

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Draft

Tuesday, May 7, 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>
treams

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 May 7, 2024, Regular City Commission Meeting was called to order at 5:00 p.m. City Clerk, Katerri Johnson, called the roll and the following were present:

Terrence Moore - City Manager
Lynn Gelin - City Attorney

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

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

Commissioner Burns requested that Item No. 6.C. be postponed to allow time for the recipient to arrive. It became Item No. 7.B.B. on the Regular agenda.

Mayor Carney requested Item No. 6.O.1. be removed from the Consent Agenda for discussion and become Item No. 7.C.C. 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. ACCEPTANCE OF 2024 DELRAY BEACH EDUCATION GRANT

THE PUBLIC IS ADVISED that two (2) or more members of the Palm Beach County School Board may be in attendance, and may speak, at the Regular Commission Meeting of the City of Delray Beach City Commission on May 7, 2024. The meeting will begin at 5:00 p.m. in the City Hall Commission Chambers located at 100 N.W. 1st Avenue, Delray Beach, FL 33444.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Erica Whitfield, School Board Member, expressed gratitude to the City Commission for allocating funds to the Palm Beach County School Board from the Caron Foundation of Florida Settlement Agreement. She stated the grants would fund specific projects and activities related to high-priority

learning and workforce readiness areas.

Edwin Ferguson, District 7 School Board Member, provided an update on the renovations at Carver Middle School and discussed the newly proposed start times for students.

The Commission thanked them both for their valuable service.

4.B. FLORIDA GREEN BUILDING COALITION AWARDS

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Kent Edwards, Sustainability Officer, stated the Florida Green Building Coalition awarded the City of Delray Beach the highest-scoring Local Green Government Certification in 2021. He added that the City also won a Green Achievement Award in recognition of passing its green building ordinance.

The Commission thanked Mr. Edwards and his staff for their work.

4.C. 2024 HISTORIC PRESERVATION BOARD AWARDS - A PRESENTATION TO THE CITY COMMISSION OF THE 2024 HISTORIC PRESERVATION BOARD AWARDS.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

Michelle Hoyland, Principal Planner, recognized Ruth and Alan Baum as the recipients of the 2024 People Saving Places/National Preservation Month Award for their property located at 105 NE 7th Street in the Del-Ida Park Historic District.

4.D. QUARTERLY FINANCIAL REVIEW THROUGH MARCH 31, 2024

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[rptIncomeStatement_all funds summary_03.31.2024](#)

[rptIncomeStatement_Gen fund by category_03.31.2024](#)

[rptIncomestatement_all funds detailed_03.31.2024](#)

Hugh Dunkley, the City's Chief Financial Officer, presented an overview of the budgetary performance for the City's major revenue sources and an analysis of each fund and department's year-to-date performance. He stated the total expenditures to date of \$163.8 million for all of the City's

budgeted funds increased by \$23 million from the previous year, due primarily to increases in personal service expenditures as a result of increased salaries and benefits, operating expenditures in the City's Enterprise Fund, purchases of heavy fleet in the City's Central Garage Fund and tax incremental payments to the Community Redevelopment Agency.

The Commission addressed the issue of some water meters still having estimated readings.

Vice Mayor Casale suggested conducting an audit to ensure financial accountability.

There was a consensus to bring this discussion back at the May 21, 2024, Commission Meeting.

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

Jane Fields, 319 SE 7 Avenue, Delray Beach
Discussed the Ordinance change regarding artificial turf.

Bruce Leish, 335 SE 6 Avenue, Delray Beach
Discussed the Lawson Blvd Project.

Paul Cannon, 1021 East Heritage Club, Delray Beach
Discussed designating the Atlantic Avenue Corridor as a Historic District.

Michael Wynn
Discussed various topics.

Mitch Katz, 1618 W. Classical Blvd, Delray Beach
Spoke about funding mental health initiatives with funds from the Caron Foundation Grant funds.

Janet Meeks, 2782 Hampton Circle South, Delray Beach
Discussed how the Caron Foundation Grant Funds were being used.

Irene Revelas, 331 East Atlantic Avenue, Delray Beach
Discussed the disbursement of the Caron Foundation Grant funds.

George Long, 46 N. Swinton Avenue, Delray Beach
Discussed various city issues.

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

6. CONSENT AGENDA: City Manager Recommends Approval

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

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

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[April 9, 2024 Regular Meeting Minutes - DRAFT](#)

The Minutes were approved.

6.B. RESOLUTION NO. 90-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NOTIFY THE OWNERS OF PROPERTY OF THE CITY'S NEED FOR EASEMENTS THEREON, PROVIDE A WRITTEN OFFER OF COMPENSATION IN THE AMOUNT OF \$179,500, ENGAGE IN PRESUIT NEGOTIATIONS, AND OTHERWISE COMPLY WITH SECTION 73.015 OF THE FLORIDA STATUTES IN AN EFFORT TO ACQUIRE A PERMANENT EASEMENT AND A TEMPORARY EASEMENT ON PROPERTY HAVING AN ADDRESS OF 142 SEABREEZE AVENUE, DELRAY BEACH, THAT ARE REQUIRED TO CONSTRUCT AND INSTALL A NEW EXPANDED STORMWATER PUMP STATION FACILITY WITHIN THE THOMAS STREET RIGHT-OF-WAY LYING WEST OF SEABREEZE AVENUE; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 91-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT AND A TEMPORARY EASEMENT, DESIGNATED AS PARCELS 2A AND 2B, NECESSARY FOR THE CONSTRUCTION OF A NEW EXPANDED STORMWATER PUMP STATION FACILITY WITHIN THE THOMAS STREET RIGHT-OF-WAY LYING WEST OF SEABREEZE AVENUE, TO BE FOR A PUBLIC USE AND PURPOSE; AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS; AUTHORIZING THE FILING OF EMINENT DOMAIN PROCEEDINGS IN

THE EVENT PRESUIT NEGOTIATIONS ARE UNSUCCESSFUL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 92-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO NOTIFY THE OWNERS OF PROPERTY OF THE CITY'S NEED FOR EASEMENTS THEREON, PROVIDE A WRITTEN OFFER OF COMPENSATION IN THE AMOUNT OF \$139,750, ENGAGE IN PRESUIT NEGOTIATIONS, AND OTHERWISE COMPLY WITH SECTION 73.015 OF THE FLORIDA STATUTES IN AN EFFORT TO ACQUIRE A PERMANENT EASEMENT ON PROPERTY HAVING AN ADDRESS OF 202 SEABREEZE AVENUE, DELRAY BEACH, THAT IS REQUIRED TO CONSTRUCT AND INSTALL A NEW EXPANDED STORMWATER PUMP STATION FACILITY WITHIN THE THOMAS STREET RIGHT-OF-WAY LYING WEST OF SEABREEZE AVENUE; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 93-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, DECLARING THE ACQUISITION OF A PERMANENT EASEMENT, DESIGNATED AS PARCEL 1, NECESSARY FOR THE CONSTRUCTION OF A NEW EXPANDED STORMWATER PUMP STATION FACILITY WITHIN THE THOMAS STREET RIGHT-OF-WAY LYING WEST OF SEABREEZE AVENUE, TO BE FOR A PUBLIC USE AND PURPOSE; AUTHORIZING THE EMPLOYMENT OF APPRAISERS AND OTHER EXPERTS; AUTHORIZING THE FILING OF EMINENT DOMAIN PROCEEDINGS IN THE EVENT PRESUIT NEGOTIATIONS ARE UNSUCCESSFUL; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)[Res 90-24 Authorizing CM to negotiate easements with 142](#)[Seabreeze Owners.bb rev](#)[Ex A to Res 90-24 - Parcel 2A](#)[Ex B to Res 90-24 - Parcel 2B](#)[Res 91-24 Authorizing City to begin Eminent Domain Proceedings -](#)[142 Seabreeze.bb rev](#)[Ex C to Res 91-24 - Scale Analysis - need Diagram from Garry.BB](#)[Rev 2](#)[Ex 1 to Ex C](#)[Res 92-24 Authorizing CM to negotiate easements with 202](#)[Seabreeze Owners.bb rev](#)[Ex A to Res 92-24 Authorizing City to begin Eminent Domain](#)[Proceedings - 202 Seabreeze](#)[Res 93-24 Authorizing City to begin Eminent Domain Proceedings -](#)[202 Seabreeze.bb rev](#)[Ex B Res 93-24 Authorizing City to begin Eminent Domain](#)[Proceedings - 202 Seabreeze - Scale Analysis 202 Seabreeze.bb rev](#)[2](#)

This Resolution was approved.

6.C.

RESOLUTION NO. 115-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA RENAMING THE "REV. J.W.H. THOMAS, JR." PARK TO THE "REV. DR. J.W.H. THOMAS, JR." PARK; AUTHORIZING THE CITY MANAGER TO TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)[Resolution 115-24 renaming Rev JWH Tomas Park Jr Park](#)

Commissioner Burns requested Consent Item No. 6.C. be pulled to allow the recipient's family time to arrive. It became Item No. 7.B.B. on the Regular Agenda.

No one from the family was present.

A motion was made by Commissioner Burns, 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.D.

PROPOSED OFFER OF SETTLEMENT IN THE CASE OF STEPHEN WINFIELD V. THE CITY OF DELRAY BEACH

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

This Request was approved.

- 6.E.** RESOLUTION NO. 114-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO NANCY MCDONALD, FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 531 N. SWINTON AVENUE, AS FURTHER DESCRIBED HEREIN; DETERMINING THAT THE COMPLETED IMPROVEMENTS ARE CONSISTENT WITH LAND DEVELOPMENT REGULATION (LDR) SECTION 4.5.1(J), TAX EXEMPTION FOR HISTORIC PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Res No. 114-24 531 N Swinton Ave Historic Ad Valorem Tax Exemption](#)

[HPB Staff Report-531 N. Swinton Ave](#)

[After Photographs-531 N. Swinton Ave](#)

[Before Photographs-531 N. Swinton Ave](#)

[Certificate of Occupancy-531 N. Swinton Ave](#)

[Plans-531 N Swinton Ave](#)

[Survey After-531 N Swinton Ave](#)

[Survey Before- 531 N Swinton Ave](#)

[Tax Information- 531 N Swinton Ave](#)

[Warranty Deed-531 N Swinton Ave](#)

[Legal Review Res No. 114-24 - 531 N Swinton Ave Historic Ad Valorem Tax Exemption](#)

This Resolution was approved.

- 6.F.** RESOLUTION NO. 65-24 AMENDING THE FISCAL YEAR 2023-24 BUDGET ADOPTED BY RESOLUTION NO.145-23 ON SEPTEMBER 18, 2023.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[Resolution 65-24 Budget Amendment FY 2023-24 05.07.24](#)

[Exhibit A - Resolution 65-24 Budget Amendment 5.7.24](#)

[Legal Review Res 65-24 Budget Amd to FY 23-24](#)

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

Vice Mayor Casale expressed her concern that monies were remaining in department accounts from the previous fiscal year and not being carried over into the current fiscal year on a timely basis.

Hugh Dunkley stated these funds were grant-driven funds and weren't part of the general fund. He acknowledged the City was compliant with the state's deadlines for submitting its budget.

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.G. APPROVAL OF AMENDMENT NUMBER 5 TO THE LEASE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PINEAPPLE GROVE HOLDINGS, LLC FOR THE CONTINUED OCCUPANCY OF THE MEDICAL FACILITY LOCATED AT 525 NE 3RD AVENUE, DELRAY BEACH, FLORIDA.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Amd #5 to Lease with Pineapple Grove 3 Months..](#)
[Simple Legal Review Approval amendment 5 pineapple grove lease..](#)

This Request was approved.

6.H. PURCHASE ASSISTANCE GRANT AWARD TO LOURDES VASQUEZ AND FERNANDO BALCARCE 14977 WHATLEY ROAD IN THE AMOUNT OF \$75,000

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[Legal Review UDAG Balcarce and Vasquez 14977 Whatley Road - SHIP Joachin and Fleurinat 102 NW 13th Avenue](#)
[Signed Balcarce/Vasquez Mortgage](#)
[Signed Balcarce/Vasquez Promissory Note](#)

This Request was approved.

6.I. PURCHASE ASSISTANCE GRANT AWARD TO WATSON JOACHIN AND NACHCAR FLEURINAT 102 NW 13TH AVENUE IN AN AMOUNT UP TO \$75,000

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)

[Legal Review UDAG Balcarce and Vasquez 14977 Whatley Road - SHIP Joachin and Fleurinat 102 NW 13th Avenue](#)
[Second Mortgage - Watson Joachin and Nachcar Fleurinat SHIP](#)
[Promissory Note - Watson Joachin and Nachcar Fleurinat SHIP](#)

This Request was approved.

- 6.J.** RESOLUTION 88-24 APPROVING A LEASE AGREEMENT WITH THE PIONEER BOYS ASSOCIATION, INC. FOR THE PROPERTY LOCATED AT 413 LAKE IDA ROAD, INCLUDING THE BUILDING KNOWN AS THE SCOUT HUT, FOR THE PURPOSE OF CONDUCTING SCOUT ACTIVITIES

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

[Legal Review Lease Agreement with Pioneer Boys Association](#)
[Res 88-24 - Lease Agreement with Pioneer Boys Association for Scout Hut](#)
[ScoutHut LeaseAgreement 2024 PE](#)

This Resolution was approved.

- 6.K.** MOTION TO APPROVE ADDITIONAL SPENDING TO THE CONTRACT WITH BFAV LLC. DBA ALL ON STAGE PRODUCTIONS IN THE AMOUNT OF \$34,811 FOR SOUND, STAGE AND LIGHTING FOR A REVISED CONTRACT TOTAL OF \$170,640.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

[Sound Stage Renewal Amend No. 1 2024](#)
[FULLY EXECUTED Agreement - BFAV, LLC. \(All On Stage Productions\)](#)

This Request was approved.

- 6.L.** MOTION TO AUTHORIZE THE CITY MANAGER TO CREATE AND SUBMIT TO THE OFFICE OF CONGRESSWOMAN LOIS FRANKEL, LETTERS OF SUPPORT FOR EACH OF THREE CITY OF DELRAY BEACH REQUESTS FOR CONGRESSIONAL COMMUNITY PROJECT FUNDING FOR THE FEDERAL FISCAL YEAR 2024-2025 BUDGET.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

This Request was approved.

6.M. PROCLAMATIONS:

6.M.1. PROCLAMATION: KIDS TO PARKS DAY

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Kids To Parks Day 2024](#)

This Proclamation was approved.

6.M.2. NATIONAL SAFE BOATING WEEK PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Safe Boating Week Proclamation 2024](#)

This Proclamation was approved.

6.M.3. PUBLIC WORKS WEEK PROCLAMATION

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[NPWW Proclamation 2024](#)
[24-NPWW-Poster](#)

This Proclamation was approved.

6.M.4. PROCLAMATION TO DESIGNATE THE WEEK OF MAY 19-25, 2024 AS WATER REUSE WEEK

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Proclamation_Reuseweek_2024.doc](#)

This Proclamation was approved.

6.M.5. NATIONAL BEACH SAFETY WEEK

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[National Beach Safety Week 2024](#)

This Proclamation was approved.

6.M.6. PROCLAMATION DESIGNATING THE MONTH OF MAY AS HISTORIC

PRESERVATION MONTH IN DELRAY BEACH

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[2024-HP Month Proclamation](#)

This Proclamation was approved.

6.M.7. MAY 2024 MENTAL HEALTH AWARENESS AND TRAUMA INFORMED CARE MONTH

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Mental Health Awareness Month Proclamation 2024](#)

This Proclamation was approved.

6.M.8. OBSERVANCE OF HAITIAN HERITAGE MONTH

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Haitian Heritage Month 2024](#)

This Proclamation was approved.

6.M.9. ASIAN AMERICAN AND PACIFIC ISLANDER HERITAGE MONTH

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Asian American and Pacific Islander Heritage Month 2024](#)

This Proclamation was approved.

6.M.10 HEPATITIS AWARENESS MONTH PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Hepatitis Awareness Month Proclamation 2024](#)

This Proclamation was approved.

6.M.11 JEWISH AMERICAN HERITAGE MONTH PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Jewish American Heritage Proclamation 2024](#)

This Proclamation was approved.

6.M.12 NATIONAL STROKE AWARENESS MONTH

.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Stroke Awareness Month 2024](#)

This Proclamation was approved.

6.M.13 WE ♥ SMALL BIZ MONTH PROCLAMATION - MAY 2024

.

Sponsors: Economic Development Department

Attachments: [Agenda Cover Report](#)
[We Love Small Biz Month Proclamation 2024](#)

This Proclamation was approved.

6.M.14 PROCLAMATION: NATIONAL TENNIS MONTH

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Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Proclamation Nat'l Tennis Month 2024](#)

This Proclamation was approved.

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

6.N.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM APRIL 1, 2024 THROUGH APRIL 30, 2024.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[HPB \(4-3\) 106 SE 7th Avenue](#)
[PZB \(4-15\) Delray Nissan](#)

This Request was approved.

6.O. AWARD OF BIDS AND CONTRACTS:

- 6.O.1.** APPROVAL OF RESOLUTION NO. 97-24 TO AWARD AN AGREEMENT WITH KEITH AND ASSOCIATES, INC. FOR OWNER'S REPRESENTATIVE SERVICES FOR THE POMPEY PARK RECREATION CENTER PROJECT, PURSUANT TO RFQ NO. 2023-076 (PROJECT NO. 16-102) IN THE AMOUNT OF \$2,656,400.00.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Agreement RFQ 2023-076 Pompey Park Owner's Representative](#)

[Ex A - Pompey Park Owners Rep - RFQ 2023-076 - Keith and Associates Inc](#)

[Ex B - Pompey Park Owners Rep - RFQ 2023-076 - Keith and Associates Inc](#)

[Res 97-24 - Pompey Park Owners Rep - RFQ 2023-076](#)

[Legal Review Checklist Pompey Park Owners Rep - RFQ 2023-076 - Keith and Associates Inc Packet for Bid RFQ 2023-076 Advertised](#)

Mayor Carney requested Consent Item No. 6.0.1.be pulled for discussion. It became Item No. 7.C.C. on the Regular Agenda.

Missie Barletto, Director of Public Works, stated on September 19, 2023, the City issued a Request for Qualifications (RFQ) No. 2023-076 to acquire a firm that would provide Owner's Representative Services related to the construction of this project. Staff reviewed the negotiated fee of \$2,646,400 awarded to Keith and Associates and found it to be fair and reasonable. The fees would be paid based on the proposed hourly rates and actual hours worked.

A motion was made by Vice-Mayor Casale, seconded by Commissioner Markert, 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.O.2.** APPROVAL OF RESOLUTION NO. 112-24 TO AWARD AN AGREEMENT WITH SULLIVAN ELECTRIC & PUMP, INC. FOR THE PURCHASE, INSTALLATION, AND REPAIR OF IRRIGATION PUMP STATIONS AND REPAIRS IN THE AMOUNT OF \$240,000

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Res 112-24 Palm Beach County Piggyback - Sullivan Electric Pump Inc](#)

[Legal Review P2024-028 Irrigation Pump Station Repair Services - Palm Beach County Piggyback](#)

[MSA P2024-028 Irrigation Pump Station Repair Services - Palm Beach County Piggyback](#)

This Resolution was approved.

6.O.3. APPROVAL OF RESOLUTION NO. 120-24 AND TO AWARD AN AGREEMENT WITH ZABELLI FIREWORKS MANUFACTURING CO. FOR FIREWORK DISPLAY SERVICES

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist Agreement RFP 2024-005 Fireworks Display Services - Zambelli Fireworks Manufacturing Co](#)

[Reso No. 120-24 Zambelli Fireworks 2024](#)

[Vendor Signed- RFP 2024-005.pdf](#)

This Resolution was approved.

6.O.4. APPROVAL OF RESOLUTIONS NO. 58-24, 59-24, AND 60-24, TO AWARD AN AGREEMENTS WITH BLUE EDONIS, LLC (PRIMARY), UNLIMITED CLEANING COMPANY, LLC (SECONDARY), and PRO-GLOBAL BY JACKIE PRESSURE CLEANING SERVICES, LLC (TERTIARY); FOR PRESSURE CLEANING SERVICES PURSUANT TO INVITATION TO BID NO. 2023-071 IN THE AMOUNT OF \$778,598.80.

Sponsors: Neighborhood & Community Services and Purchasing Department

Attachments: [Agenda Cover Report](#)

[AGREEMENT ITB 2023-071 Pressure Cleaning - Blue Edonis - Primary](#)
[AGREEMENT ITB 2023-071 Pressure Cleaning Pro-Global by Jackie Pressure Cleaning Service - Tertiary](#)
[AGREEMENT ITB 2023-071 Pressure Cleaning Unlimited Cleaning Company - Secondary](#)
[Exhibit A AGREEMENT ITB 2023-071 Pressure Cleaning - Blue Edonis - Primary](#)
[Exhibit A AGREEMENT ITB 2023-071 Pressure Cleaning Pro-Global by Jackie Pressure Cleaning Service - Tertiary](#)
[Exhibit A AGREEMENT ITB 2023-071 Pressure Cleaning Unlimited Cleaning Company - Secondary](#)
[Legal Review Checklist ITB 2023-071 Pressure Washing - Blue Edonis - Primary](#)
[Legal Review Checklist ITB 2023-071 Pressure Washing - Pro-Global by Jackie Pressure Cleaning Service, LLC - Tertiary](#)
[Legal Review Checklist ITB 2023-071 Pressure Washing - Unlimited Cleaning Company - Secondary](#)
[Res 58-24 - Agreement for ITB 2023-071 - Pressure Washing - Blue Edonis LLC - Primary](#)
[Res 59-24 - Agreement for ITB 2023-071 - Pressure Washing - Unlimited Cleaning Company - Secondary](#)
[Res 60-24 - Agreement for ITB 2023-071 - Pressure Washing - ProGlobal - Tertiary](#)

This Resolution was approved.

6.O.5.

APPROVAL OF RESOLUTION NO. 107-24 TO AWARD AN AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC.FOR PERMIT FEES UTILIZING CITY OF DAYTONA BEACH CONTRACT NO. RFP 19632 IN THE AMOUNT OF \$57,150

Sponsors: Development Services Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 107-24 Raftelis](#)
[Vendor Executed](#)
[Legal Review Raftelis Financial Consultants, Inc](#)
[RFP-19632-RATE STUDY_Daytona Beach](#)
[CONTRACT executed](#)
[Contract Renewal RPF 19632_No 1](#)
[Contract Renewal RPF 19632_No 2](#)

This Request was approved.

7. REGULAR AGENDA:**7.A.**

RESOLUTION NO. 12-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER

REQUEST TO SECTION 4.4.13(I)(3)(B)1. OF THE LAND DEVELOPMENT REGULATIONS APPROVING VEHICULAR ACCESS FROM A PRIMARY STREET, WHEREAS THE ALLEY SHOULD BE THE PRIMARY SOURCE OF VEHICULAR ACCESS TO OFF-STREET PARKING FOR THE PROPERTY LOCATED AT 605 NE 2ND STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 12-24 Access from a Primary Street](#)
[Edge at Pineapple Grove - PZB Staff Report](#)
[Waiver Justification](#)
[Site Plan and Elevations](#)
[Site Plan presented at PZB](#)
[Landscape Plans](#)
[DDA Recommendation](#)
[Legal Review Res. No. 12-24 Access from a Primary Street](#)

Mayor Gelin entered Resolution No.12-24 into the record.

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

Katerri Johnson, City Clerk, swore in those individuals who wished to provide testimony on this item.

Mayor Carney asked his colleagues to disclose any ex-parte communications for Resolution No 12-24.

Vice Mayor Casale: Spoke with some residents regarding the Edge and what is on the City's Server.

Deputy Vice Mayor Long: Spoke with the applicant and residents.

Commissioner Burns: Whatever is on the City's server.

Commissioner Markert: Spoke with residents.

Mayor Carney: Spoke with the applicant and residents.

Anthea Gianniotis, Development Services Director entered File No. 2022-008 into the record.

Attorney Christina Bilenki was present on behalf of her client for this item. She provided an aerial view of the property and its surroundings.

Chris Heggen, a Traffic Engineer with Kimely Horn, provided additional traffic data to support the applicant's waiver request.

Anthea Gianniotis presented a staff report on this item. She stated that after several meetings with neighbors, they requested the project be modified to adopt a more tropical modern style. Ms. Gianniotis acknowledged the Planning and Zoning Board approved the project on April 15, 2024, with a 5-2 vote, with the condition that the one-way access circulates.

Mayor Carney opened the floor to public comments on this item.

Jill Schifferli, 321 Pine Trail, Delray Beach
Favored the waiver not being approved.

Jack Indebu, 419 NE 8 Avenue, Delray Beach
Stated the proposed project was unsafe and requested the waiver not be approved.

Mark Ronald, 722 NE 2 Street, Delray Beach
Stated he disagreed with the applicant's statement and requested the Commission not to approve the request.

Cynthia Lloyd, 239 NE 7 Avenue, Delray Beach
Stated the findings from the paid experts were inaccurate and requested the Commission not to approve this waiver.

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

Christine Bilenki responded to the resident's comments with a rebuttal. She stated the project changes resulted from numerous meetings with the residents.

Discussion ensued amongst the Commission.

Deputy Vice Mayor Long addressed the resident's comments and noted the Planning and Zoning Board approved this item on April 15, 2024.

Commissioner Merkert expressed his concern about the parking.

Vice Mayor Casale inquired about previously submitted versions for entering and exiting the area.

Mayor Carney expressed his concern about the challenges posed by this site.

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: 4 - Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

No: 1 - Deputy Vice Mayor Long

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](#)

[Dobson](#)

[Dumitrescu](#)

[Land](#)

[Olieberg](#)

[Petillo](#)

[Thompson](#)

[Tartaro](#)

The Commissioner brought forward a discussion on improving strategies for vetting the candidates.

Ms. Gelin suggested modifying the application to serve on a board and stated she would investigate the applications implemented by the neighboring municipalities.

Mayor Carney acknowledged that it would be a good step in improving the board's composition.

Deputy Vice Mayor Long nominated Tartaro to serve on the Affordable Housing Advisory Committee, seconded by Vice Mayor Casale. The motion carried by the following:

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

approved

Vice Mayor Casale nominated Dobson to serve on the Affordable Housing Advisory Committee, second by Deputy Vice Mayor Long. The motion carried by the following:

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

approved

Commissioner Burns nominated Land to serve on the Affordable Housing Committee, seconded by Vice Mayor Casale. The motion carried by the following:

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

approved

Mayor Carney deferred his nomination until the next meeting.

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 Map](#)

[Cohn](#)

[Dockerty](#)

Mayor Carney nominated Cohn to serve on the Downtown Development Authority Board, seconded by Vice Mayor Casale. The motion carried by the following:

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

approved

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. None

9. FIRST READINGS:

- 9.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. (FIRST READING)

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](#)

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

A motion was made by Vice-Mayor Casale, seconded by Commissioner Markert, that this Ordinance 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.

- 9.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. (FIRST 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](#)

Lynn Gelin entered Ordinance No. 11-24 into the record.

A motion was made by Vice-Mayor Casale, seconded by Commissioner Markert, that this Ordinance 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.

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

Advised there will be an Education Board presentation regarding the allocation of funds from the Caron Foundation on June 4th.

B. City Attorney

None.

C. City Commission

Vice Mayor Casale:

Discussed the code enforcement policy regarding artificial turf.

Stated Code Enforcement's web page was not searchable.

Discussed waiver notice requirements.

Acknowledged a board applicant must have a physical location lease to qualify for a seat on a board.

Requested the Commission reconsider installing the speed cameras.

Requested a proclamation for Addie Lee Hudson.

Mayor Carney:

Suggested scheduling a Special Meeting with the golf course developers to discuss the renovations.

There was a discussion amongst the Commission to schedule a Special Meeting on May 21, 2024 @ 3:00 p.m. to allow the applicants who submitted an RFP to manage the Crest Theatre an opportunity to give a presentation on their proposal.

There was a consensus to schedule the meeting.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 8:38 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.