City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444 Phone: (561) 243-7000 www.delraybeachfl.gov



Minutes - Draft

Tuesday, August 19, 2025 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 Rob Long
Deputy Vice Mayor Angela Burns
Commissioner Tom Markert
Commissioner Juli Casale

1. ROLL CALL

The August 19, 2025 Regular City Commission Meeting was called to order at 5:04 p.m. Alexis Givings, City Clerk, called the roll, and the following were present:

Terrence Moore, City Manager Lynn Gelin, City Attorney Alexis Givings, City Clerk

Present: 5 - Commissioner Tom Markert , Mayor Thomas F. Carney Jr., Deputy Vice Mayor Angela Burns, Commissioner Juli Casale, and Vice-Mayor Rob Long

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

3.A. Additions, Deletions, Substitutions

Vice Mayor Long requested that Consent Item No. 6.H.1. be pulled for discussion. Additionally, he asked to present Regular Agenda Item No. 7.H. earlier in the meeting, as many residents were present who wished to speak on this item. Consent Agenda Item No. 6.H.1 became Regular Agenda Item No. 7.B.B. On the Regular Agenda, Item No. 7.H. became Item No. 7.A.A.

A motion was made by Commissioner Markert, seconded by Deputy Vice Mayor Burns, to approve the agenda as amended.

all were in favor

4. PRESENTATIONS:

4.A. PROCLAMATION - COCO GAUFF

Sponsors: City Clerk Department

Attachments: Proclamation - Coco Gauff

Mayor Carney read the proclamation into the record, and the Commission took a photo with Yvonne Odom, Coco Gauff's grandmother. Ms. Odom thanked the City on behalf of Coco and her family.

4.B. RECOGNIZE THE LIFE SAVING ACTION TAKEN BY CAPTAIN JAMES

BAST OF THE DELRAY BEACH FIRE RESCUE DEPARTMENT AND

HIS SON QUINN BAST

Sponsors: Fire Rescue Department

Quinn Bast.19th

Captain Bast_19th

Ronald Martin, Fire Chief, recognized the two for their swift and heroic action in saving a man's life who was in cardiac arrest while they were on vacation. Captain James Bast thanked the Commission for their recognition.

4.C. PRESENTATION BY CITY-FUNDED NON-PROFIT ORGANIZATION THE DELRAY ROCKS FOOTBALL AND CHEERLEADING ORGANIZATION,

INC.

Sponsors: Parks & Recreation Department

Representatives from the Delray Rocks Youth Football and Cheer Organization were present to share the organization's history, which dates back to 1966. This year, they were requesting that the City contribute \$100,000 to their budget for programming and administrative services. They explained that \$36,000 of this amount is allocated for bus travel and transportation fees, stating that the children would have no other means of getting to and from their games.

4.D. PRESENTATION BY THE DELRAY BEACH DOWNTOWN
DEVELOPMENT AUTHORITY (DDA) REGARDING OLD SCHOOL
SQUARE ACTIVITIES AND FY 2025-26 PROPOSED BUDGET.

Sponsors: City Manager Department

Attachments: Agenda Cover Report

Memo - OSS FY25 26 Budget Proposal

Laura Simon, Executive Director of the Downtown Development Authority (DDA), and Susan Boyd, Marketing Director of the DDA, were present to discuss the history and management of Old School Square (OSS) and its campus. Ms. Simon explained that the DDA currently oversees several areas at Old School Square, including the Cornell Art Museum, the Amphitheater, the Vintage Gym, and the lawn, which hosts various exhibits and markets. She outlined the DDA's priorities for 2025-2026, which focused on increasing revenue-generating events, maintaining ongoing activities, and enhancing programming. Additionally, she discussed the capital improvements they hoped the City would undertake, such as upgrades to the restrooms and facilities, and developing a comprehensive plan for the entire campus. Ms. Boyd provided an analysis of the DDA/OSS budget, which included the City's contribution.

Mr. Moore stated that the proposed budget for the City's contribution for the fiscal year 2025-2026 was \$700,000, not \$800,000, as initially proposed.

The Commission engaged in a discussion on the presentation and recognized the DDA's valuable contributions to OSS, establishing Delray as a model City.

Mayor Carney expressed his concerns that the DDA budget had doubled in the past five years.

Mr. Moore recommended that the Internal Auditor examine the DDA's financial records to ensure their accuracy.

There was consensus from the Commission to audit the DDA's financial records.

4.E. FOLLOW-UP CLARITY, DIRECTION, AND TRAJECTORY REGARDING DOWNTOWN PARKING PLAN IMPLEMENTATION

Sponsors: City Manager Department and Public Works Department

Attachments: Agenda Cover Report

Employee Parking:

Missie Barletto, Public Works Director, provided an update on the implementation of the proposed Downtown Parking and Curbside Plan for employee parking. She mentioned that the Commission still needed to give feedback on specific aspects of the proposed plan that were discussed at a Commission meeting in July. She stated that the Parking and Curbside Management Master Plan recommended a month-to-month parking permit option for the downtown employees, which would cost \$15.00 per month. She explained that this option would allow employees to park in any metered spot in the City, except for downtown.

The Commission engaged in a discussion on the feasibility of this model and noted that the City might face financial losses under this structure.

Mayor Carney suggested that store owners take responsibility for their employees' parking, similar to that in surrounding municipalities.

The Commission suggested testing this proposal through a pilot program before adopting it.

There was consensus to initiate a six-month pilot program, charging employees \$10 per month, starting on October 1, 2025, and concluding in April 2026. An update would be provided to the Commission in January 2026.

Surface Parking Lots:

Ms. Barletto discussed the City's current parking program for surface lots, which were currently free but had time limits. She provided the projected revenues for the City based on the proposed rate structures for these lots. She stated that the City targets an 85% occupancy rate in these lots and could adjust the rates and hours as needed. She noted that the annual increase in rates was anticipated to bring the total to just over \$8 million, given the newly proposed rate structure and timing model.

The Commission thanked Ms. Barletto for her efforts.

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. WEST ATLANTIC NEIGHBORHOOD IMPROVEMENT DISTRICT

Sponsors: Neighborhood & Community Services

Attachments: Agenda Cover Report

West Atlantic Neighborhood Improvement District - Performance Review

Jeri Pryor, Neighborhood and Community Services Director, provided an overview of the West Atlantic Neighborhood Improvement District, which was established on October 25, 1968, under Ordinance Nos. 30-88 and 131-88, and encompasses 236 acres of the City. Its primary purpose was to apply for grant funding for planning activities related to the West Atlantic Neighborhood. She reported that an audit revealed the City had no activity for this program from October 1, 2021 to April 30, 2025, and suggested that the City either activate or discontinue the program. If the Commission chooses to activate the program, it would be required to adhere to the strategic guidelines established by the State.

Mr. Moore mentioned that the Commission was not ready to decide that evening whether the City wanted to continue with the program.

Ms. Pryor mentioned that the City had until November to respond to the State.

The Commission engaged in a discussion on whether to move forward with the program, noting the importance of gathering feedback from the community it was intended to serve. They stated that the State has mandated the Community Redevelopment Agency (CRA) for now to contribute to the improvement of the West Atlantic Neighborhood Improvement District.

Mr. Moore suggested organizing a community discussion on Tuesday, September 30th, followed by a presentation to the Commission during the October 21st Regular City Commission meeting, where residents' opinions would be conveyed.

5.B. From the Public

Montre Bennett, 323 NW 2nd Avenue, Delray Beach Discussed ideas for City employee parking and the new speed cameras.

<u>Lucika Suarez</u>, 115 SW 11th Avenue, Delray Beach Mentioned that Immigration and Customs Enforcement (ICE) was targeting specific areas in the City.

Robin Ponce, 801 SW 141 Avenue, Pembrook Pines Spoke about the importance of maintaining the Rainbow Crosswalk.

<u>Echo Moore</u>, 21047 Russlewood Avenue, Boca Raton Discussed the Rainbow Crosswalk and urged the Commission to vote against its removal.

<u>Janet Cohen</u>, 881 Flanders South, Delray Beach
Discussed the Pride Crosswalk as a form of art that attracts tourism.

<u>Greg Weiss</u>, 170 NW 5th Avenue, Delray Beach Discussed the legal ramifications of removing the Pride crosswalk.

<u>Alex Zellaovi</u>, 3011 Linton Blvd, Delray Beach Proposed questions that the City should consider before deciding to remove the Pride Crosswalk.

Marcie Hall, 1400 Dale Lane, Delray Beach Spoke about the importance of having a symbol representing marginalized individuals and advocated against punishing them by removing the crosswalk.

<u>Chris Rhodes</u>, 428 52nd Street, West Palm Beach Requested that the Commission challenge the mandate to remove the Pride Crosswalk and to continue to advocate for the LGBTQ community.

Siobhan Boroian, 339 East Atlantic Avenue, Delray Beach Expressed her support for Laura Simon and acknowledged all that the DDA has accomplished in making the downtown successful.

Brigitta McTigue, 2821 SW 13th Court, Boynton Beach

Requested that the Commission stand up for its residents and not remove the Pride Crosswalk.

Melody Douglas, 234 SW 24th Avenue, Delray Beach Suggested that the City investigate whether the Rainbow Crosswalk has led to an increase in accidents before money is wasted to remove it.

Lauren Donald, 12 Welsey Drive, Lake Worth Spoke about Delray Beach being a welcoming and inclusive City for everyone and hoped that this tradition would continue even if the crosswalk is removed.

<u>Stephen Gaskill</u>, 3650 Aladin Avenue, Boynton Beach Expressed concern that if Delray removes the Pride Crosswalk, the City will send a message that it does not recognize the significant LGBTQ community within the City.

<u>Nicholas Coopola</u>, 3930 Lowson Blvd, Delray Beach Discussed that the crosswalk serves as a welcoming sign of acceptance for everyone who visits or lives in Delray Beach.

Mavis Benson, 800 Greensward Court, Delray Beach
Thanked everyone who attended the DDA 's Town Hall Meeting last week.

Rose Jackson, 318 NW 12th Avenue, Delray Beach Stated that a City employee vandalized her property.

<u>George Long</u>, 46 North Swinton Avenue, Delray Beach Discussed various City topics.

<u>Irene Slovin</u>, 1325 Fishtail Court, Delray Beach
Discussed the Rainbow Crosswalk and its significance to many people.

Rand Hoch, Founder of the Palm Beach County Human Rights Council Stated that the crosswalk was the idea of the former Commission, which aimed to create a permanent display of public art to commemorate the queer community. The project was funded by the Palm Beach County Human Rights Council and the AIDS Healthcare Foundation and received no financial support from the taxpayers of Delray Beach or the State of Florida. Yet, at the same time, the State is attempting to erase its community. He requested the Commission to move forward with the administrative hearing on September 2nd to uphold Home Rule and preserve the Delray Beach Pride Intersection; if not, he requested the Commission to find other means to memorialize the Delray Beach LGBTQ

community.

Sandy Zeller, 209 NW 12th Street, Delray Beach

Stated that the Pride Crosswalk was worth advocating for.

Mayor Carney closed the public comment period, noting that the allotted time for public comments had expired.

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Vice Mayor Long, seconded by Deputy Vice Mayor Burns, to approve the Consent Agenda as amended.

all were in favor

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: Agenda Cover Report

July 8, 2025 Regular Meeting Minutes - DRAFT

July 15, 2025 Workshop Meeting Minutes - DRAFT

The Minutes were approved.

6.B. APPROVAL OF INTERLOCAL AGREEMENT W/ PALM BEACH

COUNTY FOR STAFFING OF EMERGENCY SHELTERS

Sponsors: Fire Rescue Department

Attachments: Agenda Cover Report

EMS Agreement for Shelters Delray Beach (V1 7.10.25) lw rev
Legal Review Checklist Interlocal Agreement w PBC for Shelters

Staffing.docx

This Request was approved.

6.C. APPLICATION AND APPROVAL OF AWARD FOR PEDESTRIAN &

BICYCLE SAFETY PROGRAM

Sponsors: Police Department

Attachments: Agenda Cover Report

Pedestrian & Biicycle HVE Program signed .pdf

Legal Review Checklist 25 26 Bicycle and Pedestrian Safety

Grant.pdf

This Request was approved.

6.D. APPROVAL OF REQUESTS FOR FUNDING FROM THE LAW

ENFORCEMENT TRUST FUND (LETF) FOR FISCAL YEAR 2024-2025

Sponsors: Police Department

Attachments: Agenda Cover Report

4KIDS of South Flordia Funding Agreement - signed.pdf

LETF - 2025 4KIDS APPLICATION.pdf

Community Child Care Center of Delray Beach Funding Agreement -

signed.pdf

LETF - 2025 COMMUNITY CHILD CARE -ACHIEVMENT CNT

APPLICATION.pdf

CRC Recovery Funding Agreement - signed.pdf

LETF - 2025 CRC RECOVERY FOUNDATION APPLICATION.pdf

Crime Stoppers Funding Agreement - signed.pdf

LETF -2025 CRIME STOPPERS APPLICATION.pdf

GBDC Funding Agreement - signed.pdf

LETF - 2025 GBDC APPLICATION .pdf

KOPMN Funding Agreement - signed.pdf

LETF - 2025 KNIGHTS OF PYTHAGORAS APPLICATION.pdf

Omega Uplifts Funding Agreement - signed.pdf

LETF - 2025 OMEGA UPLIFTS APPLICATION.pdf

Rhonda's Promise Funding Agreement - signed.pdf

LETF - 2025 RHONDAS PROMISE APPLICATION.pdf

Streetwaves Funding Agreement - signed.pdf

LETF - 2025 STREETWAVES APPLICATION.pdf

Sweet Dream Makers Funding Agreement - signed.pdf

LETF - 2025 SWEET DREAM MAKERS APPLICATION.pdf

We Box For Life Funding Agreement - signed.pdf

LETF - 2025 WE BOX FOR LIFE APPLICATION.pdf

Legal Review Checklist LETF Funding Agreements 2025.pdf

This Request was approved.

6.E. APPROVAL OF AMENDMENT NO. 2 FOR A CONTRACT INCREASE TO

SOLICITATION NO. 2023-002 WITH DECO INTERNATIONAL SECURITY

CORPORATION FOR UNARMED SECURITY GUARD SERVICES

Sponsors: Parks & Recreation Department

Deco LR Amendmnet No. 2.pdf

<u>Deco_Unarmed Security Guard Amendment No. 2.docx</u> <u>Amendment No. 1 - Deco (Solicitation No. 2023-002)</u> FE.pdf

RFP_2023-002 Unarmed Security.pdf
FE 2023-002 Unarmed Security Deco.pdf

This Request was approved.

6.F. PROCLAMATIONS:

6.F.1. OBSERVANCE OF LABOR DAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: Agenda Cover Report

Proclamation - Labor Day 2025.docx

This Proclamation was approved.

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

6.G.1. None

6.H. AWARD OF BIDS AND CONTRACTS:

6.H.1. APPROVAL OF RESOLUTION NO. 178-25 TO AWARD AN AGREEMENT WITH ARCHITECTS DESIGN GROUP/ADG, LLC FOR

DESIGN SERVICES OF THE NEW POLICE DEPARTMENT HEADQUARTERS PROJECT PURSUANT TO RFQ NO. 2025-009, IN

THE INITIAL AMOUNT OF \$239,630.58

Sponsors: Public Works Department and Purchasing Department

Attachments: Agenda Cover Report

Res 178-25 - RFQ2025-009 Agreement Engineering Architectural

Design Services for New Police Department HQ Agreement RFQ No. 2025-009 Vendor Signed RFQ No. 2025-009 Exhibit A Pricing Schedule

RFQ 2025-009 Scope of Services

Legal Review RFQ2025-009 Agreement Engineering Architectural

Design Services for New Police Department HQ

RFQ No. 2025-009 Submittal ADG

RFQ No. 2025-009 Final Solicitation & Addendums

Vice Mayor Long requested to pull Consent Agenda Item No. 6.H.1. for discussion. It became Item No. 7.B.B. on the Regular Agenda.

Vice Mayor Long expressed concern that such a significant project should include public input and that a larger selection committee, along with the Commission, should determine who receives the contract, as it was a \$100 million general obligation bond-funded project.

The Commission engaged in a discussion regarding inviting the four highest-ranked construction firms to present their proposals in a ten-minute presentation.

Ms. Barletto mentioned that the engineering and architectural design services contract has been under negotiation for several months, and the firms that weren't awarded the contract were informed earlier. She stated that the selection committee chose the firm based strictly on its qualifications.

Ms. Gelin informed the Commission that the second portion of the project would be presented to both the Commission and the public for their input.

A motion was made by Vice Mayor Long, seconded by Commissioner Markert, to approve Resolution No. 178-25. The motion carried by the following vote:

Yes: 4 - Commissioner Casale, Deputy Vice Mayor Burns, Vice Mayor Long, and Commissioner Markert

No: 1 - Mayor Carney

Vice Mayor Long asked for clarification on the specifics of the vote.

Mayor Carney requested a re-vote to clarify what the Commission was voting on.

Commissioner Casale clarified that the vote was to approve the design group selected for Resolution No. 178-25.

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to approve Resolution No. 178-25. The motion carried by the following vote:

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

No: 2 - Mayor Carney, Vice Mayor Long

This Resolution was approved.

6.H.2. APPROVAL OF RESOLUTION NO. 161-25 APPROVING AN GALLS, LLC FOR PUBLIC SAFETY UNIFORMS AGREEMENT WITH UTILIZING BUYBOARD **PROPOSAL** AND EQUIPMENT. CONTRACT INVITATION #773-25 IN THE AMOUNT NOT-TO-EXCEED ESTIMATED AMOUNT OF \$240,000.

Sponsors: Police Department

Attachments: Agenda Cover Report

Legal Review Checklist MSA Galls, LLC

Resolution 161-25 rev

Vendor Signed P2025-029 Uniforms and Accessories

Exhibit A
Exhibit B

Proposal No. 773-25

BuyBoard No. 773-25 Award Notice

This Resolution was approved.

6.H.3. APPROVAL OF RESOLUTION NO. 149-25, TO APPROVE AN

AGREEMENT WITH GLOVAL, INC., FOR ARMORED COURIER

SERVICES, PURSUANT TO ITB NO. 2025-042, IN A TOTAL AMOUNT

NOT TO EXCEED \$148,395.

Sponsors: Utilities Department

Attachments: Agenda Cover Report

Legal Review Checklist - Agreement ITB2025-042 Armored Courier

Service

Res149-25 ITB 2025-042 - Armored Courier Services

Agreement ITB2025-042 Armored Courier Service

Ex to Agreement ITB2025-042 Armored Courier Service

ITB2025-042 Armored Courier Service Final

Gloval inc. itb2025-042

Note: The title includes a correction to the company's name which was misspelled when the agenda was published.

This Resolution was approved.

6.H.4 APPROVAL OF RESOLUTION NO. 164-25, APPROVING AN

AGREEMENT WITH JOHNSON-DAVIS, INC., FOR THE PURPOSE OF

REPAIRS AND/OR EMERGENCY SERVICES ON AN "AS NEEDED

BASIS", FOR WATER DISTRIBUTION AND WASTEWATER

COLLECTION UTILITY SERVICES, UTILIZING THE CITY OF LAKE WORTH BEACH, IFB NO. 25-105 EMERGENCY UTILITY REPAIRS FOR WATER, WASTEWATER, AND STORMWATER, IN A TOTAL

CONTRACT VALUE NOT TO EXCEED \$2,000,000.

Sponsors: Utilities Department

Legal Review Checklist Agreement - Emergency Sewer and Water

Repairs - Johnson-Davis - Lake Worth Beach piggyback

Res 164-25 Agreement - Emergency Sewer and Water Repairs -

Johnson-Davis - Lake Worth Beach piggyback

Agreement - Emergency Sewer and Water Repairs - Johnson-Davis -

Lake Worth Beach piggyback

IFB#25-105 Emergency Utility Repairs for Water, Wastewater and

Stormwater

Johnson Davis Inc Agreement Emergency Utility

Repair Water LakeWorth IFB#25-105 IFB25-105 Johnson- Davis Incorporated

This Resolution was approved.

6.H.5.

APPROVAL TO AWARD AGREEMENTS UNDER RESOLUTION NO'S. #139-25 TO FERGUSON ENTERPRISES, INC., #140-25 TO FORTILINE WATERWORKS, AND #141-25 TO CONSOLIDATED PIPE & SUPPLY COMPANY, UTILIZING THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE GROUP BID NO. ITB 25-017 WATER METER FITTINGS, WATER LINE AND FIRE HYDRANT ACCESSORIES, IN A TOTAL CONTRACT VALUE NOT TO EXCEED \$2,350,000.

Sponsors: Utilities Department

Attachments: Agenda Cover Report

Legal Review Checklist Ferguson
Legal Review Checklist Fortiline

Legal Review Checklist Consolidated Pipe

 Resolution No.139-25
 P2025-028 Ferguson 7.18

 Resolution No.140-25
 P2025-028 FORTILINE 7.18

 Resolution No.141-25
 P2025-028 Consolidated 7.18

P2025-028 Ferguson US Holdings, Inc.

P2025-028 Fortiline, Inc. Water Meter Fitting Agreement

P2025-028 Consolidated Water Me

Consolidated Pipe - ITB25-017 - Fully Executed

Consolidated Pipe Supply Company Bid Response

Ferguson - ITB 25-017 - Fully Executed

Ferguson Enterises Bid Response

Fortiline - ITB 25-017 - Fully Executed

Fortiline Bid Response

ITB 25-017 Water Meter Fittings and Water Line

These Resolutions were approved.

6.H.6. APPROVAL OF **RESOLUTION NO. 165-25** TO AUTHORIZE AN AGREEMENT

WITH STRYKER SALES, LLC FOR PURCHASE OF MEDICAL STRETCHERS, STAIR CHAIRS, AND OTHER EMS TRANSPORT

EQUIPMENT AND SERVICES FOR FIRE RESCUE.

Sponsors: Fire Rescue Department

Attachments: Agenda Cover Report

Legal Review Checklist MCSA Stryker Sales, LLC

P2025-040 Stryker Agreement_lw
Res. P2025-040 Medical Equipment

PSAI-RFB-RFB-2024-06-Medical-Equipment Final-Version

QUOTE service contract renewal

AGREEMENT

UPDATED QUOTE Stryker Transport

This Resolution was approved.

7. REGULAR AGENDA:

7.A. APPROVAL OF RESOLUTION NO. 167-25 TO AWARD AN

AGREEMENT WITH MILLS+SCHONERING ARCHITECTS, LLC **FOR** ARCHITECTURAL/ENGINEERING DESIGN **SERVICES** AND CONSTRUCTION ADMINISTRATION OF THE CREST **THEATRE** AUDITORIUM PROJECT PURSUANT TO RFQ NO. 2025-019 IN THE

AMOUNT OF \$236,862.00

Sponsors: Public Works Department and Purchasing Department

Attachments: Agenda Cover Report

Res. No. 167-25 RFQ 2019-019 Crest Theatre Renovations

RFQ 2019-019 Agreement Crest Theatre Renovations

RFQ 2019-019 Exhibit A Pricing Sheet

RFQ 2019-019 Scope of Services

RFQ 2019-019 Legal Review Checklist

RFQ 2019-019 Submittal M+Sa Crest Theatre Auditorium

Renovations

RFQ 2025-019 Final Solicitataion Crest Theater Renovations

Ms. Gelin entered Resolution No. 167-25 into the record.

Ms. Barletto presented this project and stated it has a conceptual design cost of \$236,862. She mentioned that the final design cost is still to be determined. After the first phase of the project, the architect will present three different design alternatives to the Commission, each with three different price ranges. She provided a preliminary project schedule for the concept design phase of the project.

Mayor Carney emphasized the importance of ensuring that the theatre reaches its full potential.

A motion was made by Vice Mayor Long, seconded by Deputy Vice Mayor Burns, to approve Resolution No. 167-25.

all were in favor

7.B.

RESOLUTION NO. 150-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO TABLE 7.1.7(D) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A SEAWALL TO BE CONSTRUCTED ABOVE THE BASE FLOOD ELEVATION FOR THE PROPERTY LOCATED AT 1019 LAKE SHORE DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Sponsors: Development Services Department

Attachments: Agenda Cover Report

Res. 150-25 - Seawall Exceeds Height Waiver - 1019 Lake Shore

Drive

1019 Lakeshore Drive - Seawall details

1019 Lake Shore Drive - Justification Statement

1019 Lake Shore Drive - Survey

1019 Lake Shore Drive - FDEP Approval

Legal Review Res 150-25 Seawall Exceeds Height Waiver - 1019 Lake

Shore Drive

1019 Lake Shore Drive - Photos

exparte search - 1019 Lake Shore Drive

Ms. Gelin entered Resolution No. 150-25 into the record.

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

Ms. Givings swore in those individuals who wished to provide testimony on any quasi-judicial item.

Mayor Carney asked his colleagues to disclose any ex-parte communications.

Mayor Carney: None. Vice Mayor Long: None.

<u>Deputy Vice Mayor Burns</u>: None. <u>Commissioner Casale:</u> None. Commissioner Markert: None. Anthea Gianniotes, Development Services Director, entered File No. 2025-210 into the record.

lleen Gonzalez, with Seaside Marine Construction, was present on behalf of her client, who was seeking a waiver relief from the land development regulations to raise the base level seawall height for the property located at 1019 Lakeshore Drive. Ms. Gonzalez noted that the existing site conditions create an unsafe drop-off from yard to waterway, reducing flood protection and resiliency, in addition to increasing safety risks.

Ms. Gianniotes provided a staff report regarding this item. She mentioned that this request met the criteria for approval from the Development Services Department, which had no objections to it.

Mayor Carney opened the floor to public comment.

Seeing no one present, Mayor Carney closed public comment.

There was no cross-examination or rebuttal from either side.

There was no discussion from the Commission regarding this item.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Resolution No. 150-25. The motion carried by the following vote:

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

RESOLUTION NO. 151-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO TABLE 7.1.7(D) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A SEAWALL TO BE CONSTRUCTED ABOVE THE BASE FLOOD ELEVATION FOR THE PROPERTY LOCATED AT 1020 LAKE SHORE DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Sponsors: Development Services Department

7.C.

Res. 151-25 - Seawall Exceeds Height Waiver - 1020 Lake Shore

Drive

1020 Lakeshore Drive - Details

1020 Lake Shore Drive - justification Statement

1020 Lake Shore Drive - Site Plan

1020 Lake Shore Drive - Survey

1020 Lake Shore Drive - FDEP Approval

Legal Review Res 151-25 Seawall Exceeds Height Waiver - 1020 Lake

Shore Drive (WB)

1020 Lake Shore Drive - Photos

exparte search - 1020 Lake Shore Drive

Ms. Gelin entered Resolution No. 151-25 into the record. She suggested opening the floor to public comments, as this was the neighboring home to the previous presentation, and the same request had been made.

Mayor Carney opened the floor to anyone who wished to speak on this item.

Seeing no one present, Mayor Carney closed public comment.

There was no cross-examination or rebuttal from either side.

There was no discussion from the Commission regarding this item.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Resolution No. 151-25. The motion carried by the following vote:

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

7.D.

RESOLUTION NO. 135-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AFFIRMING THE HISTORIC PRESERVATION BOARD'S APPROVAL OF A CERTIFICATE OF APPROPRIATENESS, RELOCATION, VARIANCES, AND WAIVERS FOR THE PROPERTY LOCATED AT 46 MARINE WAY, AS MORE PARTICULARLY DESCRIBED HEREIN; APPROVING A VERTICAL RELOCATION PURSUANT TO SECTION 4.5.1(E)(6)(B)(1) OF THE LAND DEVELOPMENT REGULATIONS (LDR); APPROVING VARIANCES TO LDR SECTION 4.3.4(K) TO REDUCE THE FRONT, SIDE INTERIOR, AND REAR SETBACKS FOR THE STRUCTURE AND TO LDR SECTION 4.6.15 TO REDUCE THE SIDE INTERIOR SETBACK FOR A SWIMMING POOL; APPROVING WAIVERS TO THE VISUAL COMPATIBILITY STANDARDS IN LDR SECTIONS 4.5.1(E)(7)(A)(1), 4.5.1(E)(7)(J)(2), AND 4.5.1(E)(7)(M)(6); PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL).

Sponsors: Development Services Department

Attachments: Agenda Cover Report

Res. No. 135-25, 46 Marine Way

CC Staff Report-46 Marine Way-2025-08-19

Justification Statements-46 Marine Way-2025-06-04

Plans Approved by HPB-46 Marine Way-2025-06-04

Color & Materials-46 Marine Way-2025-03-05

Engineer Letters-46 Marine Way-2025-03-05

Movers Letter-46 Marine Way-2025-03-05

Plan Version Continued by HPB -46 Marine Way-2025-03-05

Simple Legal Review Approval Reso No. 135-25

exparte search - 46 Marine Way

Mayor Carney asked anyone who had not been sworn in and wished to speak on this item to be sworn in by the Clerk.

Mayor Carney asked his colleagues to disclose any ex-parte communications.

<u>Mayor Carney</u>: Spoke with Jim Chard, Neil Schiller, members of the Historic Preservation Trust, Ann Whitehead, Gail Clark, Roger Cope, and Sandy Zeller, as well as what was on the server.

<u>Vice Mayor Long</u>: Spoke with Neil Schiller, Jordana Jarjura, Jim Chard, and emails on the server.

<u>Deputy Vice Mayor Burns</u>: Spoke with Neil Schiller, Price Patton, and emails on the server.

<u>Commissioner Casale:</u> Spoke with Neil Schiller, Jim Chard, the Historic Preservation Trust, and Kristin Finn, as well as emails on the server. Commissioner Markert: Spoke with Neil Schiller, and emails on the server.

Ms. Gelin entered Resolution No. 135-25 into the record.

Ms. Gianniotes entered File No. 2024-133 into the record.

Neil Schiller, attorney for the applicant, stated that for the record, he had sent a letter to Ms. Gelin on July 15th requesting that Commissioner Casale recuse herself from this hearing based on comments she made during the June 17th Commission meeting, where it appeared that she could not be objective on this item. He made this statement to preserve the record.

Commissioner Casale discussed Mr. Schiller's request for her to recuse herself from this hearing. She expressed concern that the Mayor may have

an appearance of impropriety on this project and how it affects the taxpayers' trust.

Ms. Gelin asked Commissioner Casale if she could render a fair and impartial opinion on this item. Commissioner Casale confirmed that she could.

Ms. Gelin stated that the Mayor secured a letter from the Commission on Ethics, dated July 29, 2025, confirming his eligibility to participate in this matter.

Mr. Schiller delivered a presentation on this item, highlighting that the applicant intended to protect and preserve the property instead of demolishing it. He pointed out that the house was not situated at the proper grade, rendering it substandard. He noted that the developer had taken actions to modify the home based on the March 5th Historic Preservation Board Meeting. He stated that the Federal Emergency Management Agency (FEMA) requires an elevation of 8 feet. In comparison, the Florida Building Code mandates an elevation of 9 feet, one foot higher than FEMA's requirement. He mentioned that the Secretary of the Interior's standards for rehabilitation also supported the elevation of historic homes, as flooding events could be particularly destructive to historic homes.

Mr. Nguyen, with Affinity Architecture, discussed the project, stating that the home was currently uninhabitable in its current state. He noted that the house needed to be raised 6 ½ feet to meet FEMA's minimum elevation and to maintain the home's structure.

Michelle Hoyland, Principal Planner, provided a staff presentation on this item. She noted that the surrounding homes were also requesting a 9-foot vertical elevation but were awaiting the outcome of this matter. She expressed concerns that adding a structure on top of an existing historic structure could compromise the streetscape and the historic integrity of the building. Ms. Hoyland presented an analysis from City staff that outlined several concerns they had regarding the approval of this item.

Mayor Carney opened the floor to anyone who wished to speak on this item.

<u>Price Patton</u>, on behalf of the Delray Beach Historic Preservation Trust Expressed concern that the applicant's proposed plan would jeopardize the home's historical integrity to the extent proposed.

<u>Sandy Zeller</u>, 209 NW 12th Street, Delray Beach Expressed his support for considering the expert advice of the City's planners regarding this item.

<u>Carolyn Patton</u>, 1020 Tamrind Road, Delray Beach Discussed the history of the Marina District and emphasized the importance of preserving it by denying the applicant's request.

<u>Jim Chard</u>, 401 SE 4th Avenue, Delray Beach Suggested reaching a compromise between the City's recommendations and the applicant's requests for this project.

<u>Daniele Edwards</u>, 46 Marine Way (owner of the property)
Stated that he was trying to preserve the home and mentioned that the surrounding properties could also be raised if their owners wished to do so.

<u>Kristin Finn</u>, 102 George Bush Blvd, Delray Beach Emphasized that the property owner doesn't want to demolish the home but rather renovate it to its maximum allowable capacity.

Roger Cope, 701 SE 1st Street, Delray Beach

Expressed concern that the proposed elevation for this project was five feet higher than necessary, and the rationale for the design did not make sense to him as an architect.

At approximately 10:57 p.m., Ms. Gelin proposed a motion to extend the meeting if the Commission wished to continue past 11:00 p.m.

A motion was made by Commissioner Casale, seconded by Deputy Mayor Burns, to extend the meeting beyond 11:00 p.m.

all were in favor

Ms. Gelin instructed the Commission not to consider the neighbors' comments, as they are hearsay, and the Commission was acting as a quasi-judge.

Mayor Carney asked the applicant if he would like to provide a rebuttal.

Mr. Nguyen expressed his gratitude to the staff for their dedicated work on the project over the past two years. Additionally, he pointed out that the site is not as large as it appears in the graphic representations.

Mr. Schiller stated that this project exemplified adaptive reuse and pointed out that the Secretary of the Interior noted that when dealing with flood-prone areas, homeowners sometimes need to take additional steps to preserve the structure. He noted that his client would be amenable to

revisions or suggestions from staff.

Ms. Gelin stated that there were no revisions allowed for this project.

Ms. Hoyland addressed inconsistencies between the applicant's presentation and the staff's findings. She mentioned that changes have to happen to be flood resistant, but the modifications should always be the one that minimizes changes to the home's historic character.

A discussion ensued among the Commission about whether the modifications requested by the applicant were more appropriate than demolishing the home and rebuilding it. They acknowledged that if special privileges continue to be allowed, the City risks losing this particular Historic District.

Ms. Gianniotes stated that demolishing the home would require Board approval and must comply with the necessary setbacks.

Mayor Carney suggested bringing this project back with modifications made by the applicant.

Ms. Gelin cautioned the Commission that what was before them was an appeal, and they had to decide that evening on the property's relocation, variances, waivers, and certificate of appropriateness.

A motion was made by Commissioner Casale, seconded by Commissioner Markert, to deny Resolution No. 135-25. The motion carried by the following vote:

Yes: 3 - Commissioner Markert, Deputy Vice Mayor Burns, and Commissioner Casale

No: 2 - Mayor Carney and Vice Mayor Long

At this time, Vice Mayor Long left the dais for the rest of the evening.

This Resolution was denied.

7.E. NOMINATION FOR AN APPOINTMENT TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT FOR THREE (3) REGULAR MEMBERS TO SERVE A TERM ENDING JULY 31, 2027, WILL BE MADE BY DEPUTY VICE-MAYOR BURNS (SEAT #4) MAYOR

CARNEY (SEAT #5) AND COMMISSIONER MARKERT (SEAT #1).

Sponsors: City Clerk Department

Exhibit A

AHAC Board Member List 2025 AHAC Attendance

Brisson, Monica

Dadich, Michelle - Qualifies (b)

Forcier, Anick Holly, Ryan

King, Cara

Posovsky, Stephen

Tartaro, Rosanna - Qualifies (a)

A motion was made by Deputy Vice Mayor Burns, seconded by Commissioner Casale, to nominate Rosana Tartaro.

all were in favor

A motion was made by Mayor Carney, seconded by Commissioner Casale, to nominate Michelle Dadich.

all were in favor

A motion was made by Commissioner Markert, seconded by Commissioner Casale, to nominate Stephen Posovsky.

all were in favor

7.F. NOMINATIONS FOR APPOINTMENT TO THE SITE PLAN REVIEW AND

APPEARANCE BOARD (SPRAB). BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR ONE (1) REGULAR MEMBER TO

SERVE A TERM ENDING AUGUST 31, 2027, WILL BE MADE BY

MAYOR CARNEY (SEAT #5).

Sponsors: City Clerk Department

Exhibit A

SPRAB Member List

2025 SPRAB Attendance

Alvarez, Jose (Incumbent) - Qualified

Amani, Sandra - Qualified

Keane, Kevin - At Large

King, Cara - Qualified

Kiselewski, Karen - Qualified

Kiser, Mereida - At Large

Posovsky, Stephen - At Large

Ramirez, Aura - Qualified

Talbot, Rettig - At Large

A motion was made by Mayor Carney, seconded by Commissioner Casale, to reappoint Jose Alvarez.

all were in favor

7.G. NOMINATIONS FOR APPOINTMENTS TO THE BOARD OF

ADJUSTMENT. BASED ON THE ROTATION SYSTEM, THE

NOMINATIONS FOR APPOINTMENTS FOR TWO (2) QUALIFIED

MEMBERS TO SERVE A TERM ENDING AUGUST 31, 2027, WILL BE MADE BY DEPUTY VICE-MAYOR BURNS (SEAT #4) AND MAYOR

CARNEY (SEAT #5).

Sponsors: City Clerk Department

Attachments: Agenda Cover Report

Exhibit A

BOA Member List

2025 BOA ATTENDANCE

Donohue, Suzanne - At Large

Kenny, Kristopher - At Large

Klein, Mark - At Large

Ramirez, Aura - Qualified

A motion was made by Deputy Vice Mayor Burns, seconded by Commissioner Casale, to nominate Aura Ramirez.

all were in favor

A motion was made by Mayor Carney, seconded by Deputy Vice Mayor Burns, to nominate Suzanne Donohue.

all were in favor

7.H. TRAFFIC CONTROL DEVICE NONCOMPLIANCE

Sponsors: City Manager Department

Attachments: Agenda Cover Report

T. Moore Letter

Notice of Administrative Rights

Vice Mayor Long requested to pull Item No. 7.H. for discussion. It became Item No. 7.A.A.

Mr. Moore stated that the City Manager's office received a formal directive from the State on August 15th, ordering the removal of the Pride crosswalk by September 25th. If the City does not comply, it risks losing its current funding agreements, which total \$602,266,026.50. Mr. Moore also informed the Commission that if the City decided to proceed with removing the crosswalk, the project will cost the City approximately \$12,000. He suggested finding an alternative location in the City to memorialize the LGBTQ community to ensure that everyone feels welcome.

Vice Mayor Long read a letter discussing the potential implications for the community as a welcoming and inclusive City if Delray complies with the State order to remove the crosswalk. He urged the Commission to reach a consensus on requesting an administrative hearing, as outlined in the FDOT letter, before proceeding with removing the crosswalk.

The Commission engaged in a discussion on the financial strain the City would incur if it didn't comply with the directive to remove the crosswalk versus the option of pursuing an administrative hearing.

There was consensus to move forward with an administrative hearing.

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 07-25: 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 BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.21, "COMMUNITY FACILITIES (CF) DISTRICT," SUBSECTION (A), "PURPOSE AND INTENT," TO MODIFY THE PURPOSE AND INTENT OF THE DISTRICT, SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES ALLOWED," TO ALLOW ADAPTIVE REUSE OF HISTORIC PLACES OF WORSHIP AND TO RELOCATE THE PRINCIPAL USES FOR THE MEDICAL ARTS OVERLAY DISTRICT, SUBSECTION (F), "DEVELOPMENT STANDARDS," TO ADOPT

DEVELOPMENT STANDARDS FOR ADAPTIVE REUSE, SUBSECTION (G), "SUPPLEMENTAL DISTRICT REGULATIONS," TO REMOVE MEDICAL ARTS OVERLAY DISTRICT USES FOR RELOCATION TO SUBSECTION (B), AND SUBSECTION (H), "SPECIAL REGULATIONS," TO ADOPT REGULATIONS EXEMPTING ADAPTIVE REUSE OF HISTORIC PLACES OF WORSHIP FROM THE SUPPLEMENTAL REGULATIONS; AND BY AMENDING APPENDIX A, "DEFINITIONS," TO ADOPT A DEFINITION FOR "PLACE OF WORSHIP" AND "HISTORIC PLACE OF WORSHIP;" PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING / PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: Agenda Cover Report

Ordinance No. 07-25

Staff Report, LDR Amendment (Ord. No. 07-25) 06-13-25

<u>Applicant Justification Statement</u>
Legal Review, Ordinance No. 07-25

Business Impact Estimate (BIE) Ordinance No. 07-25

Ms. Gelin entered Ordinance No. 07-25 into the record.

There was no presentation by staff.

Mayor Carney opened the floor to anyone who wished to speak on this item.

Seeing no one present, Mayor Carney closed public comment.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 07-25.

all were in favor

8.B. ORDINANCE NO. 08-25: AN ORDINANCE OF THE CITY COMMISSION

OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3177 AND SECTION 163.3184, BY AMENDING THE HISTORIC PRESERVATION ELEMENT AND THE NEIGHBORHOODS, DISTRICTS, AND CORRIDORS ELEMENT OF THE ALWAYS DELRAY COMPREHENSIVE PLAN TO ADOPT POLICIES FOR THE PRESERVATION AND ADAPTIVE REUSE OF HISTORIC PLACES OF WORSHIP; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND

PROVIDING AN EFFECTIVE DATE. (FIRST READING / PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: Agenda Cover Report

Staff Report, Comprehensive Plan Text Amendment (Ord. No. 08-25)

Ordinance No. 08-25, Proposed Comprehensive Plan Amendment

Exhibit A, Ordinance No. 08-25 (Historic Preservation Element)

Exhibit B, Ordinance No. 08-25 (Neighborhoods, Districts, and

Corridors Element)

<u>Applicant Justification Statement</u>
Legal Review, Ordinance No. 08-25

Business Impact Estimate (BIE) Ord. No. 08-25

Ms. Gelin entered Ordinance No. 08-25 into the record.

There was no presentation by staff.

Mayor Carney opened the floor to anyone who wished to speak on this item.

Seeing no one present, Mayor Carney closed public comment.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Burns, to approve Ordinance No. 08-25.

all were in favor

9. FIRST READINGS:

9.A None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

None.

B. City Attorney

None.

C. City Commission

Commissioner Markert:

None.

Commissioner Casale:

Thanked City staff, the City Clerk, and the IT Department for their presence that evening.

Suggested Mayor Carney reconsider starting the meetings at 4:00 p.m. moving forward.

Deputy Vice Mayor Burns:

Commended Ocean Rescue for winning their fourth consecutive Rowing Championship which received national recognition.

Mayor Carney:

Stated that his comments regarding the Downtown Development Agency (DDA) were not meant to be personal towards Laura Simon, Executive Director of the DDA. He also stated that he was protecting taxpayer dollars when speaking about the agency.

Expressed his dissatisfaction with being accused of impropriety by Commissioner Casale.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 11:35 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.