

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444
Phone: (561) 243-7000 - Fax: (561) 243-3774
www.mydelraybeach.com



Minutes - Final

Tuesday, October 5, 2021

4:00 PM

Regular Meeting at 4:00 PM

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 4:01 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, Commissioner Juli Casale.

Others present were:

Terrence Moore - City Manager
Lynn Gelin - City Attorney
Katerri Johnson - City Clerk

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

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

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

APPROVED

3.A. Additions, Deletions, Substitutions

None

4. PRESENTATIONS:

4.A. CARVER MIDDLE SCHOOL PRESENTATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

Ms. Greta Britt, Parent and Community Involvement Liaison and Business Partnership Coordinator with Carver Middle School, shared exciting events that Carver Middle School has planned. She gave a warm welcome to Mr. Moore, City Manager.

Principal Sharon Grice, Ph.D., shared her plans to make Carver Middle School a resource center through community partnerships.

Ms. Grice stated that she hoped to connect with the parents in the community and serve as a resource center. She provided the Commission with a handout outlining sponsorship programs through local businesses, which would help to raise money for a new school marquee. She was happy to report that Carver Middle School would be starting a band and thanked the Commission for their support.

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

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

Mr. Moore, City Manager, shared Old School Square's (OSS) calendar of events from October 16, 2021- January 2022. Mr. Moore reported that the city can now conduct business with vendors who had previously hosted events at Old School Square.

Ms. Lynn Gelin, City Attorney, advised the Commission that a memo was sent to OSS, placing them on notice of the City's plans to use the property for the dates specified in the memo. Ms. Gelin communicated the rights of the city to amend the list of dates to fulfill any cancelled events.

Mr. Samuel Metott, Director of Parks and Recreation, reassured the public that his department had secured vendors who previously worked with OSS. Mr. Metott provided his contact information: metotts@mydelraybeach.com and phone 561-243-7250.

Vice Mayor Johnson clarified that the city exclusively sponsors the Menorah Lighting, Christmas Tree Village, and the CRA Green Market - not the Center for the Creative Arts.

5.A.1. Protocols for resident complaints regarding noise and/or other neighborhood disruptions

Mr. Moore, City Manager, conveyed the protocol for residents to follow as it relates to noise disturbances. Mr. Moore emphasized and Police Chief Javaro Sims reemphasized that residents should call the Delray Beach Police Department's non-emergency phone number which is 561-243-7800.

5.B. From the Public

Ivan Cabrera, with the Community Redevelopment Agency, invited everyone to attend the Public Outreach Meetings. He provided flyers with dates and times for anyone interested.

Cindy Burns, residing at 505 SE 4 Avenue, Delray Beach, requested help from the Commission to reduce the feral cat problem by feeding, trapping, and spaying the cats on city-owned property.

Pam Warren, representing the Southern Handcrafted Society, remarked that she was pleased to have their show at OSS in November.

George Long, residing at 46 N. Swinton Avenue, Delray Beach, requested more help from the community to trap the feral cats.

Doreen Zhock, residing at 226 NE 1st Avenue, Delray Beach, requested the community's support to help with the feral cats.

Mayor Petrolia concluded public comments.

6. CONSENT AGENDA: City Manager Recommends Approval

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

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

APPROVED

This was approved.

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[August 10, 2021 Regular Commission Minutes - DRAFT reviewed.doc](#)

6.B. APPROVAL OF HOLD HARMLESS AGREEMENT FOR 1177 GEORGE BUSH BOULEVARD

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[Hold Harmless Agreement](#)

6.C. ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION 712 NE 8TH AVENUE

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[712 NE 8th Ave Right of Way Deed with sketch and Legal](#)
[712 NE 8th Avenue - Survey](#)
[712 NE 8th Ave Legal Review ROW Deed](#)

6.D. ACCEPTANCE OF A PEDESTRIAN CLEAR ZONE EASEMENT ALONG NW 1ST STREET AND A LANDSCAPE MAINTENANCE AGREEMENT ALONG NW 1ST STREET AND NW 5TH AVENUE FOR THE PROPERTY LOCATED AT 98 NW 5TH AVENUE.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Easement Agreement for Pedestrian Clear Zone - CRA 98 NW 5th Ave.](#)
[Legal Review Pedestrian Clear Zone Easement CRA 98 NW 5th Ave.](#)
[Landscape Maintenance Agreement CRA-98 NW 5th Ave.](#)
[Lgal Review - Landscape Maintenance Agreement CRA-98 NW 5th Ave.](#)
[2020-10-07-HPB Staff Report-98 NW 5th Ave.](#)
[Plans-98 NW 5th Ave.](#)
[Color Rendering-98 NW 5th Ave.](#)
[Agenda Cover Report](#)

6.E. RESOLUTION NO. 152-21: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING AN AD VALOREM TAX EXEMPTION TO KENNETH J. FABEL AND PAOLA FABEL, FOR THE HISTORIC REHABILITATION OF THE PROPERTY LOCATED AT 228 NORTH 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](#)
[Resolution 152-21-228 N. Dixie Blvd.](#)
[Simple Legal Review Approval Resolution 152-21](#)
[HPB Staff Report-228 N. Dixie Blvd.](#)
[Ad Valorem Tax Exemption Application-228 N. Dixie Blvd.](#)
[Property Tax & Warranty Deed-228 N. Dixie Blvd.](#)
[Certificate of Occupancy-228 N. Dixie Blvd.](#)
[Architectural Drawings -228 N. Dixie Blvd.](#)
[Survey Old-228 N. Dixie Blvd.](#)
[Survey New-228 N. Dixie Blvd.](#)
[Before & After Photos-228 N. Dixie Blvd.](#)

6.F. APPROVAL OF TWO (2) HISTORIC PRESERVATION GRANT AWARDS FROM THE STATE OF FLORIDA - DIVISION OF HISTORICAL RESOURCES

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[22.h.sm.200.127 GAA unsigned-Cemetery](#)
[Simple Legal Review Approval Cemetary Grant from State](#)
[22.h.sm.300.116 GAA unsigned-GIS](#)
[Simple Legal Review Approval Historic GIS Project](#)

6.G. RESOLUTION NO. 155-21 AMENDING THE FISCAL YEAR 2020-21 BUDGET ADOPTED BY RESOLUTION NO. 157-20 ON SEPTEMBER 22, 2020.

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Resolution 155-21](#)
[Exhibit A Budget Amendment - FY 2021 - October 2021](#)
[Budget Amendment - Public Art Fund](#)
[Legal Review Res 155-21](#)

6.H. APPROVE COASTAL PARTNERSHIP INITIATIVE (CPI) GRANT APPLICATION TO INSTALL TIDAL BACKFLOW PREVENTION VALVES ON OUTFALL PIPES IN THE CITY OF DELRAY BEACH

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[1.FY 22-23 Coastal Partnership Initiative Grant Application](#)
[2.Legal Review Coastal Partnership Initiative Grant Application](#)

6.I. PROCLAMATIONS:

6.I.1. PROCLAMATION DESIGNATING THE MONTH OF OCTOBER AS NATIONAL COMMUNITY PLANNING MONTH

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[National Community Planning Month](#)

6.I.2. PROCLAMATION FOR FIRE PREVENTION MONTH 2021

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)
[2021 Fire prevention month Proclamation](#)

6.I.3. NATIONAL WALK YOUR CHILD TO SCHOOL DAY PROCLAMATION - OCTOBER 6, 2021

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Walk and Bike to School Day](#)

6.I.4. INDIGENOUS PEOPLES DAY - OCTOBER 11, 2021

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Indigenous People's Day Proclamation](#)

6.I.5. COREY JONES MEMORIAL PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Corey Jones Proclamation](#)

6.I.6. PROCLAMATION FOR MEDIATION WEEK - OCTOBER 18-22, 2021

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Mediation Week 2021](#)

**6.I.7. PROCLAMATION FOR FLORIDA CITY GOVERNMENT WEEK -
OCTOBER 18-24, 2021**

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[FLORIDA CITY GOVERNMENT WEEK 2021](#)

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

**6.J.1. REPORT OF APPEALABLE LAND USE ITEMS FROM SEPTEMBER 6,
THROUGH SEPTEMBER 24, 2021.**

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Appealable Items Map](#)
[A - 100 MacFarlane Drive](#)
[B - 269 SE 5th Avenue](#)
[C - Holey Donuts](#)
[D - Grosvenor House](#)
[E - Tesla](#)
[F - 189 NE 2nd Avenue](#)

6.K. AWARD OF BIDS AND CONTRACTS:

**6.K.1. APPROVAL OF RESOLUTION NO. 145-21 TO AWARD AN
AGREEMENT TO ALLIED UNIVERSAL CORP. FOR THE PURCHASE
AND DELIVERY OF SODIUM HYPOCHLORITE; UTILIZING THE CITY OF
FORT LAUDERDALE SOLICITATION #12525-312 - \$670,841**

Sponsors: Utilities Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[RESOLUTION NO. 145-21](#)
[Legal Review Checklist Allied Universal](#)
[Signed - Allied - Sodium Hypochlorite](#)
[12525-312 Co-Op Award Cover Sheet](#)
[12525312SodiumHypochlorite](#)

7. REGULAR AGENDA:**7.A. RATIFICATION OF EMERGENCY REGULATIONS RELATED TO COVID-19 ACTIVATED UNDER CHAPTER 95 OF THE DELRAY BEACH CODE OF ORDINANCES**

Sponsors: City Attorney Department

Attachments: [Agenda Cover Report](#)
[80th Extension of State of Emergency 9-22-21](#)
[81st Extension of State of Emergency 9-29-2021](#)

Deputy Vice Mayor Frankel made a motion to approve the Ratification of the 80th and 81st Extensions of the State of Emergency COVID-19 Regulations. It was seconded by Commissioner Casale. The motion was carried by the following vote:

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

APPROVED

7.B. UPDATE REGARDING TRAPPING COMMUNITY CATS

Sponsors: Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)

Commissioner Casale made a motion to approve allocating \$25,000 to Trap, Neuter, Vaccinate and Release (TNVR) program. It was seconded by Deputy Vice Mayor Frankel. The motion was carried by the following vote:

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

APPROVED

8. FIRST READINGS:**8.A. ORDINANCE NO. 28-21, TO INDIVIDUALLY DESIGNATE "DOCS" AT 10 NORTH SWINTON AVENUE ON THE LOCAL REGISTER OF HISTORIC PLACES. (FIRST READING)**

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)[Ord. No. 28-21-Doc's-10 N. Swinton Avenue](#)[HPB Staff Report-10 N. Swinton Avenue-2021-09-01](#)[Designation Report-10 N. Swinton Avenue-2021-09-01](#)[Resource Photographs and Figures-10 N. Swinton Avenue-2021-09-01](#)[Florida Master Site File Forms-10 N. Swinton Avenue-2021-09-01](#)[Newspaper Articles-10 N. Swinton Avenue-2021-09-01](#)[Simple Legal Review Approval-Doc's-10 N. Swinton Avenue](#)

Ms. Lynn Gelin, City Attorney, read Ordinance No. 28-21 into the record. Mayor Petrolia opened the floor for public comments.

Jon Panos, residing at 732 Heron Drive, Delray Beach, discussed his fond memories of Doc's and favored its reopening.

Stephen Haynes, residing at 4820 N. Lee Road, Delray Beach, commented that Doc's was part of Delray's history.

Barry Levy, residing at 202 Seville, Delray Beach, expressed that he would like to see Doc's open again.

Michael Cintron, residing at 221 NE 11 Street, Delray Beach, favored keeping Doc's open and recommended it be a historic property.

George Long, residing at 46 N. Swinton Avenue, Delray Beach, expressed that he would like to save Doc's.

Angela Rice, residing at 225 Royal Court, Delray Beach, favored Doc's remaining open.

Katherine Murphy, residing at 220 Dixie Blvd., Delray Beach, voiced her concern that taking down Doc's would be against the Land Development Regulations.

Mayor Petrolia concluded public comment on Item No. 8.A. (Ordinance No. 28-21).

Deputy Vice Mayor Frankel made a motion to approve Ordinance No. 28-21 to individually designate Doc's located at 10 North Swinton Avenue to the local registry of Historic Places. It was seconded by Commissioner Boylston. The motion was carried by the following vote:

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

APPROVED

The meeting went into recess from 4:51 p.m.

The meeting reconvened at 5:00 p.m.

9. PUBLIC HEARINGS/SECOND READINGS:

Ms. Gelin read Ordinance No. 34-20 and Ordinance No. 35-20 into the record.

9.A.

ORDINANCE NO. 34-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL SCALE LAND USE MAP AMENDMENT FOR PARCELS OF LAND LOCATED AT 37 WEST ATLANTIC AVENUE AND AN UNADDRESSED PARCEL ABUTTING TO THE EAST, WHICH MEASURE APPROXIMATELY 0.57 ACRES AS MORE PARTICULARLY DESCRIBED HEREIN, RE-DESIGNATING SAID LAND FROM HISTORIC MIXED USE TO COMMERCIAL CORE, PURSUANT TO THE PROVISIONS OF THE "COMMUNITY PLANNING ACT," FLORIDA STATUTES SECTION 163.3187; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord. No. 34-20: Land Use Designation](#)
[Ord. No. 34-20: PZB Staff Report](#)
[Ord. No. 34-20: Location Map](#)
[Ord. No. 34-20: Land Use justification](#)
[Ord. No. 34-20: Traffic Study](#)
[Ord. No. 34-20: DDA Review](#)
[Ord. No. 34-20: Legal Review](#)

Neil Schiller, Attorney with the Government Law Group, 200 South Andrews Avenue, Fort Lauderdale, who represented the applicant, Steven Michael, with MDG Banyan Delray Partners, LLC, 200 Butts Rd, Boca Raton, 33431. Mr. Schiller provided the Commission with a presentation of his client's proposed project and highlighted the following:

- Historic Preservation Board voted 7-0 to deny on July 1, 2020.
- Downtown Development Authority voted 4-3 in support on July 13, 2020.

- Planning and Zoning Board voted 6-1 in support on August 17, 2020.

Mr. Schiller expressed that both buildings would remain in the Old School Square Historic District.

Mr. John Szerdi, Architect and President of the LDG Group Inc., located at 1005 Lake Avenue, Lake Worth, Florida 33460, discussed his prior work developing the Historic District of Delray. He mentioned that the Sundry Village Project parcel is almost identical in square footage and zoning.

Mr. Szerdi stated that the project meets the city's Land Development Regulations and would allow for the development west of Swinton Avenue. He stressed his commitment to the project by stating that his firm will respect the balance between preservation and progress.

Mr. Schiller suggested that the proposed properties are underutilized and are one of the most valuable corners in both the city and county.

Ms. Gelin reminded the Commission that the Historic Designation is a separate matter.

Ms. Gianniotis, Development Services Director, confirmed that Ordinance No. 34-20 and Ordinance No. 35-20 would affect the two parcels of land located at 37 West Atlantic Avenue: Dunkin' Donuts and the empty parking lot on the west side of Swinton Avenue next to Doc's. She emphasized that the Doc's property would not be subject to either ordinance. Ms. Gianniotis commented that the two parcels are for Land Use and Rezoning consideration.

Commissioner Casale disclosed that she received a letter from Ms. Willis, who sits on the Historic Preservation Board, stating that she supported maintaining the historic moderate scale in keeping with the area. Ms. Willis requested the Commission's support by voting no on this item.

Commissioner Boylston commended staff for their hard work during the past year on this project. He discussed the historical importance of preserving Doc's. He suggested that residents are primarily concerned about protecting lower-height structures in the downtown area because taller buildings are being constructed throughout the city.

Mayor Petrolia noted that the Commission voted 5-0 to allow for Historic Designation of Doc's. She pointed out that the city is not responsible for anything dealing with Doc's in the future. She was not in favor of allowing designated areas to provide buffers in a Historic District.

Commissioner Boylston motioned to approve Ordinance No. 34-20 on Second Reading. It was seconded by Deputy Vice Mayor Frankel. The motion was carried by the following vote:

YES: 2 Deputy Vice Mayor Frankel, Commissioner Boylston

NO: 3 Mayor Petrolia, Vice Mayor Johnson, Commissioner Casale

THE MOTION FAILED BY A 2-3 VOTE

9.B.

ORDINANCE NO. 35-20: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, REZONING AND RE-DESIGNATING LAND APPROXIMATELY 0.57 ACRES IN SIZE PRESENTLY ZONED OLD SCHOOL SQUARE HISTORIC ARTS DISTRICT (OSSHAD) TO CENTRAL BUSINESS (CBD) DISTRICT, WITHIN THE WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT, FOR THE PROPERTIES LOCATED AT 37 WEST ATLANTIC AVENUE AND AN ABUTTING UNADDRESSED PARCEL TO THE EAST, AS MORE PARTICULARLY DESCRIBED HEREIN; AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.13, "CENTRAL BUSINESS (CBD) DISTRICT," BY AMENDING SUBSECTION (B), "REGULATING PLANS," TO ESTABLISH COMPATIBLE TRANSITIONS TO HISTORIC DISTRICTS; BY AMENDING FIGURE 4.4.13-B-2, "WEST ATLANTIC NEIGHBORHOOD SUB-DISTRICT REGULATING PLAN," TO INCLUDE THE PROPERTIES IN THE WEST ATLANTIC NEIGHBORHOOD LIMITED HEIGHT AREA; BY AMENDING SUBSECTION (D), "CONFIGURATION OF BUILDINGS," AND TABLE 4.4.13(B), "BUILDING HEIGHT," TO DEFINE THE MAXIMUM BUILDING HEIGHT FOR PROPERTIES IN THE WEST ATLANTIC NEIGHBORHOOD LIMITED HEIGHT AREA; BY AMENDING SECTION 4.4.24, "OLD SCHOOL SQUARE HISTORIC ARTS DISTRICT (OSSHAD)," SUBSECTION (B), "PRINCIPAL USES AND STRUCTURES," SUBSECTION (C), "ACCESSORY USES AND STRUCTURES PERMITTED," AND SUBSECTION (F), "DEVELOPMENT STANDARDS," TO REMOVE THE PROPERTIES FROM THE OLD SCHOOL SQUARE HISTORIC ARTS DISTRICT ZONING DISTRICT REGULATIONS; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING/PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ord. No. 35-20: Rezoning](#)
[Ord. No. 35-20: PZB Staff Report](#)
[Ord. No. 35-20: Location Map](#)
[Ord. No. 35-20: Rezoning justification](#)
[Ord. No. 35-20: Traffic Study](#)
[Ord. No. 35-20: DDA Review](#)
[Ord. No. 35-20: Legal Review](#)

Deputy Vice Mayor Frankel motioned to approve Ordinance No. 35-20. It was seconded by Commissioner Boylston. The motion was carried by the following vote:

No: 5 Mayor Petrolia, Vice Mayor Johnson, Deputy Vice Mayor Frankel, Commissioner Boylston, Commissioner Casale

THE MOTION FAILED BY A 0-5 VOTE

9.C.

ORDINANCE NO. 33-21: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 34, "ELECTIONS", OF THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, FLORIDA, BY AMENDING SECTION 34.16, "FILING OF NOMINATING PETITION", TO AMEND THE QUALIFYING PERIOD FOR THE CITY OF DELRAY BEACH'S GENERAL ELECTION; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (SECOND READING)

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Ord 33-21 amending qualification period to 1st 2 weeks of Nov](#)
[Ordinance Amending Ch 34 - Legal Review](#)

Ms. Gelin, City Attorney, read Ordinance No. 33-21 into the record. Katerri Johnson, City Clerk, reminded the Commission that Ordinance No. 33-21 was a Second Reading to change the qualifying period to the first fourteen business days in November for future elections.

Deputy Vice Mayor Frankel motioned to approve Ordinance No. 33-21 on Second Reading. It was seconded by Commissioner Boylston. The motion was carried by the following vote:

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

APPROVED**10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:****A. City Manager**

None.

B. City Attorney

Ms. Gelin, City Attorney, reported that the offer made to Mr. Lauzier was rejected and the city will be moving forward to trial.

C. City Commission

Commissioner Casale thanked her colleagues for their consideration of the TNVR program.

Deputy Vice Mayor Frankel had nothing to report.

Commissioner Boylston discussed speeding issues throughout the City and stated there is a formal process to request installation of speed bumps.

Mayor Petrolia suggested installing speed bumps around the schools and locations where cars cut through.

Police Chief Sims assured the Commission that speeding fines are being issued, but traffic calming devices are needed.

Commissioner Casale acknowledged that traffic calming devices are referenced in the city's Beautification Project.

Mr. Moore, City Manager, said that he would report his findings on the traffic concerns at the October 19th Commission Meeting.

Commissioner Boylston reported that the Affordable Housing Committee will meet quarterly. He shared that Ms. Lynn Tipton, Director from the Florida League of Cities University, offered to come and do a town hall meeting in December or January.

Commissioner Boylston discussed the tremendous undertaking that the city is facing by taking over the operations of Old School Square. The Commission discussed meeting with Old School Square for clarity and complete transparency.

Commissioner Boylston favored revisiting the Creative City Collaborative Plan Document adopted in 2006. He stated that the

document was created as an umbrella organization to include cultural entities like Old School Square, Arts Garage, Art Warehouse, etc. He recommended scheduling a workshop in the coming year to ensure that all the city's cultural strategies are on the same page.

Vice Mayor Johnson thanked her colleagues for their kindness.

Mayor Petrolia asked City Manager Moore about the status of Building Certificates to ensure the safety and integrity of the more significant buildings within the city.

Mr. Moore suggested that considerations be brought publicly at the November 9th Workshop Meeting. He assured the Commission that he would be working closely with Highland Beach and Boca Raton to mirror their precautions to ensure the safety of all buildings.

Mayor Petrolia reminded her constituents to be mindful of their decorum and civility during and after Commission Meetings.

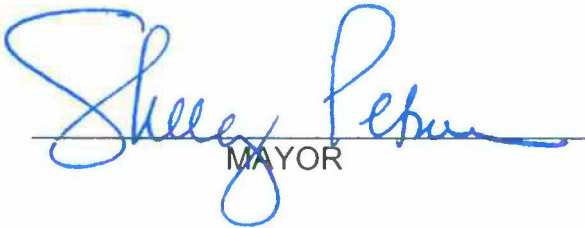
11. ADJOURNMENT

With no further business to discuss, the Regular City Commission Meeting was adjourned at 6:36 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 October 5, 2021 City Commission Regular Meeting held on October 5, 2021, which minutes were formally approved and adopted by the City on February 1, 2022.



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.