

# City of Delray Beach

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## Minutes Draft

Tuesday, January 19, 2021

4:00 PM

Regular Meeting at 4:00 PM

Virtual Meeting

## City Commission

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

## 1. ROLL CALL

The Regular City Commission Meeting was called to order at 4:00 p.m.

The roll call was taken by City Clerk Katerri Johnson. The following were present:

***Present 5:** Mayor Shelly Petrolia, Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale.*

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

### AGENDA APPROVAL

Others present were:

City Attorney, Lynn Gelin

Interim City Manager, Jennifer Alvarez

City Clerk, Katerri Johnson

Commissioner Frankel made a motion to approve the agenda. It was seconded by Vice Mayor Boylston. The motion carried by the following vote:

***YES:** 5 Mayor Shelly Petrolia, Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale*

## 4. PRESENTATIONS:

### 4.A. PRESENTING MOLLY DALY, ASSISTANT SUSTAINABILITY PLANNER, WITH EMPLOYEE OF THE MONTH FOR AUGUST 2020.

**Body:** **Recommended Action:**

**Recommendation:** Motion to present Molly Daly, Assistant Sustainability Planner, with Employee of the Month for August 2020.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Molly Daly Nomination Form.pdf](#)

LeShay Ferguson, Human Resources Generalist, recognized Molly Daly as Employee of the Month for August 2020.

Kent Edwards, Sustainability Officer, commended Ms. Daly for her exceptional work.

Ms. Daly accepted her award and received eight hours off with pay.

### 4.B. PRESENTING BRIAN RUSCHER, TRANSPORTATION PLANNER, WITH EMPLOYEE OF THE MONTH FOR SEPTEMBER 2020.

**Body:** **Recommended Action:**

**Recommendation:** Motion to present Brian Ruscher, Transportation Planner, with Employee

of the Month for September 2020.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Brain Ruscher Nomination Form.pdf](#)

LeShay Ferguson, Human Resources Generalist, recognized Brian Ruscher, Transportation Planner, as Employee of the Month for September 2020.

Anthea Gianniotis, Development Services Director, shared how valuable Mr. Ruscher is to the department.

Mr. Ruscher accepted his award and received eight hours off with pay.

**4.C.** *PRESENTING JOHN WAGNER, FIREFIGHTER/PARAMEDIC, WITH  
EMPLOYEE OF THE MONTH FOR OCTOBER 2020.*

**Body:** **Recommended Action:**

**Recommendation:** Motion to present John Wagner, Firefighter/Paramedic, with Employee of the Month for October 2020.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[John Wagner Nomination Form.pdf](#)

LeShay Ferguson, Human Resources Generalist, recognized John Wagner, Firefighter/Paramedic, as Employee of the Month for October 2020.

Battalion Chief Beardsley gave a few words about Mr. Wagner going above and beyond his role to assist the Fire Department.

Mr. Wagner accepted his award and received eight hours off with pay.

**4.D.** *PRESENTING PAULA WOLFE, SENIOR CLAIMS SPECIALIST, WITH  
EMPLOYEE OF THE MONTH FOR NOVEMBER 2020.*

**Body:** **Recommended Action:**

**Recommendation:** Motion to present Paula Wolfe, Senior Claims Specialist, with Employee of the Month for November 2020.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[Paula Wolfe Nomination Form.pdf](#)

LeShay Ferguson, Human Resources Generalist, recognized Paula Wolfe, Senior Claims Specialist, as Employee of the Month for November 2020.

Eddie DeMicco, Risk Manager, shared how Ms. Wolfe thinks outside of the box and that she is a tremendous asset to her department and the City.

Ms. Wolfe accepted her award and received eight hours off with pay.

## **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.*

Jennifer Alvarez, Interim City Manager, reported that she had not received any official notice from the Department of Health regarding the City's water.

Vice Mayor Boylston expressed concern about how a draft letter about water contamination allegations had circulated the internet and media, before notifying any City Official.

The Commissioners expressed their concerns and engaged in a discussion with Ms. Alvarez and Ms. Gelin about how to address this issue.

Lynn Gelin, City Attorney, stressed that the article was a draft, and a final product was not received by outside counsel. She informed the Commissioners that the City can exercise their right to contest the findings of the final product.

Ms. Alvarez reported she had received a phone call from Mr. Rafael Reyes from the Florida Department of Health where he confirmed there has not been any fine submitted to the City of Delray Beach. Ms. Alvarez assured the Commission that she would be working with the Public Information Officer to clear up any misinformation.

### *B. From the Public*

Mavis Benson, residing at 800 Greenwood Court, Delray Beach, asked the Commissioners for consideration to discuss hours of usage for the downtown standalone bars.

Neil Schiller, Attorney with Saul, Ewing, Arnstein, and Lehr, residing at 515 N Flagler Dr, West Palm Beach, requested the Commission to expand the hours of operation past 9:00 p.m. for outside restaurants and bars in the City of Delray Beach.

Peter Arts, Chairman of the Downtown Development Authority, residing at 1746 Fern Forest Place, Delray Beach, urged the Commission to allow standalone bars to utilize their outside patios for patrons during all hours of operation.

City Clerk, Katerri Johnson, stated that concluded public comments.

## **6. CONSENT AGENDA: City Manager Recommends Approval**

Vice Mayor Boylston motioned to approve the Consent Agenda. It was seconded by Commissioner Frankel. The motion carried by the follow vote:

**YES :** 5 Mayor Shelly Petrolia, Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale

**6.A. CITY COMMISSION MEETING MINUTES**

**Body: Recommended Action:**

**Recommendation:** Motion to approve meeting minutes as listed below:

October 13, 2020 Workshop Meeting  
October 20, 2020 Regular City Commission Meeting  
November 10, 2020 Regular City Commission Meeting  
November 17, 2020 Regular City Commission Meeting  
November 20, 2020 Special City Commission Meeting  
December 1, 2020 Regular City Commission Meeting

**Sponsors:** City Clerk Department

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

[October 13, 2020 Workshop Meeting Minutes DRAFT](#)

[October 20 2020 Regular Commission Meeting DRAFT](#)

[November 10 2020 Regular Commssion Meeting Minutes DRAFT](#)

[November 17 2020 Regular Meeting Minutes DRAFT](#)

[November 20 2020 Special Commission Meeting DRAFT](#)

[December 1 2020 Regular Commission Meeting Minutes DRAFT](#)

**6.B. RESOLUTION NO. 08 21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CALLING FOR A NONPARTISAN ELECTION TO BE HELD ON TUESDAY, MARCH 09, 2021; AND A SECOND NONPARTISAN ELECTION, IF NECESSARY, ON TUESDAY, MARCH 23, 2021; SUCH ELECTIONS TO BE HELD FOR THE ELECTION OF TWO CITY COMMISSIONERS AND A MAYOR; APPOINTING THE CITY CLERK, THE DEPUTY CITY CLERK, AND THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS, OR DESIGNEE, AS ADDITIONAL MEMBERS OF THE CITY OF DELRAY BEACH CANVASSING BOARD TO CANVASS ALL ABSENTEE BALLOTS; TO CANVASS THE MUNICIPAL ELECTION, ALONG WITH THE CITY'S CANVASSING BOARD; AND TO CONDUCT THE LOGIC AND ACCURACY TESTING FOR ALL ELECTION MACHINERY; AUTHORIZING THE CITY CLERK TO DO ALL THINGS NECESSARY TO CONDUCT THE NONPARTISAN ELECTION; PROVIDING THE TIME, MANNER, AND MEANS OF HOLDING SAID**

*ELECTION, PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.*

**Body: Recommended Action:**

**Recommendation:** Motion to approve Resolution No. 08 21.

**Sponsors:** City Clerk Department

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

[RESOLUTION NO 08 21 Notice of Election Canvassing Board rev lq  
rev  
Simple Legal Review Approval 08 21](#)

**6.C.**

*APPROVE RESOLUTION NO. 22 21 AUTHORIZING A GRANT AGREEMENT WITH FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION IN THE AMOUNT OF \$3,211,945 FOR MANAGEMENT OF THE CITY OF DELRAY BEACH'S (CITY) SHORE PROTECTION PROJECT (PROJECT NO.17 081)*

**Body: Recommended Action:**

**Recommendation:** Motion to approve Resolution No. 22 21 authorizing a Grant Agreement with the Florida Department of Environmental Protection (FDEP) for assistance with funding the City's Shore Protection Project (Project No. 17 018) in amount of \$3,211,945.

**Sponsors:** Public Works Department

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

[Resolution 22 21 1 19 21](#)

[Legal Review DEP State Grant Agreement Res 22 21](#)

[21PB2 Delray Beach Shore Protection Project](#)

**6.D.**

*WORKFORCE HOUSING COVENANT BETWEEN THE CITY OF DELRAY BEACH AND ETHAN JOSEPH HOMES, LLC*

**Body: Recommended Action:**

**Recommendation:** Motion to approve the Workforce Housing Covenant between the City of Delray Beach and Ethan Joseph Homes, LLC

**Sponsors:** City Attorney Department

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

[Delray Ethan Homes Workforce Covenant](#)

**6.E. PROCLAMATIONS:**

6.E.1. None

**6.F. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:****6.F.1.                   REPORT OF APPEALABLE LAND USE ITEMS FROM DECEMBER 14, THROUGH DECEMBER 28, 2020.**

**Body:** **Recommended Action:**

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

**Sponsors:** Development Services Department

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

[Appealable Items Map](#)

[A 105 NE 6th Street](#)

[B 53 SE 7th Ave](#)

[C 142 S. Ocean Blvd](#)

**6.G. AWARD OF BIDS AND CONTRACTS:****6.G.1.                   APPROVAL OF RESOLUTION NO. 33 21 TO RATIFY AGREEMENTS WITH RED WING SHOE STORE AND SAFETY SHOES DISTRIBUTORS, LLP FOR THE SUPPLY AND DELIVERY OF SAFETY FOOTWEAR PREVIOUSLY EXECUTED BY THE CITY MANAGER PURSUANT TO THE EMERGENCY PURCHASING AND PROCUREMENT PROCEDURES OUTLINED IN RESOLUTION 76 20 AS WELL AS CHAPTER 95 OF THE DELRAY BEACH CODE OF ORDINANCES.**

**Body:** **Recommended Action:**

**Recommendation:** Motion to approve Resolution No. 33 21 to ratify agreements with Red Wing Shoe Store and Safety Shoes Distributors, LLP for the supply and delivery of safety footwear previously executed by the City Manager pursuant to the emergency purchasing and procurement procedures outlined in Resolution 76 20 as well as Chapter 95 of the Delray Beach Code of Ordinances in the estimated amount of \$52,500; and authorize the City Manager to approve renewal options, in the amounts below, contingent on the appropriation of funds.

**Sponsors:** Purchasing Department

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

[Legal Review Checklist Safety Footwear Red Wing Shoes Store](#)

[Legal Review Checklist Safety Footwear Safety Shoe Distributors LLP](#)

[Red Wing Shoes Executed Agreement](#)

[Safety Shoe Distributors LLP Executed Agreement](#)

[Red Wing Shoe Ratification Resolution](#)

[Emergency Contracts pursuant to Reso No. 76 20](#)

## **7. REGULAR AGENDA:**

### **7.A. RATIFICATION OF EMERGENCY REGULATIONS RELATED TO COVID 19 ACTIVATED UNDER CHAPTER 95 OF THE DELRAY BEACH CODE OF ORDINANCES**

**Body: Recommended Action:**

**Recommendation:** Motion to Ratify the 42nd and 43rd Extensions of the State of Emergency for COVID 19.

**Sponsors:** City Attorney Department

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

[42nd Extension Emergency Declaration COVID 19](#)

[43rd Extension State of Emergency COVID 19](#)

Commissioner Casale made a motion to approve the ratification of the 42nd and 43rd Extensions of the State of Emergency for COVID-19. It was seconded by Vice Mayor Boylston. The motion carried by the following vote:

**YES:** 5 Mayor Shelly Petrolia, Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale

### **7.B. DISCUSSION AND DIRECTION REGARDING THE HANDLING OF REQUEST RECEIVED FOR EXCUSAL OF PAYMENTS BASED ON INVOCATION OF FORCE MAJEURE CONTRACTUAL PROVISIONS**

**Body: Recommended Action:**

**Recommendation:** Staff seeks direction regarding the handling of requests received for excusal of payments based on invocation of force majeure contractual provisions.

**Sponsors:** Finance Department

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

[Delray Yacht Cruises 12.2020 Letter](#)

[Delray Intracoastal Cruises March 2019 October 2019 and March 2020 October 2020 \(1\) \(1\)](#)

[Delray Intracoastal payment schedule](#)

[RFP 2018 031 FULL](#)



[Delray Intracoastal Cruises Executed Agreement 2018 031](#)

Missie Barletto, Public Works Director, gave an overview of the request submitted to the Commission by Delray Intracoastal Cruises.

Jennifer Alvarez, Interim City Manager, suggested bringing this item back to the first Commission Meeting in February when further facts are gathered.

Mayor Petrolia gave her approval to postpone the item until February.

## **8. PUBLIC HEARINGS:**

**8.A.** *ORDINANCE NO. 01 21: 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, BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.4, "BASE DISTRICT DEVELOPMENT STANDARDS," SUBSECTION 4.3.4(J), "HEIGHT," TO ADD THE PROPERTIES WITHIN THE LINTON COMMONS OVERLAY DISTRICT TO THE LIST OF PROPERTIES ELIGIBLE FOR AN INCREASED HEIGHT OF 60 FEET; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.12, PLANNED COMMERCIAL (PC) DISTRICT;" TO PROVIDE REGULATIONS FOR THE LINTON COMMONS OVERLAY; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.5, "OVERLAY AND ENVIRONMENTAL MANAGEMENT DISTRICTS," ESTABLISHING SECTION 4.5.21, "LINTON COMMONS OVERLAY DISTRICT;" AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.7, "FAMILY/WORKFORCE HOUSING", SUBSECTIONS 4.7, "FINDINGS," 4.7.1, "DEFINITIONS," 4.7.2, "APPLICABILITY," AND 4.7.5, "DENSITY BONUS PROGRAMS," TO ESTABLISH WORKFORCE HOUSING CRITERIA FOR THE LINTON COMMONS OVERLAY DISTRICT; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE: AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (SECOND READING)*

**Body: Recommended Action:**

**Recommendation:** Review and consider Ordinance No. 01 21, a privately initiated request to amend Section 4.3.4, Base Development Standards; Section 4.4.12, Planned Commercial (PC) District; Article 4.5, Overlay and Environmental Management Districts; and Article 4.7, Family / Workforce Housing, of the Land Development Regulations (LDR), to establish the Linton Commons Overlay District and provide supporting regulations related to workforce housing requirements and height allowances within

the overlay.

**Sponsors:** Development Services Department

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

[Ordinance No. 01 21, Linton Commons Overlay LDR](#)

[Ordinance No. 01 21 PZB Staff Report](#)

[Linton Commons Applicant Narrative](#)

[Simple Legal Review Approval Ord 01 21](#)

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

Katerri Johnson, City Clerk, swore in Jordana Jarjura who provided testimony on this item.

Mayor Petrolia asked her colleagues if they had any ex-parte communications, and the following was disclosed:

Vice Mayor Boylston: Had a discussion with Ms. Jarjura

Deputy Vice Mayor Johnson: None

Commissioner Frankel: Spoke with Ms. Jarjura

Commissioner Casale: Disclosed she spoke to Ms. Jarjura about the project

Mayor Petrolia: Conversated with Ms. Jarjura and Mr. Menin

Lynn Gelin, City Attorney, read Ordinance No. 01-21 into the record.

Anthea Gianniotis, Development Services Director, read File No. 2021-0116 into the record.

Ms. Jarjura entered the video recording of item 9.A. from the January 5, Commission Meeting into the record.

Ms. Gianniotis reported a scrivener error in the ordinance on the bottom of page 3, "Purpose and Intent Statement". She informed the Commissioners the Planning and Zoning Board voted 6-0 in support of the project on December 20, 2020.

There was a five-minute recess from 5:06 p.m. - 5:11 p.m. to allow public comments. When the Commission reconvened, Katerri Johnson, City Clerk, played the following public comments:

Edward Cooperman, residing at 950 Egret Circle, Unit 5102, Delray Beach, expressed his concern that traffic would worsen on Linton Blvd should this project be approved.

Steve Goldsmith, residing at 950 Egret Circle, Unit 5310, Delray Beach, requested the Commission not to approve this project due to the traffic on Linton Blvd.

Katerri Johnson, City Clerk, stated that concluded public comments.

There was no cross-examination pertaining to the presentations. Ms. Jarjura offered rebuttal advising the Commission that a traffic study was performed and approved by Palm Beach

County.

Commissioner Frankel motioned to approve Ordinance No. 01-21. It was seconded by Vice Mayor Boylston. The motion carried by the following vote:

**YES:** 5 Mayor Shelly Petrolia, Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale

**8.A.1.**

*RESOLUTION NO. 28 21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE REQUEST PURSUANT TO SECTION 4.4.12(D)(1) AND 4.4.9(D)(10) OF THE LAND DEVELOPMENT REGULATIONS; TO ALLOW A FREE STANDING MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT FOR THE PROJECT KNOWN AS "THE LINTON" LOCATED AT 510 WEST LINTON BOULEVARD, AS MORE PARTICULARLY DESCRIBED, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (QUASI JUDICIAL HEARING)*

*RESOLUTION NO. 29 21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE REQUEST PURSUANT TO SECTION 4.4.12(G)(7) OF THE LAND DEVELOPMENT REGULATIONS; PROVIDING A DENSITY BONUS IN EXCHANGE FOR WORKFORCE HOUSING FOR THE PROJECT KNOWN AS "THE LINTON" LOCATED AT 510 WEST LINTON BOULEVARD, AS MORE PARTICULARLY DESCRIBED, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (QUASI JUDICIAL HEARING)*

*RESOLUTION NO. 30 21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE REQUEST PURSUANT TO SECTION 4.3.4(J)(4)(b) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A MAXIMUM BUILDING HEIGHT OF 60 FEET FOR THE PROJECT KNOWN AS "THE LINTON" LOCATED AT 510 WEST LINTON BOULEVARD, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSE. (QUASI JUDICIAL HEARING)*

**Body: Recommended Action:**

**Recommendation:** Review and consider Resolution No. 28 21, granting a conditional use to allow a free standing multiple family residential development, pursuant to LDR Sections 4.4.12(D)(1) and 4.4.9(D)(10), for the project know as "The Linton" located at 510 West Linton Boulevard.

Review and consider Resolution No. 29 21, granting a conditional use to allow a density bonus in exchange for workforce housing, pursuant to LDR Sections 4.4.12(G)(7), for the project known as "The Linton" located at 510 West Linton Boulevard.

Review and consider Resolution No. 30 21, granting a conditional use to allow a maximum building height of 60 feet, pursuant to LDR Sections 4.3.4(J)(4)(b), for the project known as "The Linton" located at 510 West Linton Boulevard.

**Sponsors:** Development Services Department

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

[Resolution 28 21 \(Use\)](#)

[Resolution 29 21 \(Density\)](#)

[Resolution 30 21 \(Height\)](#)

[PZB Staff Report](#)

[Location Map](#)

[Site Plan](#)

[Applicant Justification \(Use\)](#)

[Applicant Justification \(Density\)](#)

[Applicant Justification \(Height\)](#)

[SCAD Letter](#)

Anthea Gianniotis, Development Services Director, read file numbers 2021-004, 2021-046, and 2021- 047 into the record.

Mayor Petrolia asked her colleagues if they had any ex-parte communications, and the following was disclosed:

Vice Mayor Boylston: Spoke with Ms. Jarjura

Deputy Vice Mayor Johnson: Had no additional communication since the last presentation

Commissioner Frankel: Spoke with Ms. Jarjura

Commissioner Casale: Had no additional communication since the last presentation

Mayor Petrolia: Had no additional communication since the last presentation

Jordana Jarjura, Vice President of Menin Development, entered the following items into the record the narratives from September 28, 2020, The Planning and Zoning Board staff report, hearing report, and vote from December 14, 2020, and the City's staff report presentation tonight. Ms. Jarjura then gave her presentation on the proposed resolutions.

Mayor Petrolia left the meeting at 5:56 p.m.

There was a five-minute recess from 5:56 p.m. - 6:03 p.m. to allow public comments. When the Commission reconvened, Katerri Johnson, City Clerk, reported there were no public comments submitted.

There was no cross-examination or rebuttal pertaining to the presentations.

Commissioner Frankel made a motion to approve Resolution No. 28-21. It was seconded by Commissioner Casale. The vote was taken, and the motion carried 4-0.

**YES:** 4 Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale

**ABSENT:** Mayor Petrolia

Commissioner Frankel made a motion to approve Resolution No. 29-21. It was seconded by Deputy Vice Mayor Johnson. The vote was taken, and the motion carried 4-0.

**YES:** 4 Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale

**ABSENT:** Mayor Petrolia

Commissioner Frankel made a motion to approve Resolution No. 30-21. It was seconded by Commissioner Casale. The motion carried by the following vote:

**YES:** 4 Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale

**ABSENT:** Mayor Petrolia

## **9. FIRST READINGS:**

9.A. None

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

### **A. City Manager**

Jennifer Alvarez, Interim City Manager, expressed her appreciation to staff for their safe execution of the Delray Beach Open Tennis Tournament. She also commended the Fire Department on an excellent job organizing and administering the COVID-19 vaccines that the City received.

The Commissioners and Ms. Alvarez discussed vaccination regulations and working towards bringing more vaccinations to Delray Beach.

### **B. City Attorney**

Lynn Gelin, City Attorney, requested the Commission to approve the extension of the interlocal agreement with the Community Redevelopment Agency for the wi-fi expanders.

Commissioner Frankel made a motion to approve the extension of the interlocal agreement. It was seconded by Deputy Vice Mayor Johnson. The motion carried by the following vote:

**YES:** 4 - *Vice Mayor Ryan Boylston, Deputy Vice Mayor Shirley Ervin Johnson, Commissioner Adam Frankel, Commissioner Juli Casale*

**ABSENT:** *Mayor Petrolia*

Ms. Gelin asked for consensus to conduct three Special Meetings about panhandling in the Commission Chambers. She requested to add the Bus shelter Pilot Program to the next agenda. Additionally, she informed the Commissioners that she would be meeting with them individually to discuss the new local rules.

There was consensus.

### ***C. City Commission***

Deputy Vice Mayor Johnson expressed her concern about the public comments related to bars and COVID-19. She wanted everyone to recognize the City of Delray Beach is complying with state guidelines for social distancing. She believed that businesses that do not comply with the City's regulations should not be granted leniency in the future.

Commissioner Frankel agreed with Deputy Vice Mayor Johnson's stance about businesses not following safety regulations. He also complimented Ms. Farrington with the Spady Museum for the excellent Martin Luther King Jr. Day program.

Vice Mayor Boylston reported that he had met with two entrepreneurs who opened a pop-up pizza stand. He requested advice for creating a pilot program for pop-up food stands and small businesses on West Atlantic. He wanted the City to continue to provide businesses a helping hand.

A discussion ensued among the Commissioners and Anthea Gianniotis, Development Services Director, on how to proceed with implementing a pop-up program. The City will consult Laura Simon, Executive Director of the Downtown Development Authority. They also discussed the balance of providing aid to business operations and enforcing safety restrictions downtown.

Laura Simon, Executive Director of the Downtown Development Authority, implored the Commissioners to provide aid and the ability to expand outside dining opportunities.

There being no further business to discuss, Vice Mayor Boylston adjourned the Regular Commission meeting at 7:15 p.m.