

# City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

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



## Regular Commission Meeting

Regular Meeting at 5:00 PM

Tuesday, February 3, 2026

Commission Chambers

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/@cityofdelraybeachflstreams>

## City Commission

*Mayor Thomas F. Carney, Jr.*

*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. DELRAY BEACH PUBLIC SCHOOL LEADERSHIP PRESENTATION**

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

**4.B. PRESENTATION BY MIKE CARUSO, CLERK OF THE CIRCUIT COURT & COMPTROLLER FOR PALM BEACH COUNTY**

Recommendation: The Commission is asked to receive a presentation from Mike Caruso regarding property fraud and other scams that are currently active in the community.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

**4.C. PRESENTATION OF 211 AWARENESS WEEK PROCLAMATION - FEBRUARY 11-17, 2026**

Recommendation: Motion to Proclaim February 11-17, 2026 as 2-1-1 Awareness Week

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Proclamation - 211 Awareness Week 2026.doc](#)

**4.D. CENTENNIAL CERTIFICATE OF RECOGNITION CATHALEEN STUBBS - 100 YEARS OF LEGACY**

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Certificate of Recognition - Cathaleen Stubbs](#)

**4.E. PRESENTATION TO THE CITY COMMISSION OF INITIAL RECOMMENDATIONS FROM THE OPIOID SETTLEMENT ADVISORY COMMITTEE**

Recommendation: The City Commission is asked to receive a presentation on initial recommendations on the expenditure of Opioid Settlement Agreement Funds and to provide additional direction to the Opioid Settlement Advisory Committee so that they may finalize their recommendations for expenditure of available funds.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)  
[GA-11 Opioid Litigation Settlement Funds - FINAL](#)

## 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. UPDATE AND CLARITY REGARDING ROADWAY IMPROVEMENTS.

Sponsors: City Manager Department  
Attachments: [Agenda Cover Report](#)

### 5.A.2. CLARITY REGARDING PUBLIC RIGHT-OF-WAY LANDSCAPING AND APPLICABLE JURISDICTION.

Sponsors: City Manager Department  
Attachments: [Agenda Cover Report](#)

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:

January 20, 2026 Special Meeting (Closed Attorney/Client Session) - DRAFT

January 6, 2026 Regular Meeting - DRAFT

Sponsors: City Clerk Department  
Attachments: [Agenda Cover Report](#)

[January 20, 2026 Special Meeting Minutes - Closed Attorney Client Session - D](#)

[January 6, 2026 Regular Meeting Minutes - DRAFT.pdf](#)

### 6.B. RESOLUTION NO. 44-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CALLING FOR A NONPARTISAN ELECTION TO BE HELD ON TUESDAY, MARCH 10, 2026; AND A SECOND NONPARTISAN ELECTION, IF NECESSARY, ON TUESDAY, MARCH 24, 2026; SUCH ELECTIONS TO BE HELD FOR THE ELECTION OF ONE CITY COMMISSIONER; APPOINTING THE PALM BEACH COUNTY CANVASSING BOARD TO CANVASS ALL ABSENTEE BALLOTS; TO CANVASS THE MUNICIPAL ELECTION; AND TO CONDUCT THE LOGIC AND ACCURACY TESTING FOR ALL ELECTION MACHINERY; AUTHORIZING THE CITY CLERK TO DO ALL THINGS NECESSARY TO CONDUCT THE NONPARTISAN ELECTION; PROVIDING THE TIME, MANNER, AND MEANS OF HOLDING SAID ELECTION, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Recommendation: Motion to approve Resolution No. 44-26.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 44-26 \(2026 Notice of Elections\).docx](#)

[Simple Legal Review Approval Resolution 44-26.docx](#)

**6.C. GRANT OF AN UNDERGROUND EASEMENT AT 1025 MISSION HILL ROAD TO FLORIDA POWER AND LIGHT BY THE CITY OF DELRAY BEACH.**

Recommendation: Consideration of the following items:

Item A1 - Motion to approve and grant an Underground Easement to Florida Power and Light by the City of Delray Beach.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[A1a - Underground Easement - FPL 1025 Mission Hill Rd - City of Delray Beach](#)

[A1b - Legal Review of Underground Easement - FPL 1025 Mission Hill Rd - City](#)

**6.D. PROCLAMATIONS:**

**6.D.1. OBSERVANCE OF PRESIDENT'S DAY - FEBRUARY 16, 2026**

Recommendation: Approve the proclamation recognizing February 16, 2026 as President's Day in the City of Delray Beach.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Proclamation - President's Day](#)

**6.D.2. BLACK HISTORY MONTH PROCLAMATION**

Recommendation: Approve the proclamation declaring February as Black History Month.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Proclamation - Black History Month](#)

**6.D.3. NOTICE OF ELECTION PROCLAMATION AND PRECINCT LIST**

Recommendation: Approve the proclamation to declare the first nonpartisan election on March 10, 2026 and the Second Nonpartisan Election, if necessary, on March 24, 2026.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Proclamation - 2026 Notice of Election.docx](#)

**6.D.4. PROCLAMATION IN HONOR OF RETIRED FIRE RESCUE CHIEF KERRY B. KOEN DEDICATING FIRE STATION 113 TO HIS LEGACY OF SERVICE TO THE CITIZENS OF THE CITY OF DELRAY BEACH AND HIS COMMITMENT TO THE MEN AND WOMEN**

## OF THE DELRAY BEACH FIRE RESCUE DEPARTMENT.

Recommendation: Approve the Proclamation of the City of Delray Beach dedicating Fire Station 113 to the memory and legacy of Retired Fire Rescue Chief Kerry B. Koen.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)

[Proclamation - Honor Chief Kerry Koen](#)

**6.E. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.E.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM JANUARY 10, 2026, THROUGH JANUARY 26, 2026.**

Recommendation: By motion, receive and file this report for actions on development application requests from January 1, 2026, through January 26, 2026.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[PZB \(01-26\) - Delray Beach Water Treatment Plant](#)

[PZB \(01-26\) - 109 SE 5th Avenue - Part 1](#)

[PZB \(01-26\) - 109 SE 5th Avenue - Part 2](#)

[Admin Approval - Cooper's Hawk 1400 South Federal Highway](#)

**6.F. AWARD OF BIDS AND CONTRACTS:****6.F.1. APPROVAL OF RESOLUTION NO. 01-26 UNDER AN APPROVED CITY STANDARD CS2026-002 FOR PURCHASE OF PROMINENT® PUMPS DISTRIBUTED SOLELY BY TRINOVA, INC., THE AUTHORIZED SOURCE FOR THE MUNICIPAL MARKET IN SOUTHEAST FLORIDA, IN A TOTAL AMOUNT NOT TO EXCEED \$375,000.**

Recommendation: Approval of Resolution No. 01-26 under an approved City Standard CS2026-002, for the purchase of ProMinent® Pumps distributed solely by Trinova, Inc., the authorized source for the municipal market in Southeast Florida, in a total amount not to exceed \$375,000.

Sponsors: Purchasing Department and Utilities Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist CS2026-002 Trinova - ProMinent Pumps City Standard](#)

[CS2026-002 Trinova - ProMinent Pumps City Standard](#)

[CS2026-002 Trinova - Insurance](#)

[Res No 01-26 - Trinova Agmt - ProMinent Pumps City Standard and Sole Source](#)

[Ex A - Res No 01-26 - Trinova Agmt - ProMinent Pumps City Standard](#)

[Ex B - Res No 01-26 - Trinova Agmt - Trinova Sole Source](#)

**6.F.2. APPROVAL OF RESOLUTION NO. 18-26 TO AWARD CONTINUING CONSULTING AGREEMENTS FOR PROFESSIONAL ENGINEERING SERVICES WITH CAROLLO**

ENGINEERING, INC., AND BAXTER WOODMAN, INC., PURSUANT TO REQUEST FOR QUALIFICATION (RFQ) NO. 2025-007, CONTINUING ENGINEERING CONSULTING SERVICES - UTILITIES.

**Recommendation:** Motion to approve Resolution No. 18-26 to award Continuing Consulting Agreements for Professional Engineering Services to Carollo Engineering, Inc., and Baxter Woodman, Inc., authorizing the City Manager to execute any amendments and/or renewals thereto and take any actions necessary to effectuate the intent of this resolution; providing an effective date; and for other purposes.

**Sponsors:** Purchasing Department and Utilities Department

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

[Res 18-26](#)

[Carollo Engineering Agmt](#)

[Baxter & Woodman RFQ2025-007 Utilities Continuing](#)

[Legal Review RFQ 2025-007 - Baxter and Woodman CCNA](#)

[Legal Review RFQ 2025-007 - Carollo Engineering CCNA](#)

[Service Authorization RFQ 2025-007](#)

[RFQ 2025-007 Utility Consulting Services Advertised](#)

[BW RFQ 2025-007 Proposal](#)

[Carollo Utilities-WaterTreatment](#)

**6.F.3. APPROVAL OF RESOLUTION NO. 28-26, TO AWARD AN AGREEMENT WITH VENEGROUP SERVICES, INC., D/B/A VNG UTILITY LOCATORS, FOR UNDERGROUND UTILITY LOCATION SERVICES UTILIZING THE CITY OF BOCA RATON SOLICITATION NO. ITB 2025-042-VG, INITIAL 2-YEARS WITH FIVE (5) ONE (1) YEAR RENEWAL OPTION FOR A TOTAL NOT TO EXCEED \$1,271,107.**

**Recommendation:** Motion to approve Resolution No. 28-26, to award an agreement with Venegroup Services, Inc., d/b/a VNG Utility Locators, for underground utility location services utilizing the City of Boca Raton Solicitation No. ITB 2025-042-VG, initial 2 year with five (5) one (1) year renewal options for total not to exceed \$1,271,107.

**Sponsors:** Purchasing Department and Utilities Department

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

[Resolution 28-26](#)

[Agreement P2026-016](#)

[Legal Review Checklist form v. 9 - 2025 06 25](#)

[Solicitation ITB 2025-042-VG](#)

[Award Letter for 2025-042-VG](#)

[Supplier Response \(Venegroup Eng\)](#)

**6.F.4.** APPROVAL OF A RESOLUTION NO. 43-26 OF THE CITY OF DELRAY BEACH, FLORIDA, RETROACTIVELY APPROVING A GRANT APPLICATION AND APPROVING A GRANT AGREEMENT WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY PROVIDING FUNDING TO UPGRADE THE NORTH HIGH SERVICE PUMP STATION AND THE MILLER PARK HIGH SERVICE PUMP STATION IN THE AMOUNT OF \$4,412,729.00 WITH A REQUIRED COST-SHARE OF \$1,103,182.00; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND/OR RENEWALS AND TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Motion to Approve Resolution No. 43-26 a Resolution of the City of Delray Beach, Florida, retroactively approving a grant application and approving a grant agreement with the U.S. Environmental Protection agency providing funding to upgrade the North High Service Pump Station and the Miller Park High Service Pump Station in the amount of \$4,412,729.00 with a required cost-share of \$1,103,182.00; authorizing the city manager to execute any amendments and/or renewals and take any and all actions necessary to effectuate the intent of this resolution; providing an effective date; and for other purposes.

**Sponsors:** Utilities Department

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

[Reso 43-26 Utilities Grant](#)

[Simple Legal Review Approval EPA Grant Agreement Water Systems Improven](#)

[OMB Form CG-06D00526-0](#)

[fy 2026 epa general terms and conditions effective october 1 2025 or lat](#)

**6.F.5.** APPROVAL OF RESOLUTION NO. 30-26 TO AWARD AN AGREEMENT WITH BELFOR USA GROUP, INC. FOR JOB ORDER CONTRACTING UTILIZING REGION 4 EDUCATION SERVICE CENTER REQUEST FOR COMPETITIVE SEALED PROPOSAL NO. 24-16 FOUR (4) YEAR AGREEMENT IN THE ESTIMATED AMOUNT OF \$4,370,950.00.

**Recommendation:** Motion to Approve Resolution No. 30-26 to award an agreement with Belfor USA Group, inc. for Job Order Contracting utilizing Region 4 Education Service Center (Region 4 ESC) Request For Competitive Sealed Proposal (RFCSP) No. 24-16 four (4) year agreement in the amount of \$4,370,950.00; 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:** Purchasing Department and Public Works Department

Attachments: [Agenda Cover Report](#)  
[Resolution 30-26](#)  
[MSA - Belfor USA Group Delray Beach \(BELFOR rev.1.26.26\) \(002\)](#)  
[Legal Review Checklist Belfor](#)  
[Region 4 ESC Solicitation No. 24-16](#)  
[R241602 Belfor Executed Contract](#)  
[BELFOR USA Group response](#)

## 7. REGULAR AGENDA:

### 7.A. APPROVAL OF A RESTORATION CONCEPT FOR THE CREST THEATRE AUDITORIUM PROJECT

Recommendation: Motion to approve a restoration concept for the Crest Theatre Auditorium Project (Public Works Project No. 25-001).

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Crest Theatre Concept Design Report -Draft 01.16.26](#)

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

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

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[Resolution 26-26 Budget Amendment FY 2026](#)

[Exhibit A 26-26 with backup Rev1](#)

[Simple Legal Review Approval Resolution 26-26](#)

### 7.C. RESOLUTION NO 29-26. 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 614 NW 8TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

Recommendation: Review and consider Resolution No. 29-26 to Land Development Regulations (LDR) Section 7.1.7(D), **Seawall Height Requirement**, as identified in the Federal Emergency Management Agency (FEMA) Flood Insurance Map (FIRM) to allow a seawall above the Base Flood Elevation (BFE) located at 614 NW 8th Avenue. (Quasi-judicial)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)  
[614 NW 8th Avenue - Resolution No. 29-26](#)  
[614 NW 8th Avenue - FDEP ACOE Approval](#)  
[614 NW 8th Avenue - plans](#)  
[614 NW 8th Avenue - Survey](#)  
[614 NW 8th Avenue - Justification Statement](#)  
[614 NW 8th Avenue - Photos existing property](#)  
[Res 29-26 - Seawall Waiver - 614 NW 8th Ave - Bettina Stepan Residence Trus](#)

**7.D.** RESOLUTION NO. 10-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REVERSING THE PLANNING AND ZONING BOARD'S RECOMMENDATION TO DENY A LEVEL 4 SITE PLAN APPLICATION WITH ARCHITECTURAL ELEVATIONS, LANDSCAPE PLAN AND CONDITIONAL USE REQUEST TO ALLOW A 4,207 SQUARE FOOT CAR WASH AT 14145 SOUTH MILITARY TRAIL AS MORE PARTICULARLY DESCRIBED HEREIN; APPROVING A CONDITIONAL USE TO ALLOW AN AUTOMATIC CAR WASH; APPROVING A LEVEL 4 SITE PLAN WITH ARCHITECTURAL ELEVATIONS AND LANDSCAPE PLAN FOR SAID PROPERTY; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Recommendation: Review and consider Resolution No. 10-26, overruling the decision of the Planning and Zoning Board for a Level 4 Site Plan and Conditional Use to construct a 4,207 square foot automatic car wash facility at the property located at 14145 S. Military Trail.

Sponsors: Development Services Department  
Attachments: [Agenda Cover Report](#)  
[Resolution No. 10-26 Conklin Carwash Appeal](#)  
[Applicant Justification Statement, Conklin Car Wash](#)  
[Site Plan, Architectural Plan, Floor Plan](#)  
[Engineering Plans with Oil and Water Separator](#)  
[Landscape and Irrigation Plans](#)  
[Photometric Plan](#)  
[Arborist Report](#)  
[Noise Study](#)  
[Traffic Statement](#)  
[TPS Letter](#)  
[Supplemental Material - 1.13.26 - Needs Study](#)  
[Supplemental Material - 1.13.26 - Signal Warrant & Traffic Operations Analysis](#)  
[Supplemental Material - 1.13.26 - Updated Noise Study](#)  
[Simple Legal Review Approval](#)

**7.E.** RESOLUTION NO. 41-26. A RESOLUTION OF THE CITY COMMISSION OF THE CITY

OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE CREATION OF AN AUDIT COMMITTEE AND ESTABLISHING SUCH POWERS AND DUTIES OF THE COMMITTEE; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Motion to adopt a resolution establishing the Audit Committee and formalizing member selection, governance structure, and oversight responsibilities consistent with recognized public-sector audit practices.

**Sponsors:** Internal Audit

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

[Resolution 41-26 Establishment of Internal Audit Committee](#)

[Resolution 41-26 Establishment of Internal Audit Committee - Legal Review Ch](#)

**7.F.** NOMINATION FOR APPOINTMENT TO THE BOARD OF TRUSTEES FOR THE FIRE RETIREMENT SYSTEMS BOARD. BASED ON THE ROTATION SYSTEM, THE APPOINTMENT FOR ONE (1) REGULAR MEMBER TO SERVE AN UNEXPIRED TERM ENDING OCTOBER 31, 2028, WILL BE MADE BY COMMISSIONER MARKERT (SEAT#1).

**Recommendation:** Motion to approve the nomination for the appointment of one (1) regular member to serve an unexpired term ending October 31, 2028.

**Sponsors:** City Clerk Department

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

[Exhibit A](#)

[Firefighters Retirement Systems Board Member List](#)

[2025 Attendance - FIRE](#)

[Crossan, Daniel](#)

[Dorror, Joan](#)

[Finkel, Andrew](#)

**7.G.** NOMINATION FOR AN APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT OF ONE (1) MEMBER TO SERVE AN UNEXPIRED TERM ENDING JULY 31, 2027, WILL BE MADE BY COMMISSIONER JULI CASALE (SEAT #3).

**Recommendation:** Motion to approve the nomination for the appointment of one (1) member to serve an unexpired term ending July 31, 2027.

**Sponsors:** City Clerk Department

Attachments: [Agenda Cover Report](#)  
[Exhibit A](#)  
[GIAB Board Member List](#)  
[GIAB 2025 Attendance](#)  
[Edwards, John](#)  
[Forcier, Anick](#)  
[Rubenstein, Stuart](#)  
[Wieland, John](#)

## 8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 10-26: 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 1, "GENERAL PROVISIONS," ARTICLE 1.3, "NONCONFORMING USES, LOTS, AND STRUCTURES," SECTION 1.3.2, "NONCONFORMING LOTS OF RECORD," TO REMOVE THE DEFINITION OF A NONCONFORMING LOT OF RECORD; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.1, "ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP," SECTION 4.1.4, "USE OF LOTS OF RECORD," TO ALLOW THE REDEVELOPMENT OF PREVIOUSLY DEVELOPED NONCONFORMING LOTS OF RECORD AND TO ELIMINATE RELIEF PROCEDURES, AMENDING ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.1, "APPLICATION OF DISTRICT REGULATIONS," TO ELIMINATE RELIEF PROCEDURES AND TO ADD ALLOWANCES FOR LOTS OF RECORDS; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.3, "SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICTS;" AMENDING ARTICLE 4.7, "FAMILY/WORKFORCE HOUSING," SECTION 4.7.8, "OTHER INCENTIVES," TO ADD DESIGN REQUIREMENTS AND SETBACK RELIEF FOR WORKFORCE HOUSING UNITS; AND AMENDING APPENDIX A, "DEFINITIONS," TO AMEND THE DEFINITION OF "LOT OF RECORD" AND ADOPT A DEFINITION FOR A LEGACY PROPERTY, NONCONFORMING LOT, AND NONCONFORMING LOT OF RECORD;" PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING / PUBLIC HEARING)

Recommendation: Consider Ordinance No. 10-26, a City-initiated amendment to the Land Development Regulations (LDR), amending Section 1.3.2, "Nonconforming Lots of Record," Section 4.1.4, "Use of Lots of Record," Section 4.3.1, "Application of District Regulations," Section 4.4.3, "Single Family Residential (R-1) Districts," Section 4.7.8, "Other Incentives," and Appendix A, "Definitions" to amend regulations related to the use of lots of record.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)  
[PZB Staff Report, Lots of Record](#)  
[Ordinance No. 10-26, Lots of Record](#)  
[Legal Review, Ordinance No. 10-26](#)  
[BIE, Ordinance No. 10-26](#)  
[Proof of Legal Advertisement, Ordinance No. 10-26](#)

**8.B.** ORDINANCE NO. 05-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING PARCELS OF LAND MEASURING APPROXIMATELY 7.6 ACRES LOCATED AT 2855, 2875, AND 2905 SOUTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM CONGRESS AVENUE MIXED USE TO COMMERCE PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING / PUBLIC HEARING)

Recommendation: Consider Ordinance No. 05-26, a privately initiated request for a small-scale Land Use Map Amendment from Congress Avenue Mixed Use (CMU) to Commerce (CMR) for the 7.6 acre property located at 2855, 2875, and 2905 South Congress Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)  
[Ord 05-26 - 955-975 S Congress Ave - LUM](#)  
[PZB Staff Report](#)  
[Existing and Proposed Land Use and Zoning](#)  
[Justification Statement](#)  
[Traffic Impact Statement](#)  
[CBRE Congress Avenue Strategies Plan](#)  
[BIE Ord. No. 05-26 - LUMA](#)  
[Simple Legal Review Approval 05-26](#)  
[Ex-Parte Form - Ord. 05-26 LUMA](#)  
[Proof of Legal Ad - 1.23.26](#)

**8.C.** ORDINANCE NO. 04-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING PARCELS OF LAND MEASURING APPROXIMATELY 7.6 ACRES LOCATED AT 2855, 2875, AND 2905 SOUTH CONGRESS AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM MIXED RESIDENTIAL, OFFICE, AND COMMERCIAL TO MIXED INDUSTRIAL AND COMMERCIAL; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING / PUBLIC HEARING)

**Recommendation:** Consider Ordinance No. 04-26, a privately initiated rezoning from Mixed Industrial and Commercial (MROC) to Mixed Industrial and Commercial (MIC) for the 7.6 acre property located at 2855, 2875, and 2905 South Congress Avenue.

**Sponsors:** Development Services Department

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

[Ord 04-26 - 955-975 S Congress Ave - Rezoning](#)

[PZB Staff Report](#)

[Existing and Proposed Land Use and Zoning](#)

[Justification Statement](#)

[Traffic Impact Statement](#)

[CBRE Congress Avenue Strategies Plan](#)

[BIE Ord. No. 04-26 - Rezoning](#)

[Simple Legal Review Approval 04-26 KB](#)

[Ex-Parte Form - Ord. 04-26 Rezoning](#)

[Proof of Legal Ad - 1.23.26](#)

**8.D. ORDINANCE NO. 08-26 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES," OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, BY REPEALING SECTION 96.18, "AUTOMATED EXTERNAL DEFIBRILLATOR AND BLEEDING CONTROL KITS" AND READOPTING SAME, AS REVISED, AS A NEW SECTION 96.12, "AUTOMATED EXTERNAL DEFIBRILLATOR AND BLEEDING CONTROL KITS," REESTABLISHING THE CITY-WIDE AUTOMATED EXTERNAL DEFIBRILLATOR AND BLEEDING CONTROL KIT PROGRAM, WITH REVISIONS TO PROVIDE DEFINITIONS FOR AUTOMATED EXTERNAL DEFIBRILLATORS AND BLEEDING CONTROL KITS IN THE ORDINANCE, TO REQUIRE ALL BUSINESS OCCUPANCIES EXCEEDING 20,000 SQ. FEET PROVIDE AUTOMATED EXTERNAL DEFIBRILLATORS AND BLEEDING CONTROL KITS, AND TO AUTHORIZE THE FIRE MARSHAL OR DESIGNEE THE DISCRETION TO MAKE ADJUSTMENTS TO THE LOCATION OF AUTOMATED EXTERNAL DEFIBRILLATORS AND BLEEDING CONTROL KITS; PROVIDING FOR IMMUNITY FROM CIVIL LIABILITY PURSUANT TO FLORIDA STATUTE 768.1325, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)**

**Recommendation:** Staff recommends approval of Ordinance 08-26 to correctly place the definition of "Automated External Defibrillator" and "Bleeding Control Kit" in Section 96.18 of the City Ordinances instead of in the Land Development Regulations, to reassign it to a different code section, clarify the square footage requirements, and allow the Fire Marshal or Designee discretion as to potential locations for AEDs and Bleeding Control Kits.

**Sponsors:** Fire Rescue Department

Attachments: [Agenda Cover Report](#)  
[Ex A to Ordinance 08-26 aed and stop the bleed repeal and replace](#)  
[Exhibit B 08-26 12.9.25](#)  
[Ordinance 08-26 AED Ordinance Final 12.9.25](#)  
[Ordinance Legal Review 08-26](#)  
[Ord. 08-26 Posting](#)  
[AED-BCK update 2-3-26](#)

**8.E.** ORDINANCE NO. 09-26 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 APPENDIX A, "DEFINITIONS" TO REMOVE THE DEFINITIONS FOR AUTOMATED EXTERNAL DEFIBRILLATOR AND BLEEDING CONTROL KIT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES (SECOND READING)

Recommendation: Staff recommends approval of Ordinance 09-26 to remove the definitions of "Automated External Defibrillator" and "Bleeding Control Kit" from the Land Development Regulations.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)  
[BIE Ordinance No.09-26](#)  
[Ordinance 09-26 AED LDR Amendment 12.9.25](#)  
[Ordinance Legal Review 09-26](#)  
[Ord. 09-26 Posting](#)  
[AED-BCK update 2-3-26](#)

## 9. FIRST READINGS:

**9.A.** 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)

Recommendation: Motion to Approve Ordinance 03-26.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)  
[Ord 03-26](#)  
[Equal Protection Concerns - Police Advisory Board Appointments Process](#)  
[Letter Regarding Correspondence Dated November 13, 2025](#)  
[Business Impact Estimate Ord 03-26](#)

**9.B.** ORDINANCE NO. 13-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, TITLE III, "ADMINISTRATION," CHAPTER 36, "ACQUISITION OF GOODS AND SERVICES AND DISPOSAL OF CITY PROPERTY", SECTION 36.02, "COMMISSION APPROVAL REQUIRED", TO INCREASE THE THRESHOLD FOR CITY COMMISSION APPROVAL OF ACQUISITIONS FROM \$65,000 TO \$100,000; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

**Recommendation:** Motion to Approve Ordinance 13-26.

**Sponsors:** City Attorney Department

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

[Ord 13-26 purchasing authority for CM](#)

[BIE ord 13-26 amending purchasing code](#)

[Legal Review Ordinance Amending Ch. 36](#)

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

**A. City Manager**

**B. City Attorney**

**C. City Commission**

## **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.