

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Final

Monday, August 5, 2024

6:00 PM

Regular Meeting at 6:00 PM

Delray Beach City Hall or Watch on YouTube:

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

Mayor Thomas F. Carney, Jr.

Vice Mayor Juli Casale

Deputy Vice Mayor Rob Long

Commissioner Tom Markert

Commissioner Angela Burns

1. ROLL CALL

The August 5, 2024, Regular City Commission Meeting was called to order at 6:02 p.m. Deputy City Clerk, Alexis Givings called the role, and the following were present:

Terrence Moore - City Manager

Lynn Gelin - City Attorney

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

Vice Mayor Casale requested to pull the following consent items:
Consent Item No. 6.B. became Item No. 7.A.A. on the Regular Agenda.
Consent Item No. 6.D. became Item No. 7.B.B. on the Regular Agenda.
Consent Item No. 6.E. became Item No. 7.C.C. on the Regular Agenda.
Consent Item No. 6.K. became Item No. 7.D.D. on the Regular Agenda.

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

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

3.A. Additions, Deletions, Substitutions

4. PRESENTATIONS:

4.A. PRESENTATION OF THE 2023-24 REPORT AND RECOMMENDATIONS FROM THE PUBLIC ART ADVISORY BOARD

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Jeff Oris, Assistant City Manager, introduced the Public Art Advisory Board members Max Zengage and Sarah Huang. They gave a presentation and made recommendations for the board's future. Mr. Zangage stated they proposed creating a Public Art Master Plan and considered using Public Art Trust Fund funds to undertake a pilot project to wrap utility boxes in the downtown area.

The Commission discussed and unanimously agreed that implementing a Master Public Art Advisory Plan was a favorable decision.

Mr. Oris informed the Commission the City allocated up to \$40,000 for this project in the current year's budget.

The Commission suggested gathering more cost information and returning this item before them.

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 Dorothy Jacks, the Palm Beach County Property Appraiser, who discussed the Super Senior Exemption. She advised that an additional \$25,000 to \$50,000 exemption would be given to qualifying residents over 65. Based on data, the City of Delray Beach would have between 30 and 40 eligible residents if approved for 2025.

Ms. Jacks commended the Mayor for lowering the tax rate in the coming year.

The Commission thanked Ms. Jacks for her presentation.

5.A.1. PROGRESS UPDATE REGARDING LAW ENFORCEMENT CAMERA EXPANSION PROJECT

Sponsors: City Manager Department

Police Chief Russ Mager stated all Closed-Circuit Cameras (CCTV) would be visible where public gatherings and high traffic volume were expected. He advised the cameras would help overwatch the many special events that occur annually in the city through License Plate Recognition (LPR) and enhance public safety.

Lieutenant Gary Ferreri and Assistant Police Chief Razor pointed out that locations throughout the City have been selected based on traffic patterns, crime trends, special events, and other statistical data where the devices would be installed. Lieutenant Ferreri discussed future projects.

The Commission expressed their gratitude to the Police for their presentation and recognized the value of this program.

5.A.2. DISCUSSION OF RESOLUTION NO. 167-24 TO ADDRESSING A BID WAIVER AND FUTURE AWARD OF AN AGREEMENT WITH PLANNING/DESIGN INC. DBA SANFORD GOLF DESIGN FOR PROFESSIONAL DESIGN AND CONSTRUCTION SUPPORT SERVICES FOR THE DELRAY BEACH MUNICIPAL GOLF COURSE RENOVATION PROJECT IN A NOT-TO-EXCEED AMOUNT OF \$1,885,428 IN TWO PHASES OF \$1,129,338 FOR COMPLETED

DESIGN AND PROJECT MANAGEMENT AND \$756,090 FOR
CONSTRUCTION OVERSIGHT

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

Missie Barletto, Director of Public Works, presented a brief update on the progress of the golf course renovation as contracted with Sanford Golf Design. She stated Sanford Golf Design Team had proposed the following fees:

Design & Project Management Phase \$1,129,338

Construction Phase \$756,090 (will not be budgeted until construction begins)

Total Fee: \$1,1885,428

She informed the Commission she would present a complete agreement at the Commission Meeting on August 19, 2024.

Mayor Carney recognized the essential role of public outreach in designing the golf course.

5.B. From the Public

Jay Alpern, 3130 Lawson Blvd, Delray Beach
Discussed how critical public and professional output is concerning the golf course and referenced the Historical Society's report.

Ed McCall, 36 Palm Square, Delray Beach
Spoke about the City's budget for maintaining the baseball fields.

Bob Cantwell, 1007 E. Heritage Club Circle, Delray Beach
Discussed the Delray Beach Volunteer Patrol.

Ouida Hall, 707 SW 6 Street, Delray Beach
Discussed how lowering the millage rate would impact the Police and Fire Departments.

Lori Rieder, 2935 NW 12 Street, Delray Beach
Spoke about the need to pave the City road in the Rainberry Lake Community and also talked about trimming the trees.

Mayor Carney responded by stating the roads in Rainberry Lake were private and that the City was not obligated to repair them.

George Long, 46 N. Swinton Avenue, Delray Beach
Spoke about how informative the Town Hall Meetings were.

Mavis Benson, 800 Greensward Drive, Delray Beach
Stated that she endorsed Alan Costello for an appointment to the
Downtown Development Authority Board.

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

6. CONSENT AGENDA: City Manager Recommends Approval

A motion was made by Vice-Mayor Casale, seconded by Deputy Vice Mayor Long, that this was approved as amended.

all were in favor

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[July 9, 2024 Budget Workshop Meeting Minutes - DRAFT](#)

[July 9, 2024 Regular Meeting Minutes - DRAFT](#)

[July 16, 2024 Budget Workshop Meeting Minutes - DRAFT](#)

[July 16, 2024 Regular Meeting Minutes - DRAFT](#)

[July 25, 2024 Special Meeting Minutes - DRAFT](#)

The Minutes were approved.

6.B. APPROVAL OF PARKING FACILITY EASEMENT AGREEMENT AND PROJECT COVENANT

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

[PX - Delray Parking Facility Agreement Final, signed by SVW,](#)

[pending Lender](#)

[Legal Review Approval Sundry Parking Garage](#)

Vice Mayor Casale requested that Consent Item No. 6.B.B. be pulled for discussion, and it became Item No. 7.A.A. on the Regular Agenda.

Vice Mayor Casale expressed concern that the 138 parking spaces in the garage designated for residents would be closed four times a month.

The Commission engaged in a discussion about the initial parking agreement that was granted to the developer.

Todd Benson with Pebb Capital Developers stated there would be plenty of other parking spaces nearby to accommodate the residents.

Ms. Gelin suggested deleting Section 3 of the agreement and replacing the vocabulary with the following: The applicant must obtain approval from the City Commission before closing any spaces for private use.

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

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

6.C. INVESTMENT POLICY STATEMENT REVIEW

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Delray Investment Policy Statement -IPS - EDIT 05.07.2024](#)

This Request was approved.

6.D. RESOLUTION NO. 157-24 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 157-24 Budget Amendment FY 2023-24 8.5.24](#)
[Exhibit A - Resolution 157-24 Budget Amendment 8.5.24](#)
[Legal Review Res 157-24 Budget Amd to FY 23-24](#)

Vice Mayor Casale requested that Consent Item No. 6.D.D. be pulled for discussion, and it became Item No.7.B.B. on the Regular Agenda.

Vice Mayor Casale praised Mr. Moore for not pulling money from the reserves as initially intended for this item.

A motion was made by Vice-Mayor Casale, seconded by Commissioner Markert, that this Resolution be approved.

all were in favor

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

6.E. RESOLUTION NO.163-24: 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](#)

[Commission Resolution 163-24 - Hurricane Isaias 7.23.24 leg](#)

[ISAIAS GRANT AGREEMENT - DR 3533 FL-City of Delray](#)

[Beach-AgreementTemplate-09711D 07.23.24 leg](#)

[Simple Legal Review Approval Hurricane Isaias Grant Agreement 7.23.24 leg](#)

Vice Mayor Casale requested Consent Item No. 6.E.E. be pulled for discussion, and it became Item No. 7.C.C. on the Regular Agenda.

Vice Mayor Casale inquired why the Commission was only reviewing this item regarding an incident from 2021.

Hugh Dunkley, Finance Director, stated that the Federal Emergency Management Agency (FEMA) controls the process, and their operations are prolonged.

A motion was made by Vice-Mayor Casale, seconded by Commissioner Burns, that this Resolution be approved.

all were in favor

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

6.F. COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN FY2024-2025

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)

[Consolidated Annual Action Plan 24-25 FULL Draft 02](#)

[Non-State Certifications](#)

This Request was approved.

6.G. APPROVAL OF AMENDMENT NO. 2 TO THE EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND WASTE MANAGEMENT INC. OF FLORIDA FOR THE COLLECTION OF SOLID WASTE AND RECYCLABLE MATERIALS.

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[Amendment No. 2 WM Exclusive Franchise Agreement](#)
[Simple Legal Review Approval Amendment No. 2 WM](#)
[Franchise Agreement - Waste Management, Inc. of Florida \(RFP No. 2022-046 - Exclusive Franchise Agreement\) signed](#)

This Request was approved.

6.H. APPROVAL OF RESOLUTION NO. 141-24, A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, LEVYING AND ADOPTING CHARGES, RATES, FEES FOR SOLID WASTE COLLECTION SERVICES; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[Res 141-24 - Adopting Updated Sanitation Rates](#)
[Legal Review Res 141-24 - Adopting Updated Sanitation Rates](#)
[Franchise Agreement - Waste Management, Inc. of Florida \(RFP No. 2022-046 - Exclusive Franchise Agreement\) signed](#)

This Resolution was approved.

6.I. APPROVAL TO APPLY FOR ADDITIONAL FUNDING FROM FLORIDA DEPARTMENT OF LAW ENFORCEMENT FY 2023/2024 DRONE REPLACEMENT PROGRAM

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Drone Replacement Program Financial Assistance Agreement - Florida Department of Law Enforcement \(FDLE\) FY23-24-Drone-Program-Supplemental-Funding-Request.aspx](#)
[House Amendment Bill No HB5003 - 2024](#)
[Legal Review Form FY23-24 FDLE Drone Program Supplemental Funding Request](#)

This Request was approved.

6.J. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 103 BASIN DR.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[A1a - Right of Way Deed - 103 Basin Dr. - Peter and Staci Hecht](#)
[A1b - Legal Review Right of Way Deed - 103 Basin Drive - Peter and Staci Hecht](#)

This Request was approved.

- 6.K.** APPROVAL OF AMENDMENT NO. 5 TO RFP NO. 2019-003 WITH SUNSHINE CLEANING SYSTEMS, LLC. FOR CITYWIDE JANITORIAL SERVICES TO INCREASE THE PRICING SCHEDULE IN THE AMOUNT OF \$22,995.72 FOR A REVISED CONTRACT TOTAL OF \$2,557,700.34

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Amendment No. 5 to RFP No. 2019-003](#)
[Exhibit A Sunshine Cleaning](#)
[Legal Review Checklist Sunshine Cleaning Amendment 5 CC Approval](#)
[Amendment No. 4 to RFP No. 2019-003](#)
[Amendment No. 3 to RFP No. 2019-003](#)
[Additional Spending Request #1](#)
[Amendment No. 2 to RFP No. 2019-003](#)
[Amendment No. 1 to RFP No. 2019-003](#)
[Agreement RFP No. 2019-003](#)

Vice Mayor Casale requested that Consent Item No. 6.K.K. be pulled for discussion, and it became Item No. 7.D.D. on the Regular Agenda.

Vice Mayor Casale expressed concern about why there had been a lapse in the enforcement of this contract.

Hugh Dunkley confirmed this contract did not lapse; it was simply a clerical error.

A motion was made by Vice-Mayor Casale, seconded by Commissioner Markert, that this Request be approved.

all were in favor

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

- 6.L.** APPROVAL FOR ADDITIONAL SPENDING ON SOLE SOURCE NO. SS2023-018 WITH TEN-8 FIRE & SAFETY, LLC FOR ORIGINAL EQUIPMENT MANUFACTURER PARTS AND RELATED SERVICE IN THE AMOUNT OF \$20,000 PER YEAR, FOR A REVISED TOTAL VALUE OF \$136,000.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Agenda Cover Memo - Add'l Spending #1 3.5.2024](#)
[SS 2023-018](#)

This Request was approved.

6.M. APPROVAL OF ADDITIONAL SPENDING FOR THE AGREEMENT WITH JUSTIN ARCHITECTS, P.A. FOR DESIGN SERVICES FOR POMPEY PARK COMMUNITY CENTER AND CAMPUS PURSUANT TO RFQ NO. 2019-050 IN THE AMOUNT OF \$63,220 FOR A REVISED TOTAL OF \$2,140,932

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Additional Spending Request - Proposal](#)
[Agreement RFQ No. 2019-050](#)
[Assignment & Assumption Agreement - Cartaya & Associates](#)
[Archite](#)
[Resolution No. 82-21](#)

This Request was approved.

6.N. APPROVAL FOR ADDITIONAL SPENDING ON P2019-024 WITH KONE INC. FOR ELEVATOR MAINTENANCE, INSPECTION, AND MODERNIZATION IN THE AMOUNT OF \$114,712 FOR A REVISED CONTRACT TOTAL OF \$1,362,847

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Additional Spending Request #2 2.20.24](#)
[Additional Spending Request #1](#)
[Amendment No.1 to P2019-024 with KONE](#)
[Agreement P2019-024](#)
[Res No. 49-19](#)

This Request was approved.

6.O. PROCLAMATIONS:

6.O.1. BACK TO SCHOOL DAY PROCLAMATION

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Back-To School Proclamation](#)

This Proclamation was approved.

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

6.P.1. None

6.Q. AWARD OF BIDS AND CONTRACTS:

6.Q.1. APPROVAL OF RESOLUTION NO. 108-24 TO AWARD AN AGREEMENT WITH HINTERLAND GROUP, INC., FOR LIFT STATION REHABILITATION SERVICES UTILITIZING PALM BEACH COUNTY WATER UTILITIES DEPARTMENT (PBCWUD) LIFT STATION REHABILITATION CONSTRUCTION CONTRACT NO. PBCWD 23-031 IN A TOTAL AMOUNT NOT TO EXCEED \$1,020,000.

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Lift Station legal review.pdf](#)
[Master Contractor_Services Agreement - HGI Signed.pdf](#)
[Resolution 108-24 lg rev final](#)
[Solicitation Document](#)

This Resolution was approved.

6.Q.2. APPROVAL OF RESOLUTION NO.142-24 TO AWARD AN AGREEMENT WITH MUSCO LIGHTING LLC FOR SPORTS LIGHTING SOLUTIONS WITH RELATED TECHNOLOGY, EQUIPMENT AND SERVICES UTILIZING SOURCEWELL RFP NO. 041123 IN THE AMOUNT OF \$924,061

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Reso 142-24.docx](#)
[P2024-035 Sports Lighting Musco MSA 2024.docx](#)
[Sourcewell Quote 226547_Seacrest Hilltopper_Lighting 2024.pdf](#)
[Sourcewell Customer Information Package July 2023 Musco.pdf](#)
[Original RFP041123_Sourcewell_Musco.pdf](#)
[041123-MSL - Price Information Musco.pdf](#)
[Legal Review_Musco Sports Lighting.pdf](#)

This Resolution was approved.

6.Q.3. APPROVAL OF RESOLUTION NO. 149-24: A RESOLUTION APPROVING AN AGREEMENT WITH BFAV LLC DBA ALL ON STAGE

PRODUCTIONS FOR SOUND, STAGE AND LIGHTING SERVICES
PURSUANT TO RFP 2024-021 FOR UP TO \$338,316.00 ANNUALLY
FOR A FIVE YEAR CONTRACT IN THE AMOUNT OF \$1,691,580.00

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review_Agmt with BFAV - sound stage and lighting services - RFP 2024-021.pdf](#)
[Agreement RFP 2024-021 Sound Stage and Lighting Services.docx](#)
[Exhibit A_AllonStage_2024.pdf](#)
[Packet_for_Bid_RFP_2024-021_FINAL_SoundStageLighting.pdf](#)
[Resolution 149-24 lg rev final](#)

This Resolution was approved.

7. REGULAR AGENDA:

7.A. OFF-SITE PARKING AGREEMENT FOR 324 NE 3rd AVENUE

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Tri-Party Offsite Parking Agreement 2024 325 NE 3rd Ave](#)
[324 NE 3rd Avenue - Location Map](#)
[Legal Review Tri-Party Offsite Parking Agreement - 324 and 325 NE 3rd Avenue - 324 Lofts and DEL PARK LLC](#)

Mayor Carney revealed he had previously represented this company but had no involvement in this matter.

Attorney Louis Carbone was present on behalf of the applicant, Josh Abrams. Mr. Carbone presented a revised off-site parking agreement for the property located at 324 NE 3rd Avenue. He stated the additional nine parking spaces are required to accommodate the expansion of the ground-floor restaurant to the rooftop area of the building.

Anthea Gianniotis, Development Services Director, presented a staff report about the Tri-Party Agreement for securing 12 parking spaces needed for the property located at 324 NE 3rd Avenue. These parking spaces would enable the use of the rooftop for outdoor dining. The automated garage would necessitate the presence of an attendant who must be on-site during all hours of operation.

A motion was made by Vice-Mayor Casale, seconded by Commissioner Burns, that this Request be approved.

all were in favor

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

7.B. NOMINATION FOR APPOINTMENT TO THE BOARD OF ADJUSTMENT

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[Exhibit A](#)

[Board of Adjustment Board Member List](#)

[BOA ATTENDANCE](#)

[DeLacio, John](#)

[Ramirez, Aura](#)

[Ronald, Mark](#)

Mayor Carney requested that the title include which Commissioner is making the appointment moving forward.

A motion was made by Commissioner Burns to nominate John DeLacio, seconded by Vice Mayor Casale.

all were in favor

A motion was made by Mayor Carney to nominate Mark Ronald, seconded by Vice Mayor Casale.

all were in favor

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

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)[Exhibit A](#)[Planning & Zoning Member List](#)[P&Z Attendance](#)[Amani, Sandra](#)[Baffer](#)[Cohen, Steven](#)[Cohn, Damara](#)[DeLacio, John](#)[Dockerty](#)[Dumitrescu](#)[Fredericks, Carol](#)[Godbout, Christina](#)[Katz, Mitch](#)[Kapustein](#)[King, Cara](#)[Kiser, Mereida](#)[Morrison](#)[Nelson](#)[Ronald, Mark](#)[Schiff](#)[Snyder](#)[Sauarez, Lucika](#)[Savitch](#)[Straghn](#)[Vedder, Jim](#)[Villanoix, Wensky](#)

A motion was made by Vice Mayor Casale to nominate Snyder, seconded by Commissioner Markert.

all were in favor

A motion was made by Commissioner Burns to nominate Straghn, seconded by Vice Mayor Casale.

all were in favor

A motion was made by Mayor Carney to nominate Katz, seconded by Vice Mayor Casale.

Yes: 4 - Mayor Carney, Vice Mayor Casale, Commissioner Burns, and Commissioner Markert.

No: 1 - Deputy Vice Mayor Long

approved

7.D. NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD

Sponsors: City Clerk Department

- Attachments:** [Agenda Cover Report](#)
[Exhibit A \(07-30-24\)](#)
[Historic Preservation Board Member List](#)
[HPB Attendance](#)
[Amani, Sandra](#)
[Baffer](#)
[Brown, Sarah](#)
[Cabezas](#)
[Cohen, Steven](#)
[DeLacio](#)
[Dumitrescu](#)
[Fredericks, Carol](#)
[Godbout](#)
[Jones, Adam](#)
[Lembovski](#)
[Mamone](#)
[Miller, John](#)
[Perez](#)
[Schiff](#)
[Talbot, Rhett](#)
[Willis](#)

A motion was made by Mayor Carney to nominate Miller, seconded by Vice Mayor Casale.

all were in favor

A motion was made by Commissioner Markert to nominate Perez, seconded by Vice Mayor Casale.

all were in favor

Deputy Vice Mayor Long deferred his nomination.

A motion was made by Vice Mayor Casale to nominate Cabezas, seconded by Commissioner Markert.

all were in favor

7.E. NOMINATION FOR AN APPOINTMENT TO THE SITE PLAN REVIEW AND APPEARANCE BOARD

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[SPRAB](#)
[SPRAB ATTENDANCE](#)
[Amani, Sandra](#)
[Baffer](#)
[Cohen, Steven](#)
[DeLacio](#)
[Dumitrescu](#)
[Godbout](#)
[Katz, Mitch](#)
[Kapustein](#)
[King, Cara](#)
[Kiser, Mereida](#)
[Lewis, Robert](#)
[Morrison](#)
[Nelson](#)
[Perez](#)
[Posovsky, Stephen](#)
[Ronald, Mark](#)
[Talbot, Rhett](#)
[Villanoix, Wensky](#)
[Vedder, Jim 2](#)

A motion was made by Vice Mayor Casale to nominate Morrison, seconded by Commissioner Markert.

all were in favor

A motion was made by Commissioner Burns to nominate Villanoix,

seconded by Commissioner Markert.

all were in favor

Mayor Carney deferred his nomination.

7.F. NOMINATION FOR APPOINTMENT TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A](#)
[DDA Board Member List](#)
[DDA Board Attendance](#)
[DDA Map](#)
[Costilo, Alan](#)
[Dockerty](#)
[Rose, Daniel](#)

Commissioner Markert nominated Costilo, seconded by Vice Mayor Casale.

all were in favor

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ORDINANCE NO. 25-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", BY AMENDING SECTION 32.26, "COMPOSITION; APPOINTMENT; TERMS" TO REDUCE THE NUMBER OF THE EDUCATION BOARD MEMBERS FROM 13 MEMBERS TO 7 REGULAR MEMBERS; BY AMENDING SECTION 32.28. "QUALIFICATIONS OF MEMBERS" TO UPDATE THE QUALIFICATIONS BY REQUIRING BOARD MEMBERS TO BE EITHER A PARENT OR EDUCATOR FROM EACH OF THE DELRAY BEACH PUBLIC SCHOOLS; BY AMENDING SECTION 32.29, "DUTIES AND RESPONSIBILITIES" TO UPDATE THE PURPOSE OF THE BOARD; PROVIDING A SAVINGS CLAUSE, GENERAL REPEALER CLAUSE; AND AN EFFECTIVE DATE. (SECOND READING)

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[BIE--Ordinance 25-24 \(Education Board\) SIGNED](#)
[Ordinance Legal Review Form_Ord 25-24 Amending Education Board
Composition, Qualifications, and Duties](#)
[Ord 25-24 Amending Education Board Ordinance 7.1.24](#)

Lynn Gelin entered Ordinance No. 25-24 into the record.

Vice Mayor Casale suggested postponing this item until after the School District Workshop.

A motion was made by Vice Mayor Casale to table this item and reschedule it to a date certain of Tuesday, October 1, 2024, seconded by Deputy Vice Mayor Long.

tabled to a date certain of October 1, 2024

Ms. Gelin requested that the vote be amended to be more specific.

A motion was made by Vice Mayor Casale to postpone this item to a date certain of October 1, 2024, at 6:00 p.m., seconded by Commissioner Burns.

**all were in favor of amending this item to a date certain of
October 1, 2024 @ 6:00 p.m.**

9. FIRST READINGS:

- 9.A.** ORDINANCE NO. 23-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH CHAPTER 53, "SANITARY SEWERS," SECTION 53.004, "ABBREVIATIONS; DEFINITIONS," TO ADOPT DEFINITIONS FOR HAZARDOUS WASTE PHARMACEUTICALS, HEALTHCARE FACILITY, PHARMACEUTICAL, AND REVERSE DISTRIBUTOR, AND TO CORRECT NUMBERING; AMENDING SECTION 53.051, "PROHIBITED DISCHARGES TO SEWERS," TO ADD HAZARDOUS WASTE PHARMACEUTICALS TO THE LIST OF SUBSTANCES PROHIBITED FROM BEING INTRODUCED TO THE TREATMENT WORKS; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Utilities Department

- Attachments:** [Agenda Cover Report](#)
[1-Business Impact Estimate Form -Ord 23-24 SIGNED.pdf](#)
[Ord 23 -24 Pharmaceutical WMB 2024 06 17](#)
[Ord 23-24 Sewer Discharge Pharmaceuticals.pdf](#)

Lynn Gelin entered Ordinance No. 23-24 into the record.

A motion was made by Vice-Mayor Casale, seconded by Commissioner Burns, that this Ordinance be approved.

all were in favor

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

9.B.

ORDINANCE NO. 24-24: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH CHAPTER 53, "SANITARY SEWERS," SECTION 53.058, "RESERVED," TO ENACT A NEW SECTION 53.058, "DENTAL FACILITIES THAT REMOVE OR REPLACE AMALGAM FILLINGS," PROVIDING FOR LOCAL IMPLEMENTATION OF THE EFFLUENT LIMITATIONS GUIDELINES AND STANDARDS FOR DENTAL CATEGORY ADOPTED BY THE STATE OF FLORIDA; PROVIDING A CONFLICTS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AUTHORITY TO CODIFY; AND PROVIDING AN EFFECTIVE DATE. (FIRST READING)

Sponsors: Utilities Department

- Attachments:** [Agenda Cover Report](#)
[1-Business Impact Estimate Form -Ord 24-24 SIGNED.pdf](#)
[Ord 24-24 Sewer Discharge Dental Amalgam Fillings.pdf](#)
[Ord 24-24 Sewer Discharge for Dental Office WMB 2024 06 17](#)

Lynn Gelin entered Ordinance No. 24-24 into the record.

A motion was made by Vice-Mayor Casale, seconded by Commissioner Burns, that this Ordinance be approved.

all were in favor

Yes: 5 - Deputy Vice Mayor Long, Commissioner Burns, Commissioner Markert, Vice-Mayor Casale, and Mayor Carney Jr.

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

None

B. City Attorney

Ms. Gelin discussed the original parking agreement with Sundy Village.

C. City Commission

Deputy Vice Mayor Long:

None.

Commissioner Markert:

Requested a consensus to allow Laura Simon, Executive Director of the Downtown Development Authority to present her ideas for the rebranding of Old School Square at the next Commission meeting.

There was a consensus to schedule Ms. Simon to speak at the meeting on August 19, 2024.

Commissioner Burns:

Requested the status of the Frog Alley Designation and the opioid item.

Mr. Moore advised that both items would be on the August 19, 2024, agenda.

Vice Mayor Casale:

Expressed her gratitude to the interns and staff for their hard work.

Acknowledged the people who help the homeless in the City.

Recommended recording the executive sessions to ensure transparency for the residents.

Asked to send out a message about the rollback millage rate.

Requested an update on the reimbursement for the faulty Badger Meters.

Suggested having a follow-up meeting to discuss the goal-setting discussions.

Mayor Carney

Requested to reschedule the discussion of the Atlantic Historic District topic originally planned for August 13, 2024.


There was a consensus to reschedule the discussion, but no date was set.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the

meeting at 8:40 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.




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 August 5, 2024 City Commission Regular Meeting held on August 5, 2024, which minutes were formally approved and adopted by the City on August 19, 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.