

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Regular Commission Meeting

Regular Meeting at 5:00 PM

Monday, November 4, 2024

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Thomas F. Carney, Jr.

Vice Mayor Juli Casale

Deputy Vice Mayor Rob Long

Commissioner Tom Markert

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 None

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.A.1. DISCUSSION REGARDING POTENTIAL ENGAGEMENT WITH CITRIN COOPERMAN ADVISORS, LLC FOR THE PROVISION OF PROCESS AND INTERNAL CONTROL ASSESSMENT SERVICES

Recommendation: The City Commission is asked to discuss the potential engagement for the Provision of Process and Internal Control Assessment Services with representatives of Citrin Copperman Advisors, LLC. Should the Commission choose to proceed with the engagement, this is an opportunity for the Consultant and the City Commission to discuss the approach and scope of the engagement, as well as the anticipated deliverable(s) and any other relevant issues.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[City of Delray Beach CCA engagement letter](#)

5.A.2. CODE ENFORCEMENT DIVISION

Sponsors: City Manager Department

5.A.3. OVERVIEW OF GRANT OPPORTUNITIES AND RESPECTIVE PROGRAM ADMINISTRATION

Sponsors: City Manager Department

Attachments: [2024 City of Delray Beach Internal Grants](#)
[2024 City of Delray Beach External Grants](#)
[Grant Administration \(BF-24, Rev. 2\)](#)

5.B. From the Public

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

Recommendation: Motion to approve meeting minutes as listed below:

October 1, 2024 Regular Meeting Minutes - DRAFT
October 8, 2024 Workshop Meeting Minutes - DRAFT
October 15, 2024 Workshop Meeting Minutes - DRAFT
October 15, 2024 Regular Meeting Minutes - DRAFT

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[October 1, 2024 Regular Meeting Minutes - DRAFT](#)

[October 8, 2024 Workshop Meeting Minutes - DRAFT](#)

[October 15, 2024 Workshop Meeting Minutes - DRAFT](#)

[October 15, 2024 Regular Meeting Minutes - DRAFT](#)

6.B. RESOLUTION 201-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE 63RD ANNUAL DELRAY AFFAIR TO BE HELD APRIL 4-6, 2025; AUTHORIZING THE CLOSURE OF ATLANTIC AVENUE AND SWINTON 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 201-24, approving an Impact Event known as the 63rd Annual Delray Affair to be held April 4-6, 2025 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 2025](#)

[Delray Affair App 2025](#)

[2025 DA SITE PLAN - FINAL](#)

[Simple Legal Review Approval Delray Affair 2025](#)

- 6.C.** RESOLUTION 202-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE 16TH ANNUAL SAVOR THE AVENUE TO BE HELD MARCH 24, 2025; AUTHORIZING THE CLOSURE OF ATLANTIC AVENUE FROM SWINTON AVE TO NE/SE 5TH AVE 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 202-24, approving an Impact Event known as the 16th Annual Savor the Avenue to be held March 24, 2025 and authorizing the closure of East Atlantic Avenue between Swinton Avenue and NE/SE 5th Avenue as well as from Atlantic Avenue to the first alley on both SE 3rd and 4th Avenues for the event.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Impact Event Resolution rev. 10.2.24](#)
[Simple Legal Review Approval Savor the Avenue 2025](#)
[Savor the Ave 2025 App](#)
[Savor 2025 Site Map](#)

- 6.D.** RESOLUTION NO. 231-24 APPROVING LETTER OF ENGAGEMENT WITH CITRIN COOPERMAN ADVISORS, LLC FOR THE PROVISION OF PROCESS AND INTERNAL CONTROL ASSESSMENT SERVICES.

Recommendation: Consider approval of Resolution No. 231-24 Approving Letter of Engagement with Citrin Cooperman Advisors, LLC for the Provision of Process and Internal Control Assessment Services in an amount not to exceed \$60,000.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Res 231-24 - Citrin Cooperman 10.30.24](#)
[City of Delray Beach CCA engagement letter UD](#)
[CITY OF DELRAY BEACH Addendum Citrin Cooperman](#)
[Affidavit regarding USE of COERCION LABOR AND SERVICES Delray \(002\)](#)
[Simple Legal Review Approval Citrin Cooperman 11.1](#)

- 6.E.** RESOLUTION NO. 210-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO TIMOTHY L. MCKINNEY SR., FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 240 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. 210-24; approving a Historic Property Ad Valorem Tax Exemption request for improvements to the contributing structure and property located at 240 Dixie Boulevard.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res. No. 210-24 - Ad Valorem for 240 Dixie Blvd](#)
[Simple Legal Review Approval Res. 210-24 - 240 Dixie Blvd](#)
[HPB Staff Report-240 Dixie Blvd](#)
[Before Photographs-240 Dixie Blvd](#)
[After Photographs-240 Dixie Blvd](#)
[Certificate of Completion-240 Dixie Blvd](#)
[Plans-204 Dixie Blvd](#)
[Before Survey-240 Dixie Blvd](#)
[After Survey-240 Dixie Blvd](#)
[Tax Information-240 Dixie Blvd](#)
[Warranty Deed-204 Dixie Blvd](#)

- 6.F.** RESOLUTION NO. 217-24 APPROVING A GRANT OF \$140,205.00 FROM THE U.S. CONSUMER PRODUCT SAFETY COMMISSION FOR ITS POOL SAFELY GRANT PROGRAM

Recommendation: Motion to approve Resolution No. 217-24 approving a grant of \$140,205.00 through the U.S. Consumer Product Safety Commission for its Pool Safely Grant Program pursuant to the Notice of Award and its terms.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[NoticeOfAward.pdf](#)
[Simple Legal Review Grant Notice of Award.pdf](#)
[RES No. 217-24 PoolSafely Resolution.docx](#)

6.G. APPROVAL OF APPLICATION TO AND AWARD OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FY 2024-25 OCCUPANT PROTECTION/CHILD PASSENGER SAFETY PROGRAM GRANT

Recommendation: Motion to approve application and award of the Florida Department of Transportation (FDOT) FY 24/25 Occupant Protection/Child Passenger Safety program grant.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[FDOTSubgrantAgreement-2025 - Occupant](#)
[Legal Review Form FDOT grant application Occupant Protection and Child Pa](#)

6.H. AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DEPARTMENT OF NAVY FOR RENTAL OF TWENTY-THREE (23) NIGHT VISION GOGGLES FOR SWAT TEAM

Recommendation: Motion to approve Agreement between the City of Delray Beach and Department of Navy, Naval Surface Warfare Center, Crane Division, for Night Vision Goggle rental for the Police Department's SWAT team for FY 2024-2025.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist NAVSEA Coop Agreement 24](#)
[NAVSURFWACENDIV_10082024](#)

6.I. APPROVAL OF RESOLUTION NO. 222-24 FOR RETROACTIVE APPROVAL OF A GRANT APPLICATION AND APPROVAL OF THE SAFE STREETS AND ROADS FOR ALL GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION (FHWA) FOR THE PREPARATION OF A VISION ZERO ACTION PLAN IN THE AMOUNT OF \$300,000.

Recommendation: Motion to Approve Resolution No. 222-24 for retroactive grant application and approval of the Safe Streets and Roads for All Grant Agreement with the United States Department of Transportation Federal Highway Administration (FHWA) for the preparation of a Vision Zero action plan in the amount of \$300,000.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[693JJ32540043_City of Delray Beach FL Grant Agreement](#)
[Reso 222-24 Safe Streets Grant Agreement](#)
[Simple Legal Review Approval Safe Streets Grant Agreement](#)

6.J. APPROVAL OF A LICENSE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF DELRAY BEACH TO ALLOW THE CITY TO UTILIZE COUNTY OWNED PARKING FACILITIES AT THE SOUTH COUNTY COURTHOUSE DURING SPECIAL EVENTS

Recommendation: Motion to approve a License Agreement between Palm Beach County (County) and the City of Delray Beach (City) to allow the City to utilize county owned parking facilities at the South County Courthouse during special events.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[License Agreement 120324-123125](#)
[Schedule of Events](#)
[Simple Legal Review Approval License Agreement for County Parking Lot 10.2.](#)

6.K. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 1701 N SWINTON AVE.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 720 NW 3RD AVE.

ITEM(S) A3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 104 SEABREEZE AVE.

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

Item A1 - Motion to approve and accept a Right-of-Way Dedication by the owners of 1701 N Swinton Ave.

Item A2 - Motion to approve and accept a Right-of-Way Dedication by the owners of 720 NW 3rd Ave.

Item A3 - Motion to approve and accept a Right-of-Way Dedication by the owners of 104 Seabreeze Ave.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[A1a - Right of Way Deed - 1701 N Swinton Ave - Maper Investments LLC](#)
[A1b - Legal Review Right of Way Deed - 1701 N Swinton Ave - Maper Investme](#)
[A2a - Right of Way Deed - 720 NW 3rd Ave - 720 NW 3 LLC - Bella Homes II LI](#)
[A2b - Legal Review Right of Way Deed - 720 NW 3rd Ave - 720 NW 3, LLC](#)
[A3a - Right of Way Deed - 104 Seabreeze Ave - Krysti and Donnie Hinton](#)
[A3b - Legal Review ROW Deed -104 Seabreeze Ave - Krysti and Donnie Hintor](#)

- 6.L. ITEM(S) A1, MAINTENANCE OF TRAFFIC PLAN/ ROAD CLOSURE PLAN FOR ARTIST ALLEY BETWEEN OF NE 3RD ST and NE 4TH ST AND NE 3RD AVE AND THE FEC RAILROAD.

Recommendation: Consideration of the following items:

Per LDR 7.1(C) (1)

Maintenance of Traffic (MOT) Plan. All construction parking and staging that involves travel lane, bike lane, or sidewalk closures shall submit a MOT Plan as follows: (Ord. No. 50-20, § 2

<<https://library.municode.com/fl/delray_beach/codes/land_development_regulations_?nodeId=CH2ADPR>>, 10-20-20)

Closures greater than 14 days throughout the course of construction, which eliminate travel lanes or change the flow of traffic must be approved by the City Commission. Street closures that do not exceed 14 days throughout the course of construction may be approved administratively. (Ord. No. 50-20, § 2

<<https://library.municode.com/fl/delray_beach/codes/land_development_regulations_?nodeId=CH2ADPR>>, 10-20-20)

Having exceeded the allowable 14 days throughout the course of construction, the following Maintenance of Traffic plans are petitioning additional closures as follows:

MAINTENANCE OF TRAFFIC PLAN/ ROAD & LANE CLOSURES

Item(S) A

Item A1 - Southeastern Engineering Contractors, Inc.- Motion to approve and accept a Maintenance of Traffic/ Road closure Plan for the Artist Alley between NE 3rd St and NE 4th ST and NE 3rd Ave and FEC Railroad.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[MOT Artist Alley Drainage Improvements. Rev 1.](#)

6.M. APPROVAL OF ADDITIONAL SPENDING FOR AGREEMENT P2024-011 WITH TOTAL TRUCK PARTS, INC. FOR THE PURCHASE OF HEAVY EQUIPMENT PARTS AND SERVICES IN THE AMOUNT OF \$60,000 FOR A REVISED AGREEMENT TOTAL OF \$240,000

Recommendation: Motion to approve of Additional Spending for Agreement P2024-011 with Total Truck Parts, Inc. for the purchase of Heavy Equipment Parts and Services in the amount of \$60,000 for a revised agreement total of \$240,000.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Agreement P2024-011 with Total Truck Parts, Inc.](#)
[Resolution No. 25-24](#)
[Legal Review Heavy Equipment Parts V.2](#)

6.N. PROCLAMATIONS:

6.N.1. PICKLEBALL MONTH PROCLAMATION

Recommendation: Motion to proclaim the month of November as Pickleball Month in recognition of the 2024 Delray Beach Pickleball Tournament.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[PickleballProc 2024.doc](#)

6.N.2. FAMILY COURT AWARENESS MONTH

Recommendation: Motion to proclaim November 2024 as Family Court Awareness Month.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Family Court Awareness Month 2024](#)

6.N.3. OBSERVANCE OF VETERANS DAY PROCLAMATION

Recommendation: Motion to observe Monday, November 11, 2024 as National Veterans Day.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Veteran's Day Proclamation 2024](#)

6.N.4. NATIONAL HUNGER & HOMELESSNESS AWARENESS WEEK PROCLAMATION

Recommendation: Motion to proclaim November 17 -23, 2024 as National Hunger & Homelessness Awareness Week.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Hunger & Homelessness Awareness Week 2024](#)

6.N.5. PROCLAMATION TO PROMOTE RECYCLING IN PALM BEACH COUNTY AND TO DECLARE NOVEMBER 15, 2024 AS AMERICA RECYCLES DAY.

Recommendation: It is recommended that the City of Delray Beach proclaim and recognize November 15, 2024, 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: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[America Recycles Day 2024](#)

6.O. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**6.O.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM SEPTEMBER 9, 2024 THROUGH OCTOBER 24, 2024.**

Recommendation: By motion, receive and file this report for actions on development application requests from September 9, 2024 through October 24, 2024.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[HPB \(10-16\) 202 N. Swinton Avenue](#)
[PZB \(10-21\) Delray Ford - 2501 S Federal Highway](#)
[PZB \(10-21\) Gunite Yard- 135 N Congress Avenue](#)

6.P. AWARD OF BIDS AND CONTRACTS:

6.P.1. APPROVAL OF RESOLUTION NO. 205-24 TO AWARD A THREE-YEAR AGREEMENT WITH RSC INSURANCE BROKERAGE, INC., FOR EMPLOYEE BENEFITS AND HEALTHCARE CONSULTING SERVICES PURSUANT TO RFP NO. 2024-024 - \$406,000. 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

Recommendation: Motion to approve Resolution No. 205-24 to award a three-year Agreement with RSC Insurance Brokerage, Inc. (Gehring Group) for Employee Benefits and Healthcare Consulting Services pursuant to RFP No. 2024-024, in the total estimated three-year amount of \$406,000, of which \$136,000 will be expended in the initial year of the Agreement. Authorizing the City Manager to execute any amendments and/or renewals which include two (2) one (1) year options to renew with a 2% escalator per year for a total estimated five-year amount of \$688,215.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 205-24](#)
[Legal Review Checklist Employee Benefits Consultant Services](#)
[RFP 2024-024 Employee Benefit and Healthcare Consultant Services](#)
[Exhibit A Scope of Services](#)
[Exhibit B](#)
[Packet for Bid RFP 2024-024- Final](#)
[Vendor Signed- RFP 2024-024 Employee Benefits and Healthcare Consultant S](#)

6.P.2. APPROVAL OF RESOLUTION NO. 227-24 TO AWARD A ONE YEAR AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC., FOR PROFESSIONAL CONSULTING SERVICES IN AN EXECUTIVE SEARCH FOR AN INTERNAL AUDITOR.

Recommendation: Motion to approve Resolution number 227-24 to award an Agreement to Raftelis Financial Consultants, Inc for an Executive Search for an Internal Auditor.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Res - Agreement with Raftelies](#)
[Proposal - Delray Beach FL Internal Auditor 2024](#)
[Aggreement-Raftelies Financial Consultant..](#)
[Attachment B](#)
[Attachment A](#)
[Simple Legal Review Approval Raftelies.](#)

6.P.3. APPROVAL OF RESOLUTION NO. 204-24 TO AWARD AN AGREEMENT WITH EAST COAST MULCH CORP. FOR BLOWN MULCH AND INSTALL SERVICES FOR THE PARKS AND RECREATION DEPARTMENT PURSUANT TO INVITATION TO BID 2024-050 IN THE NOT-TO-EXCEED AMOUNT OF \$187,500.00

Recommendation: Motion to approve Resolution No. 204-24 to award an agreement with East Coast Mulch Corp for Blown Mulch and Install Services for the Parks and Recreation Department pursuant to Invitation to Bid 2024-050 in the not-to-exceed amount of \$187,500.00 and authorize the City Manager to approve renewal options in the amounts below, contingent upon appropriation of funds.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[East Coast Mulch LR.pdf](#)
[Resolution No. 204-24.docx](#)
[ITB 2024-050 Blown Mulch and Install Services.docx](#)
[Exhibit A EastCoastMulch.pdf](#)
[Vendor Signed- ITB 2024-050 Blown Mulch and Install Services](#)

6.P.4. APPROVAL OF RESOLUTION NO. 203-24 TO AWARD AN AGREEMENT TO IN DEPTH, INC., FOR THE CLEANING AND INSPECTION SERVICES OF CLEARWELL AND FINISHED WATER STORAGE TANKS; UTILIZING THE CITY OF FT. LAUDERDALE, ITB NO. 136, COMMERCIAL DIVING SERVICES FOR A TOTAL NOT TO EXCEED CONTRACT VALUE OF \$350,000.

Recommendation: Motion to approved Resolution No. 203-24 to award an Agreement to In Depth, Inc., for the cleaning and inspection services of clearwell and finished storage tanks, utilizing The City of Ft. Lauderdale ITB No. 136, Commercial Diving Services, for a total not to exceed contract value of \$350,000, and authorize the City Manager to approve renewal options in the amounts below, contingent on appropriation of funds.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[P2025-002 Comercial Diving Services.docx](#)
[Diving Services LR.pdf](#)
[City of Ft Lauderdale com div136 - Agreement \(FTL-InDepth\) - FULLY EXECUT](#)
[Bid Tabulation For Event 136](#)
[Res. P2025-002 Commercial Diving Services \(DV\).docx](#)

- 6.P.5.** APPROVAL OF RESOLUTION NO. 206-24, TO AWARD AN AGREEMENT WITH HINTERLAND GROUP, INC., FOR SANITARY AND SEWER REHABILITATION, UTILIZING THE VILLAGE OF WELLINGTON ITB NO. 202331, ANNUAL DRAINAGE INFRASTRUCTURE INSPECTION, CLEANING AND REPAIR CONTRACT, IN A TOTAL ESTIMATED NOT TO EXCEED VALUE OF \$1,600,000 (\$400,000 YEAR) RESPECTIVELY.

Recommendation: Motion to approve Resolution No. 206-24, to award an Agreement with Hinterland Group, Inc., for Sanitary and Sewer Rehabilitation, utilizing the Village of Wellington ITB No. 202331, Annual Drainage Infrastructure Inspection, Cleaning and Repair Contract. In a total estimated not to exceed value of \$1,600,000 (\$400,000 year) respectively, valid through October 9, 2028; and authorize the City Manager to approval renewal options, in the amounts below, contingent upon the appropriation of funds.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Hinterland Drainage Inspection, Cleaning, and Repair s](#)
[P2025-001 Annual Drainage Infrastructure Inspection Cleaning \(002\).pdf](#)
[Res. P2025-001 Drainage Infrastructure Inspection Cleaning.pdf](#)
[ITB 202331 - Bid Documents](#)
[Notice of Award \(24\)](#)

7. REGULAR AGENDA:

- 7.A.** REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTION FOR FIFTH AVENUE TOWNHOMES FROM OCTOBER 23, 2024.

Recommendation: By motion, receive and file this report for action on the development application request from October 23, 2024.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[SPRAB \(10-23\) Fifth Avenue Townhomes - 142 & 152 SE 5th Avenue](#)

- 7.B.** NOMINATION FOR AN APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY. THE NOMINATION FOR AN APPOINTMENT FOR ONE (1) REGULAR MEMBER TO SERVE AN UNEXPIRED TERM ENDING MARCH 6, 2025, WILL BE MADE BY COMMISSIONER MARKERT (SEAT #1).

Recommendation: Motion to approve an appointment for one (1) regular member to serve an unexpired term ending March 6, 2025.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Delray Beach Housing Authority Board Member List](#)
[DBHA Attendance](#)
[Cox, Kristyn](#)
[Keiser, Andrea](#)
[Stamper, Christina](#)

- 7.C.** NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR ONE (1) QUALIFIED MEMBER TO SERVE A TERM ENDING AUGUST 31, 2025, WILL BE MADE BY COMMISSIONER BURNS (SEAT #4).

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

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Historic Preservation Board Members List](#)
[HPB Attendance](#)
[Baffer, Benjamin](#)
[Amani, Sandra](#)
[Brown, Sarah](#)
[Fredericks, Carol](#)
[Krieg, Ezra](#)
[Lembovski, Katherine](#)
[Lloyd, Cynthia](#)
[Mamone, Bettina](#)
[Ramirez, Aura](#)
[Talbot, Rettig](#)

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A.** ORDINANCE NO. 20-24: 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 BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS" TO AMEND THE REQUIREMENTS FOR PARKING FOR GENERAL COMMERCIAL USES TO INCLUDE LIMITED INDOOR DINING ESTABLISHMENTS AND TO CLARIFY THE PARKING REQUIREMENT FOR RESTAURANTS AND STAND ALONE BARS; AMENDING APPENDIX A, "DEFINITIONS," TO INCLUDE A DEFINITION FOR LIMITED INDOOR DINING ESTABLISHMENT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

Recommendation: Consider Ordinance No. 20-24, amending Section 4.6.9, "Off-Street Parking Regulations;" to adopt parking regulations for establishments with limited indoor dining, and Appendix A - "Definitions" of the Land Development Regulations (LDR), to adopt a definition for Limited Indoor Dining.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Limited Indoor Dining](#)
[Ordinance No. 20-24](#)
[BIE Form](#)
[Simple Legal Review Approval Ordinance 20-24](#)
[Proof of Legal Advertisement, Ordinance No. 20-24](#)

8.B. ORDINANCE NO. 05-24: 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 10, "FLOOD DAMAGE CONTROL DISTRICTS AND COASTAL CONSTRUCTION," ARTICLE 10.1, "ADMINISTRATION," SECTION 10.1.2, "APPLICABILITY," TO REFERENCE THE MOST RECENTLY ADOPTED FLOOD INSURANCE STUDY; AMENDING SECTION 10.1.7, "VARIANCES AND APPEALS," TO REPLACE REFERENCES TO THE BOARD OF ADJUSTMENT FOR APPEALS TO FLOODPLAIN MANAGEMENT REGULATIONS WITH THE APPROPRIATE REVIEWING BODY FOR CONSISTENCY WITH CHAPTER 2 AND UPDATING THE FLORIDA BUILDING CODE CHAPTER CITATION FOR HISTORIC STRUCTURES; AMENDING ARTICLE 10.2, "DEFINITIONS," SECTION 10.2.2, "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "EXISTING MANUFACTURED HOME PARK OR SUBDIVISION," "EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION," AND "NEW MANUFACTURED HOME PARK OR SUBDIVISION," FOR CONSISTENCY WITH STATE FLOODPLAIN REQUIREMENTS FOR ALL MANUFACTURED HOMES, AND BY AMENDING THE DEFINITIONS FOR "COASTAL HIGH HAZARD AREA," "HISTORIC STRUCTURE," AND "MARKET VALUE," TO BE CONSISTENT WITH INDUSTRY STANDARDS; AND AMENDING ARTICLE 10.3, "FLOOD RESISTANT DEVELOPMENT," SECTION 10.3.4, "MANUFACTURED HOMES," TO CREATE A UNIFORM ELEVATION FOR ALL MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

Recommendation: Consider Ordinance No. 05-24, a City-initiated amendment to the Land Development Regulations (LDR), amending Chapter 10, "Flood Damage Control Districts and Coastal Construction" for compliance with United States Federal Emergency Management Agency (FEMA) National Flood Insurance Program (NFIP) Community Rating System (CRS).

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 05-24](#)
[PZB Board Staff Report](#)
[Business Impact Estimate, Ordinance No. 05-24](#)
[Community Rating System Overview and Participation](#)
[Legal Review, Ordinance No. 05-24](#)
[Proof of Legal Advertisement, Ordinance No. 05-24](#)

- 8.C.** ORDINANCE NO. 28-24: 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 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.16, "LANDSCAPE REGULATIONS," SUBSECTION (I), "MINIMUM MAINTENANCE REQUIREMENTS," TO REMOVE EXISTING FERTILIZER USE REGULATIONS AND TO CREATE A NEW SUBSECTION (J), "FERTILIZER MANAGEMENT," TO ESTABLISH NEW FERTILIZER USE REGULATIONS AND ASSOCIATED DEFINITIONS PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

Recommendation: Consider Ordinance No. 28-24, a City-initiated amendment to Section 4.6.16, "Landscape Regulations" of the Land Development Regulations (LDR) to adopt comprehensive fertilizer use regulations in compliance with Florida Department of Environmental Protection (FDEP) requirements.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Fertilizer Use Regulations](#)
[Ordinance No. 28-24](#)
[Business Impact Estimate, Ordinance No. 28-24](#)
[Legal Review, Ordinance No. 28-24](#)
[Proof of Legal Advertisement, Ordinance No. 28-24](#)

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

10.A.1 DISCUSSION REGARDING CONTENT FOR THE NOVEMBER 19TH OPIOID POLICY WORKSHOP MEETING

Sponsors: City Manager Department

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.