

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 4:00 PM

Tuesday, July 21, 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

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:

June 9, 2020 City Commission Workshop Meeting Minutes

June 24, 2020 Special City Commission Meeting Minutes

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[June 9, 2020 City Commission Workshop Meeting Minutes DRAFT](#)

[June 24, 2020 Special City Commission Meeting Minutes DRAFT](#)

6.B. RESOLUTION NO. 119-20: HISTORIC PROPERTY AD VALOREM TAX EXEMPTION REQUEST FOR 701 NORTH SWINTON AVENUE

Recommendation: Review and consider Resolution No. 119-20; approving a Historic Property Ad Valorem Tax Exemption request for improvements to the contributing structure and property located at 701 North Swinton Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution 119-20-701 N. Swinton Avenue](#)
[Ad Valorem Tax Exemption Application-701 N. Swinton Ave-2020-07-21](#)
[Warranty Deed & Tax Bill - 701 N. Swinton Avenue-2020-07-21](#)
[Certificate of Occupancy-701 N. Swinton Avenue-2020-07-21](#)
[Site Plan Elevations-701 N. Swinton Ave-2020-07-21](#)
[Photographs-701 N. Swinton Ave-2020-06-21](#)
[City Approval Letter-701 N. Swinton Ave-2020-07-21](#)
[HPB Staff Report-701 N. Swinton Avenue-2020-06-17](#)
[Simple Legal Review Approval 119-20](#)

6.C. RESOLUTION NO. 120-20: HISTORIC PROPERTY AD VALOREM TAX EXEMPTION REQUEST FOR 101 NE 5th STREET

Recommendation: Review and consider Resolution No. 120-20; approving a Historic Property Ad Valorem Tax Exemption request for improvements to the contributing structure and property located at 101 NE 5th Street.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution 120-20-101 NE 5th Street \(003\)](#)
[Ad Valorem Tax Exemption Application-101 NE 5th Street-2020-07-21](#)
[Site Plan Elevations-101 NE 5th Street-2020-07-21](#)
[Photographs-101 NE 5th Street-2020-07-21](#)
[HPB Staff Report-101 NE 5th Street-2020-03-04](#)
[Certification Letter - 101 NE 5th St-2020-07-21](#)
[Simple Legal Review Approval 120-20](#)

6.D. RESOLUTION NO. 121-20: HISTORIC PROPERTY AD VALOREM TAX EXEMPTION REQUEST FOR 777 NORTH OCEAN BOULEVARD

Recommendation: Review and consider Resolution No. 121-20, approving a Historic Property Ad Valorem Tax Exemption request for improvements to the contributing structure and property located at 777 North Ocean Boulevard.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution 121-20-777 North Ocean Boulevard](#)
[Ad Valorem Tax Exemption Application-777 N. Ocean Blvd-2020-07-21](#)
[Photographs-777 N. Ocean Blvd-2020-07-21](#)
[Site Plan Elevations-777 N. Ocean Blvd-2020-07-21](#)
[HPB Staff Report-777 N Ocean Blvd-2020-07-01](#)
[City Approval Letter-777 N. Ocean Blvd-2020-07-21](#)
[Simple Legal Review Approval 121-20](#)

6.E. RESOLUTION NO. 61-20 TO AWARD SERVICE AUTHORIZATION NO. 6 WITH APTIM ENVIRONMENTAL & INFRASTRUCTURE, INC. IN THE AMONG NOT-TO-EXCEED \$157,552 FOR COASTAL ENGINEERING CONSULTING SERVICES INCLUDING PRELIMINARY FEDERAL REAUTHORIZATION COORDINATION, ENGINEERING FOR THE 6TH PERIODIC BEACH RENOURISHMENT PROJECT AND MONITORING FOR THE CITY OF DELRAY BEACH'S NOURISHMENT PROGRAM (PROJECT NO. 17-081).

Recommendation: Approval of a Resolution No. 61-20 to award Service Authorization No.6 with Aptim Environmental & Infrastructure, Inc. in the amount not-to-exceed \$157,552 for Coastal Engineering Consulting Services including preliminary federal reauthorization coordination, engineering for the 6th periodic beach renourishment project and monitoring for the City of Delray Beach's Nourishment Program. (Project No. 17-081)

Sponsors: Public Works Department - Programs & Project Management

Attachments: [Agenda Cover Report](#)
[Res 61-20 Aptim SA#6](#)
[Legal Review Checklist Consulting Service Authorization with Aptim Environme](#)
[Aptim SA#6 Preliminary Federal Reauthorization, Engineering for 6th Renourish](#)

6.F. APPROVAL OF AMENDMENT NO. 1 TO RENEW THE CITY'S AGREEMENT WITH APTIM ENVIRONMENTAL AND INFRASTRUCTURE, INC. FOR COASTAL ENGINEERING CONSULTING SERVICES (RFQ NO. 2015-01) - \$500,000

Recommendation: Motion to Approve Amendment No. 1 to renew the Agreement with APTIM Environmental and Infrastructure, Inc. for Coastal Engineering Consulting Services in the amount of \$500,000.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Amendment 1 to Agreement Delray Beach SIGNED by APTIM_061620](#)
[Legal Review Checklist Aptim](#)

6.G. ITEMS A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14, A15, A16, A17 - ACCEPTANCE OF (17) RIGHT OF WAY DEDICATION(S) FOR CARVER SQUARE WORKFORCE HOUSING

Recommendation: Consideration of the following items:

RIGHT OF WAY DEED(S)

Item A1

Motion to approve and accept a Right of Way Dedication by the owner of 700 SW 2nd Court (Lot 11).

Item A2

Motion to approve and accept a Right of Way Dedication by the owner of 701 SW 3rd Street (Lot 30).

Item A3

Motion to approve and accept a Right of Way Dedication by the owner of 702 SW 2nd Terrace (Lot 21).

Item A4

Motion to approve and accept a Right of Way Dedication by the owner of 703 SW 2nd Terrace (Lot 20).

Item A5

Motion to approve and accept a Right of Way Dedication by the owner of 704 SW 2nd Terrace (Lot 22).

Item A6

Motion to approve and accept a Right of Way Dedication by the owner of 705 SW 2nd Terrace (Lot 19).

Item A7

Motion to approve and accept a Right of Way Dedication by the owner of 708 SW 2nd Terrace (Lot 23).

Item A8

Motion to approve and accept a Right of Way Dedication by the owner of 709 SW 2nd Terrace (Lot 18).

Item A9

Motion to approve and accept a Right of Way Dedication by the owner of 712 SW 2nd Terrace (Lot 24).

Item A10

Motion to approve and accept a Right of Way Dedication by the owner of

713 SW 2nd Terrace (Lot 17).

Item A11

Motion to approve and accept a Right of Way Dedication by the owner of 716 SW 2nd Court (Lot 15).

Item A12

Motion to approve and accept a Right of Way Dedication by the owner of 716 SW 2nd Terrace (Lot 25).

Item A13

Motion to approve and accept a Right of Way Dedication by the owner of 717 SW 3rd Street (Lot 26).

Item A14

Motion to approve and accept a Right of Way Dedication by the owner of 704 SW 2nd Court (Carver Square Lot 12).

Item A15

Motion to approve and accept a Right of Way Dedication by the owner of 708 SW 2nd Court (Carver Square Lot 13).

Item A16

Motion to approve and accept a Right of Way Dedication by the owner of 712 SW 2nd Court (Carver Square Lot 14).

Item A17

Motion to approve and accept a Right of Way Dedication by the owner of 720 SW 2nd Terrace (Carver Square Lot 16).

Sponsors:

Public Works Department

Attachments:

[Agenda Cover Report](#)

[Item 1\(1\) - Legal Reviews](#)

[Item A1a- ROW - 700 SW 2nd Court \(Lot 11\)](#)

[Item A1b - Exhibit A -700 SW 2nd Ct \(Lot 11\)](#)

[Item A2a - ROW - 701 SW 3rd Street \(Lot 30\)](#)

[Item A2b - Exhibit A - 701 SW 3rd St. \(Lot 30\)](#)

[Item A3a - ROW - 702 SW 2nd Ter. \(Lot 21\)](#)

[Item A3b - Exhibit A - 702 SW 2nd Ter. \(Lot 21\)](#)

[Item A4a- ROW - 703 SW 2nd Ter. \(Lot 20\)](#)

[Item A4b- Exhibit A - 703 SW 2nd Ter. \(Lot 20\)](#)

[Item A5a- ROW - 704 SW 2nd Ter. \(Lot 22\)](#)

[Item A5b - Exhibit A - 704 SW 2nd Ter. \(Lot 22\)](#)

[Item A6a - ROW - 705 SW 2nd Ter. \(Lot 19\)](#)

[Item A6b - Exhibit A - 705 SW 2nd Ter. \(Lot 19\)](#)

[Item A7a - ROW - 708 SW 2nd Ter. \(Lot 23\)](#)

[Item A7b- Exhibit A - 708 SW 2nd Ter. \(Lot 23\)](#)

[Item A8a - ROW - 709 SW 2nd Ter. \(Lot 18\)](#)

[Item A8b- Exhibit A - 709 SW 2nd Ter. \(Lot 18\)](#)

[Item A9a- ROW - 712 SW 2nd Ter. \(Lot 24\)](#)

[Item A9b- Exhibit A - 712 SW 2nd Ter. \(Lot 24\)](#)

[Item A10a- ROW - 713 SW 2nd Ter. \(Lot 17\)](#)

[Item A10b - Exhibit A - 713 SW 2nd Ter. \(Lot 17\)](#)

[Item A11a - ROW - 716 SW 2nd Ct. \(Lot 15\)](#)

[Item A11b- Exhibit A - 716 SW 2nd Ct. \(Lot 15\)](#)

[Item A12a - ROW - 716 SW 2nd Ter. \(Lot 25\)](#)

[Item A12b - Exhibit A - 716 SW 2nd Ter. \(Lot 25\)](#)

[Item A13a - ROW - 717 SW 3rd St. \(Lot 26\)](#)

[Item A13b - Exhibit A - 717 SW 3rd St. \(Lot 26\)](#)

[Item A14a - ROW - 704 SW 2nd Ct. \(Carver Sq. Lot 12\)](#)

[Item A14b - Exhibit A - 704 SW 2nd Ct. \(Carver Sq. Lot 12\)](#)

[Item A15a - ROW - 708 SW 2nd Ct. \(Carver Sq. Lot 13\)](#)

[Item A15b - Exhibit A - 708 SW 2nd Ct. \(Carver Sq. Lot 13\)](#)

[Item A16a - ROW - 712 SW 2nd Ct. \(Carver Sq. Lot 14\)](#)

[Item A16b - Exhibit A - 712 SW 2nd Ct. \(Carver Sq. Lot 14\)](#)

[Item A17a - ROW - 720 SW 2nd Ter. \(Carver Sq. Lot 16\)](#)

[Item A17b - Exhibit A - 720 SW 2nd Ter. \(Carver Sq. Lot 16\)](#)

- 6.H.** APPROVAL TO BE CO-APPLICANT WITH THE CITY OF BOYNTON BEACH TO SUBMIT A GRANT APPLICATION TO REBUILD FLORIDA GENERAL INFRASTRUCTURE PROGRAM (GIP) ADMINISTERED BY THE STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY (DEO) AND FUNDED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) COMMUNITY DEVELOPMENT BLOCK GRANT-MITIGATION (CDBG-MIT) ALLOCATION AS DESCRIBED IN PUBLIC LAW 115-123.

Recommendation: Motion to approve Co-Application with the City of Boynton Beach for a Construction and Administration Grant to Rebuild Florida GIP Administered by the State of Florida DEO and funded by the U.S. Department of HUD CDBG-MIT allocation as described in Public Law 115-123.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[ILA Agreement with City of Boynton Beach and CODB for Engineering Design o](#)
[Rebuild Florida GIP guidelines 6-12-20](#)
[Rebuild Florida GIP-checklist-and-instructions 061220](#)
[Gulfstream Simple Legal Review Approval 070120](#)

6.I. PROCLAMATIONS:

6.I.1. None

6.J. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:

- 6.J.1.** REPORT OF APPEALABLE LAND USE ITEMS FROM MARCH 23, THROUGH JUNE 26, 2020.

Recommendation: By motion, receive and file this report.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map](#)
[A - Appealable Report - 111 SE 7th Avenue](#)
[B - Appealable Report - 159 Marine Way](#)
[C - Appealable Report - Heritage Here](#)
[D - Appealable Report - Keele Center; 4575 Linton Blvd](#)
[E -Appealable Report - Echelon 1625 S. Ocean Blvd](#)
[F - Appealable Report - 7-Eleven Store #34793; 13555 S. Military Trl.](#)

6.K. AWARD OF BIDS AND CONTRACTS:

6.K.1. APPROVAL OF RESOLUTION NO. 104-20 TO AWARD AN AGREEMENT TO DELL MARKETING LP, FOR PURCHASE OF TECHNOLOGY PRODUCTS, SERVICES AND SOLUTIONS; UTILIZING STATE OF FLORIDA ALTERNATE CONTRACT SOURCE NO. 43211500-WSCA-15-ACS - \$400,000

Recommendation: Motion to approve Resolution No. 104-20 to award an Agreement to Dell Marketing LP, for the purchase of technology products, services and solutions in the estimated amount of \$400,000 through July 31, 2021, of which \$43,000 is budgeted for FY2020, utilizing the State of Florida Alternate Contract Source No. 43211500-WSCA-15-ACS, contingent on appropriations of funds.

Sponsors: IT Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Agreement - Dell - State of Florida ACS_Dell Signed 10Jun2020](#)
[Resolution 104-20 Dell Marketing State of Florida ACS](#)
[Legal Review Checklist Dell \(edited to note piggyback indemnification paragraph\)](#)
[Computer Equipment Amendment ADA \(Dell Marketing LP\)](#)
[Dell PUR 1000](#)
[2020 adopted IT budget with items highlighted for Dell Contract](#)
[Capital Improvement Project Request Form - PC Replacement](#)

7. REGULAR AGENDA:

- 7.A.** RESOLUTION NO. 96-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF A PORTION OF THE RHODES VILLA AVENUE RIGHT-OF-WAY, LYING ADJACENT TO THE NORTHWEST CORNER OF LOT 8 (1006 RHODES VILLA AVENUE) OF SAID "DELRAY BEACH SHORES" PLAT AS RECORDED IN THE PLAT BOOK 23, PAGES 167 OF THE OFFICIAL RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

RESOLUTION NO. 116-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A FINAL PLAT REQUEST FOR A MINOR SUBDIVISION THAT CONTAINS A NON-CONFORMITY FOR A TWO-LOT SUBDIVISION KNOWN AS "1004-1006 RHODES VILLA", WHICH CONSISTS OF A COMBINATION OF LOTS OF RECORD DESCRIBED AS LOT 8, AND THE WEST 6 FEET OF LOT 7, TOGETHER WITH LOT 9 AND THE SOUTH 25 FEET OF LOT 10 TOGETHER WITH THE ABANDONED 10 FEET OF THE SOUTH 45 FEET OF RHODES VILLA AVENUE RIGHT-OF-WAY, DELRAY BEACH SHORES, PLAT BOOK 23, PAGE 167 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES (QUASI JUDICIAL).

Recommendation: Review and consider Resolution No. 96-20 approving a the abandonment of a portion of the Rhodes Villa Avenue right-of-way, lying adjacent to the Northwest Corner of Lot 8 (1006 Rhodes Villa Avenue) of said "Delray Beach Shores" Plat as recorded in the Plat Book 23, Page 167 of the Official Records of Palm Beach County, Florida.

Review and consider Resolution No. 116-20 approving a Final Plat request for a Minor Subdivision that contains a non-conformity for a two-lot subdivision known as "1004-1006 Rhodes Villa" Plat, which consists of a combination of lots of record and a portion of abandoned Rhodes Villa Avenue right-of-way originally platted as part of the "Delray Beach Shores" Plat Book 23, Page 167 of the of the Official Records of Palm Beach County, Florida.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res. No. 96-20: Rhodes Villa - Abandonment of ROW](#)
[Rhodes Villa 96-20- Proposed Legal and Sketch](#)
[Rhodes Villa 96-20- 1004 Rhodes Villa Survey](#)
[Rhodes Villa 96-20- 1006 Rhodes Villa Survey](#)
[Legal Review Reso 96-20 Abandonment 1006 Rhodes Villa Ave](#)
[Res. No. 116-20: 1004-1006 Rhodes Villa Plat](#)
[Rhodes Villa Plat 116-20- 1004-1006 Rhodes Villa Plat](#)
[Rhodes Villa Plat 116-20- Justification Letter from Applicant](#)
[Legal Review for Reso 116-20 Rhodes Villa Plat](#)

- 7.B.** RESOLUTION NO. 115-20 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A PLAT REQUEST FOR A TWO-LOT SUBDIVISION KNOWN AS “PINEAPPLE TRAIL”, LOCATED ON THE SOUTHEAST CORNER OF NE 10TH STREET AND NE 2ND AVENUE (QUASI JUDICIAL).

Recommendation: Review and consider Resolution No. 115-20: Certification of a final plat for a two-lot subdivision known as “Pineapple Trail”, located on the southeast corner of NE 10th Street and NE 2nd Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 115-20 Pineapple Trail Replat](#)
[Pineapple Trail Proposed Replat](#)
[Pineapple Trail Replat Survey](#)
[Pineapple Trail Justification](#)
[Legal Review Res 115-20 Pineapple Trail Plat](#)

- 7.C.** RESOLUTION NO. 117-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF A SIX-FOOT SANITARY SEWER EASEMENT.

Recommendation: Review and consider Resolution No. 117-20, for the abandonment of a sanitary sewer easement.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 117-20 316 N Ocean BLVD](#)
[316 N. Ocean BLVD: Property Survey](#)
[Legal Review Reso 117-20 Sewer Easement Abandonment](#)

- 7.D.** RESOLUTION NO. 118-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A FINAL PLAT, REQUEST FOR A MAJOR SUBDIVISION WITH WAIVERS FOR A 40-LOT SUBDIVISION KNOWN AS “BANYAN COURT”, WHICH CONSISTS OF A PORTION OF THE NORTHEAST ONE-QUARTER OF SECTION 12, TOWNSHIP 46 SOUTH, RANGE 42 EAST, MORE PARTICULARLY DESCRIBED IN EXHIBIT “A”; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Recommendation: Review and consider Resolution No. 118-20 for a final plat to create 40 lots, private tracts, and easements pertaining to an approved single-family residential development known as Banyan Court.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution 118-20 Banyan Court Plat](#)
[Banyan Court - Proposed Plat](#)
[Banyan Court - Engineering Plans](#)
[Banyan Court - Survey](#)
[Banyan Court - PZB Staff Report](#)
[Banyan Court - Waiver Request Letter](#)
[Legal Review for Reso 118-20 Banyan Court Plat](#)

- 7.E.** PROPOSED MILLAGE LEVY RATE/DOWNTOWN DEVELOPMENT AUTHORITY (DDA)

Recommendation: Motion to Approve staff’s recommendation that the City Commission approve the DDA millage rate at 1.0000 for FY 2021.

Sponsors: Downtown Development Authority and Finance Department

Attachments: [Agenda Cover Report](#)
[2020 Estimate of Taxable Value Delray Beach DDA](#)
[DDA Detailed Budget as of May 2020](#)
[Delray Beach DDA FY20-21 Millage Approval Memo 6.15.20](#)

- 7.F.** FISCAL YEAR 2021 PROPOSED MILLAGE RATE

Recommendation: Motion to approve staff’s recommendation that the City Commission set a total millage of 6.8497 for FY 2021 (6.6611 for operating and 0.1886 for debt service).

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[2021 Proposed Millage Rate](#)

7.G. RESOLUTION NO. 125-20 BUDGET AMENDMENT

Recommendation: Motion to Approve Resolution No. 125-20 amending the budget for Fiscal Year (FY) 2019/20 adopted September 17, 2019.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Legal Review Reso 125-20 Budget Amendment](#)
[Resolution 125-20 Budget Amendment](#)
[Exhibit A](#)
[Mid-Year Amendment Narrative FY 2020](#)

7.H. NOMINATIONS FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD

Recommendation: Motion to approve nominations for appointment for three (3) regular members to serve on the Green Implementation Advancement Board for a two (2) year term ending July 30, 2022.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Green Implementation Advancement Board](#)
[2020 Quarterly Attendance GIAB](#)
[Adamo](#)
[Malleck](#)
[Seckler](#)
[Shaheen](#)
[Stern](#)

7.I. NOMINATIONS FOR APPOINTMENT TO THE PARKING MANAGEMENT ADVISORY BOARD

Recommendation: Motion to approve nominations for appointment for two (2) regular members (Citizen-at-Large) to serve on the Parking Management Advisory Board for a two (2) year term ending July 30, 2022.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[Parking Management Advisory Board](#)
[2020 Quarterly Attendance PMAB](#)
[Burgess](#)
[Cullinan](#)
[Hallyburton](#)

7.J. NOMINATIONS FOR APPOINTMENT TO THE POLICE ADVISORY BOARD

Recommendation: Motion to approve nominations for appointment for four (4) regular members to serve on the Police Advisory Board.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Police Advisory Board](#)

[Cannon](#)

[Evans](#)

[McNally](#)

[Potts](#)

[Safranski](#)

[Trupia](#)

[Waring](#)

7.K. NOMINATIONS FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD

Recommendation: Motion to approve nominations for appointment for four (4) regular members to serve on the Public Art Advisory Board for a two (2) year term ending July 30, 2022.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Public Art Advisory Board](#)

[Aronstein](#)

[Cabana](#)

[Cooper](#)

[Fitzsimmons](#)

[Jacobson](#)

[Keeler](#)

[Pereira](#)

[Sherman](#)

[Vasiliou](#)

7.L. DIRECTION CONCERNING REQUEST FOR INDEMNIFICATION

Recommendation: The City Attorney seeks direction regarding a request from George Gretsas seeking indemnification by the City.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[cease and desist letter](#)
[Homestead Concrete Email](#)

7.M. EMPLOYMENT AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND INTERIM CITY MANAGER JENNIFER ALVAREZ

Recommendation: Motion to approve the Employment Agreement between the City of Delray Beach and Interim City Manager Jennifer Alvarez.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Interim City Manager Agreement with Jennifer Alvarez FINAL](#)

8. PUBLIC HEARINGS:**8.A. ORDINANCE NO. 30-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING CHAPTER 34, "ELECTIONS"; SECTION 34.01, "STATE LAWS TO GOVERN" OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY REPEALING SECTION (B) IN ITS ENTIRETY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING)**

Recommendation: Motion to approve Ordinance 30-20.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Ordinance 30-20](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 12-20: 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 4.4.13 “CENTRAL BUSINESS DISTRICT”, SUBSECTION 4.4.13(C)(3)(b) “CENTRAL CORE AND BEACH SUB-DISTRICTS”, TO AMEND THE BASIS FOR GROUND FLOOR RETAIL REQUIREMENTS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (FIRST READING).

Recommendation: Review and consider a request to approve Ordinance No. 12-20, a City-initiated amendment to the Land Development Regulations, Section 4.4.13 “Central Business District,” subsection 4.4.13(C)(3)(b), to provide exception to the retail requirement within the Central Core and Beach Sub-districts for properties that have 80 percent or more of frontage at a setback of 25 feet or greater.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord. No. 12-20 - CBD Required Retail Frontage](#)
[Ord. No. 12-20 - PZB Staff Report](#)
[Ord. No. 12-20 - Map of Area Impacted by the Amendment](#)
[Ord. No. 12-20 - Legal Review](#)

- 9.B.** ORDINANCE NO. 22-20: 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 2, "ADMINISTRATIVE PROCEDURES, ARTICLE 2.2, "ESTABLISHMENT OF BOARDS HAVING RESPONSIBILITIES FOR LAND DEVELOPMENT REGULATIONS," SECTION 2.2.5, "RESERVED," TO ADD THE PUBLIC ART ADVISORY BOARD INCLUDING THE BOARD'S COMPOSITION, MEETING REQUIREMENTS, AND DUTIES; AND, ARTICLE 2.4, "GENERAL PROCEDURES," SECTION 2.4.3, "SUBMISSION REQUIREMENTS" TO SPECIFY THAT MURALS ARE REVIEWED SEPARATE FROM ARCHITECTURAL ELEVATIONS; BY AMENDING CHAPTER 8, "SPECIAL IMPLEMENTATION PROGRAMS," SECTION 8.5.2, "PUBLIC ART ADVISORY BOARD," TO AMEND THE PUBLIC ART ADVISORY BOARD'S DUTIES TO INCLUDE RENDERING OPINIONS ON MURALS, ADDING SECTION 8.5.3, "MURALS", TO ESTABLISH REQUIREMENTS AND CRITERIA FOR MURALS," PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Recommendation: Review and consider Ordinance No. 22-20 on First Reading, City-initiated amendments to the Land Development Regulations to amend the Public Art Advisory Board's duties to include rendering opinions on murals and establish requirements and criteria for murals.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 22-20, Murals](#)
[Ordinance No. 22-20, Murals: Staff Report](#)
[Ordinance No. 22-20: Legal Review Approval](#)

- 9.C.** ORDINANCE NO. 40-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 34, "ELECTIONS," OF THE CODE OF ORDINANCES BY AMENDING "QUALIFICATIONS FOR CANDIDACY", SECTION 34.16, "FILING OF NOMINATING PETITION"; BY AMENDING SUBSECTION (A)(1)(a) TO PROVIDE FOR A ONE YEAR RESIDENCY REQUIREMENT PRIOR TO THE START OF THE QUALIFYING PERIOD; BY AMENDING SUBSECTION (A)(2) TO PROVIDE FOR ALTERNATIVES TO THE NUMBER OF PETITIONS OF REGISTERED VOTERS REQUIRED TO QUALIFY AS A CANDIDATE; BY PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

Recommendation: Motion to approve Ordinance 40-20.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Ord 40-20 amending Ch 3 Qualifications for Candidacy final 7-20-2020](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission