

# 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 6, 2024

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. PRESENTING FERNANDO AYROSA, SENIOR TECHNOLOGY STRATEGIST, WITH EMPLOYEE OF THE MONTH FOR JANUARY 2024**

**Recommendation:** Motion to present Fernando Ayrosa, Senior Technology Strategist, with Employee of the Month for January 2024.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Fernando Ayrosa\\_EOM-Nomination Form](#)

**4.B. GREEN IMPLEMENTATION ADVANCEMENT BOARD 2024 ANNUAL REPORT**

**Recommendation:** Receive presentation from the Green Implementation Advancement Board regarding recommendations for achieving the City's green goals.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[2024 Annual Report](#)

**4.C. QUARTERLY FINANCIAL REVIEW THROUGH DECEMBER 31, 2023**

**Recommendation:** N/A - Presentation item.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[rptIncomeStatement\\_all funds summary\\_12.31.2023](#)  
[rptIncomestatement\\_all funds detailed\\_12.31.2023](#)  
[rptIncomeStatement\\_Gen fund by category\\_12.31.2023](#)

**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:

January 4, 2024 Regular Meeting Minutes

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[January 4, 2024 Regular Meeting Minutes - DRAFT](#)

**6.B. RESOLUTION NO. 36-24 NUISANCE ABATEMENT OF FOUR (4) PROPERTIES THROUGHOUT THE CITY**

**Recommendation:** Motion to adopt Resolution No. 36-24 assessing costs for abatement action required to remove nuisances on four (4) properties throughout the City.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[36-24 - Nuisance Abatement Resolution](#)  
[RES NO. 36-24 Exhibit A](#)  
[Simple Legal Review Approval Nuisance Abatement 36-24](#)

**6.C. RESOLUTION NO. 41-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CALLING FOR A NONPARTISAN ELECTION TO BE HELD ON TUESDAY, MARCH 19, 2024; AND A SECOND NONPARTISAN ELECTION, IF NECESSARY, ON TUESDAY, APRIL 2, 2024; SUCH ELECTIONS TO BE HELD FOR THE ELECTION OF TWO CITY COMMISSIONERS AND A MAYOR; 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. 41-24.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[RESOLUTION NO - Notice of Election Canvassing 41-24](#)  
[Simple Legal Review Election Canvassing 41-24](#)

**6.D. INTERLOCAL AGREEMENT BETWEEN THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA AND THE CITY OF DELRAY BEACH CONCERNING STUDENT INFORMATION**

**Recommendation:** Motion to approve the Interlocal Agreement between the City of Delray Beach and the School Board of Palm Beach County for data sharing purposes.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Interlocal Legal Review](#)  
[City of Delray Beach Data Sharing Interlocal Agreement FY24 for Approval 2 \(D](#)

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

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

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 18-24 Budget Amendment FY 2023-24 02.06.2024](#)  
[Exhibit A - Reso 18-24 - Budget Amendment -2.6.2024](#)  
[Exhibit A - Reso. 18-24 CIP Project Rollover 2024 2.6.2024](#)  
[Exhibit A - Reso 18-24 - Purchase Order Rollover List - 2.6.2024](#)  
[Simple Legal Review Approval-Budget Resolution 18-24](#)

**6.F. RESOLUTION NO. 40-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A FEDERALLY-FUNDED SUB-AWARD AND GRANT AGREEMENT WITH THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM) TO OBTAIN FEDERAL AND STATE DISASTER RECOVERY FUNDS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**Recommendation:** Motion approving Resolution No. 40-24 approving a Federally-Funded Subaward and Grant Agreement with Florida Division of Emergency Management.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Hurricane Nicole Resolution DV edits](#)  
[Subaward Grant Legal Review](#)  
[HURRICANE NICOLE - FEMA AGREEMENT 1.11.24 Unsigned](#)  
[HURRICANE NICOLE - STATE OF EMERGENCY DECLARATION - 202-22 1](#)

- 6.G.** RESOLUTION NO. 43-24: APPROVAL OF RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE ADOPTION OF A STATEWIDE MUTUAL AID AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Staff recommends the approval and execution of the Statewide Mutual Agreement as it replaces all previous iterations from the 2018 version. This agreement allows the City to request assistance for a major disaster or catastrophic disaster as defined in section 252.34, Florida Statutes, minor disasters, and other such emergencies as lawfully determined by a participating party.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[SMAA Legal Review](#)  
[SMAA 2023 Final Version](#)  
[Statewide Mutual Aid Agreement](#)

- 6.H.** APPROVAL OF AMENDMENT NUMBER FOUR ( 4 )TO THE LEASE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PINEAPPLE GROVE HOLDINGS, LLC FOR THE CONTINUED OCCUPANCY OF THE MEDICAL FACILITY LOCATED AT 525 NE 3RD AVENUE, DELRAY BEACH, FLORIDA.

**Recommendation:** **Motion to Approve lease renewal for Pineapple Grove Center for the Employee Health and Wellness Center.**

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Amd #4 to Lease with Pineapple Grove - Clinic - 3month extensic](#)  
[City of Delray HR Memo - Pineapple Grove Holdings Lease Amd 4](#)  
[Amd #4 to Lease with Pineapple Grove \(clean copy 12.21.23\)](#)

- 6.I.** APPROVAL FOR ADDITIONAL SPENDING ON P2021-012 WITH MILLENIUM PRODUCTS, INC. FOR PURCHASES OF LICENSE PLATE RECOGNITION CAMERAS, CCTV CAMERAS, ACCESSORIES, AND RELATED SERVICES IN THE AMOUNT OF \$186,948.53, FOR A REVISED CONTRACT TOTAL OF \$588,506.44

**Recommendation:** Motion to approve additional spending on existing contract P2021-012 with Millenium Products, Inc., for purchases of license plate recognition cameras, CCTV cameras, accessories, and related services, in the amount of \$186,948.53, for a revised contract total of \$588,506.44.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Q-09829- Delray Beach PD \(FL\) - Linton & 95 Fixed LPR rev4MR updated quot](#)  
[Executed Agreement - Millennium Products Inc.](#)  
[GSA GS-07F-0031W from GSA website 0VQ1G7.3RGEEY\\_GS07F0031W\\_GS](#)  
[Legal Review Checklist millenium LPR](#)

- 6.J.** APPROVAL FOR ADDITIONAL SPENDING ON P2023-018 WITH BLUE LINE INNOVATIONS, LLC. FOR PURCHASES OF PUBLIC SAFETY UNIFORMS IN THE AMOUNT OF \$50,000, FOR A REVISED CONTRACT TOTAL OF \$120,000

**Recommendation:** Motion to approve additional spending on existing contract P2023-018 with Blue Line Innovations, LLC., for purchases of public safety uniforms, in the amount of \$50,000, for a revised contract total of \$120,000.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Agreement - Blue Line Innovations, LLC. \(Bid No. 9210\)](#)  
[Bid #9210 Renewal Letter Uniform FY24 signed](#)

- 6.K.** APPROVAL OF ADDITIONAL SPENDING ON AGREEMENT P2023-026 WITH TRANE U.S. INC. FOR HVAC PRODUCTS, INSTALLATION, LABOR-BASED SOLUTIONS, AND RELATED PRODUCTS AND SERVICES IN THE AMOUNT OF \$94,660, FOR A REVISED CONTRACT TOTAL OF \$2,542,993.20

**Recommendation:** Motion to approve additional spending on Agreement P2023-026 with Trane U.S. INC. for HVAC Products, Installation, Labor-based Solutions, and Related Products and Services in the amount of \$94,660, for a revised contract total of \$2,542,993.20.

**Sponsors:** Public Works Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Trane Quote - SOC SC Upgrade 011624](#)  
[Agreement P2023-026 - Trane U.S. Inc.](#)  
[Resolution No. 69-23](#)  
[Legal Review Checklist - P2023-026 Trane U.S. Inc.](#)

6.L. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 612 SE 3RD AVE.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 800 BOND WAY

ITEM(S) A3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 501 NW 8TH AVE.

**Recommendation:** Consideration of the following items:

Item A1 - Motion to approve and accept a Right-of-Way Dedication by the owners of 612 SE 3rd Ave.

Item A2 - Motion to approve and accept a Right-of-Way Dedication by the owners of 800 Bond Way.

Item A3 - Motion to approve and accept a Right-of-Way Dedication by the owners of 501 NW 8th Ave.

**Sponsors:** Public Works Department

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

[A1a - Right of Way Deed - 612 SE 3rd Ave. - Garrett Bender](#)

[A1b - Legal Review Right of Way Deed - 612 SE 3rd Ave - Garrett Bender](#)

[A2a - Right of Way Deed - 800 Bond Way - 1212 NE 8th Ave. LLC](#)

[A2b - Legal Review Right of Way Deed - 800 Bond Way - 1212 NE 8th Ave. LL](#)

[A3a - Right of Way Deed - 501 NW 8th Ave - Albert C. Scartabello Jr.](#)

[A3b - Legal Review Right of Way Deed - 501 NW 8th Ave - Albert Scartabello](#)



- 6.M.** APPROVAL OF AMENDMENT NO. 2 FOR A INCREASE TO CONTRACT VALUE IN THE AMOUNT OF \$64,000 FOR EXCAVATION AND STOCKPILING SERVICES WITH DEV-LAND DEMOLITION & SITE, INC., UNDER THE CITY OF DELRAY BEACH SOLICITATION NO. 2019-033, FOR A TOTAL CONTACT VALUE NOT TO EXCEED \$2,134,750.

**Recommendation:** Motion to approve of Amendment No. 2 approving an increase to contract value by \$64,000 for excavation and stockpiling services with Dev-Land Demolition & Site, Inc., under the City of Delray Beach Solicitation No. 2019-033, for a total contract value not to exceed \$2,134,750.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Dev-land Amendment 2.pdf](#)  
[Amendment 2.pdf](#)  
[Amendment No. 1 - Dev-Land Demolition & Site, Inc. \(1\)](#)  
[Dev-Land Executed Agreement](#)  
[2019-033 Lime Sludge Removal and Disposal\\_Advertised](#)  
[Resolution No. 121-19](#)

- 6.N.** PROPOSED OFFER OF SETTLEMENT IN THE CASE OF ABC JS AUTO IMPORTS LLC VS. CITY OF DELRAY BEACH

**Recommendation:** Motion to approve settlement for the reasons discussed in the confidential memorandum previously distributed to the City Commission.

**Sponsors:** City Attorney Department

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

## **6.O. PROCLAMATIONS:**

### **6.O.1. 211 AWARENESS WEEK**

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[211 Awareness Week Feb 11-17-2024](#)

### **6.O.2. BLACK HISTORY MONTH PROCLAMATION**

**Recommendation:** Motion to approve the proclamation declaring February as Black History Month.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Black History Month](#)

**6.O.3. OBSERVANCE OF PRESIDENTS' DAY - FEBRUARY 19, 2024**

**Recommendation:** Recognize February 19, 2024 as Presidents' Day in the City of Delray Beach.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[President's Day Proclamation - 2024](#)

**6.O.4. NOTICE OF ELECTION PROCLAMATION AND PRECINCT LIST**

**Recommendation:** Motion to declare the first nonpartisan election on March 19, 2024.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Notice of Election Proclamation & Precinct List](#)

**6.P. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.P.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM JANUARY 1, 2024 THROUGH JANUARY 31, 2024.**

**Recommendation:** By motion, receive and file this report for actions on development application requests from January 1, 2024 through January 31, 2024.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[HPB \(1-17\) - 1109 Seaspray Avenue](#)  
[HPB \(1-17\) - 202 N. Swinton Avenue](#)  
[HPB \(1-17\) - Downtown Delray Villas - Lot 1](#)  
[HPB \(1-17\) - Downtown Delray Villas - Lot 2](#)  
[HPB \(1-17\) - Downtown Delray Villas - Lot 3](#)  
[HPB \(1-17\) - Downtown Delray Villas - Lot 4](#)  
[HPB \(1-17\) - Downtown Delray Villas - Lot 5](#)  
[SPRAB \(1-24\) - 455 NE 5th Avenue \(Master Sign Program\)](#)  
[SPRAB \(1-24\) - Atlantic Crossing \(Phase II\)](#)  
[HPB \(1-31\)-Sundy Village- Blocks 61, 69, & 70](#)

**6.Q. AWARD OF BIDS AND CONTRACTS:**

**6.Q.1.** RESOLUTION NO. 08-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING AN AGREEMENT WITH DAVID TAUSSIG & ASSOCIATES, INC. FOR CONSULTING SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF NEW DEVELOPMENT IMPACT FEES PURSUANT TO RFP 2023-054; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND/OR RENEWALS THERETO AND TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Motion to approve Resolution No. 08-24 to award and agreement with David Taussig & Associates for consulting services for the development and implementation of impact fees pursuant to RFP 2023-054 in the amount of \$64,000.00.

**Sponsors:** Finance Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Reso No. 08-24](#)  
[Legal Review Checklist Development and Implementation of Impact Fees](#)  
[Vendor Signed Agreement](#)  
[Exhibit A clean copy](#)  
[City of Delray Beach Impact Fee Study 5-26-23](#)  
[Packet for Bid RFP 2023-054 FINAL](#)

**6.Q.2.** APPROVAL OF RESOLUTION NO.16-24 TO AWARD AN AGREEMENT TO CLEARGOV FOR THE IMPLEMENTATION AND ANNUAL MAINTENANCE OF A SOFTWARE PACKAGE THAT INCLUDES LABOR COSTING AND INTERACTIVE ONLINE BUDGET BOOK UTILIZING BUYBOARD RFP NO. 692-23 IN THE AMOUNT OF \$68,084.27.

**Recommendation:** Motion to approve Resolution No.16-24 to award an Agreement to ClearGov for the implementation and annual maintenance of a software package that includes labor costing and an online budget book in the estimated amount of \$68,084.27 through March 31, 2024, utilizing the BuyBoard RFP No. 692-23, and authorizing the City Manager to approve renewal options, in the amounts below, contingent on appropriations of funds and BuyBoard renewing their agreement with ClearGov.

**Sponsors:** Finance Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No 16-24 Cleargov](#)  
[ClearGov - Delray Beach, FL - Vendor Signed Agreement](#)  
[Exhibit A- ClearGov - Delray Beach - SO - 1.12](#)  
[Original Proposal No. 692-23 \(2\)](#)  
[ClearGov Inc \(3\)](#)  
[Legal Review Checklist Cleargov](#)

**6.Q.3. APPROVAL OF RESOLUTION NO. 04-24 TO AWARD AN AGREEMENT WITH GENERIC CHEMICAL, INC. FOR THE SUPPLY AND DELIVERY OF GP-143 POLYMER, UTILIZING THE CITY'S CITY STANDARD IN A TOTAL NOT TO EXCEED ESTIMATED AMOUNT OF \$136,000.**

**Recommendation:** Motion to approve Resolution No. 04-24 to award an Agreement with Generic Chemical, Inc., for supply and delivery of GP-143 Polymer utilizing the City's City Standard, in a total not to exceed estimated amount of \$136,000.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Generic Chemical legal review.pdf](#)  
[CS2024-007 Approval Packet - Signed](#)  
[Resolution 04-24 City Standard Approval for GP-143 agreement.docx](#)  
[CS2024-007 City Standard Generic Chemicals Agreement.pdf](#)

## **7. REGULAR AGENDA:**

**7.A. RESOLUTION NO. 03-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF INTEREST IN A PORTION OF UNIMPROVED RIGHT-OF-WAY LYING BETWEEN 1043 AND 1103 WALLACE DRIVE, TOTALING APPROXIMATELY EIGHT THOUSAND EIGHT HUNDRED AND NINETY-EIGHT SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)**

**Recommendation:** Review and consider the abandonment of interest in a portion of unimproved right-of-way lying between 1043 and 1103 Wallace Drive, totaling approximately 8,898 square feet, to be included in the assemblage of the abutting properties to the north (1043 Wallace Drive) and south (1103 Wallace Drive). The north half of the right-of-way is to be returned to 1043 Wallace Drive, and the south half is to be returned to 1103 Wallace Drive.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 03-24, Abandonment of SW 11th Street RoW Portion - 1043 and](#)  
[Staff Report, SW 11th Street Abandonment](#)  
[1043 - 1103 Wallace Drive, Survey](#)  
[City Engineer Abandonment Recommendation Letter](#)  
[Legal Review Resolution No. 03-24, Abandonment of SW 11th Street RoW Port](#)

**7.A.1.** ACCEPTANCE OF A GENERAL UTILITY EASEMENT AGREEMENT AT 1043 WALLACE DRIVE, TOTALING APPROXIMATELY FOUR THOUSAND THREE HUNDRED AND SIXTEEN SQUARE FEET (4,316.95 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

**Recommendation:** Review and consider acceptance of a General Utility Easement Agreement between the owner(s) of 1043 Wallace Drive and the City of Delray Beach.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[General Utility Easement, 1043 Wallace Drive](#)  
[4853 - 4 - DESCRIPTION - ROAD PARCEL - NORTH HALF - 3 dss](#)  
[Legal Review, General Utility Easement \(1043 Wallace Drive\)](#)

**7.A.2.** ACCEPTANCE OF A GENERAL UTILITY EASEMENT AGREEMENT AT 1103 WALLACE DRIVE, TOTALING APPROXIMATELY FOUR THOUSAND THREE HUNDRED AND SIXTEEN SQUARE FEET (4,316.95 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

**Recommendation:** Review and consider acceptance of a General Utility Easement Agreement between the property owner(s) at 1103 Wallace Drive and the City of Delray Beach.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[General Utility Easement, 1103 Wallace Drive](#)  
[Legal Review, General Utility Easement \(1103 Wallace Drive\)](#)

**7.B.** RESOLUTION NO. 37-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REDESIGNATING PALM DRIVE, A PRIVATE RIGHT OF WAY WITHIN THE PARKS AT DELRAY DEVELOPMENT, AS HERON CLUB DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Recommendation:** Consider Resolution No. 37-24 renaming Palm Drive, a private right-of-way (street) within the Parks at Delray development, as "Heron Club Drive."

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 37-24, Parks at Delray Street Renaming](#)  
[PZB Staff Report, Parks at Delray Street Renaming](#)  
[Legal Review, Resolution No. 37-24](#)

**7.C. NOMINATION FOR APPOINTMENT TO THE PLANNING AND ZONING BOARD**

**Recommendation:** Motion to approve the nomination for an appointment for one (1) regular member to serve an unexpired term ending August 31, 2025.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Planning and Zoning Board 2024](#)  
[2024 PZB Attendance](#)  
[Baffer](#)  
[Blumenfeld](#)  
[Bowens](#)  
[Cohn](#)  
[DeLacio](#)  
[Dumitrescu](#)  
[Kapustein](#)  
[Mollica](#)  
[Petillo](#)  
[Rindos](#)  
[Sauarez, Lucika](#)  
[Schiff](#)  
[Straghn](#)  
[Sylvester](#)

**7.D. CITY ATTORNEY'S MERIT INCREASE**

**Recommendation:** Motion to consider the City Attorney's salary review.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[City Attorney Performance Evaluation 2024.](#)

**8. PUBLIC HEARINGS/SECOND READINGS:**

- 8.A.** ORDINANCE NO. 09-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", BY AMENDING SECTION 32.29, "DUTIES AND RESPONSIBILITIES" TO UPDATE THE PURPOSE OF THE EDUCATION BOARD; PROVIDING A SAVINGS CLAUSE, GENERAL REPEALER CLAUSE; AND AN EFFECTIVE DATE. (SECOND READING)

**Recommendation:** Staff recommends approval.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[2024 Education Board Ordinance](#)  
[Simple Legal Review 09-24 Educ Board](#)

## 9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 04-24: 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 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (I), "CBD PARKING STANDARDS," SUB-SUBSECTION (2), "MINIMUM NUMBER OF OFF-STREET PARKING SPACES," TO EXTEND THE PARKING EXEMPTION FOR CHANGES IN COMMERCIAL USE WITHIN EXISTING COMMERCIAL BUILDINGS AND ASSOCIATED OUTDOOR AREAS WITHIN THE WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT OF THE CENTRAL BUSINESS DISTRICT THROUGH DECEMBER 31, 2026; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Consider a City-initiated amendment to Section 4.4.13(I)(2), "Minimum number of off-street parking spaces," of the Land Development Regulations to extend the exemption for existing commercial buildings within the West Atlantic Neighborhood Sub-district with a change of use, and existing commercial buildings with an outdoor use area, from providing additional on-site parking, through December 31, 2026, as proposed in Ordinance No. 04-24.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 04-24, W. Atlantic Neighborhood Sub-district Parking Exemption](#)  
[Staff Report, Ordinance No. 04-24 \(W. Atlantic Neighborhood Sub-district Parkir](#)  
[DDA Recommendation](#)  
[Legal Review, Ordinance No. 04-24](#)

- 9.B.** ORDINANCE NO. 06-24: 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," BY UPDATING THE DEFINITION OF "TREE TRUST FUND" TO INCLUDE A PROVISION FOR USE OF IN-LIEU FUNDS TO OFFSET MAINTENANCE COSTS FOR TREES AND PALMS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider Ordinance No. 06-24, a City-initiated amendment to Appendix A, "*Definitions*," of the Land Development Regulations (LDRs) to update the definition of "*Tree Trust Fund*."

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Ord 06-24 - Amd Tree Trust Fund Definition](#)  
[Tree Trust Fund Def PZB Staff Report RD 010424](#)  
[Tree Trust Fund Def Business Impact Estimate--](#)  
[Ordinance No. 06-24 Amending definition of tree trust fund lg 2-2-24](#)

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

- A. City Manager
- B. City Attorney
- C. City Commission

## 11. ADJOURNMENT