

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

Tuesday, November 7, 2023

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Shelly Petrolia
Vice Mayor Ryan Boylston
Deputy Vice Mayor Rob Long
Commissioner Adam Frankel
Commissioner Angela Burns

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. PRESENTATION OF DELRAY BEACH YOUTH TENNIS FOUNDATION CENTER COURT UNDER THE STARS CHAMPIONSHIP CUP**

Sponsors: City Manager Department

4.B. PRESENTING MICHAEL GARCIA, FIRE TECHNOLOGY MANAGER, WITH EMPLOYEE OF THE MONTH FOR SEPTEMBER 2023.

Recommendation: Motion to approve Michael Garcia, Fire Technology Manager, as Employee of the Month for September 2023.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)

[Michael Garcia EOM](#)

4.C. REVIEW OF VETERAN'S PARK'S PROPOSED PARKING AREA AND EXPANDED PARK AREA IN CONJUNCTION WITH CONSTRUCTION OF ATLANTIC CROSSING, SEQUENCE II

Recommendation: Review and provide direction regarding utilizing Veteran's Park's existing parking area for the construction access and staging of Sequence II of the Atlantic Crossing development, and the design of a permanent new parking area on the north side of Veteran's Park and the ultimate, expanded park space (following completion of Atlantic Crossing).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Veteran's Park: Applicant Request Letter](#)

[Veteran's Park: Applicant Presentation](#)

[Veteran's Park: Proposed Plan](#)

[Veteran's Park: Rendering, Proposed Plan](#)

[Atlantic Crossing Sequence Plan](#)

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

5.A. City Manager's response to prior public comments and inquiries

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:

September 18, 2023 Regular Meeting / 2nd Public Budget Hearing
October 10, 2023 Regular Meeting
October 17, 2023 Workshop and Joint Workshop Meeting with CRA Board

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[September 18, 2023 Regular Meeting 2nd Public Budget Hearing - DRAFT](#)
[October 10, 2023 Regular Meeting Minutes - DRAFT](#)
[October 17, 2023 Workshop and Joint Workshop Meeting with CRA Board - DR](#)

6.B. APPROVAL OF ADDITIONAL SPENDING ON AGREEMENT P2018-017 WITH GRAYBAR ELECTRIC COMPANY, INC., FOR MAINTENANCE, REPAIR AND OPERATING SUPPLIES IN THE AMOUNT NOT TO EXCEED \$60,000 PER YEAR FOR A REVISED CONTRACT VALUE OF \$524,000.

Recommendation: Motion to Approve additional spending on Agreement P2018-017 with Graybar Electric Company, Inc., for maintenance, repair, and operating supplies, in the amount of \$60,000 per year.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Agreement P2018-017](#)
[Resolution No. 27-18](#)
[EV2370](#)
[EV2370 Renewal](#)

- 6.C.** RESOLUTION NO. 201-23, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ENDORSING THE SOUTHEAST FLORIDA CLIMATE ACTION PLEDGE; AGREEING TO JOINTLY ADVANCE STRATEGIC CLIMATE ADAPTATION AND MITIGATION PLANNING, PROGRAMS, POLICIES AND PROJECTS; AND ADVANCING THE IMPLEMENTATION OF THE REGIONAL CLIMATE ACTION PLAN AS APPROPRIATE FOR EACH GOVERNMENT.

Recommendation: Motion to Approve Resolution No. 201-23 endorsing the Southeast Florida Climate Action Pledge.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[SEFL-Climate-Action-Pledge_Reso 10.4.23](#)
[Simple Legal Review Approval Climate Action Resolution](#)

- 6.D.** RESOLUTION NO. 214-23 OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING A UTILITY WORK BY HIGHWAY CONTRACTOR AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION, FOR DESIGN AND CONSTRUCTION SERVICES FOR THE RELOCATION OF CITY UTILITY INFRASTRUCTURE TO BE PERFORMED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION CONTRACTORS; FOR PROJECT SR5-US1 FROM BAILEY STREET TO SOUTH OF EVE STREET; AND AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND/OR RENEWALS; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES OF UTILITY RELOCATIONS.

Recommendation: Motion to approve a Resolution No. 214-23 a Utility Work by Highway Contractor Agreement with the Florida Department of Transportation (FDOT), for performing construction services relocating City of Delray Beach (City) water utilities relating to FDOT, Project SR-5/US-1 from Bailey Street to South of Eve Street, for a lump sum of \$20,496.00.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[City of Delray Beach Cost Estimate 447658-1-52-01.pdf](#)
[447658-1 UWHCA - City of Delray Beach SR5-US1 from Bailey St to Eve St.pdf](#)
[Legal Review Utility Work by Highway Contractor Agreement with FDOT UWHC Reso 214-23 lg rev 10-23-23 \(clean\).docx](#)

- 6.E.** RESOLUTION NO. 215-23: APPROVAL OF STATE HOMELAND SECURITY GRANT PROGRAM AGREEMENT RENEWAL WITH THE STATE OF FLORIDA, WHICH HAS THE STATUTORY AUTHORITY TO DISBURSE FEDERAL HOMELAND SECURITY FUNDS TO PARTICIPATING MUNICIPALITIES OF A REGIONAL DOMESTIC SECURITY TASK FORCE (RDSTF) R0518.

Recommendation: Staff recommends the approval of the State Homeland Security Grant Program (SHSGP) agreement renewal to facilitate additional reimbursement of funds to offset the expenses incurred by the City to sustain and purchase specialized equipment for mitigating Hazardous Materials incidents.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Legal Review FY2021 SHSGP City of Delray Beach Modification #1 R0518](#)
[FY2021 SHSGP City of Delray Beach Modification #1 R0518 \(002\)](#)
[Resolution 215-23 Grant Agreement R0518 \(002\)](#)

- 6.F.** RESOLUTION NO. 213-23 AMENDING THE FISCAL YEAR 2022-23 BUDGET ADOPTED BY RESOLUTION NO.157-22 ON SEPTEMBER 19, 2022

Recommendation: Motion to Approve Resolution No. 213-23 amending the budget for Fiscal Year 2022-23 adopted on September 19, 2022.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Exhibit A - Resolution 213-23 Budget Amendment 11.7.23](#)
[Resolution 213-23 Budget Amendment](#)
[Simple Legal Review Approval Budget Amendment Resolution 213-23](#)

- 6.G.** RESOLUTION NO. 222-23 AMENDING THE FISCAL YEAR 2023-24 BUDGET ADOPTED BY RESOLUTION NO.145-23 ON SEPTEMBER 18, 2023.

Recommendation: Motion to Approve Resolution No. 222-23 amending the budget for Fiscal Year 2023-24 adopted on September 18, 2023.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution 222-23 Budget Amendment FY 2023-24 11.7.2023](#)
[Exhibit A - Resolution 222-23 Budget Amendment 11.7.23 FY 2023-24 - Final](#)
[Simple Legal Review Approval Budget Amendment Resolution 222-23](#)

6.H. AMEND AND RENEW AGREEMENT WITH THE STANDARD FOR EMPLOYEE BASIC LIFE, SUPPLEMENTAL, SPOUSE AND DEPENDENT LIFE INSURANCE, EMPLOYEE ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE AND RETIREE LIFE EFFECTIVE OCTOBER 1, 2023.

Recommendation: Motion to Approve Amendment to the Agreement with The Standard for Employee Basic Life, Supplemental, Spouse and Dependent Life Insurance, Employee Accidental Death and Dismemberment Insurance and Retiree Life.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Simple Legal Review Approval standard ins amendment 10-25-23](#)
[2023-10-01 - Delray Beach - Standard - Amendment Request \(Combined Rate\)](#)

6.I. APPROVAL OF GRANT APPLICATION AND AWARD/FDOT/SPEED/AGGRESSIVE DRIVING ENFORCEMENT PROGRAM

Recommendation: Motion to approve application and award for the Florida Department of Transportation (FDOT) FY 23/24 Speed/Aggressive Driving Enforcement program.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[FDOTSubgrantAgreement-2024 with signature blocks added - Aggressive grant](#)
[Simple Legal Review Approval FDOT Subgrant Agreement Speed and Aggress](#)

- 6.J.** RESOLUTION NO. 206-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO GAIL B. TIFFORD, FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 125 N. DIXIE BOULEVARD, AS FURTHER DESCRIBED HEREIN; DETERMINING THAT THE COMPLETED IMPROVEMENTS ARE CONSISTENT WITH LAND DEVELOPMENT REGULATION (LDR) SECTION 4.5.1(J), TAX EXEMPTION FOR HISTORIC PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

Recommendation: Review and consider Resolution No. 206-23; approving a Historic Property Ad Valorem Tax Exemption request for improvements to the contributing structure and property located at 125 N. Dixie Boulevard.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[1-Res No. 206-23-125 N. Dixie Boulevard](#)

[2-HPB Staff Report-2023-10-04-125 N. Dixie Boulevard](#)

[3-HPB Staff Report -2020-10-07-125 N. Dixie Boulevard](#)

[4-Application Tax Exemption-125 N. Dixie Boulevard](#)

[5-Certificate of Occupancy-125 N. Dixie Boulevard](#)

[6-Architectural Drawings-125 N. Dixie Boulevard](#)

[7-Survey Old-125 N. Dixie Boulevard](#)

[8-Survey New-125 N. Dixie Boulevard](#)

[9-Photographs Before and After-125 N. Dixie Boulevard](#)

[10-Property Tax Information-125 N. Dixie Boulevard](#)

[11-Tax Bill and Warranty Deed-125 N. Dixie Boulevard](#)

[Simple Legal Review Approval Tax Exemption 206-23 125 n dixie blvd](#)

6.K. PROCLAMATIONS:

6.K.1. OBSERVANCE OF VETERANS DAY PROCLAMATION

Recommendation: Motion to observe Friday, November 10, 2023 as National Veterans Day.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Veteran's Day Proclamation 2023](#)

6.K.2. NATIONAL HUNGER & HOMELESSNESS AWARENESS WEEK PROCLAMATION

Recommendation: Motion to proclaim November 11 -18, 2023 as National Hunger & Homelessness Awareness Week.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Hunger & Homelessness Awareness Week 2023](#)

6.K.3. FAMILY COURT AWARENESS MONTH

Recommendation: Motion to proclaim November 2023 as Family Court Awareness Month.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Family Court Awareness Month 2023](#)

6.K.4. PROCLAMATION TO PROMOTE RECYCLING IN PALM BEACH COUNTY AND TO DECLARE NOVEMBER 15, 2023 AS AMERICA RECYCLES DAY.

Recommendation: It is recommended that the City of Delray Beach proclaim and recognize November 15, 2023, as America Recycles Day and encourage all residents to continue to Reduce, Reuse, Recycle and Rethink their waste whether they are at work, home, school or play, and to Recycle Right every day by putting the correct items in their blue and yellow recycle bins!

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[America Recycles Day 2023](#)

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

6.L.1. None

6.M. AWARD OF BIDS AND CONTRACTS:

6.M.1. None

7. REGULAR AGENDA:

7.A. CITY STAFF HAS TENTATIVELY AGREED TO A COLLECTIVE BARGAINING AGREEMENT (CBA) BETWEEN THE CITY OF DELRAY BEACH AND THE PROFESSIONAL FIRE FIGHTERS OF DELRAY BEACH, LOCAL 1842, IAFF, INC. (DELRAY BEACH RANK AND FILE). THIS CBA WILL BE IN EFFECT FROM OCTOBER 1, 2023 TO SEPTEMBER 30, 2026.

Recommendation: Motion to approve Collective Bargaining Agreement the City of Delray Beach and the Professional Fire Fighters of Delray Beach, Local 1842, IAFF, INC.(Delray Beach Rank and File).

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Memo to CM Approval of Collective Bargaining Agreement IAFF Rank and File](#)
[Simple Legal Review Approval IAFF Rank & File..](#)
[Delray Rank and File TA 10312023...](#)
[Delray Rank and File...](#)

- 7.B.** CITY STAFF HAS TENTATIVELY AGREED TO A COLLECTIVE BARGAINING AGREEMENT (CBA) BETWEEN THE CITY OF DELRAY BEACH AND THE PROFESSIONAL FIRE FIGHTERS OF DELRAY BEACH, LOCAL 1842, IAFF, INC. (DELRAY BEACH SUPERVISORY). THIS CBA WILL BE IN EFFECT FROM OCTOBER 1, 2023 TO SEPTEMBER 30, 2026.

Recommendation: Motion to approve Collective Bargaining Agreement between the City of Delray Beach and the Professional Firefighters of Delray Beach, Local 1841, IAFF, INC. (Delray Beach Supervisory).

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Memo to CM Approval of Collective Bargaining Agreement IAFF Supervisory \(01](#)
[Simple Legal Review Approval IAFF Supervisory](#)
[Delray Supervisory TA 10272023-..](#)
[Delray Supervisory...](#)

- 7.C.** APPROVAL OF RESOLUTION NO. 220-23 APPROVING THE RECOMMENDATION OF RANKING AND AUTHORIZING THE CITY MANAGER OR DESIGNEE TO NEGOTIATE AN AGREEMENT WITH THE HIGHEST RANKED FIRM FOR THE CITY OF DELRAY BEACH WATER TREATMENT PLANT PROGRESSIVE DESIGN-BUILD PROJECT PURSUANT TO RFQ 2023-066 (PROJECT NO. 22-019U).

Recommendation: Motion to approve Resolution No. 220-23 approving recommendation of award and authorizing the City Manager or designee to negotiate an agreement with the highest ranked qualified firm for the City of Delray Beach Water Treatment Progressive Design Build Project pursuant to Request for Qualification (RFQ) No. 2023-066.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Res 220-23 for RFQ 2023-066](#)
[Simple Legal Review Resolution 220-23](#)
[Tabulation Packet for RFQ 2023-066 CDM Smith](#)
[RFQ 2023-066-Final Evaluation Scoring Sheet](#)
[Packet for Bid RFQ 2023-066 Final](#)

- 7.D.** RESOLUTION 221-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE 62ND ANNUAL DELRAY AFFAIR TO BE HELD APRIL 12 THROUGH 14, 2024; AUTHORIZING THE CLOSURE OF ATLANTIC AVENUE AS MORE SPECIFICALLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Recommendation: Review and consider Resolution 221-23, approving an Impact Event known as the 62nd Annual Delray Affair to be held April 12 through 14, 2024 and authorizing the closure of Atlantic Avenue and Swinton Avenues for the event.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Impact Event Resolution \(Delray Affair\) lg rev](#)
[2024 DA SITE PLAN - FINAL](#)
[2024 DELRAY AFFAIR - CITY OF DELRAY SPECIAL EVENTS APPLICATION](#)
[Simple Legal Review Approval delray affair 2024](#)

7.E. NOMINATION FOR AN APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD

Recommendation: Motion to approve nominations for appointment for seven (7) regular members to serve on the Site Plan Review and Appearance Board. The appointments of the 7-member boards will be staggered so that three (3) members shall be appointed for an initial term of one (1) year ending August 31, 2024 with the balance of the members being appointed for an initial term of two (2) years ending August 31, 2025.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A - SPRAB \(rev\)](#)

[Adler](#)

[Alvarez](#)

[Baffer](#)

[Beal](#)

[Cohen R.](#)

[Cohen S.](#)

[DeLacio](#)

[Dumitrescu](#)

[Gray](#)

[Kapustein](#)

[Kiser](#)

[Morrison](#)

[Nelson](#)

[O'Conner](#)

[Olieberg](#)

[Perez](#)

[Purdo](#)

[Ramirez](#)

[Rindos](#)

[Thomas](#)

7.F. NOMINATION FOR APPOINTMENT TO THE PLANNING AND ZONING BOARD

Recommendation: Motion to approve nominations for appointment for seven (7) regular members to serve on the Planning and Zoning Board. The appointments of the seven (7) member boards will be staggered so that three (3) members shall be appointed for an initial term of one (1) year ending August 31, 2024 with the balance of the members being appointed for an initial term of two (2) years ending August 31, 2025.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 11072023 P&Z](#)
[Adler](#)
[Baffer](#)
[Beal](#)
[Blankenship](#)
[Blumenfeld](#)
[Brown](#)
[Carstarphen](#)
[Cohen R.](#)
[Cohen S.](#)
[Cohn](#)
[Davey](#)
[DeLacio](#)
[Dockerty](#)
[Dumitrescu](#)
[Gray](#)
[Kapustein](#)
[Kiser](#)
[Morrison](#)
[Nelson](#)
[Petillo](#)
[Sylvester](#)
[Rindos](#)
[Savitch](#)
[Snyder](#)
[Thomas](#)

7.G. NOMINATION FOR APPOINTMENT TO THE BOARD OF ADJUSTMENT

Recommendation: Motion to approve the nomination for appointment for one (1) regular member to serve on the Board of Adjustment initially for a one (1) year term ending August 31, 2024 with the eligibility to serve a full successive two (2) year term.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Board of Adjustment](#)

[BOA ATTENDANCE](#)

[DeLacio](#)

[Ramirez](#)

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 21-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ANNEXING INTO THE CITY OF DELRAY BEACH A PARCEL OF LAND LOCATED WEST OF BARWICK ROAD, IMMEDIATELY NORTH OF LAKE WORTH DRAINAGE DISTRICT L-31 CANAL, AND IMMEDIATELY SOUTH OF 133RD ROAD SOUTH, WHICH MEASURES APPROXIMATELY 5.08 ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN, AND IS SITUATED CONTIGUOUS TO THE EXISTING MUNICIPAL LIMITS OF THE CITY OF DELRAY BEACH; PROVIDING FOR INCLUSION OF THIS PARCEL INTO THE CITY BOUNDARIES AND A REDEFINITION OF THE CITY BOUNDARIES PURSUANT TO SECTION 171.044(2), FLORIDA STATUTES; PROVIDING FOR CONFORMANCE WITH ALL VOLUNTARY ANNEXATION PROCEDURES AS SET FORTH IN SECTION 171.044, FLORIDA STATUTES; PROVIDING FOR FILING WITH PALM BEACH COUNTY AND THE DEPARTMENT OF STATE; PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

Recommendation: Review and consider Ordinance No. 21-23, a privately initiated request for annexation of a parcel of land located at 4594 133rd Road South, subject to Florida Statutes Section 171 and the City of Delray Beach Land Development Regulations Section 2.4.5(C)(1).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report](#)
[Ordinance No. 21-23, 4594 133rd Road South Annexation](#)
[Map AD-23 - Annexation Areas](#)
[Map AD-1 Planning Area](#)
[Applicant Project Narrative, 4594 133rd Road South](#)
[Traffic Study, 4594 133rd Road South](#)
[TPS Review Letter, 4594 133rd Road South](#)
[SCAD Letter, 4594 133rd Road South](#)
[Palm Beach County Letter of No Objection](#)
[Map - Proposed Land Use](#)
[Map - Proposed Zoning](#)
[Legal Review, Ordinance No. 21-23](#)
[Proof of Legal Notice No. 1](#)
[Proof of Legal Notice No. 2](#)

- 8.B.** ORDINANCE NO. 22-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A PARCEL OF LAND MEASURING APPROXIMATELY 5.08 ACRES LOCATED WEST OF BARWICK ROAD, IMMEDIATELY NORTH OF LAKE WORTH DRAINAGE DISTRICT L-31 CANAL, AND IMMEDIATELY SOUTH OF 133RD ROAD SOUTH, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM PALM BEACH COUNTY MEDIUM RESIDENTIAL TO LOW DENSITY RESIDENTIAL, 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)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord. No. 22-23, 4594 133 Road South LUMA](#)
[PZB Staff Report](#)
[Map AD-1 Planning Area](#)
[Map AD-23 Annexation Areas](#)
[Map - Proposed Land Use 4594 133rd Road South](#)
[Applicant Project Narrative, 4594 133rd Road South](#)
[Traffic Study, 4594 133rd Road South](#)
[TPS Letter, 4594 133rd Road South](#)
[Legal Review, Ordinance No. 22-23](#)
[Proof of Legal Notice](#)

- 8.C.** ORDINANCE NO. 23-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING A PARCEL OF LAND MEASURING APPROXIMATELY 5.08 ACRES LOCATED WEST OF BARWICK ROAD, IMMEDIATELY NORTH OF LAKE WORTH DRAINAGE DISTRICT L-31 CANAL, AND IMMEDIATELY SOUTH OF 133RD ROAD SOUTH, FROM PALM BEACH COUNTY AGRICULTURE RESIDENTIAL TO SINGLE FAMILY R-1-A, AS MORE PARTICULARLY DESCRIBED HEREIN; 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: Review and consider Ordinance No. 23-23, a privately initiated rezoning request rezoning request from Palm Beach County Agriculture Residential (AR) to City of Delray Beach Single Family Residential (R-1-A), totaling 5.08 acres, located west of Barwick Road and north of the Lake Worth Drainage District L-31 Canal.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report](#)
[Ordinance No. 23-23, 4594 133 Road South Rezoning](#)
[Map AD-1, Planning Area](#)
[Map AD-23, Annexation Areas](#)
[Map - Proposed Zoning, 4594 133rd Road South](#)
[Traffic Study, 4594 133rd Road South](#)
[TPS Letter, 4594 133rd Road South](#)
[Applicant Project Narrative, 4594 133rd Road South](#)
[Legal Review, Ordinance No. 23-23](#)
[Proof of Legal Notice](#)

- 8.D.** ORDINANCE NO. 30-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING 0.4 ACRES OF LAND LOCATED AT 1201 GEORGE BUSH BOULEVARD FROM RESIDENTIAL OFFICE TO MEDIUM DENSITY RESIDENTIAL, AS MORE PARTICULARLY DESCRIBED HEREIN; 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 / QUASI-JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 30-23](#)
[PZB Staff Report, 1201 George Bush Blvd.](#)
[Applicant Justification Statement](#)
[Map - Existing Zoning](#)
[Map - Proposed Zoning](#)
[Traffic Statement](#)
[TPS Letter](#)
[School Capacity Availability Determination \(SCAD\) Letter](#)
[Legal Review, Ordinance No. 30-23](#)
[Proof of notice - legal advertising](#)

- 8.E.** ORDINANCE NO. 40-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, CHAPTER 96, “FIRE SAFETY AND EMERGENCY SERVICES,” SECTION 96.16, “CERTAIN CODES ADOPTED BY REFERENCE,” TO COMPLY WITH CHANGES TO THE FLORIDA FIRE PREVENTION CODE STANDARDS: PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Staff recommends the approval of this amendment to the existing ordinance that will bring our city ordinance up to date with the updated Florida Fire Prevention Code.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Legal Review Ord 40-23 amending Fire Code](#)
[Ord 40-23 Amending Ch 96 Fire Safety lg rev 9-26-23 final lg rev 10-23-23 \(002](#)

- 8.F.** ORDINANCE NO. 41-23: 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 SECTION 33.76, "BENEFIT AMOUNTS AND ELIGIBILITY", TO PROVIDE FOR COMPLIANCE WITH CHAPTER 2019-21, LAWS OF FLORIDA; AMENDING SECTION 33.88, "DIRECT TRANSFERS OF ELIGIBLE ROLLOVER DISTRIBUTIONS" BY DELETING THE CURRENT LANGUAGE AND REPLACING IT WITH "INTERNAL REVENUE CODE COMPLIANCE", TO PROVIDE COMPLIANCE WITH THE INTERNAL REVENUE CODE AND THE SECURE 2.0 ACT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Motion to approve proposed Ordinance amendment for compliance with State required Cancer provisions and Federal required SECURE 2.0 Act provisions.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Aug 2023 AIS for cancer assump & SECURE 2.0](#)
[Simple Legal Review Approval FF Retirement System Ordinance 9-19-23](#)
[FF Cancer Bill-IRC and SECURE 2.0 Ordinance Amendment \(26July2023\) lgr](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 46-23: 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 50 "UTILITIES GENERALLY; PUBLIC SERVICE TAX", SUBHEADING "GENERAL PROVISIONS", BY CREATING A NEW SECTION 50.04, "REVIEW AND ADJUSTMENT OF USER CHARGES," TO ESTABLISH PROVISIONS FOR ADJUSTMENTS TO WATER CHARGES DUE TO LEAKS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Staff recommends approval of Ordinance No. 46-23 on first reading.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Ord 46-23 leak adjustment for utility bills lgr rev 10-20-23 \(003\)_hd \(002\)-ag FIN](#)
[Simple Legal Review Approval leak adjustment ordinance](#)
[Proposed Leak Adjustment Table](#)

- 9.B.** ORDINANCE NO. 48-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", BY AMENDING SECTION 32.62, "COMPOSITION; APPOINTMENT; TERMS", TO REDUCE THE NUMBER OF POLICE ADVISORY BOARD MEMBERS FROM 13 REGULAR MEMBERS TO 5; BY AMENDING SECTION 32.65, "DUTIES AND RESPONSIBILITIES", TO UPDATE THE DUTIES AND RESPONSIBILITIES OF THE POLICE ADVISORY BOARD; PROVIDING A SAVINGS CLAUSE; GENERAL REPEALER CLAUSE; AND AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Staff recommends approval.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Simple Legal Review Approval Amendment to Police Advisory Board](#)
[Ord 48-23 Amending Police Advisory Board lq rev 10-23-23](#)

- 9.C.** ORDINANCE NO. 49-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REPEALING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", SECTIONS 32.40 - 32.44, "KIDS AND COPS COMMITTEE", PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 32 SHALL REMAIN IN FULL FORCE AND EFFECT AS PREVIOUSLY ADOPTED; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Staff recommends approval.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Simple Legal Review Approval Repeal of Kids and Cops](#)
[Ordinance 49-23 Kids and Cops Repeal](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission

11. ADJOURNMENT