

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, February 4, 2025

Commission Chambers

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/>

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. 211 AWARENESS WEEK - FEBRUARY 11-17, 2025**

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Delray-211 Awareness Week Feb 2025](#)

4.B. CERTIFICATE OF RECOGNITION FOR 28 DAYS OF "I AM BLACK HISTORY"

Sponsors: City Clerk Department

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

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. PRESENTATION OF CODE ENFORCEMENT DIVISION ANALYSIS UPDATE BY CALVIN, GIORDANO & ASSOCIATES

Recommendation: The Commission is asked to receive an update on the analysis of the Code Enforcement Division from Calvin, Giordano & Associates

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 21, 2025 Regular Meeting Minutes - DRAFT

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[January 21, 2025 Regular Meeting Minutes - DRAFT](#)

6.B. INTERLOCAL AGREEMENT WITH THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE CO-TITLE SPONSORSHIP OF THE 2025 DELRAY BEACH OPEN

Recommendation: Motion to approve the Interlocal Agreement (ILA) with the Community Redevelopment Agency (CRA) for the Co-Title Sponsorship of the 2025 Delray Beach Open in the amount of \$905,000.00 to help defray costs of the 2025 Delray Beach Open.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[ILA with CRA for Tennis Partnership 2024-2025.doc](#)
[Exhibit A](#)
[ILA on DBO with CRA LR.docx](#)
[2024 Delray Beach Open Economic Impact.pdf](#)

6.C. APPROVAL FOR ADDITIONAL SPENDING AND CONTRACT INCREASE TO SOURCEWELL RFP NO. 041123 WITH MUSCO LIGHTING LLC FOR SPORTS LIGHTING SOLUTIONS WITH RELATED TECHNOLOGY, EQUIPMENT AND SERVICES FOR RETROFIT OF LIGHTING AT MILLER PARK FIELDS FOUR AND FIVE AND REPLACEMENT PARTS FOR LIGHT POLE AT FIELD 2 IN THE AMOUNT OF \$387,746 FOR A REVISED TOTAL OF \$1,311,807.

Recommendation: Motion to approve an additional spend request to Sourcewell RFP No. 041123 with Musco Lighting LLC for additional sports lighting solutions with related technology, equipment and services for retrofit of lighting at Miller Park fields four and five and replacement parts for light pole at field 2 in the amount of \$387,746 for a revised total of \$1,311,807.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Musco_Miller Fields_4 and 5_quote.pdf](#)
[Miller Park Ballast Field2_quote.pdf](#)
[Sourcewell Contract RFP041123.pdf](#)
[Fully Executed-Agreement - Musco Sports Lighting, LLC..pdf](#)

6.D. PROCLAMATIONS:

6.D.1. OBSERVANCE OF PRESIDENTS' DAY - FEBRUARY 17, 2025

Recommendation: Recognize February 17, 2025 as Presidents' Day in the City of Delray Beach.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[President's Day Proclamation - 2025](#)

6.D.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 2025](#)

6.E. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**6.E.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM JANUARY 6, 2025, THROUGH JANUARY 24, 2025.**

Recommendation: By motion, receive and file this report for actions on development application requests from January 6, 2025, through January 24, 2025.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[HPB \(1-15\) 236 Dixie Boulevard](#)
[HPB \(1-15\) 310 NE 1st Avenue](#)
[SPRAB \(01-22\) 1215 Milfred Street](#)
[ADMIN 251 NW 18th Ave](#)

6.F. AWARD OF BIDS AND CONTRACTS:

6.F.1. APPROVAL OF RESOLUTION NO. 13-25 TO AWARD AN AGREEMENT WITH ADVANCE STORES COMPANY, INC. DBA ADVANCE AUTO FOR THE PURCHASE OF AUTOMOTIVE PARTS, FLUIDS, EQUIPMENT, AND MAINTENANCE SERVICES UTILIZING BUYBOARD NO. 715-23 IN THE AMOUNT OF \$70,000

Recommendation: Motion to approve of Resolution No. 13-25 to award an agreement with Advance Stores Company Inc. dba Advance Auto Parts for the purchase of Automotive Parts, Fluids, Equipment, and Maintenance Services utilizing BuyBoard No. 715-23 in the amount of \$70,000.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Res. No. 13-25 Advance Auto](#)
[Agreement P2025-003](#)
[Exhibit A to Agreement P2025-003](#)
[Legal Review Checklist Advance Auto Parts 1.16](#)
[BuyBoard Contract No. 715-23 - Renewal](#)
[BuyBoard Contract No. 715-23](#)
[Buyboard Bid Tabulation Contract No. 715-23](#)
[BuyBoard RFP No. 715-23](#)

6.F.2. APPROVAL OF RESOLUTION NO. 19-25 TO AWARD AN AGREEMENT TO M&M ASPHALT MAINTENANCE, INC. DBA ALL COUNTY PAVING FOR CONSTRUCTION SERVICES FOR THE OLD GERMANTOWN ROAD BICYCLE & PEDESTRIAN IMPROVEMENTS PROJECT PURSUANT TO INVITATION TO BID CONSTRUCTION (ITBC) 2025-001 IN THE AMOUNT OF \$5,990,000.00

Recommendation: Motion to Approve Resolution No. 19-25 to award an Agreement to M&M Asphalt Maintenance, Inc. dba All County Paving for Construction Services for the Old Germantown Road Bicycle & Pedestrian Improvements pursuant to ITBC 2025-001 (Public Works Project No. 20-016) in the amount of \$5,990,000.00.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 19-25](#)
[ITBC 2025-001 Agreement FINAL](#)
[Legal Review Checklist Old Germantown Road](#)
[FDOT Award Approval](#)
[Tabulation Packet for ITBC2025-001](#)
[Packet for Bid ITBC2025-001](#)

6.F.3. MOTION TO APPROVE A CONTINUITY OF SERVICES AGREEMENT WITH FLIPSIDE GEOGRAPHICS, LLC FOR THE COMPLETION OF GIS CONSULTING SERVICES WHILE THE CITY ENGAGES IN A COMPETITIVE SOLICITATION

Recommendation: Recommended Action:

Motion to approve Professional Services Contractor agreement with Flipside Geographics, LLC for completion of GIS Consulting Services on select projects through a Best Interest Approval while the City engages in a Competitive Solicitation for future services .

Sponsors: IT Department

Attachments: [Agenda Cover Report](#)
[Best Interest - Flipside GEO - 01212025 - signed](#)

6.F.4. APPROVAL TO RETROACTIVELY APPROVE RESOLUTION NO. 32-25 TO PURCHASE TEMPORARY OFFICE SPACE UTILIZING SS2025-007 WITH FORTS SERVICES, LLC. IN THE AMOUNT OF \$15,000.

Recommendation: Motion to retroactively approve Resolution No. 32-25 to purchase temporary office space utilizing SS2025-007 with Forts Services, LLC. in the amount of \$15,000.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Resolution 32-25 Forts Suites](#)
[Simple Legal Review Approval Forts Suites](#)
[SS2025-007 Forts- signed](#)

7. REGULAR AGENDA:

7.A. THE CITY COMMISSION OF THE CITY OF DELRAY BEACH WILL DECIDE WHETHER TO DISCONTINUE THE ADDITION OF FLUORIDE TO THE CITY'S POTABLE WATER SYSTEM.

Recommendation: Motion to consider the City of Delray Beach (City) discontinue the addition of fluoride to the public water system.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[FDOH GUIDANCE Community Water Fluoridation](#)

- 7.B.** RESOLUTION NO. 09-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AFFIRMING ITS APPEAL OF THE PLANNING AND ZONING BOARD'S SIMILARITY OF USE DETERMINATION FINDING THAT THE OPERATION OF A GUNITE YARD IS CONSISTENT WITH THE MANUFACTURING AND WHOLESALING OF FINAL PRODUCTS USING CERAMICS AND PLASTER MATERIAL WITHIN THE MIXED INDUSTRIAL AND COMMERCIAL (MIC) DISTRICT, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Recommendation: Review and consider Resolution No. 09-25, approval of a similarity of use determining that a gunite yard is similar to manufacturing and wholesaling of final products using ceramics and plaster material, which is a permitted use in the Mixed Industrial and Commercial (MIC) district.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res 09-25 Appeal of Similarity of Use Determination](#)
[Similarity of Use Staff Report](#)
[Photos obtained from Delray Beach Code Enforcement](#)
[Applicant Narrative](#)
[Calabash Gunite Permits](#)
[DEP Registration](#)
[Plaster - Wikipedia](#)
[Simple Legal Review Approval 09-25](#)

- 7.C.** NOMINATION FOR AN APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD (SPRAB). BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT FOR ONE (1) REGULAR MEMBER TO SERVE AN UNEXPIRED TERM ENDING AUGUST 31, 2025, WILL BE MADE BY COMMISSIONER MARKERT (SEAT #1).

Recommendation: Motion to approve 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](#)
[Site Plan Review and Appearance Board](#)
[SPRAB ATTENDANCE](#)
[Amani, Sandra](#)
[Baffer, Ben](#)
[Godbout, Christina](#)
[Keane, Kevin](#)
[King, Cara](#)
[Kiselewski, Karen](#)
[Lloyd, Cynthia](#)
[Ramirez, Aura](#)
[Talbot, Rettig](#)

- 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 2025](#)

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. None

9. FIRST READINGS:

9.A. None

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.