

# City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000 - Fax: (561) 243-3774

[www.mydelraybeach.com](http://www.mydelraybeach.com)



## Regular Commission Meeting

Regular Meeting at 4:00 PM

Tuesday, May 19, 2020

Virtual Meeting

### City Commission

*Mayor Shelly Petrolia*

*Vice Mayor Ryan Boylston*

*Deputy Vice Mayor Shirley Ervin Johnson*

*Commissioner Adam Frankel*

*Commissioner Juli Casale*

Pursuant to Executive Order 20-69, during the COVID-19 State of Emergency, City Commission meetings may be held virtually. Members of the public wishing to view City Commission meetings should log into the City's website, <https://www.delraybeachfl.gov/i-want-to/watch/city-meetings>, where the meeting will be live-streamed for the public.

Due to the closure of City Hall, members of the public wishing to participate may do so by submitting their comments via voicemail. Any member of the public wishing to comment publicly on any matter, including public comment or public hearing items, may submit their comments by dialing **(561) 243 - 7555** and leaving a voicemail message that will be played during the City Commission meeting and made a part of the public record:

1. State your full name
2. State your address
3. Leave a comment no longer than 3 minutes.

**Comments and Inquiries on Non-Agenda and Agenda Items (Excluding Quasi-Judicial Hearing and Public Hearing Items) from the Public:**

Public comments will be accepted up to 1 hour before the start of the meeting on the meeting date.

**Quasi-Judicial and Public Hearing Items:**

Public comment on quasi-judicial items and items that have been set for a formal public hearing shall only be made during the presentation of the item. After the Commission has heard from both the applicant and the City, the Commission will take a recess in order to afford the public an opportunity to comment on the specific agenda item. After the recess, comments from the public will be played into the record for the Commission's consideration.

**General Rules:**

All public comments must be addressed to the Commission as a body and not to individual Commissioners or staff. Personal verbal attacks upon Commissioners and/or staff will not be tolerated. Members of the public shall refrain from making comments that are impertinent, obscene, personally insulting, defamatory, or slanderous remarks. If any member of the public requires additional information about making public comments, please contact:

Katerri Johnson, City Clerk  
City of Delray Beach  
100 NW 1st Avenue  
Delray Beach, FL 33444  
561-243-7051  
ckagendacomments@mydelraybeach.com

**1. ROLL CALL****2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL****4. PRESENTATIONS:**

4.A. None

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

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

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:

May 5, 2020 Regular City Commission Meeting Minutes

**Sponsors:** City Clerk Department

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

[May 5, 2020 Regular City Commission Meeting Minutes\\_DRAFT](#)

**6.B. AMENDED AND RESTATED LEASE BETWEEN PALM BEACH COUNTY AND THE CITY OF DELRAY BEACH FOR THE SANDOWAY HOUSE**

**Recommendation:** Motion to approve the amended and restated lease agreement between Palm Beach County and the City of Delray Beach for the Sandoway House property.

**Sponsors:** City Manager Department

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

[Lease. 4.28.2020 HF approved](#)

[Consent to Sublease Agreement. hf app 2-6-2020 rev LR](#)

[Legal Review Checklist form v. 6 Sandoway lease with county \(1\)](#)

**6.C. SUBLEASE - SANDOWAY DISCOVERY CENTER**

**Recommendation:** Motion to approve Amended and Restate Sublease Agreement between the City of Delray Beach and the Friends of Sandoway House Nature Center, Inc.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[ATTACHMENT A -Signed Sandoway House Sublessee Execution 29-04-2020](#)  
[ATTACHMENT B - Legal Review Checklist form v. 6 Sandoway sublease \(1\)](#)  
[ATTACHMENT C -Lease. 4.28.2020 HF approved](#)

**6.D. FINAL (MINOR) SUBDIVISION REPLAT OF A PORTION OF SECTION 4 AND 5, TOWNSHIP 46 SOUTH, RANGE 43 EAST, LOCATED AT 2599 NORTH SWINTON AVENUE.**

**Recommendation:** Review and consider the Final (Minor) Plat for Lakeview Baptist Church, located at 2599 N. Swinton Avenue, by adopting that the request and approval thereof is consistent with the Land Development Regulations.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Lakeview Baptist Church Plat - Survey \(2019-274\)](#)  
[Lakeview Baptist Church Plat - Proposed Plat \(2019-274\)](#)

**6.E. APPROVAL TO SUBMIT APPLICATION FOR STATE OF FLORIDA DIVISION OF HISTORICAL RESOURCES SMALL MATCHING GRANT (SMG) CYCLE.**

**Recommendation:** Motion to approve application for State of Florida Division of Historical Resources Small Matching Grant (SMG) Cycle.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[2020-05-07-Small Matching Grant Memo.docx](#)

- 6.F.** APPROVAL OF RESOLUTION NO. 77-20, APPROVING HURRICANE DORIAN (FEMA - DR 4468 FL) FEDERALLY-FUNDED SUBAWARD AND GRANT AGREEMENTS BETWEEN THE CITY OF DELRAY BEACH AND THE FLORIDA DEPARTMENT OF EMERGENCY MANAGEMENT AND APPROVAL TO DELEGATE AUTHORITY TO THE MAYOR TO APPROVE MODIFICATIONS TO ATTACHMENT A OF THE AGREEMENT IN ACCORDANCE WITH SECTION TO INCLUDE ADDITIONAL PROJECTS.

**Recommendation:** It is recommended that City Commission adopt Resolution No. 77-20 approving the Form of the Federally-Funded Subaward and Grant Agreements with Florida Department of Emergency Management and authorize the Mayor to execute these agreements related to Hurricane Dorian on behalf of the City.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review FEMA funds through FL Dept of Emergency Management Hurricane Dorian Contract - DR4468 City of Delray Beach Z1614](#)  
[Res 77-20 FEMA Grant](#)

- 6.G.** APPROVAL OF AMENDMENT NO. 1 TO THE CITYWORKS ASSET MANAGEMENT, INVENTORY, GIS INTEGRATION AND WORK MANAGEMENT SOLUTION AGREEMENT WITH BLACK & VEATCH CORPORATION FOR IMPLEMENTATION OF PHASES III AND IV

**Recommendation:** Motion to Approve Amendment No. 1 to the Agreement with Black & Veatch Corporation to implement Phases III and IV of the Cityworks asset management, inventory, GIS integration and work management project, in the amount of \$650,000, of which is \$650,000 is budgeted in FY 2020, for a total cumulative contract amount of \$1,177,334.

**Sponsors:** IT Department

**Attachments:** [Agenda Cover Report](#)  
[Executed Amend 1 Black & Veatch](#)  
[Exhibit A - Amendment No. 1](#)  
[COI - Amend 1 Black & Veatch](#)  
[Legal Review Checklist Amend1 to General Consulting Agreement with](#)

**6.H.** APPROVAL OF AMENDMENT NO. 2 TO PROCURE ADDITIONAL CONSULTING SERVICES RELATED TO AN INFORMATION TECHNOLOGY AUDIT, ASSESSMENTS, RECOMMENDATIONS, AND DEVELOPMENT OF A STRATEGIC PLAN WITH TP SOUTHERN CHARM LIMITED LLC - \$48,150

**Recommendation:** Motion to Approve Amendment No. 2 to the Agreement with TP Southern Charm Limited LLC for additional consulting services related to an information technology audit, assessments, recommendations, and development of a strategic plan, in the amount not to exceed \$48,150, for a total estimated Agreement amount of \$112,350.

**Sponsors:** Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[TP Southern Charm Limited, LLC Agreement](#)  
[TP Southern Charm Limited, LLC Amendment No. 1 to Agreement](#)  
[Signed - Amend 2 - TP Southern Charm](#)  
[Legal Review Checklist TP Southern Charm Amendment](#)

**6.I.** ADDENDUM TO THE STATE PLAN OF OPERATIONS AGREEMENT BETWEEN THE STATE OF FLORIDA AND THE DELRAY BEACH POLICE DEPARTMENT, 2YTC89

**Recommendation:** Motion to Approve the Addendum to the State Plan of Operations Agreement between the State of Florida and the Delray Beach Police Department, 2YTC89.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist LW](#)  
[Fully Executed Agreement 9-20-19](#)  
[SPOaddendum lw review mayor](#)

**6.J.** APPROVAL TO SUBMIT APPLICATION FOR CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING (CESF) PROGRAM

**Recommendation:** Motion to approve application for Coronavirus Emergency Supplemental Funding (CESF) Program.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[CESF\\_bja-2020-18553 Grant Solicitation and Instructions](#)  
[Legal Review Form\\_CESF Grant](#)

**6.K. TRAFFIC ENFORCEMENT AGREEMENT BETWEEN THE DELRAY BEACH POLICE DEPARTMENT AND WOODLAKE HOMEOWNER'S ASSOCIATION, INC.**

**Recommendation:** Motion to Approve a Traffic Enforcement Agreement between the City of Delray Beach and Woodlake Homeowner's Association, Inc.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Partially Executed Traffic Enforcement Agreement-2020](#)  
[Legal Review Checklist Woodlake HOA](#)  
[Exhibit A - Certificate of Insurance](#)

**6.L. RESOLUTION 57-20: REQUESTING TO APPROVE TWO LED AGREEMENTS WITH FLORIDA POWER AND LIGHT, ONE TO INSTALL NEW LED STREET LIGHTS AND ANOTHER TO CONVERT EXISTING COBRA HEAD STREET LIGHTING TO LED FOR THE SW 4TH ST, SW 6TH ST, SW 7TH AVE, AND SW 3RD CT NEIGHBORHOOD IMPROVEMENTS PROJECT. (PROJECT NO. 17-108)**

**Recommendation:** Motion to Approve Resolution No.57-20 to approve two Agreements with Florida Power and Light (FPL), one to install new LED Street Lights and the other to convert existing Cobra Head lighting to LED for the SW 4th St., SW 6th St., SW 7th Ave. & SW 3rd Ct. Neighborhood Improvements Project. This project also includes replacing the existing wood poles for more resilient concrete poles. The lighting will be designed and installed by Florida Power and Light (FPL). FPL requires the City to pay a deposit prior to reviewing and designing the street lights. As such, the design and installation costs associated with the agreements proposed by this resolution was approved by the City Commission on November 5, 2019 with Resolution 191-19.

**Sponsors:** Public Works Department - Programs & Project Management

**Attachments:** [Agenda Cover Report](#)  
[Resolution No.57-20](#)  
[Legal Review LED Lighting Agreement with FPL 4th St new lights](#)  
[Legal Review LED Lighting Agreement with FPL 4th St repair or replace lights](#)  
[Delray Beach 4th Street Conversions LT1 Street Light Agreement](#)  
[Delray Beach 4th Street Job Sketch Minus Alleys](#)  
[Delray Beach 4th Street New Lights LT1 Street Light Agreement](#)  
[Delray Beach SL 4th New Lights on Streets Generator](#)  
[Delray Beach SL 4th Street Conversions Selection Sheet](#)

**6.M. RATIFICATION OF CHANGE ORDER NO. 1 REVISED SCOPE WITH SHIFF CONSTRUCTION AND DEVELOPMENT, INC. REGARDING THE EXPANSION OF THE DELRAY BEACH MEMORIAL GARDENS PROJECT IN THE AMOUNT NOT-TO-EXCEED \$87,152**

**Recommendation:** Motion to Ratify Change Order No. 1 revised scope with Shiff Construction and Development, Inc. regarding the expansion of the Delray Beach Memorial Gardens Project (No.18-020), in the amount not-to-exceed \$87,152.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Delray Beach Memorial Gardens Expansion Supplemental Proposal](#)  
[Res No. 124-19](#)

**6.N. INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE CITY OF BOYNTON BEACH FOR FUNDING THE SOUTHERN PORTION OF THE DESIGN & ENGINEERING SERVICES FOR GULFSTREAM BOULEVARD IN AN AMOUNT NOT TO EXCEED \$250,000.**

**Recommendation:** Approve the Interlocal Agreement (ILA) between the City of Delray Beach and the City of Boynton Beach for funding the southern portion of the design and engineering services for Gulfstream Boulevard in an amount not to exceed \$250,000 for Fiscal Year 2019-2020.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[SW 36th Ave with City Limits shown](#)  
[Legal Review Checklist form v. 6 ILA with BB for Engineering Desgin of SE 36 A](#)  
[R20-039 Delray Agr Engineering](#)  
[R20-039](#)

**6.O. APPROVAL TO APPLY FOR THE FY 2020 ASSISTANCE TO FIREFIGHTERS GRANT-COVID-19 SUPPLEMENTAL (AFG-S) 348,712 IN THE AMOUNT OF \$348,712.00 FROM THE DEPARTMENT OF HOMELAND SECURITY FOR THE FIRE RESCUE DEPARTMENT.**

**Recommendation:** Staff recommends approval to apply for grant funding from the FY 2020 Assistance to Firefighters Grant -COVID-19 Supplemental.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[FY20\\_AFG\\_S\\_NOFO\\_final.jv\\_508ABjv](#)  
[Simple Legal Review Approval - COVID grant](#)

**6.P. PROCLAMATIONS:**



**6.P.1. NATIONAL SAFE BOATING WEEK PROCLAMATION**

**Recommendation:** Motion to declare May 16 - 22, 2020 as National Safe Boating Week.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[National Safe Boating Week Proclamation](#)

**6.Q. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**

6.Q.1. None

**6.R. AWARD OF BIDS AND CONTRACTS:****6.R.1. APPROVAL OF RESOLUTION NO. 06-20 TO AWARD AN AGREEMENT WITH GOLDSTAR GRAPHICS, INC. DBA MINUTEMAN PRESS DELRAY BEACH FOR PRINTING SERVICES PURSUANT TO SOLICITATION NO. ITB 2020-010**

**Recommendation:** Motion to Approve Resolution No. 06-20 to award an Agreement with Goldstar Graphics, Inc. dba Minuteman Press Delray Beach for Solicitation No. ITB 2020-10 Printing Services in the amount of \$24,000 for the initial term, of which \$24,000 is budgeted in FY 2020, and authorize the City Manager to approve renewal options, in the same amounts, contingent on appropriation of funds.

**Sponsors:** Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 06-20 Award of Agreement \(003\)](#)  
[Legal Review Checklist printing- Goldstar Graphics](#)  
[Goldstar Graphics, Inc Agreement](#)

**6.R.2.** APPROVAL OF RESOLUTION NO. 60-20 TO APPROVE AN AGREEMENT WITH KIMLEY-HORN AND ASSOCIATES, INC. FOR PROFESSIONAL ENGINEERING DESIGN SERVICES FOR TROPIC ISLES ROADWAY UNDERGROUND UTILITY IMPROVEMENTS PURSUANT TO RFQ NO. 2019-040 (PROJECT NO. 19-015)

**Recommendation:** Motion to Approve Resolution No. 60-20 to award an Agreement with Kimley-Horn and Associates, Inc. for Professional Engineering Design Services for the Tropic Isles Roadway Underground Utility Improvements project pursuant to RFQ No. 2019-040 (Project No. 19-015) - \$274,977

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

**Attachments:** [Agenda Cover Report](#)  
[Signed Agrmt - Kimley-Horn - Tropic Isles](#)  
[Exhibit A - Scope of Services \(final\)](#)  
[Exhibit B - Fee Estimate \(final\)](#)  
[Resolution No. 60-20 Design Tropic Isles KHA rev.](#)  
[Legal Review Checklist form Kimley-Horn](#)  
[Kimley-Horn Submittal for Tropic Isle Roadway Underground Utility Improv.](#)  
[2019-040 Scoring Summary after Technical Evals & Interviews Combo Final](#)

**6.R.3.** APPROVAL OF RESOLUTION NO. 66-20 TO AWARD AN AGREEMENT WITH SUNSHINE CLEANING SYSTEMS, INC. FOR JANITORIAL SERVICES CITYWIDE (RFP 2019-003)

**Recommendation:** Motion to approve Resolution No. 66-20 to award an Agreement with Sunshine Cleaning Systems, Inc. for Janitorial Services Citywide (RFP 2019-003) in the estimated amount of \$1,382,551 for the Agreement term, of which \$280,165 is budgeted for FY 2020, and authorize the City Manager to exercise renewal options in the amounts below, contingent upon appropriation of funds.

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

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Sunshine Cleaning](#)  
[Resolution No. 66-20](#)  
[Sunshine Cleaning Systems, Inc Agreement Revised](#)

**6.R.4. APPROVAL OF RESOLUTION NO. 67-20 TO AWARD AN AGREEMENT WITH E.J. WARD, INC. UTILIZING THE SOURCEWELL CONTRACT #022217-EJW FOR THE PURCHASE OF A NEW FUEL MANAGEMENT SYSTEM, NEW TERMINALS AND RELATED SOFTWARE**

**Recommendation:** Motion to approve Resolution No. 67-20 to award an agreement with E.J. Ward, Inc. to purchase a new Fuel Management System in the amount of \$45,856, which is budgeted for FY 2020, utilizing the Sourcewell Contract #022217-EJW, and authorize the City Manager to approve renewal options, in the amounts below, contingent upon appropriation of funds.

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

**Attachments:** [Agenda Cover Report](#)  
[Ward Sourcewell Contract Docs \(3\)](#)  
[EJ Ward Updated Quote](#)  
[Ward End of Life Notice \(2\)](#)  
[EJ Ward Resolution](#)  
[Legal Review Checklist EJ Ward](#)  
[EJ Ward Agreement Vendor Executed](#)

**7. REGULAR AGENDA:**

**7.A. RESOLUTION NO. 64-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA GRANTING A WAIVER REQUEST TO LAND DEVELOPMENT REGULATIONS SECTION 4.4.13(D)(2)(a)(2) AND TABLE 4.4.13(C) WHICH REQUIRE A MINIMUM REAR SETBACK OF 10 FEET IN THE RAILROAD CORRIDOR SUB-DISTRICT OF THE CENTRAL BUSINESS DISTRICT, WHEREAS A REAR SETBACK OF FOUR FEET SEVEN INCHES IS PROPOSED FOR 290 SE 2ND AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)**

**Recommendation:** Review and consider Resolution No. 64-20 to allow a rear setback of 4 feet 7 inches in the Central Business District (Railroad Corridor Sub-district) where a minimum rear setback of 10 feet is required.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 64-20 290 SE 2nd Avenue](#)  
[Staff Report - Waiver 290 SE 2nd Ave](#)  
[Justification Letter 290 SE 2nd Ave](#)  
[Site Plan 290 SE 2nd Ave](#)  
[Survey 290 SE 2nd Ave](#)  
[Elevations](#)  
[Elevations](#)  
[Legal Review Reso 64-20 Waiver Request for 290 SE 2nd Ave](#)

**7.B. RATIFICATION OF EMERGENCY REGULATIONS RELATED TO COVID-19 ACTIVATED UNDER CHAPTER 95 OF THE DELRAY BEACH CODE OF ORDINANCES**

**Recommendation:** Motion to Ratify 7th and 8th Extensions of State of Emergency, 2nd Extension of Emergency Declaration dated March 28, 2020, 1st Extension of Emergency Declaration dated April 9, 2020, Resolution 85-20.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[7th Emergency Declaration Extension - COVID-19](#)  
[8th Emergency Declaration Extension - COVID-19](#)  
[Secondextensionofstateofem 3-28-2020 - Stay at home order](#)  
[1st Ext. of Emergency Declaration \(Use of Mask\) thru May 9 2020](#)  
[Resolution 85-20 COVID -19](#)

**7.C. CITY COMMISSION MEETING DATES 2020**

**Recommendation:** Motion to approve City Commission Meeting Dates 2020.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Calendar Dates 2020](#)  
[April 2020 – March 2021 Calendar](#)

**7.D. AMENDMENTS TO LOCAL RULES AND QUASI-JUDICIAL RULES**

**Recommendation:** Provide direction to the City Attorney concerning changes to the Rules of Procedure and the Quasi-Judicial Rules.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Rules of Procedures 2019](#)  
[Quasi-Judicial Rules\\_ 2019](#)

**7.E. APPROVED PROCLAMATION LIST 2020**

**Recommendation:** Motion to approve Proclamation List 2020.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Proclamation Guidelines rev 03-26-20](#)  
[Proclamation List revised 2020](#)

**8. PUBLIC HEARINGS:**

- 8.A.** ORDINANCE NO. 07-20: 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 4.4, "BASE ZONING DISTRICT", SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT", BY AMENDING SUBSECTION 4.4.13(B), "REGULATING PLANS"; AMENDING FIGURE 4.4.13-6, "WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT REGULATING PLAN"; AMENDING SUBSECTION (C), "ALLOWABLE USES"; AMENDING SUBSECTION (D), "CONFIGURATION OF BUILDINGS"; AMENDING TABLE 4.4.13(B), "BUILDING HEIGHT"; AMENDING TABLE 4.4.13(C), "DIMENSIONAL REQUIREMENTS BY CBD SUB-DISTRICT"; TO LIMIT THE HEIGHT OF PROPERTIES REZONED TO CENTRAL BUSINESS DISTRICT (CBD) FROM SINGLE-FAMILY RESIDENTIAL (R-1-A) WITHIN THE WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

**Recommendation:** Review and consider Ordinance No. 07-20 on Second Reading, amendments to the Land Development Regulations Section 4.4.13, Central Business District (CBD), to establish a Limited Height Area and require lower height for properties that are rezoned to Central Business District (CBD) from Single-family Residential (R-1-A) within the West Atlantic Neighborhood Sub-district.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord No 07-20 WAN Limited Height Area](#)  
[Ord No 07-20 PZB Staff Report](#)  
[Legal Review Ord No. 07-20.docx](#)

- 8.B.** ORDINANCE NO. 16-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 57. RIGHT-OF-WAY APPLICATION PROCESS FOR COMMUNICATIONS FACILITIES BY AMENDING SUB-SECTION Q OF SECTION 57.05; UPDATING SECTION 57.02 DEFINITIONS; AMENDING SECTION 57.12 CONSTRUCTION BOND; REPEALING SECTION 57.13 SECURITY FUND; AND AMENDING THE CODE OF ORDINANCES BY ADOPTING AN ENTIRELY NEW CHAPTER 58. TO BE ENTITLED "RIGHT-OF-WAY APPLICATION PROCESS FOR SMALL WIRELESS FACILITIES" TO IMPLEMENT REGULATIONS SET FORTH IN THE "ADVANCED WIRELESS INFRASTRUCTURE DEPLOYMENT ACT", CODIFIED AT SECTION 337.401(7), FLORIDA STATUTES; PROVIDING FOR A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Review and consider Ordinance No. 16-20 on Second Reading.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 16-20\(1\)](#)  
[Legal Review Ord 16-20 Small Cell Towers](#)

## 9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 10-20: 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 SECTION 4.3.4, BASE DISTRICT DEVELOPMENT STANDARDS, SUBSECTION 4.3.4(H)(4) SETBACKS; SECTION 4.4.13, CENTRAL BUSINESS DISTRICT, SUBSECTION 4.4.13(D), CONFIGURATION OF BUILDINGS, AND SECTION 4.6.9, OFF-STREET PARKING REGULATIONS, AND SUBSECTION 4.6.9(D)(1) DESIGN STANDARDS, TO ESTABLISH REGULATIONS FOR SUBGRADE PARKING AND STORAGE; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

**Recommendation:** Review and consider Ordinance No. 10-20, a City-initiated amendment to Section 4.3.4 “Base District Development Standards”, Subsection 4.3.4(H) (4) “Setbacks”, Section 4.4.13 “Central Business District”, Subsection 4.4.13(D) “Configuration of buildings”, and Section 4.6.9 “Off-street parking regulations”, Subsection 4.6.9(D)(1) “Design standards,” of the Land Development Regulations to allow subgrade parking within the required site setbacks.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord. No. 10-20](#)  
[PZB Staff Report \(Ord No. 10-20\)](#)  
[Legal Review - Ord. 10-20](#)

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

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