

City of Delray Beach

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www.mydelraybeach.com



Minutes - Final

Tuesday, January 17, 2023

4:00 PM

Regular Meeting at 4:00 PM

Delray Beach City Hall or Watch on YouTube:

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

City Commission

Mayor Shelly Petrolia

Vice Mayor Adam Frankel

Deputy Vice Mayor Juli Casale

Commissioner Ryan Boylston

Commissioner Shirley Ervin Johnson

1. ROLL CALL

The January 17, 2023 Regular City Commission Meeting was called to order at 4:00 p.m. City Clerk Katerri Johnson called the roll and the following as well as others were present:

Terrence Moore, City Manager
Lynn Gelin, City Attorney

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

2. PLEDGE OF ALLEGIANCE TO THE FLAG

3. AGENDA APPROVAL

City Attorney Gelin requested to pull Item 6.G.2. from the agenda indefinitely. Vice Mayor Casale requested to pull item 6.B. for discussion. It became item 7.A.A. on the Regular agenda.

A motion was made by Vice-Mayor Frankel, seconded by Deputy Vice Mayor Casale, that the agenda be approved as amended. The motion was carried by the following vote:
approved as amended

Yes: 5 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, Vice-Mayor Frankel, and Commissioner Boylston

3.A. Additions, Deletions, Substitutions

4. PRESENTATIONS:

4.A. TERRA COUZENS, NEIGHBORHOOD & COMMUNITY SERVICES, WITH EMPLOYEE OF THE MONTH FOR DECEMBER 2022.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[Terra Couzens Employee of the Month Dec 2022](#)

Ms. Danise Cleckly gave brief words of appreciation regarding Ms. Couzens' dedication as an employee and the Department as a whole. Ms. Couzens received a certificate and earned a day off with pay.

4.B. PROCLAMATION FOR THE PINEAPPLE GROVE ARTS DISTRICT

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[Pineapple Grove Arts District](#)

Commissioner Boyslton read the proclamation into the record for the Pineapple Grove Arts Board and presented to them a framed proclamation.

4.C. FEDERAL LEGISLATIVE UPDATE FROM MICHAEL WILLIS OF COLOR NINE GROUP, LLC

Sponsors: City Manager Department

Attachments: [Agenda Cover Report](#)

Mr. Michael Willis from the Color Nine Group, LLC gave a brief Federal Legislative update to the City Commission.

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**

None

5.B. From the Public

Ms. Vera Woodson, 1885 Palm Cove Blvd., Delray Beach, thanked the City Commission and several others who were instrumental in making possible the Letter of Recognition to the Alpha Kappa Alpha Sorority for its 115 year anniversary and 40 years of service in the Delray Beach Chapter.

Bruce Safron 1033 Rhodes Villa Avenue, Delray Beach. He stated he is directly adjacent to the seawall project at the Atlantic Dunes Park. He expressed his displeasure with the delay in the completion of the project and how this project has affected him financially and his quality of life with not being able to access his boat lift or dock behind his home and has had to bear the expense of renting a slip for his boat. Mr. Moore gave a brief update that they are looking at the next several months to initiate additional progress. He also asked Assistant Public Works Director Cynthia B

Mavis Benson, 800 Greenville Ct., Delray Beach, FL read a letter written by the former Pineapple Grove Arts Board thanking the Downtown Development Authority for their collaboration throughout the years in helping make the Pineapple Grove Arts District a fun place to visit. She invited everyone to come on out and visit the Cornell Museum.

Laura Simon, *Executive Director, Downtown Development Authority provided an update on the Downtown Development's transition into the Old School Square Campus the first week of February. Ms. Simon mentioned the upcoming events in the City.*

Kevin Osborne, 3760 Majestic Palm Way, Delray Beach, spoke about pickleball courts and the vast number of professional players that make Delray Beach their home. He requested the city to convert a tennis court into a pickleball court after the Tennis Tournament in February.

Seeing no one else present for public comment, Mayor Petrolia closed public comments.

6. CONSENT AGENDA: City Manager Recommends Approval

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

approved as amended

Yes: 5 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, Vice-Mayor Frankel, and Commissioner Boylston

6.A. CITY COMMISSION MEETING MINUTES

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)

[July 12, 2022 Regular Commission Meeting Minutes - Draft](#)

[December 6, 2022 Regular Commission Meeting Minutes - Draft](#)

[January 10, 2022 Special City Commission Meeting Minutes - DRAFT](#)

approved

6.B. EMERGENCY PURCHASE OF KNOX COMPANY PRODUCTS AND SERVICES.

Sponsors: Fire Rescue Department

Attachments: [Agenda Cover Report](#)

[Knox Justification Letter from Fire Chief.pdf](#)

[Memo Sole Source Approval, Knox Company - signed.pdf](#)

[Knox-eLock-System-Brochure.pdf](#)

[Delray Beach all 7 QT-KA-42701a.pdf](#)

[PO 2023-00000572 Knox Co.pdf](#)

approved

- 6.C.** APPROVAL OF AMENDMENT NUMBER 3 TO THE LEASE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND PINEAPPLE GROVE HOLDINGS, LLC FOR THE CONTINUED OCCUPANCY OF THE MEDICAL FACILITY LOCATED AT 525 NE 3RD AVENUE, DELRAY BEACH, FLORIDA.

Sponsors: Human Resources Department

Attachments: [Agenda Cover Report](#)
[2015-16 Pineapple Grove Professional Center Lease - final executed](#)
[Pineapple Grove Holdings - Amendment No 1 to lease agreement](#)
[Amendment No. 2 to the Lease Agreement Final Signed Expires 2 2023](#)
[Amendment - Vendor Signed](#)
[Legal Review Amd #3 to Lease with Pineapple Grove - Clinic - 12 month extension](#)
approved

- 6.D.** INTERLOCAL AGREEMENT WITH THE DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE CO-TITLE SPONSORSHIP OF THE 2023 DELRAY BEACH OPEN

Sponsors: Parks & Recreation Department

Attachments: [Agenda Cover Report](#)
[ILA with CRA for Tennis Sponsorship 2022-23 FINAL 12.29.22](#)
[EX A CRA Diamond City Partner-2023](#)
[Legal Review Checklist ILA with CRA for co-sponsorship of 2023 Delray Beach Open](#)
[2022 Delray Beach Open Economic Impact](#)
approved

6.E. PROCLAMATIONS:

6.E.1. None

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

6.F.1. None

6.G. AWARD OF BIDS AND CONTRACTS:

- 6.G.1.** APPROVAL OF RESOLUTION NO. 10-23 TO AWARD AN AGREEMENT TO ROK TECHNOLOGIES, LLC, FOR GIS CLOUD MANAGED SERVICES; UTILIZING CITY OF PEMBROKE PINES, FLORIDA SOLICITATION NO. TS-22-02 - \$317,263 FOR IMPLEMENTATION, 3 INITIAL YEARS AND 1 RENEWAL

Sponsors: IT Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 10-23](#)
[Legal Review Checklist ROK technologies](#)
[DelRay Beach.rok.MSA.1.6.23](#)
[DelRayBeach.rok.sow.1.6.23](#)
[DelRayBeach.rok.sla.1.6.23](#)

approved

- 6.G.2.** APPROVAL OF RESOLUTION NO. 11-23 TO AWARD AN AGREEMENT WITH HENRY SCHEIN MEDICAL INC., FOR MEDICAL SUPPLIES, EQUIPMENT AND PHARMACEUTICALS, UTILIZING EAGLE COUNTY HEALTH SERVICES DISTRICT DBA EAGLE COUNTY PARAMEDIC SERVICES RFB NO. 2021-06 - \$100,000

Sponsors: Fire Rescue Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist kwb 12.16.22.pdf](#)
[Resolution Henry Schein Inc 12.16.22.pdf](#)
[P2023-010 Henry Schein Agreement kwb. 12.16.22.pdf](#)
[PSAI RFB 2021-02 Medical Supplies Equipment Pharmaceuticals - FINAL.pdf](#)
[Signed PSAI Vendor Agreement+Deviation Letter-Henry Schein-RFB 2021-06 Medical Equipment.pdf](#)

tabled

- 6.G.3.** APPROVAL OF RESOLUTION NO. 12-23 APPROVING AN AGREEMENT WITH MUSCO SPORTS LIGHTING, LLC., FOR EQUIPMENT FOR PARKS AND PLAYGROUNDS, UTILIZING A CLAY COUNTY, FLORIDA SOLICITATION NO. 18/19-2 - \$289,900.

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist Musco](#)
[Musco_MSA_Agreement_PE](#)
[Resolution No. 12-23](#)
[Tennis Center Quote Lighting](#)

approved

7. REGULAR AGENDA:

7.A. RESOLUTION NO. 15-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF INTEREST IN A PORTION OF RIGHT-OF-WAY ALLEY LOCATED ALONG THE EASTERN AND NORTHERN PROPERTY LINES OF 213 SOUTHEAST 2ND AVENUE, TOTALING APPROXIMATELY 1,496 SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN; RETAINING GENERAL UTILITY EASEMENT; REQUIRING THE SUBMITTAL OF A PLAT TO CONSUMMATE THE ABANDONMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 15-23 - Alley Abandonment](#)
[Planning and Zoning Board Staff Report](#)
[Applicant Justification Statement](#)
[City Engineer Review](#)
[Survey of Area](#)
[Sketches of Areas](#)
[Utility Notification \[AT&T\]](#)
[Utility Notification \[Comcast\]](#)
[Turning Radius Review](#)
[Legal Review Res No. 15-23 Alley Abandonment](#)

Mayor Petrolia read the quasi-judicial rules into the record. City Clerk Katerri Johnson swore in all those who wished to give testimony. Ms. Anthea Gianniotis read file ID #2021-226 into the record.

The applicant representative Mr. Neil Schiller gave a brief presentation. At the conclusion of the presentation a brief discussion ensued.

Vice Mayor Frankel made a motion to postpone Item 7.A. to a date certain of February 21, 2023. It was seconded by Deputy Vice Mayor Casale. The vote was taken and the motion carried as follows:
continued

Yes: 5 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, Vice-Mayor Frankel, and Commissioner Boylston

- 7.B.** RESOLUTION NO. 16-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A CONDITIONAL USE TO ALLOW A FREE-STANDING MULTI-FAMILY RESIDENTIAL DEVELOPMENT ON A PROPERTY ZONED GENERAL COMMERCIAL (GC) LOCATED AT 1405 N FEDERAL HIGHWAY AND 716 N LAKE AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN, PURSUANT TO THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES AND THE COMPREHENSIVE PLAN OF THE CITY OF DELRAY BEACH; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Reso 16-23 Conditional Use Multi-family](#)
[1405 N Federal Hwy Staff Report](#)
[1405 N Federal Hwy Applicant Narrative and Justification Statement](#)
[1405 N Federal Hwy Survey](#)
[Simple Legal Review Approval Reso 16-23](#)

The quasi-judicial rules have already been read into the record under Item 7.A and City Clerk Katerri Johnson sworn in all those wishing to give testimony.

Mayor Petrolia asked if her colleagues had any ex-parte communications to disclose.

The following was disclosed:

Commissioner Johnson, none.

Mayor Petrolia - spoke with the applicant during the first go round, but not since.

Vice Mayor Frankel - spoke with the applicant and discussed the website with the City Attorney

Deputy Vice Mayor Casale - spoke with the applicant

Commissioner Boylston - none

Ms. Anthea Gianniotis, Development Services Director entered file ID #2022-239 into the record.

Mr. Jeff Costello, with JC Planning Solutions, was present on behalf of the applicant, Lake Ave. Federal, LLC. He was joined by Gary Eliopoulos, an architect with GE Architecture, Inc.

Mr. Costello gave a brief presentation on the Conditional Use Request to

allow a free-standing multiple residential housing development on a property zoned for General Commercial.

Ms. Gianniotis provided staff findings on this project, highlighting the ground-level parking and the design not to have an access point off of Federal Highway for pedestrians only.

The Commission provided their feedback on the presentation. Further discussion ensued.

Deputy Vice Mayor Casale motioned to approve Resolution No. 16-23 taking into account recommendations from the Planning and Zoning Board to approve thirty-five (35') foot height with forty-eight (48') foot appurtenance. Commissioner Boylston seconded the motion for discussion. Deputy Vice Mayor Casale amended her motion to include the lobby entrance would remain on Federal Highway with the square footage provided in the presentation as amended.

A motion was made by Deputy Vice Mayor Casale to approve Resolution No. 16-23. It was seconded by Commissioner Boylston as amended. The vote was taken and the motion was carried by the following vote:
approved

Yes: 5 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, Vice-Mayor Frankel, and Commissioner Boylston

7.C. RESOLUTION NO. 23-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING WAIVER REQUESTS TO SECTION 4.1.4(B) AND SECTION 4.1.4(D) OF THE LAND DEVELOPMENT REGULATIONS; APPROVING THE CONSTRUCTION OF A SINGLE-FAMILY NON-WORKFORCE HOUSING STRUCTURE FOR THE PROPERTY LOCATED AT 318 SE 5TH STREET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 23-23 318 SE 5th Street](#)
[Osceola Park Plat](#)
[318 SE 5th Street Justification Statement](#)
[318 SE 5th Street Survey](#)
[Legal Review Res 23-23 Waiver to construct residential structure on lot with less than 50 ft frontage](#)

Swearing in of all parties were done at the beginning of Item 7.A. by City Clerk Katerri Johnson.

Ms. Anthea Gianniotis, Development Services Director entered File No. 2023-022 into the record.

Mayor Petrolia asked if her colleagues had any ex-parte communications to disclose.

The following was disclosed:

Commissioner Johnson; none other than what is on the server
Mayor Petrolia; none other than what is on the server
Vice Mayor Frankel; none
Deputy Vice Mayor Casale; none other than what is on the server
Commissioner Boylston; none other than what is on the server

Corey O’Gorman, an Atchiruiet with Place Planning and Design, was present on behalf of the applicant living at 318 SE 5th Street, who is seeking approval of two waivers from the city code to enable her to sell her home and relocate to the Ocala area. Mr. O’Gorman stated the house was considered a non-conforming lot of record since it did not meet the lot size. He communicated that with the current market condition, Workforce Housing was not feasible.

Anthea Gianniotis provided a complete staff report on this item.

Mayor Petrolia asked anyone who wished to speak on Resolution 23-23 to come forward.

Sharon Bodwin, 310 SE 5th Street, Delray Beach, said she didn't object to granting the two waiver requests as long as the Commission builds appropriate size homes in the neighborhood.

Seeing no one else present, public comment was closed.

Each Commissioner provided their feedback on the presentation.

A motion was made by Commissioner Boylston to approve Resolution No. 23-23. It was seconded by Deputy Vice Mayor Casale. The vote was taken and the motion was carried by the following vote:
approved

Yes: 3 - Deputy Vice Mayor Casale, Vice-Mayor Frankel, and Commissioner Boylston

No: 2 - Commissioner Ervin Johnson, and Mayor Petrolia

7.D.

RESOLUTION NO. 08-23 AMENDING THE FISCAL YEAR 2022-23
BUDGET ADOPTED BY RESOLUTION NO. 157-22 ON SEPTEMBER
19, 2022

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

[Budget Amendment Resolution No. 08-23 rev. 1.10.23](#)

[Exhibit A - Budget Amendment 1.17.2023](#)

[Simple Legal Review Approval Budget Amendment 1.17.23](#)

Each Commissioner provided their feedback and comments regarding Resolution 08-23 presented before them to approve an amendment to the FY 2022-23 budget.

A brief discussion ensued.

A motion was made by Deputy Vice Mayor Casale to approve Resolution No. 08-23. It was seconded by Commissioner Boylston. The vote was taken and the motion was carried by the following vote:
approved

Yes: 5 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, Vice-Mayor Frankel, and Commissioner Boylston

7.E. CONSIDERATION OF OPTIONS FOR PURCHASE OF CITY VEHICLES AND EQUIPMENT

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)

Hugh Dunkley provided a brief presentation on the purchase options for acquiring replacement fleet and equipment vehicles. He offered a primary cost analysis of purchasing the vehicles outright vs. leasing to purchase the vehicles and how the decision would impact the approved budget.

The Commission provided their feedback and comments.

The direction was given to Mr. Moore to use what was already budgeted and come back mid-year to see what monies have come from fleet rentals. This item will be brought back on the mid-year budget adjustment meeting scheduled on April 1, 2023.

7.F. MOTION TO APPROVE EXTENSION TO THE EXCLUSIVE FRANCHISE AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND WASTE MANAGEMENT INC. OF FLORIDA FOR SOLID WASTE AND RECYCLING COLLECTION SERVICES.

Sponsors: Purchasing Department and Neighborhood & Community Services

Attachments: [Agenda Cover Report](#)

[2015-03-09 Exclusive Franchise Agt between the City and SWS LLC](#)

[Amendment No. 5 to Exclusive Franchise Agreement - Solid Waste & \(2\)](#)

[Res. No. 165-22 No Franchise Admin Fees](#)

Mr. Dunkley stated staff was requesting direction on whether to reinstate the franchise fee and the administrative fee as of May 1st to the Solid Waste and Recycling Company, which was suspended per Resolution No.165-22. He noted that if approved, the increase for both costs per household per month would total \$19.45.

The Commission engaged in a discussion on moving forward while considerations were underway.

A motion was made by Vice-Mayor Frankel. It was seconded by Commissioner Boylston. The vote was taken and the motion was carried by the following vote:

approved

Yes: 5 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, Vice-Mayor Frankel, and Commissioner Boylston

7.G. APPROVAL OF RESOLUTION NO. 05-23 TO AWARD AN AGREEMENT WITH KEEN INDEPENDENT RESEARCH LLC., FOR DISPARITY STUDY CONSULTING SERVICES PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 2022-029 - \$242,356

Sponsors: Purchasing Department and City Manager Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist - Disparity Study](#)
[Resolution No. 05-23 Disparity Study Consulting Services](#)
[2022-029 - Agreement Keen Independent Research - Vendor Executed](#)
[2022-029 Keen Independent Research Proposal](#)

Hugh Dunkley stated that on May 20, 2023, staff solicited proposals through a full and open Request for Proposal for a Disparity Study exploring minority-owned businesses doing business with the City. He reported that Keen Independent Research LLC. ranked number one and would cost \$242,356. Mr. Dunkley further stated this item would require a budget amendment if approved. He noted that he forecasted only needing Phase I of the study, which cost \$152,000 outlay for this year and was in the City Managers budget for the current year.

Further discussion ensued.

A motion was made by Commissioner Boylston to approve Resolution No. 05-23. It was seconded by Vice-Mayor Frankel. The vote was taken and the motion was carried by the following vote:
approved

Yes: 5 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, Vice-Mayor Frankel, and Commissioner Boylston

8. PUBLIC HEARINGS/SECOND READINGS:

- 8.A.** ORDINANCE NO. 41-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES, BY AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.6 "SUPPLEMENTAL DISTRICT REGULATIONS," SECTION 4.6.7, SUBSECTION (F), "SIGNS REQUIRING PERMITS," TO UPDATE TERMINOLOGY FOR CONSISTENCY WITH CURRENT DEPARTMENT TITLES, TO DELETE SECTION 4.6.7(F)(3)(e), "MURALS AND SIGNS WITHIN MURALS," TO REMOVE DUPLICATIVE REFERENCES FOR PROCESSING MURAL APPLICATIONS; BY AMENDING CHAPTER 8, "SPECIAL IMPLEMENTATION PROGRAMS", ARTICLE 8.5, "PUBLIC ARTS PROGRAM", SECTION 8.5.3, "MURALS" TO ALLOW MURALS IN MIXED USE RESIDENTIAL OFFICE AND COMMERCIAL (MROC), NEIGHBORHOOD COMMERCIAL (NC), GENERAL COMMERCIAL (GC), PLANNED COMMERCIAL (PC), PLANNED OFFICE COMMERCIAL (POC), PROFESSIONAL OFFICE DISTRICT (POD), OPEN SPACE AND RECREATION (OSR), OR SPECIAL ACTIVITIES DISTRICT (SAD), AND TO ALLOW THE PLACEMENT OF MURALS ON FLAT TOP ROOFS AND TOP DECKS OF PARKING GARAGES; PROVIDING FOR A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE. (SECOND READING/PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Ordinance No. 41-22](#)
[Planning & Zoning Board Staff Report](#)
[Map - Currently Allowed Zoning Districts](#)
[Map - Proposed Additional Zoning Districts](#)
[Legal Review](#)

Attorney Gelin read Ordinance No. 41-22 into the record.

Ms. Anthea Gianniotis expressed that Ordinance No. 41-22 was a city-initiated amendment that would allow more zoning districts where murals are permissible and expand the placement of murals outside the historic district. She explained the Planning and Zoning Board voted 6-1 to recommend approval on October 17, 2022 and confirmed advertisements would be prohibited.

Mayor Petrolia opened public comment to anyone who wished to speak on Ordinance No. 41-22.

Seeing no one present, public comment was closed

A motion was made by Commissioner Boylston to approve Ordinance 41-22 on second reading. It was seconded by Deputy Vice Mayor Casale. The vote was taken and the motion carried as follows:
approved

Yes: 5 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, Vice-Mayor Frankel, and Commissioner Boylston

9. FIRST READINGS:

9.A. None

10. COMMENTS AND INQUIRIES ON NON-AGENDA ITEMS:

A. City Manager

None

B. City Attorney

None

C. City Commission

Vice Mayor Frankel

- Commented about the art show and stated not too many people were out due to the cold weather. He expressed that the Atlantic Avenue Bridge should not be closed for arts festivals and asked if that could be codified in our Code of Ordinances. Discussion ensued and consensus was given to allow City Attorney Gelin to make that change in the Code of Ordinance.

Commissioner Boylston

- *Commented that an essential role of an auditor should be to find dollars. There was a consensus to schedule a Workshop with Dr. Davidyan to discuss auditing the budget process.*
- *Asked if there was consensus for a City initiated zoning swap? Ms. Gelin responded that would not be possible.*
- *Mentioned Mr. Skip Brown had passed away and explained that Mr. Brown was a former Police Officer in Delray Beach for twenty years and a Vietnam Veteran who was awarded a Purple Heart and a Bronze Star.*

Commissioner Johnson

- *Asked Mr. Moore if the Interlocal Agreement with the Downtown Development Authority was still being negotiated. Ms. Gelin responded that the agreement was still under review and needed to be well- vetted.*
- *Requested initiating a no left- hand turn on 2nd Avenue to 4th Avenue. Commissioner Boylston commented that he was in favor only during the off season. He mentioned that the Downtown Development Authority's assistance would be required for the pilot program.*
- Requested an update on the signage.

Mayor Petrolia

- *Asked Mr. Moore if a Bus Shelter could be installed in front of Shady Woods. Mr. Moore responded that a representative from Palm Tran would be present at the February 21st*

Commission Meeting.

- *Mayor Petrolia suggested eliminating parking spaces in front of stores and installing barricades during construction to allow pedestrians to walk down the street. Vice Mayor Frankel commented that the valets should also be moved.*
- *Mayor Petrolia showed a bottle of beverage that was handed out at the Holiday Parade that was intended for people eighteen years of age or older to consume. She stated there must be a policy put in place that would forbid this from happening.*


11. ADJOURNMENT

There being no further business to discuss, the Regular City Commission meeting was adjourned at 8:11 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 January 17, 2023 City Commission Regular Meeting held on January 17, 2023, which minutes were formally approved and adopted by the City on February 7, 2023.



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.