City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444
Phone: (561) 243-7000
www.delraybeachfl.gov

Minutes - Draft

Tuesday, June 9, 2026

5:00 PM

Regular Meeting at 5:00 PM

Delray Beach City Hall or Watch on YouTube:
https://www.youtube.com/@cityofdelraybeachfl/streams

City Commission

Mayor Thomas F. Carney, Jr.
Vice Mayor Angela Burns
Deputy Vice Mayor Tom Markert
Commissioner Judy Mollica
Commissioner Juli Casale

1. ROLL CALL

The June 9, 2026 Regular City Commission Meeting was called to order at 5:01 p.m. Patrice Harris, Deputy City Clerk, called the roll, and the following were present:

Terrence Moore, City Manager
Lynn Gelin, City Attorney
Patrice Harris, Deputy City Clerk

Present: 5 - Mayor Thomas F. Carney Jr., Vice-Mayor Angela Burns, Commissioner Judy Mollica , Commissioner Juli Casale, and Deputy Vice Mayor Tom Markert

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

3.A. Additions, Deletions, Substitutions

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Markert, to approve the agenda.

all were in favor

4. PRESENTATIONS:

4.A. None

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

5.A. City Manager's response to inquiries and highlights

Mr. Moore introduced a promotional video for the “Run with the Chief” community-wide special event scheduled for Saturday, June 27, 2026. The event begins at 8:00 a.m. at Libby Wesley Plaza. The video announced that the event was about connection, conversation, and community and would provide an opportunity to meet officers and new recruits.

Mr. Moore stated the City continues efforts to provide education and community outreach regarding illicit discharge, noting the Department of Neighborhood and Community Services has done good work in achieving compliance but that additional public education is needed. He introduced Jeri Pryor, Director of Neighborhood and Community Services, to provide an update.

Ms. Pryor explained that illicit discharge is one of the more serious code violations and presented a brief public outreach overview, which will also be posted on the City’s website. She noted staff is working with Gina

Carter's team to finalize a 30-second educational video on what to do and not do regarding illicit discharge as part of a future public education video library. She explained that anything that is not clear water going into the storm drain is illicit discharge, which can harm the environment, aquatic life, water quality, and public health. She noted an example as chlorine water entering storm drains. She reviewed do's and don'ts for residential and commercial properties, including securing dumpsters, controlling construction materials and sediment, picking up after pets, washing vehicles on grass or at commercial car washes, preventing oil and fluid leaks, avoiding overflowing garbage, over-fertilizing lawns, and keeping grease and food traps from entering storm drains. Ms. Pryor thanked Missie Barletto, Public Works Director, and her team for educating Code Enforcement on identifying illicit discharge. She explained Code Enforcement addresses illicit discharge through the Special Magistrate process, including notices of violation and irreversible fines because the discharge cannot be recovered once it enters the system. She stated the magistrate may impose fines up to $15,000 per violation for residential and commercial properties based on severity and circumstances. She stated illicit discharge cases are treated as public health and safety matters and are scheduled for the next available Special Magistrate hearing when reported or observed. She provided information on accessing the City's Code of Ordinances and reporting concerns through Code Enforcement, Public Works, the app, and online services.

Mr. Moore thanked Ms. Pryor, stating the information shared will continue to foster a community-wide education program to ensure residents and external partners understand compliance efforts and the importance of protecting the community.

Mr. Moore stated that the City in collaboration with the Palm Beach County Sports Commission hosted the Billie Jean King Cup in 2023 and announced that the City has been approached to host again later this year. He noted the proposal includes a $75,000 financial contribution from each organization, along with in-kind contributions for public safety and use of the Delray Beach Tennis Center. Mr. Moore stated the proposal process is being developed and will return to the Commission for formal consideration. Mr. Moore acknowledged the expression of interest by the Commission as formal consensus to collaborate with the Palm Beach County Sports Commission.

5.B. From the Public

Steve English, 33444
Expressed gratitude for the City's work on the opioid settlement funds, thanked the City for refining the proposals and clarifying the impact of funding the paramedicine program, housing, and job reintegration. Spoke

in support of the two proposed Fire Department positions stating the program would serve a different population than existing police outreach efforts and would provide measurable returns.

Patty Jones, 33483
Stated Old School Square Center for the Arts had not received any direct communication from the City regarding the alleged past-due special event invoices and first became aware of the balances through a third party after they were discussed publicly. She said that since February 2022, neither she nor the organization's treasurers had received notices, requested nonprofit concerns be communicated directly before public discussion, reported that her review of the listed invoices indicated approximately $15,500 of the $31,405 appeared to have been paid, and noted she has canceled checks. She stated she had emailed the City Attorney, City Manager, Assistant City Manager, and Finance Department with a line-by-line review and requested supporting documentation.

Commissioner Casale and Mayor Carney requested that Ms. Jones share the email with the Commission.

Stephen Genoulis, 33483
Stated he has noticed aesthetic issues downtown, including dirty sidewalks, weeds in flower beds, and excessive/inconsistent parking signage, noting 19 signs between 1st Street and 2nd Street on Atlantic Avenue compared to approximately two when he moved here. He expressed concerns with beach maintenance, including the handicapped path, a metal piece that caused him to slip and fall, broken/dirty trash cans, and seasonal trash buildup. He requested simple improvements, including pressure washing sidewalks, addressing weeds, fixing trash cans, replacing unreadable signs, and improving parking signage for visitors.

Ann Stacey-Wright, 33444
Expressed concerns about operations and maintenance at the Delray Beach Cemetery, asking what the City is doing to acquire additional burial land and noting many cannot afford the planned mausoleum. She questioned why the cemetery manager works from home, citing difficulty reaching the office, and said the cemetery's condition has declined, with overgrown headstones, damaged memorials, and difficulty locating loved ones. She urged the City to improve cemetery management and return maintenance to the Parks Department.

Cynthia Ridley, 33444
Thanked the Parks and Recreation Department for the recent community event, praising the organization and staff. She also urged the Commission to direct opioid settlement funding back into the community, stating families

in her neighborhood were deeply affected by drugs, incarceration, and addiction, and asked that the funds help those still suffering rather than focus only on prevention.

Montre Bennett, 33444
Expressed concern about emergency tsunami alerts following the recent Cuba earthquake and urged the City to be prepared. He requested the existing Pompey Park pool remain open until the new pool is completed so residents can continue learning to swim, reported a streetlight outage at NW 3rd Avenue and 3rd Street, and asked the City to recognize the new Atlantic High School's Class of 2006 as the first graduating class.

Yvonne Odom, 33445
Expressed concern that the Pompey Park concession stand, which provides storage, offices, meeting space, batting cages, and other amenities, could be demolished without adequate replacement. She urged the City to work with users before removing the facility and ensure needed amenities are preserved. She also raised concerns about limited parking at Little Fenway due to the new fire station, noting it affects families and visitors attending the South Florida Collegiate League baseball games. She invited the Commission to attend the games and stated how proud she was that her grandson plays for the Delray Lightning.

Holly Stewart, Executive Director of Recovery Community Hub, 33444
Spoke in support of using opioid settlement funds for the mobile integrated health unit, stating the plan was developed with input from the Delray Beach Drug Task Force and community members in recovery. She said the funding would support two positions and provide a lifesaving service addressing medical emergencies caused by medication misuse, while preventing repeated emergency responses without addressing underlying causes. She noted Life Skills in Schools is a valuable program but expressed concern about duplicating funding already provided through Caron Foundation and Palm Beach County opioid settlement funds.

Lissa Franklin, Executive Director of the Delray Beach Drug Task Force, 33444
Stated the Task Force provided the Opioid Settlement Advisory Committee with a comprehensive overview developed through a collaborative process to identify gaps, priorities, and practical solutions, with the paramedicine program identified as the top priority and best use of opioid settlement funds. She emphasized the Task Force supports school-based prevention but opposed using limited opioid settlement funds for services that are already adequately funded. She urged the Commission to allocate the restitution funds to the paramedicine program to serve the entire community where funding gaps exist.

Dr. Ashley Ridley, Drug Abuse Foundation of Palm Beach County
Stated the Drug Abuse Foundation has partnered with the City for nearly 60 years, providing prevention, treatment, recovery, and support services to vulnerable residents. She said addiction is a community issue, emphasized that prevention and early intervention save lives, noted the Foundation's treatment completion rate is approximately 68% compared to the state average of 40%, and urged the Commission to support the community's plan for the opioid settlement funds.

Dr. Spencer, 33445
Spoke about using opioid settlement funds for recovery efforts and Caron funds for prevention education. She highlighted founding initiatives through her leadership of the Delray Beach Drug Task Force, clarified that Living Skills in the Schools received $100,000 in county opioid settlement funds for resilience boxes, and said the organization would apply for Caron funds if the Commission allocated opioid settlement funds to the paramedicine program.

Lisa McWhorter, 33483
Stated she was speaking in the capacity of a person in long-term recovery; she also serves on the Opioid Settlement Advisory Committee and is CEO of Wayside House. She expressed strong support for the paramedicine program based on her experiences as a police officer, EMT, and recovery advocate, stating she has seen its positive impact. She clarified the program would follow up only with Delray Beach residents, not every emergency call, and encouraged the City to begin the program at a reduced cost while pursuing additional funding sources.

Alexius Burns, 33445
Stated the community elected a champion to represent its wants and needs and said their champion consistently meets with more than 5,000 residents, works in the community, and obtained 140 signatures supporting the community's position. He questioned why the community continues to repeat its requests despite that representation and urged the Commission to respect the community's elected champion and give the people what they want.

Lucika Suarez, 33444
Stated she had emailed the Commission, except Commissioner Mollica, requesting meetings to discuss adding a dedicated education line item in the budget for Delray Beach students, but had only received a response from Vice Mayor Burns. She requested an opportunity to discuss funding options, noting other municipalities provide school grants through dedicated budget line items. She urged the Commission to listen to the

community's clearly expressed priorities.

Commissioner Casale asked her to resend the email and she agreed.

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Commissioner Casale, seconded by Vice Mayor Burns, to approve the consent agenda.

all were in favor

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: Agenda Cover Report
April 7, 2026 Regular Meeting Minutes - DRAFT.pdf
April 21, 2026 Regular Meeting Minutes - DRAFT
May 19, 2026 Budget Workshop Meeting Minutes - DRAFT.pdf

The Minutes were approved.

6.B. RATIFICATION AND INDEMNIFICATION OF CARLOS PENAGOS IN THE MATTER OF CINDY FALCO-DI CORRADO VS. CITY OF DELRAY BEACH, ET AL

Sponsors: City Attorney Department

Attachments: Agenda Cover Report
Summons and Complaint -Carlos Penagos served 5.26.26

This Request was approved.

6.C. ACCEPTANCE OF AN EASEMENT AGREEMENT FOR PEDESTRIAN CLEAR ZONE AT 102 SE 5TH AVENUE, TOTALING APPROXIMATELY 729 SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN.

Sponsors: Development Services Department

Attachments: Agenda Cover Report
Pedestrian Clear Zone Agreement - 102 SE 5th Ave - 4TRO PROPCO, LLC 2
Legal Review Easement Agreement for Pedestrian Clear Zone - 102 SE 5th Ave - 4TRO Propco LLC
Vicinity Map
C100 SITE PLAN
Owner's Consent
Disclosure of Interests
Warranty Deed
102 SE 5th Avenue - Photos

This Request was approved.

6.D. ACCEPTANCE OF A LANDSCAPE MAINTENANCE AGREEMENT (LMA) FOR A PORTION OF 102 SE 5TH AVENUE AT THE CORNER OF SE 5TH AVENUE AND SE 1ST STREET.

Sponsors: Development Services Department

Attachments: Agenda Cover Report
102 SE 5th Ave Landscape Agreement City
102 SE 5th Ave FDOT Landscape Agreement [Information Only]
Legal Review 102 SE 5th Ave Landscape Agreement City
Legal Review 102 SE 5th Ave Landscape Agreement FDOT
Approved Site Plan
102 SE 5th Avenue - Photos
Disclosure of Interests
Owner's Consent
Vicinity Map
Warranty Deed

This Request was approved.

6.E. ITEM(S) 1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 814 SE 2ND AVE.
ITEM(S) 2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 106 HEATHER LN.

Sponsors: Public Works Department

Attachments: Agenda Cover Report
A1a - Right of Way Deed - 814 SE 2nd Ave - LM One LLC
A1b - Legal Review Right of Way Deed - 814 SE 2nd Ave - KM One LLC
A2a - Right of Way Deed - 106 Heather LN - 106 Heather Lane LLC
A2b - Legal Review Right of Way Deed - 106 Heather LN - 106 Heather Lane LLC

This Request was approved.

6.F. APPROVAL OF THE FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES - FY 2025-2026

Sponsors: Public Works Department

Attachments: Agenda Cover Report

First Amendment_CRA ILA CIP FY 2025-2026

Simple Legal Review Approval CRA ILA CIP Funding

ILA CRA_CITY for FY25-26 Funding Construction Professional Services

This Request was approved.

6.G. APPROVAL OF HOLD HARMLESS AGREEMENT FOR THE SALE OF ONE CANINE

Sponsors: Police Department

Attachments: Agenda Cover Report

K-9 Hold Harmless Margolis-Bo

Legal Review Checklist_K-9 Sale and Hold Harmless Agreement_Margolis 2026

This Request was approved.

6.H. PROCLAMATIONS:

6.H.1. None

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

6.I.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM MAY 22, 2026, THROUGH MAY 29, 2026.

Sponsors: Development Services Department

Attachments: Agenda Cover Report

(SPRAB 5-27) 25-27 SE 3rd Avenue, Bungalows Restaurant

This Request was approved.

6.J. AWARD OF BIDS AND CONTRACTS:

6.J.1. None

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 94-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA AMENDING THE FISCAL YEAR 2025-26 BUDGET ADOPTED BY RESOLUTION NO.198-25 ON SEPTEMBER 15, 2025.

Sponsors: Finance Department

Attachments: Agenda Cover Report
Resolution 94-26
Exhibit A 94-26 w backup
Simple Legal Review Approval- Dani

Ms. Gelin read Resolution No. 94-26 into the record.

Henry Dachowitz, Chief Financial Officer, presented the budget amendment requesting a $272,912.50 expense transfer within the Fire Department from overtime, operating supplies, building rentals and leases, to operating equipment, salaries, FICA and wages to fund critical equipment, a retroactive grievance resolution, and a part-time information technology intern. He clarified the amendment is budget neutral to the General Fund and consists solely of transfers between existing Fire Department line items.

A motion was made by Commissioner Casale, seconded by Vice Mayor Burns, to approve Resolution No. 94-26.

all were in favor

7.B. FOLLOW UP CONSIDERATIONS REGARDING THE TREE TRUST FUND AND COMMUNITY TREE PLANTING PROGRAM

Sponsors: City Manager Department

Attachments: Agenda Cover Report
Tree Trust Fund Balance - Year to Year - 2026-06-01.xlsx

Mayor Carney introduced the follow-up discussion regarding the Tree Trust Fund and the Community Tree Planting Program.

Christian Chitester, Interim Sustainability Officer, made a presentation in response to the Commission's May 19th request for a complete revenue and expense history of the tree planting program. He reported that since 2004, the Tree Trust Fund has received approximately $1.38 million in deposits and expended approximately $1.2 million, leaving a current balance of $199,094.40. He stated the program has generated significant community value, with projections of up to $64 million in benefits by 2050 through stormwater management, heat reduction, energy savings, air quality, public health, and increased property values. He noted the Tree Trust Fund has never been able to solely fund the program, which averages $333,000 annually to plant about 2,000 trees, generating an estimated $800,000 to $1.2 million in annual benefits once established, or a return of $2.50 to $3.80 for every dollar invested. He requested recommendations to move forward with a new tree planting program, whether it be solicitations,

grants, and community partnerships, to continue the program.

Commissioner Casale stated she supports continuing the tree planting program but questioned discussing expansion while the City faces a potential budget deficit. She requested a more accurate assessment of the Tree Trust Fund numbers, noting the spreadsheet she received showed different revenue and expense totals than those presented. Mr. Moore explained the earlier spreadsheet was a preliminary response and staff continued reviewing the figures with the Finance Department, including updated 2020 deposit information. He confirmed the figures presented that evening were the most current and accurate.

Commissioner Casale asked about the $92,924.27 encumbered balance. Mr. Chitester explained it represented three unpaid invoices for the current year's program that have since been paid. He stated staff expanded the financial review back to 2004 after earlier figures did not reconcile, resulting in accurate totals.

Commissioner Casale reiterated her support for the tree planting program but stated she could not support moving forward until the City's budget priorities were determined, noting potential funding needs for road paving. She suggested discussing the program further after the budget process.

Mr. Moore stated additional budget guidance would occur during the July budget process and noted staff would explore external funding opportunities, including partnerships and a formal selection process, since the Community Greening agreement was expiring on June 15, 2026. He emphasized the purpose of the presentation was to provide a complete and accurate financial history of the Tree Trust Fund.

Commissioner Mollica expressed interest in pursuing partnerships and grants to help fund the program. Mayor Carney agreed, stating he supported exploring additional partners and funding sources to continue the tree planting program and improve the City's tree canopy.

Mayor Carney passed the gavel to Vice Mayor Burns and left the dais at 6:01 p.m.

Commissioner Casale asked whether a tree impact fee could be added with the upcoming impact fee discussion. Mr. Moore replied that staff would return with recommendations as part of the FY 2026-2027 proposed budget process.

7.C. RESOLUTION NO. 102-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE RUN WITH THE CHIEF TO BE HELD JUNE 27,

2027; AUTHORIZING THE CLOSURE OF ATLANTIC AVENUE FROM NW 5TH AVENUE (LIBBY WESLEY PLAZA) TO NE 2ND AVENUE AS MORE SPECIFICALLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: City Manager Department

Attachments: Agenda Cover Report
Amended Run With the Chief
Run with the Chief - New Route
Impact Event Resolution Run With the Chief
Simple Legal Review Approval- Dani

Ms. Gelin read Resolution No. 102-26 into the record.

Deputy Vice Markert identified a typo in the caption of the resolution. Ms. Gelin stated that the year should be 2026 and noted the motion should include as amended and the resolution will be fixed.

A motion was made by Commissioner Casale, seconded by Deputy Vice Mayor Markert, to approve Resolution No. 102-26 as amended.

all were in favor

7.D. MOTION TO APPROVE AN EXPENDITURE PLAN FOR OPIOID SETTLEMENT FUNDS FOR 2026-2027

Sponsors: City Manager Department

Attachments: Agenda Cover Report
FL Opioids Agreement with Exhibits
Delray Opioid Settlement Annual Funding Estimate
Policy GA-11 - Expenditures of Opioid Litigation Settlement Funds (signed)
26-27 Available Opioid Funds
OSAC recommendation- signed
DBDTF Opioid Settlement Suggestions_
MIH - Detailed Labor Cost-Calculator-2026-Update

Mr. Moore introduced the presentation on the FY 2026-2027 Opioid Settlement Fund Expenditure Plan, stating staff was fulfilling its commitment to provide a thorough presentation outlining available opportunities and to obtain Commission guidance.

Mayor Carney returned to the dais at 6:04 p.m.

Jeff Oris, Assistant City Manager, provided an overview of the FY 2026-2027 Opioid Settlement Fund Expenditure Plan options. He explained the City receives annual opioid settlement allocations through the State of Florida and must submit an annual expenditure plan to the Florida Department of Children and Families (DCF) by July 1 and report expenditures through the DCF portal. He stated the funds may be used by the City or qualified outside organizations for eligible opioid-related treatment, recovery support, prevention, and limited administrative costs.

Mr. Oris reported the City currently has $395,524.93 available, including prior-year balances and anticipated allocations. He noted the Opioid Settlement Advisory Committee (OSAC) reviews funding priorities annually and provides recommendations to the Commission before adoption of the annual spending plan.

Mr. Oris presented a funding framework based on recommendations from OSAC and the Delray Beach Drug Task Force, identifying four community priorities: (1) a Mobile Integrated Health Unit to fund up to 50% of opioid-related startup costs (approximately $251,000); (2) workforce and job assistance grants; (3) affordable/supportive housing grants; and (4) mixed grant funding for the most impactful recovery support programs. He stated the grant programs would be awarded through a competitive Request for Proposal (RFP) process.

Mr. Oris explained the recommendations emphasize recovery support rather than treatment, as community feedback indicated treatment resources are available but additional support is needed to reduce recidivism through employment, housing, transportation, and mentoring. He added prevention initiatives were not included because the City already has $947,566 in Caron Foundation funding dedicated to prevention and education.

Mr. Oris reported the Opioid Settlement Advisory Committee met nine times between August 2025 and April 2026 and recommended using 100% of the available funds for a mobile integrated health unit, although the refined startup cost no longer requires the full amount.

Mr. Oris presented three funding framework options: **Option 1** funds 50% of the Mobile Integrated Health Unit startup cost ($125,500) and divides the remaining funds between workforce/job assistance and affordable/supportive housing grants; **Option 2** allocates funding to workforce/job assistance and affordable/supportive housing without funding the mobile integrated health unit; and **Option 3** provides a mixed grant pool for eligible recovery support programs. Mr. Oris stated grant

applications would be solicited through a competitive RFP process and evaluated based on organizational investment, matching funds, experience, measurable outcomes, and program success. He explained staff would prepare the DCF expenditure plan, develop the RFP with input from the Opioid Settlement Advisory Committee, review applications for compliance, obtain committee rankings, and present final recommendations to the Commission. He concluded that opioid settlement funds may be used for a broad range of eligible treatment, recovery, and prevention activities for individuals with opioid use disorder and invited Commission direction on how the funds should be allocated.

Commissioner Mollica asked whether all funds must be included in the expenditure plan. Mr. Oris replied the intent is to account for and expend them as quickly as practical. Commissioner Mollica stated she supported Option 1.

Vice Mayor Burns stated she initially favored Option 3 but, after considering input from the OSAC and members of the recovery community, supported Option 1.

Commissioner Mollica noted that Option 1 would still require $125,000 from another funding source to complete the Mobile Integrated Health Unit startup. She suggested exploring a partnership with Delray Medical Center, noting the program could reduce repeat hospital visits and provide mutual financial benefits. Mr. Oris confirmed the additional $125,000 would be required.

Mr. Oris stated the Mobile Integrated Health Unit should be viewed as a potential investment rather than solely an expenditure. He noted some individuals with opioid addiction were transported to the hospital more than 50 times in the previous year, with one exceeding 100 transports, and stated reducing repeat emergency responses could generate savings while improving outcomes. He explained the program would also provide follow-up care, fall prevention education, home safety assessments, and opioid education for seniors prescribed pain medications. He emphasized the program would serve Delray Beach residents only, providing follow-up services and community outreach to City residents. He concluded that the decision on funding priorities rests with the Commission.

Deputy Vice Mayor Markert stated he met with Mr. Oris to review the proposed expenditure plan and emphasized the importance of following the recommendations of the community and the OSAC. Acknowledging the difficulty of quantifying prevention efforts, he expressed support for Option 1.

Commissioner Casale emphasized that the City would continue working separately with Caron Foundation funding for prevention efforts, stating that prevention is critical. She stated she was considering Options 2 and 3 and requested clarification on what the Mobile Integrated Health Unit follow-up services would include after an overdose patient is discharged from Delray Medical Center. Mr. Oris referred the question to Chief Martin for details on the services provided by the unit.

Ronald Martin, Fire Chief, explained that the Mobile Integrated Health Unit is intended to address a gap in the healthcare system by providing follow-up care after patients are discharged from the hospital. He stated the unit would work with Delray Medical Center to ensure patients receive appropriate follow-up care, education, resources, and connections to social service networks.

Commissioner Casale questioned how one or two Fire Department employees could effectively provide the service and asked whether existing nonprofits could be funded instead. She acknowledged the program's value but expressed concern about creating additional positions and long-term costs. Chief Martin stated hospitals provide social work and follow-up resources when available but those services are limited. He acknowledged other agencies may provide similar services but stated a City program could provide a positive return to the community and present a need to potentially expand in the future. Commissioner Casale reiterated support for the goal of the program but questioned whether funding an established organization would be more financially efficient than starting a new program. She requested information on local organizations already providing these services and expressed support for incorporating funding for workforce assistance and affordable/supportive housing.

Mayor Carney stated that three Commissioners had selected Option 1 and that he would support it as well. He emphasized the need to better utilize Caron Foundation funds for prevention efforts and address how to prevent repeat opioid incidents. Mr. Oris stated the OSAC would review opportunities for using those funds and discuss them at its next meeting. Mayor Carney expressed support for Option 1 and asked whether a motion was required. Ms. Gelin recommended a motion since the expenditure plan must be submitted to the state.

A motion was made by Commissioner Mollica, seconded by Deputy Vice Mayor Markert, to approve Option 1 for the use of the opioid settlement funds. Mayor Carney asked if all were in favor and requested clarification from Commissioner Casale regarding her response. Commissioner Casale stated she had long-term concerns but would support the majority.

The motion passed.

Mayor Carney thanked Mr. Oris for the presentation and requested a follow-up regarding the use of Caron Foundation funds from OSAC. Mr. Oris stated he would take the grant framework to the Opioid Settlement Advisory Committee and request recommendations on grant criteria, including desired statistics, data metrics, and matching requirements.

Commissioner Casale asked how much opioid settlement funding should have already been utilized. Mayor Carney requested the information be shared with all Commissioners. Mr. Oris stated the State advised that if the City changes its plan or does not spend funds as originally proposed, the City can amend it and upload the revised plan. Ms. Gelin clarified that the State does not take away the funds but expects the City to use them appropriately.

7.E. NOMINATION FOR AN APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR AN APPOINTMENT FOR TWO (2) TAX QUALIFIED MEMBERS AND TWO (2) AT LARGE MEMBERS TO SERVE A TERM ENDING JULY 1, 2029, WILL BE MADE BY MAYOR CARNEY (SEAT #5) DEPUTY VICE MAYOR MARKERT (SEAT #1), COMMISSIONER MOLLICA (SEAT #2) AND COMMISSIONER CASALE (SEAT #3).

Sponsors: City Clerk Department

Attachments: Agenda Cover Report
Exhibit A
DDA Board Member List
DDA 2026 Attendance
DDA Map
Amani, Sandra - At Large
Arnold, Andrew - Qualified
Arsali, Benjamin - Qualified
Cannon, Paul - At Large
Cantwell, Robert - At Large
Cohen, Steven - At Large
Devitt, Cole - At Large
Donten, Terri - Qualified
Fredericks, Carol - At Large
Kiser, Mereida - At Large
Lakow, Jason - Qualified
Purdo, Linda - At Large
Rosen, Brian - Qualified
Rubenstein, Stuart - At Large
Walden, George - At Large
Wiggins, Page - At Large

Mayor Carney nominated Brian Rosen.

all were in favor

Deputy Vice Mayor Markert nominated Jason Lakow.

all were in favor

Commissioner Mollica nominated Robert Cantwell.

all were in favor

Commissioner Casale nominated Cole Devitt.

all were in favor

7.F. APPROVAL OF AMENDMENT NO. 2 TO AGREEMENT RFQ NO. 2024-031 WITH CORE CONSTRUCTION FOR CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES FOR THE POMPEY PARK RECREATION CENTER PROJECT, ESTABLISHING A GUARANTEED MAXIMUM PRICE (GMP) OF $59,193,363.00

Sponsors: Public Works Department

Attachments: Agenda Cover Report
Amendment No. 2_RFQ 2024-031 (GMP)
Legal Review_Amend. No. 2 to RFQ 2024-041 (GMP)
Amendment No. 1_RFQ 2024-031
Original Agreements_RFQ No. 2024-031

Missie Barletto, Public Works Director, presented the Guaranteed Maximum Price (GMP) Agreement with CORE Construction and addressed community concerns regarding the existing concession stand. She stated CORE agreed to demolish the existing concession stand at no cost after the new community center is constructed and the existing community center is demolished; the area will be grassed over, with a restroom trailer provided and, if desired by the community, a concession trailer. Staff will continue working with the community on a new concession stand/press box, and CORE agreed not to charge management fees for overseeing its construction, although it will be an additional City cost. Design plans from 2017 for the existing stand at Little Fenway could be repurposed to expedite the process, subject to community input.

Ms. Barletto explained the GMP and the construction manager-at-risk method. It occurs in two phases, involves identifying conflicts, cost savings, value engineering, bid leveling, and GMP alternates. The initial $65.8 million offering was reduced to $63.3 million, then to $59.39 million after further negotiations on contingencies, escalation, and fees, which the Commission and Community Redevelopment Agency (CRA) reached consensus to accept on May 26, 2026. An existing pre-construction services invoice was subsequently withdrawn, bringing the total to $59.19 million. The total includes $44 million in cost of work, $10 million in general conditions, a 4.5% construction manager's fee of $2.435 million, construction manager's contingency, document completion and owner's contingency, escalation contingency, and $202,871 in pre-construction phase services already paid but included in the GMP.

Mayor Carney thanked Ms. Barletto for the presentation. Ms. Barletto introduced Sam Metott, Director of Parks and Recreation.

Mayor Carney mentioned a letter he received that day stating that another company could save approximately $4.2 million and complete the project within 90 days. Ms. Barletto stated she could not speak to the proposed savings without reviewing how the company arrived at the $4 million reduction, but found the 90-day timeline highly unlikely due to contract negotiations, Commission approval, subcontractor bidding, bid leveling, and final negotiations.

Commissioner Mollica requested clarification for the public regarding the $4.2 million proposal. Mayor Carney explained that the second-ranked company had reviewed the price and stated it could reduce it by approximately $4.2 million and complete the process within 90 days. Ms. Barletto added that the company had not seen the itemized $44 million in hard costs, so she did not know how it arrived at its proposed number.

Commissioner Casale questioned the fees associated with the current process. Mr. Moore stated an invoice was eliminated, resulting in an additional adjustment of approximately $200,000. Ms. Barletto explained that staff expected the incorporated fees, but some were at higher percentages than anticipated, and staff had been somewhat successful in negotiating them down. Commissioner Casale stated that if the proposal saved taxpayers $4,220,449, she believed the City should proceed with it even if it took 90 additional days.

Vice Mayor Burns opposed changing course, stating it would undermine the community's trust in the process; CORE was the first choice, the GMP had been reached, funding was available, and the community had waited decades for the project. She emphasized that the project was not always about money and that the community wanted a contractor that would work with the community, noting CORE was working with two local firms. She supported moving forward with CORE Construction.

Commissioner Mollica stated that while $4 million was significant, the other company had not reviewed the hard costs, and subcontractor pricing could be higher due to tariffs and oil costs. She was not willing to gamble on a promise and supported moving forward with the existing contract.

Deputy Vice Mayor Markert asked how long the process would take if the City changed course. Ms. Barletto estimated five months in a perfect world, noting that the world is not perfect.

Commissioner Casale reiterated that the proposed company specifically identified areas for cost savings, stated it had reviewed the GMP, and was guaranteeing the proposed price.

Mayor Carney then requested a motion.

A motion was made by Vice Mayor Burns, seconded by Commissioner Mollica, to approve amendment two to the agreement for the RFQ with CORE Construction Company for the guaranteed maximum price of $59,193,363.00. Vice Mayor Burns requested a roll call vote.

Yes: 4 - Mayor Carney Jr., Vice-Mayor Burns, Commissioner Mollica, and Deputy Vice Mayor Markert

No: 1 - Commissioner Casale

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 11-26: 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 4.4, "BASE ZONING DISTRICT," SECTION 4.4.9, "GENERAL COMMERCIAL (GC) DISTRICT," TO CHANGE PET GROOMING FROM A CONDITIONAL USE TO A PERMITTED USE; AMENDING SECTION 4.4.11, "NEIGHBORHOOD COMMERCIAL (NC) DISTRICT," TO CHANGE PET GROOMING FROM A CONDITIONAL USE TO A PERMITTED USE; AMENDING SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (C), "ALLOWABLE USES," TABLE 4.4.13(A), "ALLOWABLE USES AND STRUCTURES IN THE CBD SUB-DISTRICTS," TO CHANGE PET GROOMING FROM A CONDITIONAL USE TO A PERMITTED USE FOR ALL SUB-DISTRICTS; AMENDING SECTION 4.4.19, MIXED INDUSTRIAL AND COMMERCIAL (MIC) DISTRICT," TO CHANGE PET HOTEL, DOMESTIC ANIMAL TRAINING, AND DAYTIME BOARDING FROM A CONDITIONAL USE TO A PERMITTED USE AND CHANGE PET GROOMING FROM A CONDITIONAL USE TO AN ACCESSORY USE; AMENDING SECTION 4.4.20, "INDUSTRIAL (I) DISTRICT," TO CHANGE PET HOTEL, DOMESTIC ANIMAL TRAINING, AND DAYTIME BOARDING FROM A CONDITIONAL USE TO A PERMITTED USE AND CHANGE PET GROOMING FROM A CONDITIONAL USE TO AN ACCESSORY USE; AMENDING SECTION 4.4.26, "LIGHT INDUSTRIAL (LI) DISTRICT," TO CHANGE PET HOTEL, DOMESTIC ANIMAL TRAINING, AND DAYTIME BOARDING FROM A CONDITIONAL USE TO A PERMITTED USE AND CHANGE PET GROOMING FROM A CONDITIONAL USE TO AN ACCESSORY USE; AMENDING SECTION 4.4.29, "MIXED RESIDENTIAL, OFFICE AND COMMERCIAL (MROC) DISTRICT," TO CHANGE PET GROOMING FROM A CONDITIONAL USE TO A PERMITTED USE; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING / PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: Agenda Cover Report

Ordinance No. 11-26, Pet Services

PZB Staff Report, Pet Services

Legal Review, Ordinance No. 11-26

Business Impact Estimate, Ordinance No. 11-26 Pet Services

Proof of Display Ad, Ordinance No. 11-26

Ms. Gelin read Ordinance No. 11-26 into the record. She noted there would be two public hearings.

Mayor Carney opened the floor to public comment. Seeing no one present, Mayor Carney closed public comment.

A motion was made by Commissioner Casale, seconded by Vice Mayor Burns, to approve Ordinance No. 11-26.

all were in favor

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

None.

B. City Attorney

Ms. Gelin advised that she received a draft complaint to be filed against the Town of Highland Beach, as previously discussed. She stated there had been no contact with Highland Beach's counsel despite assurances that contact would be made with the City's outside counsel, and that Florida law requires mediation before the City can proceed. She stated she would send the draft to the Commission tomorrow for review. If there are no changes, she anticipated filing the complaint before the end of the week and then reaching out for mediation. The claim would be for breach of contract and breach of the covenant of good faith and fair dealing; the complaint would not specify an actual amount. She stated she believed after filing, the City could hold a shade meeting to discuss settlement options.

C. City Commission

Commissioner Casale:
Thanked the Police Department for its quick and helpful response to a recent incident involving a woman in need of assistance.

Expressed excitement for the Run with the Chief Event.

Thanked the Police and Fire Departments for their educational videos, as well as Communications Director Gina Carter.

Praised the Old School Square exhibit, *Persistence of Matter: From Forgotten to Unforgettable*, and thanked Laura Simon and Marusca Gatto for the exhibit.

Requested consensus for the City Attorney to look into a motorized bike/e-bike ordinance, noting concerns about children riding e-bikes and dirt-bike-style vehicles around downtown, pedestrians, and traffic. She referenced Lake Worth Beach's recent ordinance. There was consensus among the Commission.

Requested consideration of implementing the lobbying ordinance previously discussed. Mayor Carney stated he had not yet read it. Ms. Gelin offered to make it a discussion item for potential consensus. Commissioner Mollica expressed concern that emails may have been going to her Planning & Zoning Board email address as she had not received it. Ms. Gelin stated she would double check. Commissioner Casale noted that Boca had adopted an ordinance and stated she thought they should do it as well.

Deputy Vice Mayor Markert:
Raised concerns about a mob scene over the weekend at A1A and Atlantic, noting similar incidents and emails involving Wellington Mall and West Palm Beach. He stated several Delray Beach merchants closed their doors because conditions were unsafe, with unsubstantiated reports of gunshots, and residents had expressed concern. He noted the individuals appeared to be generally under 18, said he did not want to see minors arrested, and planned to speak with Chief Hunter and the FBI to determine where the emails were coming from. He asked the Commission to remain diligent and requested that any information or feedback be provided to him so he could serve as a conduit to the Chief and the bureau, emphasizing that residents should feel safe and merchants should not have to close early on a Saturday night.

Commissioner Molllica:
None.

Vice Mayor Burns:
Raised concerns regarding the condition, maintenance practices, and historic sections of the cemetery, stating she conducted independent

fact-finding visits and is very, very concerned. She noted there is no master plan and requested one, as well as an update on the 2024 historic designation survey. She also cited mixed communication regarding available plots and concerns that families are being unable to obtain burial space and referenced the cemetery report recommending that cracked or broken gravestones be repaired by qualified professionals or a specialized conservator. She stated there are many damaged gravestones without repair and requested a workshop to discuss how to move forward with caring for the cemetery to assure the community that the City is concerned.

Commissioner Markert requested a tour of the cemetery. Vice Mayor Burns also raised concerns regarding a tree proposed for removal and its potential impact on surrounding gravesites.

Mr. Moore stated he intended to provide a comprehensive overview during the July 14 regular meeting, followed by a workshop to address additional expectations. Vice Mayor Burns requested that the discussion include a master plan and maintenance guidance consistent with the specialized recommendations in the existing document.

Mayor Carney requested to view the historic study and stated that historic designation could provide opportunities for outside funding to help preserve the cemetery. Vice Mayor Burns requested that staff locate the study, noting the City had already received approval. Commissioner Mollica noted the cemetery had been discussed during goal setting, but Frog Alley was prioritized. Mayor Carney and Vice Mayor Burns agreed the cemetery should be an easier lift, and Ms. Gelin noted that the property is City-owned.

Vice Mayor Burns also raised concerns about cemetery records, stating that her father was buried there in 1974 but his exact location remains unknown and the online database could not locate his record. Mr. Moore acknowledged that there are record-keeping issues dating back decades and mentioned the proposed July 14 general overview followed by a workshop to address cemetery issues and provide the necessary attention, focus, and resources.

Mayor Carney:
Requested that the City explore keeping the Pompey Park pool open during construction for as long as possible, noting it is a community pool that is used a lot and referenced the approach taken with the golf course.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 7:12 p.m.

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the Human Resources Department at (561) 243-7125 at least 24 hours prior to the program or activity for the City to reasonably accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers.