

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Regular Commission Meeting

Regular Meeting at 5:00 PM

Monday, December 8, 2025

Commission Chambers

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/@cityofdelraybeachfl/streams>

City Commission

Mayor Thomas F. Carney, Jr.

Vice Mayor Rob Long

Deputy Vice Mayor Angela Burns

Commissioner Tom Markert

Commissioner Juli Casale

RULES FOR PUBLIC PARTICIPATION

PUBLIC COMMENT: City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor, presiding officer or a consensus of the City Commission has discretion to adjust the amount of time allocated.

Public comment shall be allowed as follows:

- A.** Comments and Inquiries on Non-Agenda and Agenda Items (excluding public hearing or quasi-judicial hearing items) from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- B.** Public Hearings/Quasi-Judicial Hearings: Any citizen is entitled to speak on items under these sections at the time these items are heard by the Commission.
- C.** All persons desiring to do a presentation on agenda or non-agenda items that are on a portable flash drive device or a CD/DVD, must provide their media to the City Clerk no later than 12:00 p.m. one day prior to the meeting where they wish to present.

SIGN IN SHEET: Prior to the start of the Commission Meeting, individuals wishing to address the Commission should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the to speak, please complete the sign-in sheet if you have not already done so.

ADDRESSING THE COMMISSION: At the appropriate time, please step up to the lectern and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

APPELLATE PROCEDURES

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

1. ROLL CALL**2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL**

3.A. Additions, Deletions, Substitutions

4. PRESENTATIONS:**4.A. RESOLUTION NO. 242-25 TARD MCCOY 30 YEARS OF SERVICE**

Recommendation: Motion to Approve Resolution No. 242-25 honoring Tard McCoy for 30 years of service.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[242.25 Resolution Tard McCoy-](#)

4.B. PRESENTATION BY MAT FORREST OF BALLARD PARTNERS

Recommendation: The Commission is asked to receive a verbal presentation by Mat Forrest of Ballard Partners, the lead lobbyist with the Firm for the City of Delray Beach on State legislative matters and provide input on items of priority to the city.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

4.C. PRESENTING OUTGOING VICE MAYOR ROB LONG WITH AN AWARD FOR HIS TIRELESS WORK AND DEDICATION TO THE CITY OF DELRAY BEACH.

Sponsors: City Manager Department

4.D. CLEARGOV BUDGET PRESENTATION

Recommendation: N/A

Sponsors: Finance Department

5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:

5.A. City Manager's response to inquiries and highlights

5.A.1. CLARITY REGARDING UTILITY BILLING PAYMENT ADMINISTRATION

Sponsors: City Manager Department

5.B. From the Public

6. CONSENT AGENDA: City Manager Recommends Approval**6.A. CITY COMMISSION MEETING MINUTES**

Recommendation: Motion to approve meeting minutes as listed below:

October 21, 2025 Regular Meeting Minutes - DRAFT
October 29, 2025 Special Meeting Minutes - DRAFT
November 4, 2025 Regular Meeting Minutes - DRAFT
November 18, 2025 Workshop Meeting Minutes - DRAFT

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[October 21, 2025 Regular Meeting Minutes - DRAFT.pdf](#)
[October 29, 2025 Special Meeting Minutes - DRAFT.pdf](#)
[November 4, 2025 Regular Meeting Minutes - DRAFT.pdf](#)
[November 18, 2025 Workshop Meeting Minutes - DRAFT.pdf](#)

6.B. APPROVAL OF AN INTERLOCAL AGREEMENT (ILA) BETWEEN THE CITY OF BOYNTON BEACH AND THE CITY OF DELRAY BEACH FOR FUNDING THE CONSTRUCTION PHASE OF SE 36TH AVENUE/GULFSTREAM BOULEVARD IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$1,500,000.00

Recommendation: Motion to approve an ILA between the City of Boynton Beach and City of Delray Beach and for funding the Construction Phase of SE 36th Avenue/Gulfstream Boulevard Improvements in an amount not to exceed \$1,500,000.00.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[ILA - City of Delray Beach - Construction - SE 36 Ave. FINAL](#)
[Legal Review ILA - City of Delray Beach - Construction - SE 36 Ave](#)
[Amendment No. 1 - ILA_Engineering Design of SE 36th Ave. \(Gulfstream Blvd.\)](#)
[ILA_Engineering Design of SE 36th Ave. \(Gulfstream Blvd.\)](#)

6.C. APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES - FY 2025-2026

Recommendation: Approve the Interlocal Agreement (ILA) between the City of Delray Beach (City) and Delray Beach Community Redevelopment Agency (CRA) for funding Construction/Professional Services related to Capital Improvement Program (CIP) projects within the CRA District for Fiscal Year 2025-2026.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[FY25-26 ILA CRA CITY for Funding Construction Professional Services](#)
[Legal Review FY25-26 ILA CRA CITY for Funding Construction Professional S](#)

- 6.D.** APPROVAL OF RESOLUTION NO. 264-25 FOR THE ISSUANCE OF PURCHASE ORDERS TO THE PETERBILT STORE SOUTH FLORIDA LLC; SBL FREIGHTLINER, LLC; DELAND TRUCK CENTER, INC.; GLADE & GROVE SUPPLY CO INC; BOZARD FORD CO.; AMERI-RECREATIONAL SPORTS, LLC.; ALAN JAY IMPORT CENTER, INC.; ALAN JAY CHEVROLET-CADILLAC; ALAN JAY FORD LINCOLN MERCURY INC.; BRIGGS INDUSTRIAL SOLUTIONS, INC.; AND ALTA ENTERPRISES LLC DBA ALTA CONSTRUCTION EQUIPMENT FLORIDA LLC, UTILIZING FLORIDA SHERIFF'S ASSOCIATION CONTRACTS NO. FSA25-VEH23.0, FSA25-VEL33.0, AND FSA23-EQU21.1, AND SOURCEWELL CONTRACTS NO. 082923-CNH, 091521-NAF, 091024-WVE AND 011723-VCE FOR THE PURCHASE OF NEW VEHICLES IN THE AMOUNT OF \$3,425,336.00

Recommendation: Motion to approve Resolution No. 264-25 for the issuance of Purchase Orders to The Peterbilt Store South Florida LLC; SBL Freightliner, LLC; Deland Truck Center, Inc.; Glade & Grove Supply Co Inc; Bozard Ford Co.; Ameri-Recreational Sports, LLC.; Alan Jay Import Center, Inc.; Alan Jay Chevrolet-Cadillac; Alan Jay Ford Lincoln Mercury Inc.; Briggs Industrial Solutions, Inc.; and Alta Enterprises LLC dba Alta Construction Equipment Florida LLC, utilizing Florida Sheriff's Association Contracts No. FSA25-VEH23.0, FSA25-VEL33.0, and FSA23-EQU21.1, and Sourcewell Contracts No. 082923-CNH, 091521-NAF, 091024-WVE and 011723-VCE for the purchase of new vehicles in the amount of \$3,420,336.00; authorizing the City Manager to execute any amendments and/or renewals thereto and take any and all actions necessary to effectuate the intent of this resolution; providing an effective date; and for other purposes.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
 [Exhibit A](#)
 [Exhibit B](#)
 [Quotes - Replacement Vehicles](#)
 [Quotes - Additional Vehicles](#)
 [FSA25-VEH23.0 Heavy Trucks & Buses](#)
 [FSA25-VEL33.0 Pursuit & Other Vehs](#)
 [FSA23-EQU21.1 Equipment](#)
 [Sourcewell Contract 082923-CNH Ag Tractors](#)
 [Sourcewell Contract 091521-NAF Autos & Other Vehs](#)
 [Sourcewell Contract 091521-NAF Extension](#)
 [Sourcewell Contract 091024-WVE Golf & Rec Vehicles](#)
 [Sourcewell Contract 011723-VCE Excavator](#)
 [Reso No. 264-25](#)
 [Simple Legal Review Approval Reso 264-25](#)

- 6.E.** APPROVAL OF RESOLUTION NO. 230-25 APPROVING A GRANT AGREEMENT (L0179) WITH THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) TO PROVIDE PARTIAL FUNDING FOR CONSTRUCTION OF THE DELRAY BEACH GULFSTREAM BOULEVARD AND SE 36TH AVENUE STREETScape IMPROVEMENTS PROJECT IN THE AMOUNT OF \$1,000,000.00

Recommendation: Motion to Approve Resolution No. 230-25 approving a grant agreement (L0179) with the FDEP to provide partial funding for Delray Beach Gulfstream Boulevard and SE 36th Avenue Streetscape Improvements Project (Public Works Project No. 17-010) in the amount of \$1,000,000.00; authorizing the City Manager to execute any amendments and/or renewals thereto and take any and all actions necessary to effectuate the intent of this resolution; providing an effective date; and for other purposes.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
 [Reso No. 230-25](#)
 [Agreement L0179 Gulfstream Blvd SE 36th Ave Improvements](#)
 [Simple Legal Review - FDEP Grant Agreement L0179](#)

- 6.F.** APPROVAL OF ADDITIONAL SPENDING AND CONTRACT INCREASE WITH REP SERVICES, INC. FOR PARK EQUIPMENT AND PARTS AT MIKE MACHEK PARK IN THE AMOUNT OF \$24,699.76 FOR A REVISED CONTRACT VALUE OF \$159,564.45

Recommendation: Motion to approve additional spending and a contract increase to the Master Services Agreement with REP Services, Inc. for Park Equipment and Parts at Mike Machek Park in the amount of \$24,699.76 for a revised contract amount of \$159,565.45.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
 [REP Machek Concrete 2025.pdf](#)
 [REP Executed Agreement P2025-041.pdf](#)
 [Clay County Contract.pdf](#)

- 6.G.** APPROVAL OF ADDITIONAL SPENDING AND CONTRACT INCREASE WITH SHADE SYSTEMS, INC FOR THE PURCHASE AND INSTALLATION OF SUNSHADE STRUCTURES AT LAKEVIEW PARK AND LEON WEEKES ENVIRONMENTAL PRESERVE IN THE AMOUNT OF \$222,582.10 FOR A REVISED CONTRACT VALUE OF \$507,148.10

Recommendation: Motion to approve additional spending and a contract increase to the Master Services Agreement with Shade Systems, Inc. for the Purchase and Installation of Sunshade Structures at Lakeview Park and Leon Weekes Environmental Preserve in the amount of \$222,582.10 for a revised contract amount of \$507,148.10.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
 [Shade Systems- Lakeview Park - 11-6-25.pdf](#)
 [Shade Systems - Leon Weekes Environmental Park - 11-6-25.pdf](#)
 [Res. No. 159-25 Agreement withShade Systems P2025-032 MSA.pdf](#)
 [FINAL Digital Copy IFB 24-13 Sun shade Structures R.pdf](#)

- 6.H.** HOLD HARMLESS AGREEMENT FOR 12 NE 5TH AVENUE

Recommendation: Motion to approve and accept a Hold Harmless Agreement in favor of the City at 12 NE 5th Avenue.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
 [Hold Harmless Agreement for Work Performed in the State ROW 12 NE 5th A](#)
 [Legal Review Hold Harmless for Work in State ROW - NE 5th Ave LLC - 12 NE](#)

- 6.I.** APPROVAL OF RESOLUTION NO. 227-25, APPROVING THE ISSUANCE OF A PURCHASE ORDER TO TRADEWINDS POWER CORPORATION NORTH; UTILIZING FLORIDA SHERIFF'S ASSOCIATION CONTRACT NO. FSA23-EQU21.0, FOR THE PURCHASE OF FOUR (4) MOBILE GENERATORS AND TWO (2) LOAD BANK TESTERS, IN A TOTAL AMOUNT NOT TO EXCEED \$450,650.

Recommendation: Motion to approve Resolution No. 227-25, approving the issuance of a Purchase Order to Tradewinds Power Corporation North; utilizing the Florida Sherrif's Association Contract No. FSA23-EQU21.0, for the purchase of four (4) mobile generators, and two (2) load bank testers, in a total amount not to exceed \$450,650.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Resolution 227-25 for Issuance of a Purchase Order](#)
[Simple Legal Review Approval 227-25](#)
[FSA23-EQU21.0 Extension](#)

6.J. FUNDING AGREEMENT INVOLVING CREATIVE CITY COLLABORATIVE OF DELRAY BEACH, INC. D/B/A ARTS GARAGE FOR \$275,000

Recommendation: Consider a motion to approve the Funding Agreement in the amount of \$275,000 with Creative City Collaborative of Delray Beach, Inc. d/b/a Arts Garage.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[2025-26 Creative City Collaborative of Delray Beach dba Arts Garage Funding /](#)
[Arts Garage Funding Agreement LRC](#)

6.K. APPROVAL OF AMENDMENT NO. 4 TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE DELRAY BEACH DOWNTOWN DEVELOPMENT AUTHORITY

Recommendation: Motion to Approve Amendment No. 4 to the Interlocal Agreement between the City of Delray Beach and the Delray Beach Downtown Development Authority.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Amendment No. #4 to ILA with DDA lg rev2 11-30-2025](#)
[LRC Amend No 4 to ILA with DDA](#)

6.L. PROCLAMATIONS:

6.L.1. None

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

6.M.1. None

6.N. AWARD OF BIDS AND CONTRACTS:

6.N.1. APPROVAL OF RESOLUTION NO. 262-25 TO AWARD A SOLE SOURCE AGREEMENT WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC. (ESRI) FOR AN ENTERPRISE LICENSING AGREEMENT - \$210,900

Recommendation: Motion to approve Resolution No. 262-25 to award an Enterprise Licensing Agreement to Environmental Systems Research Institute, Inc. (ESRI), as the city standard for ArcGIS Software in an amount not to exceed \$210,900 over a three-year period.

Sponsors: IT Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist ESRI - GIS Services](#)
[Res 262-25 - GIS Software - ESRI](#)
[SS2026-001 Enterprise Software Agreement](#)
[SS2026-001 Enterprise Software Addendum\(ESRI\)](#)
[Ex A - Res 262-25 - Sole Source ESRI - GIS](#)

6.N.2. APPROVAL OF RESOLUTION NO. 221-25 TO AWARD AN AGREEMENT WITH AL PACKER, INC. FOR THE PURCHASE OF FORD OWNER MANUFACTURER (OEM) VEHICLE PARTS AND SUPPLIES UTILIZING SOURCEWELL REQUEST FOR PROPOSAL (RFP) NO. 080124 IN THE AMOUNT OF \$720,000.00

Recommendation: Motion to approve Resolution No. 221-25 to award an agreement to Al Packer, Inc., for the purchase of Ford OEM vehicles parts and supplies utilizing Sourcewell RFP No. 080124 in the amount of \$720,000.00; authorizing the City Manager to execute any amendments and/or renewals thereto and take any and all actions necessary to effectuate the intent of this resolution; providing an effective date; and for other purposes.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[MSA Al Packer Ford](#)
[Resolution 221-25](#)
[Exhibit B Insurance](#)
[Legal Review Checklist OEM Auto Al Packer 2025](#)
[Sourcewell MSA #080124-FMC Pricing Sheet](#)
[Sourcewell MSA #080124-FMC](#)
[Sourcewell RFP #080124 and Addendums](#)

6.N.3. APPROVE RESOLUTION NO. 223-25 APPROVING AN AGREEMENT WITH FAST-DRY COURTS, LLC FOR TENNIS HARD COURT RESURFACING PURSUANT TO INVITATION TO BID 2026-001 IN A NOT TO EXCEED AMOUNT OF \$305,000.00

Recommendation: Motion to approve Resolution No. 223-25 approving an agreement with Fast-Dry Courts, LLC for Tennis Hard Court Resurfacing on an as-needed basis, pursuant to Invitation to Bid 2026-001 in a not to exceed amount of \$305,000.00 and authorizing the City Manager to execute any amendments or renewals, subject to funding availability and appropriation of funds.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 223-25.pdf](#)
[LR Tennis Hard Court Resurfacing 2025.pdf](#)
[FastDry Agreement ITB2026-001 Tennis Hard Court Resurfacing rev. kwb.doc](#)
[ITB2026-001 FastDry Exhibit A.pdf](#)
[ITB2026-001 Tennis Hard Court Resurface 2025.pdf](#)
[Bid Response - ITB No.2026-001 - Fast Dry Courts - Job#22828](#)

6.N.4. APPROVAL OF RESOLUTION NO. 261-25 APPROVING AN AGREEMENT WITH WATERFIELD FLORIDA STAFFING, LLC D/B/A STAFFING CONNECTION FOR SCHOOL CROSSING GUARD SERVICES, UTILIZING THE CITY OF PARKLAND REQUEST FOR PROPOSAL #2022-09 IN THE NOT-TO-EXCEED ESTIMATED AMOUNT OF \$588,396.

Recommendation: Motion to approve Resolution No. 261-25 to award an Agreement to Waterfield Florida Staffing, LLC d/b/a Staffing Connection for School Crossing Guard Services, utilizing City of Parkland Request for Proposal #2022-09 in the estimated amount of \$588,396.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[P2026-012 School Crossing Guards Services lw rev.pdf](#)
[Resolution No 261-25 P2026-012 lw 1.docx](#)
[Exhibit A Fee Sheet.pdf](#)
[Exhibit B.pdf](#)
[RFP 2022-09 School Crossing Guard Services RFA.pdf](#)
[RFP 2022-09 Solicitation.pdf](#)
[2022-038 School Crossing Guard Services.pdf](#)
[Renewal Acceptance 2022-09 School Crossing Guard Renewal 1 2024-25 Res](#)
[Contract Renewal #2 Vendor Notice - Vendor - Signed.pdf](#)
[NO USE OF COERCION LABOR AND SERVICES Delray Affidavit.pdf](#)
[Legal Review Checklist MSA Waterfield Florida Staffing, LLC.pdf](#)

6.N.5. APPROVAL OF RESOLUTION NO. 216-25 UNDER AN APPROVED CITY STANDARD CS2026-001 WITH DATA FLOW SYSTEMS, LLC., THE SOLE SOURCE OF TAC II SCADA PROPRIETARY SYSTEM FOR REMOTE MONITORING AND CONTROL OF WATER AND WASTEWATER UTILITIES ACTIVITIES, IN THE AMOUNT OF APPROXIMATELY (\$40,000 PER YEAR), FOR TOTAL CONTRACT VALUE OF \$200,000.

Recommendation: Approval of Resolution No. 216-25, under an approved City Standard CS2026-001 with Data Flow Systems, LLC., the sole source of TAC II Scada proprietary system for remote monitoring and control of water and wastewater utilities activities, in an amount of (\$40,000 per year), for a total contract value of \$200,000.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Res 216-25 ct 10.21.25](#)
[CS2026-001 LR](#)
[Exhibit A](#)
[Insurance Exhibit B](#)
[CS2026-001 Supervisory Control and Data Acquisition System](#)

6.N.6. APPROVAL OF RESOLUTION NO. 224-25 AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH BOUND TREE MEDICAL, LLC FOR THE PURCHASE OF EMS MEDICAL SUPPLIES UTILIZING BREVARD COUNTY ITB B-7-23-56

Recommendation: Motion to approve Resolution No. 224-25, authorizing the City to enter into an Agreement with Bound Tree Medical, LLC for EMS medical supplies utilizing pricing and terms established under Brevard County Invitation to Bid (ITB) B-7-23-56. Approval of the Agreement allows the City to procure essential EMS medical supplies through a cooperative "Piggyback" contract mechanism in accordance with Section 25 of the City's Purchasing Policies.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Res 224-25 rev. 11.21.25](#)
[P2026-008 EMS Medical Supplies rev. kwb. 11.21](#)
[Legal Review Checklist EMS Medical Supplies](#)
[Exhibit A](#)
[Original Solicitation B-7-23-56 EMS Supplies](#)
[REVISED NOA B72356 EMS Supplies](#)

7. REGULAR AGENDA:

7.A. APPROVAL OF AMENDMENT NO. 3 TO PROGRESSIVE DESIGN-BUILD AGREEMENT (DBIA) CONTRACT NO. 545, PURSUANT TO RFQ NO. 2023-066, (PROJECT NO. 23-005U), WITH CDM CONSTRUCTORS, INC., FOR PHASE II, ENGINEERING SERVICES DURING CONSTRUCTION (ESDC) IN A GUARANTEED MAXIMUM PRICE (GMP) OF \$228,924,854.

Recommendation: Motion to approve Amendment No. 3, to Progressive Design-Build Agreement (DBIA) Contract No. 545, pursuant to RFQ No. 2023-066, (Project No. 23-005U) with CDM Constructors, Inc., for Phase II, Engineering Services During Construction (ESDC) in a Guaranteed Maximum Price (GMP) of \$228,924,854.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)

[Amd #3 to RFQ 2023-066 - GMP and Phase II - Progressive Design Build Wate](#)

[Ex A - Amd #3 to RFQ 2023-066 - GMP and Phase II - Progressive Design Buil](#)

[Legal Review Amd #3 to RFQ 2023-066 - GMP and Phase II - Progressive Desi](#)

- 7.B.** RESOLUTION NO. 266-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO SECTION 4.4.3(F)(2)(B) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A FLOOR AREA RATIO OF 0.44 FOR THE PROPERTY LOCATED AT 101 NW 17TH STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Recommendation: Review and consider a resolution approving a waiver request to the maximum floor area ratio for 101 NW 17th Street.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Reso No 266-25 FAR Waiver 101 NW 17th ST](#)

[101 NW 17th ST - Plans](#)

[Justification Statement](#)

[101 NW 17th ST - Survey](#)

[Simple Legal Review Lake Ida Waiver Reso](#)

- 7.C.** RESOLUTION NO. 238-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO SECTION 4.4.13(F)(4) (b)2.OF THE 2013 LAND DEVELOPMENT REGULATIONS TO REDUCE THE FRONT SETBACK REQUIREMENT FROM FIVE FEET TO TWO FEET SIX INCHES, FOR THE PROJECT LOCATED AT 601 AND 777 EAST ATLANTIC AVENUE, ALSO KNOWN AS ATLANTIC CROSSING, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Recommendation: Review and consider Resolution No. 238-25, approval of a waiver request to reduce the required front setback from five feet to two feet and six inches along a portion of Building IV-S adjacent to NE 7th Avenue, associated with a Level 1 Site Plan modification for Atlantic Crossing.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 238-25 Waiver Setback, Atlantic Crossing](#)
[Staff Report, Atlantic Crossing](#)
[Waiver Exhibits, Atlantic Crossing](#)
[Justification Statement, Atlantic Crossing](#)
[2013 LDR 4.4.13 CBD](#)
[Legal Review Resolution No. 238-25 Waiver Setback, Atlantic Crossing](#)

- 7.D.** RESOLUTION NO. 239-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A LEVEL 4 SITE PLAN, ARCHITECTURAL ELEVATIONS, AND LANDSCAPE PLAN AND APPROVING A WAIVER TO SECTION 4.4.12(F)(2) OF THE LAND DEVELOPMENT REGULATIONS TO REDUCE THE MINIMUM FLOOR AREA OF 6,000 SQUARE FEET TO 2,578 SQUARE FEET, FOR THE PROJECT KNOWN AS FIFTH THIRD BANK, LOCATED AT 1820 SOUTH FEDERAL HIGHWAY, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Recommendation: Review and consider Resolution No. 239-25, approval of a Level 4 Site Plan Modification, with Architectural Elevations and Landscape Plan, for Fifth Third Bank to demolish the existing building at 1820 South Federal Highway and construct a one-story standalone branch bank with a drive-thru and a waiver to reduce the minimum floor area.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 239-25 Level 4 Site Plan with Wavier, Fifth Third](#)
[Staff Report, Fifth Third Bank](#)
[Project Narrative, Fifth Third Bank](#)
[Justification for Parapet Height, Fifth Third Bank](#)
[Justification Statement for Floor Area Waiver, Fifth Third Bank](#)
[Architectural Plans, Fifth Third Bank](#)
[Civil Plans, Fifth Third Bank](#)
[Landscape Plans, Fifth Third Bank](#)
[Arborist Report, Fifth Third Bank](#)
[Photometric Plans, Fifth Third Bank](#)
[Performance Standards Letter, Fifth Third Bank](#)
[TPS Letter, Fifth Third Bank](#)
[Legal Review Resolution No. 239-25 Level 4 Site Plan with Wavier, Fifth Third](#)

- 7.E.** RESOLUTION NO. 220-25 AMENDING THE FISCAL YEAR 2025-26 BUDGET ADOPTED BY RESOLUTION NO.198-25 ON SEPTEMBER 15, 2025.

Recommendation: Motion to Approve Resolution No.220-25 amending the Fiscal Year 2025-26 budget adopted on September 15, 2025.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution 220-25 Budget Amendment FY 2026](#)
[Exhibit A 220-25 with backup final](#)
[Legal Review Res 220-25 Budget Amendment FY 25-26](#)

7.F. NOMINATION FOR AN INTERIM APPOINTMENT TO VICE MAYOR LONG'S SEAT (#2).

Recommendation: Due to the resignation of Vice Mayor Rob Long, a seat on the Commission is now vacant.

Please see Exhibit "A" for individuals who have submitted applications and would like to be appointed in an interim capacity until the end of the term.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Cannon, Paul](#)
[MacNamee, Kenneth](#)
[Morrison, Christina](#)
[Odom, Yvonne](#)
[Patton, Price](#)

7.G. NOMINATIONS FOR APPOINTMENTS TO THE VISION 2035 COMMITTEE

Recommendation: Motion to approve appointments of committee members made by each elected official.

Sponsors: City Clerk Department

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 37-25: 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 2.4.11, "RELIEF," SUBSECTION (E), "REQUESTS FOR ACCOMMODATION," TO REQUIRE A REASONABLE ACCOMMODATION REQUEST BE SUBMITTED IN WRITING, TO MODIFY THE AMOUNT OF TIME TO REQUEST ADDITIONAL INFORMATION AND TO MAKE A FINAL DETERMINATION, TO REQUIRE ANY DENIAL OF A REASONABLE ACCOMMODATION REQUEST TO STATE OBJECTIVE, EVIDENCE-BASED REASONS FOR THE DENIAL, TO COMPORT WITH RECENT CHANGES TO STATE LAW; PROVIDING A CONFLICTS CLAUSE; A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING / PUBLIC HEARING)

Recommendation: Consider Ordinance No. 37-25, amending LDR Section 2.4.11, "Relief," Subsection (E), "Requests for Accommodation," to comport with changes to State law.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 37-25, Reasonable Accommodations](#)
[CSSB 954](#)
[Legal Review, Ordinance No. 37-25](#)
[Business Impact Estimate, Ordinance No. 37-25](#)
[Proof of Legal Advertisement, Ordinance No. 37-25](#)

- 8.B.** ORDINANCE NO. 31-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 33, "POLICE AND FIRE-RESCUE DEPARTMENTS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING "POLICE OFFICERS' RETIREMENT SYSTEM," SECTION 33.64, "CONTRIBUTIONS", PROVIDING FOR THE REMOVAL OF INTEREST FROM A MEMBER'S REFUND OF CONTRIBUTIONS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Motion to approve proposed Ordinance amendment to cease further crediting, accumulation, and payment of interest on return of employee contributions from the Police Officers' Retirement System to employees who separate from City service.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Ordinance Legal Review Police Pension](#)
[POLICE approved BIE for 31-25 Oct 2025](#)
[AIS for 31-25 11.06.25](#)
[POLICE Ord. No. 31-25](#)

- 8.C.** ORDINANCE NO. 32-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 33, "POLICE AND FIRE-RESCUE DEPARTMENTS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING "FIREFIGHTERS' RETIREMENT SYSTEM," SECTION 33.78, "CONTRIBUTIONS"; PROVIDING FOR THE REMOVAL OF INTEREST FROM A MEMBER'S REFUND OF CONTRIBUTIONS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND OTHER PURPOSES. (SECOND READING)

Recommendation: Motion to approve proposed Ordinance amendment to cease further crediting, accumulation, and payment of interest on return of employee contributions from the Firefighters' Retirement System to employees who separate from City service.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Ordinance Legal Review Fire Pension](#)
[FIRE approved BIE for 32-25 Oct 2025](#)
[AIS for 32-25 11.06.25](#)
[FIRE Ord No. 32-25](#)

- 8.D.** ORDINANCE NO. 33-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 35, "EMPLOYEE POLICIES AND BENEFITS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING "RETIREMENT PLAN," SECTION 35.095, "CONTRIBUTIONS OF PARTICIPANT AND CITY"; PROVIDING FOR THE REMOVAL OF INTEREST FROM A PARTICIPANT'S REFUND OF CONTRIBUTIONS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Motion to approve proposed Ordinance amendment to cease further crediting, accumulation, and payment of interest on return of employee contributions from the General Employees' Retirement Plan to employees who separate from City service.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Ordinance Legal Review GE](#)
[GE approved BIE for 33-25 Oct 2025](#)
[AIS for 33-25 11.06.25](#)
[GE Ord No. 33-25](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 35-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 99, "NOISE CONTROL," BY REPEALING THE ADOPTED CHAPTER 99 IN ITS ENTIRETY AND READOPTING SAME, AS REVISED, IN ORDER TO AMEND AND UPDATE THE CITY'S REGULATIONS FOR THE APPROPRIATE LEVEL OF NOISE OUTPUT ORIGINATING WITHIN THE LIMITS OF THE CITY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Motion to Approve Ordinance 35-25.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 35-25 Chapter 99 lg rev 11-20-25](#)
[Ex A to Noise Ordinance 11-20-2025](#)
[Ex B to Noise Ordinance for wksp lg rev 11-20-2025](#)
[Delray Beach - 2024 Sound Test Results and Analysis](#)

- 9.B.** ORDINANCE NO. 36-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING TITLE 3, "ADMINISTRATION," CHAPTER 35, "EMPLOYEE POLICIES AND BENEFITS," SECTION 35.0001, "DEFINITIONS", SECTION 35.002, "APPLICATION; EXCLUSIONS," AND SECTION 35.003, "ADOPTION OF CODE OF RULES AND REGULATIONS" TO RENAME EACH SECTION AND UPDATE THE CITY'S PERSONNEL SYSTEM; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Motion to approve Ordinance 36-25.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Update to Ch 35 personnel policies and procedures lg rev2 11-17-25..](#)
[Ordinance Legal Review 36-25](#)
[Business Impact Estimate 36-25](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission

10.C. DISCUSSION REGARDING CROQUET / LAWN BOWLING AREA

1.

Sponsors: Carney and Jr.

11. ADJOURNMENT

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.