

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444
Phone: (561) 243-7000 - Fax: (561) 243-3774
www.mydelraybeach.com



Regular Commission Meeting

Regular Meeting at 6:00 PM

Tuesday, November 7, 2017

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Cary Glickstein
Vice Mayor Jim Chard
Deputy Vice Mayor Shirley Ervin Johnson
Commissioner Shelly Petrolia
Commissioner Mitchell Katz

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****4. PRESENTATIONS:****4.A. SHOP SMALL 2017 PRESENTATION**

Recommendation: Support and promote the Shop Small initiative in conjunction with Small Business Saturday - the Saturday after Thanksgiving.

Sponsors: Economic Development Department

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. APPROVAL OF MINUTES**

Recommendation: Motion to Approve minutes as listed below.

Sponsors: City Clerk Department

Attachments: [July 6, 2017 Regular Meeting Minutes - Draft](#)

6.B. CONSIDERATION OF A FINAL BOUNDARY PLAT FOR DELRAY MEDICAL PARCEL, LOCATED AT 4675 LINTON BOULEVARD

Recommendation: Move approval for the Final Boundary Plat for Delray Medical Parcel by adopting the findings of fact and law contained in the staff report and finding that the request and approval thereof is consistent with the criteria set forth in Section 2.4.5(K), Minor Subdivision of the Land Development Regulations.

Sponsors: Planning and Zoning Board

Attachments: [Plat Exhibit](#)
[Delray Medical Parcel Plat Location Map](#)
[Delray Medical Parcel Plat Aerial Map](#)

6.C. ACCEPTANCE OF A 6 FOOT PEDESTRIAN EASEMENT BEGINNING AT THE SW CORNER OF PARCEL OF LAND RECORDED IN OFFICIAL RECORDS BOOK 28423 PAGE 3 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY. THENCE 36 DEGREES W A DISTANCE OF 20 FEET; THENCE N 90 DEGREES E A DISTANCE

OF 6 FEET; THENCE S 36 DEGREES E A DISTANCE OF 20 FEET; THENCE N 90 DEGREES W A DISTANCE OF 6 FEET TO THE POINT OF BEGINNING.

Recommendation: Motion to approve the foot pedestrian agreement located at 183 NE 2nd Avenue which begins at the SW corner of parcel of land recorded in official records book 28423 of the public records of Palm Beach County.

Sponsors: Planning & Zoning Department

Attachments: [Exhibit A](#)
[The Grove Sidebar -Sidewalk Easement Agreement](#)

6.D. INTERLOCAL AGREEMENT WITH THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE CO-TITLE TENNIS TOURNAMENT SPONSORSHIP/DIAMOND "CITY" PARTNERSHIP

Recommendation: Motion to approve the Interlocal Agreement with the Delray Beach Community Redevelopment Agency (CRA) for a term which will commence upon execution of the contract and terminate on September 30, 2018 for the Co-Title Tennis Tournament Sponsorship/ Diamond "City" Partnership in the amount of \$1,000,000.

Sponsors: Parks & Recreation Department

Attachments: [ILA FY 17-18 Tennis Sponsorship-par exec](#)
[ILA - CRA BOARD SUMMARY 2017-2018](#)
[Legal Review Checklist form v. 3 ILA with CRA for Tennis Tournaments](#)

6.E. SERVICE AUTHORIZATION NO. 17-02 WITH WANTMAN GROUP, INC. FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION FOR THE CITY MARINA SEAWALL CIVIL OFF-SITE IMPROVEMENTS IN A NOT-TO- EXCEED AMOUNT OF \$99,493.64.

Recommendation: Motion to Approve Service Authorization No. 17-02 with Wantman Group, Inc. in a not-to-exceed amount of \$99,493.64 for the City of Delray Beach (City) Marina seawall civil off-site improvements (Project No. 16-098).

Sponsors: Environmental Services Department

Attachments: [Location Map](#)
[WGI SA 17-02](#)
[WGI Annual Contract 2017](#)

6.F. APPROVE SPENDING LIMIT INCREASE FOR FY 2018 AND RENEWAL OF THE AGREEMENT WITH BATALLAN ENTERPRISES, INC. DBA PROPERTY WORKS, INC. IN AN AMOUNT OF \$65,600 FOR STORMWATER RETENTION AREAS AND LANDSCAPING MAINTENANCE

Recommendation: Motion to Approve a spending limit increase for FY2018 in the amount of \$4,625.00 for an additional location and Motion to Approve the renewal of the agreement with Batallan Enterprises, Inc. dba Property Works Inc. in the amount of \$65,600.00 for stormwater retention areas and landscape maintenance.

Sponsors: Environmental Services Department

Attachments: [2nd Renewal Letter Executed](#)
[Specs Bid #2015-39 Stormwater Retention Areas](#)
[Original Agreement 2015](#)
[Legal Review Checklist form v. 3 Ballatan Enterprises](#)
[Battalan Amendment 1.pdf](#)

6.G. INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR FUNDING OF AN ENGINEERING INSPECTOR POSITION

Recommendation: Motion to approve interlocal agreement between the City of Delray Beach (City) and the Community Redevelopment Agency (CRA) for funding of the Engineering Inspector Position in the amount not to exceed \$75,000.

Sponsors: Environmental Services Department

Attachments: [Interlocal Agreement- Engineering Inspector Position](#)
[Legal Review Checklist CRA ILA for Engineer](#)

6.H. INTERLOCAL AGREEMENT WITH THE CITY OF DELRAY BEACH (CITY) AND THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR FUNDING CONSTRUCTION AND PROFESSIONAL SERVICES FOR FY 2017-2018

Recommendation: Motion to approve the Interlocal Agreement (ILA) between the City of Delray Beach (City) and the Community Redevelopment Agency (CRA) for funding of construction and professional services for FY 2017-2018.

Sponsors: Environmental Services Department

Attachments: [Interlocal Agreement \(ILA\) between the City and the Community Redeveloper](#)
[Legal Review Checklist ILA CRA Construction and professional services.](#)

6.I. INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH (CITY) AND THE COMMUNITY REDEVELOPMENT AGENCY (CRA) FOR FUNDING OF TROLLEY SERVICE

Recommendation: Motion to approve agreement between the City of Delray Beach (City) and the Community Redevelopment Agency (CRA) for funding of trolley services.

Sponsors: Environmental Services Department

Attachments: [INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BECH AND T](#)
[Legal Review Checklist ILA CRA for Trolley](#)

6.J. APPROVAL OF AMENDMENT NO. 1 WITH THE BANCORP BANK FOR POLICE VOLUNTEER VEHICLES LEASE

Recommendation: Motion to approve Amendment No. 1 with The Bancorp Bank to extend the Agreement from November 11, 2017 through March 11, 2018 for police volunteer vehicles lease in an amount not-to-exceed \$10,000.

Sponsors: Police Department

Attachments: [Legal Review Checklist form v. 3 volunteer vehicle lease for PD](#)
[Bancorp Amendment No 1 Executed](#)

6.K. APPROVAL OF AMENDMENT NO. 1 WITH HART HALSEY LLC FOR ADMINISTRATION OF OFF DUTY POLICE DETAILS

Recommendation: Motion to approve Amendment No. 1 with Hart Halsey LLC to extend the Agreement from November 3, 2017 through November 2, 2018 for administration of off duty police details.

Sponsors: Police Department

Attachments: [Legal Review Checklist Amendment Off Duty Police Details](#)
[Hart Halsey Agreement 2015-73 F Executed 2017](#)
[Off Duty Police Details Form 6 Schedule of Pricing \(updated 2017\)](#)
[Hart Halsey and the City of Delray Beach Original Agreement](#)

6.L. PROCLAMATIONS:

6.L.1. FAMILY CAREGIVERS MONTH - NOVEMBER 2017 - PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Family Caregivers 2017](#)

6.L.2. NATIONAL HUNGER & HOMELESSNESS AWARENESS WEEK 2017 - NOVEMBER 11-19, 2017 - PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Hunger and Homelessness Awareness Week 2017](#)

6.L.3. 2017 SMALL BUSINESS SATURDAY - NOVEMBER 25, 2017 - PROCLAMATION

Recommendation: Proclaim November 25, 2017 as Small Business Saturday in Delray Beach, Florida.

Sponsors: Economic Development Department

Attachments: [110717 Delray Beach Small Business Saturday 2017 Proclamation](#)

6.M. REPORT OF APPEALABLE LAND USE ITEMS FROM AUGUST 28, 2017 THROUGH OCTOBER 6, 2017

Recommendation: By motion, receive and file this report.

Sponsors: Planning & Zoning Department

Attachments: [Location Map 11-7-17.pdf](#)
[1420 N Swinton Ave.pdf](#)

6.N. AWARD OF BIDS AND CONTRACTS:

6.N.1. APPROVAL OF AN AGREEMENT WITH ODYSSEY MANUFACTURING CO. FOR BULK SODIUM HYPOCHLORITE FOR THE WATER TREATMENT PLANT OPERATIONS USING THE PALM BEACH COUNTY CONTRACT.

Recommendation: Motion to approve an agreement with Odyssey Manufacturing Co. (Odyssey) for the purchase and delivery of bulk sodium hypochlorite for use at the City of Delray Beach's (City) water treatment plant in the production of potable water, in an annual not to exceed amount of \$350,000, using the Palm Beach County (County) contract, subject to annual renewals by the County.

Sponsors: Environmental Services Department

Attachments: [Master Agreement - Odyssey Manufacturing Co.](#)
[Odyssey Lowest Pricing Letter 20161114](#)
[Corporate authority to bind agreement](#)
[Legal Review Checklist Odyssey Mftg Sodium Hypochloride](#)

6.N.2. AWARD OF AN AGREEMENT WITH WEST CONSTRUCTION, INC. FOR CONSTRUCTION OF A PAVILION AND DECK AT ATLANTIC DUNES PARK IN A NOT-TO-EXCEED AMOUNT OF \$320,000

Recommendation: Motion to award an Agreement with West Construction, Inc. for the construction of a pavilion and deck at Atlantic Dunes Park in a total amount not to exceed \$320,000.

Sponsors: Environmental Services Department

Attachments: [2017-038 Atlantic Dunes Pavilion Deck ITBC](#)
[2017-038 Addendum No. 1](#)
[2017-038 Addendum No. 2](#)
[2017-038 Addendum No. 3](#)
[2017-038 Bid Tabulation](#)
[2017-038 Contractor Executed Atlantic Dunes Pavilion & Deck Agreement](#)
[Legal Review Checklist form v. 3 West Construction Atlantic Dunes Pavilion](#)

7. REGULAR AGENDA:

7.A. 206 SE 2ND ST IN LIEU OF PARKING FEE REQUEST FOR 9 SPACES (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve in lieu of parking fee request in the amount of \$41,400 for 9 parking spaces associated with the conversion of 2,169 square feet of retail to restaurant at 206 SE 2nd Street, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in Section 4.6.9(E) of the Land Development Regulations, subject to the condition that full payment be paid upon issuance of a building permit.

Sponsors: Planning & Zoning Department

Attachments: [In Lieu signed agreement SIGNED](#)
[Exhibit A](#)
[Legal Review Checklist form v. 3 in lieu parking 206 se 2 street](#)
[206 SE 2nd ST Board order](#)

7.B. THE RAMEN @ HILO, LOCATED AT 181 NE 2ND AVE, IN LIEU OF PARKING FEE REQUEST FOR 2 SPACES (QUASI-JUDICIAL HEARING)

Recommendation: Motion to approve the in lieu of parking fee request in the amount of \$20,280 for 2 parking spaces for 181 NE 2nd Avenue, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and meets the criteria set forth in Section 4.6.9(E) of the Land Development Regulations, subject to the condition that full payment be paid upon issuance of a building permit.

Sponsors: Planning & Zoning Department

Attachments: [CC Board Order 9.16.2017](#)
[Ramen @ Hilo Site Plan](#)
[Ramen @ Hilo Floor Plan](#)
[Ramen @ Hilo Eng. /Parking](#)

7.C. PRESENTATION OF OPTIONS FOR A CITY OF DELRAY BEACH OPERATED DOWNTOWN TRANSPORTATION SERVICE.

Recommendation: Discussion of possible options to provide transportation alternatives in the City of Delray Beach (City) downtown area and to provide direction on which option(s) City Staff is to proceed with implementing.

Sponsors: Environmental Services Department

7.D. NOMINATION FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD

Recommendation: Motion to approve nomination for appointment for one (1) regular member to serve on the Green Implementation Advancement Board for an unexpired term ending July 31, 2018.

Sponsors: City Clerk Department

Attachments: [Exhibit A](#)
[Green Implementation Advancement Board Member List](#)
[Green Implementation Advancement Board.3](#)

7.E. RATIFICATION OF APPOINTMENT TO THE PARKING MANAGEMENT ADVISORY BOARD

Recommendation: Recommend City Commission approves and ratifies the appointed member to the Parking Management Advisory Board for a two (2) year term ending July 31, 2019.

Sponsors: City Clerk Department

8. PUBLIC HEARINGS:

- 8.A.** RESOLUTION NO. 76-17: AUTHORIZING THE PURCHASE OF COMMERCIAL PROPERTY LOCATED AT 15 SE 10TH STREET AND A PARCEL LOCATED ON SE 1ST AVENUE (PUBLIC HEARING)

Recommendation: Motion to approve Resolution No. 76-17.

Sponsors: City Attorney Department

Attachments: [Resolution 76-17](#)
[Appraisal of Real Property - 15 SE 10th Street](#)
[Seller Exchange Addendum](#)

- 8.B.** ORDINANCE NO. 24-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES BY AMENDING SECTION 4.3.3, "SPECIAL REQUIREMENTS FOR SPECIFIC USES", BY ADOPTING A NEW SUBSECTION (C), TO BE ENTITLED "AUTOMOTIVE RENTAL FACILITY" TO REGULATE THIS TYPE OF USE IN BOTH THE "GENERAL COMMERCIAL (GC) DISTRICT" AND THE "PLANNED COMMERCIAL (PC) DISTRICT" AS EITHER A PERMITTED ACCESSORY USE OR A CONDITIONAL USE; ADOPTING SUBSECTIONS 4.4.9(C)(7) AND 4.4.12(C)(5) TO PERMIT AUTOMOTIVE RENTAL FACILITY AS AN ACCESSORY USE IN THE GC AND PC DISTRICTS, RESPECTIVELY; FURTHER AMENDING SECTION 4.4.12 BY ADOPTING A NEW SUBSECTION (D)(6) TO ALLOW AUTOMOTIVE RENTAL FACILITY, NEIGHBORHOOD AS A CONDITIONAL USE IN THE PC DISTRICT AND WITHIN THE FOUR CORNERS OVERLAY DISTRICT; ESTABLISHING DEFINITIONS FOR THE "ACCESSORY" AND "NEIGHBORHOOD" CATEGORIES OF AN "AUTOMOTIVE RENTAL FACILITY" USE BY AMENDING APPENDIX A "DEFINITIONS". (SECOND READING/SECOND PUBLIC HEARING)

Recommendation: Motion to Approve Ordinance No. 24-17 amending the Land Development Regulations, as presented, on Second Reading.

Sponsors: Planning and Zoning Board

Attachments: [Ord. No. 24-17](#)
[Revisions Memorandum Highlighting Changes](#)
[Planning and Zoning Board Staff Report, June 19, 2017](#)

- 8.C.** ORDINANCE NO. 32-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE FUTURE LAND USE MAP AMENDMENT FROM TRANSITIONAL (TRN) TO GENERAL COMMERCIAL (GC), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187, FOR A PARCEL OF LAND LOCATED ON THE NORTHWEST CORNER OF LA MAT AVENUE AND FREDERICK BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Move to approve on Second Reading, Ordinance No. 32-17, a privately-initiated Future Land Use Map amendment from Transitional (TRN) to General Commercial (GC) for the parcel of land located at the northwest corner of LaMat Avenue and Frederick Boulevard, by adopting the findings of fact and law contained in the staff report, and the finding that the request is consistent with the Comprehensive Plan, South Federal Highway Redevelopment Plan and meets the criteria set forth in Sections 3.1.1 of the Land Development Regulations.

Sponsors: Planning and Zoning Board

Attachments: [Ordinance No. 32-17](#)
[Planning and Zoning Board Staff Report of August 21, 2017](#)

- 8.D.** ORDINANCE NO. 33-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND PLACING LAND PRESENTLY ZONED SPECIAL ACTIVITIES DISTRICT (SAD) DISTRICT IN PART, GENERAL COMMERCIAL (GC) DISTRICT IN PART, NEIGHBORHOOD COMMERCIAL (NC) DISTRICT IN PART, AND MULTIPLE FAMILY RESIDENTIAL-MEDIUM DENSITY (RM) DISTRICT IN PART TO AUTOMOTIVE COMMERCIAL (AC) DISTRICT; SAID LAND LYING BETWEEN SOUTH FEDERAL HIGHWAY AND FREDERICK BOULEVARD, AND BETWEEN AVENUE F (FLADELL WAY) AND LAMAT AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING "CITY OF DELRAY BEACH, ZONING MAP, JUNE 29, 2017"; PROVIDING A CONFLICTS CLAUSE; AND A SEVERABILITY CLAUSE, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

Recommendation: Move to approve on Second Reading, Ordinance No. 33-17, a privately-initiated rezoning from SAD in part, GC in part, NC in part and RM in part to AC for the properties located within Block 24 and Block 25, Del Raton Park, by adopting the findings of fact and law contained in the staff report, and finding that the request is consistent with the Comprehensive Plan and the South Federal Highway Redevelopment Plan and meets the criteria set forth in Sections 2.4.5(D)(5), 3.1.1 and 3.2.2 of the Land Development Regulations.

Sponsors: Planning and Zoning Board

Attachments: [Ordinance No. 33-17](#)
[Planning and Zoning Board Staff Report of August 21, 2017](#)
[Exhibit A - Excerpt from the South Federal Highway Redevelopment Plan](#)

- 8.E.** ORDINANCE NO. 37-17: REPEAL OF LAND DEVELOPMENT REGULATION SECTIONS 4.5.3 "FLOOD DAMAGE CONTROL DISTRICTS" AND 4.5.4 "COASTAL CONSTRUCTION" (SECOND READING)

Recommendation: Motion to approve Ordinance No. 37-17, repeal of Section 4.5.3 and 4.5.4 of the Land Development Regulations, as presented.

Sponsors: Planning & Zoning Department

Attachments: [Ord 37-17 repealing LDR 4.5.4 coastal construction - REVISED 09.22.17 TRS 9](#)

- 8.F.** ORDINANCE NO. 38-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH; BY AMENDING ARTICLE 2.4 "GENERAL PROCEDURES", SECTION 2.4.5 "PROCEDURES FOR OBTAINING DEVELOPMENT APPROVALS", SUB-SECTION 2.4.5(A) "AMENDMENTS TO THE COMPREHENSIVE PLAN" AND REPEALING CHAPTER 9, "THE COMPREHENSIVE PLAN" IN ITS ENTIRETY, PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

Recommendation: Approve Ordinance No. 38-17 on Second Reading for the amendments to Land Development Regulations as specified in attached Ordinance No. 38-17, as presented.

Sponsors: Planning and Zoning Board

Attachments: [Ordinance No. 38-17](#)
[PZB Report of September 18, 2017](#)

- 8.G.** ORDINANCE NO. 39-17: A CITY-INITIATED AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS (LDR) TO AMEND SECTION 4.4.13(I)(2) TO NOT REQUIRE ADDITIONAL PARKING FOR A CHANGE OF USE IN AN EXISTING BUILDING FOR A PERIOD OF THREE YEARS. (SECOND READING)

Recommendation: Motion to Approve Ordinance No. 39-17, as presented, by adopting the findings of fact and law contained in the staff report and finding the text amendment and approval

Sponsors: Planning & Zoning Department

Attachments: [Ord 39-17 CBD Regulations - West Atlantic - Parking Requirements for Change](#)
[LDR Section 4.4.13 CBD 2015 3](#)
[LDR Section 4.4.13 CBD 2015 7](#)
[PZB Report--W Atlantic Parking LDR Amendmetn 09.14.17](#)

- 8.H.** ORDINANCE NO. 41-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 34, "ELECTIONS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING SECTION 34.16(A), "FILING OF NOMINATING PETITION", TO AMEND THE QUALIFYING DATES FOR THE CITY OF DELRAY BEACH'S GENERAL ELECTION AT THE REQUEST OF THE SUPERVISOR OF ELECTIONS; PROVIDING THAT EACH AND EVERY OTHER SECTION AND SUBSECTION OF CHAPTER 34 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. (SECOND READING)

Recommendation: Change the qualifying period to the first fourteen (14) business days in December immediately prior to the calendar year in which the election is to be held.

Sponsors: City Clerk Department

Attachments: [Ord 41-17 Amending Sec 34.16 Filing of Nominating Petition rev 10-20-17](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 42-17 AMENDING CHAPTER 37, "DELRAY BEACH CODE ENFORCEMENT GENERAL PROVISIONS", BY REPEALING SECTIONS 37.01 THROUGH 37.46 AND READOPTING SAME, AS REVISED IN ORDER TO AMEND AND REVISE THE CITY'S CODE ENFORCEMENT PROCEDURES IN ACCORDANCE WITH CHAPTER 162, FLORIDA STATUTES. (FIRST READING)

Recommendation: Motion to approve Ordinance No. 42-17.

Sponsors: City Attorney Department

Attachments: [Ord 42-17 Revising Chapter 37 Code Enforcement](#)
 [Ord. 42-17 Exhibit A](#)

- 9.B.** ORDINANCE NO. 43-17: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 96 "FIRE SAFETY AND EMERGENCY SERVICES", BY AMENDING 96.16, "CERTAIN CODES ADOPTED BY REFERENCE", TO COMPLY WITH THE STATE OF FLORIDA'S UPDATED CHANGES IN THE FIRE PREVENTION CODE STANDARDS; PROVIDING A SAVING CLAUSE, A GENERAL REPEALER CLAUSE AND AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Motion to approve Ordinance No. 43-17 on first reading.

Sponsors: Fire Rescue Department

Attachments: [Ord 43-17 Amending Ch 96 Fire Safety final LG REV 10-20-17](#)

- 9.C.** ORDINANCE NO. 44-17 OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING ARTICLE III, "LEGISLATIVE," SECTION 3.03, "QUALIFICATIONS OF CANDIDATES; ELECTION", OF THE CITY OF DELRAY BEACH CHARTER, TO AMEND THE QUALIFYING DATES FOR THE CITY OF DELRAY BEACH'S GENERAL ELECTION AT THE REQUEST OF THE SUPERVISOR OF ELECTIONS. (FIRST READING)

Recommendation: Motion to approve Ordinance No. 44-17.

Sponsors: City Attorney Department

Attachments: [Ord 44-17 amending section 3.03 of charter](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

10.A. City Manager

10.B. City Attorney

10.C. City Commission