

# City of Delray Beach

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## Minutes - Final

Tuesday, June 1, 2021

4:00 PM

Regular Meeting

Delray Beach City Hall

[https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/videos?view=2&live\\_view=501](https://www.youtube.com/channel/UCc2j0JhnR8Hx0Hj13RhCJag/videos?view=2&live_view=501)

## City Commission

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

## 1. ROLL CALL

The Regular City Commission Meeting was called to order at 4:00 p.m.  
The roll call was taken by Katerri Johnson, City Clerk, and the following were present:

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

Others Present Were:

Lynn Gelin, City Attorney

Jennifer Alvarez, Interim City Manager

Katerri Johnson, City Clerk

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

## 2. PLEDGE OF ALLEGIANCE TO THE FLAG

## 3. AGENDA APPROVAL

### 3.A. Additions, Deletions, Substitutions

Commissioner Boylston withdrew his support for Item No. 7.E. Vice Mayor Johnson and Commissioner Casale requested to pull Item No. 7.E. (Resolution No. 101-21) to the front of the agenda for discussion. Item No. 7. E. became Item No. 7.A.A. on the Regular Agenda.

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

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

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale.

## 4. PRESENTATIONS:

### 4.A. PRESENTATION OF THE UNITED STATES FLAG BY SERGEANT LUIS SKEBERIS TO SHOW APPRECIATION OF CITY'S SUPPORT DURING MILITARY DEPLOYMENT

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

**Recommendation:** Presentation only.

**Sponsors:** Police Department

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

Mr. Javaro Sims, Police Chief, introduced Mr. Luis Skeberis, Police Sergeant.

Sergeant Skeberis thanked the city and his team for their support during his military deployment to Africa. Sergeant Skeberis presented the city with a United States Flag that had been flown overseas by their aviation regiment during a mission.

Mayor Petrolia thanked Sergeant Skeberis for his dedication and service.

**4.B. RECOGNIZING DELRAY BEACH FIRE RESCUE, DIVISION OF OCEAN RESCUE FOR RECEIVING BEACH PATROL OF THE YEAR FOR 2020**

**Sponsors:** Fire Rescue Department

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

Mr. Keith Tomey, Fire Chief, presented the Ocean Rescue of the Year Award for 2020 to Mr. Phil Wotton, Ocean Rescue Division Chief. Chief Tomey explained the important duties performed by Ocean Rescue each year to keep the residents and waterways safe.

Mayor Petrolia presented Mr. Bryce Clough and Ms. Jamie Anderson, Ocean Rescue Lieutenants, with their awards and thanked them for their excellent service.

**4.C. 2021 HISTORIC PRESERVATION BOARD AWARDS - A PRESENTATION TO THE CITY COMMISSION OF THE 2021 HISTORIC PRESERVATION BOARD AWARDS**

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

**Recommendation:** Presentation only.

**Sponsors:** Development Services Department

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

Ms. Michelle Hoyland, Principal Planner of the Development Services Department, presented the City Commission with the 2021 Historic Preservation Board Award in honor of National Preservation Month.

**5. COMMENTS AND INQUIRIES ON AGENDA AND NON-AGENDA ITEMS FROM THE PUBLIC- IMMEDIATELY FOLLOWING PRESENTATIONS:****A. City Manager's response to prior public comments and inquiries**

None

**B. From the Public**

Reverend Dr. Howard B. Barr, Jr. Senior Pastor of Saint Paul Missionary Baptist Church, located at 46 SW 10th Avenue, Delray Beach encouraged the Commission to keep the current Community Redevelopment Agency (CRA) Board structure.

Bertha Whigham, Church Mother of the Saint Paul Missionary Baptist Church, residing at 313 SW 8th Avenue, Delray Beach, commented in favor of keeping the current CRA Board structure.

Minister Joseph Dawkins, the Executive Pastor of Saint Paul Baptist Church, located at 46 SW 10th Avenue, Delray Beach, requested the Commission to honor their promise to keep the representation of the community on the CRA Board.

Latoya Boone, residing at 507 SW 15th Avenue, Delray Beach, requested the Commission to allow the community's voice to be heard through representation on the CRA Board.

Yvonne Odom, residing at 3905 Lowson Blvd, Delray Beach, was not in favor of a Commission run CRA Board, however she would support removing the two resident held seats. She hoped that one day the CRA Board would return to full independence.

Pamela Brinson, former CRA Board Commissioner, residing at 406 SW 15th Terrace, Delray Beach, commented in favor of maintaining the two-resident held CRA Board seats.

Andrea Keiser, Managing Partner of Keiser Legal, located at 55 SE 2nd Avenue, Delray Beach, commented on behalf of Hopportunities. She requested the Commission to approve the restaurant's application which would permit their establishment to serve alcohol on their outside patio.

Dr. Lenard Johnson, Senior Pastor at Mount Olive Baptist Church, located at 40 NW 4th Avenue, Delray Beach, commented in favor of keeping the two resident held seats on the CRA Board. He advised the Commission to continue having people of color in leadership positions. Pastor Johnson thanked the city for their progress and recognized the Commission for

honoring Corey Jones' legacy.

Angie Gray, residing at 3765 Riverside Way, Delray Beach, informed the Commission that she would like to remain on the CRA Board to continue the important work they had started together.

Sheila Townsend, residing at 200 NW 5th Avenue, Unit C, Delray Beach, supported retaining the two resident seats on the CRA Board.

Mayor Petrolia closed the public comments.

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

Commissioner Boylston made a motion to approve the Consent Agenda as amended. It was seconded by Commissioner Casale. The motion carried by the following vote:

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale.

**APPROVED**

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

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

**Recommendation:** Motion to approve meeting minutes as listed below:  
May 4, 2021 Regular City Commission Meeting Minutes

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[May 4 2021 Regular City Commission Meeting Minutes - DRAFT](#)

### **6.B. RESOLUTION 95-21: A RESOLUTION OF THE CITY OF DELRAY BEACH, FLORIDA, URGING THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION TO ENTER INTO RULEMAKING TO ADOPT A "SLOW SPEED - MINIMUM WAKE" ZONE WITHIN THE INTRACOASTAL WATERWAY SYSTEM BETWEEN ATLANTIC AVENUE AND GEORGE BUSH BOULEVARD; AND PROVIDING AN EFFECTIVE DATE.**

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

**Recommendation:** Motion to Approve Resolution 95-21.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Simple Legal Review Approval 95-21](#)  
[Resolution 95-21](#)

**6.C.** ITEM(S) A1 AND A2 -ACCEPTANCE OF A GENERAL UTILITY EASEMENT FOR 401 NE 2ND ST. AND ACCEPTANCE OF A SEWER EASEMENT FOR 401 NE 2ND ST.

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

**Recommendation:** **Consideration of the following items:**

**GENERAL UTILITY EASEMENT(S)**

**Items A**

**Item A1** - Motion to approve and accept a General Utility Easement Dedication by the owner(s) of 401 NE 2nd St. to the City of Delray Beach.

**Item A2** - Motion to approve and accept a Sewer Easement Dedication by the owner(s) of 401 NE 2nd St. to the City of Delray Beach.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Item \(1\) Legal Reviews](#)  
[Item \(A1a\) 401 NE 2nd St. - GUE PHG](#)  
[Item \(A1b\) 401 NE 2nd St. - GUE -Exhibit A &Sketch](#)  
[Item \(B1a\) 401 NE 2nd St. - Sewer Easement Deed](#)  
[Item \(B1b\) 401 NE 2nd St. - Sewer - Exhibit A & Sketch](#)

**6.D.** EXTEND LEASE AGREEMENT TERMS FOR LEASE OF GLEASON PARKING LOT PREMISES WITH FIRST PRESBYTERIAN CHURCH OF DELRAY BEACH

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

**Recommendation:** Motion to Approve renewal of the lease agreement with the First Presbyterian Church of Delray for a period of five years. This recommendation is in compliance with the Code of Ordinances, Chapter 36, Section 36.07(A)(3), "City Commission Approved Contracts, Renewal".

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Gleason Parking Lot Lease Agreement.pdf](#)  
[Simple Legal Review Approval Amend No 3 with PResbyterian Church.docx](#)  
[0105\\_001.pdf](#)

Item No. 6.D. was moved from the Consent Agenda and became Item No. 7.B.B. on the Regular Agenda.

Mayor Petrolia requested Missie Barletto, Director of Public Works, clarify the City's lease agreement with the First Presbyterian Church of Delray Beach's parking lot location.

Missie Barletto explained to the Commission that the parking lot which the city leases from the Church was a city-owned metered parking lot and is located west of Gleason Street. She explained that the lot is available for public use. Ms. Barletto verified that the subcontracted valet in front of the Church uses a parking lot that is not city-owned.

Mayor Petrolia thanked Ms. Barletto for the explanation.

Commissioner Boylston made a motion to approve the renewal of the lease agreement with the First Presbyterian Church of Delray Beach, Item No. 6.D. It was seconded by Vice Mayor Johnson. The motion carried by the following vote:

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale.

**APPROVED**

## **6.E. PROCLAMATIONS:**

### **6.E.1. GUN VIOLENCE AWARENESS DAY PROCLAMATION**

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

**Recommendation:** Motion to declare the first Friday in June to be National Gun Violence Awareness Day in the City of Delray Beach.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[Gun Violence Awareness Day](#)

### **6.E.2. LGBTQ PRIDE MONTH**

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

**Recommendation:** Motion to declare June as LGBTQ Pride Month.

**Sponsors:** City Clerk Department

**Attachments:** [Agenda Cover Report](#)  
[LGBTQ Pride Month](#)

## **6.F. REVIEW OF APPEALABLE LAND DEVELOPMENT BOARD ACTIONS:**

### **6.F.1. REPORT OF APPEALABLE LAND USE ITEMS FROM APRIL 5, THROUGH MAY 14, 2021.**

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

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

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Appealable Items Map](#)  
[A - 105 NE 7th Street](#)  
[B - The Ray Hotel and the Shops Master Sign Program Amendment](#)  
[C - The Ray Hotel and the Shops at the Ray Class II Site Plan Modification](#)  
[D - 250 North Congress Avenue](#)  
[E - SOFA Apartments](#)  
[F - 5th Avenue Suites](#)  
[G - Environment I Condo](#)  
[H - Renaissance Village](#)  
[I - 531 North Swinton Ave](#)

## **6.G. AWARD OF BIDS AND CONTRACTS:**

### **6.G.1. APPROVAL OF RESOLUTION NO. 93-21 TO AWARD AN AGREEMENT WITH SYNOVUS BANK, INC. FOR LOCKBOX SERVICES FOR THE FINANCE DEPARTMENT'S UTILITY BILLING DIVISION (ITB 2021-006) - \$120,000**

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

**Recommendation:** Motion to Approve Resolution No. 93-21 to award an Agreement with Synovus Bank, for Lockbox Services for the Finance Department's Utility Billing Division (ITB 2021-006) in the amount of \$120,000 for the Agreement term, and authorize the City Manager to exercise any and all renewal options in amounts below, contingent upon appropriation of funds.

**Sponsors:** Finance Department and Purchasing Department

**Attachments:** [Agenda Cover Report](#)  
[Legal Review Checklist Synovus Bank Lockbox Services](#)  
[RESOLUTION NO. 93-21 Synovus Agreement for Lockbox Services](#)  
[2021-006 Lockbox Services Agreement](#)

## 7. REGULAR AGENDA:

- 7.A. RESOLUTION NO: 80-21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING A WAIVER REQUEST TO SECTION 4.6.5(C) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW FOR THE CONSTRUCTION OF A RETAINING WALL SIX FEET IN HEIGHT WITH A DECORATIVE ALUMINUM GUARDRAIL THREE FEET IN HEIGHT, IN EXCESS OF THE HEIGHT LIMITATIONS FOR WALLS, FENCES, AND HEDGES LOCATED IN THE FRONT YARD, STREET SIDE YARD, AND INTERIOR SIDE YARD FOR THE PROPERTY LOCATED AT 1031 SEASPRAY AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

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

**Recommendation:** Review and Consider Resolution No. 80-21 to allow the construction of a tall retaining wall six feet in height with a decorative guardrail three feet in height, in excess of the height limitations for walls located in the front yard, street side yard and interior side yard.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res No 80-21 Waiver Retaining Wall and Guardrail](#)  
[Res. No. 80-21 Exhibit B.pdf](#)  
[Justification Statement 1031 Seaspray Ave](#)  
[Applicant-EXHIBIT A Survey.pdf](#)  
[Applicant-EXHIBIT B-Proposed Site Plan.pdf](#)  
[Applicant-EXHIBIT C North Elevation.pdf](#)  
[Applicant-EXHIBIT D Proposed Retaining Wall Sections.pdf](#)  
[Applicant-EXHIBIT E North Elevation Rendering.pdf](#)  
[Future FEMA Flood Map](#)  
[Current FEMA Flood Map](#)  
[Legal Review Res 80-21 Waiver to fence height for 1031 Seaspray Ave](#)

Mayor Petrolia read the Quasi-Judicial rules into the record. She asked her colleagues if they had any ex-parte communications, and the following was disclosed:

Vice Mayor Johnson: None  
Deputy Vice Mayor Frankel: None  
Commissioner Boylston: None  
Commissioner Casale: None  
Mayor Petrolia: None

Katerri Johnson, City Clerk, swore in Ms. Anthea Gianniotis, Mr. Gary Eliopoulos, and Mr. Max Weinberg who provided testimony on this item.

Anthea Gianniotis, Development Services Director, read File No. 2021-133 into the record.

Mr. Gary Eliopoulos, Vice President of GE Architecture, located at 1045 E. Atlantic Avenue, Delray Beach, representing Mr. Max Weinberg residing at 1030 Seaspray Avenue, explained that his client is requesting a wall height waiver to prevent his home from flooding. Mr. Eliopoulos gave a presentation emphasizing that his client's request was not to build a privacy wall but rather a retaining wall.

Ms. Gianniotis reminded the Commission that as FEMA maps are updated, the city would see more requests similar to Mr. Weinberg's. She explained that the wall increase would be treated as landscape for aesthetic purposes.

There were no public comments concerning this item.

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

The Commission engaged in a discussion about rising water concerns and commended Mr. Weinberg for being proactive with his request to build a higher wall.

Commissioner Casale made a motion to approve Resolution No. 80-21. It was seconded by Vice Mayor Johnson. The motion carried by the following vote:

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale.

**APPROVED**

**7.B.**

RESOLUTION NO: 89-21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING A WAIVER REQUEST TO SECTION 4.3.4(H)(4)(d) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW THE SECOND AND THIRD FLOOR BALCONIES TO EXTEND FOUR FEET TWO INCHES INTO THE FRONT

SETBACK FOR THE PROPERTY LOCATED AT 1221 LAING STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

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

**Recommendation:** Review and Consider Resolution No. 89-21 to allow the balconies on the second and third stories to extend four feet two inches into the front setback.

**Sponsors:** Development Services Department

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

[Res No. 89-21](#)

[Res. No. 89-21 Exhibit B](#)

[1221 Laing Street Justification Letter](#)

[1221 Laing Street 3D\\_RENDERING.pdf](#)

[1221 Laing ST - Existing Floor Plans.pdf](#)

[1221 Laing ST - Proposed Ground Floor Plan.pdf](#)

[1221 Laing ST - Proposed Second Floor Plan.pdf](#)

[1221 Laing ST - Proposed Third Floor Plan.pdf](#)

[Simple Legal Review Approval Res. No. 89-21](#)

Katerri Johnson, City Clerk, swore in Ms. Anthea Gianniotis, Mr. Gary Eliopoulos, and Mr. Max Weinberg who provided testimony on this item.

Anthea Gianniotis, Development Services Director, entered File No. 2021-145 into the record.

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

Vice Mayor Johnson: None

Deputy Vice Mayor Frankel: None

Commissioner Boylston: Had a conversation with Mr. Weinberg.

Commissioner Casale: Had a conversation with Mr. Weinberg.

Mayor Petrolia: None

Mr. Max Weinberg, residing at 1121 Laing Street, Delray Beach, informed the Commission that his request was consistent with the Always Delray Plan.

Mr. Gary Eliopoulos, Vice President of GE Architecture, gave a presentation explaining the proposed setback waiver request.

Anthea Gianniotis, Development Services Director, explained that the applicant's request would allow the second and third floor balconies to

expand four feet and two inches into the setback.

There were no public comments concerning this item.

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

Ms. Gianniotis stated that the house was in a different flood zone designation.

Mayor Petrolia emphasized that this request was not a special privilege.

Commissioner Casale made a motion to approve Resolution No. 89-21. It was seconded by Commissioner Boylston. The motion carried by the following vote:

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale.

**APPROVED**

**7.C.**

RESOLUTION NO. 94-21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF INTEREST IN A PORTION OF A UTILITY EASEMENT LOCATED AT 16000 SOUTH MILITARY TRAIL, TOTALING APPROXIMATELY ONE HUNDRED THIRTEEN SQUARE FEET (113 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES (QUASI JUDICIAL).

**Body: Recommended Action:**

**Recommendation:** Review and consider Resolution No. 94-21, for the abandonment of a portion of a ten-foot utility easement.

**Sponsors:** Development Services Department

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

[Res. No. 94-21 - Utility Easement Abandonment 16000 Military Trail](#)

[Res. No. 94-21 Exhibit A Sketch and Legal of Vacated Utility Easement](#)

[Utility Easement Exhibit](#)

[Legal Review Res 94-21](#)

Katerri Johnson, City Clerk, swore in Ms. Anthea Gianniotis who provided testimony on this item.

Anthea Gianniotis, Development Services Director, entered File No. 2019-189 into the record.

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

Vice Mayor Johnson: None  
Deputy Vice Mayor Frankel: None  
Commissioner Boylston: None  
Commissioner Casale: None  
Mayor Petrolia: None

Ms. Gianniotis gave a presentation highlighting the existing utility easement that conflicted with the new 7-11 Convenience Mart.

There were no public comments concerning this item.

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

Commissioner Casale made a motion to approve Resolution No. 94-21. It was seconded by Deputy Vice Mayor Frankel. The motion carried by the following vote:

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale.

**APPROVED**

**7.D.**

**RATIFICATION OF EMERGENCY REGULATIONS RELATED TO COVID-19 ACTIVATED UNDER CHAPTER 95 OF THE DELRAY BEACH CODE OF ORDINANCES**

**Body: Recommended Action:**

**Recommendation:** Motion to Ratify the 61st and 62nd Extensions of the State of Emergency for COVID -19.

**Sponsors:** City Attorney Department

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

[61st extension of state of emergency 5-12-2021](#)

[62nd Extension State of Emergency - COVID -19](#)

Commissioner Casale made a motion to approve the ratification of the 61st and 62nd Extension of the State of Emergency for COVID-19. It was seconded by Vice Mayor Johnson. The motion carried by the following vote:

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale.

**APPROVED**

**7.E.**

**RESOLUTION NO. 101-21 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH,**

FLORIDA, REAFFIRMING THE CITY COMMISSION AS THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF DELRAY BEACH IN ACCORDANCE WITH SECTION 163.357, FLORIDA STATUTES; ESTABLISHING THE COMMUNITY REDEVELOPMENT AGENCY AS A FIVE MEMBER BOARD COMPRISED SOLELY OF MEMBERS OF THE DELRAY BEACH CITY COMMISSION; TERMINATING THE TERMS OF THE APPOINTED MEMBERS CURRENTLY SERVING ON THE COMMUNITY REDEVELOPMENT AGENCY; APPOINTING THE VICE-MAYOR OF THE CITY OF DELRAY BEACH AS THE CHAIR OF THE COMMUNITY REDEVELOPMENT AGENCY AND THE DEPUTY VICE-MAYOR OF THE CITY OF DELRAY BEACH AS THE VICE-CHAIR OF THE COMMUNITY REDEVELOPMENT AGENCY; REPEALING ALL PRIOR RESOLUTIONS IN CONFLICT HERewith; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

**Body: Recommended Action:**

**Recommendation:** Consider Resolution Number 101-21

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Res 101-21 Commission as CRA Board](#)

Item No. 7. E. became Item No. 7.A.A. and was moved to the front of the agenda for discussion.

Lynn Gelin, City Attorney, stated that pursuant to the Commission's direction provided at the May 18, 2021, Commission Meeting, she created Resolution No. 101-21, which would modify the Community Redevelopment Agency (CRA) Board as a five-member board solely of members of the City Commission.

Commissioner Boylston explained the history of the CRA Board during his tenure as a commissioner and its accomplishments. He stated that he withdrew his support for the item being brought up for discussion prior to the meeting. Commissioner Boylston publicly apologized to Ms. Odom for when the independent CRA Board Members were removed without notice. Commissioner Boylston stated that he would vote to retain the two resident held seats on the CRA Board.

Mayor Petrolia thanked the audience for bringing a positive message to the meeting. She acknowledged the lack of action from the former CRA Board.

Vice Mayor Johnson remarked how pleased she was with the CRA's accomplishments over the past three years in the Northwest/Southwest Community. She thanked the two volunteers who sat on the CRA board for their dedication. Vice Mayor Johnson expressed her support to continue with the seven-member board. She suggested creating a CRA Advisory Committee which would consist of eleven members with representation from each district.

There was consensus for Lynn Gelin, City Attorney, to look into creating an Advisory Committee for the CRA Board.

Mayor Petrolia clarified that the CRA resident's taxes are used solely for the CRA District.

Commissioner Casale suggested that the Commission should have met with the City Attorney before changing the composition of the board so that they would have understood their options moving forward.

Mayor Petrolia clarified that the previous City Attorney Mr. Lohman erroneously advised the Commission that they could return the CRA Board back to its former composition if they chose to do so.

Vice Mayor Johnson made a motion to table the conversation. It was seconded by Deputy Vice Mayor Frankel. The motion failed by the following vote:

**YES: 2** - Vice Mayor Johnson, Deputy Vice Mayor Frankel,

**NO: 3** - Mayor Petrolia, Commissioner Boylston, Commissioner Casale

**DENIED**

Commissioner Boylston made a motion to deny Resolution No. 101-21. It was seconded by Commissioner Casale. The motion carried by the following vote:

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

**APPROVED**

## **8. PUBLIC HEARINGS/SECOND READINGS:**

8.A. None

## **9. FIRST READINGS:**

9.A. None

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

### **A. City Manager**

Jennifer Alvarez, Interim City Manager, proposed keeping the emergency orders in place so that the city would remain eligible for FEMA funding. She informed the Commission that she just received an email about a water main break at 824 Club Drive resulting in a boil water notice. Additionally, she mentioned that in honor of Pride Month, the city's Facebook icon displayed the Pride Flag color.

### **B. City Attorney**

Lynn Gelin, City Attorney, requested a meeting on July 6, 2021, at 3:00 p.m. to discuss the proposed settlement for 100 Gleason Street.

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

**YES: 5** - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

**APPROVED**

### **C. City Commission**

Commissioner Casale announced that James McCray would host a Father's Day Chess Tournament at the Spady Cultural Museum on Saturday, June 19, 2021, from 10:00 a.m. - 2:00 p.m. She asked for consensus to continue to allow Hoppportunities and other businesses to have outdoor seating on a case-by-case basis.

Lynn Gelin, City Attorney, advised the Commission that she would look into the matter to ensure that the city was not in conflict with the State Open Container Laws or the Concealed Open Package License.

Deputy Vice Mayor Frankel reminded the Commission that the Saltwater Brewery, which has a similar structure to Hoppportunities, does have an allowance for alcoholic beverages in the outdoor seating area on their property.

Mayor Petrolia established there was consensus for Ms. Gelin to look into the matter.

Deputy Vice Mayor Frankel commented that he favors electronic submission of records. He is eager to know what the staffing requirements are of each department at the upcoming goal setting meeting. Finally, Deputy Vice Mayor Frankel encouraged all food service personnel to get their vaccines.

Vice Mayor Johnson thanked Jennifer Alvarez, Interim City Manager, for her contributions during the COVID-19 pandemic and challenging times. She suggested researching ways to provide opportunities to help senior residents and restaurant workers get vaccinated. Finally, Vice Mayor Johnson suggested a freeze on hiring to allow the future City Manager to hire their own staff.

Vice Mayor Johnson requested to cancel the workshop on Jun 8, 2021. Additionally, she requested a workshop or discussion item regarding the Old School Square property and management.

Ms. Alvarez advised that the city would continue to hire employees for the positions that are currently vacant.

There was consensus to cancel the workshop meeting scheduled for June 8, 2021.

There was consensus to discuss the Old School Square property as a discussion item on the July 6, 2021, agenda.

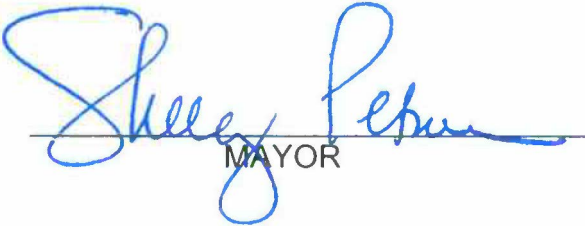
Mayor Petrolia recognized Laura Simon for the Downtown Development Authority's (DDA) excellent service. She congratulated the DDA for celebrating their 50th anniversary. Mayor Petrolia congratulated the Parks and Recreation Department and the Cemetery Crew for assisting with the Memorial Day Celebration. She announced there would be a Women's Veteran's Day Celebration and a chili cook-off at the Elks Club.

## **11. ADJOURNMENT**

There being no further business to discuss, the Regular City Commission Meeting was adjourned at 6:37 p.m.

  
\_\_\_\_\_  
City Clerk

ATTEST:

  
\_\_\_\_\_  
MAYOR

The undersigned is the City Clerk of the City of Delray Beach, Florida, and the information provided herein is the Minutes of the June 1, 2021, City Commission Meeting held on June 1, 2021, which minutes were formally approved and adopted by the City Commission on July 13, 2021.

  
\_\_\_\_\_  
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.