



City of Delray Beach

Regular Commission Meeting

City Commission

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Delray Beach, Florida
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Mayor Shelly Petrolia
Vice Mayor Adam Frankel
Deputy Vice Mayor Juli Casale
Commissioner Ryan Boylston
Commissioner Shirley Ervin Johnson

Tuesday, April 19, 2022

4:00 PM

Delray Beach City Hall or Watch on YouTube:

https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/videos?view=2&live_view=501

Regular Meeting at 4:00 PM

1. ROLL CALL

The Regular City Commission Meeting was called to order at 4:05 p.m.

The roll call was taken by Katerri Johnson, City Clerk, and the following were present:

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

Others present were:

Terrence Moore - City Manager
Lynn Gelin - City Attorney

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

3. A. Additions, Deletions, Substitutions

Deputy Vice Mayor Casale requested to pull Item No. 6.E. from the Consent Agenda for discussion. Consent Item No. 6.E. became Item No. 7.A.A. on the Regular Agenda.

Deputy Vice Mayor Casale motioned to approve the agenda as amended. Commissioner Boylston seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston,

APPROVED as amended

4. PRESENTATIONS

4. A. ALFRED "ZACK" STRAGHN DAY PROCLAMATION PRESENTATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Alfred Straghn Proclamation](#)

Mayor Petrolia read the proclamation into the record.

APPROVED

4. B. ACCEPTANCE OF GRANT AWARD IN THE AMOUNT OF \$1,000 FOR THE LET'S MOVE PHYSICAL ACTIVITY CHALLENGE

Sponsors: Parks & Recreation Department

APPROVED

4. C. RESOLUTION NO. 57-22 RECOGNIZING ROXANNE TILGHMAN FOR 30 YEARS OF SERVICE.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Resolution 57-22 Roxanne Tilghman](#)

Mayor Petrolia read Resolution No. 57-22 into the record.

Ms. LeShay King, Human Resource Generalist, presented Ms. Tillman with a plaque for her thirty years of service to the city.

Fire Chief, Keith Tomey, acknowledged Ms. Tillman for her hard work and dedication.

4. D. PRESENTATION: MATCH POINT, INC.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

Mr. Sam Metott, Director of Parks and Recreation, introduced Mr. Mark Baron, the founder of Match Point Tennis, Inc. Mr. Baron gave a presentation highlighting some of the city's festivities during the recent tennis tournament. He reported that this year's event provided a significant economic impact on the city's restaurants, retail stores, and hotels. Mr. Baron presented the Commission with a trophy of his appreciation.

APPROVED

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

None.

5.A.1. Current construction projects

Ms. Missie Barletto, Director of Public Works, provided an update on the city's construction projects.

5.B. From the Public

Todd Herbst, residing at List Road, West Palm Beach, co-owner of Rocco's Tacos, City Oyster, and Elisabetta's Restaurant, asked the Commission to extend the sunset date of May 1, 2022, for outside dining put in place due to COVID-19.

Cary Glickstein, residing at 1118 Waterway Lane, Delray Beach, praised Mr. Trevor Baretts, employed by Waste Management, for his cheerful demeanor every morning. He asked the Commission if they could pass the information to Waste Management. Mr. Glickstein discussed the driving hazards along Andrews Avenue and Vista Del Mar.

Mr. Moore said he would meet with Public Works and Engineering to discuss the problem.

Laura Simon, Downtown Development Director, favored keeping the outdoor restaurant seating for an extended period time beyond May 1, 2022. She thanked everyone for the Town Hall Meeting.

Miran Aguiliani, said she was disappointed in the lack of choice for middle schools in Delray Beach.

Tom Carney, residing at 135 SE 5th Avenue, Delray Beach, stated that he favored continuing outdoor dining with stricter rules and regulations.

Mayor Petrolia closed public comments.

6. CONSENT AGENDA: City Manager Recommends Approval

Commissioner Boylston motioned to approve the Consent Agenda as amended. Deputy Vice Mayor Casale seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston, Commissioner Johnson

APPROVED AS AMENDED

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[January 11, 2022 Workshop Commission Meeting Minutes - Draft](#)

[February 8, 2022 Workshop Commission Meeting Minutes - Draft](#)

APPROVED

6.B. STATE HOUSING INITIATIVES PARTNERSHIP LOCAL HOUSING ASSISTANCE PLAN (LHAP) FY2022-2025

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)

[Delray2022-2025 FINAL](#)

[2022 Exhibit A Administrative Budget](#)

[2022 Exhibit B Timeline](#)

[2022 Exhibit C Housing Delivery Goals](#)

[2022 Exhibit D Certification](#)

[Simple Legal Review Approval Resolution 61-22](#)

[Exhibit E Resolution 61-22](#)

[Exhibit H - Subordination Policy](#)

APPROVED

6.C. APPROVAL OF HOLD HARMLESS AGREEMENTS FOR SALE OF TWO CANINES

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist K9 HHA Frazier](#)

[Legal Review Checklist K9 HHA Margolis](#)

[Hold Harmless Agreement with Adam Margolis for K9 Ike 2022](#)

[Hold Harmless Agreement with Ryan Frazier for K9 Benny 2022](#)

APPROVED

6.D. APPROVAL OF HOLD HARMLESS AGREEMENT WITH TEMPLE SINAI OF PALM BEACH COUNTY, INC. FOR THE POLICE DEPARTMENT SWAT UNIT TO CONDUCT TRAINING ON PROPERTY LOCATED AT 2475 W ATLANTIC AVENUE, DELRAY BEACH, FL 33445

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)

[Hold Harmless Agreement between City of Delray Beach and Temple Sinai of Palm Beach](#)

[County Inc for SWAT training 2022](#)

[Legal Review Checklist HHA Temple Sinai](#)

APPROVED

6.E. SETTLEMENT IN THE CASE OF GEORGE GRETSAS V. CITY OF DELRAY BEACH

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

Deputy Vice Mayor Casale requested to pull Item No. 6.E. from the Consent Agenda for discussion.

Deputy Vice Mayor Casale inquired on the status of the lawsuit with Mr. George Gretsas.

Ms. Gelin advised that she had filed a motion to dismiss the case, but in the meantime, offered a nominal settlement to Mr. Gretsas, as a litigation strategy.

Commissioner Boylston motioned to approve Item No. 6.E. Deputy Vice Mayor Casale seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston, Commissioner Johnson

APPROVED

6.F. PROCLAMATIONS:

6.F.1. ADMINISTRATIVE PROFESSIONALS WEEK - APRIL 24, 2022, - APRIL 30, 2022

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Administrative Professionals Week](#)

APPROVED

6.F.2. ARBOR DAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Arbor Day Proclamation 2022](#)

APPROVED

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

6.G.1. REPORT OF APPEALABLE LAND USE ITEMS FROM MARCH 21 THROUGH APRIL 8, 2022.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map](#)
[A - Similarity of Use Retail Establishment with Optometrist Services](#)
[B - Delaire Country Club](#)
[C - Gunther Volks](#)
[D - Highland Park Townhomes](#)

[E - PopStroke](#)

[F - Ziree](#)

APPROVED

6.H. AWARD OF BIDS AND CONTRACTS:

6.H.1. APPROVAL OF RESOLUTION NO. 28-22 TO AWARD A CITY STANDARD AGREEMENT WITH BADGER METER INC. FOR WATER METERING TECHNOLOGY PRODUCTS FOR THE UTILITIES DEPARTMENT IN THE NOT-TO-EXCEED ESTIMATED AMOUNT OF -\$770,000 (\$385,000 PER YEAR)

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Badger Meter, Inc.](#)
[RESOLUTION NO. 28-22](#)
[City Standard Memo - Badger Meter Products - signed](#)
[Badger Meter Executed agreement](#)
[Composite Exhibit A](#)

APPROVED

6.H.2. APPROVAL OF RESOLUTION NO. 47-22 TO AWARD AN AGREEMENT WITH START MAINTENANCE, INC. FOR LANDSCAPE MAINTENANCE FOR WEST ATLANTIC AVENUE (CSX RAILROAD TO MILITARY TRAIL) FOR THE PARKS AND RECREATION DEPARTMENT - INITIAL THREE-YEAR TERM COST \$110,550 (\$36,850 PER YEAR)

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Fresh Start Maintenance ITB 2022-017](#)
[Resolution No. 47-22](#)
[ITB 2022-017 Fresh Start Maintenance Agreement - Vendor Executed Redacted](#)

APPROVED

6.H.3. APPROVAL OF RESOLUTION NO. 48-22 TO AWARD AN AGREEMENT WITH FRESH START MAINTENANCE, INC. FOR LANDSCAPE MAINTENANCE START MAINTENANCE, INC. FOR A1A BEACH PROMENADE FOR THE PARKS AND RECREATION DEPARTMENT- INITIAL THREE-YEAR TERM COST \$125,520 (\$41,840 PER YEAR)

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Fresh Start Maintenance ITB 2022-010](#)
[Resolution No. 48-22](#)
[ITB 2022-010 Fresh Start Maintenance Agreement A1A Promenade - Vendor](#)

[Executed Redacted](#)

APPROVED

6.H.4. APPROVAL OF RESOLUTION NO. 49-22 TO AWARD AN AGREEMENT WITH FRESH START MAINTENANCE, INC. FOR LANDSCAPE MAINTENANCE FOR SW 12TH AVENUE (ATLANTIC AVENUE TO SW 3RD STREET) FOR THE PARKS AND RECREATION DEPARTMENT - INITIAL THREE-YEAR TERM COST \$54,960 (\$18,320 PER YEAR)

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Fresh Start Maintenance ITB 2022-011](#)
[Resolution No. 49-22](#)
[ITB 2022-011 Fresh Start Maintenance Agreement - Vendor Executed Redacted](#)

APPROVED

6.H.5. APPROVAL OF RESOLUTION NO. 50-22 TO AWARD AN AGREEMENT TO CONCENTRA HEALTH SERVICES, INC. FOR EMPLOYEE HEALTH AND WELLNESS SERVICES FOR THE HUMAN RESOURCES DEPARTMENT - INITIAL THREE YEAR TERM COST \$3,139,629 (YEAR 1: \$1,021,351; YEAR 2: \$1,046,335; YEAR 3: \$1,071,943)

Sponsors: Human Resources Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Agreement for Services at an Onsite Center with Concentra - Medical Exemption Resolution No. 50-22](#)

APPROVED

7. REGULAR AGENDA:

7. A. APPROVAL OF RESOLUTION NO. 64-22 FOR AN AGREEMENT WITH CBRE, INC. FOR TENANT BROKER AND REAL ESTATE CONSULTANCY SERVICES

Sponsors: Economic Development Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist CBRE](#)
[RESOLUTION NO. 64-22](#)
[CBRE Contract](#)
[Exhibit A- CBRE Proposal to City of Delray Beach Golf Club 04122022 \(002\)](#)

Ms. Sara Maxfield, Economic Development Director, introduced Ms. Lee Anne Korst and Mr. Michael McShea with CBRE. Ms. Maxfield reported that CBRE would help the city prepare a Public-Private Partnership solicitation for the renovation and redevelopment of the Delray Beach Municipal Golf Course located at 2200 Highland Avenue. Ms. Maxfield shared that if approved, CBRE's proposal would include specific services and a fee structure consisting of a cost recovery mechanism for the city when the project is completed.

Mr. McShea highlighted the services that his firm would provide if approved:

- Maximize the city's opportunity while controlling the risk of the project
- Attract qualified development proposals
- Create customized marketing materials that stipulate the city's required renovation and developer upgrade standards
- Market the opportunity with the agreed upon strategy to attract competition for the city
- Support negotiations with the developer to deliver a fair and beneficial project
- Ensure the project achieves the city's vision and economic benefit for the city's citizens

Ms. Lee Anne Korst discussed the approach that CBRE's firm would begin with:

- Meet with the city's stakeholders, elected officials, and residents to discuss assumptions, understanding, and any planned changes to the existing data and project goals.
- Confirm receipt of the information provided to date about the site, including the previous unsolicited proposal(s), deferred maintenance estimates, and ask any questions or request any additional documentation that may have become available
- Present findings at a City Commission Workshop to discuss the redevelopment and priorities

A discussion ensued on ways to move forward.

Vice Mayor Frankel motioned to approve Resolution No. 64-22. Commissioner Boylston seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston, Commissioner Johnson

APPROVED

7. B. RESOLUTION NO. 45-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ABANDONING A PEDESTRIAN INGRESS AND EGRESS EASEMENT IN A PORTION OF THE 16-FOOT-WIDE ALLEY AND A PORTION OF LOT 5 OF BLOCK 61, OF THE TOWN OF LINTON (NOW DELRAY BEACH PLAT) (PLAT BOOK 1, PAGE 3), AND AS MORE PARTICULARLY DESCRIBED HERIN; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES (QUASI JUDICIAL).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res 45-22 Abandonment of Pedestrian Access Easement Sundy Village \(Revised final\)](#)
[Abandon Legal Sketch](#)
[Pedestrian easement to be abandoned](#)
[Pedestrian Easement - Replacement](#)

[Vehicular Easement - Replacement](#)

[Legal Review Res 45-22 Sundy Village Abandonment](#)

Mayor Petrolia read the Quasi-Judicial rules into the record.

Ms. Johnson swore in those individuals who wished to provide testimony on this item.

Mayor Petrolia asked if her colleagues had any ex-parte communications to disclose.

The following was disclosed:

Mayor Petrolia - spoke with the applicant at some point but not about this item.

Vice Mayor Frankel - spoke with the applicant at some point but not about this item.

Deputy Vice Mayor Casale - spoke with the applicant at some point but not about this item.

Commissioner Boylston - spoke with the applicant at some point but not about this item.

Commissioner Johnson - spoke with the applicant at some point but not about this item.

Ms. Anthea Gianniotis, Development Services Director, read File No. 2022-069 into the record.

Ms. Christina Bilenki, an attorney with Dunay, Miskel, and Backman, located at 14 SE 4th Street, Boca Raton, was present on behalf of the applicant to deliver a presentation on the Sundy Village Project's revised vehicular and pedestrian easements.

There were no public comments.

There was no cross-examination or rebuttal from the applicant.

Commissioner Boylston motioned to approve Resolution No. 45-22. It was seconded by Vice Mayor Frankel. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston, Commissioner Johnson

APPROVED

7. C. RESOLUTION NO. 43-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A MAJOR SUBDIVISION OF APPROVING A MAJOR SUBDIVISION APPLICATION FOR A FINAL PLAT FOR A PROPOSED SUBDIVISION KNOWN AS "SUNDY VILLAGE" TO REPLAT: LOTS 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, AND 16, OF BLOCK 61 AND LOT 11 OF BLOCK 62, TOGETHER WITH A PORTION OF ABANDONED ALLEYWAY, OF THE TOWN OF LINTON (NOW DELRAY BEACH) PLAT (PLAT BOOK 1, PAGE 3); LOTS 16, 17, 18, AND A PORTION OF LOT 19, INCLUDING A PORTION OF ALLEYWAY INCLUDING A PORTION OF ALLEYWAY, OF BLOCK 69 OF THE SUBDIVISION BLOCK 69 OF THE SUBDIVISION OF BLOCK 69 PLAT (PLAT BOOK 2,

PAGE 43); LOTS 20, 21, 22, 23, 24, AND A PORTION OF LOT 25, BLOCK 70 OF THE AMENDED PLAT OF SUNDY ESTATES SUBDIVISION (PLAT BOOK 6, PAGE 17); SUBDIVISION (PLAT BOOK 6, PAGE 17); LOTS 1, 2, AND ESTATES PLAT 3 OF THE SUNDY (PLAT BOOK 69, PAGE 166)' AND LOT 1 OF THE RECTORY PARK PLAT (PLAT BOOK 95, PAGE 152), AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Res 43-22 Sundry Village Plat final version with William's revisions](#)

[SUNDY PLAT 11-24-21](#)

[Sundry Village Plat - PZB Staff Report AA](#)

[Sundry Village Map](#)

[Legal Review Res 43-22 Sundry Village Plat \(revised\)](#)

Ms. Gelin advised Resolution No. 43-22 was ministerial and there was no need for discussion.

Vice Mayor Frankel motioned to approve Resolution No. 43-22. Deputy Vice Mayor Casale seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston, Commissioner Johnson

APPROVED

7.D. CITY OF DELRAY BEACH TEMPORARY OUTDOOR USE AREAS

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

Ms. Gianniotis communicated that she was seeking direction on whether the city is sunsetting outdoor businesses and dining in May or establishing a new date.

Mayor Petrolia said she was happy to hear temporary use businesses were operating in front of empty storefronts, giving the illusion that businesses are operating as usual. She expressed her concern that businesses should now begin to pay for the parking spaces they were allowed to use during the pandemic.

Ms. Gelin recommended sunsetting Item No. 7.D. until the second reading, when it becomes an ordinance and will be voted on.

A discussion ensued.

Vice Mayor Frankel made a motion to sunset for thirty days after the second reading of the future ordinance. Commissioner Johnson seconded the motion. The motion was carried by the following vote:

YES: 3 Mayor Petrolia, Vice Mayor Frankel, Commissioner Johnson
NO: 2 Deputy Vice Mayor Casale, Commissioner Boylston

APPROVED

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 12-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING THE FISCAL YEAR 2021/2022 5-YEAR SCHEDULE OF CAPITAL IMPROVEMENTS INTO THE CAPITAL IMPROVEMENTS ELEMENT OF THE COMPREHENSIVE PLAN, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3184; AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A"; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)

- Sponsors:** Development Services Department
- Attachments:** [Agenda Cover Report](#)
[Ordinance No. 12-22](#)
[Ordinance No. 12-22, Exhibit A](#)
[PZB Staff Report](#)
[Fiscal Year 2022/2026 Capital Improvement Program](#)
[Legal Review, Ordinance No. 12-22](#)

Ms. Gelin read Ordinance No. 12-22 into the record. Ms. Gianniotis reported that Ordinance No. 12-22 would provide the necessary amendment to the Comprehensive Plan to reflect the Capital Improvement Plan. Ms. Gianniotis emphasized that Ordinance No. 12-22 would not change the adopted Capital Improvement Plan.

Deputy Vice Mayor Frankel motioned to approve Ordinance No. 12-22 on second reading. Commissioner Boylston seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston, Commissioner Johnson

APPROVED

8.B. ORDINANCE NO. 24-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN AMENDMENT AND UPDATING THE 10-YEAR WATER SUPPLY FACILITIES WORK PLAN, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3184; AS MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ENTITLED "ALWAYS DELRAY COMPREHENSIVE PLAN AMENDMENT, ORDINANCE NO. 24-21," AND INCORPORATED HEREIN BY REFERENCE, PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY

CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE.
(SECOND READING)

- Sponsors:** Development Services Department
- Attachments:** [Agenda Cover Report](#)
[Ordinance No. 24-21: Water Supply Plan Update](#)
[Ordinance No. 24-21: Exhibit A](#)
[Ordinance No. 24-21: Exhibit B](#)
[Ordinance No. 24-21: PZB Report](#)
[DEO Response Letter](#)
[SFWMD Courtesy Review of Changes](#)
[Legal Review, Ordinance No. 24-21](#)

Ms. Gelin read Ordinance No. 24-21 into the record. Mr. Hassan Hadjimiry, Utilities Director, reported on the comprehensive plan amendment to update the 10-year water supply facility. He acknowledged that Ordinance No. 24-21 was a city initiated amendment to the Always Delray Comprehensive Plan.

There were no public comments.

A discussion ensued.

Commissioner Boylston motioned to approve Ordinance No. 24-21 on Second Reading. Deputy Vice Mayor Casale seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston, Commissioner Johnson

APPROVED

9. FIRST READINGS:

9. A. ORDINANCE NO. 10-22: 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, CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.7, "FAMILY/WORKFORCE HOUSING," SECTION 4.7.6, "RENTAL HOUSING UNITS," MODIFYING THE PERMISSIBLE MAXIMUM RENT FOR EACH INCOME CATEGORY; AMENDING SECTION 4.7.7, "FOR SALE HOUSING UNITS," TO ALIGN THE MAXIMUM SALES PRICE REQUIREMENTS WITH STATE STANDARDS; AMENDING SECTION 4.7.8, "RESALE AND SUBSEQUENT RENTALS OF AFFORDABLE UNITS," MODIFYING THE PERMISSIBLE CONVEYANCE OF PROPERTIES WITH RESTRICTIVE COVENANTS; AMENDING SECTION 4.7.11, "DENSITY BONUS TABLES," DELETING THE SECTION IN ITS ENTIRETY, AND RENUMBERING SECTION 4.7.12, "OTHER INCENTIVES," TO REFLECT THE DELETION OF SECTION 4.7.11; PROVIDING A

CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Family/Workforce Housing LDR: Ordinance No. 10-22](#)

[Family/Workforce Housing LDR: PZB Staff Report](#)

[Family/Workforce Housing LDR: Always Delray Map DIA-7](#)

[Legal Review, Ordinance No. 10-22](#)

Ms. Gelin read Ordinance No. 10-22 into the record.

Ms. Gianniotis conveyed that Ordinance No. 10-22 was intended to update the language contained in Ordinance No. 66-04 (Article 4.7) by removing the income amount that would allow developers to receive density bonuses in exchange for income restricted units. She added that the rental rates would not be allowed to exceed the qualifying tenant's income level.

Commissioner Boylston motioned to approve Ordinance No. 10-22 on First Reading. Deputy Vice Mayor Casale seconded the motion. The motion was carried by the following vote:

YES: 5 Mayor Petrolia, Vice Mayor Frankel, Deputy Vice Mayor Casale, Commissioner Boylston, Commissioner Johnson

APPROVED

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

- Mr. Moore shared that there would be a Solid Waste and Recycling Services presentation by the recommended companies for the city to engage with at the beginning of May, followed by the final selection in August.

B. City Attorney

- Ms. Gelin announced that there would be a Public Noise Ordinance Workshop on April 21, 2022 at 6:00 p.m. in the Commission Chamber. She advised that the noise consultant would attend to answer any questions.

City Commission

Commissioner Boylston:

- Requested a consensus to discuss creating a building safety ordinance at the Goal Setting Workshop. Deputy Vice Mayor Casale suggested having an Interlocal

Agreement with Boca Raton to share in the cost of building inspections.

Ms. Gianniotis clarified that currently, the city is not responsible for ensuring that buildings are being correctly maintained.

- Stated there was mention of having affordable housing at the old Plumosa site by the Palm Beach County School District joint session. He discussed possibly entering a partnership with the School Board.
- Said the Business Development Board acknowledged the need for affordable housing.

A discussion ensued about the availability of land in the city.

Mayor Petrolia suggested the city do a housing study survey.

Deputy Vice Mayor Casale acknowledged the need for affordable housing to help young families and the elderly.

- Suggested scheduling a workshop in May after the Affordable Housing Committee meets.
- Recognized the Super Seniors World Tennis Championship would be bringing business to the local economy in the coming weeks.

Commissioner Johnson:

- Reported that she attended the Regional Economic Development Summit for the Treasure Coast Region with Ms. Sara Maxfield, Director of Economic Development.
- Discussed that people are moving to the southern part of the region due to the high cost of homes in the city.
- Discussed Affordable Housing at the latest Community Land Trust meeting.
- Thanked Mayor Petrolia for advocating the city's participation in the 2022 Wyland National Mayor's Challenge for Water Conversation.
- Thanked Ms. Gelin for preparing the non-profit annual reports.
- Pointed out that there could be a liability for allowing children into the Resource Center located in the American Charter School Center after hours.

Mayor Petrolia mentioned discussing this matter with Mr. Moore.

Mr. Oris advised that Neighborhood and Community Services reported the facility

was primarily being used for tutoring services for no more than two children at a time.

Mayor Petrolia inquired about the charges being collected from the Center.

Ms. Gelin clarified there is a license to tutor at the Center and advised that the license could be revoked at any time.

Mr. Moore mentioned this item would be on the agenda shortly.

Commissioner Casale:

- Acknowledged Mr. Metott and his staff for the Turnstiles and Let It Be concert. Ms. Casale commended Mr. Metott for the flashlight Easter Egg Hunt and movie.

Mayor Petrolia thanked Mr. Metott for the sunrise service and service from Pastor Bar at Old School Square.

Mayor Petrolia:

- Asked Mr. Metott about Consent Item No. 6.H.2 and 6.H.3 agreement with Fresh Start Landscape Maintenance Company for the promenade and the pavilion. She acknowledged the Garden Club for the plantings by the promenade and suggested if more plantings were needed, they could apply for a grant.

11. ADJOURNMENT

There being no further business to discuss, Mayor Petrolia adjourned the Regular City Commission Meeting at 6:59 p.m.