

# City of Delray Beach

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



## Minutes - Draft

Tuesday, August 8, 2023

4:00 PM

Regular Meeting at 4:00 PM

Delray Beach City Hall or Watch on YouTube:

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

*Mayor Shelly Petrolia*

*Vice Mayor Ryan Boylston*

*Deputy Vice Mayor Rob Long*

*Commissioner Adam Frankel*

*Commissioner Angela Burns*

## 1. ROLL CALL

The August 8, 2023, Regular Commission Meeting was called to order at 4:12 p.m. City Clerk, Katerri Johnson, called the roll, and the following were present:

City Manager, Terrence Moore  
Assistant City Attorney, Kelly Brandon

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

## 3. AGENDA APPROVAL

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

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

3.A. Additions, Deletions, Substitutions

## 4. PRESENTATIONS:

### 4.A. BACK TO SCHOOL DAY PROCLAMATION

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Back-To School Proclamation](#)

Mayor Petrolia read the proclamation into the record.

City Manager, Mr. Moore, shared a video presentation showing the monumental role that Yvonne Odom played in integrating the black children of Delray Beach to be given the same education as the white children. Ms. Odom described what it was like attending school as the only black student.

Ms. Odom thanked the Commission and the Community for their support.

### 4.B. PRESENTING CRISPIN MATTHEW, WTP OPERATOR C, WITH EMPLOYEE OF THE MONTH FOR JUNE 2023.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Crispin Matthew - Nomination](#)

Le Shay King, Human Resources Generalist, announced Crispin Matthew, Water Treatment Plant Operator as Employee of the Month for June 2023.

Assistant Utilities Director, Juan Guevarez, shared the heroic act that Mr. Crispin performed by helping a woman with a small child change a flat tire after a long shift from work. He was awarded a plaque and a certificate for eight hours of paid time.

**4.C. PRESENTATION BY THE INDEPENDENT CPA FIRM OF MARCUM LLP OF THE CITY'S ANNUAL COMPREHENSIVE FINANCIAL REPORT (ACFR) FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2022.**

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[City of Delray Beach - ACFR 2022 - ISSUED](#)

Hugh Dunkley, Finance Director, introduced Scott Montgomery from the independent CPA firm of Marcum LLP, whose firm performed the City's annual comprehensive financial report for the Fiscal Year ending September 30, 2022. Mr. Montgomery provided a detailed summary of the City's fund balances.

The Commission thanked Mr. Montgomery and Mr. Dunkley.

**4.D. DOWNTOWN DEVELOPMENT AUTHORITY REPORT PRESENTATION CONCERNING OLD SCHOOL SQUARE CAMPUS ACTIVITIES AND PROGRAMS**

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[DDA - Old School Square FY23-24 proposed Business Plan \(002\)](#)

Laura Simon, Executive Director of the Downtown Development Authority, summarized the Fiscal Year 2022-2023 for the Downtown Development Authority. She discussed the efforts presently being executed for the Old School Square Campus. She mentioned that their mission was to create a cultural hub for people.

The Commission noted the importance of maintaining the grounds on the campus. They thanked Laura for the great job she and her team were doing.

**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**

None.

5.B. From the Public

None.

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

This was approved.

### **6.A. CITY COMMISSION MEETING MINUTES**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[June 6, 2023 Regular Meeting Minutes - DRAFT](#)  
[July 11, 2023 Budget Workshop Meeting Minutes - DRAFT](#)  
[July 11, 2023 Regular Meeting Minutes - DRAFT](#)

This Minutes were approved.

### **6.B. RESOLUTION NO. 121-23 NUISANCE ABATEMENT OF FOUR (4) PROPERTIES THROUGHOUT THE CITY**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[121-23 - Nuisance Abatement Resolution](#)  
[Resolution No. 121-23 - Exhibit A](#)  
[Legal Review Form Resolution No 121-23](#)

This Resolution was approved.

### **6.C. SETTLEMENT IN THE CASE OF GEORGE GRETSAS V. CITY OF DELRAY BEACH**

**Sponsors:** City Attorney Department

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

This Request was approved.

### **6.D. RESOLUTION NO. 161-23: APPROVAL OF RESOLUTION NO. 161-23 ESTABLISHING SUBSISTENCE RATES THAT VARY FROM THE RATES PROVIDED IN SECTION 112.061 (6)(B), FLORIDA STATUTES FOR THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DELRAY BEACH IN ACCORDANCE WITH SECTION 112.061(14), FLORIDA STATUTES**

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 161-23 CRA per diem reso](#)

**This Request was approved.**

**6.E.** LETTER OF SUPPORT FOR PALM BEACH COUNTY FOR USE IN  
NOAA CLIMATE RESILIENCE REGIONAL CHALLENGE GRANT  
LETTER OF INTENT

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Approval NOAA Climate Resilience Regional  
Challenge  
LOI Instr Template](#)  
[PBC CRP Track 1 LOI Shorline Protection Ordinance](#)  
[NOAA Climate Resilience Regional Challenge webpage](#)

**This Request was approved.**

**6.F.** RESOLUTION NO. 131-23, A RESOLUTION OF THE CITY COMMISSION  
OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN  
AMENDED ADOPTION AGREEMENT FOR THE MISSIONSQUARE  
GOVERNMENTAL MONEY PURCHASE PLAN & TRUST, PLAN NO.  
109648 ("401(a) MATCH PLAN"); AND PROVIDING AN EFFECTIVE  
DATE.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Reso Amending 401A Match Plan Adoption Agr 7.5.23](#)  
[CITY OF DELRAY BEACH 401a PLAN - Adoption  
Agreement 08.08.2023 EXHIBIT A](#)  
[Simple Legal Review Approval Amending 401\(a\) Match Plan](#)  
[EB-15 Rev. 23 3% Management Match Program](#)

**This Resolution was approved.**

**6.G.** RESOLUTION NO. 157-23, A RESOLUTION OF THE CITY COMMISSION  
OF THE CITY OF DELRAY BEACH, FLORIDA DECLARING THE  
COMMISSION'S OFFICIAL INTENT TO SEEK REIMBURSEMENT FOR  
CERTAIN PAST AND FUTURE CAPITAL EXPENDITURES FOR  
CAPITAL PROJECTS RELATING TO THE CITY'S CAPITAL PROJECTS  
APPROVED BY TWO SEPARATE REFERENDUMS HELD ON MARCH  
14, 2023 WHICH WILL BE FINANCED BY GENERAL OBLIGATION  
BONDS ISSUED FROM TIME TO TIME IN A TOTAL PRINCIPAL  
AMOUNT OF NOT EXCEEDING \$120,000,000, AS DESCRIBED  
HEREIN; PROVIDING AN EFFECTIVE DATE AND FOR OTHER

## PURPOSES.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Reimbursement Resolution 2023 - Delray Beach LG REV \(002\)](#)  
[Simple Legal Review Approval reimbursement reso\\_GOB](#)

**This Resolution was approved.**

- 6.H.** APPROVAL OF RESOLUTION 138-23 APPROVING A MEMORANDUM OF UNDERSTANDING WITH FAIRFIELD INN MARRIOTT FOR SETUP OF EMERGENCY OPERATIONS CENTER; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 138-23.pdf](#)  
[MOU Between CDB and Fairfield Inn.pdf](#)  
[Legal Review Checklist Fairfield 8.2.23](#)

**This Resolution was approved.**

- 6.I.** COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN FY2023-2024

**Sponsors:** Neighborhood & Community Services

**Attachments:** [Agenda Cover Report](#)  
[FY2023-2024 Annual Action Plan FINAL 80823](#)  
[Non-State Certifications 80823](#)

**This Request was approved.**

- 6.J.** APPROVAL FOR ADDITIONAL SPENDING AUTHORITY THRESHOLD WITH CHENEY BROTHERS INC. FOR FOOD PRODUCTS FOR RE-SALE AT THE DELRAY BEACH GOLF CLUB IN AN AMOUNT NOT TO EXCEED \$86,800

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Cheney Brothers PO Increase Memo](#)

**This Request was approved.**

- 6.K.** APPROVAL FOR ADDITIONAL SPENDING AUTHORITY THRESHOLD WITH SYSCO FOOD SERVICES OF SOUTHEAST FLORIDA, LLC. FOR FOOD PRODUCTS FOR RE-SALE AT THE DELRAY BEACH GOLF CLUB IN AN AMOUNT NOT TO EXCEED \$85,000

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Sysco PO Increase Memo](#)

**This Request was approved.**

- 6.L.** APPROVAL OF AMENDMENT NO. 1 TO RFQ NO. 2020-007 WITH WGI, INC., FOR ADDITIONAL DESIGN SERVICES FOR THE NORTH SWINTON AVENUE UNDERGROUND UTILITY PROJECT IN AN AMOUNT NOT TO EXCEED \$93,075, FOR A REVISED CONTRACT TOTAL OF \$1,007,079.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist WGI Amendment No. 1](#)  
[AMENDMENT NO. 1 TO AGREEMENT RFQ 2020-007](#)  
[Exhibit A - New Scope and Fee Proposal](#)  
[AGREEMENT RFQ 2020-007 - WGI Inc. Professional Engineering Design Services](#)  
[RESOLUTION NO 21-21](#)

**This Request was approved.**

- 6.M.** APPROVAL OF AMENDMENT NO. 2 TO RENEW THE CITY'S AGREEMENT WITH APTIM ENVIRONMENTAL AND INFRASTRUCTURE, INC. FOR COASTAL ENGINEERING CONSULTING SERVICES (RFQ NO. 2015-01) - \$500,000

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Amd #2 to RFQ 2015-01 Agreement with Aptim](#)  
[Amendment #2 to Coastal Engineering Consulting Services Agreement](#)

**This Request was approved.**

## **6.N. PROCLAMATIONS:**

- 6.N.1. None

**6.O. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**

6.O.1. None

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

This was approved.

- 6.P.1.** APPROVAL OF RESOLUTION NO. 123-23, TO AWARD AN AGREEMENT WITH AUSTIN TUPLER TRUCKING, INC. FOR PURCHASE OF ROAD CONSTRUCTION MATERIALS IN A TOTAL AGREEMENT VALUE NOT-TO-EXCEED \$2,083,450 (\$416,690 PER YEAR RESPECTIVELY), THROUGH AUGUST 7, 2028.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist ITB 2023-046 for Road Consturction Material with Austin Tupler Trucking.pdf](#)  
[Agreement - Delray Beach](#)  
[ITB 2023-046 Purchase of Road Construction Materials 4.11.23](#)  
[Res 123-23 ITB 2023-046 Agmt with Austin Tupler Trucking for Road Construction Material](#)

This Resolution was approved.

- 6.P.2.** APPROVAL OF RESOLUTION NO. 137-23 FOR THE ISSUANCE OF A PURCHASE ORDER TO STINGRAY CHEVROLET UTILIZING THE FLORIDA SHERIFF'S ASSOCIATION CONTRACT NO. FSA22-VEL30.0 FOR THE PURCHASE OF TWO (2) CHEVROLET TAHOES, IN THE AMOUNT OF \$89,524.

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

**Attachments:** [Agenda Cover Report](#)  
[Res No. 137-23](#)  
[2023 Tahoe PPV 2wd x2 Quote](#)  
[Contract - FSA22-VEL30.0](#)  
[Simple Legal Review Approval- Resolution 137-23](#)

This Resolution was approved.

**7. REGULAR AGENDA:**

- 7.A.** APPROVAL OF RESOLUTION 159-23 EXTENDING THE TERMS OF BOARD MEMBERS SERVING ON THE PLANNING AND ZONING BOARD, BOARD OF ADJUSTMENT, AND SITE PLAN REVIEW AND



APPEARANCE BOARD WHOSE TERMS ARE SCHEDULED TO EXPIRE ON AUGUST 31, 2023, FOR AN ADDITIONAL 60 DAYS DURING THE PENDENCY OF THE CITY'S CONSIDERATION OF AMENDMENTS TO THE CITY'S CODE OF ORDINANCES RELATING TO CHAPTER TWO OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 159-23](#)

Kelly Brandon, Assistant City Attorney, stated that staff was drafting proposed changes to the City's Land Development Regulations terms that could impact the composition of the Planning and Zoning Board, Board of Adjustment, and Site Plan Review and Appearance Board and were requesting an additional 60 days to work on the document.

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

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

**7.B.**

RESOLUTION NO. 139-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO SECTION 4.4.13(D)(2)(a)(2) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A REAR SETBACK OF LESS THAN 10 FEET FOR THE PROPERTY LOCATED AT 319 NE 3rd AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.(QUASI-JUDICIAL HEARING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 139-23](#)  
[SPRAB Staff Report](#)  
[Applicant Justification Narrative](#)  
[Architectural Plan \(for reference only\)](#)  
[Landscape Plan \(for reference only\)](#)  
[Engineering Plan \(for reference only\)](#)  
[Legal Review Approval - 139-23](#)  
[DDA memo](#)

Anthea Gianniotis, Director of Development Services entered file ID # 2022-268 into the record.

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

City Clerk, Katerri Johnson, swore in those who wished to provide testimony on this item. Mayor Petrolia asked her colleagues if they had any ex-parte communications to disclose:

Mayor Petrolia - none

Vice Mayor Boylston- none

Deputy Vice Mayor Long - spoke with the applicant and Mr. Schiller.

Commissioner Frankel - spoke with the applicant and Mr. Schiller.

Commissioner Burns - spoke with the applicant and Mr. Schiller.

Jeff Costello, with JC Planning Solutions, was present on behalf of the applicant, Big B Investments, LLC, to request a waiver allowing a rear setback of 5' whereas 10' was required for the property located at 319 NE 3rd Avenue and to use an eclectic/alternative architectural design style.

Ms. Gianniotis provided a comprehensive staff report on Resolution 139-23 and Resolution 140-23. She stated that both Resolutions were tied together.

Christina Morrison, 1000 Lowery Street, Delray Beach,  
Stated she favored having little pockets of stores popping up in the arts district.

George Long, 416 Swinton Avenue, Delray Beach,  
Stated he liked the new design of the proposed restaurant.

Seeing no one else present, Mayor Petrolia closed public comments

There was no-cross examination or rebuttal from the applicant.

The Commission discussed and stated the new building design was a felicitous fit for the area.

Anthea Gianniotis provided a comprehensive staff report on Resolution 139-23 and Resolution 140-23. She stated that both Ordinances were tied together.

Christina Morrison, 1000 Lowery Street, Delray Beach,  
She stated that she favored having little pockets of stores popping up in the arts district.

George Long, 416 Swinton Avenue, Delray Beach,  
He stated that he liked the new design of the proposed restaurant.

Seeing no one else present, Mayor Petrolia closed public comments

There was no-cross examination or rebuttal from the applicant.

The Commission discussed and stated that the new building design was a felicitous fit for the area.

Vice Mayor Boylston stated he supported adaptive reuse for new construction and favored seeing more creative ideas in the future.

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

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

**7.B.1.**

RESOLUTION NO. 140-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A REQUEST TO UTILIZE A COMBINATION OF THE FLORIDA VERNACULAR AND MASONRY MODERN ARCHITECTURAL STYLES FOR THE PROPERTY LOCATED AT 319 NE 3rd AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 140-23](#)  
[Staff Report](#)  
[Applicant Architectural Style Justification](#)  
[Architectural Plans \(for reference only\)](#)  
[Landscape Plans \(for reference only\)](#)  
[Engineering Plans \(for reference only\)](#)  
[DDA memo](#)  
[Legal Review Approval - 140-23](#)

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

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

**7.C. NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Historic Preservation Board](#)  
[HPB Attendance 2023](#)  
[Bennett](#)  
[Brewer](#)  
[Cantwell](#)  
[Campbell](#)  
[Cohen R.](#)  
[Chard](#)  
[Dwyer](#)  
[Dumitrescu](#)  
[Jansen](#)  
[Kasser](#)  
[Land](#)  
[O'Conner](#)  
[Olieberg](#)  
[Sylvester](#)  
[Willis](#)

Mayor Petrolia nominated **Dwyer**, seconded by Vice Mayor Boylston.  
**approved**

Commissioner Frankel nominated to reappoint **Chard**, seconded by Vice Mayor Boylston.  
**approved**

Deputy Vice Mayor Long nominated **Brewer**, seconded by Vice Mayor Boylston.  
**approved**

## 8. PUBLIC HEARINGS/SECOND READINGS:

### 8.A. APPROVAL OF RESOLUTION 151-23 CONVEYING THE CITY'S INTEREST IN REAL PROPERTY TO BRIGHT HORIZONS INVESTMENT CORP AND GOCO INC. (PUBLIC HEARING)

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 151-23](#)  
[Vacant Land Contract](#)  
[Attorney's Office Advertisement - Notice of Intent to Sell Real Property](#)

Kelly Brandon entered Resolution 151-23 into the record.

Mayor Petrolia opened the floor to public comments. Seeing no one present, Mayor Petrolia closed public comments.

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

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

## 9. FIRST READINGS:

### 9.A. ORDINANCE NO. 24-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A 1.07 ACRE PORTION OF A PARCEL OF LAND LOCATED SOUTH OF SHERWOOD BOULEVARD AND EAST OF SOUTH MILITARY TRAIL AT 3900 SHERWOOD BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM LOW DENSITY RESIDENTIAL TO COMMUNITY FACILITIES, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT," FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 24-23 - 3900 Sherwood Corrective LUMA](#)  
[Staff Report - 3900 Sherwood Corrective LUMA](#)  
[Proposed Land Use Map - 3900 Sherwood](#)  
[Simple Legal Review Approval LUMA 3900 Sherwood](#)

Kelly Brandon entered Ordinance 24-23 into the record.

Anthea Gianniotis stated Ordinance 24-23 was intended to correct a mapping error for the 10.97-acre parcel of land located at 3900 Sherwood Boulevard.

**A motion was made by Vice-Mayor Boylston, seconded by Deputy Vice Mayor Long, that this Ordinance be approved on first reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

**9.B.**

ORDINANCE NO. 27-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A PARCEL OF LAND, MEASURING APPROXIMATELY 0.45 ACRES, GENERALLY LOCATED SOUTHWEST OF THE INTERSECTION OF OLD DIXIE HIGHWAY AND NORTHEAST 14TH STREET, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM LOW DENSITY (LD) TO OPEN SPACE (OS), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 27-23, NE 14th Street Corrective LUMA](#)  
[PZB Staff Report, NE 14th Street Corrective LUMA](#)  
[Simple Legal Review Ord 27-23](#)

Kelly Brandon entered Ordinance 27-23 into the record.

**A motion was made by Vice-Mayor Boylston, seconded by Deputy Vice Mayor Long, that this Ordinance be approved on first reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

- 9.C.** ORDINANCE NO. 28-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA; AMENDING CHAPTER 101, "PARKS, BEACHES AND RECREATION," SECTION 101.32, "ASSEMBLIES"; TO PROHIBIT THE CLOSURE OF THE ATLANTIC AVENUE BRIDGE, THE GEORGE BUSH BOULEVARD BRIDGE, AND THE LINTON BOULEVARD BRIDGE DURING A SPECIAL EVENT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance 28-23](#)

Kelly Brandon entered Ordinance No. 28-23 into the record.

**A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this Ordinance be approved on first reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

- 9.D.** **ORDINANCE NO. 35-23:** AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA; AMENDING CHAPTER 101, "PARKS, BEACHES AND RECREATION," SECTION 101.36, "ADDITIONAL RULES APPLYING TO PARKS, RECREATIONAL FACILITIES AND THE MUNICIPAL BEACH"; SUBSECTION (B), "HOURS OF OPERATION," TO CLARIFY THE HOURS OF OPERATION FOR THE MUNICIPAL BEACH; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance 35-23 Amending Sec 101.36 Additional Rules Applying to Parks Recreational Facilities and the Municipal Beach -7-28-23](#)

Kelly Brandon entered Ordinance 35-23 into the record.

**A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this Ordinance be approved on first reading. The motion carried by the following vote:**

**Yes:** 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

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

**A. City Manager**

None

**B. City Attorney**

None

**C. City Commission**Commissioner Frankel:

Praised Chief Mager and his staff for solving a horrific homicide crime quickly.

Deputy Vice Mayor Long:

Discussed the Green Implementation Board.

Commissioner Burns:

Thanked Laura Simon and the Parks and Recreation Department for helping to install Banners in the Set Community.

Vice Mayor Boylston:

Suggested the Public Information Officer create a "Hot Topics" page to apprise the residents of their rights about matters of concern before misinformation spreads.

Mayor Petrolia:

Discussed preserving the Legacy Trees and maintaining the city's tree canopy.

**11. ADJOURNMENT**

There being no further business to discuss, Mayor Petrolia adjourned the Regular City Commission Meeting at 6:25 p.m.