

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Final

Tuesday, February 6, 2024

5:00 PM

Regular Meeting at 5:00 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 February 6, 2024, Regular City Commission Meeting was called to order at 5:01 p.m. City Clerk, Katerri Johnson, called the roll and the following were present:

Terrence Moore - City Manager
Lynn Gelin - City Attorney

Present: 5 - Mayor Shelly Petrolia, Commissioner Adam Frankel, Vice-Mayor Ryan Boylston, Deputy Vice Mayor Rob Long, and Commissioner Angela Burns

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

Commissioner Burns requested to pull Item No. 6.Q.1. from the consent agenda for discussion. It became Item No. 7.A.A. on the regular agenda.

Vice Mayor Boylston requested to pull Item No. 6.D. from the consent agenda for discussion. It became Item No. 7.B.B. on the regular agenda.

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Burns, 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. PRESENTING FERNANDO AYROSA, SENIOR TECHNOLOGY STRATEGIST, WITH EMPLOYEE OF THE MONTH FOR JANUARY 2024

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Fernando Ayrosa EOM-Nomination Form](#)

LeShay King, Human Resources Generalist, recognized Fernando Ayrosa, Senior Technology Strategist, as the Employee of the Month for January 2024. Mr. Jay Stacey, Director of IT, praised Mr. Ayrosa for his hard work. He was presented with a plaque and a certificate for 8 hours of paid time off.

4.B. GREEN IMPLEMENTATION ADVANCEMENT BOARD 2024 ANNUAL REPORT

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[2024 Annual Report](#)

Evan Orellana, Green Implementation Advancement Board Chairman, presented the 2024 Green Implementation Advancement Board's Annual Report. He stated that on July 20, 2023, the Commission received a memo about the continuing and future priorities for the City's Climate Action Plan.

He advised that ongoing and future priorities included:

1. Recycling along A1A for Blue Flag certification.
2. Greenhouse Gas Reduction efforts on transportation and buildings.
3. Environmental Justice and Education Outreach.

Mr. Orellana provided a recap of the year in review for trees, ongoing priorities for the City's Tree Trust Fund, and priorities for single-use plastics.

The Commission thanked Mr. Orellana for his hard work.

4.C. QUARTERLY FINANCIAL REVIEW THROUGH DECEMBER 31, 2023

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[rptIncomeStatement_all funds summary_12.31.2023](#)
[rptIncomestatement_all funds detailed_12.31.2023](#)
[rptIncomeStatement_Gen fund by category_12.31.2023](#)

Hugh Dunkley, Chief Financial Officer, provided the financial reports for the December 31, 2023, quarter. The report summarized the budgetary performance for the City's primary revenue sources and analyzed the year-to-date performance of each fund and department. He stated that the Citywide Budget by Fund Type totals \$430,991,323.

The Commission thanked Mr. Dunkley for his presentation.

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 yielded his time to allow Mayor Petrolia to discuss the City's lease agreement with Elevate Sports to use the City's baseball fields.

Sam Metott, Parks and Recreation Director, stated Elevate Sports wants

to deny the field use of the Delray Beach XLB Little League Travel Baseball Team at Miller Park. He explained that Elevate Sports has an exclusive clause in their contract giving them the exclusive right to run any travel games.

Lynn Gelin, City Attorney, shared that the lease agreement with Elevate Sports was written many years ago and did allow them to approve who could use the Miller Park Baseball Field.

Vice Mayor Boylston suggested Mr. Moore and Mr. Metott meet with Elevate Sports to discuss amending the contract to allow the City's Little League to use the field.

Mayor Petrolia expressed her concern that the City's children should be allowed to use the field when Elevate Sports wasn't utilizing it.

There was a consensus to have the parties meet to discuss a compromise.

5.B. From the Public

Sharon L'Herou, President of 211

Thanked the Commission for proclaiming February as 211 Awareness Month.

Ann Stacey-Wright, 225 SW 7 Avenue, Delray Beach

Spoke about the activities taking place to celebrate Black History Month.

Angela Hill, 1101 NW 1 Terrace, Delray Beach

Discussed the non-profit Incredible Hope Foundation that provides advocacy and help for black cancer patients.

Andrea Bruton, 703 Place Tavante, Delray Beach

Discussed the "Let's Move" campaign the Palm Beach Health Department sponsored.

Robin Johnson Blake, 4439 Brandon Drive, Delray Beach

Expressed her concern about why the Utilities Department requested her to provide the deed to her home as identification. Mr. Moore gave her his business card and said he would investigate the matter.

Robert Cantwell, 1007 East Heritage Club, Delray Beach

Discussed the conditions of the public restroom at the SW Corner of A1A and Atlantic Blvd.

Ryan Lamb, with XLB Sports Training

Discussed the programs his company offers to children.

Greg Murray, with XLB Sports Training

Stated he hoped the Commission would work out a way to allow XLB and Elevate to use Miller Park.

Laura Simon, Executive Director of the Downtown Development Authority

Encouraged everyone to come and see the new art exhibition at the Cornell Art Museum and thanked the City for their assistance.

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

6. CONSENT AGENDA: City Manager Recommends Approval

Mayor Petrolia pulled Item No. 6.A. for discussion. It became Item No. 7.C.C.

A motion was made by Commissioner Frankel, seconded by Commissioner Burns, that this was 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](#)
[January 4, 2024 Regular Meeting Minutes - DRAFT](#)

Mayor Petrolia requested that this item be pulled from the consent agenda for discussion. It became Item No. 7.C.C. on the regular agenda.

Mayor Petrolia mentioned several inaccuracies in the previous minutes and requested that the Clerk's office correct them.

There was a consensus amongst the Commission to move forward with correcting the minutes.

6.B. RESOLUTION NO. 36-24 NUISANCE ABATEMENT OF FOUR (4) PROPERTIES THROUGHOUT THE CITY

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[36-24 - Nuisance Abatement Resolution](#)
[RES NO. 36-24 Exhibit A](#)
[Simple Legal Review Approval Nuisance Abatement 36-24](#)

This Resolution was approved.

- 6.C.** RESOLUTION NO. 41-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, CALLING FOR A NONPARTISAN ELECTION TO BE HELD ON TUESDAY, MARCH 19, 2024; AND A SECOND NONPARTISAN ELECTION, IF NECESSARY, ON TUESDAY, APRIL 2, 2024; SUCH ELECTIONS TO BE HELD FOR THE ELECTION OF TWO CITY COMMISSIONERS AND A MAYOR; APPOINTING THE PALM BEACH COUNTY CANVASSING BOARD TO CANVASS ALL ABSENTEE BALLOTS; TO CANVASS THE MUNICIPAL ELECTION; 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.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[RESOLUTION NO - Notice of Election Canvassing 41-24](#)
[Simple Legal Review Election Canvassing 41-24](#)

This Resolution was approved.

- 6.D.** INTERLOCAL AGREEMENT BETWEEN THE SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA AND THE CITY OF DELRAY BEACH CONCERNING STUDENT INFORMATION

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Interlocal Legal Review](#)
[City of Delray Beach Data Sharing Interlocal Agreement FY24 for Approval 2 \(DVeDits\)](#)

Vice Mayor Boylston requested that this item be pulled from the consent agenda for discussion. It became Item No. 7 B.B. on the regular agenda.

Vice Mayor Boylston and Mayor Petrolia discussed the importance of expanding the Interlocal Agreement with the School Board of Palm Beach County to include more data. They suggested the Education Committee and staff discuss this item.

There was a consensus to table Item No. 6.D.

This Request was tabled.

- 6.E.** RESOLUTION NO. 18-24 AMENDING THE FISCAL YEAR 2023-24 BUDGET ADOPTED BY RESOLUTION NO.145-23 ON SEPTEMBER 18, 2023.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution 18-24 Budget Amendment FY 2023-24 02.06.2024](#)
[Exhibit A - Reso 18-24 - Budget Amendment -2.6.2024](#)
[Exhibit A - Reso. 18-24 CIP Project Rollover 2024 2.6.2024](#)
[Exhibit A - Reso 18-24 - Purchase Order Rollover List - 2.6.2024](#)
[Simple Legal Review Approval-Budget Resolution 18-24](#)

This Resolution was approved.

- 6.F.** RESOLUTION NO. 40-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A FEDERALLY-FUNDED SUB-AWARD AND GRANT AGREEMENT WITH THE STATE OF FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM) TO OBTAIN FEDERAL AND STATE DISASTER RECOVERY FUNDS; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Hurricane Nicole Resolution DV edits](#)
[Subaward Grant Legal Review](#)
[HURRICANE NICOLE - FEMA AGREEMENT 1.11.24 Unsigned](#)
[HURRICANE NICOLE - STATE OF EMERGENCY DECLARATION - 202-22 11-9-22](#)

This Resolution was approved.

- 6.G.** RESOLUTION NO. 43-24: APPROVAL OF RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING THE ADOPTION OF A STATEWIDE MUTUAL AID AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[SMAA Legal Review](#)
[SMAA 2023 Final Version](#)
[Statewide Mutual Aid Agreement](#)

This Resolution was approved.

- 6.H.** APPROVAL OF AMENDMENT NUMBER FOUR (4)TO THE LEASE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PINEAPPLE GROVE HOLDINGS, LLC FOR THE CONTINUED OCCUPANCY OF THE MEDICAL FACILITY LOCATED AT 525 NE 3RD AVENUE, DELRAY BEACH, FLORIDA.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Legal Review Amd #4 to Lease with Pineapple Grove - Clinic - 3month extension 12.21.23](#)
[City of Delray HR Memo - Pineapple Grove Holdings Lease Amd 4](#)
[Amd #4 to Lease with Pineapple Grove \(clean copy 12.21.23\)](#)

This Request was approved.

- 6.I.** APPROVAL FOR ADDITIONAL SPENDING ON P2021-012 WITH MILLENNIUM PRODUCTS, INC. FOR PURCHASES OF LICENSE PLATE RECOGNITION CAMERAS, CCTV CAMERAS, ACCESSORIES, AND RELATED SERVICES IN THE AMOUNT OF \$186,948.53, FOR A REVISED CONTRACT TOTAL OF \$588,506.44

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Q-09829- Delray Beach PD \(FL\) - Linton & 95 Fixed LPR rev4MR updated quote](#)
[Executed Agreement - Millennium Products Inc.](#)
[GSA GS-07F-0031W from GSA website](#)
[0VQ1G7.3RGEEY GS07F0031W GS-07F-0031W-9-24-2020-576971](#)
[Legal Review Checklist millenium LPR](#)

This Request was approved.

- 6.J.** APPROVAL FOR ADDITIONAL SPENDING ON P2023-018 WITH BLUE LINE INNOVATIONS, LLC. FOR PURCHASES OF PUBLIC SAFETY UNIFORMS IN THE AMOUNT OF \$50,000, FOR A REVISED CONTRACT TOTAL OF \$120,000

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Agreement - Blue Line Innovations, LLC. \(Bid No. 9210\)](#)
[Bid #9210 Renewal Letter Uniform FY24 signed](#)

This Request was approved.

6.K. APPROVAL OF ADDITIONAL SPENDING ON AGREEMENT P2023-026 WITH TRANE U.S. INC. FOR HVAC PRODUCTS, INSTALLATION, LABOR-BASED SOLUTIONS, AND RELATED PRODUCTS AND SERVICES IN THE AMOUNT OF \$94,660, FOR A REVISED CONTRACT TOTAL OF \$2,542,993.20

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Trane Quote - SOC SC Upgrade 011624](#)
[Agreement P2023-026 - Trane U.S. Inc.](#)
[Resolution No. 69-23](#)
[Legal Review Checklist - P2023-026 Trane U.S. Inc.](#)

This Request was approved.

6.L. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 612 SE 3RD AVE.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 800 BOND WAY

ITEM(S) A3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 501 NW 8TH AVE.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[A1a - Right of Way Deed - 612 SE 3rd Ave. - Garrett Bender](#)
[A1b - Legal Review Right of Way Deed - 612 SE 3rd Ave - Garrett Bender](#)
[A2a - Right of Way Deed - 800 Bond Way - 1212 NE 8th Ave. LLC](#)
[A2b - Legal Review Right of Way Deed - 800 Bond Way - 1212 NE 8th Ave. LLC](#)
[A3a - Right of Way Deed - 501 NW 8th Ave - Albert C. Scartabello Jr](#)
[A3b - Legal Review Right of Way Deed - 501 NW 8th Ave - Albert Scartabello](#)

This Request was approved.

6.M. APPROVAL OF AMENDMENT NO. 2 FOR A INCREASE TO

CONTRACT VALUE IN THE AMOUNT OF \$64,000 FOR EXCAVATION AND STOCKPILING SERVICES WITH DEV-LAND DEMOLITION & SITE, INC., UNDER THE CITY OF DELRAY BEACH SOLICITATION NO. 2019-033, FOR A TOTAL CONTACT VALUE NOT TO EXCEED \$2,134,750.

Sponsors: Utilities Department and Purchasing Department

- Attachments:** [Agenda Cover Report](#)
[Legal Review Checklist Dev-land Amendment 2.pdf](#)
[Amendment 2.pdf](#)
[Amendment No. 1 - Dev-Land Demolition & Site, Inc. \(1\)](#)
[Dev-Land Executed Agreement](#)
[2019-033 Lime Sludge Removal and Disposal Advertised](#)
[Resolution No. 121-19](#)

This Request was approved.

6.N. PROPOSED OFFER OF SETTLEMENT IN THE CASE OF ABC JS AUTO IMPORTS LLC VS. CITY OF DELRAY BEACH

Sponsors: City Attorney Department

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

This Request was approved.

6.O. PROCLAMATIONS:

6.O.1. 211 AWARENESS WEEK

Sponsors: City Clerk Department

- Attachments:** [Agenda Cover Report](#)
[211 Awareness Week Feb 11-17-2024](#)

This Proclamation was approved.

6.O.2. BLACK HISTORY MONTH PROCLAMATION

Sponsors: City Clerk Department

- Attachments:** [Agenda Cover Report](#)
[Black History Month](#)

This Proclamation was approved.

6.O.3. OBSERVANCE OF PRESIDENTS' DAY - FEBRUARY 19, 2024

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[President's Day Proclamation - 2024](#)

This Proclamation was approved.

6.O.4. NOTICE OF ELECTION PROCLAMATION AND PRECINCT LIST

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Notice of Election Proclamation & Precinct List](#)

This Proclamation was approved.

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

6.P.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM JANUARY 1, 2024 THROUGH JANUARY 31, 2024.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[HPB \(1-17\) - 1109 Seaspray Avenue](#)
[HPB \(1-17\) - 202 N. Swinton Avenue](#)
[HPB \(1-17\) - Downtown Delray Villas - Lot 1](#)
[HPB \(1-17\) - Downtown Delray Villas - Lot 2](#)
[HPB \(1-17\) - Downtown Delray Villas - Lot 3](#)
[HPB \(1-17\) - Downtown Delray Villas - Lot 4](#)
[HPB \(1-17\) - Downtown Delray Villas - Lot 5](#)
[SPRAB \(1-24\) - 455 NE 5th Avenue \(Master Sign Program\)](#)
[SPRAB \(1-24\) - Atlantic Crossing \(Phase II\)](#)
[HPB \(1-31\)-Sundy Village- Blocks 61, 69, & 70](#)

This Request was approved.

6.Q. AWARD OF BIDS AND CONTRACTS:

6.Q.1. RESOLUTION NO. 08-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA APPROVING AN AGREEMENT WITH DAVID TAUSSIG & ASSOCIATES, INC. FOR CONSULTING SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF NEW DEVELOPMENT IMPACT FEES PURSUANT TO RFP 2023-054; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND/OR RENEWALS THERETO AND

TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THIS AGREEMENT; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Sponsors: Finance Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Reso No. 08-24](#)

[Legal Review Checklist Development and Implementation of Impact](#)

[Fees](#)

[Vendor Signed Agreement](#)

[Exhibit A clean copy](#)

[City of Delray Beach Impact Fee Study 5-26-23](#)

[Packet for Bid RFP 2023-054 FINAL](#)

Commissioner Burns requested this item be pulled for discussion from the consent agenda. It became Item No. 7. A.A. on the regular agenda.

Anthea Gianniotis, Development Services Director, stated this item was solely requesting permission to engage with a consulting firm to analyze the City's Impact Fees, which hadn't been updated since 1992. She noted the analysis would provide information on neighboring municipalities' levied fees.

Mayor Petrolia expressed concern that considerable development had already gotten away without paying additional fees. She stated that she favored excluding single-family homes from being levied additional fees.

Ms. Gianniotis clarified that impact fees are not assessments and noted Building Permit Fees must also be analyzed.

A motion was made by Vice-Mayor Boylston, seconded by Deputy Vice Mayor Long, 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

6.Q.2.

APPROVAL OF RESOLUTION NO.16-24 TO AWARD AN AGREEMENT TO CLEARGOV FOR THE IMPLEMENTATION AND ANNUAL MAINTENANCE OF A SOFTWARE PACKAGE THAT INCLUDES LABOR COSTING AND INTERACTIVE ONLINE BUDGET BOOK UTILIZING BUYBOARD RFP NO. 692-23 IN THE AMOUNT OF \$68,084.27.

Sponsors: Finance Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Resolution No 16-24 Cleargov](#)
[ClearGov - Delray Beach, FL - Vendor Signed Agreement](#)
[Exhibit A- ClearGov - Delray Beach - SO - 1.12](#)
[Original Proposal No. 692-23 \(2\)](#)
[ClearGov Inc \(3\)](#)
[Legal Review Checklist Cleargov](#)

This Resolution was approved.

6.Q.3. APPROVAL OF RESOLUTION NO. 04-24 TO AWARD AN AGREEMENT WITH GENERIC CHEMICAL, INC. FOR THE SUPPLY AND DELIVERY OF GP-143 POLYMER, UTILIZING THE CITY'S CITY STANDARD IN A TOTAL NOT TO EXCEED ESTIMATED AMOUNT OF \$136,000.

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Generic Chemical legal review.pdf](#)
[CS2024-007 Approval Packet - Signed](#)
[Resolution 04-24 City Standard Approval for GP-143 agreement.docx](#)
[CS2024-007 City Standard Generic Chemicals Agreement.pdf](#)

This Resolution was approved.

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 03-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF INTEREST IN A PORTION OF UNIMPROVED RIGHT-OF-WAY LYING BETWEEN 1043 AND 1103 WALLACE DRIVE, TOTALING APPROXIMATELY EIGHT THOUSAND EIGHT HUNDRED AND NINETY-EIGHT SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 03-24, Abandonment of SW 11th Street RoW Portion - 1043 and 1103 Wallace Drive](#)
[Staff Report, SW 11th Street Abandonment](#)

[1043 - 1103 Wallace Drive, Survey](#)

[City Engineer Abandonment Recommendation Letter](#)

[Legal Review Resolution No. 03-24, Abandonment of SW 11th Street RoW Portion - 1043 and 1103 Wallace Drive](#)

Mayor Petrolia asked her colleagues to disclose any ex-parte communications for Resolution No. 03-24.

Mayor Petrolia: None.

Vice Mayor Boylston: None.

Deputy Vice Mayor Long: None.

Commissioner Frankel: None.

Commissioner Burns: None.

Anthea Gianniotis, Development Services Director, entered File No. 2023-182 into the record.

Jeff Costello, Planner with JC Planning Solutions, was present on behalf of his client for this item.

Lynn Gelin, City Attorney, stated should this item be approved, Items 7.A.1 and 7.A.2 would automatically be approved.

Mr. Costello provided several views of the areas he requests to be abandoned. He stated in 1988 the Wallace Drive Redevelopment Area was annexed into the City. He advised that upon the City's approval, the abandoned property would be returned to 1043 and 1103 Wallace Drive, to be redeveloped for Light Industrial Development.

Anthea Gianniotis provided a staff report on this item. She stated on December 18, 2023, the Planning and Zoning Board reviewed the abandonment request and voted 5-0 to recommend approval.

Mayor Petrolia opened the floor to public comments on this item.

Seeing no one present, Mayor Petrolia closed public comments.

There was no cross-examination or rebuttal from either side.

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.A.1. ACCEPTANCE OF A GENERAL UTILITY EASEMENT AGREEMENT AT 1043 WALLACE DRIVE, TOTALING APPROXIMATELY FOUR THOUSAND THREE HUNDRED AND SIXTEEN SQUARE FEET (4,316.95 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[General Utility Easement, 1043 Wallace Drive](#)

[4853 - 4 - DESCRIPTION - ROAD PARCEL - NORTH HALF - 3 dss](#)

[Legal Review, General Utility Easement \(1043 Wallace Drive\)](#)

A motion was made by Commissioner Frankel, seconded by Vice-Mayor Boylston, 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

7.A.2. ACCEPTANCE OF A GENERAL UTILITY EASEMENT AGREEMENT AT 1103 WALLACE DRIVE, TOTALING APPROXIMATELY FOUR THOUSAND THREE HUNDRED AND SIXTEEN SQUARE FEET (4,316.95 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[General Utility Easement, 1103 Wallace Drive](#)

[Legal Review, General Utility Easement \(1103 Wallace Drive\)](#)

A motion was made by Commissioner Frankel, seconded by Vice-Mayor Boylston, 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

7.B. RESOLUTION NO. 37-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REDESIGNATING PALM DRIVE, A PRIVATE RIGHT OF WAY WITHIN THE PARKS AT DELRAY DEVELOPMENT, AS HERON CLUB DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: Development Services Department

- Attachments:** [Agenda Cover Report](#)
[Resolution No. 37-24, Parks at Delray Street Renaming](#)
[PZB Staff Report, Parks at Delray Street Renaming](#)
[Legal Review, Resolution No. 37-24](#)

Anthea Gianniotis provided a staff report on this item. She stated that on January 22, 2024, the Planning and Zoning Board voted 4-0 to recommend approval of this request.

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.C. NOMINATION FOR APPOINTMENT TO THE PLANNING AND ZONING BOARD

Sponsors: City Clerk Department

- Attachments:** [Agenda Cover Report](#)
[Exhibit A](#)
[Planning and Zoning Board 2024](#)
[2024 PZB Attendance](#)
[Baffer](#)
[Blumenfeld](#)
[Bowens](#)
[Cohn](#)
[DeLacio](#)
[Dumitrescu](#)
[Kapustein](#)
[Mollica](#)
[Petillo](#)
[Rindos](#)
[Sauarez, Lucika](#)
[Schiff](#)
[Straghn](#)
[Sylvester](#)

Deputy Vice Mayor Long deferred his appointment until the next Commission Meeting.

7.D. CITY ATTORNEY'S MERIT INCREASE

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[City Attorney Performance Evaluation 2024.](#)

Duane D' Andrea, Human Resources Director, stated Ms. Gelin's cumulative performance evaluation for 2024 by the Commission totaled 4.94 percent.

The Commission engaged in a discussion, praising Ms. Gelin for her hard work and dedication.

Ms. Gelin was awarded a five-percent salary increase plus an additional five days of paid vacation.

A motion was made by Commissioner Frankel, seconded by Commissioner Burns, 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. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 09-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", BY AMENDING SECTION 32.29, "DUTIES AND RESPONSIBILITIES" TO UPDATE THE PURPOSE OF THE EDUCATION BOARD; PROVIDING A SAVINGS CLAUSE, GENERAL REPEALER CLAUSE; AND AN EFFECTIVE DATE. (SECOND READING)

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[2024 Education Board Ordinance](#)
[Simple Legal Review 09-24 Educ Board](#)

Ms. Gelin entered Ordinance No. 09-24 into the record. She suggested tabling this item and scheduling a joint workshop meeting with the Education Board Members.

A motion was made by Vice-Mayor Boylston, seconded by Deputy Vice Mayor Long, that this Ordinance be tabled. 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. 04-24: 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 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," SUBSECTION (I), "CBD PARKING STANDARDS," SUB-SUBSECTION (2), "MINIMUM NUMBER OF OFF-STREET PARKING SPACES," TO EXTEND THE PARKING EXEMPTION FOR CHANGES IN COMMERCIAL USE WITHIN EXISTING COMMERCIAL BUILDINGS AND ASSOCIATED OUTDOOR AREAS WITHIN THE WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT OF THE CENTRAL BUSINESS DISTRICT THROUGH DECEMBER 31, 2026; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ordinance No. 04-24, W. Atlantic Neighborhood Sub-district Parking Exemption](#)
[Staff Report, Ordinance No. 04-24 \(W. Atlantic Neighborhood Sub-district Parking Exemption\)](#)
[DDA Recommendation](#)
[Legal Review, Ordinance No. 04-24](#)

Ms. Gelin entered Ordinance No. 04-24 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. 06-24: 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, APPENDIX A, "DEFINITIONS," BY UPDATING THE DEFINITION OF "TREE TRUST FUND" TO INCLUDE A PROVISION FOR USE OF IN-LIEU FUNDS TO OFFSET MAINTENANCE COSTS FOR TREES AND PALMS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

[Legal Review Ord 06-24 - Amd Tree Trust Fund Definition](#)
[Tree Trust Fund Def PZB Staff Report RD 010424](#)
[Tree Trust Fund Def Business Impact Estimate--](#)
[Ordinance No. 06-24 Amending definition of tree trust fund lg 2-2-24](#)

Ms. Gelin entered Ordinance No. 06-24 into the record.

A motion was made by Vice-Mayor Boylston, seconded by Commissioner Burns, 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:

A. City Manager

None.

B. City Attorney

Thanked the Commission for her merit increase.

C. City Commission

Deputy Vice Mayor Long:

Discussed the cost of the vandalism that was done to the Pride Crosswalk.

Mayor Petrolia suggested various sanctions for the person/people who vandalize the crosswalk.

Commissioner Frankel:

Acknowledged the annual Police Department Beach Volleyball event held on Jan 27th.

Commissioner Burns:

Thanked the City for their support during Black History Month.

Vice Mayor Boylston:

Mentioned the access gates at the beach are not open from dawn to dusk as posted.

Mayor Petrolia:

Invited everyone to the Mayor’s Chess Challenge, Saturday February 10th at the Old School Square Field House from 10:00 a.m. - 12:00 p.m.

Reminded the Commission that proclamations are limited to Delray Beach’s subject matter.

Suggested holding Beach Barn Fires.

Acknowledged the letter of appreciation written by The Happy Wander Golf League for the improvements made to the Lakeview golf course.

Discussed the upcoming Workshop Item about the property on Lake Ida and Congress Avenue.

In response, Mr. Moore stated he would remove this item from the February 20th Workshop Meeting.


11. ADJOURNMENT

There being no further business to discuss, Mayor Petrolia adjourned the meeting at 6:57 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 February 6, 2024 City Commission Regular Meeting held on February 6, 2024, which minutes were formally approved and adopted by the City on March 28, 2024.



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.