of Legal Advertisement](#)

Ms. Gelin entered Ordinance No.12-24 into the record.

Amy Alvarez, Assistant Director of Development Services, stated that in January 2024, staff was instructed to amend/revise the Land Development Regulations to permit temporary parking lots for off-site storage of automotive dealership vehicle inventory in certain areas and zoning districts. She added that extra landscaping would be required to minimize the impact on the surrounding area.

Mayor Carney opened the floor to public comments on this item. Seeing no one else present, Mayor Carney closed public comments for this item.

Discussion ensued amongst the Commission regarding the storage of cars for non-local dealerships and its impact on residential roads.

Ms. Gelin mentioned the City initiated this Ordinance, which was already in the Code but was antiquated and needed to be updated. She stated the primary part of the code is adding General Commercial.

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

**Yes:** 3 - Deputy Vice Mayor Long, Commissioner Burns, and Mayor Carney Jr.

**No:** 2 - Commissioner Markert, and Vice-Mayor Casale

**8.B.**

ORDINANCE NO. 11-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH BY AMENDING CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES," BY ADDING SECTION 96.18, "AUTOMATED EXTERNAL DEFIBRILLATOR AND BLEEDING CONTROL KITS" TO REQUIRE DEFIBRILLATORS AND BLEEDING CONTROL KITS THROUGHOUT THE CITY FOR SPECIFIC OCCUPANCIES, OUTLINING INSTALLATION AND OPERATION INCLUDING LOCATION REQUIREMENTS, INSPECTION PROCEDURES, MAINTENANCE AND USE REQUIREMENTS, ENFORCEMENT PROCEDURES, AND PROVIDING DEFINITIONS FOR AUTOMATED EXTERNAL DEFIBRILLATORS AND BLEEDING CONTROL KITS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[AED Ordinance kwb 1.22.24](#)  
[Ordinance 11-24 AED Amd](#)  
[Simple Legal Review Approval AED Ordinance](#)

Mr. Moore requested to remove this item.

## 9. FIRST READINGS:

9.A. None

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

### A. City Manager

Met with Palm Beach County Commissioners Mac Bernard and Verdenia Baker to discuss collaborating with the City to establish a Haitian Cultural Resource Center.

The Commission discussed the possible location for the center and unanimously agreed to allow Mr. Moore to continue engaging with the County regarding the possibility of building the center.

Mentioned the upcoming Budget Workshop and the Unfunded Pension Liability Workshop scheduled for June 11, 2024, to begin at 4:00 p.m.

### B. City Attorney

Requested the rebuttal time be amended to a 3-minute limit.

A motion was made by Vice Mayor Casale, seconded by Deputy Vice Mayor Long, to amend the local rules limiting the rebuttal time to 3 minutes. The motion was approved unanimously by a vote of 5-0.

### C. City Commission

Deputy Vice Mayor Long:

Discussed the (Emanuel Jackson, Sr.) EJS Group's failed sub-leasing agreement for the American Legion Post 188.

Suggested renewing the previous offer to the American Legion Post for a 99-year lease with a title transfer after 5 years, provided the necessary renovations were completed. He also suggested the City not cover attorney's fees for the mentioned offer.

There was a consensus to schedule a Shade Meeting on June 4, 2024,

at 5:00 p.m. to discuss the matter.

Discussed the need for overtime for the Fire Department.  
Fire Chief Green explained the reasons for the overtime.

Vice Mayor Casale expressed her concern about leaving fire-fighter positions vacant for two and a half years, which necessitated overtime for the department.

Mayor Carney:

Suggested putting term limits on the General Employee Pension Fund Board. There was a consensus to stagger the term limits to 4 years, starting in 6 months.


Mentioned the hollowed-out trees along Atlantic Avenue.

## 11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 9:03 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.




  
\_\_\_\_\_  
City Clerk

ATTEST:

  
\_\_\_\_\_  
Mayor

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the T æ ÁGF, 2024 City Commission Regular Meeting held on T æ ÁGF, 2024, which minutes were formally approved and adopted by the City on June 18, 2024.

  
\_\_\_\_\_  
City Clerk

NOTE TO READER:

If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval which may involve some amendments, additions or deletions as set forth above.