



City of Delray Beach

100 N.W. 1st Avenue
Delray Beach, FL 33444

Cover Memorandum/Staff Report

File #: 26-0053

Agenda Date: 2/3/2026

Item #: 9.A.

TO: Mayor and Commissioners
FROM: Lynn Gelin, City Manager
THROUGH: Terrence R. Moore, ICMA-CM
DATE: February 3, 2026

ORDINANCE NO. 03-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", SECTION 32.64, "QUALIFICATIONS", TO CLARIFY THE CRITERIA FOR APPOINTMENT OF BOARD MEMBERS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

Recommended Action:

Motion to Approve Ordinance 03-26.

Background:

In 2005, the City Commission created the Police Advisory Board based on the recommendations of the Mayor's Advisory Committee on R.A.C.E. relations. Since its creation, the Police Advisory Board has served as an advisory body to the Chief of Police, the City Manager, and the City Commission on policy and resource issues.

On November 13, 2025, the City received correspondence from the Director of Civil Rights of the Office of the Attorney General advising the City that a complaint had been brought forward regarding "potential equal protection concerns related to the City of Delray Beach's appointment process for the Police Advisory Board." Specifically, the Office of the Attorney General received a complaint about an advertisement on the City's Facebook page stating, "the City Commission shall endeavor to include as many racial and ethnic minority members as possible [for appointment to the Police Advisory Board]." While Section 32.64 of the Code of Ordinances, in its current state, seeks membership that represents a diverse cross-section of the community, the Office of the Attorney General has advised that the language contained in subsection C "appears to suggest a racial or ethnic preference and that individuals who are not members of racial or ethnic minorities may be disadvantaged in the appointment process, regardless of their qualifications, experience, or commitment to serving their community."

This proposed ordinance was submitted to the Office of the Attorney General on November 20, 2025.

City Attorney Review:

Approved as to form and legal sufficiency.

Funding Source/Financial Impact:

Please include a comprehensive and complete fiscal analysis of the item and full justification.