

# City of Delray Beach

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## Minutes - Final

Tuesday, September 9, 2025

5:00 PM

Special 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*

Pursuant to Section 3.12 of the Charter of the City of Delray Beach the Mayor has instructed me to announce a Special Meeting of the City Commission to be held for the following purposes:

SP.1. PUBLIC COMMENTS

The September 9, 2025, City Commission Special Meeting was called to order at 5:04 p.m. Alexis Givings, City Clerk, called the roll, and the following were present:

**Present: 4** - Mayor Thomas F. Carney, Jr., Vice Mayor Rob Long, Deputy Vice Mayor Angela Burns, Commissioner Tom Markert

**Absent: 1** - Juli Casale

**Others present were:**

Terrence Moore, City Manager

Lynn Gelin, City Attorney

Alexis Givings, City Clerk

Mr. Moore explained that this meeting was intended to address the recent incident in which the Florida Department of Transportation (FDOT) covertly painted over the City's Pride Streetscape in the middle of the night with black paint. He also noted that Commissioner Juli Casale expressed her regrets for not being able to attend the meeting.

Mayor Carney opened the floor to anyone who wished to provide public comment on this item.

Connor Corzine, 5465 Grande Palm Circle, Delray Beach  
Expressed his gratitude to the Commission for their efforts in advocating for the inclusion of everyone.

Julie Seaver, 930 North Federal Highway, Lake Worth  
Encouraged the Commission to continue advocating for everyone's inclusion and noted that all eyes were on Delray Beach to observe their actions.

Janet Cohen, 885 Flanders S, Delray Beach  
Thanked the Commission for their position and noted that the streetscape represented an expression of art.

Joe Saunders, 1439 West Avenue, Miami Beach  
Spoke on behalf of Equality Florida, encouraged the Commission to continue to advocate for local governmental rights.

Nicholas Coppola, 3930 Lawson Blvd, Delray Beach  
Expressed his gratitude for the Commission's efforts regarding this matter.

Rand Hoch, 401 North Flagler Drive, West Palm Beach  
Spoke on behalf of the Palm Beach County Human Rights Council. He discussed the importance of upholding the Florida Sunshine Law, which promotes transparency, and urged the City to continue legal action.

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

**SP.2.****DISCUSSION REGARDING PRIDE STREETSCAPE**

**Sponsors:** City Manager Department

The Commission engaged in a discussion on this matter, emphasizing that the Pride Streetscape does not pose any risks to public safety, as indicated by the State's justification for its removal. Additionally, the City was not given the chance to present evidence-based facts through due process before the State painted over the streetscape covertly in the middle of the night.

Lynn Gelin, City Attorney, discussed the petition filed by Miami Beach and Fort Lauderdale, which challenges the validity of the unadopted rule established by FDOT when they painted over the Pride Streetscapes throughout the state's municipalities, and suggested the Commission could take similar action. She stated that the Commission could either appeal the order issued on September 8th to remove the Pride Streetscape or join in the litigation with the cities of Miami Beach and Fort Lauderdale. She noted that litigation would be very costly, whereas an appeal would move quickly.

Mayor Carney discussed the Commission's options and noted that challenging the State would be very costly to the taxpayers and that the City would most likely not succeed. He mentioned that the City had adopted the FDOT manual, which includes maintaining the City's roads as it see fit. He noted that Key West had decided to come into compliance with the FDOT, so as not to risk State funding and go through the expense of litigation. He voiced his support for exploring alternative ways that were just as meaningful in recognizing the LGBTQ community while ensuring compliance and maintaining State funding for roadwork, etc.

Vice Mayor Long expressed his concerns about the City's right to Fair Due Process and Home Rule. He noted that there would be cost-sharing benefits if Delray Beach joined other municipalities in petitioning the FDOT.

Mr. Moore shared that he had received a phone call earlier from a

representative at the FDOT District 4 Headquarters. The representative acknowledged that FDOT had done a poor job overnight by painting over the streetscape, which resulted in partially smeared paint. They discussed their commitment to return to the City to conduct hydro blasting of the crosswalk to ensure compliance. Mr. Moore emphasized that if the City did not respond promptly to this offer, FDOT would come back immediately to carry out the hydro blasting, potentially as soon as the next day. He noted that this situation was unique because, regardless of the Commission's preferences, the FDOT was determined to proceed with its plans, which were to completely remove the Pride Crosswalk.

Ms. Gelin presented the Commission with three options:

- Direct the City Manager to remove the Pride Streetscape and explore other areas in the City to acknowledge the LGBTQ community at the following week's meeting.
- Pursue either an appeal, which would be contesting the final order from the FDOT, that would give the City a stay.
- Join the cities of Fort Lauderdale and Miami Beach in contesting the rule-making authority with a final hearing, via litigation.

A motion was made by Vice Mayor Long, seconded by Commissioner Markert, to join Fort Lauderdale and Miami Beach in a petition effort to the Department of Administrative Hearings (DOAH), and that for now, get a stay of enforcement and hydro blast the intersection to make it viable, rather than immediately sandblasting it. The motion carried by the following:

**Yes: 3** - Vice Mayor Long, Deputy Vice Mayor Burns, Commissioner Markert

**No: 1** - Mayor Carney

After the vote was taken, Commissioner Markert requested that Missie Barletto, Public Works Director, explain to the Commission the difference between sandblasting versus hydro blasting. She approached the presentation table and stated that hydro blasting is essentially sandblasting using water to keep the sand down.

There being no further business to discuss, Mayor Carney adjourned the meeting at 6:44 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.