

City of Delray Beach

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Minutes - Final

Tuesday, July 6, 2021

4:00 PM

Regular Meeting

Delray Beach City Hall

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 4 - Mayor Shelly Petrolia, Vice Mayor Shirley Ervin Johnson, Deputy Vice Mayor Adam Frankel, Commissioner Juli Casale.

Commissioner Boylston arrived at 4:21 p.m.

Others Present Were:

Jennifer Alvarez, Interim City Manager

Lynn Gelin, City Attorney

Katerri Johnson, City Clerk

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

A. Additions, Deletions, Substitutions

Mayor Petrolia requested to add a discussion item regarding the Surfside Condos to the agenda. The Surfside Condo discussion was added to the agenda as Item 7.A.A.

Vice Mayor Johnson requested to pull Items 6.G. and 6.I. for discussion. Items 6.G. and 6.I. on the Consent Agenda became Items 7.B.B. and 7.C.C on the Regular Agenda.

Jennifer Alvarez, Interim City Manager, requested to withdraw Item 7.A. and defer Item 6.F. to the meeting on August 10, 2021.

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

YES 4 - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, and Commissioner Casale.

4. PRESENTATIONS:**4.A. PRESENTING ANTHONY BURSON, ADMINISTRATIVE OFFICE COORDINATOR, WITH EMPLOYEE OF THE MONTH FOR MAY 2021**

Body: **Recommended Action:**

Recommendation: Motion to present Anthony Burson, Administrative Office Coordinator, with Employee of the Month for May 2021.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Anthony Burson May Employee of the Month](#)

LeShay King, Human Resource Generalist, recognized Anthony Burson, Administrative Office Coordinator, as Employee of the Month for May 2021. Katerri Johnson, City Clerk, gave a few words praising Mr. Burson's work ethic and contributions.

Ms. King announced on behalf of the Mayor and Commission that Mr. Burson would receive his award and a certificate for eight hours of paid time off. Mr. Burson accepted his award.

4.B. NEXT GENERATION INITIATIVES DAY PROCLAMATION

Body: **Recommended Action:**

Recommendation: Motion to proclaim July 6, 2021 as Next Generation Initiatives Day in the City of Delray Beach.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[2021 Next Generation Initiatives Day Proclamation](#)
[Next Generation Initiatives Powerpoint 2021](#)

Mayor Petrolia read the Next Generation Initiatives Day proclamation.

Sandra Cordova, Assistant Human Resources Generalist, presented the Next Generation Initiative. She highlighted the city's youth development programs including Shadow Day, internship programs, and volunteering opportunities. Ms. Cordova shared that the city is in the process of implementing a technical apprenticeship program to help prepare students for the workforce within technical fields.

4.C. PRESENTATION FROM THE DELRAY BEACH INITIATIVE TO END

HOMELESSNESS

Body: Recommended Action:**Recommendation:** Presentation Only.**Sponsors:** City Manager Department**Attachments:** [Agenda Cover Report](#)
[Delray Beach Initiative to end homelessness](#)

Ezra Krieg, Chairperson of the Delray Beach Initiative to End Homelessness, presented a timeline on the task force's progress, challenges, programs, and goals. He explained that being homeless was a circumstance and not related to a specific behavior. Mr. Krieg complimented the Police Department for their continued partnership and for treating homeless residents with dignity. He shared that there are more than twenty community partners and eleven interfaith groups who are working to end homelessness within the city and are providing services such as establishing a shower truck location, implementing laundry services, creating a reading program, providing bus passes, counting the homeless population, providing vaccinations, and creating programs to feed children and their families.

The Commission thanked Mr. Krieg and the Police Department for their continued efforts. The Commissioners were proud to see the City of Delray Beach as a leader in ending homelessness and were setting an example for other cities to follow.

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

Emelie Konopka, Chairperson of Old School Square, residing at 12990 Blue Lane Drive, Wellington, spoke about her service to Old School Square. She provided updates on the organization's progress and shared that the Crest Theater would reopen in the fall. Ms. Konopka invited the Commissioners to visit and to get involved with Old School Square.

Mayor Petrolia concluded public comments.

6. CONSENT AGENDA: City Manager Recommends Approval

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

YES 4 - Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, and Commissioner Casale.

Item 7.A.A.

Mayor Petrolia informed the Commission that she had received numerous concerns about the safety of the city's buildings.

Commissioner Casale and Vice Mayor Johnson inquired about the city's authority to inspect buildings.

Lynn Gelin, City Attorney, informed the commission that unsafe structures are included in the city's code of ordinances. If there is an anonymous complaint the Code Enforcement Division can inspect the property. If the building is found unsafe there are provisions that the city can take including condemning the structure. The city will work to ensure that its residents are in safe and habitable homes.

Vice Mayor Johnson inquired about a reported unsafe structure in the community. She recommended creating a list of buildings documenting their height and age.

Sammie Walthour, Interim Director of Neighborhood and Community Services, explained that the complaint was received in early June. He informed the Commission that the Building Official and Code Enforcement responded to the situation and that once the building was deemed unsafe the Homeowners Association (HOA) had to take precautions to ensure the safety of the building with evidence from an engineer. Mr. Walthour reported that construction began and that the issue was resolved within three weeks.

Jennifer Alvarez, Interim City Manager, noted that the Florida Building Code does not grant the city unilateral authority to inspect a property; the city would only send code enforcement when there was a concern or complaint. Ms. Alvarez informed the Commission that the city was working closely with the League of Cities and Palm Beach County regarding this issue. She reported that the city was compiling a list of older buildings and sending them letters reminding the HOA that it was their responsibility to obtain an inspection report from a structural engineer. Additionally, she shared that three of Delray Beach's Fire Rescue Officers were assisting

with the emergency search and rescue in Surfside.

Keith Tomey, Fire Chief, confirmed that the city would be reimbursed 100 percent through FEMA for the officers who have gone to Surfside. He assured the Commission that the firefighters have respiratory protection on sight.

Mayor Petrolia asked Ms. Alvarez to keep the Commission apprised of the League of Cities findings.

6.A. CITY COMMISSION MEETING MINUTES

Body: Recommended Action:

Recommendation: Motion to approve meeting minutes as listed below:

May 18, 2021 Regular City Commission Meeting Minutes

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[May 18 2021 Commission Meeting Minutes - DRAFT](#)

6.B. ACCEPTING A LANDSCAPE MAINTENANCE AGREEMENT FOR THE PLANNED RESIDENTIAL DEVELOPMENT KNOWN AS BANYAN COURT LOCATED AT 13132 & 13088 BARWICK ROAD.

Body: Recommended Action:

Recommendation: Review and consider the Landscape Maintenance Agreement for the Banyan Court Neighborhood Development located at 13132 & 13088 Barwick Road.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Banyan Court - Landscape Maintenance Agreement](#)
[Banyan Court - Exhibit A - Sketch and Legal description](#)
[Banyan Court - Exhibit B - Landscape Plan](#)
[Banyan Court - Articles of Incorporation - Certificates](#)
[Banyan Court - Simple Legal Review](#)

6.C. ACCEPTANCE OF A PEDESTRIAN CLEAR ZONE EASEMENT ALONG NE 3RD STREET, NE 2ND AVE, AND NE 2ND STREET, AN ACCESS EASEMENT IN THE ALLEYWAY, A LANDSCAPE MAINTENANCE AGREEMENT (ALONG NE 3RD STREET) AND A BIKE RACK

MAINTENANCE AGREEMENT FOR THE PROPERTY LOCATED AT
233-279 NE 2ND AVENUE.

Body: **Recommended Action:**

Recommendation: Review and consider acceptance of a Pedestrian Clear Zone along NE 3rd Street, NE 2nd Avenue and NE 2nd Street, an Access Easement, Landscape Maintenance Agreement, and a Bike Rack Maintenance Agreement for 233-279 NE 2nd Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[The Ray - SPRAB Report Class II](#)
[The Ray - SPRAB Report Class IV](#)
[The Ray - Easement Agreement for Pedestrian Clear Zone Class II with exhibits](#)
[The Ray - Landscape Maintenance Agreement Class II with exhibits](#)
[The Ray - Access Agreement Class IV](#)
[The Ray - Bicycle Rack Agreement Class IV with exhibit](#)
[Pedestrian Clear Zone Easement Agreement Class IV with Exhibits](#)
[Simple Legal Review Approval Bike Rack Maintenance Agreement the Ray](#)
[Legal Review Easement Agreement for Pedestrian Clear Zone Grove Rosebud Two LLC](#)
[Legal Review Landscape Maintenance Agreement Grove Rosebud Two LLC](#)
[Simple Legal Review Approval Easement Agreement for Pedestrian Clear Zone the Ray](#)
[Simple Legal Review Access Easement Agreement the Ray](#)

6.D. PALM BEACH COUNTY EMERGENCY SERVICES AGREEMENT
AMENDMENT

Body: **Recommended Action:**

Recommendation: Motion to approve the first amendment to the existing agreement between Delray Beach and Palm Beach County for Emergency Service, Mutual Assistance, Automatic Aid, and Dispatch Services.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[Emergency Services Agreement with Palm Beach County Fire Rescue](#)
[Delray Beach Dispatch Auto Aid 1st Amend FINAL](#)
[Legal Review Checklist form v. 7 WMB 3 5 2021 Automatic Aid Amend No 1](#)

6.E. ITEM(S) A1, A2, A3, AND A4 - ACCEPTANCE OF A RIGHT OF-WAY
DEDICATION BY 248 NE 8TH AVE., ACCEPTANCE OF A RIGHT

OF-WAY DEDICATION BY 340 SW 4TH AVE., ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 704 SW 4TH ST., AND ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 25 NW 8TH ST.

Body: **Recommended Action:**

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

RIGHT OF WAY DEED(S)

Items A

Item A1 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 248 NE 8th Ave. to the City of Delray Beach.

Item A2 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 340 SW 4th Ave. to the City of Delray Beach.

Item A3 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 704 SW 4th St. to the City of Delray Beach.

Item A4 - Motion to approve and accept a Right of Way Dedication by the owner(s) of 25 NW 8th St. to the City of Delray Beach.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[Item \(1\) Legal Reviews](#)

[Item \(A1a\) 248 NE 8th Ave. - ROW](#)

[Item \(A1b\) 248 NE 8th Ave. -Exhibit A & Sketch](#)

[Item \(A2a\) 340 SW 4th Ave - ROW](#)

[Item \(A2b\) 340 SW 4th Ave - Exhibit A & Sketch](#)

[Item \(A3a\) 704 SW 4th St. - ROW](#)

[Item \(A3b\) 704 SW 4th St. - Exhibit A & Sketch](#)

[Item \(A4a\) 25 NW 8th St. - ROW](#)

[Item \(A4b\) 25 NW 8th St. - Exhibit A & Sketch](#)

6.F.

INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND THE CITY OF BOYNTON BEACH FOR LAKE IDA WATER QUALITY MONITORING SERVICES IN AN AMOUNT NOT TO EXCEED \$30,000.

Body: **Recommended Action:**

Recommendation: Motion to approve and accept the proposed Interlocal Agreement (ILA) between the City of Delray Beach and Boynton Beach for water quality monitoring services for Lake Ida in an amount not to exceed \$30,000.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)[1. ILA with Delray Beach for Lake IDA](#)[2. Exhibit A- Water Quality Monitoring for Lake Ida](#)[3. Legal Review ILA with Boynton Beach for water sample testing from Lake Ida](#)

Item 6.F. was deferred to the August 10, 2021, Regular City Commission Meeting agenda.

6.G. RESOLUTION NO. 106-21 BEACH RENOURISHMENT PROGRAM**Body:** **Recommended Action:**

Recommendation: Motion to Approve Resolution No. 106-21 in support of the City of Delray Beach Renourishment Program. This resolution supports the beach and coastal management programs of the Florida Department of Environmental Protection (FDEP), advising the State of Florida that the City of Delray Beach (City) will consider participation and will provide the local funding share necessary to implement any State beach and coastal management program approved by the City Commission for participation.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Beach Nourishment Resolution Rev. KwB 6.14.21](#)
[Simple Legal Review Approval 106-21](#)

Missie Barletto, Public Works Director, provided an update on the Beach Renourishment Program. She informed the Commission that the project would either be included in this year's budget or in the 2022-2023 budget. She added that the total cost of the Beach Renourishment Program for this year was \$17 million dollars and the city's portion would be \$1.8 million dollars. The county will receive a six-year extension with the Army Corps of Engineers.

Commissioner Casale made a motion to approve Resolution No.106-21. 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 Casale and Commissioner Boylston.

6.H. APPROVE RESOLUTION NO. 102-21 AUTHORIZING A STATE HIGHWAY LIGHTING, MAINTENANCE AND COMPENSATION

AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION
FOR THE MAINTENANCE AND OPERATION OF THE LIGHTING ON THE
STATE HIGHWAY SYSTEM

Body: **Recommended Action:**

Recommendation: Motion to approve Resolution No. 102-21 authorizing a State Highway Lighting, Maintenance, and Compensation Agreement with the Florida Department of Transportation (FDOT) for the maintenance and operation of the lighting on the State Highway System.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[Simple Legal Review Approval FDOT Lighting Agreement](#)
[FDOT Lighting Maintenance Agreement Resolution 5.26.21](#)
[ASM45- City of Delray Beach](#)
[City of Delray Fixtures List from FDOT](#)

6.I. APPROVAL OF AMENDMENT NO. 2 TO THE AGREEMENT WITH
BAXTER & WOODMAN, INC. FOR GENERAL ENGINEERING
CONSULTING SERVICES, TO ACCEPT A NAME CHANGE AND TO
AUTHORIZE AN INCREASE IN HOURLY FEES

Body: **Recommended Action:**

Recommendation: Motion to Approve Amendment No. 2 to the Agreement with Baxter & Woodman, Inc. for General Engineering Consulting Services, to accept a name change and to authorize an increase in hourly fees.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[2017-048 Amendment No. 1, Mathews Consulting, a Baxter & Woodman Company](#)
[2017-048 Agreement with Baxter & Woodman, Inc DBA Mathews Consulting](#)
[Signed - Amend #2 Rate Adj & Name Change 2021-05](#)
[Legal Review Checklist Amd #2 Baxter & Woodman Agreement for Professional Services RFQ 2017-048](#)
[NAME CHANGE EXISTING CONTACTS](#)
[Exhibit B - B&W Rate Adj Request 2021-05-11 As-Sent](#)

Ilyse Triestman, Acting Purchasing Director, reported that the original agreement between Baxter & Woodman, Inc. was authorized in 2017 and further amended in 2018. The request would allow a name change and a payment adjustment increase of three percent.

Deputy Vice Mayor Frankel made a motion to approve Amendment No. 2 with Baxter & Woodman. 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 Casale and Commissioner Boylston.

6.J. PROCLAMATIONS:

6.J.1. None

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

6.K.1. REPORT OF APPEALABLE LAND USE ITEMS FROM MAY 31, THROUGH JUNE 11, 2021.

Body: **Recommended Action:**

Recommendation: By motion, receive and file this report.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Appealable Item Map](#)

[A - 12 SE 1st Avenue](#)

6.L. AWARD OF BIDS AND CONTRACTS:

6.L.1. APPROVAL OF RESOLUTION NO. 98-21 TO APPROVE AN AGREEMENT WITH BAXTER AND WOODMAN, INC. FOR CONSTRUCTION ENGINEERING AND INSPECTION SERVICES FOR LOWSON BOULEVARD/SW 10th STREET FROM DOVER ROAD TO SOUTHEAST 5TH AVENUE (US-1/FEDERAL HIGHWAY) PURSUANT TO RFQ NO. 2020-020 (PROJECT NO. 17-009) - \$730,583

Body: **Recommended Action:**

Recommendation: Motion to Approve Resolution No. 98-21 to award an Agreement with Baxter and Woodman, Inc. for Construction Engineering and Inspection (CEI) Services for Lowson Boulevard/SW10th Street from Dover Road to SE 5th Avenue (US-1/Federal Highway) pursuant to RFQ No. 2020-020 (Project No. 17-009) in the estimated amount not to exceed \$730,583.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Agreement - CEI Lowson Blvd - Baxter Woodman kwb. rev. 6.8.21](#)
[Revised Scope Lowson CEI BW Rev 2021-05-12](#)
[BW Resolution 98-21](#)
[Legal Review Checklist Baxter and Woodman CEI Lowson](#)
[Baxter Woodman Submittal](#)
[2020-020 Scoring Summary after Technical Evals Lowson CEI Initial Eval](#)

- 6.L.2.** APPROVAL OF RESOLUTION NO. 100-21 TO APPROVE AN AGREEMENT WITH E & M EQUIPMENT CORPORATION FOR CONSTRUCTION SERVICES FOR LOWSON BOULEVARD/SW 10th STREET FROM DOVER ROAD TO US-1/FEDERAL HIGHWAY PURSUANT TO ITBC NO. 2020-040 (PROJECT NO. 17-009) - \$6,146,437

Body: **Recommended Action:**

Recommendation: Motion to Approve Resolution No. 100-21 to award an Agreement with E & M Equipment Corporation for construction services for Lowson Boulevard/SW 10th Street from Dover Road to US-1/Federal Highway pursuant to ITBC No. 2020-040 (Project No. 17-009) - \$6,146,437.

Sponsors: Public Works Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Signed Agreement - Lowson Rebid - E M Corp. rev. KWB. 6.4.21](#)
[Price Schedule](#)
[EME Resolution 100-21](#)
[Legal Review Checklist Construction Services for Lowson Blvd. to Dover Road](#)
[Lowson_ReBid_EnM_BaseBidEvaluation_FINAL_2021-02-01](#)
[Tabulation Packet for ITBC 2020-040](#)

7. REGULAR AGENDA:

- 7.A.** RESOLUTION NO: 96-21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, EXTENDING A TEMPORARY USE PERMIT FOR ONE ADDITIONAL YEAR TO OPERATE A TEMPORARY PARKING LOT AT 101 NORTHWEST 18TH 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. 96-21, for the temporary use permit request for a temporary parking lot with waivers to LDR Sections 2.4.6(F)

(3)(e), Subsections 1, 3, 4, and 8, located at 101 NW 18th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Res No. 96-21 Temp Parking 101 NW 18th Avenue](#)

[Justification Letter](#)

[101 NW 18th Ave - Survey](#)

[101 NW 18th Ave - Diagram of Area](#)

[Res No. 110-19](#)

[Approved and Proposed Temporary Parking Lots](#)

[Legal Review Res 96-21 Temporary Use Permit for temporary parking lot at 101 NW 18th Ave](#)

Item 7.A. was removed from the agenda.

7.B. 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 65th, 66th, 67th and 68th Extensions of the State of Emergency for COVID -19.

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)

[65th Extension of State of Emergency 6-9-2021](#)

[66th Extension of State of Emergency 6-16-2021](#)

[67th Extension of state of emergency 6-23-2021](#)

[68th Extension of State of Emergency 6-23-2021](#)

Commissioner Casale made a motion to approve the ratification of the 65th, 66th, 67th and 68th Extensions of the State of Emergency for COVID -19. 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 Casale and Commissioner Boylston.

7.C. NOMINATION FOR APPOINTMENT TO THE PUBLIC ART ADVISORY BOARD

Body: **Recommended Action:**

Recommendation: Motion to approve nominations for an appointment for three (3) regular

members to serve on the Public Art Advisory Board for a two (2) year term ending 7/31/2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06232021](#)
[Public Art Advisory Board 2020 5](#)
[2021 Quarterly Attendance](#)
[Cabana](#)
[Donohue](#)
[Hotchkiss](#)
[Jacobson](#)
[Mamone](#)
[Talley](#)
[Vasiliou 1](#)
[Wiggins](#)
[Zengage](#)

Commissioner Casale nominated Max Zengage to the Public Art Advisory Board. 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 Casale and Commissioner Boylston.

Commissioner Boylston nominated Vassoula Vasiliou to the Public Art Advisory Board. 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 Casale and Commissioner Boylston.

Vice Mayor Johnson nominated Bettina Mamone to the Public Art Advisory Board. 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 Casale and Commissioner Boylston.

**NOMINATION FOR APPOINTMENT TO THE DOWNTOWN
DEVELOPMENT AUTHORITY**

7.D.

Body: **Recommended Action:**

Recommendation: Motion to approve the nomination for an appointment for one (1) regular member to serve on the Downtown Development Authority Board for a three (3) year term ending July 01, 2024.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06252021](#)
[Downtown Development Authority 2021 3](#)
[2020-2021 Year DDA Board Attendance Record](#)
[DDA Boundary Map Highlight](#)
[Costilo](#)
[Michel](#)
[Pellegrino](#)
[Van Arnem](#)

Commissioner Boylston nominated Alan Costilo for reappointment to the Downtown Development Authority. 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 Casale and Commissioner Boylston.

7.E.

NOMINATIONS FOR APPOINTMENT TO THE GREEN IMPLEMENTATION ADVANCEMENT BOARD

Body: **Recommended Action:**

Recommendation: Motion to approve nominations for an appointment of two(2) regular members and two alternate members to serve on the Green Implementation Advancement Board for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Green Implementation Advancement Board 2021](#)
[Green Implementation Advancement Board 2021](#)
[2021 Quarterly Attendance](#)
[Adamo](#)
[Chanin 2](#)
[Clark](#)
[Donohue](#)
[Lucas GIAB](#)
[Mamone](#)
[Roll](#)
[Seckler](#)

Commissioner Casale nominated Nancy Chanin to the Green Implementation Advancement Board. 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 Casale and Commissioner Boylston.

Commissioner Boylston nominated Sarah Lucas to the Green Implementation Board. 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 Casale and Commissioner Boylston.

Vice Mayor Johnson deferred her appointment.

Mayor Petrolia nominated Suzanne Donohue as an alternative board member to the Green Implementation Advancement Board. 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 Casale and Commissioner Boylston.

7.F. NOMINATION FOR APPOINTMENT TO THE DELRAY BEACH HOUSING AUTHORITY

Body: Recommended Action:

Recommendation: Motion to recommend for appointment for one (1) regular member to serve on the Delray Beach Housing Authority Board for a four (4) year term ending July 14, 2025.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06222021](#)
[Delray Beach Housing Authority 4](#)
[Board Attendance Record 2021](#)
[Bruton](#)
[Cherelus](#)
[Cortez](#)
[Donohue](#)
[Jones](#)
[Stacey-Wright](#)
[Townsend](#)

Commissioner Casale nominated Robert Townsend to the Delray Beach Housing Authority Board. 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 Casale and Commissioner Boylston.

7.G.

NOMINATION FOR APPOINTMENT TO THE EDUCATION BOARD

Body: Recommended Action:

Recommendation: Motion to approve the nomination for an appointment for six (6) regular members to serve on the Education Board for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[06212021 Exhibit A](#)
[Education Board 2021 3](#)
[ATTENDANCE RECORDS 2021](#)
[Butler Schillinger 2](#)
[Cherelus](#)
[Cruz](#)
[Dickerson](#)
[Katz](#)
[Knight](#)
[Nevin 2](#)
[Newbold](#)
[Purdo](#)
[Spitzer](#)
[Talley](#)
[Waldo](#)
[Wiggins](#)
[Williams, K](#)

All Education Board appointments were deferred to the July 13, 2021, Regular City Meeting agenda.

7.H. NOMINATIONS FOR APPOINTMENT TO THE KIDS AND COPS COMMITTEE

Body: Recommended Action:

Recommendation: Motion to approve nominations for an appointment for two (2) At-Large-Representative members to serve on the Kids and Cops Board for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06242021](#)
[Kids & Cops](#)
[Copy of Copy of 2021 Quarterly Attendance \(003\)](#)
[Cassidy](#)
[Cherelus](#)
[Donohue](#)
[Jones](#)

Commissioner Casale nominated Cory Cassidy to the Kids and Cops Committee.

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 Casale and Commissioner Boylston.

Commissioner Boylston nominated Carise Cherelus to the Kids and Cops Committee. 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 Casale and Commissioner Boylston.

7.I.

NOMINATIONS FOR APPOINTMENT TO THE PARKING MANAGEMENT ADVISORY BOARD

Body: Recommended Action:

Recommendation: Motion to approve nominations for an appointment for two (2) regular members (Citizen-at-Large) to serve on the Parking Management Advisory Board for a two (2) year term ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06252021](#)
[Parking Management Advisory Board 2021](#)
[2021 Quarterly Attendance PMAB](#)
[Brown, Harvey](#)
[Costilo](#)
[Donohue](#)
[Gergen](#)
[Hallyburton](#)
[Strasser](#)

Commissioner Casale nominated Harvey Brown to the Parking Management Advisory Board. 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 Casale and Commissioner Boylston.

Commissioner Boylston nominated Thomas Hallyburton to the Parking Management Advisory Board. 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 Casale and Commissioner Boylston.

7.J. NOMINATION FOR APPOINTMENT TO THE POLICE ADVISORY BOARD

Body: Recommended Action:

Recommendation: Motion to approve the nomination for an appointment for a regular member to serve on the Police Advisory Board for an unexpired term ending July 31, 2022. Motion to approve nominations for an appointment of six (6) regular members to serve on the Police Advisory Board for two (2) terms ending July 31, 2023.

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Exhibit A 06232021](#)
[Police Advisory Board 2020 2](#)
[Police Advisory Board Attendance 2021](#)
[Boone](#)
[Carolyn](#)
[Cherelus](#)
[Costilo](#)
[Donohue](#)
[Feldmanis](#)
[Newbold](#)
[Rex](#)
[Stacey-Wright](#)
[Strasser](#)
[Wiggins](#)

Commissioner Boylston nominated Gary Rex to the Police Advisory Board. 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 Casale and Commissioner Boylston.

Vice Mayor Johnson nominated Ann Stacey-Wright to the Police Advisory Board. It was seconded by Deputy Vice Mayor Frankel. The motion carried by the following:

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

Mayor Petrolia nominated LaToya Boone to the Police Advisory Board. 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 Casale and Commissioner Boylston.

Deputy Vice Mayor Frankel nominated Page Wiggins to the Police Advisory Board. 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 Casale and Commissioner Boylston.

Commissioner Casale nominated Erik Feldmanis to the Police Advisory Board. 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 Casale and Commissioner Boylston.

Commissioner Boylston and Vice Mayor Johnson deferred their nominations.

8. PUBLIC HEARINGS/SECOND READINGS:

8.A. ACCEPTANCE OF RESOLUTION 105-21: STORMWATER UTILITY ASSESSMENT (PUBLIC HEARING)

Body: **Recommended Action:**

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

Motion to approve and accept the Resolution No.105-21 establishing a budget for the Stormwater Utility System, establishing the rates for FY 2021/2022 Stormwater Management Assessments, and certifying and adopting the Stormwater Assessment Roll.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)

[1. Resolution 105-21 for Stormwater Utility Assessment](#)

[3. Exhibit A- Resolution 105-21 for Stormwater Utility Assessment](#)

[2. Certificate to Non-Ad Valorem Assessment Roll](#)

[4. Delray 2021 TRIM - Res 105-21 Stormwater Utility Assessment](#)

[5. Legal Review- Res 105-21 Stormwater Utility Assessment](#)

Lynn Gelin, City Attorney, read Resolution No. 105-21 into the record.

Missie Barletto, Public Works Director, gave a presentation on the Annual Stormwater Utility Assessment projects and costs. She reported the assessment would appear on the 2021 property tax bill. The assessment fee is \$5.33 per month for a total of \$63.96 per equivalent residential unit. Ms. Barletto reported that the rate increase would generate \$2 million in revenue for operating expenses, salaries, and facilities. She informed the commission that the capital projects would focus on Thomas Street Pump Station, Tropical Isle Neighborhood, Casuarina and Bucida Seawall Repairs, and Stormwater Education. Ms. Barletto added there had not been a rate increase in several years.

There were no public comments related to this item.

Commissioner Casale made a motion to approve Resolution No. 105-21. 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 Casale and Commissioner Boylston.

8.B.

ORDINANCE NO. 18-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A LAND USE MAP AMENDMENT RE-DESIGNATING THE FUTURE LAND USE FOR 39.42 ACRES OF LAND FROM GENERAL COMMERCIAL (GC) IN PART, AND TRANSITIONAL (TRN) IN PART, TO COMMERCIAL CORE (CC), PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, FOR PROPERTIES GENERALLY LOCATED WITHIN THE AREA BOUNDED ON THE NORTH BY SE 4TH STREET, ON THE SOUTH BY SE 10TH STREET, ON THE EAST BY SE 7TH AVENUE, AND ON THE WEST BY THE ALLEY BETWEEN SE 4TH AVENUE AND SE 5TH AVENUE, ALL OF WHICH ARE ADJACENT TO EITHER SE 5TH AVENUE OR SE 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING A CONFLICTS CLAUSE, AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (FIRST READING/PUBLIC HEARING)

Body: Recommended Action:

Recommendation: Review and consider Ordinance No. 18-21 on First Reading, a Future Land Use Map amendment to redesignate approximately 39.42 acres of land from General Commercial in part and Transitional in part, to Commercial Core, generally located within the area bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Street, and on the west by the alley between SE 4th Avenue and SE 5th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th

Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ord. No. 18-21: PZB Staff Report](#)

[Ord. No. 18-21: Land Use Map Designation to CC](#)

[Ord. No. 18-21: Location Map of CBD Expansion](#)

[Ord. No. 18-21: Proposed Land Use Map](#)

[Ord. No. 18-21: Legal Review](#)

Lynn Gelin, City Attorney, read Ordinance numbers 18-21, 19-21, and 20-21 into the record. (Agenda Item numbers 8.B., 8.C., and 8.D.).

Anthea Gianniotis, Development Services Director, noted there was a shift in the ordinance numbers that had gone to the Planning Board. The change was as follows:

Ordinance No. 04-20 became 18-21

Ordinance No. 05-20 became 19-21

Ordinance No. 06-20 became 20-21

Mayor Petrolia asked if there was anyone in the audience who would like to speak on Item numbers 8.B. - 8.D. to please come forward.

James Quillian, residing at 925 SE 2nd Avenue, Delray Beach, expressed that his neighborhood opposed rezoning the proposed areas. Mr. Quillian voiced concern that the west side of the community was not consulted for their input throughout the process.

Jim Chard, residing at 401 SE 4th Avenue, Delray Beach, explained that this was a community driven master plan that was created six years ago designed to improve the neighborhood. He explained the intent of the plan was to help the city move forward and include affordable housing in the center of the town. Mr. Chard voiced his concern that the Osceola Park area was blighted for the last twenty years, and change needs to happen.

Lisa Quillian, residing at 925 SE 2nd Avenue, Delray Beach, expressed that nothing moved forward since her conversation with the Commission last year. Ms. Quillian voiced concern that the developers are in favor of this project and not the residents.

Bill Morris, residing at 777 E Atlantic Avenue, Delray Beach, Owner of Worthing Place, believed that Osceola Park was an excellent opportunity for the city to mix Market Place Housing with Workforce Housing.

Ken Ropp, 217 SE 3rd Avenue, Delray Beach, expressed concern about

how the traffic would increase near SE 4th Avenue. He inquired if a traffic study had been conducted. Mr. Ropp proposed listening to what the residents envision for their neighborhood before moving forward.

Gary Wulf, 831 SE 4th Avenue, Delray Beach, voiced his concerns regarding the dog kennel near his house and asked the city to act.

Public Comments were closed.

The City Commission engaged in a conversation with Ms. Gianniotis, Development Services Director, about the inception of the plan and state procedures.

There was consensus to schedule a Workshop on October 12, 2021, and hold the second reading in November.

Public Comments were reopened.

Robert Sparks, residing at 837 SE 7th Avenue, Delray Beach, remarked that the east side of the neighborhood was satisfied with the design, but would be amenable to additional discussions with the Commission.

Public Comments were closed again.

Commissioner Boylston made a motion to approve Ordinance No. 18-21 on First Reading. 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 Casale and Commissioner Boylston.

8.C.

ORDINANCE NO. 19-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING LAND PRESENTLY ZONED GENERAL COMMERCIAL (GC) IN PART, NEIGHBORHOOD COMMERCIAL (NC) IN PART, AND PROFESSIONAL OFFICE DISTRICT (POD) IN PART, TO CENTRAL BUSINESS DISTRICT (CBD); SAID LAND CONTAINING APPROXIMATELY 39.42 ACRES, AND GENERALLY LOCATED WITHIN THE AREA BOUNDED ON THE NORTH BY SE 4TH STREET, ON THE SOUTH BY SE 10TH STREET, ON THE EAST BY SE 7TH AVENUE, AND ON THE WEST BY THE ALLEY BETWEEN SE 4TH AVENUE AND SE 5TH AVENUE, ALL OF WHICH ARE ADJACENT TO EITHER SE 5TH AVENUE OR SE 6TH AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE "CITY OF DELRAY BEACH, ZONING MAP, MAY 4, 2021"; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE; PROVIDING AN

EFFECTIVE DATE; AND FOR OTHER PURPOSES.(FIRST READING/PUBLIC HEARING)

Body: Recommended Action:

Recommendation: Review and consider Ordinance No. 19-21 on First Reading, a rezoning of approximately 39.42 acres of land from General Commercial in part, Neighborhood Commercial in part, and Professional Office District in part, to Central Business District for the properties generally located within the area bounded on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Street, and on the west by SE SE 4th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ord No 19-21: PZB Staff Report](#)

[Ord No 19-21: Rezoning to CBD 1st Reading](#)

[Ord No 19-21: Location Map](#)

[Ord No 19-21: Proposed Zoning Map](#)

[Ord No 19-21: Legal Review](#)

Commissioner Boylston made a motion to approve Ordinance No.19-21 on First Reading. 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 Casale and Commissioner Boylston.

8.D.

ORDINANCE NO. 20-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.4, "BASE ZONING DISTRICT", SECTION 4.4.13. "CENTRAL BUSINESS DISTRICT (CBD)", SUBSECTION (A), "PURPOSE AND INTENT"; SUBSECTION (B), "REGULATING PLANS"; SUBSECTION (C), "ALLOWABLE USES"; SUBSECTION (D), "CONFIGURATION OF BUILDINGS"; SUBSECTION (E), "FRONTAGE STANDARDS"; SUBSECTION (F), "ARCHITECTURAL STANDARDS"; SUBSECTION (G), "CIVIC OPEN SPACES"; SUBSECTION (H), "INCENTIVE PROGRAM"; SUBSECTION (I), "CBD PARKING STANDARDS"; AND, SUBSECTION (K) "CBD REVIEW AND APPROVAL PROCESS"; TO CREATE A CBD SUB-DISTRICT, INCLUDE REGULATIONS SPECIFIC TO THE NEW SUB-DISTRICT, INCLUDING BUT NOT LIMITED TO, ALLOWABLE USES, PARKING, BUILDING CONFIGURATION, FRONTAGE STANDARDS, ARCHITECTURAL STANDARDS, CIVIC OPEN SPACES, PROVIDING FOR NEW FIGURES

AND REDESIGNATION OF OTHER TABLES OR FIGURES, AND ADDITIONAL CLARIFICATIONS OF EXISTING REGULATIONS, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING/PUBLIC HEARING)

Body: Recommended Action:

Recommendation: Review and consider Ordinance No. 20-21 on First Reading, amendments to the Land Development Regulations (LDR) Sections 4.4.13, Central Business District (CBD), associated with the expansion of the CBD to create a new Sub-district in the area on the north by SE 4th Street, on the south by SE 10th Street, on the east by SE 7th Street, and on the west by the alley between SE 4th Avenue and SE 5th Avenue, all of which are adjacent to either SE 5th Avenue or SE 6th Avenue.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ord No. 20-21: LDR Amendments CBD Expansion](#)

[Ord No. 20-21: PZB Staff Report](#)

[Ord No. 20-21: Legal Review](#)

Commissioner Boylston made a motion to approve Ordinance No. 20-21 on First Reading. 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 Casale and Commissioner Boylston.

9. FIRST READINGS:

9.A.

ORDINANCE NO. 26-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.4, "BASE ZONING DISTRICT", SECTION 4.4.13. "CENTRAL BUSINESS DISTRICT (CBD)", SUBSECTION (A), "PURPOSE AND INTENT"; SUBSECTION (B), "REGULATING PLANS"; SUBSECTION (C), "ALLOWABLE USES"; SUBSECTION (D), "CONFIGURATION OF BUILDINGS"; SUBSECTION (E), "FRONTAGE STANDARDS"; SUBSECTION (F), "ARCHITECTURAL STANDARDS"; SUBSECTION (G), "CIVIC OPEN SPACES"; SUBSECTION (I), "CBD PARKING STANDARDS"; AND, SUBSECTION (K) "CBD REVIEW AND APPROVAL PROCESS"; TO PROVIDE CLARIFICATION OF AND CONSISTENCY WITH EXISTING REGULATIONS, RENUMBERING OF FIGURES, AND AMENDING THE PARKING REQUIREMENT FOR

BUILDINGS ON PROPERTIES LESS THAN 65 FEET WIDE AND CONTAINING MORE THAN TWO-STORIES; AND, PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE AND FOR OTHER PURPOSES. (FIRST READING)

Body: **Recommended Action:**

Recommendation: Review and consider Ordinance No. 26-21 on First Reading, amendments to the Land Development Regulations (LDR) Sections 4.4.13, Central Business District (CBD), to provide general clarifications and updates to the existing regulations, renumbering of existing figures, and amending the parking requirement for buildings on properties less than 65 feet wide and containing more than two-stories.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ord. No. 26-21: CBD Amendments \(Non-expansion\)](#)

[Ord. No. 26-21: PZB Staff Report](#)

[Ord. No. 26-21: Legal Review](#)

Lynn Gelin, City Attorney, read Ordinance No. 26-21 into the record.

Deputy Vice Mayor Frankel made a motion to approve Ordinance No. 26-21 on First Reading. 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 Casale and Commissioner Boylston.

9.B.

ORDINANCE NO. 16-21: 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 2 "ADMINISTRATIVE PROVISIONS", ARTICLE 2.4 "GENERAL PROCEDURES," SECTION 2.4.3 "SUBMISSION REQUIREMENTS", SUBSECTION (A), "STANDARD APPLICATION ITEMS" AND SUBSECTION (B), "STANDARD PLAN ITEMS", TO ADD REQUIRED APPLICATION ITEMS AND MAKE GRAMMATICAL CHANGES TO PLAN ITEMS; SECTION 2.4.6, "PROCEDURES FOR OBTAINING PERMITS AND APPROVALS", SUBSECTION (B), "BUILDING PERMITS", TO SPECIFY THE REQUIREMENT FOR GREEN BUILDING CERTIFICATION; BY AMENDING CHAPTER 3, "PERFORMANCE STANDARDS," ARTICLE 3.2, "PERFORMANCE STANDARDS," SECTION 3.2.3, "STANDARDS FOR SITE PLAN AND/OR PLAT

ACTIONS", TO REQUIRE LEED CERTIFICATION FOR NEW CONSTRUCTION OR ADDITIONS OVER 5,000 SQUARE FEET; BY AMENDING CHAPTER 4, "ZONING REGULATIONS", ARTICLE 4.4, "BASE ZONING DISTRICT", SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT", SUBSECTION (F), "ARCHITECTURAL STANDARDS", TO AMEND URBAN HEAT ISLAND REQUIREMENTS AND GREEN BUILDING PRACTICES AND REFER TO ARTICLE 7.11 FOR REGULATIONS; BY AMENDING CHAPTER 7, "BUILDING REGULATIONS," BY ENACTING A NEW ARTICLE 7.11, "RESILIENT DESIGN AND CONSTRUCTION PRACTICES", TO OUTLINE CERTIFICATION REQUIREMENTS FOR NEW PRIVATE AND PUBLIC DEVELOPMENT, PROVIDING APPLICATION PROCEDURES, BOND REQUIREMENTS, AND ESTABLISHING A GREEN BUILDING FUND, A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE (FIRST READING).

Body: **Recommended Action:**

Recommendation: Motion to approve Ordinance No. 16-21 on First Reading to amend the Land Development Regulations for the purpose of requiring that all new construction over 5000 square feet, whether public or private, obtain Leadership in Energy and Environmental Design certification of minimum Gold level or equivalent.

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

[Memo_GIAB Green Building Recommendation to City Commission](#)

[Green Building Req- PZ Staff Report](#)

[Simple Legal Review Approval LEED 6.7.21](#)

[LEED LDR Amendments 061021](#)

Lynn Gelin, City Attorney, read Ordinance No. 16-21 into the record.

Commissioner Boylston made a motion to approve Ordinance No. 16-21 on First Reading. It was seconded by. Deputy Vice Mayor Frankel motion carried by the following vote:

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

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

Jennifer Alvarez, Interim City Manager, reported the city was awarded \$615,000 in Palm Beach County CARES Act Funding. She also wished the best for the safety of the first responders who were assisting

with Surfside.

B. City Attorney

Lynn Gelin, City Attorney, provided an update on the Opioid Litigation.

Commissioner Boylston made a motion to approve the Purdue Pharma proposed plan of restructuring. 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 Casale and Commissioner Boylston.

There was consensus for Lynn Gelin, City Attorney, to find out how much each municipality was receiving from the lawsuit.

C. City Commission

Commissioner Casale thanked Janet Meeks, Education Coordinator, for the postcards that the children sent from the Summer Reading Program. She acknowledged the library and its social outreach program for delivering materials to the elderly who suffer from memory loss. Commissioner Casale reported that the Coastal Habitat Program and the Palm Trail Overlay was proceeding nicely. She noted that the Girl Scouts were interested in participating in the Beach Bucket Program. She reported that the Pompey Park Pool would reopen on Sundays and admission would be free for children ages 10 and under.

Deputy Vice Mayor Frankel thanked Mr. Samuel Metott and the Parks and Recreation Department for their successful Independence Day programs.

Vice Mayor Johnson welcomed Ms. Alice First back to the Commission Chambers. She also requested consensus to further discuss the Old School Square Building at the next agenda meeting.

Lynn Gelin, City Attorney, informed the City Commission that the Old School Square Property was scheduled as a discussion item on June 13, 2021, Commission Meeting agenda.

Commissioner Boylston thanked staff for the pre-agenda meetings on Fridays.

Mayor Petrolia clarified that remote advisory board meetings are acceptable. She inquired about combining the SPRAB and P&Z


boards in the future. Mayor Petrolia congratulated the Parks and Recreation Department on their successful Independence Day firework displays.

11. ADJOURNMENT

There being no further business to discuss, the Regular Commission meeting was adjourned at 7:05 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 July 6, 2021, City Commission Meeting held on July 6, 2021, which minutes were formally approved and adopted by the City Commission on August 10, 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.