

# 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, August 11, 2020

Commission Chambers

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. RECLAIMED WATER PRESENTATION**

**Sponsors:** Utilities Department

**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 16, 2020 City Commission Regular Meeting Minutes

July 13, 2020 Closed Attorney/Client Session Meeting Minutes - 9:00 a.m.

July 13, 2020 Closed Attorney/Client Session Meeting Minutes - 10:00  
a.m.

July 13, 2020 Closed Attorney/Client Session Meeting Minutes - 11:00  
a.m.

**Sponsors:** City Clerk Department

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

[June 16, 2020 City Commission Regular Meeting Minutes\\_DRAFT](#)

[July 13th 9 am Shade Mtg - Draft](#)

[July 13th 10 am Shade Mtg - Draft](#)

[July 13th 11 am Shade Mtg - Draft](#)

**6.B. CORONAVIRUS RELIEF FUNDS (CRF) SUBRECIPIENT AGREEMENT - FLORIDA HOUSING FINANCE CORPORATION (FHFC)**

**Recommendation:** Motion to authorize and approve the CRF Subrecipient Agreement between the City of Delray Beach and Florida Housing Finance Corporation (FHFC) in the amount of \$224,573 for rental and mortgage assistance payments or emergency repairs for income eligible persons who have experienced hardships related to the COVID-19 emergency.

**Sponsors:** Community Improvement

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist CRF](#)  
[113-2020 CRF Subrecipient Agreement](#)

**6.C. REQUEST FOR SUBORDINATION OF SECOND MORTGAGE FOR 49 NW 13th AVENUE**

**Recommendation:** Motion to Approve a request for the City to subordinate its second mortgage position in the amount of \$23,100 for the property located at 49 NW 13th Avenue.

**Sponsors:** Community Improvement

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Subordination Agreement Jackson Edmond2 final](#)  
[Subordination Agreement for Refinance -Edmond G.](#)  
[Closing Disclosure](#)  
[Executed Title](#)  
[Appraisal - 49 NW 13th Ave](#)  
[Mortgage Calculator](#)  
[The City of Delray Beach Recorded Mortgage](#)  
[1st Mortgage](#)

**6.D. APPROVAL OF A HOLD HARMLESS AGREEMENT WITH GB 1177, INC, FOR THE FIRE-RESCUE DEPARTMENT TO CONDUCT TRAINING ON THE PROPERTY LOCATED AT 1177 GEORGE BUSH BLVD, DELRAY BEACH, FL 33483.**

**Recommendation:** Staff recommends the approval of the Hold Harmless Agreement and indemnification for the purposes of conducting training.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Approval - HH 1177 George Bush Blvd](#)  
[Hold Harmless Agt with GB 1177 LLC \(signed\)](#)

**6.E. TRAIN STATION INSURANCE**

**Recommendation:** Motion to approve Option 2 from the Florida League of Cities to rebuild the Historic Train Station Depot that was destroyed by fire on February 25, 2020. Total cost to the City is a \$100,000 deductible pursuant to its property insurance policy.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Train Depot Memo](#)  
[Train Depot Fire Chart of Options](#)

**6.F. GRANT APPLICATION/EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG)**

**Recommendation:** Motion to approve application for the 2019 Edward Byrne Memorial Justice Assistance Grant in the amount of \$27,466.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Edward Byrne Memorial Justice Assistance Grant \(JAG\) Program FY 2020 Local Standard Assurances and Certifications JAG 2020](#)  
[Legal Review Form JAG LW 2020](#)  
[Disclosure JAG 2020 Filled Out](#)  
[Financial Capability BJA JAG Grant 2020 - Filled out by PD 7-28-2020](#)  
[Chief Executive Certification JAG 2020](#)

**6.G. APPROVE A GRANT PARTICIPATION AND REIMBURSEMENT AGREEMENT FOR CONSTRUCTION OF SUPPLEMENTAL SAFETY IMPROVEMENTS AT SELECTED RAILROAD CROSSINGS IN THE CITY OF DELRAY BEACH IN THE AMOUNT OF \$46,000**

**Recommendation:** Motion to Approve and execute the Grant Participation and Reimbursement Agreement for Construction of Supplemental Safety Improvements at Selected Railroad Crossings in the City of Delray Beach in coordination with Brightline and other local cities.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Approval - CRISI](#)  
[CRISI Grant Joint Participation Agmt - Delray](#)

- 6.H.** RESOLUTION . NO.110-20: REQUESTING APPROVAL FOR TWO LED AGREEMENTS WITH FLORIDA POWER AND LIGHT, ONE TO INSTALL NEW LIGHT EMITTING DIODE (LED) DECORATIVE STREET LIGHTS AND ANOTHER TO CONVERT 4 EXISTING STREET LIGHTINGS FROM HIGH PRESSURE SODIUM (HPS) TO LIGHT EMITTING DIODE ( LED) FOR THE OSCEOLA PARK NEIGHBORHOOD IMPROVEMENTS PROJECT. (PROJECT NO. 16-095)

**Recommendation:** Motion to Approve Resolution No.110-20 for approval of two Agreements with Florida Power and Light (FPL), one to install new LED Street Decorative Lights and the other for converting four lights from High Pressure Sodium (HPS) to Light Emitting Diode (LED) for the Osceola Park Neighborhood Improvements Project. The design and installation cost associated with this decorative lighting work (\$167,065.29) was previously approved on by the City Commission on February 4, 2020 by Resolution No. 43-20.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Delray Beach - Osceola Park Conversions Final](#)  
[Delray Beach - Osceola Park Removals Final](#)  
[Delray Beach Osceola Conversions LT1 Street Light Agreement](#)  
[Delray Beach Osceola Generator Tool 06-03-2020 Conversions](#)  
[Delray Beach Osceola Generator Tool 06-03-2020](#)  
[Delray Beach Osceola New Lights LT1 Street Light Agreement](#)  
[Delray Beach Osceola Park Job Sketch 6-4-2020](#)  
[Legal Review LED Lighting Agreement FPL - bulb replacement](#)  
[Legal Review LED Lighting Agreement FPL pole replacment](#)  
[Resolution NO.110-20](#)  
[Res No. 43-20](#)

**6.I. ITEMS A1 & A2 - ACCEPTANCE OF RIGHT OF WAY DEDICATIONS FOR 607 ALLEN AVE. AND 1120 NASSAU ST.**

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

**RIGHT OF WAY DEED(S)**

**Items**

**(A1)** Motion to approve and accept a 5' Right of Way dedication by the owner(s) of 607 Allen Ave to the City of Delray Beach.

**(A2)** Motion to approve and accept a 10.60' Right of Way Dedication by the owner(s) of 1120 Nassau St. to the City of Delray Beach.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Item 1\(1\) - Legal Reviews](#)  
[Item A1- ROW - 607 Allen Ave.](#)  
[Item A1- Exhibit A - 607 Allen Ave.](#)  
[Item A2 - ROW - 1120 Nassau St.](#)  
[Item A2 - Exhibit A - 1120 Nassau St.](#)

**6.J. APPROVE RESOLUTION NO. 123-20 ADVISING THE STATE OF FLORIDA THAT THE CITY OF DELRAY BEACH WILL CONSIDER PARTICIPATION AND PROVIDE LOCAL FUNDING SHARE FOR THE BEACH AND COASTAL MANAGEMENT PROGRAM**

**Recommendation:** Motion to Approve Resolution No. 123-20 in support of the City of Delray Beach Renourishment Program. This resolution supports the beach and coastal management programs of the Florida Department of Environmental Protection (FDEP), advising the State of Florida that the City of Delray Beach (City) will consider participation and will provide the local funding share necessary to implement any State beach and coastal management program approved by the City Commission for participation.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Beach Nourishment Resolution 7.1.20](#)  
[Simple Legal Review Approval 123-20](#)

**6.K. APPROVAL OF AMENDMENT NO. 2 TO RENEW CONTRACT FOR SCHOOL CROSSING GUARD SERVICES WITH ACTION LABOR OF FLORIDA, LLC DBA STAFFING CONNECTION - \$350,000**

**Recommendation:** Motion to approve Amendment No. 2 to renew the contract for school crossing guard services with Action Labor of Florida, LLC, dba Staffing Connection, in the estimated amount of \$350,000, for a total cumulative contract amount of \$1,149,000

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist\\_SCG\\_Amend 2\\_lw](#)  
[Vendor Signed Amendment No. 2](#)

**6.L. ALTERNATIVE WATER SUPPLY GRANT APPLICATION THROUGH SOUTH FLORIDA WATER MANAGEMENT DISTRICT (SFWMD) FOR THE CONSTRUCTION OF A RECLAIMED WATER TRANSMISSION MAIN ALONG NW/SW 1ST AVE, FROM NW 2ND ST TO SW 4TH ST, WITH DISTRIBUTION MAINS ALONG NW 2 ND AVE AND SW 2ND ST.**

**Recommendation:** Staff is requesting retroactive approval from Commission for submittal of an Alternative Water Supply (AWS) grant application to the South Florida Water Management District (District). The City of Delray Beach submitted the qualifying project to the District on July 27, 2020 for funding consideration.

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[20-0717 Memo to ICM Apprvl for Applctn Submittal.pdf](#)  
[AWS\\_FY21\\_Application\\_fillable\\_7-6-2020\\_FINAL](#)  
[FIGURE 1 17136.06 CONSTUCTION AREA](#)

**6.M. PROCLAMATIONS:**

6.M.1. None

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

**6.N.1. REPORT OF APPEALABLE LAND USE ITEMS FROM JUNE 29, THROUGH JULY 10, 2020.**

**Recommendation:** By motion, receive and file this report.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Appealable\\_Items\\_Map](#)  
[A - Appealable Report - 145 NE 6th Ave](#)  
[B - Appealable Report - 222 SE 7th Avenue](#)



**6.O. AWARD OF BIDS AND CONTRACTS:**

- 6.O.1.** APPROVAL OF RESOLUTION NO. 124-20 TO APPROVE AN AGREEMENT WITH MOCK, ROOS AND ASSOCIATES, INC. FOR DESIGN SERVICES FOR THOMAS STREET STORMWATER PUMP STATION PURSUANT TO RFQ NO. 2020-011 (PROJECT NO. 18-017); IN AN AMOUNT NOT TO EXCEED \$552,100

**Recommendation:** Motion to Approve Resolution No. 124-20 to award an Agreement with Mock, Roos and Associates, Inc. for Design Services for Thomas Street Stormwater Pump Station pursuant to RFQ No. 2020-011 (Project No. 18-017), in an amount not to exceed \$552,100.

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

**Attachments:** [Agenda Cover Report](#)  
[Agreement - Thomas St - Mock Roos draft it 7.2.20 \(1\)- GGG Signature.docx](#)  
[Exhibit A - Scope of Services](#)  
[Exhibit B - Fee Summary](#)  
[Resolution No. 124-20 Thomas St - Mock Roos](#)  
[Legal Review Checklist 2020-011 Thomas St Stormwater Pump Station Mock R](#)  
[MockRoos 2020-011](#)  
[2020-011 Scoring Summary after Interviews Final Thomas St.](#)

**7. REGULAR AGENDA:**

- 7.A.** APPEAL OF THE HISTORIC PRESERVATION BOARD (HPB) DENIAL OF CERTIFICATE OF APPROPRIATENESS 2020-098, FOR THE INSTALLATION OF A PVC FENCE ASSOCIATED WITH THE EXISTING CONTRIBUTING SINGLE-FAMILY RESIDENCE LOCATED AT 232 SE 7TH AVENUE IN THE MARINA HISTORIC DISTRICT. (QUASI-JUDICIAL HEARING)

**Recommendation:** Review and consider Certificate of Appropriateness 2020-098 for the installation of a PVC fence associated with the existing contributing single-family residence located at 232 SE 7th Avenue in the Marina Historic District. Specifically, the request includes installation of new PVC (vinyl) fencing in the front, rear, and side of the subject property.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Owner Request for Appeal-232 SE 7th Avenue-2020-08-11](#)  
[HPB Staff Report-232 SE 7th Ave-2020-06-17](#)  
[Plans-232 SE 7th Ave-2020-08-11](#)  
[Photographs Front Yard-232 SE 7th Avenue-2020-08-11](#)  
[Photographs Rear Yard-232 SE 7th Avenue-2020-08-11](#)

- 7.B.** RESOLUTION NO. 128-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A PLAT REQUEST FOR A SIX-LOT SUBDIVISION KNOWN AS "PINEAPPLE ROAD" LOCATED ON THE EAST SIDE OF NORTH SWINTON AVENUE JUST SOUTH OF THE NORTH CITY LIMITS AND NORTH OF COCONUT ROAD. (QUASI JUDICIAL).

**Recommendation:** Review and consider Resolution No. 128-20 pertaining to a Final Plat with a waiver request to LDR Section 5.3.1(D)(2).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 128-20 Pineapple Road Plat](#)  
[Pineapple Road Plat - Proposed Plat](#)  
[Pineapple Road Plat - Property Survey](#)  
[Pineapple Road Plat - PZB Staff Report](#)  
[Pineapple Road Plat - Waiver Request](#)  
[Legal Review Pineapple Road Plat Reso 128-20](#)

- 7.C.** NOMINATIONS FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD

**Recommendation:** Motion to approve nominations for appointment for four (4) regular members to serve on the Historic Preservation Board for a two (2) year term ending August 30, 2022.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Historic Preservation Board](#)  
[2020 HPB QUARTERLY ATTENDANCE-1st 2nd](#)  
[Baffer](#)  
[Berenberg](#)  
[Caruso](#)  
[Cooper\\_1](#)  
[Evans](#)  
[Fredericks](#)  
[Osinoff](#)  
[Pitts](#)  
[Savell](#)  
[Smith](#)  
[Sylvestre](#)  
[Trupia](#)  
[Vasiliou\\_1](#)

**7.D. NOMINATIONS FOR APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD**

**Recommendation:** Motion to approve nominations for appointment for four (4) regular members to serve on the Site Plan Review and Appearance Board for a two (2) year term ending August 30, 2022.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[2020 QUARTERLY ATTENDANCE-1st 2nd qtr](#)  
[Site Plan Review and Appearance](#)  
[Adler](#)  
[Baffer](#)  
[Brewer](#)  
[Cabana](#)  
[Cherelus](#)  
[Jones](#)  
[L'Herrou](#)  
[Patton](#)  
[Warner](#)  
[Youngblood](#)

**7.E. APPOINTMENT OF THE CHAIR AND VICE-CHAIR OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA)**

**Recommendation:** Motion to Appoint the Chair and Vice-Chair of the Community Redevelopment Agency (CRA).

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 57-18](#)

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

**Recommendation:** Motion to Ratify the 16th, 17th, 18th, 19th and 20th Extensions of the State of Emergency for COVID -19 and Resolution Number 122-20, Resolution Number 126-20; Resolution Number 129-20; Resolution Number 130-20; Resolution Number 139-20 and Resolution Number 140-20.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[16th Extension Emergency Declaration - COVID -19](#)  
[17th Extension Emergency Declaration - COVID -19](#)  
[18th Extension Emergency Declaration - COVID -19](#)  
[19th Extension Emergency Declaration - COVID -19](#)  
[20th Extension Emergency Declaration - COVID -19](#)  
[Resolution 122-20 COVID -19](#)  
[Resolution No. 126-20 - COVID 19](#)  
[Resolution 129-20 - COVID 19 \(Extending Directives on Wearing of Facial Cover](#)  
[Resolution 130-20 - COVID 19 \(Revised Restrictions on Operating Hours of Res](#)  
[Resolution 139-20 - Hurricane Isaias Terminating State of Emergency](#)  
[Resolution 140-20 - Hurricane Isaias Beach Opening](#)

**7.G. DISCUSSION AND DIRECTION REGARDING THE HANDLING OF REQUESTS RECEIVED FROM AMERISTAR FOR EXCUSAL OF PAYMENT**

**Recommendation:** Staff seeks direction regarding the handling of the request from Ameristar for excusal of payment.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[FED Garage Spaces fee waive request](#)  
[Ameristar-federspiel letter](#)

**7.H. REQUEST TO REVIEW EMAIL COMMUNICATIONS**

**Recommendation:** Motion to Approve Internal Auditor's Request to Review Emails of Suspended City Manager George Gretsas.

**Attachments:** [Electronic Systems \\_ Communications Tools \(IT-5Rev. 2\)](#)

**7.I. DISCUSSION AND DIRECTION CONCERNING REQUEST FOR INDEPENDENT LEGAL REPRESENTATION**

**Recommendation:** The City Attorney seeks direction regarding a request from George Gretsas seeking independent legal representation at the expense of the City.

**Attachments:** [2020-07-01 Letter from Gretsas to Mayor](#)

**8. PUBLIC HEARINGS:****8.A. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN  
FY2019-2020 SUBSTANTIAL AMENDMENT 1**

**Recommendation:** Motion to approve and execute the attached Substantial Amendment 1 to Annual Action Plan.

**Sponsors:** Community Improvement

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

[SF424\\_2\\_1-V2.1 FINAL](#)

[SF424D-V1.1](#)

[FY19-20 Annual Action Plan Substantial Amendment \(SA1\)](#)

[Citizen Participation Plan 2020 SA1 FINAL](#)

[Public Notice to Amend Consolidated Annual Action Plan SA1 FINAL](#)

[CertNonState 2019 SA1](#)

[CDB Request of Waiver in Response to COVID-19](#)

[Executed Final Annual Action Plan](#)

- 8.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;" AMENDING APPENDIX A, "DEFINITIONS," ADDING A DEFINITION FOR MURALS AND AMENDING THE DEFINITION OF PUBLIC ART; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.(SECOND READING/PUBLIC HEARING)

**Recommendation:** Review and consider Ordinance No. 22-20 on Second 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](#)  
[Ordinance No. 22-20: Legal Review Approval](#)

- 8.C.** RESOLUTION NO. 127-20: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING A SCHEDULE OF FEES FOR MURALS, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH, FLORIDA SECTION 2.4.5, "PROCEDURES FOR OBTAINING DEVELOPMENT APPROVALS," SUBSECTION 2.4.5(P) "MURALS"; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**Recommendation:** Review and consider Resolution No. 127-20, establishing an application fee for murals, to accompany Ordinance No. 22-20, which adopts regulations for murals into the Land Development Regulations.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 127-20 - Mural Fees](#)  
[Legal Review - Res. No. 127-20 Mural Fees](#)

- 8.D.** 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. (SECOND 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](#)

## 9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 19-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT FOR A PARCEL OF LAND, AND RE-DESIGNATING SAID LAND FROM TRANSITIONAL (TRN) TO GENERAL COMMERCIAL (GC), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; SAID LAND LOCATED AT 14145 SOUTH MILITARY TRAIL AT THE SOUTHWEST CORNER OF MILITARY TRAIL AND CONKLIN DRIVE, WHICH MEASURES APPROXIMATELY 0.99± ACRES, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING)

**Recommendation:** Review and consider at first reading Ordinance No. 19-20, a City-initiated Land Use Map (LUM) amendment from Transitional (TRN) land use to General Commercial (GC) land use.

**Sponsors:** Development Services Department

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

[O'Reilly Auto Parts-Ordinance No. 19-20, Land Use](#)

[O'Reilly Auto Parts-PZB Staff Report](#)

[O'Reilly Auto Parts-Land Use Maps](#)

[Legal Review Ord 19-20 Amending FLUM for O Reilly Auto Parts.docx](#)

- 9.B.** ORDINANCE NO. 20-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND RE-DESIGNATING LAND ZONED SPECIAL ACTIVITIES DISTRICT (SAD) TO GENERAL COMMERCIAL (GC), FOR A PARCEL OF LAND AT 14145 SOUTH MILITARY TRAIL AT THE SOUTHWEST CORNER OF SOUTH MILITARY TRAIL AND CONKLIN DRIVE, WHICH MEASURES APPROXIMATELY 0.99± ACRES, 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 (FIRST READING).

**Recommendation:** Review and consider at first reading Ordinance No. 20-20, a privately-initiated request for rezoning from Special Activities District (SAD) to General Commercial (GC).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[O'Reilly Auto Parts-Ordinance No. 20-20, Rezoning](#)  
[O'Reilly Auto Parts-PZB Staff Report](#)  
[O'Reilly Auto Parts-Zoning Maps](#)  
[Legal Review Ord 20-20 Rezoning O Reilly Auto Parts.docx](#)

- 9.C.** ORDINANCE NO. 42-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING CHAPTER 31, “CITY OFFICIALS AND EMPLOYEES”; SECTION 31.02, “COMPENSATION OF COMMISSIONERS AND MAYOR”, OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, TO PROVIDE AN INCREASE IN THE SALARY OF THE MAYOR AND COMMISSIONERS; 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 42-20.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance 42-20](#)



- 9.D.** ORDINANCE NO. 45-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING CHAPTER 71, "PARKING REGULATIONS"; SECTION 71.060, "PARKING METER PERMITS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING SUBSECTION (A) TO RESTRICT THE BEACH PARKING PERMIT PROGRAM TO CITY RESIDENTS; BY AMENDING SUBSECTION (B) TO INCREASE THE AGE OF PERSONS ELIGIBLE FOR THE SENIOR BEACH PARKING PERMIT PROGRAM; 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 Ordinance No. 45-20 on First Reading, to change Beach Parking Permit to be available to residents only and to amend the Senior Beach Parking Permit to raise the age limit to 70 years old from 62 years old.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance 45-20 beach permit final](#)

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

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