

City of Delray Beach

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www.mydelraybeach.com



Regular Commission Meeting

1st Budget Public Hearing/Regular Meeting at 4:00 PM

Monday, September 13, 2021

Commission Chambers
Delray Beach City Hall

City Commission

Mayor Shelly Petrolia
Vice Mayor Shirley Ervin Johnson
Deputy Vice Mayor Adam Frankel
Commissioner Juli Casale
Commissioner Ryan Boylston

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**

A. Additions, Deletions, Substitutions

4. PRESENTATIONS:**4.A. PRESENTING JESSIE HOUSTON, ADMINISTRATIVE ASSISTANT, WITH EMPLOYEE OF THE MONTH FOR JULY 2021.**

Recommendation: Motion to present Jessie Houston, Administrative Assistant, with Employee of the Month for July 2021.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Jessie Houston Employee of the Month nomination form](#)

4.B. RECOGNIZE STAFF OF THE DELRAY BEACH MEMORIAL GARDENS MUNICIPAL CEMETERY WHO WORKED TIRELESSLY THROUGH THE COVID-19 PANDEMIC

Recommendation: Motion to recognize staff of the Delray Beach Memorial Gardens Municipal Cemetery who worked tirelessly through the Covid-19 pandemic.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

4.C. RECOGNIZE THE DELRAY BEACH TENNIS CENTER FOR BEING ONE OF TWENTY-FIVE (25) FACILITIES TO BE AWARDED USTA'S OUTSTANDING FACILITY AWARD

Recommendation: Motion to recognize the Delray Beach Tennis Center for being one of twenty-five (25) facilities to be awarded by the USTA for Outstanding Facility.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[USTA Press Release](#)

4.D. PURCHASING DEPARTMENT RECEIVES THIRD CONSECUTIVE AWARD FROM THE NATIONAL PROCUREMENT INSTITUTE FOR ACHIEVEMENT OF EXCELLENCE IN PROCUREMENT

Sponsors: Purchasing Department

Attachments: [Agenda Cover Report](#)
[Formal Notification of AEP Award - IT - 2021](#)

4.E. INTERNAL AUDIT PRESENTATION

Attachments: [Agenda Cover Report](#)

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:
July 13, 2021, Regular City Commission Meeting Minutes

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
 [July 13, 2021 Regular Commission Meeting - DRAFT](#)

6.B. ACCEPTANCE OF INTERNAL AUDIT REPORT: #21-01 OVERPAYMENTS (CONSULTING SERVICES)

Recommendation: Motion to accept the report completed by the Internal Auditor, Dr. Julia Davidyan, dated August 31, 2021.

Attachments: [Agenda Cover Report](#)
 [21_01_IA_Overpayments_Report](#)

6.C. ACCEPTANCE OF INTERNAL AUDIT REPORT: #21-02 OLD SCHOOL SQUARE LEASE COMPLIANCE

Recommendation: Motion to accept the report completed by the Internal Auditor, Dr. Julia Davidyan, Internal Auditor, dated September 8, 2021.

Attachments: [Agenda Cover Report](#)
 [21_02_OSS_Lease_Compliance_Audit_Report](#)

6.D. APPROVAL OF A LETTER OF AGREEMENT (LOA) WITH THE FLORIDA AGENCY FOR HEALTHCARE ADMINISTRATION (AHCA) FOR PARTICIPATION IN THE MANAGED CARE ORGANIZATION (MCO) PORTION OF THE PUBLIC EMERGENCY MEDICAL TRANSPORTATION (PEMT) PROGRAM.

Recommendation: Staff recommends the approval of the Letter of Agreement (LOA) to facilitate additional reimbursement of Medicaid dollars for providing emergency medical transportation to individuals covered by one of Medicaid's Managed Care Organizations.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Delray Beach SFY2122 PEMT LOA updated signature line](#)
[Simple Legal Review Approval- Public Emergency Medical Transportation Lette](#)
[Year 3 SFY 2021-22 PEMT MCO Projections AHCA Final for Providers](#)

6.E. APPROVAL TO INCREASE THE CONTRACT VALUE IN THE AMOUNT OF \$83,981 WITH ADVANCED DATA PROCESSING, INC. (ADPI) FOR PROFESSIONAL PUBLIC EMERGENCY MEDICAL TRANSPORTATION (PEMT) PROGRAM SERVICES UTILIZING CITY OF TAMARAC SOLICITATION 16-14 R.

Recommendation: Motion to approve increase in the amount of \$83,981 to the contract value to Advanced Data Processing Inc. (ADPI) for Professional Public Emergency Medical Transportation (PEMT) Program Services and authorize the City Manager to approval renewal options, in the amounts below, contingent upon appropriation of funds.

Sponsors: Finance Department, Fire Rescue Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Agreement - Advanced Data Processing Inc.](#)

6.F. APPROVAL OF AMENDMENT NO. 1 TO THE AGREEMENT WITH CANON SOLUTIONS AMERICA, INC. FOR REPLACEMENT, MAINTENANCE, AND REPAIRS OF MULTIFUNCTION DEVICES, TO EXTEND THE AGREEMENT THROUGH SEPTEMBER 30, 2023 - \$600,000

Recommendation: Motion to Approve Amendment No. 1 to the Agreement with Canon Solutions America, Inc. for the replacement, maintenance and repairs of multifunction devices, to extend the term of the Agreement through September 30, 2023, in the total amount not to exceed \$600,000, for a total estimated contract amount not to exceed \$954,000.

Sponsors: IT Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Amd #1 to Agreement with Canon Multifunction Devices](#)
[Canon Solutions America](#)
[Fully Executed Agreement - Canon Solutions America Inc](#)
[May 5, 2020 Agenda Cover Memo](#)

6.G. APPROVAL OF FIRST AMENDMENT TO INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PALM BEACH COUNTY FOR UTILIZATION OF THE HOMELESS RESOURCE CENTER

Recommendation: Motion to approve first Amendment to Interlocal Agreement between the City of Delray Beach and Palm Beach County which allows the City to utilize the Homeless Resource Center ("HRC") to assist our homeless population.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[First Amendment - Delray 080621 HRC PBC 2021](#)
[Legal Review Checklist amend 1 PBC HRC](#)

6.H. ITEM(S) A1 and A2 - ACCEPTANCE OF A RIGHT OF-WAY DEDICATION BY 10 NW 17 ST AND 1023 SW 8th AVE.

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

RIGHT OF WAY DEED(S)

Items A

Item A1 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 10 NW 17th St. to the City of Delray Beach.

Item A2 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 1023 S.W. 8th Ave. to the City of Delray Beach.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Item \(1\) Legal Review ROW Deeds](#)
[Item \(A1a\) 10 NW 17 ST. LLC - ROW](#)
[Item \(A1b\) Exhibit A & Sketch - 10 NW 17th St.](#)
[Item \(A2a\) ROW - 1023 SW 8th Ave](#)
[Item \(A2b\) Exhibit A - Sketch & Description - 1023 SW 8th Ave](#)

- 6.I. MOTION FOR RETROACTIVE APPROVAL FOR SUBMITTAL OF A GRANT APPLICATION RESILIENT FLORIDA GRANT PROGRAM TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) IN THE AMOUNT OF \$39,600,000 FOR MANAGEMENT FOR THE TROPIC ISLE ROADWAY AND UNDERGROUND UTILITY IMPROVEMENTS PROJECT (PROJECT NO.19-015).**

Recommendation: Staff is requesting retroactive approval from City Commission for submittal of Resilient Florida Grant Program to the Florida Department of Environmental Protection (FDEP). One qualifying City of Delray Beach Capital Improvement Project was submitted to the FDEP on August 31, 2021 for funding consideration (Tropic Isle Roadway and Underground Utility Improvements Project).

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[LOCATION MAP AND LIMITS OF TROPIC ISLE NEIGHBORHOOD BASIS OF DelrayBeach ResilientFlorida Worksheet FINALFOR CLIENT REVIEWv.2 083 SB 1954](#)
[Simple Legal Review Approval Grant Application for Resilient Florida](#)

6.J. PROCLAMATIONS:

6.J.1. HISPANIC HERITAGE MONTH PROCLAMATION

Recommendation: Motion to declare September 15, 2021 - October 15, 2021 as Hispanic Heritage Month.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Hispanic Heritage Month Proclamation](#)

6.J.2. AQUIN, HAITI RELIEF PROCLAMATION

Recommendation: Motion to proclaim September 13, 2021 as Aquin, Haiti Relief Day.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Sister City Aquin Haiti Draft Ig rev](#)

6.J.3. iTHINK FINANCIAL DAY PROCLAMATION

Recommendation: Motion to proclaim September 17, 2021, as iTHINK FINANCIAL DAY.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[iTHINK Financial Proclamation](#)

6.J.4. CONSTITUTION WEEK PROCLAMATION - SEPTEMBER 17-23, 2021

Recommendation: Motion to declare September 17- 23, 2021 as Constitution Week.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Constitution Week Proclamation](#)

6.J.5. DELRAY TO THE DOGS DAY PROCLAMATION

Recommendation: Motion to proclaim November 7, 2021 as Delray to the Dogs Day.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Delray Dogs Proclamation](#)

6.K. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**6.K.1. REPORT OF APPEALABLE LAND USE ITEMS FROM AUGUST 9, THROUGH SEPTEMBER 3, 2021.**

Recommendation: By motion, receive and file this report.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map](#)
[A - 738 SE 5th Avenue](#)
[B - 390 SE 2nd Avenue](#)
[C - Delray Beach Club](#)
[D - 105-111 E. Atlantic](#)
[E - 502 E. Atlantic Ave](#)
[F - 95 SW 5th Avenue](#)
[G - Atlantic Crossing](#)
[H - Trinity Evangelical Lutheran Church](#)
[I - 123 SE 7th Avenue](#)
[J - 80 Depot Ave](#)

6.L. AWARD OF BIDS AND CONTRACTS:

6.L.1. AWARDING AGREEMENTS FOR GROUP HEALTH, VISION, LIFE INSURANCE

Recommendation: Motion to allow the City Manager to enter into and execute a three (3) year agreement with CIGNA to provide the City's group health plan; a four (4) year agreement with EyeMed to provide the City's group vision plan; and a two (2) year agreement with The Standard to provide the City's group life insurance benefit.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Gehring Group City of Delray Medical RFP Finalist Summary](#)
[CIGNA Executive Highlights Sheet](#)
[Gehring Group City of Delray Voluntary Vision BAFO Evaluation](#)

6.L.2. APPROVAL OF RESOLUTION 128-21 TO AWARD AN AGREEMENT TO MILLENIUM PRODUCTS, INC., FOR LICENSE PLATE RECOGNITION CAMERAS, ACCESSORIES, AND RELATED SERVICES, UTILIZING GENERAL SERVICES ADMINISTRATION CONTRACT GS-07F-0231W - \$275,000

Recommendation: Motion to approve Resolution No. 128-21 to award an agreement to Millenium Products, Inc. for purchases of license plate recognition cameras, accessories, and related services in the estimated amount of \$275,000 through October 4, 2021, utilizing General Services Administration Contract GS-07F-0231W.

Sponsors: Police Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Delray Beach Police Department \(FL\) - Millenium Quote 2021](#)
[GSA GS-07F-0031W Millenium Products Inc 2021](#)
[Resolution 128-21 LPR Phase 2 Millenium Products Inc 2021](#)
[Legal Review Checklist millenium LPR](#)
[Agreement - Vendor Executed](#)

6.L.3. APPROVAL OF RESOLUTION NO. 129-21 TO APPROVE AN AGREEMENT WITH CUSTOM BUILT MARINE CONSTRUCTION, INC. FOR THE CONSTRUCTION OF ISLAND DRIVE BRIDGE REHABILITATION PROJECT PURSUANT TO ITBC NO. 2021-035 (PROJECT NO. 19-014) - \$1,226,578

Recommendation: Motion to Approve Resolution No. 129-21 to award an Agreement with Custom Built Marine Construction, Inc. for the construction of Island Drive Bridge Rehabilitation Project pursuant to ITBC No. 2021-035 (Project No. 19-014).

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[ITBC 2021-035 Agreement](#)
[Legal Review Checklist Custom Built Marine Island Drive Bridge Rehab](#)
[Reso. 129-21 - Custom Built Marine](#)
[Custom Built Marine Submittal](#)

6.L.4. APPROVAL OF RESOLUTION NO. 130-21 TO AWARD AN AGREEMENT TO AQUIFER MAINTENANCE & PERFORMANCE SYSTEMS, INC. FOR WELL REPAIRS, MAINTENANCE AND REHABILITATION SERVICES; UTILIZING THE CITY OF PALM BAY SOLICITATION #45-0-2017/ET - \$585,000

Recommendation: Motion to approve Resolution No. 130-21 to award an Agreement to Aquifer Maintenance & Performance Systems, Inc., for the repair, maintenance and rehabilitation of wells in the estimated amount of \$585,000 through July 30, 2022, utilizing the City of Palm Bay, Florida Solicitation No. 45-0-2017/ET.

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Res 130-21 - Well Repair and Maintenance - AMPS - Palm Bay Piggyback draft](#)
[Review Checklist Palm Bay Piggyback Aquifer Maintenance & Performance Sys](#)
[Signed - AMPS - Well Maintenance - Palm Bay Piggyback](#)
[2017 contract line items](#)
[2017 palm bay executed contract](#)
[Original Contract 17-18](#)
[RENEWAL THRU 2019](#)
[AMPS - RENEWAL EXP 073020](#)
[AQUIFER - RENEWAL EXP 07302021](#)
[AMPS - RENEWAL EXP 07302022](#)
[AMPS_COI_exp 10-28-21](#)

6.L.5. APPROVAL OF RESOLUTION NO. 131-21 TO AWARD AN AGREEMENT TO AIRGAS SPECIALTY PRODUCTS, INC., FOR THE PURCHASE AND DELIVERY OF ANHYDROUS AMMONIA; UTILIZING PALM BEACH COUNTY SOLICITATION #18-056/MB - \$38,700

Recommendation: Motion to approve Resolution No. 131-21 to award an Agreement to Airgas Specialty Products, Inc., for the purchase and delivery of anhydrous ammonia in the estimated amount of \$38,700 through June 8, 2022, utilizing the Palm Beach County, Florida Solicitation No. 18-056/MB, and authorize the City Manager to approve renewal options, in the amounts below, contingent on appropriations of funds.

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[2021 Piggyback](#)

[Reso 131-21 - Anhydrous Ammonia Airgas Specialty - PBC Piggyback rev. kwb](#)

[Legal Review Checklist Airgas Specialty Products Inc.](#)

[18056 BID RESPONSE - AIRGAS](#)

[Original Award - 18056 AIRGAS](#)

[Renewal 1 - 18056 AIRGAS](#)

[Renewal 2 - 18056 AIRGAS](#)

[Renewal 3 - 18056 AIRGAS](#)

6.L.6. APPROVAL OF RESOLUTION NO. 133-21 TO AWARD AN AGREEMENT TO SHADE SYSTEMS INC. FOR PLAYGROUNDS AND RELATED EQUIPMENT UTILIZING SCHOOL BOARD OF VOLUSIA COUNTY SOLICITATION NO. MTS-906BC - \$103,845

Recommendation: Motion to approve Resolution No. 133-21 and to award an Agreement to Shade Systems Inc. for Playgrounds and Related Equipment utilizing School Board of Volusia County Solicitation No. MTS-906BC in the amount of \$103,845.

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist Shade Systems, Inc.](#)

[RESOLUTION NO. 133-21](#)

[Shade Systems Inc - Master Service Agreement rev. KWB. 8.10.21](#)

7. REGULAR AGENDA:

7.A. PUBLIC ART ADVISORY BOARD MEMORANDUM ON PROJECTS

Recommendation: Seeking City Commission direction for PAAB and the administration.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[PAAB Memo to City Commission](#)
[Public Arts Program and Public Arts Board as defined in the Code](#)

7.B. PUBLIC ART ADVISORY BOARD RECOMMENDATION TO PURCHASE "SHY DANCER" SCULPTURE

Recommendation: Seeking City Commission direction on entering into an agreement with Mr. Whyman for the purchase of "Shy Dancer" for \$5,000 and for the installation at the identified location.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[PINEAPPLE GROVE ARTS DISTRICT SCULPTURES DISCUSSION](#)

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

Recommendation: Motion to Ratify the 75th, 76th and 77th Extensions of the State of Emergency for COVID -19.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[75th SOE Extension](#)
[76th State of Emergency Extension](#)
[77th Extension of State of Emergency 09-02-21](#)

7.D. NOMINATION FOR APPOINTMENT TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE

Recommendation: Motion to approve the nomination for an appointment for four (4) regular members to serve on the Affordable Housing Advisory Committee for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 82521](#)
[Affordable Housing Advisory Committee 2](#)
[Byrns](#)
[Catania](#)
[Cox](#)
[Kasser](#)
[Levin](#)
[Redding](#)
[Torres](#)

7.E. CITY OF DELRAY BEACH COVID-19 TEMPORARY MEASURES

Recommendation: Provide direction regarding continuing or sun-setting COVID-19 Temporary Measures.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[DDA - Temporary COVID19 Reopen Task Force recommendations follow up](#)
[8.9.21 Reopen Task Force Summary and Recommendations](#)

7.F. REQUEST FOR APPOINTMENT OF ONE (1) COMMISSIONER TO THE TASK FORCE FOR THE TOURISM MASTER PLAN

Recommendation: Motion to nominate a Commissioner to serve as a member of the Tourism Master Plan Task Force.

Sponsors: Economic Development Department

Attachments: [Agenda Cover Report](#)

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. RESOLUTION NO. 139-21: GENERAL FUND AND DEBT SERVICE MILLAGE

Recommendation: Motion to adopt Resolution No. 139-21 - Certifying to the Property Appraiser and the Tax Collector of Palm Beach County, the rates of millage to be levied by the City of Delray Beach for the fiscal year beginning October 1, 2021.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 139-21 - Final.pdf](#)
[Simple Legal Review Approval 139-21.pdf](#)

8.B. RESOLUTION NO. 140-21: DOWNTOWN DEVELOPMENT AUTHORITY MILLAGE

Recommendation: Motion to adopt Resolution No. 140-21 - Certifying to the Property Appraiser and the Tax Collector of Palm Beach County, the rates of millage to be levied by the Downtown Development Authority for the fiscal year beginning October 1, 2021

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[9.13.21 - Delray Beach DDA FY21-22 Budget Memo and Detail Report](#)
[Resolution No. 140-21 - Final.pdf](#)
[Simple Legal Review Approval 140-21.pdf](#)

8.C. RESOLUTION NO. 141-21: ADOPTION OF THE FISCAL YEAR BUDGET BEGINNING OCTOBER 1, 2021

Recommendation: Motion to adopt Resolution No. 141-21 - Adopting the budget for the fiscal year beginning on October 1, 2021 and ending on September 30, 2022

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 141-21 -Final.pdf](#)
[Simple Legal Review Approval 141-21.pdf](#)
[2022 Exhibit A Budget Hearing_09.13.21.pdf](#)

- 8.D.** ORDINANCE NO. 30-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN AMENDMENT PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3177 AND SECTION 163.3184, AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ENTITLED "ALWAYS DELRAY COMPREHENSIVE PLAN AMENDMENT, ORDINANCE NO. 30-21" AND INCORPORATED HEREIN BY REFERENCE, TO BRING THE ADOPTED COMPREHENSIVE PLAN INTO COMPLIANCE WITH LEGISLATIVE CHANGES TO F.S. 163.3177(6)(i)1 by adopting a property rights element; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING/PUBLIC HEARING)

Recommendation: Review and consider Ordinance No. 30-21, an amendment to the Always Delray Comprehensive Plan, adopting a new property rights element in compliance with statutory changes to Section 163.3177, Florida Statutes.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 30-21 Private Property Rights Element](#)
[Exhibit A - Always Delray Comprehensive Plan Element, Ord. No. 30-21](#)
[Private Property Rights Element-DIA \(For Review Only, Not Adoption\)](#)
[Private Property Rights Element-Staff Report](#)
[Notice of Legislative Change Concerning Property Rights](#)
[House Bill 59-Complete](#)
[House Bill 59-Summary](#)

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 33-21: 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, "FILING OF NOMINATING PETITION", TO AMEND THE QUALIFYING PERIOD FOR THE CITY OF DELRAY BEACH'S GENERAL ELECTION; 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 No. 33-21 amending the qualifying period for the general election to accommodate statutory vote-by-mail requirements.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Ord 33-21 amending qualification period to 1st 2 weeks of Nov](#)
[Ordinance Amending Ch 34 - Legal Review](#)

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

B. City Attorney

C. City Commission

11. ADJOURNMENT