

# City of Delray Beach

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



## Regular Commission Meeting

Regular Meeting at 4:00 PM

Tuesday, June 7, 2022

Commission Chambers  
Delray Beach City Hall

### City Commission

*Mayor Shelly Petrolia*

*Vice Mayor Adam Frankel*

*Deputy Vice Mayor Juli Casale*

*Commissioner Ryan Boylston*

*Commissioner Shirley Ervin Johnson*

## **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**

3.A. Additions, Deletions, Substitutions

**4. PRESENTATIONS:**

**4.A. PRESENTATION BY STATE SENATOR LORI BERMAN, PROVIDING LEGISLATIVE UPDATES FROM THE 2022 FLORIDA LEGISLATIVE SESSION**

**Sponsors:** City Clerk Department

**4.B. PRESENTATION BY STATE LOBBYIST MAT FORREST DETAILING FINAL LEGISLATIVE OUTCOMES AND RESULTING RECORD OF ACHIEVEMENTS**

**Sponsors:** City Manager Department

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

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

**5.A.1. FISCAL YEAR 2021-2022 SECOND QUARTER FINANCIAL REPORT**

**Sponsors:** Finance Department

**Attachments:** [Budget by Organization Report FINAL Q2 - 04.27.22](#)

**5.A.2. CITYWIDE CHLORINE MAINTENANCE**

**Sponsors:** City Manager Department

**Attachments:** [CI2 Memo to CM](#)

5.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:

Regular City Commission Meeting Minutes - February 1, 2022  
Workshop City Commission Meeting Minutes - March 8, 2022  
Special City Commission Meeting Minutes - April 5, 2022

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[February 1 2022 Regular Commission Meeting Minutes - Draft - 1](#)  
[March 8, 2022 Workshop Commission Meeting Minutes - Draft](#)  
[April 5, 2022 Special Commission Meeting Minutes - Draft](#)

**6.B. RESOLUTION NO. 95-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA RETROACTIVELY APPROVING THE APPLICATION FOR FUNDING FOR A CLEAN WATER AND DRINKING WATER INFRASTRUCTURE PROJECT FROM THE COMMUNITY PROJECT PROGRAM THROUGH THE FEDERAL GOVERNMENT APPROPRIATION PROCESS; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THE RESOLUTION TO CONGRESSWOMAN LOIS FRANKEL; PROVIDING FOR AN EFFECTIVE DATE**

**Recommendation:** Motion to approve Resolution No. 95-22.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Frankel Funding Resolution 060722 lg rev.](#)  
[Exhibit \(Application\)](#)  
[Delray Beach Letter from Rep Frankel](#)  
[Simple Legal Review Approval Resolution 95-22](#)

**6.C. APPROVAL OF THE INTERLOCAL AGREEMENT WITH PALM BEACH COUNTY FOR ACCEPTANCE OF FY2022-23 EMS GRANT FUNDS.**

**Recommendation:** Staff recommends the approval Interlocal Agreement, for the purposes of receiving reimbursement for the purchase of Advanced Airway training, from Palm Beach County through the 2022 EMS Grant.

**Sponsors:** Fire Rescue Department

**Attachments:** [Agenda Cover Report](#)  
[2022 PBC EMS grant agreement](#)  
[Simple Legal Review Approval EMS Grant Agreement](#)  
[Delray Beach Fire - Emergency Airway 2022](#)

- 6.D.** RESOLUTION NO. 62-22: APPROVING AN AGREEMENT WITH THE EARLY LEARNING COALITION OF PALM BEACH COUNTY (ELC) TO PARTICIPATE IN THE CHILDREN'S SERVICES COUNCIL OF PALM BEACH SCHOLARSHIP PROGRAM AND RECEIVE PAYMENTS BASED UPON THE SCHOLARSHIP PROGRAM ELIGIBILITY GUIDE FOR THE AFTER SCHOOL PROGRAM LOCATED AT THE POMPEY PARK COMMUNITY CENTER AND THE DELRAY BEACH COMMUNITY CENTER

**Recommendation:** Motion to approve renewal of the agreement between the Children's Services Council and the City of Delray Beach.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[CSC Provider Agreement 2022-2023 City of Delray Beach](#)  
[Legal Review CSC Provider Agreement FY 22-23](#)  
[Res 62-22 Early Learning Coalition Agreement to participate in Children's Serv](#)

- 6.E.** RESOLUTION NO. 63-22: APPROVING AN AGREEMENT WITH THE EARLY LEARNING COALITION OF PALM BEACH COUNTY SETTING FORTH THE OBLIGATIONS AND REQUIREMENTS TO PARTICIPATE IN THE CHILDREN'S SERVICES COUNCIL OF PALM BEACH SCHOLARSHIP PROGRAM FOR THE AFTER SCHOOL PROGRAMS LOCATED AT POMPEY PARK COMMUNITY CENTER AND THE DELRAY BEACH COMMUNITY CENTER

**Recommendation:** Motion to approve renewal of the agreement between the Early Learning Coalition (ELC) of Palm Beach County, Inc. and the City of Delray Beach.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[ELC School Readiness contract for 22-23](#)  
[Legal Review ELC School Readiness Contract for 22-23](#)  
[RES no 63-22 Early Learning Coalition Agreement to participate in Children's S](#)

**6.F. APPROVAL OF ADDITIONAL FUNDING TO THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TO COVER INCREASED BID COSTS FOR THE CONSTRUCTION OF SIDEWALK AND BICYCLE FACILITIES ON HOMEWOOD BOULEVARD.**

**Recommendation:** Motion to Approve payment of an additional \$330,349 to the Florida Department of Transportation (FDOT), under the terms of the Locally Funded Agreement dated October 8, 2020 to cover the City's portion of bid cost overages for the Homewood Boulevard Improvements Project being managed by FDOT on behalf of the City.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Request for additional funds revised 11-23-21](#)  
[LFA for FM# 438394-1-52-02 Clarificaion](#)  
[Invoice for additional funds revised 11-23-2021](#)  
[Executed Locally Funded Agreement \(Original\)](#)

**6.G. PROCLAMATIONS:**

**6.G.1. LGBTQ PRIDE MONTH**

**Recommendation:** Motion to declare June as LGBTQ Pride Month.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[LGBTQ Pride Month](#)

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

**6.H.1. REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 9, THROUGH MAY 27, 2022.**

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

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Appealable Items Map](#)  
[A - Delray Central](#)  
[B - 502 E Atlantic Avenue](#)  
[C- Opal Grand Hotel](#)  
[D - Le Colonial](#)  
[E - 1236 George Bush Blvd](#)  
[F - 90 N Congress Ave](#)

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

**6.1.1. APPROVAL OF RESOLUTION NO. 85-22 TO AWARD AN AGREEMENT WITH HART HALSEY, LLC DBA EXTRA DUTY SOLUTIONS FOR ADMINISTRATION OF OFF-DUTY POLICE DETAILS SERVICES, UTILIZING CITY OF NEWARK, DELAWARE CONTRACT RFP 21-04.**

**Recommendation:** Motion to approve Resolution 85-22 to award an agreement with Hart Halsey, LLC dba Extra Duty Solutions for administration of off-duty police details, utilizing City of Newark, Delaware contract RFP # 21-04.

**Sponsors:** Police Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist\\_Hart Halsey dba Extra Duty Solution Piggyback Agreee](#)  
[Resolution 85-22 Hart Halsey LLC dba Extra Duty Solutions - Administration of](#)  
[Hart Halsey LLC dba Extra Duty Solutions greement - partially executed 1](#)

**6.1.2. APPROVAL OF RESOLUTION NO. 93-22 TO AWARD AN AGREEMENT ODUMS SOD, INC, FOR THE PURCHASE AND INSTALLATION OF CERTIFIED CELEBRATION SOD AT HILLTOPPER STADIUM AND SEACREST SOCCER COMPLEX FOR THE PARKS AND RECREATION DEPARTMENT UTILIZING SCHOOL DISTRICT OF PALM BEACH COUNTY SOLICITATION NO. 17C-70Q IN THE AMOUNT OF \$429,425.**

**Recommendation:** Motion to approve Resolution No. 93-22 and to award an Agreement with Odums Sod, Inc. for the purchase and installation of certified celebration sod at Hilltopper Stadium and Seacrest Soccer Complex for the Parks and Recreation Department utilizing School District of Palm Beach County Solicitation No. 17C-70Q in the amount of \$429,425.

**Sponsors:** Parks & Recreation Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[P2022-051 Master Services Agreement - Vendor Executed](#)  
[Resolution No. 93-22](#)  
[Legal Review Checklist MSA Odums Sod Inc](#)

**6.1.3. APPROVE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY AND ACCEPT FUNDING FOR THE RE-SODDING OF SEACREST AND HILLTOPPER STADIUM AND FIELDS**

**Recommendation:** Motion to approve the Interlocal Agreement (ILA) between the City of Delray Beach and the Delray Beach Community Redevelopment Agency (CRA) and accept funding for the re-sodding of Seacrest and Hilltopper Stadium and Fields (Athletic Fields) in an amount not to exceed \$350,000.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review ILA Seacrest and Hilltopper Resodding](#)  
[Hilltopper quote](#)  
[PE- ILA - Sodding of Seacrest and Hilltopper](#)

**7. REGULAR AGENDA:**

- 7.A.** RESOLUTION NO. 69-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A DOMESTIC ANIMAL SERVICES FACILITY OFFERING PET SERVICES AND A PET HOTEL AT 1551 NORTH FEDERAL HIGHWAY, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

**Recommendation:** Review and consider Resolution No. 69-22 approving a Conditional Use to allow a Domestic Animal Services facility offering Pet Services, including daytime boarding and pet grooming, and a Pet Hotel for Barkingham Palace located at 1551 North Federal Highway.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 69-22 Barkingham Palace](#)  
[1551 N Federal Hwy P & Z Staff Report Barkingham Palace](#)  
[1551 N Federal Hwy Applicant Justification](#)  
[1551 N. Federal Hwy Floor Plan](#)  
[1551 N Federal Hwy Site Plan](#)  
[1551 N Federal Hwy Property Pictures](#)  
[Legal Review Res 69-22 Barkingham Palace conditional use](#)



**7.B. NOMINATION FOR APPOINTMENT TO THE COMMUNITY REDEVELOPMENT AGENCY BOARD**

**Recommendation:** Motion to approve the nomination for appointment of one (1) regular member to serve on the Community Redevelopment Agency Board for a four (4) year term ending July 01, 2026.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Exhibit A](#)  
[Community Redevelopment Agency](#)  
[CRA 2022 Attendance](#)  
[Arts](#)  
[Augustin Badet](#)  
[Brinson](#)  
[Catania](#)  
[Gray](#)  
[Knight](#)  
[Rindos](#)  
[Torres](#)  
[Warner](#)

**7.C. APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DELRAY BEACH, FLORIDA AND THE POLICE BENEVOLENT ASSOCIATION INC, (DELRAY BEACH OFFICERS AND SERGEANTS)**

**Recommendation:** Motion to approve the Collective Bargaining Agreement between the City of Delray Beach, Florida and the Police Benevolent Association Inc, (Delray Beach Officers and Sergeants).

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[CBA 2022 Police Union--officers, sergeants, and lieutenants](#)  
[PBA Contract Ofc- Sgt \(Oct. 2021 - Sept. 2024\) for Execution](#)

**7.D. APPROVAL OF COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF DELRAY BEACH, FLORIDA AND THE POLICE BENEVOLENT ASSOCIATION INC, (DELRAY BEACH LIEUTENANTS )**

**Recommendation:** Motion to approve the Collective Bargaining Agreement between the City of Delray Beach, Florida and the Police Benevolent Association Inc, (Delray Beach Lieutenants).

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[CBA 2022 Police Union--officers, sergeants, and lieutenants](#)  
[PBA Contract Lt's \(October 2021 - Sept. 2024\) for Execution](#)

**8. PUBLIC HEARINGS/SECOND READINGS:**

- 8.A.** ORDINANCE NO. 13-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING SEVEN PARCELS OF LAND, MEASURING APPROXIMATELY 1.38 ACRES, GENERALLY LOCATED SOUTH OF LAKE IDA ROAD, NORTH OF NORTHWEST 4TH STREET, EAST OF NORTHWEST 8TH AVENUE, AND WEST OF NORTHWEST 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES (CF) TO LOW DENSITY (LD), PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT," FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Consider Ordinance No. 13-22, a City-initiated Land Use Map Amendment (LUMA) from Community Facilities (CF) to Low Density (LD) land use to correct a data conversion error on seven parcels totaling 1.38 acres currently addressed as 620, 704, 706, and 710 Lake Ida Road, and 655, 701, and 709 NW 4th Street.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 13-22: 620 Lake Ida Rd et al](#)  
[Ordinance No. 13-22: PZB Staff Report, LUMA, 620 Lake Ida Rd et al](#)  
[Ordinance No. 13-22: Proposed Land Use Map](#)  
[Legal Review: Ordinance No. 13-22](#)

- 8.B.** ORDINANCE NO. 09-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING APPROXIMATELY 0.183 ACRES OF LAND PRESENTLY ZONED SINGLE FAMILY RESIDENTIAL (R1) DISTRICT TO COMMUNITY FACILITIES (CF) DISTRICT FOR A PARCEL LOCATED AT 620 LAKE IDA ROAD, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE “CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021”; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

**Recommendation:** Consider Ordinance No. 09-22, a privately initiated request for a Rezoning of the +/- 0.183-acre property located at 620 Lake Ida Road, to rezone the property from Single Family Residential (R-1-A) to Community Facilities (CF).

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 09-22](#)  
[620 Lake Ida Road - PZB Report](#)  
[620 Lake Ida Road - Existing and Proposed Zoning](#)  
[620 Lake Ida Road - Applicant Justification Statement](#)  
[620 Lake Ida Road - Traffic Statement Letter](#)  
[620 Lake Ida Road - Legal Review Ordinance 09-22](#)

- 8.C.** ORDINANCE NO. 14-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT RE-DESIGNATING A PARCEL OF LAND MEASURING APPROXIMATELY 0.18 ACRES, LOCATED GENERALLY EAST OF NORTH FEDERAL HIGHWAY AND SOUTH OF NORTH LAKE AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM MEDIUM DENSITY TO GENERAL COMMERCIAL, PURSUANT TO THE PROVISIONS OF THE “COMMUNITY PLANNING ACT,” FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (SECOND READING).

**Recommendation:** Review and consider Ordinance No. 14-22, a City-initiated Land Use Map Amendment (LUMA) from Medium Density Residential (MD) to General Commercial (GC) land use to correct a data conversion error on a parcel totaling 0.18 acres currently addressed as 716 N Lake Ave.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 14-22 \(716 N. Lake Ave\) WMB 2022 04 15](#)  
[PZB Staff Report \(716 N. Lake Ave\)](#)  
[Legal Review \(716 N. Lake Ave\)](#)

**8.D.** ORDINANCE NO. 11-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING TITLE 5, "PUBLIC WORKS," CHAPTER 52, "WATER," BY ENACTING A NEW SECTION 52.07, "LANDSCAPE IRRIGATION," TO IMPLEMENT THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT MANDATORY YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES RULE, ESTABLISH A LANDSCAPE IRRIGATION SCHEDULE AND EXCEPTIONS THERETO, REQUIRE IRRIGATION SYSTEMS TO UTILIZE TECHNOLOGY THAT INHIBITS OR INTERRUPTS WATERING DURING PERIODS OF SUFFICIENT MOISTURE, PROVIDE FOR VARIANCES FROM THE LANDSCAPE IRRIGATION SCHEDULE, AND PROVIDE FOR ENFORCEMENT OF THIS ORDINANCE; AMENDING SECTION 52.99, "PENALTY," TO ESTABLISH PENALTIES FOR VIOLATIONS OF THIS ORDINANCE AND TO REMOVE CRIMINAL SANCTIONS BUT INCREASE THE FINANCIAL PENALTY FOR VIOLATIONS OF SECTIONS 52.65 THROUGH 52.70, WHICH PLACE RESTRICTIONS ON WATER USE DURING WATER SHORTAGE EMERGENCIES, AND INCREASE THE FINANCIAL PENALTY FOR VIOLATIONS OF SECTIONS 52.80 THROUGH 52.85, REQUIRING THE INSTALLATION AND MAINTENANCE OF BACKFLOW PREVENTION DEVICES; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 11-22 amended after first reading LG rev 5-20-22.docx](#)  
[Legal Review Ord 11-22 Irrigation.docx](#)

- 8.E.** ORDINANCE NO. 17-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES BY AMENDING TITLE 5, "PUBLIC WORKS," CHAPTER 52, "WATER," SUBHEADING "RATES, CHARGES, AND FEES," SECTION 52.34, "WATER RATES," SUBSECTION (B), "MONTHLY RATES," INCREASING THE RATES FOR WATER FURNISHED BY THE CITY; AMENDING CHAPTER 53, "SANITARY SEWERS," SUBHEADING "USER CHARGE AND INDUSTRIAL COST RECOVERY SYSTEM," SECTION 53.130, "USER CHARGES; WHOLESAL SEWER RATES; CALCULATION OF SEWER SURCHARGE," SUBSECTION (D), "[RATES AND CHARGES.]," INCREASING THE SANITARY SEWER SERVICE CHARGES; AMENDING CHAPTER 59, "RECLAIMED WATER," SECTION 59.09, "FEES, RATES, AND CHARGES," TO REFERENCE THE COMMODITY CHARGES IN SECTION 52.34, "WATER RATES;" PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

**Recommendation:** Review and consider Ordinance No. 17-22, pertaining to *Title 5*, "Public Works," Chapter 52, "Water," Subheading "Rates, Charges, and Fees," Section 52.34, "Water Rates," Subsection (B), "Monthly Rates," of the Code of Ordinances of the City of Delray Beach, Florida.

**Sponsors:** Finance Department and Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance 17-22 FINAL](#)  
[Legal Review Ord 17-22](#)  
[Commission Presentation - 2022-03-08 - v1 \(002\)](#)

## 9. FIRST READINGS:

9.A. None

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

**A. City Manager**

**B. City Attorney**

**C. City Commission**

- 10.C.** RESOLUTION NO. 78-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ESTABLISHING THE DELRAY BEACH LGBTQIA+ PRIDE INTERSECTION AS A PERMANENT MEMORIAL; DEDICATING THE DELRAY BEACH LGBTQIA+ PRIDE INTERSECTION TO ACTIONS TAKEN BY THE CITY COMMISSION TO PROVIDE EQUAL RIGHTS, BENEFITS, AND PROTECTIONS TO THE CITY'S LGBTQIA+ RESIDENTS; RECOUNTING AND HONORING THE PUBLIC SERVICE OF NICHOLAS COPPOLA; AUTHORIZING THE PLACEMENT OF A PLAQUE AT THE SITE OF THE DELRAY BEACH LGBTQIA+ PRIDE INTERSECTION MEMORIAL; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

SPONSOR: COMMISSIONER RYAN BOYLSTON

**Recommendation:** Motion to consider and approve Resolution 78-22.

**Sponsors:** Boylston

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 78-22](#)  
[806135 Destroying or demolishing a memorial or historic property](#)

## 11. ADJOURNMENT