

# 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

2nd Budget Public Hearing/Regular Meeting at 4:00 PM

Monday, September 19, 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**

A. Additions, Deletions, Substitutions

**4. PRESENTATIONS:****4.A. PRESENTING RODNEY NEWTON, UTILITIES SUPERVISOR, WITH EMPLOYEE OF THE MONTH FOR AUGUST 2022.**

**Recommendation:** Motion to present Rodney Newton, Utilities Supervisor, with Employee of the Month for August 2022.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Rodney Newton\\_EOM\\_Nomination form](#)

**4.B. PRESENTATION: RECOGNIZING THE DELRAY TRACK CLUB'S 2022 OUTSTANDING SEASON ACHIEVEMENTS**

**Sponsors:** Parks & Recreation Department

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

**4.C. EDUCATION PRESENTATION**

**Recommendation:** Presentation regarding Education in Delray Beach.

**Sponsors:** City Manager Department

**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:

May 3, 2022 Regular Commission Meeting

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[May 3, 2022 Regular Commission Meeting Minutes - Draft](#)

**6.B. RESOLUTION NO. 148-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE INSTALLATION AND MAINTENANCE OF PEDESTRIAN LIGHTING IN FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**Recommendation:** Motion to review and consider Resolution No. 148-22 approving a Maintenance Memorandum of Agreement (MMOA) with the Florida Department of Transportation (FDOT) for the installation and maintenance of pedestrian lighting.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res 148-20 FDOT Maintenance Memo Agreement Pedestrian Lighting Atlantic](#)  
[MOA\\_PEDESTRIAN LIGHTING\\_93020001\\_SR 806\\_SR 5\\_DELRAY BEACH\\_F](#)  
[12084-ES1.1 REV10 04-29-21](#)  
[Legal Review MMOA with FDOT re pedestrian lighting for Atlantic Crossing Proj](#)

**6.C. CERTIFICATION OF THE FINAL PLAT "1236 GEORGE BUSH BOULEVARD" A REPLAT OF A PORTION OF LOTS 28 AND 29, MODEL LAND COMPANY AS RECORDED IN PLAT BOOK 8, PAGE 40 ASSOCIATED WITH THE CREATION OF SIX FEE SIMPLE TOWNHOME LOTS.**

**Recommendation:** Consider the major subdivision plat for the property located at 1236 George Bush Boulevard.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[PZB Report, 1236 George Bush Blvd.](#)  
[2022.06.13 - 1236 George Bush Blvd - Plat V8](#)

**6.D. APPROVAL OF INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE TOWN OF GULF STREAM TO TRANSITION BUILDING AND RELATED PERMITTING AND INSPECTION SERVICES**

**Recommendation:** Motion to Approve of Interlocal Agreement Between the City of Delray Beach and the Town of Gulf Stream to Transition Building and Related Permitting and Inspection Services.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Interlocal Agreement -- Building Department Services post-termination - \(9.9.22\)](#)

**6.E. APPROVING VALET PARKING LICENSE AGREEMENT WITH CUT 432, LLC, d/b/a CUT 432 PROVIDING VALET PARKING SERVICES FOR TWO YEARS TO PROVIDE VALET PARKING SERVICES IN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF DELRAY BEACH (CITY)**

**Recommendation:** Motion to approve to Valet Parking License Agreement with Cut 432, LLC, d/b/a Cut 432 providing valet parking services from October 1, 2022 until September 30, 2024.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Parking License Agreement Cut 432 LLC.pdf](#)  
[Cut 432 LLC Parking License Agreement - Valet Que - SE 4th Ave.docx](#)

**6.F. APPROVING VALET PARKING LICENSE AGREEMENT WITH OSTERIA NUMERO UNO, LTD d/b/a ELISABETTA'S PROVIDING VALET PARKING SERVICES TO PROVIDE VALET PARKING SERVICES IN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF DELRAY BEACH (CITY)**

**Recommendation:** Motion to approve to Valet Parking License Agreement with Osteria Numero Uno, LTD d/b/a Elisabetta's providing valet parking services to extend the license from October 1, 2022 until September 30, 2024.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Parking License Agreement Osteria Numero Uno dba E Osteria Numero Uno - Elisabetta's Parking License Agreement - Valet Que - Atl:](#)

**6.G. APPROVING RETROACTIVE VALET PARKING LICENSE AGREEMENT WITH ROSEBUD 307, LLC, d/b/a/ LIONFISH PROVIDING VALET PARKING SERVICES TO PROVIDE VALET PARKING SERVICES IN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF DELRAY BEACH (CITY)**

**Recommendation:** Motion to retroactive approve Valet Parking License Agreement with Rosebud 307, LLC, d/b/a Lionfish providing valet parking services from September 1, 2022 until September 30, 2024.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Parking License Agreement Rosebud 307 dba Lionfish.](#)  
[RoseBud 307](#)

**6.H. APPROVING VALET PARKING LICENSE AGREEMENT WITH CAFFE LUNA ROSA, INC. d/b/a CAFFE LUNA ROSA PROVIDING VALET PARKING SERVICES TO PROVIDE VALET PARKING SERVICES IN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF DELRAY BEACH (CITY)**

**Recommendation:** Motion to approve to Valet Parking License Agreement with Caffe Luna Rosa, Inc. d/b/a Caffe Luna Rosa providing valet parking services from October 1, 2022 until September 30, 2024.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Parking License Agreement Caffe Luna Rosa, Inc..pdf](#)  
[Caffe Luna Rosa Parking License Agreement - Valet Que - E Atlantic between 5](#)

**6.I. APPROVING VALET PARKING LICENSE AGREEMENT WITH DELRAY TACO, LLC, d/b/a ROCCO'S TACOS PROVIDING VALET PARKING SERVICES TO PROVIDE VALET PARKING SERVICES IN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF DELRAY BEACH (CITY)**

**Recommendation:** Motion to approve to Valet Parking License Agreement with Delray Taco, LLC, d/b/a Rocco's Tacos providing valet parking services from October 1, 2022 until September 30, 2024.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Parking License Agreement Delray Taco LTD.pdf](#)  
[Delray Taco](#)

**6.J.** APPROVING VALET PARKING LICENSE AGREEMENT WITH TAVERNA OPA ATLANTIC, LLC PROVIDING VALET PARKING SERVICES TO PROVIDE VALET PARKING SERVICES IN THE CENTRAL BUSINESS DISTRICT OF THE CITY OF DELRAY BEACH (CITY)

**Recommendation:** Motion to approve to Valet Parking License Agreement with Taverna Opa Atlantic, LLC providing valet parking services from October 1, 2022 until September 30, 2024.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Parking License Agreement Taverna Opa Atlantic.pdf](#)  
[Taverna Opa Parking License Agreement - Valet Que - 200 block of E Atlantic .d](#)

**6.K.** MOTION TO RETROACTIVELY APPROVE SUBMITTAL OF TWO GRANT APPLICATIONS TO THE RESILIENT FLORIDA GRANT PROGRAM THROUGH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) FOR THREE PROJECTS INCLUDING THE MARINE WAY ROADWAY AND DRAINAGE IMPROVEMENT PROJECT (\$20 MILLION) AND THOMAS STREET PUMP STATION IMPROVEMENT (\$5 MILLION)

**Recommendation:** Staff is requesting retroactive approval from City Commission for submittal of grant applications to the Resilient Florida Grant Program administered by the Florida Department of Environmental Protection (FDEP). Two projects are qualified for this sea level rise grant, including Marine Way Roadway and Drainage Improvement (\$20M) and Thomas Street Pump Station Improvement (\$5M).

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Thomas Street PS Resilient Florida FY23 Final Submittal](#)  
[Marine Way Resilient Florida 2023 Final Submittal](#)

- 6.L. ITEM(S) A1 - ACCEPTANCE OF FIRE HYDRANT EASEMENT AGREEMENT BY 720 SW 2ND TERRACE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 501 NW 9TH STREET AND A RIGHT OF WAY DEDICATION BY 40 NW 9TH AVENUE AND ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 342 SW 4TH AVE.

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

Item A1 - Motion to approve and accept a Fire Hydrant Easement Agreement by the owners of 720 SW 2nd Terrace.

Item B1 - Motion to approve and accept a Right of Way Dedication by the owners of 501 NW 9th Street

Item C1 - Motion to approve and accept a Right of Way Dedication by the owners of 40 NW 9th Ave.

Item D1 - Motion to approve and accept a Right of Way Dedication by the owners of 342 SW 4th Ave.

**Sponsors:** Public Works Department

**Attachments:**

[Agenda Cover Report](#)

[Legal Reviews \(3\)](#)

[Item \(A1a\) Fire Hydrant Easement Agreement - 720 SW 2nd Terrace](#)

[Item \(A1b\) Exhibit A & Sketch - 720 SW 2nd Terrace](#)

[Item \(B1a\) - 501 NW 9th St. - ROW](#)

[Item \(B1b\) Exhibit A - Sketch & Description - 501 NW 9th St - ROW](#)

[Item \(C1a\) 40 NW 9th Ave. - ROW](#)

[Item \(C1b\) Exhibit A & Sketch - 40 NW 9th Ave - ROW](#)

[Exhibit A Sketch & Descrip - 40 NW 9th Ave. - ROW](#)

[\(Item D1a\) 342 SW 4th Ave - ROW](#)

[\(Item D1b\) Exhibit A & Sketch 342 SW 4th Ave](#)

[Legal Review Right of Way Deed 342 SW 4th Ave Developers Contractors Gro](#)



- 6.M.** ITEM(S) A1, A2, A3: MAINTENANCE OF TRAFFIC PLAN FOR FPL ALONG MIRAMAR AVE./VENETIAN DR., MAINTENANCE OF TRAFFIC PLAN FOR ATLANTIC CROSSING AT 611 E ATLANTIC AVE., MAINTENANCE OF TRAFFIC PLAN FOR SUNDY VILLAGE ALONG SW 1ST ST.

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

Per LDR 7.1(C) (1)

*Maintenance of Traffic (MOT) Plan. All construction parking and staging that involves travel lane, bike lane, or sidewalk closures shall submit a MOT Plan as follows: (Ord. No. 50-20, § 2*

*<[https://library.municode.com/fl/delray\\_beach/codes/land\\_development\\_regulations\\_?nodeId=CH2ADPR](https://library.municode.com/fl/delray_beach/codes/land_development_regulations_?nodeId=CH2ADPR)>, 10-20-20)*

*Closures greater than 14 days throughout the course of construction, which eliminate travel lanes or change the flow of traffic must be approved by the City Commission. Street closures that do not exceed 14 days throughout the course of construction may be approved administratively. (Ord. No. 50-20, § 2*

*<[https://library.municode.com/fl/delray\\_beach/codes/land\\_development\\_regulations\\_?nodeId=CH2ADPR](https://library.municode.com/fl/delray_beach/codes/land_development_regulations_?nodeId=CH2ADPR)>, 10-20-20)*

Having exceeded the allowable 14 days throughout the course of construction the following Maintenance of Traffic plans are petitioning additional closures as follows:

**MAINTENANCE OF TRAFFIC PLAN/ ROAD & LANE CLOSURES**

**Item(s)**

Item A1 - **FPL** - Motion to approve and accept a Maintenance of Traffic/ Road closure Plan for Miramar Ave, Venetian Dr, and nearby roads.

Item A2 - **ATLANTIC CROSSING** - Motion to approve and accept a Maintenance of Traffic/ Road closure Plan for 611 E Atlantic Ave at Atlantic Crossing

Item A3 - **SUNDY VILLAGE** - Motion to approve and accept a Maintenance of Traffic/ Road closure Plan for 22 W Atlantic Ave along the SW 1ST St.

**Sponsors:** Public Works Department

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

[A1 MOT Plan Miramar Ave and Venetian Drive](#)

[A2 MOT plan for 611 E Atlantic](#)

[A3 MOT plan for SW 1st St](#)

**6.N. RESOLUTION NO. 150-22: APPROVAL OF AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE TOWN OF HIGHLAND BEACH FOR POLICE COMMUNICATIONS SERVICES**

**Recommendation:** Motion to approve Resolution No. 150-22 approving agreement between the City of Delray Beach and the Town of Highland Beach for police communications services.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist\\_Police Comm Agreement 22 lw](#)  
[Res 150-22 - Town of Highland Beach Police Communications Agreement lw](#)  
[Highland Beach Police Communications Agreement - Highland Beach executed](#)

**6.O. RESOLUTION 151-22 APPROVING INTERLOCAL AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN CITY OF DELRAY BEACH AND PALM BEACH COUNTY FOR PARTICIPATION IN THE MANATEE PROGRAM**

**Recommendation:** Motion to approve Resolution 151-22 approving Interlocal Agreement for Law Enforcement Services between City of Delray Beach and Palm Beach County for participation in the Manatee program.

**Sponsors:** Police Department

**Attachments:** [Agenda Cover Report](#)  
[Res 151-22 - Florida Fish and Wildlife Conservation Commission Interlocal Agreement 2022 Law Enforcement Agreement \(Delray Beach\) Final - Manatee Program](#)  
[Legal Review Checklist\\_Manatee LE Interlocal lw](#)

**6.P. APPROVAL OF RESOLUTION NO. 165-22, A RESOLUTION OF THE CITY COMMISSION OF DELRAY BEACH, FLORIDA, LEVYING AND ADOPTING CHARGES, RATES, FEES FOR SOLID WASTE COLLECTION SERVICES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

**Recommendation:** Pursuant to direction given during the September 6, 2022, for the FY 2022-2023 Tentative Budget, staff is hereby presenting the amended rates and fees for the Sanitation Fund. These rates will be effective from October 1, 2022, through April 30, 2023. Prior to May 1, 2023, staff will present a recommendation of rates and fees, which will be determined by various factors, including but not limited to, the outcome of the current solicitation for a contractor to provide solid waste and recycling collection services to the City.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Approval - 165-22](#)  
[Resolution 165-22 final lg rev 9-12-22 remove admin and franchise fees](#)

**6.Q. FLORIDA MUNICIPAL INSURANCE TRUST (FMIT) FOR RENEWAL OF PROPERTY INSURANCE POLICY**

**Recommendation:** Staff is requesting approval for renewal of Property, Excess Workers' Compensation Insurance, and a fully insured liability program from the Florida Municipal Trust Fund (FMIT) for \$2,273,200 for the coverage period 10/1/2022 through 9/30/2023.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[FMIT Quote Comparison](#)  
[FMIT Market Summary](#)  
[FMIT Premium Summary](#)  
[Resolution for FMIT Renewal 22 23 revd](#)

**6.R. APPROVE A NO COST TIME EXTENSION AMENDMENT NO. 01 TO GRANT AGREEMENT 46000004358 (CONSIDERED PHASE 2 OF RECLAIMED AREA 10), WITH SOUTH FLORIDA WATER MANAGEMENT DISTRICT FOR PROVIDING SUPPLEMENTARY FUNDING FOR CONSTRUCTION OF RECLAIMED WATER TRANSMISSION ALONG SE 1st AVE, SE 1st ST, SW 1st ST, NE 2nd Ave, AND NE 1st St.**

**Recommendation:** Motion to approve and execute amended Grant Agreement (Agreement) No. 46000004358-A01 with the South Florida Water Management District (SFWMD) for providing supplementary funding for construction of reclaimed water transmission main for Area 10 (Phase 2) project, along SE 1st Ave, SE 1st St, SW 1st St, NE 2nd Ave, and NE 1st St, as part of their Cooperative Funding Program for Alternative Water Supply (AWS).

**Sponsors:** Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Amd #1 to Grant Agreement with SFWMD Reclaimed Area 10 .d](#)  
[Amd #1 to Agreement No. 4600004358 with SFWMD.pdf](#)

**6.S. PROCLAMATIONS:****6.S.1. DIAPER NEED AWARENESS WEEK**

**Recommendation:** Motion to approve September 24th - October 2, 2022 as Diaper Need Awareness Week.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Diaper Need Awareness Week](#)

**6.S.2. NATIONAL WALK YOUR CHILD TO SCHOOL DAY PROCLAMATION - OCTOBER 5, 2022**

**Recommendation:** Consideration of a proclamation for National Walk or Bike to School Day.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Walk and Bike to School Day](#)

**6.S.3. ENERGY EFFICIENCY DAY PROCLAMATION**

**Recommendation:** Motion to proclaim October 5, 2022 as Energy Efficiency Day.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[EEDay-2022 Proclamation](#)

**6.S.4. INDIGENOUS PEOPLES DAY - OCTOBER 10, 2022**

**Recommendation:** Motion to declare and observe Monday, October 10, 2022 as Indigenous Peoples Day.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Indigenous People's Day Proclamation](#)

**6.T. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.T.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION REQUESTS FROM AUGUST 23, 2022 THROUGH SEPTEMBER 7, 2022.**

**Recommendation:** By motion, receive and file this report for actions from August 23, 2022 through September 7, 2022.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Location Map of Appealable Items](#)  
[PAAB Agenda 08.23.2022](#)  
[SPRAB Agenda 08.24.2022](#)  
[HPB Agenda 09.07.2022](#)

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

**6.U.1. APPROVAL OF RESOLUTION NO. 110-22 TO AWARD AN AGREEMENT TO IMAGETREND, INC FOR ELECTRONIC PATIENT CARE REPORTING AND FIRE INCIDENT REPORTING SOFTWARE, MAINTENANCE, AND SUPPORT SERVICES FOR THE FIRE DEPARTMENT - IN THE AMOUNT OF \$116,542 FOR A THREE-YEAR PERIOD.**

**Recommendation:** Motion to approve Resolution No. 110-22 to award an Agreement to ImageTrend, Inc. for electronic patient care reporting (ePCR) and fire incident reporting (NIFRS) software in the amount of \$116, 542 for a three year period (Avg. \$35,699 a year) and authorize the City Manager to approve renewal options, in the amounts below, contingent on appropriations of funds.

**Sponsors:** Fire Rescue Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist ImageTrend](#)  
[Agreement - Vendor Executed](#)  
[Resolution 110-22](#)

**6.U.2. APPROVAL OF RESOLUTION NO. 123-22 TO AWARD AN AGREEMENT TO CRAIG B. KUSHNIR D.O., LLC FOR MEDICAL DIRECTOR SERVICES FOR THE FIRE DEPARTMENT - 3 YEAR TOTAL \$157,320 (\$52,440 PER YEAR)**

**Recommendation:** Approval of Resolution No. 123-22 to award an agreement to Craig B. Kushnir D.O., LLC for Medical Director services for the Fire Department in the amounts below, contingent on appropriations of funds.

**Sponsors:** Fire Rescue Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 123-22 Medical Director Services - Exemption](#)  
[Medical Director Cost Analysis](#)  
[Kushnir Contract](#)  
[Legal Review Checklist Medical Director 9.1.22](#)

**6.U.3. APPROVAL OF RESOLUTION NO. 134-22 TO AWARD AN AGREEMENT WITH BEEFREE, LLC DBA FREEBEE, FOR FIXED ROUTE AND POINT-TO-POINT TRANSPORTATION SERVICES IN THE ESTIMATED AMOUNT NOT TO EXCEED \$4,437,346 (\$887,469 PER YEAR)**

**Recommendation:** Motion to Approve Resolution No. 134-22 to award an Agreement with Beefree, LLC dba Freebee, for Fixed Route and Point-To-Point Transportation Services in the estimated amount not to exceed \$4,437,346 (\$887,469 per year), and authorize the City Manager to exercise renewal options, in the amounts below, contingent upon appropriation of funds.

**Sponsors:** Economic Development Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist](#)  
[Resolution No. 134-22](#)  
[RFP 2022-031 Beefree LLC dba Freebee Agreement - Vendor Executed](#)

**6.U.4. APPROVAL OF RESOLUTION NO. 94-22 TO AWARD AN AGREEMENT TO DEERE & COMPANY, INC. FOR THE PURCHASE OF AGRICULTURE AND LAWN EQUIPMENT; UTILIZING STATE OF FLORIDA CONTRACT NO. 25101900-21-STC IN THE ESTIMATED AMOUNT OF \$422,157**

**Recommendation:** Motion to approve Resolution No. 94-22 to award an Agreement to Deere & Company, Inc. for the purchase of agriculture and lawn equipment; utilizing State of Florida contract No. 25101900-21-STC in the estimated amount of \$422,157 and authorize the City Manager to approve renewal options, in the amounts below, contingent on appropriations of funds.

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

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Deere & Company](#)  
[Resolution No. 94-22](#)  
[P2022-043 Agreement - Vendor Executed](#)  
[Exhibit A](#)

- 6.U.5.** RESOLUTION 166-22 APPROVING SPEER AND FEDERAL AMMUNITION AS A CITY STANDARD AND AUTHORIZING THE ISSUANCE OF A PURCHASE ORDER TO FLORIDA BULLET, INC., AS A SOLE SOURCE FOR THE PURCHASE OF LAW ENFORCEMENT AMMUNITION IN THE AMOUNT NOT TO EXCEED \$150,000.

**Recommendation:** Motion to approve Resolution 166-22 approving SPEER and Federal Ammunition as City Standard and authorizing the issuance of a Purchase Order to Florida Bullet, Inc., as a sole source for the purchase of law enforcement ammunition in the amount not to exceed \$150,000 for FY 2022-2023.

**Sponsors:** Police Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Florida Bullet Authorized Letter 011022 \(Federal-Speer-CCI LE Ammunition\)](#)  
[Simple Legal Review Approval - PD City Standard for Ammo](#)  
[Res 166-22 - Florida Bullet Inc City Standard Ammunition](#)

- 6.U.6.** APPROVAL OF RESOLUTION NO. 133-22 FOR THE PURCHASE OF ONE (1) 2023 TAHOE SUV FROM STINGRAY CHEVROLET AND ONE (1) 2022 F-150 PICK-UP TRUCK FROM DUVAL FORD UTILIZING FLORIDA SHERIFF'S ASSOCIATION CONTRACT NO. FSA20-VEL28.0, TO REPLACE THESE INOPERABLE VEHICLES- \$79,781.

**Recommendation:** Motion to approve Resolution No. 133-22 to purchase one (1) 2023 Tahoe SUV and one (1) 2022 F-150 Pick-Up Truck utilizing the Florida Sheriff's Association Contract No. FSA20-VEL28.0, valid from October 1, 2020, through September 30, 2022.

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

**Attachments:** [Agenda Cover Report](#)  
[FSA Contract FSA20-VEL28.0](#)  
[Solicitation - FSA20-VEL28.0](#)  
[2022 Ford F-150 Quote](#)  
[2023 Tahoe Quote](#)  
[Resolution 133-22](#)  
[Simple Legal Review Approval for Resolution 133-22](#)

- 6.U.7.** APPROVAL OF RESOLUTION NO. 141-22 TO AWARD AN AGREEMENT TO AQUIFER MAINTENANCE & PERFORMANCE SYSTEMS, INC. FOR WELL REPAIRS, MAINTENANCE, AND REHABILITATION SERVICES, UTILIZING THE CITY OF PALM BAY SOLICITATION #40-0-2022/SM - IN THE NOT-TO-EXCEED ESTIMATED AMOUNT OF \$3,073,000. (\$573,000 FIRST YEAR AND \$625,000 RESPECTIVELY)

**Recommendation:** Motion to approve Resolution No. 141-22 to award an Agreement to Aquifer Maintenance & Performance Systems, Inc., (AMPS) for the repair, maintenance, and rehabilitation of wells in the estimated amount of \$3,073,000, through July 31, 2027, utilizing the City of Palm Bay, Florida Solicitation No. 40-0-2022/SM.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Well Repair 2022.pdf](#)  
[Res 141-22 - Well Repair and Maintenance - AMPS - Palm Bay Piggyback rev.](#)  
[Agreement vendor executed.pdf](#)

- 6.U.8.** APPROVAL OF RESOLUTION NO. 144-22 TO AWARD AN AGREEMENT WITH UNITED RENTALS FOR RENTAL OF EQUIPMENT ON AN AS-NEEDED BASIS, AND ALSO REQUEST TO INCREASE PURCHASE ORDER 2022-0000050 IN THE AMOUNT OF \$27,383 FOR PAYMENT OF OUTSTANDING INVOICES UTILIZING SOURCEWELL SOLICITATION NO. #062320 IN THE TOTAL ESTIMATED AMOUNT NOT TO EXCEED \$327,383 (\$127,383 FIRST YEAR AND \$100,000 RESPECTIVELY).

**Recommendation:** Motion to approve Resolution No. 144-22 to award an Agreement to United Rentals (North America) Inc., for the rental of equipment, products, and services as needed in the estimated amount of \$327,383, through August 24, 2025, utilizing the Sourcewell Solicitation No. 06320.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist MSA United Rental Piggyback Sourcewell Rental Equip](#)  
[Res 144-22 - Rental Equipment Products Services - United Rental - Sourcewe](#)  
[MSA Rental Equipment Products Services United Rental vendor executed.pdf](#)



- 6.U.9.** APPROVAL OF RESOLUTION NO. 158-22 TO APPROVE THE RECOMMENDATION OF AWARD AND PROVIDING AUTHORITY TO NEGOTIATE AN AGREEMENT WITH HAZEN AND SAWYER, P.C., FOR OWNER'S REPRESENTATIVE SERVICES FOR THE DESIGN-BUILD CONSTRUCTION OF A NEW WATER TREATMENT PLANT AND RELATED IMPROVEMENTS PURSUANT TO REQUEST FOR QUALIFICATIONS (RFQ) NO. 2022-034 (PROJECT NO. 22-019U).

**Recommendation:** Motion to approve Resolution No. 158-22 approving the recommendation of award and providing authority to negotiate an Agreement with the highest-ranked qualified firm, Hazen and Sawyer, PC, for the Owner's Representative services for the design-build construction of the City's new water treatment plant and related improvements.

**Sponsors:** Utilities Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Res 158-22 Negotiate Agreement with Hazen and Sawyer for Ow](#)  
[Res 158-22 - Approving Award and Authorizing Negotiations - Hazen and Sawy](#)  
[2022-034 Technical Scoring Summary Sheet - Owners' Representatative WTP 1](#)

## **7. REGULAR AGENDA:**

- 7.A.** DEPARTMENT DIRECTOR SALARY CONSIDERATIONS

**Recommendation:** Motion to consider one of the three options provided.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Memo Mayor and Commissioners Department Director Review and Analysis Co](#)  
[Classification and Pay Plans, PER-4, Rev 10](#)  
[SALARY COMPARISONS dd](#)  
[Department Director Salary Consideration Current Proposal](#)  
[Department Director Salary Consideration Option 1](#)  
[Department Director Salary Consideration Option 2](#)

- 7.B.** APPROVAL OF REVOCABLE LICENSE AGREEMENT WITH JPR PRODUCTIONS, INC. TO PROMOTE AND PRODUCE THE LOTOS FESTIVAL TO BE HOSTED AT THE DELRAY BEACH TENNIS CENTER

**Recommendation:** Motion to approve Revocable License Agreement with JPR Productions, Inc. to promote and produce the Lotos Festival to be hosted on January 7, 2023 at the Delray Beach Tennis Center.

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review\\_RLA\\_Lotus Music Festival\\_2023](#)  
[Palm Beach County AmphitheaterRentalGuide](#)  
[Lotus Music Festival rev. kwb 8.29.22 lq rev 9-12-22 remove parking](#)

- 7.C.** APPROVAL OF REVOCABLE LICENSE AGREEMENT WITH DELRAY BOXING, LLC TO HOST COMPETITIVE BOXING MATCHES, SANCTIONED BY THE STATE OF FLORIDA ATHLETIC COMMISSION, ON OCTOBER 8, 2022, FOR AN EVENT KNOWN AS "BLACKSHEEP FIGHT NIGHT".

**Recommendation:** Motion to approve a Revocable License Agreement with Delray Beach Boxing, LLC (Delray Boxing) to host competitive boxing matches, sanctioned by the State of Florida Athletic Commission, known as "Blacksheep Fight Night" on October 8, 2022 at the Delray Beach Tennis Center (Tennis Center).

**Sponsors:** Parks & Recreation Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Revocable License Agreement for Boxing Event at Tennis Center](#)  
[DelrayBoxing\\_RLA\\_Oct2022](#)

- 7.D.** RESOLUTION NO. 129-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING A WAIVER REQUEST TO SECTION 4.4.13(C)(3)(a)(2)(a) OF THE LAND DEVELOPMENT REGULATIONS; APPROVING A PORCH AS A FRONTAGE TYPE ALONG WEST ATLANTIC AVENUE BETWEEN NORTH SWINTON AVENUE AND NORTHWEST 1ST AVENUE FOR THE PROJECT KNOWN AS CITY CENTER DELRAY, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL).

**Recommendation:** Review and consider Resolution No. 129-22, approving a Waiver request to Section 4.4.13(C)(3)(a)(2)(a) to allow a porch frontage type along West Atlantic Avenue between North Swinton Avenue and Northwest 1st Avenue for the project known as City Center Delray.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 129-22 Porch frontage waiver - City Center Delray](#)  
[2022-08-03-HPB Waiver Staff Report-10 N Swinton Ave](#)  
[DDA Approval Letter-City Center](#)  
[Justification Statement-City Center-2022-08-03](#)  
[Plans-City Center Delray-2022-08-03](#)  
[Simple Legal Review Approval Resolution 129-22 City Center Waiver](#)

- 7.E.** RESOLUTION NO. 130-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING IN-LIEU OF PARKING FEE REQUEST FOR THE PROJECT KNOWN AS CITY CENTER DELRAY, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT CONSISTENT WITH THE APPROVAL HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

**Recommendation:** Review and consider Resolution No. 130-22, an in lieu of parking fee request in the amount of \$253,500 for 25 parking spaces for the project known as City Center Delray.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 130-22 In-Lieu of Parking Request - City Center Delray](#)  
[2022-08-03-HPB In-Lieu Staff Report-10 N Swinton Ave](#)  
[DDA Approval Letter-City Center](#)  
[Justification Statement-City Center-2022-08-03](#)  
[Plans-City Center Delray-2022-08-03](#)  
[2022-09-19-In lieu parking agreement-City Center Delray](#)  
[Simple Legal Review Approval In-Lieu of Parking Agreement](#)  
[Simple Legal Review Approval Resolution 130-22 City Center Delray](#)

- 7.F.** RESOLUTION NO. 128-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW OUTDOOR DINING AT NIGHT ASSOCIATED WITH RESTAURANTS ASSOCIATED WITH THE PROJECT KNOWN AS CITY CENTER DELRAY, 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. 128-22, approving a Conditional Use request for outdoor dining at night for the restaurant associated with the project known as City Center Delray.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 128-22 City Center Delray outdoor use](#)  
[PZB Staff Report-City Center Delray-2022-08-18](#)  
[HPB Staff Report-City Center Delray Conditional Use-2022-08-03](#)  
[Plans-City Center Delray-2022-08-03](#)  
[Justification Statement-City Center Delray-2022-08-03](#)  
[CCD-TPS letter- City Center Delray 6-28-22](#)  
[DDA Approval Letter-City Center Delray](#)  
[Simple Legal Review Approval Resolution 128-22](#)

- 7.G.** RESOLUTION NO. 161-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A FINAL PLAT WITH WAIVERS FOR A TWO-LOT MINOR SUBDIVISION KNOWN AS “REYES PLAT,” FOR THE PROPERTIES LOCATED AT 342 AND 344 SW 4TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

**Recommendation:** Review and consider Resolution No. 161-22, a request for final approval of a minor subdivision plat with a waiver to Land Development Regulations (LDR) Section 4.3.4(K), Development Standards Matrix: Nonresidential Zoning Districts, to reduce the minimum required lot width and lot frontage from 60 feet to 50 feet for Lots 1 and 2; to reduce the minimum lot size from 7,500 square feet to 4,399.3 square feet for Lot 1 and 4,999.2 for Lot 2; and, reduce the minimum lot depth for Lot 1 from 100 feet to 88 feet, as created by the “Reyes Plat”, currently addressed as 342 and 344 SW 4th Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 161-22: Reyes Plat with Waivers](#)  
[Res. No. 161-22: Reyes Plat Sheets 1 to 2](#)  
[Reyes Plat - Original Block 32 Plat](#)  
[Reyes Plat - Applicant Justification Statement](#)  
[Reyes Plat - Development Standards Chart](#)  
[Reyes Plat - Aerial Location and Neighborhood Maps](#)  
[Reyes Plat - Adjacent Property Photos](#)  
[Simple Legal Review Approval - 161-22 Reyes Plat](#)

- 7.H.** RESOLUTION NO. 142-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ABANDONING A UTILITY EASEMENT LOCATED AT 170 SHERWOOD BOULEVARD, TOTALING APPROXIMATELY THREE THOUSAND SEVEN HUNDRED AND TWENTY-TWO SQUARE FEET (3,722 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Recommendation:** Approve the abandonment of utility easement.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution No. 142-22: Enclave at Sherwood Utility Easement Abandonment](#)  
[Resolution No. 142-22: Exhibit A](#)  
[Resolution No. 142-22: Legal Review](#)

- 7.I. RESOLUTION NO. 143-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ABANDONING A PORTION OF A DRAINAGE EASEMENT LOCATED AT 810 ANDREWS AVENUE, TOTALING APPROXIMATELY ONE THOUSAND THREE HUNDRED THIRTY SQUARE FEET (1,330 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Recommendation:** Review and consider Resolution No. 143-22, abandoning a portion of a drainage easement at 810 Andrews Avenue.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 143-22 Easement Abandonment 810 Andrews Ave](#)  
[Res. No. 143-22: Exhibit A](#)  
[Res. No. 143-22 Exhibit B General Utility Easement](#)  
[Resolution No. 143-22: Legal Review](#)

- 7.J. ACCEPTING A GENERAL UTILITY EASEMENT AGREEMENT AT 810 ANDREWS AVENUE, TOTALING APPROXIMATELY ONE HUNDRED SQUARE FEET (100 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

**Recommendation:** Consider acceptance of a General Utility Easement Dedication by the owner(s) of 810 Andrews Avenue to the City of Delray Beach.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[810 Andrews General Utility Easement](#)  
[Legal Review: 810 Andrews Avenue General Utility Easement Agreement](#)

**7.K.** RESOLUTION NO. 153-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA TO AUTHORIZE, SUBJECT TO REFERENDUM APPROVAL, THE ISSUANCE BY THE CITY OF DELRAY BEACH OF ITS GENERAL OBLIGATION BONDS, TO BE ISSUED IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$100,000,000 FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF RENOVATING AND IMPROVING CERTAIN PUBLIC SAFETY CAPITAL PROJECTS, CALLING FOR A BOND REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY OF DELRAY BEACH, FLORIDA TO BE HELD ON MARCH 14, 2023 AS TO WHETHER GENERAL OBLIGATION BONDS FOR SUCH PURPOSE SHOULD BE ISSUED; AND PROVIDING AN EFFECTIVE DATE.

**Recommendation:** Motion to approve Resolution No. 153-22 authorizing, subject to referendum approval, the issuance of General Obligation Bonds in one or more series in an aggregate principal amount of not to exceed \$100,000,000 for public safety improvements.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Referendum Resolution 153-22 - City of Delray GO Bonds 2022 \(Public Safety\)](#)  
[Simple Legal Review Approval Reso 153-22](#)  
[PFM\\_General Obligation Bond Referendum Presentation - City of Delray Beach](#)

**7.L.** RESOLUTION NO. 154-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA TO AUTHORIZE, SUBJECT TO REFERENDUM APPROVAL, THE ISSUANCE BY THE CITY OF DELRAY BEACH OF ITS GENERAL OBLIGATION BONDS, TO BE ISSUED IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000 FOR THE PURPOSE OF FINANCING ALL OR A PORTION OF THE COSTS OF IMPROVING THE ATLANTIC DUNES PARK, THE CATHERINE STRONG PARK, AND THE MILLER PARK CALLING FOR A BOND REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY OF DELRAY BEACH, FLORIDA TO BE HELD ON MARCH 14, 2023 AS TO WHETHER GENERAL OBLIGATION BONDS FOR SUCH PURPOSE SHOULD BE ISSUED; AND PROVIDING AN EFFECTIVE DATE.

**Recommendation:** Motion to approve Resolution 154-22 authorizing, subject to referendum approval, the issuance of General Obligation Bonds in one or more series in an aggregate principal amount of not to exceed \$20,000,000 for parks and recreational improvements.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Referendum Resolution 154-22 \(Parks\) - City of Delray GO Bonds 2022](#)  
[Simple Legal Review Approval Reso 154-22](#)  
[PFM\\_General Obligation Bond Referendum Presentation - City of Delray Beach](#)

**7.M. RESOLUTION NO. 164-22 AMENDING THE FISCAL YEAR 2021-22 BUDGET ADOPTED BY RESOLUTION NO. 141-21 ON SEPTEMBER 23, 2021 TO RATIFY INTER-DEPARTMENTAL BUDGET TRANSFERS**

**Recommendation:** Motion to Approve Resolution No.164-22 amending the budget for Fiscal Year 2021-22 adopted on September 23, 2021.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 164-22 - Budget Transfer Ratification](#)  
[Exhibit A - Resolution 164-22 - 9-19-2022](#)  
[Legal Review Res 164-22 Budget Transfer](#)

**7.N. 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 approval of the Letter of Agreement (LOA) with AHCA 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](#)  
[PEMT LOA 2022-23](#)  
[Simple Legal Review Approval- Public Emergency Medical Transportation Lette](#)

**7.O. APPROVAL OF 2023 THROUGH 2027 CAPITAL IMPROVEMENT PROGRAM BUDGET**

**Recommendation:** Motion to approve the Capital Improvement Program (CIP) Budget for 2023 through 2027.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[FY23 CIP Book FINAL](#)

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

**8.A. RESOLUTION NO. 155-22: GENERAL FUND OPERATING AND DEBT SERVICE FINAL MILLAGE RATES**

**Recommendation:** Motion to adopt Resolution No. 155-22 - Certifying to the Property Appraiser and the Tax Collector of Palm Beach County, the final rates of millage to be levied by the City of Delray Beach for the fiscal year beginning October 1, 2022.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Reso No. 155-22 GENERAL FUND AND DEBT SERVICE MILLAGE](#)  
[Simple Legal Review Approval Resolution 155-22](#)

**8.B. RESOLUTION NO. 156-22: DOWNTOWN DEVELOPMENT AUTHORITY FINAL MILLAGE RATE**

**Recommendation:** Motion to adopt Resolution No. 156-22 - Certifying to the Property Appraiser and the Tax Collector of Palm Beach County, the final rates of millage to be levied by the Downtown Development Authority for the fiscal year beginning October 1, 2022.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Reso 156-22 DOWNTOWN DEVELOPMENT AUTHORITY MILLAGE](#)  
[Simple Legal Review Approval Resolution 156-22](#)  
[DDA FY22-23 Budget Memo for 9.06.22 City Commission Mtg](#)  
[DDA FY 22-23 Budget Presentation CC 9.6.22 meeting V2](#)

**8.C. RESOLUTION NO. 157-22: ADOPTION OF THE FISCAL YEAR FINAL BUDGET BEGINNING OCTOBER 1, 2022**

**Recommendation:** Motion to adopt Resolution No. 157-22 - Adopting the Final Budget for the fiscal year beginning on October 1, 2022 and ending on September 30, 2023.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Reso 157-22 ADOPTION OF THE FISCAL YEAR BUDGET BEGINNING OCTO](#)  
[Exhibit A - Resolution 157-22](#)  
[FY 2022-23 Proposed Budget Worksheet Report](#)  
[Simple Legal Review Approval Resolution 157-22](#)



- 8.D.** RESOLUTION NO. 126-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE INVENTORY LIST OF CITY OWNED PROPERTY APPROPRIATE FOR USE AS AFFORDABLE HOUSING PURSUANT TO SECTION 166.0451, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Recommendation:** Review and consider Resolution No. 126-22

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Res. 126-22 - Inventory of City Property for Use as Affordable Housing v3](#)  
[FS 166.0451](#)  
[Simple Legal Review Approval Reso 126-22](#)

- 8.E.** ORDINANCE NO. 27-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, UPDATING THE CAPITAL IMPROVEMENT PLAN SCHEDULE IN THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH FOR FY 2022-23 TO FY 2026-27 IN ACCORDANCE WITH THE REQUIREMENTS OF POLICIES CIE 1.2.1. AND CIE 1.2.6 OF THE CAPITAL IMPROVEMENT ELEMENT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

**Recommendation:** Review and consider Ordinance No. 27-22, adopting the 5-Year Capital Improvement Plan for FY 2022-23 through FY 2026-27 and the FY 2022-23 Capital Improvement Budget into the Comprehensive Plan.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 27-22 Adoption of Capital Improvements Plan](#)  
[Ordinance No. 27-22 Exhibit A Table CIE-1](#)  
[CIP FY 22-23 to FY 26-27](#)  
[CIP FY 22-23 to FY 26-27: PZB Staff Report](#)  
[Legal Review, Ordinance No. 27-22](#)

## **9. FIRST READINGS:**

9.A. None

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

**A. City Manager**

**B. City Attorney**

**C. City Commission**

**11. ADJOURNMENT**