

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Final

Tuesday, June 6, 2023

4:00 PM

Regular Meeting at 4:00 PM

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/s>
treams

City Commission

Mayor Shelly Petrolia

Vice Mayor Ryan Boylston

Deputy Vice Mayor Rob Long

Commissioner Adam Frankel

Commissioner Angela Burns

1. ROLL CALL

The June 6, 2023, Regular City Commission Meeting was called to order at 4:02 p.m. City Clerk, Katerri Johnson, called the roll, and the following were present:

Terrence Moore, City Manager
Lynn Gelin, City Attorney

2. PLEDGE OF ALLEGIANCE TO THE FLAG**3. AGENDA APPROVAL**

Lynn Gelin requested that Item No 7.D. be moved to the Consent agenda.

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this be approved as amended. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

3.A. Additions, Deletions, Substitutions

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

Sponsors: City Manager Department

State Lobbyist Mat Forrest shared the results of the recent Legislative Session approved budgeted results for the City of Delray Beach.

- Historical Campus drainage and parking - **\$100,000.**
- Lakeview playground improvements - **\$100,000.**
- Public Seawall Improvements - **\$ 1,000,000.**

The Commission thanked Mr. Forrest for his efforts.

4.B. PRESENTING OFFICERS ANTHONY PEREZ & DANIEL FERREIRO WITH EMPLOYEE OF THE MONTH FOR APRIL 2023.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Officers Anthony Perez and Daniel Ferreiro](#)

Lynn Gelin, City Attorney, acknowledged the sensitive and professional

way Officers Daniel Ferreiro and Anthony Perez handled an aggressive panhandler.

Russ Magar, Police Chief, commended the officers for their knowledge and training.

Both officers received a plaque and a certificate for eight hours of paid time off.

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

Mr. Moore introduced Mr. Mykal Banta and Mr. Ezra Krieg, to speak on Item 5.A.1.

5.A.1. STATUS AND DIRECTION REGARDING HOMELESSNESS SERVICES AND RELATED PROGRAMMING IN DELRAY BEACH

Sponsors: City Manager Department

Mykal Banta, Executive Director of the Delray Beach Public Library, expressed his gratitude to work for a city that facilitates programs for people that do not have shelter.

Ezra Krieg reported that Delray Beach had become a model city for what it does for people without homes through the work of volunteers. He shared that a task force was being created for the homeless population who routinely cause a disturbance. He thanked the City Commission for their support.

5.A.2. REVIEW AND EVALUATION OF THE STATE HISTORIC PRESERVATION GRANT PROGRAM CONCERNING THE DELRAY BEACH MUNICIPAL GOLF COURSE

Sponsors: City Manager Department

Missie Barletto, Director of Public Works, provided an update on securing a State Historic Preservation Grant for the Delray Beach Municipal Golf Course. She suggested that designating the nine-hole Donald Ross Design as a historic landmark may aid in securing financial assistance to renovate the course.

The Commission discussed the importance of considering all available opportunities and suggested scheduling a workshop for further discussion.

5.A.3 MONTHLY PROGRESS UPDATE REGARDING PURCHASING & PROCUREMENT ACTIVITIES

Sponsors: City Manager Department

Peggy Cadeaux, Purchasing Manager, presented the currently advertised projects for Fiscal Year 2023 (October 2022- Present) and the upcoming projects for Fiscal Year 2023.

Mayor Petrolia advised a monthly update on current projects was not needed.

5.B. From the Public

Montre Bennett, 323 NW 2nd Avenue, Delray Beach
Commented about the poor condition of the streets in the Set Community.

Padro Luna, 18355 Coral Chase Drive, Boca Raton
Stated he advocated for bringing back beach yoga.

Paul Fazzino, with Beach Keepers, 135 SE 5th Avenue, Delray Beach
Stated he was happy to be a part of cleaning up the beach and parks in the city.

Vera Woodson, 1855 Palm Cove Blvd, Delray Beach
Expressed her concern that the Downtown Development Authority members should be thoroughly vetted.

Mavis Benson, 800 Greensward Court, Delray Beach
Discussed the qualities and qualifications that board members should possess and offered her assistance.

Pam Bradsdorfer, 10848 Royal Caribbean Circle, Boynton Beach
Asked the Commission to allow yoga on the beach.

George Long, 46 North Swinton Avenue, Delray Beach
Shared his views on city topics.

April Leach, 502 Eldorado Lane, Delray Beach
Shared her concerns about Yoga on the Beach.

Willie Bridges, 353 NW 7th Avenue, Delray Beach
Spoke about a street being too close to his property.

Julie Murphy, 815 Tangerine Way, Gulfstream
Stated she fully supported Yoga on the Beach.

Marie Hekendork, 7596 Colony Lake Drive, Boynton Beach
Asked the Commission to allow beach yoga.

Barbara Stark, Milagro Center, Delray Beach

Discussed the summer programs the Center offers for underprivileged youth at no cost.

Lori J. Durante, 4165 NW 10th Street, Delray Beach

Stated that during an active RFP, she inquired about the Cone of Silence for concerned citizens.

Sandra Lawson, Small Business Office of Disaster Recovery and Resiliency, Atlanta, Georgia,

Provided information on Federal Disaster Recovery Funds available through the Broward County Flooding Declaration, including Palm Beach County.

Andre Franzza, Founder of Beach Keepers, Inc. 135 SE 5th Avenue, Delray Beach

Thanked everyone for welcoming his charity "Beach Keepers" to the city.

Amanda Mintz, 541 NW 54th Street, Boca Raton

Stated beach yoga had a profound effect on her autistic child.

Seeing no one else present, Mayor Petrolia closed public comments.

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this be approved as amended. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[May 9, 2023 Workshop Meeting Minutes](#)
[May 16, 2023 Workshop Meeting Minutes](#)
[May 16, 2023 Regular Meeting Minutes.docx](#)

The Minutes were approved.

6.B. APPROVAL OF RESOLUTION 01-23 APPROVING AGREEMENT WITH VELOCITY SYSTEMS, LLC FOR PURCHASES OF LAW ENFORCEMENT PROTECTIVE EQUIPMENT, UTILIZING GENERAL SERVICES ADMINISTRATION CONTRACT GS-07F--0181V - \$90,000.

Sponsors: Purchasing Department and Police Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Velocity](#)
[Velocity Systems Quote](#)
[GS-07F-0181V Velocity Systems LLC GSA contract](#)
[Resolution 01-23 Velocity Systems LLC Law Enforcement Protective Equipment lw review](#)
[Vendor Signed Agreement](#)

This Resolution was approved.

- 6.C.** APPROVAL OF RESOLUTION NO. 99-23 TO APPROVE THE ISSUANCE OF A PURCHASE ORDER TO PHOENIX TRADING INC. FOR THE PURCHASE OF FLUID PATROL 29 RIGID INFLATABLE BOAT UTILIZING GENERAL SERVICES ADMINISTRATION (GSA) CONTRACT NO. 47QMCA18D0006 FOR THE POLICE DEPARTMENT- \$199,227.20.

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[GSA Contract 47QMCA18D0006 - Fluid Patrol Boat](#)
[Delray Beach PD Patrol 29 Quote](#)
[Legal Review Checklist Phoenix Trading](#)
[VENDOR SIGNEDPhoenix Trading Inc. Agreement](#)
[Resolution 99-23 Phoenix Trading Inc for purchase of Fluid Patrol 29 Rigid Inflatable Boat for the Police Department lw rev finalized](#)
[Phoenix Trading Inc. Agreement Draft KM 5-1-2023 lw rev finalized](#)

This Resolution was approved.

- 6.D.** GRANT APPLICATION / DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTNERSHIP

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Application Draft - Bulletproof Vest Partnership 2023 rev](#)

This Request was approved.

- 6.E.** RESOLUTION NO. 77-23: APPROVING AN AGREEMENT WITH THE EARLY LEARNING COALITION OF PALM BEACH COUNTY SETTING FORTH THE OBLIGATIONS AND REQUIREMENTS TO PARTICIPATE IN THE CHILDREN'S SERVICES COUNCIL OF PALM BEACH SCHOLARSHIP PROGRAM

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Legal Review ELC FY23-24](#)
[ELC Provider Contract FY23 24](#)
[ELC Res 77-23 FY23 24](#)

This Request was approved.

- 6.F.** RESOLUTION NO. 79-23: APPROVING AN AGREEMENT WITH THE EARLY LEARNING COALITION OF PALM BEACH COUNTY TO PARTICIPATE IN THE CHILDREN'S SERVICES COUNCIL OF PALM BEACH COUNTY SCHOLARSHIP PROGRAM AND RECEIVE PAYMENTS BASED UPON THE SCHOLARSHIP PROGRAM ELIGIBILITY GUIDE.

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[Legal Review CSC Provider Agreement FY23 24](#)
[CSC Provider Agreement FY23 24](#)
[CSC Res No. 79-23 FY23 24](#)

This Request was approved.

- 6.G.** APPROVAL OF THE SOLE SOURCE LETTER FOR THE USE OF THE CENTER FOR PUBLIC SAFETY EXCELLENCE'S TECHNICAL ADVISOR PROGRAM FOR THE RE-ACCREDITATION PROCESS FOR THE FIRE RESCUE DEPARTMENT, \$74,790.

Recommended Action:

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Delray Beach FL - CPSE Sole Source - 3.1.23](#)
[Delray Beach FL - CPSE Total Self-Assessment without Site Study Proposal - 2.28.23](#)
[SS2023-011 CPSE Taps - signed](#)
[Legal Review Checklist CPSE TAPS](#)
[RESOLUTION NO 81-23](#)
[Delray Beach FL - CPSE Professional Services Agreement - TSA -6.1.23 clean copy](#)

This Request was approved.

- 6.H.** RATIFICATION OF SOUTH CENTRAL REGIONAL WASTEWATER TREATMENT & DISPOSAL BOARD ACTION OF APRIL 24, 2023, AND APPROVAL OF THEIR FY2023/2024 PROPOSED BUDGET.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[2024 Approved Budget.pdf](#)
[FY2024 Delray Beach Ratification.pdf](#)
[Simple Legal Review Approval Ratification of South Central Regional Wastewater Treatment and Disposal Board.pdf](#)

This Request was approved.

- 6.I.** APPROVAL OF RESOLUTION NO. 76-23 APPROVING AN AGREEMENT WITH FISHER SCIENTIFIC COMPANY, LLC., FOR PURCHASE OF LABORATORY EQUIPMENT, PURSUANT TO THE UNIVERSITY OF CALIFORNIA RFP SOLICITATION NO. 002101 IN AN AMOUNT NOT TO EXCEED \$64,871.18

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist 4.17.23.pdf](#)
[Resolution 76-23 University of California Piggyback Fisher Scientific.pdf](#)
[Agreement Vendor Executed.pdf](#)

This Request was approved.

- 6.J.** APPROVAL OF RESOLUTION NO. 97-23 TO AWARD AN AGREEMENT WITH ROOF PAINTING BY HARTZELL, INC., FOR AN AMOUNT NOT TO EXCEED \$83,694.

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[MSA - Roof Painting by Hartzell piggyback Miami Beach.doc](#)
[Legal Review Checklist MSA with Painting by Hartzell piggyback Miami Beach.pdf](#)
[Res 97-23 Roof Painting by Hartzell Inc Piggyback.docx](#)

This Request was approved.

- 6.K.** APPROVAL OF RESOLUTION NO. 87-23 AND TO APPROVE AN AMENDMENT TO MASTERS SERVICES AGREEMENT RE: PARTICIPANTS WITH BANK OF AMERICA, N.A. FOR EPAYMENT SOLUTIONS AND SERVICES UTILIZING EXISTING CONTRACT WITH ORLANDO-ORANGE COUNTY EXPRESSWAY AUTHORITY.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[Legal Review Checklist Amd to MSA re Participants with BOA piggyback Orange County.pdf](#)
[Resolution No. 87-23 Bank of America transactions.pdf](#)

[ORLANDO ORANGE COUNTY EXPRESSWAY AUTHORITY BAMS MSA 061413 FE.pdf](#)
[Central FL Express \(BAMS\) Payeezy Addn \(03.30.20\) FE.pdf](#)
[CFX \(BOA\) Participant Rider 10-31-22 cln](#)

This Request was approved.

6.L.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE ANY SETTLEMENT DOCUMENTS RELATED TO THE CITY'S PARTICIPATION IN THE MULTI-DISTRICT PFAS LITIGATION AND TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS RESOLUTION; APPROVING THE CITY'S PARTICIPATION AS A SETTLEMENT CLASS REPRESENTATIVE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: City Attorney Department and Inglese

Attachments: [Agenda Cover Report](#)

[Resolution 115-23](#)
[2023.05.30 MOU](#)
[2023.05.30 MSA](#)
[DuPont Allocation Procedures Executive Summary](#)

This Resolution was approved.

6.M. PROCLAMATIONS:**6.M.1.**

PROCLAMATION LGBTQ PRIDE MONTH

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

[LGBTQ Pride Month](#)

This Proclamation was approved.

6.M.2.

PROCLAMATION RECOGNIZING JUNE 5-9, 2023 AS CODE ENFORCEMENT OFFICERS' APPRECIATION WEEK

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)

[Code Enforcement Appreciation Week](#)

This Proclamation was approved.

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

This was approved.

6.N.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM THE SPRAB MEETING OF MAY 10, 2023.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[SPRAB \(5-10\) Delray Ridge](#)

[SPRAB \(5-10\) 1225 NW 17th Ave](#)

[SPRAB \(5-10\) The Linton](#)

This Request was approved.

6.O. AWARD OF BIDS AND CONTRACTS:

6.O.1. None

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 94-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, DESIGNATING A PORTION OF THE UNNAMED, UNIMPROVED ALLEY LOCATED WEST OF PALM TRAIL, BETWEEN BOND WAY AND WITHERSPOON LANE, AS MORE PARTICULARLY DESCRIBED HEREIN, AS KENMONT LANE; AND PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 94-23 - Establishing the Name Kenmont Lane](#)

[PZB Staff Report - Kenmont Lane](#)

[First Addition to Kenmont 1948](#)

[Legal Review](#)

Anthea Gianniotis, Development Services Director, stated Resolution 94-23 was related to the development of the Palm Trail Estates townhomes, otherwise known as Kenmont Lane Alley.

She pointed out both properties face the alley, and each must be named separately to facilitate emergency response.

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Burns, that this Resolution be approved. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

7.B. RESOLUTION NO. 104-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN IN-LIEU OF PARKING FEE REQUEST FOR THE PROPERTY LOCATED AT 319 NE 3rd AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT CONSISTENT WITH THE APPROVAL HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Res No. 104-23](#)
[Staff Advisory Board Memo](#)
[Applicant Justification Statement](#)
[Architectural plans \(for reference only\)](#)
[Legal Review Reso 104-23](#)

Mayor Petrolia read the quasi-judicial rules into the record for Item No's 7.B., 7.C., and 8.B.

Katerri Johnson, City Clerk, swore in those individuals who wished to provide testimony on any quasi-judicial items.

Mayor Petrolia asked her colleagues to disclose any ex-parte communications for Resolution No.104-23.

Vice Mayor Boylston - spoke with Mr. Schiller.
Deputy Vice Mayor Long - spoke with Mr. Schiller.
Commissioner Burns - spoke with Mr. Schiller.
Commissioner Frankel - spoke with Mr. Schiller.
Mayor Petrolia - emails on the city server.

Anthea Gianniotis entered File No. 2022-268 into the record.

Neil Schiller, attorney representative, was seeking approval for Resolution No 104-23, an in-lieu parking fee request totaling \$55,200.00 for 12 parking spaces for the proposed project located at 319 NE 3rd Avenue.

Mr. Schiller noted the Downtown Development Advisory Board recommended approval by a vote of 4-1, and the Parking Management

Advisory Board recommended approval by a vote of 5-0.

Mayor Petrolia opened the floor to public comments.

Seeing no one present, Mayor Petrolia closed public comments.

The Commission engaged in a discussion primarily focusing on alternative parking options available in the area.

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this Request be approved. The motion carried by the following vote:

Yes: 4 - Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

No: 1 - Mayor Petrolia

7.C.

RESOLUTION NO. 113-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REPEALING RESOLUTION NO. 45-23 IN ITS ENTIRETY; GRANTING A WAIVER REQUEST TO SECTION 4.3.4(K) OF THE LAND DEVELOPMENT REGULATIONS APPROVING A DWELLING UNIT WITH 864 SQUARE FEET OF FLOOR AREA FOR THE PROPERTY LOCATED AT 1115 NORTH SWINTON AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES (QUASI JUDICIAL HEARING).

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[1115 N. Swinton Ave - Resolution 113-23](#)

[1115 N. Swinton Ave - Applicant Justification Statement](#)

[1115 N. Swinton Ave - Property Survey](#)

[1115 N. Swinton Ave - Legal Review](#)

Mayor Petrolia asked her colleagues to disclose any ex-parte communications for Resolution No.113-23.

There was no ex-parte communication from the Commission to disclose.

Anthea Gianniotis entered File No. 2023-056 into the record.

David Schmidt, representant for the applicant, Ann Koplas, provided a presentation to reconsider Resolution No. 113-23, a request for a waiver from Section 4.3.4 (k), Land Development Regulations (LDR) to allow a dwelling unit with a floor area of 864 square feet on the property located at 1115 North Swinton Avenue. Mr. Schmidt reminded the Commission that granting this waiver would be temporary until the applicant secures a unity

of title.

Anthea Gianniotis provided a staff report on this item.

Mayor Petrolia opened the floor to public comments.

Daniel Bellante, 206 SW 2nd Avenue, Delray Beach
Stated Ms. Koplas's has been a significant contributor to her neighborhood
and was an asset to the community.

Doug Lane, 14 NE 12th Street, Delray Beach
Stated he supported Ms. Koplas's waiver request.

Seeing no one else present, Mayor Petrolia closed public comments.

Lynn Gelin communicated if Resolution No.113-23 was approved, the vote
should state, "approved as amended," due to a typo in the initial draft.

**A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel,
that this Resolution be approved as amended. The motion carried by the
following vote:**

Yes: 4 - Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and
Commissioner Burns

No: 1 - Mayor Petrolia

**7.D. APPROVAL OF RESOLUTION NO. 82-23 FOR ISSUANCE OF A
PURCHASE ORDER WITH TRI-NOVA, INC., UNDER AN APPROVED
CITY STANDARD, IN AN AMOUNT NOT TO EXCEED \$127,516.85.**

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)

[Prominent Pumps - City Standard Approval Memo - signed valid thru
6-24.pdf](#)

[City of Delray Beach - ProMinent Ferric Chloride Pentaplex Skid -
Qte1224756 031023.pdf](#)

[City of Delray Beach - ProMinent Fluoride Triplex Skid - Qte1224776
031023.pdf](#)

[City of Delray Beach - ProMinent Phosphate Pentaplex Skid -
Qte1224762 031023.pdf](#)

[Legal Review Res 82-23 - TriNova City Standard for ProMinent Pumps
for WTP.docx](#)

[Res 82-23 TriNova - City Standard - Purchase Orders Prominent
Pumps for WTP.docx](#)

Lynn Gelin requested to move Item No. 7.D. to the Consent agenda.

This Request was approved.

7.E. NOMINATION FOR AN APPOINTMENT TO THE DOWNTOWN

DEVELOPMENT AUTHORITY

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Downtown Development Authority](#)

[DDA Board Attendance](#)

[DDA Map](#)

[Arts](#)

[Blumenfeld](#)

[Brewer](#)

[Burgess](#)

[Cantwell](#)

[Carstarphen](#)

[Cohn](#)

[Dadich](#)

[Devitt](#)

[Dockerty](#)

[Grimes](#)

[Hallyburton](#)

[Kaufman](#)

[Leish](#)

[Mollica](#)

[Noffsinger](#)

[O'Conner](#)

[Platt](#)

[Rindos](#)

[Rosen](#)

[Sylvester](#)

[Thompson](#)

[Zengage](#)

Mayor Petrolia advised that moving forward the following would apply for appointments to board applicants:

- Applicants should be required to provide documentation to prove their tax-qualified.
- No one should be allowed to apply after the deadline is set, even if the meeting is rescheduled.
- Tax qualifications should be allowed to be provided for one year in the arrears, allowing people to settle in the downtown area.

Mayor Petrolia stated she would only consider applicants that applied by the due date.

Commissioner Frankel nominated **Burgess**. Vice Mayor Boylston seconded the motion. The motion carried by the following vote:

Yes: 4 - Vice Mayor Boylston, Deputy Vice Mayor Long, Commissioner Frankel, Commissioner Burns

No: 1 - Mayor Petrolia - Stated the application was submitted on May 23rd, past the due date.

APPROVED

Deputy Vice Mayor Long nominated **Hallyburton** for the At Large seat. Vice Mayor Boylston seconded the motion. The motion carried by the following vote:

Yes: 5 - Vice Mayor Boylston, Deputy Vice Mayor Long, Commissioner Frankel, Commissioner Burns, Mayor Petrolia

APPROVED

Vice Mayor Boylston nominated **Devitt**. Commissioner Frankel seconded the motion. The motion carried by the following vote:

Yes: 5 - Vice Mayor Boylston, Deputy Vice Mayor Long, Commissioner Frankel, Commissioner Burns, Mayor Petrolia

APPROVED

Commissioner Burns nominated **Rosen**. Vice Mayor Boylston seconded the motion. The motion carried by the following:

Yes: 5 - Mayor Petrolia, Vice Mayor Boylston, Deputy Vice Mayor Long, Commissioner Frankel, and Commissioner Burns.

APPROVED

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A.** ORDINANCE NO. 06-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING A

1.78 ACRE PORTION OF A PARCEL OF LAND LOCATED ON THE SOUTHWEST CORNER AT THE INTERSECTION OF LAKE IDA ROAD AND NORTH SWINTON AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM COMMUNITY FACILITIES TO LOW DENSITY PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT", FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING / PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Cason Court - Ord 06-23](#)

[Cason Court - PZ Report](#)

[Cason Court - Existing and Proposed Land Use](#)

[Cason Court - Justification Statement](#)

[Cason Court - TPS Letter](#)

[Cason Court - Traffic Impact Statement](#)

[Cason Court - Legal Review Form](#)

[Delray Ord #06-23 #07-23 June 6 2023 May 27 2023.pdf](#)

Lynn Gelin read Ordinance No.'s 06-23 and 07-23 into the record.

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

Commissioner Frankel - emails on the server.
Deputy Vice Mayor Long - spoke with Mr. Caster.
Vice Mayor Boylston - talked to the applicant.
Commissioner Burns - spoke with Mr. Caster.
Vice Mayor Boylston - talked to the applicant.
Mayor Petrolia - emails on the server.

Anthea Gianniotis entered File No. 2021-068 into the record.

Deena Freeman, with Marcela Camblor and Associates, provided a combined presentation on Item No's 8.A. and 8.B. She stated Ordinance No. 06-23 was a privately initiated request for a small-scale Land Use Map Amendment from Community Facilities (CF) to Low Density (LD) for the property at 342 North Swinton Avenue. She stated that this request is consistent with the Land Development Regulations and the Comprehensive Plan.

Anthea Gianniotis provided a staff report on Ordinance No. 06-23 (Land Use Map Amendment) and Ordinance No. 07-23. She stated on February

27, 2023, the Planning and Zoning Board recommended approval for both Ordinances 5-2.

Mayor Petrolia opened the floor to anyone who wished to speak on Item No's 8.A. or 8. B.

Barbara Woodman, 220 NW 7th Street, Delray Beach
Acknowledged that allowing the empty land to be developed would provide the Church with a steady revenue stream.

Pastor David, Cason United Church, Delray Beach
Stated he was in favor of developing the property.

Pablo Del Real, 6285 White Pine Way, Lantana
Sated he favored selling the property and rezoning it as Community Facilities.

Seeing no one else present, Mayor Petrolia closed public comments.

The Commission engaged in a discussion primarily focusing on what constituted Community Facilities zoning.

A motion was made by Vice-Mayor Boylston, seconded by Deputy Vice Mayor Long, that this Ordinance be approved. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

8.B.

ORDINANCE NO. 07-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING LAND MEASURING APPROXIMATELY 2.83 ACRES LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION AT LAKE IDA ROAD AND NORTH SWINTON AVENUE, FROM COMMUNITY FACILITIES TO SINGLE FAMILY RESIDENTIAL, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING / PUBLIC HEARING / QUASI JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Cason Court - Ord 07-23](#)
[Cason Court - PZ Report](#)
[Cason Court - Existing and Proposed Zoning](#)
[Cason Court - Justification Statement](#)
[Cason Court - TPS Letter](#)
[Cason Court - Traffic Impact Statement](#)
[Cason Court - Legal Review Form](#)
[Delray Ord #06-23 #07-23 June 6 2023 May 27 2023.pdf](#)

A motion was made by Vice-Mayor Boylston, seconded by Deputy Vice Mayor Long, that this Request be approved. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

8.C. ORDINANCE NO. 20-23. AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND REDESIGNATING A PARCEL OF LAND APPROXIMATELY 0.63 ACRES IN SIZE LOCATED AT 214 NE 22ND LANE, PRESENTLY ZONED NEIGHBORHOOD COMMERCIAL (NC), TO SINGLE FAMILY RESIDENTIAL (R-1-AA), AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, JULY 6, 2021"; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 20-23](#)
[PZB Staff Report](#)
[Legal Review](#)
[Proof of Legal Ad](#)

Lynn Gelin entered Ordinance No. 20-23 into the record.

Anthea Gianniotis stated this item was a rezoning request to amend the Zoning Map designation from Neighborhood Commercial to Single Family Residential for the parcel located at 214 NE 22nd Lane. She advised this error was a result of data conversion in the software.

Mayor Petrolia opened the floor to public comments.

Seeing no one present, Mayor Petrolia closed public comments.

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this Ordinance be approved. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

9. FIRST READINGS:

9.A. ORDINANCE NO. 19-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES, TITLE 7, "TRAFFIC CODE," CHAPTER 71, "PARKING REGULATIONS," SUBCHAPTER "PARKING REGULATIONS," SECTION 71.017, "STOPPING, STANDING, OR PARKING PROHIBITED IN SPECIFIED AREAS," TO PROHIBIT A VEHICLE FROM STOPPING, STANDING, OR PARKING ON THE SWALE AREA; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE (FIRST READING)

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Ord 19-23 Amending Code of Ordinances re Parking in Swales](#)
[Legal Review Ord 19-23 Prohibition of Parking on Swales](#)

Lynn Gelin entered Ordinance No.19-23 into the record.

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this Ordinance be approved on first reading. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

9.B. ORDINANCE NO. 17-23 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH BY AMENDING CHAPTER 96, "FIRE SAFETY AND EMERGENCY SERVICES", SECTION 96.02, "FIRE SAFETY INSPECTIONS" TO REQUIRE ALL FIRE PROTECTION SYSTEM REPORTING TO BE DONE THROUGH THE CITY'S INTERNET-BASED REPORTING SYSTEM; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES (FIRST READING).

Recommended Action:

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Simple Legal Review Approval Fire Reporting](#)
[Fire Reporting Ordinance 4.25.23](#)

Lynn Gelin entered Ordinance No. 17-23 into the record.

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Frankel, that this Ordinance be approved on first reading. The motion carried by the following vote:

Yes: 5 - Mayor Petrolia, Commissioner Frankel, Vice-Mayor Boylston, Deputy Vice Mayor Long, and Commissioner Burns

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

10.A. City Manager

None.

10.B. City Attorney

None.

10.C. City Commission

Deputy Vice Mayor Long:

- Commended the Utilities Department staff for their efficiency.
- Mentioned there were issues with the Education Board achieving a quorum.
- Mentioned that he had spoken with WGI Engineering regarding a pro bono City adaptability index survey.
- Voiced concern the Historical Field House was deteriorating.

Commissioner Frankel:

- Requested Mr. Moore to investigate outside agencies directing the City's Code Enforcement Officers.

Commissioner Burns:

- Commended the Police and Fire Department.
- Asked for a Workshop to discuss the current setbacks related to smaller lots.

Vice Mayor Boylston:

- Suggested scheduling a Joint Workshop to discuss the Cultural Council.

Mayor Petrolia:

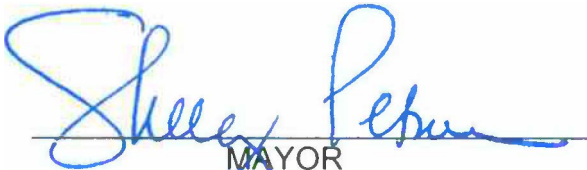
- Stated she was approached to sign a petition about offshore drilling.
- Discussed Yoga on the Beach.

11. ADJOURNMENT

There being no further business to discuss, Mayor Petrolia adjourned the Regular City Commission Meeting at 7:45 p.m.


City Clerk

ATTEST:


MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the June 6, 2023 City Commission Regular Meeting held on June 6, 2023, which minutes were formally approved and adopted by the City on August 8, 2023.


City Clerk

NOTE TO READER:

If the Minutes you have received are not completed as indicated above, this means they are not the official Minutes of the City Commission. They will become the official Minutes only after review and approval which may involve some amendments, additions or deletions as set forth above.