

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Final

Monday, November 4, 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 Thomas F. Carney, Jr.

Vice Mayor Juli Casale

Deputy Vice Mayor Rob Long

Commissioner Tom Markert

Commissioner Angela Burns

1. ROLL CALL

The Regular City Commission Meeting was called to order at 5:08 p.m. Interim 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 Consent Item Nos. 6.B., 6.D., and 6.O.1. (Gunitite Yard).

Commissioner Burns requested to pull Consent Item Nos. 6.F., and 6. G.

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

all were in favor

3.A. Additions, Deletions, Substitutions

4. PRESENTATIONS:

4.A None

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

5.A. City Manager's response to prior public comments and inquiries

5.A.1. DISCUSSION REGARDING POTENTIAL ENGAGEMENT WITH CITRIN COOPERMAN ADVISORS, LLC FOR THE PROVISION OF PROCESS AND INTERNAL CONTROL ASSESSMENT SERVICES

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[City of Delray Beach CCA engagement letter](#)

Mr. Moore introduced Stephen Emery from Citrin Cooperman Advisors, who was present to discuss his firm's business practices and answer questions from the Commission on their potential engagement to audit the City's Finance Department.

Vice Mayor Casale shared her concerns about the practices and procedures of the City's Finance Department, which she indicated would be the main focus of Citron Cooperman's audit.

Mr. Emory discussed his company's business practices when conducting a forensic audit.

Mr. Moore thanked Mr. Emory for his time.

5.A.2. CODE ENFORCEMENT DIVISION

Sponsors: City Manager Department

Jeff Oris, Assistant City Manager, presented an update on the City's Code Enforcement Division. He explained that the department collaborates closely with residents and business owners, and plans to work more closely with the Downtown Development Authority, the Community Redevelopment Agency, and other external organizations to ensure compliance with the City's codes and Land Development Regulations. Additionally, he mentioned the department is preparing to implement civil citations when necessary. He stated there has been a high turnover of Code Enforcement Officers, and training new hires takes time; therefore, cross-training efforts will be made.

The Commission discussed the proper protocol for homes and businesses that were repeatedly non-compliant with the City code.

5.A.3. OVERVIEW OF GRANT OPPORTUNITIES AND RESPECTIVE PROGRAM ADMINISTRATION

Sponsors: City Manager Department

Attachments: [2024 City of Delray Beach Internal Grants](#)
[2024 City of Delray Beach External Grants](#)
[Grant Administration \(BF-24, Rev. 2\)](#)

Mr. Moore suggested to postpone this item until January 14, 2025, to engage in a comprehensive discussion on the grant funding opportunities.

5.B. From the Public

Mavis Benson, 800 Greensward Court, Delray Beach
Requested routing the Delray Affair through the 500 block of Atlantic Avenue to attract more business to local shops.

George Long, 46 N. Swinton Avenue, Delray Beach
Stated the Code Enforcement Officers were very courteous and mentioned the in-lieu parking fees.

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

Expressed her gratitude to the Commission for their support of the Pompey Park Project. She also raised concern about the individual feeding the feral cats.

Vice Mayor Casale mentioned that she would speak to that individual.

Cynthia Ridley, 210 NE 2 Avenue, Delray Beach

Thanked the Commission for its commitment to renovating Pompey Park and inquired about the requirements for becoming a Code Enforcement Officer.

Ernestine Holliday, 40 NW 3 Avenue, Delray Beach

Asked about the hiring requirements related to tobacco use for a job position with the City.

Sarah Epstein, merchant at 537 East Atlantic Avenue, Delray Beach

Requested that the Delray Affair be routed through the 500 block to showcase the local businesses better.

Nicholas Manuel, the owner of Deke's in Delray

Discussed the sidewalk cafés and keeping the culture of the city.

Laura Simon, Executive Director of the Downtown Development Authority

Reminded everyone that November was Shop Small Month. She requested the Commission approve the extension of the Delray Affairs route, which would help showcase small businesses.

Stephaine Immelman, Chamber of Commerce

Stated the Chamber of Commerce did not include the 600 block for the Delray Affair route due to restrictions set by the new Special Events Policy. She noted the decision to change the route must come from the Commission.

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

6. CONSENT AGENDA: City Manager Recommends Approval

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

- Attachments:** [Agenda Cover Report](#)
[October 1, 2024 Regular Meeting Minutes - DRAFT](#)
[October 8, 2024 Workshop Meeting Minutes - DRAFT](#)
[October 15, 2024 Workshop Meeting Minutes - DRAFT](#)
[October 15, 2024 Regular Meeting Minutes - DRAFT](#)

The Minutes were approved.

6.B. RESOLUTION 201-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE 63RD ANNUAL DELRAY AFFAIR TO BE HELD APRIL 4-6, 2025; AUTHORIZING THE CLOSURE OF ATLANTIC AVENUE AND SWINTON AVENUE AS MORE SPECIFICALLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: City Manager Department

- Attachments:** [Agenda Cover Report](#)
[Impact Event Resolution Delray Affair 2025](#)
[Delray Affair App 2025](#)
[2025 DA SITE PLAN - FINAL](#)
[Simple Legal Review Approval Delray Affair 2025](#)

Vice Mayor Casale requested to pull Consent Item No. 6.B. for discussion. It became Item No. 7. A.A. on the Regular Agenda.

Lynn Gelin, City Attorney, entered Resolution No. 201-24 into the record.

The Commission engaged in a brief discussion and postponed this item until more information can be obtained.

A motion was made by Vice Mayor Casale, seconded by Commissioner Market, to postpone this item until December when more information is obtained.

postponed

6.C. RESOLUTION 202-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN IMPACT EVENT KNOWN AS THE 16TH ANNUAL SAVOR THE AVENUE TO BE HELD MARCH 24, 2025; AUTHORIZING THE CLOSURE OF ATLANTIC

AVENUE FROM SWINTON AVE TO NE/SE 5TH AVE AS MORE SPECIFICALLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Impact Event Resolution rev. 10.2.24](#)
[Simple Legal Review Approval Savor the Avenue 2025](#)
[Savor the Ave 2025 App](#)
[Savor 2025 Site Map](#)

This Resolution was approved.

6.D. RESOLUTION NO. 231-24 APPROVING LETTER OF ENGAGEMENT WITH CITRIN COOPERMAN ADVISORS, LLC FOR THE PROVISION OF PROCESS AND INTERNAL CONTROL ASSESSMENT SERVICES.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)
[Res 231-24 - Citrin Cooperman 10.30.24](#)
[City of Delray Beach CCA engagement letter UD](#)
[CITY OF DELRAY BEACH Addendum Citrin Cooperman](#)
[Affidavit regarding USE of COERCION LABOR AND SERVICES Delray \(002\)](#)
[Simple Legal Review Approval Citrin Cooperman 11.1](#)

Vice Mayor Casale requested to pull Consent Item No. 6.D. for discussion. It became Item No. 7. B.B. on the Regular Agenda.

Mr. Moore introduced Stephen Emory from Citrin Cooperman Advisors, who was present to answer questions from the Commission.

Vice Mayor Casale expressed her concern about the Finance Department's policies and procedures.

Mr. Emory explained what details are included in a forensic audit.

A motion was made by Vice Mayor Casale, seconded by Commissioner Markert, to engage Citrin Cooperman to audit the Finance Department's financial records for the past three years.

all were in favor

- 6.E.** RESOLUTION NO. 210-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO TIMOTHY L. MCKINNEY SR., FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 240 DIXIE BOULEVARD, AS FURTHER DESCRIBED HEREIN; DETERMINING THAT THE COMPLETED IMPROVEMENTS ARE CONSISTENT WITH LAND DEVELOPMENT REGULATION (LDR) SECTION 4.5.1(J), TAX EXEMPTION FOR HISTORIC PROPERTIES; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Res. No. 210-24 - Ad Valorem for 240 Dixie Blvd](#)

[Simple Legal Review Approval Res. 210-24 - 240 Dixie Blvd](#)

[HPB Staff Report-240 Dixie Blvd](#)

[Before Photographs-240 Dixie Blvd](#)

[After Photographs-240 Dixie Blvd](#)

[Certificate of Completion-240 Dixie Blvd](#)

[Plans-204 Dixie Blvd](#)

[Before Survey-240 Dixie Blvd](#)

[After Survey-240 Dixie Blvd](#)

[Tax Information-240 Dixie Blvd](#)

[Warranty Deed-204 Dixie Blvd](#)

This Resolution was approved.

- 6.F.** RESOLUTION NO. 217-24 APPROVING A GRANT OF \$140,205.00 FROM THE U.S. CONSUMER PRODUCT SAFETY COMMISSION FOR ITS POOL SAFELY GRANT PROGRAM

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

[NoticeOfAward.pdf](#)

[Simple Legal Review Grant Notice of Award.pdf](#)

[RES No. 217-24 PoolSafely Resolution.docx](#)

Commissioner Burns requested to pull Consent Item No. 6.F. for discussion. It became Item No. 7. D.D. on the Regular Agenda.

Commissioner Burns asked for clarification on what this item would

provide.

Sam Metott, Parks and Recreation Director, stated this grant would provide educational training on drowning prevention for the aquatics department and help spread that knowledge to the City's swimming facilities.

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

all were in favor

6.G. APPROVAL OF APPLICATION TO AND AWARD OF THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) FY 2024-25 OCCUPANT PROTECTION/CHILD PASSENGER SAFETY PROGRAM GRANT

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[FDOTSubgrantAgreement-2025 - Occupant](#)

[Legal Review Form_FDOT grant application_Occupant Protection and Child Passenger Safety_24](#)

Commissioner Burns requested to pull Consent Item No. 6.G. for discussion. It became Item No. 7.E.E. on the Regular Agenda.

Police Chief Russ Mager stated this program focuses on seatbelt safety and has incurred no cost to the City. He noted that anyone violating the seatbelt law would receive a citation.

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

all were in favor

6.H. AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DEPARTMENT OF NAVY FOR RENTAL OF TWENTY-THREE (23) NIGHT VISION GOGGLES FOR SWAT TEAM

Sponsors: Police Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist_NAVSEA Coop Agreement 24](#)
[NAVSURFWACENDIV_10082024](#)

This Request was approved.

6.I. APPROVAL OF RESOLUTION NO. 222-24 FOR RETROACTIVE APPROVAL OF A GRANT APPLICATION AND APPROVAL OF THE SAFE STREETS AND ROADS FOR ALL GRANT AGREEMENT WITH THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION (FHWA) FOR THE PREPARATION OF A VISION ZERO ACTION PLAN IN THE AMOUNT OF \$300,000.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[693JJ32540043_City of Delray Beach FL Grant Agreement](#)
[Reso 222-24 Safe Streets Grant Agreement](#)
[Simple Legal Review Approval Safe Streets Grant Agreement](#)

This Resolution was approved.

6.J. APPROVAL OF A LICENSE AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF DELRAY BEACH TO ALLOW THE CITY TO UTILIZE COUNTY OWNED PARKING FACILITIES AT THE SOUTH COUNTY COURTHOUSE DURING SPECIAL EVENTS

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[License Agreement 120324-123125](#)
[Schedule of Events](#)
[Simple Legal Review Approval License Agreement for County Parking Lot 10.2.24](#)

This Request was approved.

6.K. ITEM(S) A1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 1701 N SWINTON AVE.

ITEM(S) A2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 720 NW 3RD AVE.

ITEM(S) A3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 104 SEABREEZE AVE.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[A1a - Right of Way Deed - 1701 N Swinton Ave - Maper Investments LLC](#)

[A1b - Legal Review Right of Way Deed - 1701 N Swinton Ave - Maper Investments LLC](#)

[A2a - Right of Way Deed - 720 NW 3rd Ave - 720 NW 3 LLC - Bella Homes II LLC - Bella Homes LLC](#)

[A2b - Legal Review Right of Way Deed - 720 NW 3rd Ave - 720 NW 3, LLC](#)

[A3a - Right of Way Deed - 104 Seabreeze Ave - Krysti and Donnie Hinton](#)

[A3b - Legal Review ROW Deed -104 Seabreeze Ave - Krysti and Donnie Hinton](#)

This Request was approved.

6.L. ITEM(S) A1, MAINTENANCE OF TRAFFIC PLAN/ ROAD CLOSURE PLAN FOR ARTIST ALLEY BETWEEN OF NE 3RD ST and NE 4TH ST AND NE 3RD AVE AND THE FEC RAILROAD.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[MOT Artist Alley Drainage Improvements. Rev 1.](#)

This Request was approved.

6.M. APPROVAL OF ADDITIONAL SPENDING FOR AGREEMENT P2024-011 WITH TOTAL TRUCK PARTS, INC. FOR THE PURCHASE OF HEAVY EQUIPMENT PARTS AND SERVICES IN THE AMOUNT OF \$60,000 FOR A REVISED AGREEMENT TOTAL OF \$240,000

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)

[Agreement P2024-011 with Total Truck Parts, Inc.](#)

[Resolution No. 25-24](#)

[Legal Review Heavy Equipment Parts V.2](#)

This Request was approved.

6.N. PROCLAMATIONS:

6.N.1. PICKLEBALL MONTH PROCLAMATION

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)

[PickleballProc_2024.doc](#)

This Proclamation was approved.

6.N.2. FAMILY COURT AWARENESS MONTH

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Family Court Awareness Month 2024](#)

This Proclamation was approved.

6.N.3. OBSERVANCE OF VETERANS DAY PROCLAMATION

Sponsors: City Clerk Department

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

This Proclamation was approved.

6.N.4. NATIONAL HUNGER & HOMELESSNESS AWARENESS WEEK PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[National Hunger & Homelessness Awareness Week 2024](#)

This Proclamation was approved.

6.N.5. PROCLAMATION TO PROMOTE RECYCLING IN PALM BEACH COUNTY AND TO DECLARE NOVEMBER 15, 2024 AS AMERICA RECYCLES DAY.

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)
[America Recycles Day 2024](#)

This Proclamation was approved.

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

6.O.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM SEPTEMBER 9, 2024 THROUGH OCTOBER 24, 2024.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[HPB \(10-16\) 202 N. Swinton Avenue](#)
[PZB \(10-21\) Delray Ford - 2501 S Federal Highway](#)
[PZB \(10-21\) Gunite Yard- 135 N Congress Avenue](#)

Vice Mayor Casale requested to pull Consent Item No. 6.O.1 (Gunite Yard) for discussion. It became Item No.7.C.C. on the Regular Agenda.

Vice Mayor Casale stated that she was appealing this item.

A motion was made by Vice Mayor Casale, seconded by Commissioner Market, to appeal the decision of the Planning and Zoning Board for this item and to reschedule it for some time in the future.

all were in favor of approving this item, except for 135 North Congress Avenue, which was appealed by Vice Mayor Casale and postponed for a future date.

6.P. AWARD OF BIDS AND CONTRACTS:

6.P.1. APPROVAL OF RESOLUTION NO. 205-24 TO AWARD A THREE-YEAR AGREEMENT WITH RSC INSURANCE BROKERAGE, INC., FOR EMPLOYEE BENEFITS AND HEALTHCARE CONSULTING SERVICES PURSUANT TO RFP NO. 2024-024 - \$406,000. AUTHORIZING THE CITY MANAGER TO EXECUTE ANY AMENDMENTS AND/OR RENEWALS THERETO AND TAKE ANY AND ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 205-24](#)
[Legal Review Checklist Employee Benefits Consultant Services](#)
[RFP 2024-024 Employee Benefit and Healthcare Consultant Services](#)
[Exhibit A Scope of Services](#)
[Exhibit B](#)
[Packet for Bid RFP 2024-024- Final](#)
[Vendor Signed- RFP 2024-024 Employee Benefits and Healthcare Consultant Services](#)

This Resolution was approved.

6.P.2. APPROVAL OF RESOLUTION NO. 227-24 TO AWARD A ONE YEAR

AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC., FOR PROFESSIONAL CONSULTING SERVICES IN AN EXECUTIVE SEARCH FOR AN INTERNAL AUDITOR.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Res - Agreement with Raftelies](#)
[Proposal - Delray Beach FL Internal Auditor 2024](#)
[Agreement-Raftelies Financial Consultant.](#)
[Attachment B](#)
[Attachment A](#)
[Simple Legal Review Approval Raftelies.](#)

This Resolution was approved.

6.P.3. APPROVAL OF RESOLUTION NO. 204-24 TO AWARD AN AGREEMENT WITH EAST COAST MULCH CORP. FOR BLOWN MULCH AND INSTALL SERVICES FOR THE PARKS AND RECREATION DEPARTMENT PURSUANT TO INVITATION TO BID 2024-050 IN THE NOT-TO-EXCEED AMOUNT OF \$187,500.00

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[East Coast Mulch LR.pdf](#)
[Resolution No. 204-24.docx](#)
[ITB 2024-050 Blown Mulch and Install Services.docx](#)
[Exhibit A_EastCoastMulch.pdf](#)
[Vendor Signed- ITB 2024-050 Blown Mulch and Install Services](#)

This Resolution was approved.

6.P.4. APPROVAL OF RESOLUTION NO. 203-24 TO AWARD AN AGREEMENT TO IN DEPTH, INC., FOR THE CLEANING AND INSPECTION SERVICES OF CLEARWELL AND FINISHED WATER STORAGE TANKS; UTILIZING THE CITY OF FT. LAUDERDALE, ITB NO. 136, COMMERCIAL DIVING SERVICES FOR A TOTAL NOT TO EXCEED CONTRACT VALUE OF \$350,000.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[P2025-002 Comercial Diving Services.docx](#)
[Diving Services LR.pdf](#)
[City of Ft Lauderdale com div136 - Agreement \(FTL-InDepth\) - FULLY EXECUTED](#)
[Bid Tabulation For Event 136](#)
[Res. P2025-002 Commercial Diving Services \(DV\).docx](#)

This Resolution was approved.

6.P.5. APPROVAL OF RESOLUTION NO. 206-24, TO AWARD AN AGREEMENT WITH HINTERLAND GROUP, INC., FOR SANITARY AND SEWER REHABILITATION, UTILIZING THE VILLAGE OF WELLINGTON ITB NO. 202331, ANNUAL DRAINAGE INFRASTRUCTURE INSPECTION, CLEANING AND REPAIR CONTRACT, IN A TOTAL ESTIMATED NOT TO EXCEED VALUE OF \$1,600,000 (\$400,000 YEAR) RESPECTIVELY.

Sponsors: Utilities Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Hinterland Drainage Inspection, Cleaning, and Repair services.pdf](#)
[P2025-001 Annual Drainage Infrastructure Inspection Cleaning \(002\).pdf](#)
[Res. P2025-001 Drainage Infrastructure Inspection Cleaning.pdf](#)
[ITB 202331 - Bid Documents](#)
[Notice of Award \(24\)](#)

This Resolution was approved.

7. REGULAR AGENDA:

7.A. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTION FOR FIFTH AVENUE TOWNHOMES FROM OCTOBER 23, 2024.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[SPRAB \(10-23\) Fifth Avenue Townhomes - 142 & 152 SE 5th Avenue](#)

Mayor Carney stepped away from the dais and recused himself due to a conflict of interest.

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

all that were left on the dais were in favor

7.B. NOMINATION FOR AN APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY. THE NOMINATION FOR AN APPOINTMENT FOR ONE (1) REGULAR MEMBER TO SERVE AN UNEXPIRED TERM ENDING MARCH 6, 2025, WILL BE MADE BY COMMISSIONER MARKERT (SEAT #1).

Sponsors: City Clerk Department

- Attachments:** [Agenda Cover Report](#)
[Exhibit A](#)
[Delray Beach Housing Authority Board Member List](#)
[DBHA Attendance](#)
[Cox, Kristyn](#)
[Keiser, Andrea](#)
[Stamper, Christina](#)

Andrea Keiser was appointed.

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

all were in favor

7.C. NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR ONE (1) QUALIFIED MEMBER TO SERVE A TERM ENDING AUGUST 31, 2025, WILL BE MADE BY COMMISSIONER BURNS (SEAT #4).

Sponsors: City Clerk Department

- Attachments:** [Agenda Cover Report](#)
[Exhibit A](#)
[Historic Preservation Board Members List](#)
[HPB Attendance](#)
[Baffer, Benjamin](#)
[Amani, Sandra](#)
[Brown, Sarah](#)
[Fredericks, Carol](#)
[Krieg, Ezra](#)
[Lembovski, Katherine](#)
[Lloyd, Cynthia](#)
[Mamone, Bettina](#)
[Ramirez, Aura](#)
[Talbot, Rettig](#)

Ezra Krieg was appointed.

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

all were in favor

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A. ORDINANCE NO. 20-24: 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 BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.9, "OFF-STREET PARKING REGULATIONS" TO AMEND THE REQUIREMENTS FOR PARKING FOR GENERAL COMMERCIAL USES TO INCLUDE LIMITED INDOOR DINING ESTABLISHMENTS AND TO CLARIFY THE PARKING REQUIREMENT FOR RESTAURANTS AND STAND ALONE BARS; AMENDING APPENDIX A, "DEFINITIONS," TO INCLUDE A DEFINITION FOR LIMITED INDOOR DINING ESTABLISHMENT; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Limited Indoor Dining](#)
[Ordinance No. 20-24](#)
[BIE Form](#)
[Simple Legal Review Approval Ordinance 20-24](#)
[Proof of Legal Advertisement, Ordinance No. 20-24](#)

Ms. Gelin entered Ordinance No. 20-24 into the record.

Anthea Gianniotis, Development Services Director, provided a presentation on this ordinance. She stated this ordinance aims to support the City's small businesses by allowing a maximum of eight indoor seats to establishments that meet Florida statutory and regulatory requirements for a food service license. She noted that the text amendment aligns with and advances the Comprehensive Plan's goals, objectives, and policies (GOP).

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

Anthony Gervasi, Co-owner of the Bridge Café, Delray Beach emphasized the necessity for the Commission to pass this Ordinance as it would enable Planning and Zoning to define the nature of his business for

permitting purposes.

Nicholas Manuel, the owner of Deke's, Delray Beach Expressed that approving this Ordinance would allow him to capitalize on his business and other local food businesses.

Laura Simon, Downtown Development Authority, Executive Director Thanked Ms. Gianniotis and her team for advancing this item forward, and addressed the challenges confronting small food businesses.

The Commission thanked Ms. Gianniotis for her presentation, and everyone agreed on the importance of supporting small businesses in the city.

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

all were in favor

8.B.

ORDINANCE NO. 05-24: 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 10, "FLOOD DAMAGE CONTROL DISTRICTS AND COASTAL CONSTRUCTION," ARTICLE 10.1, "ADMINISTRATION," SECTION 10.1.2, "APPLICABILITY," TO REFERENCE THE MOST RECENTLY ADOPTED FLOOD INSURANCE STUDY; AMENDING SECTION 10.1.7, "VARIANCES AND APPEALS," TO REPLACE REFERENCES TO THE BOARD OF ADJUSTMENT FOR APPEALS TO FLOODPLAIN MANAGEMENT REGULATIONS WITH THE APPROPRIATE REVIEWING BODY FOR CONSISTENCY WITH CHAPTER 2 AND UPDATING THE FLORIDA BUILDING CODE CHAPTER CITATION FOR HISTORIC STRUCTURES; AMENDING ARTICLE 10.2, "DEFINITIONS," SECTION 10.2.2, "DEFINITIONS," BY DELETING THE DEFINITIONS FOR "EXISTING MANUFACTURED HOME PARK OR SUBDIVISION," "EXPANSION TO AN EXISTING MANUFACTURED HOME PARK OR SUBDIVISION," AND "NEW MANUFACTURED HOME PARK OR SUBDIVISION," FOR CONSISTENCY WITH STATE FLOODPLAIN REQUIREMENTS FOR ALL MANUFACTURED HOMES, AND BY AMENDING THE DEFINITIONS FOR "COASTAL HIGH HAZARD AREA," "HISTORIC STRUCTURE," AND "MARKET VALUE," TO BE CONSISTENT WITH INDUSTRY STANDARDS; AND AMENDING ARTICLE 10.3, "FLOOD RESISTANT DEVELOPMENT," SECTION 10.3.4, "MANUFACTURED HOMES," TO CREATE A UNIFORM ELEVATION FOR ALL MANUFACTURED HOMES IN FLOOD HAZARD AREAS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 05-24](#)
[PZB Board Staff Report](#)
[Business Impact Estimate, Ordinance No. 05-24](#)
[Community Rating System Overview and Participation](#)
[Legal Review, Ordinance No. 05-24](#)
[Proof of Legal Advertisement, Ordinance No. 05-24](#)

Ms. Gelin entered Ordinance No. 05-24 into the record.

Ms. Gianniotis provided a presentation on this item. She stated this Ordinance was a City-initiated amendment to the Land Development Regulations (LDR), amending Chapter 10, "Flood Damage Control Districts and Coastal Construction," for compliance with the United States Federal Emergency Management Agency (FEMA), National Flood Insurance Program (NFIP), and the Community Rating System (CRS).

She advised that the proposed change updates the Flood Insurance Study for Palm Beach County, specifically regarding requirements for manufactured homes.

Ms. Gianniotis stated that the Planning and Zoning Board voted 5-0 to approve this item on August 12, 2024.

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

Seeing no one present, Mayor Carney closed public comments.

The Commission did not engage in any discussion.

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

all were in favor

8.C.

ORDINANCE NO. 28-24: 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 4.6, "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.16, "LANDSCAPE REGULATIONS," SUBSECTION (I), "MINIMUM MAINTENANCE REQUIREMENTS," TO REMOVE EXISTING FERTILIZER USE REGULATIONS AND TO CREATE A NEW SUBSECTION (J), "FERTILIZER MANAGEMENT," TO ESTABLISH NEW FERTILIZER USE

REGULATIONS AND ASSOCIATED DEFINITIONS PURSUANT TO THE REQUIREMENTS OF FLORIDA STATUTES; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[PZB Staff Report, Fertilizer Use Regulations](#)
[Ordinance No. 28-24](#)
[Business Impact Estimate, Ordinance No. 28-24](#)
[Legal Review, Ordinance No. 28-24](#)
[Proof of Legal Advertisement, Ordinance No. 28-24](#)

Ms. Gelin entered Ordinance No. 28-24 into the record.

Missie Barletto, Public Works Director, stated that based on requirements by the Florida Legislature (SB494) that were passed in June 2009, county and local governments in Florida with “impacted bodies of water” must develop a local fertilizer ordinance by 2013. Ms. Barletto noted that Delray Beach did not have any bodies of water affected until 2016, specifically Lake Ida.

She pointed out that a thorough review of the City’s existing fertilizer ordinance revealed the need for additional provisions to ensure full compliance. Additionally, she explained how these provisions would be enforced.

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

Seeing no one present, Mayor Carney closed public comments.

The Commission did not engage in any discussion.

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

all were in favor

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

10.A.1. DISCUSSION REGARDING CONTENT FOR THE NOVEMBER 19TH OPIOID POLICY WORKSHOP MEETING

Sponsors: City Manager Department

Mr. Moore stated that Jeff Oris, Assistant City Manager, was present to discuss which professional organizations would be present at the Opioid Litigation Settlement Funds Workshop on November 19, 2024, and discuss their recommendations for expenditures based on available funds.

A discussion followed about how to advance this topic.

Mr. Moore recommended scheduling a Special Meeting on Tuesday, November 19, 2024, at 3:00 p.m.

Mr. Oris stated that at the Special Meeting, he would like to develop a definitive structure for spending the available funds and establish a Task Force.

Mr. Moore acknowledged Vice Mayor Casale and Police Officer Brett Gordon for winning the Delray Beach Youth Tennis Foundation pro-am tennis tournament against the Boynton Beach Police Department.

B. City Attorney

None.

C. City Commission

Deputy Vice Mayor Long:

Stated that the Transportation Planning Agency (TPA) has adopted a "Transportation Alternative Program" that includes recommended improvements based on their walking audit conducted on NE 4th Street in April. He also mentioned that there were grant opportunities available for this street improvement program.

Suggested that the Commission should review projects exceeding a certain financial threshold for additional oversight.

Acknowledged that the Delray Beach Police Department played against the Boynton Beach Police Department in a softball game this past weekend, which Delray Beach won.

Thanked Gina Carter for her work launching the Creative Art School programs.

Vice Mayor Casale:

Mentioned that the Commission has the justification to pull a project for discussion; however, she acknowledged that the staff had more expertise on specific matters.

Expressed her support for the Commission to review a substantial project.

Expressed her gratitude to Gina Carter for her contributions to the Art School at the Crest Theatre and suggested that she be nominated for Employee of the Month.

Mr. Moore stated that Ms. Carter could be recognized as an outstanding employee.

Mentioned that the Delray Youth Tennis Foundation was dedicated to seeing underprivileged children succeed on and off the court.

Will be holding a book discussion on "Remarkably Bright Creatures" at the library on November 8 at 3:00 p.m.

Commissioner Markert:

Recognized Laura Simon for her work organizing the concerts held over the past weekend.

Met with Daniel Hartwell (Beetles on the Beach Program).

Commissioner Burns:

Mentioned there were complaints about the noise from the leaf blowers on the barrier island.

Stated that the Florida League of Cities had launched a job portal.

Mayor Carney:


Thanked Gina Carter for a job well done.

Stated that he would like to utilize the kitchen in the Crest Theatre Building to teach cooking skills.

11. ADJOURNMENT

There being no further business to discuss, Mayor Carney adjourned the meeting at 7:46 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.


Interim 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 November 4, 2024 Regular Meeting held on November 4, 2024, which minutes were formally approved and adopted by the City on November 19, 2024.


Interim 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.