

City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

www.delraybeachfl.gov



Minutes - Final

Monday, March 6, 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 March 6, 2023 Regular City Commission Meeting was called to order at 4:00 p.m. City Clerk, Katerri Johnson, called the roll and the following 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

2.A. PLEDGE OF ALLEGIANCE TO THE FLAG LED BY NATALIE SHERRY AND EMMA SHERRY

3. AGENDA APPROVAL

Lynn Gelin, City Attorney, suggested allowing Deputy Vice Mayor Casale and Commissioner Boylston to share their comments early since they both had to leave the meeting early.

Mayor Petrolia amended the agenda by adding Item No. 5-C to allow the two Commissioners to share their comments early.

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. COMMISSIONER SHIRLEY JOHNSON THANKS FIRE RESCUE PERSONNEL

Sponsors: Fire Rescue Department

Commissioner Johnson thanked the Fire Fighters who assisted her when she was struck by a vehicle on February 19, 2019.

Renee Jadusingh, CRA's Executive Director, presented Commissioner Johnson with a memorabilia plaque and thanked her for her service.

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 announced the scheduled dates for the three public outreach meetings for the golf course proposals. The dates are as follows:

1. Friday, March 17, 2023, at 9:00 a.m. - Field House at Old School Square.
2. Thursday, March 23, 2023, at 6:00 p.m. - Pompey Park.
3. Saturday, March 25, 2023, at 9:00 a.m. - Swim and Tennis /Lavers.

Mr. Moore asked for a consensus to schedule a Special Meeting on March 28, 2023, at 4:00 p.m. as a follow-up to the public outreach meetings.

Deputy Vice Mayor Casale motioned to approve the Special Meeting. Commissioner Boylston seconded the motion. The motion was carried by the following vote:

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

Lynn Gelin, City Attorney, requested a Shade Meeting on March 28, 2023, at 3:00 p.m. to discuss litigation strategies regarding ABCJS Auto Imports.

Deputy Vice Mayor Casale motioned to approve the Shade Meeting. Commissioner Boylston seconded the motion. The motion was carried by the following vote:

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

Mr. Moore discussed the need for re-engaging in an awareness campaign reminding the residents not to overwater their lawns during the dry season. He said his office would collaborate with Gina Carter, Public Information Officer, on this item.

Commissioner Johnson reminded the Commission that Mr. Moore's merit increase was due in February. Mr. Moore stated that he was not interested in pursuing any salary adjustments.

Mayor Petrolia asked for a consensus to have the Commissioners meet with Mr. Moore individually, and there was a consensus.

City Attorney Gelin suggested deferring his increase until another six months.

approved

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

5.B. From the Public

Montree Bennett, 323 NW 2nd Avenue, Delray Beach, stated every street should be pedestrian friendly.

Jon Miller, 800 Greensward Ct., Delray Beach, stated that he would like to see more Parking Advisory Board meetings scheduled.

Laura Simon, Director of the Downtown Development Authority, reminded the Commission that Atlantic Avenue would be closed for Savor the Avenue and St. Patrick's Day Parades. She advised the DDA was re-evaluating the protocols for hosting a special event and would bring them back to the Commission for review.

A discussion ensued regarding the City's special events policy.

Debra Walker, 1312 NW 2nd Street, Delray Beach, stated the Roots Festival and Parade should be grandfathered in as an annual event.

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

6. CONSENT AGENDA: City Manager Recommends Approval

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](#)
[February 21, 2023 Workshop Meeting Minutes - DRAFT](#)
[February 21, 2023 Regular Meeting Minutes - DRAFT](#)

approved

6.B. CONSIDERATION OF THE CERTIFICATION OF THE FINAL PLAT, "HIGHLAND PARK TOWNHOMES," TO CREATE 30 FEE-SIMPLE LOTS, A RESIDENTIAL ACCESS STREET, OPEN SPACE AND RECREATION TRACTS, SIDEWALK EASEMENTS, AND PUBLIC RIGHT-OF-WAY TRACTS, ON TWO PARCELS AT THE SOUTHEAST CORNER OF NE 6th AVENUE AND NE 4th STREET TOTALING 1.36-ACRES,

CURRENTLY ADDRESSED AS 375 AND 395 NE 6th AVENUE.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[PZB Report: Highland Park Townhomes Plat](#)
[Proposed Plat: Highland Park Townhomes](#)

approved

- 6.C.** APPROVAL OF RESOLUTION NO. 56-23 AMENDING THE FISCAL YEAR 2022-2023 BUDGET ADOPTED BY RESOLUTION NO. 157-22 ON SEPTEMBER 19, 2022, BY PROVIDING FOR FUNDING FOR BUS SHELTER MAINTENANCE AND INSTALLATION.

Sponsors: Finance Department and Public Works Department

Attachments: [Agenda Cover Report](#)
[Res 56-23 Budget Amendment Bus Shelters rev. 2.24.23](#)
[Exhibit A - Budget Amendment Bus Shelter - 03.06.2023](#)
[Ord 13-13](#)
[Simple Legal Review Approval Resolution 56-23 Budget Amendment](#)

approved

- 6.D.** ITEM(S) A1 and B1 - ACCEPTANCE OF A RIGHT OF WAY DEDICATION BY 403 PALM TRL AND A RIGHT OF WAY DEDICATION BY 6 EASTVIEW AVE

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[A1a - Right of Way Deed - 403 Palm Trail Barbara and Paul Nix](#)
[A1b- Sketch and Legal - 403 Palm Trail Barbara and Paul Nix](#)
[B1a Right of Way Deed - 6 Eastview Avenue - Testarel LLC](#)
[B1b - Sketch and Legal - 6 Eastview Avenue - Testarel LLC](#)
[Legal Review Right of Way Deed 6 Eastview Avenue Testarel LLC](#)
[Legal Review Right of Way Deed 403 Palm Trail Barbara and Paul Nix](#)

approved

- 6.E.** APPROVAL OF RESOLUTION. NO. 37-23 FOR AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY FOR THE INSTALLATION AND MAINTENANCE OF DECORATIVE LIGHTS AND POLES FOR THE BARWICK ROADWAY IMPROVEMENTS PROJECT.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[FPL LED Lighting Agmt Barwick Road 85 Lights and Poles](#)
[FPL Lighting Plan Proposal Barwick Road](#)
[FPL Sketch-Preliminary Design Barwick Road](#)
[Res 37-23 - FPL LED Lighting Agmt Barwick Road 85 Lights and Poles](#)
[Legal Review FPL LED Lighting Agreement for 85 roadway lights and poles on Barwick Rd](#)
approved

- 6.F.** APPROVAL OF RESOLUTION. NO. 38-23 FOR AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY FOR THE INSTALLATION AND MAINTENANCE OF DECORATIVE LIGHTS AND POLES FOR THE NORTH SWINTON AVENUE ROADWAY UNDERGROUND UTILITY IMPROVEMENTS PROJECT.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[FPL LED Lighting Agmt N Swinton Ave 150 Lights and Poles](#)
[FPL Lighting Plan Proposal Swinton Avenue](#)
[FPL Preliminary Sketch-Design Swinton Avenue](#)
[Res 38-23 - FPL LED Lighting Agmt N Swinton Ave 150 Lights and Poles](#)
[Legal Review FPL LED Lighting Agreement for 150 roadway lights and poles on Swinton Ave](#)
approved

- 6.G.** APPROVAL OF RESOLUTION. NO. 55-23 FOR AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY FOR THE INSTALLATION AND MAINTENANCE OF DECORATIVE LIGHTS AND POLE FOR THE LINDELL BOULEVARD IMPROVEMENTS PROJECT.

Sponsors: Public Works Department

Attachments: [Agenda Cover Report](#)
[FPL LED Lighting Agmt Lindell Blvd 97 poles and 194 lights](#)
[FPL Lighting Plan Proposal Lindell Blvd](#)
[FPL Sketch-Preliminary Design Lindell Blvd](#)
[Res 55-23 - FPL LED Lighting Agmt Lindell Blvd 97 Poles and 194 lights](#)
[Legal Review FPL LED Lighting Agreement for 97 poles and 194 roadway lights on Lindell Blvd](#)
approved

- 6.H.** RESOLUTION NO. 50-23 AMENDING THE FISCAL YEAR 2022-23 BUDGET ADOPTED BY RESOLUTION NO. 157-22 ON SEPTEMBER 19, 2022

Sponsors: Finance Department

Attachments: [Agenda Cover Report](#)
[Res 50-23 Budget Amendment Re Agmt with DDA](#)
[Exhibit A - DDA 3.6.2023](#)
[ILA - Delray Beach Downtown Development Authority \(DDA\) \(License to Use the Old School Square Campus\) fully executed](#)
[Legal Review Res 50-23 Budget Amendment Re Agmt with DDA](#)

approved

6.I. PROCLAMATIONS:

6.I.1. ALL PEOPLE'S DAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[All People's Day Proclamation 2023](#)

approved

6.I.2. VIETNAM VETERANS' DAY PROCLAMATION

Sponsors: City Clerk Department

Attachments: [Agenda Cover Report](#)
[VIETNAM VETERANS DAY Proclamation 2023](#)

approved

6.I.3. PROCLAMATION DESIGNATING THE MONTH OF MARCH AS FLORIDA BIKE MONTH IN DELRAY BEACH.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Florida Bicycle Month Proclamation \(2023\)](#)

approved

6.I.4. PROCUREMENT MONTH PROCLAMATION

Sponsors: Purchasing Department

Attachments: [Agenda Cover Report](#)
[March 2023 Proclamation](#)

approved

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

6.J.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM FEBRUARY 1, 2023 THROUGH FEBRUARY 24, 2023.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[SPRAB 02.08.2023: The North Edge](#)
[SPRAB 02.08.2023: Regions West Atlantic](#)
[SPRAB 02.22.2023: H Greg Nissan](#)
[SPRAB 02.22.2023: Growl Enterprises](#)
[SPRAB 02.22.2023: Popstroke](#)
approved

6.K. AWARD OF BIDS AND CONTRACTS:

6.K.1. 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](#)
[PSAI RFB 2021-02 Medical Supplies Equipment Pharmaceuticals - FINAL.pdf](#)
[Signed PSAI Vendor Agreement+Deviation Letter-Henry Schein-RFB 2021-06 Medical Equipment.pdf](#)
[Simple Legal Review Approval Master Intergovernmental Cooperative Purchasing Agreement \(re Henry Schein Agmt.\).pdf](#)
[Cooperative-Purchasing-Public-Agreement-Eagle-County-Health-Servic e-District rev. 1.24.23.pdf](#)
[P2023-010 Henry Schein Agreement Delray \(Clean Copy\) 2.10.23.pdf](#)
approved

**6.K.2. APPROVAL OF RESOLUTION NO. 44-23 TO AWARD AN AGREEMENT WITH FLORIDATOURS.COM FOR CHARTER BUS SERVICES FOR THE PARKS AND RECREATION DEPARTMENT - INITIAL THREE YEAR TERM
COST \$517,320 (\$172,440 PER YEAR)**

Sponsors: Parks & Recreation Department and Purchasing Department

Attachments: [Agenda Cover Report](#)
[Legal Review Checklist charter bus service](#)
[FLTours_PE_2023](#)
[Resolution No. 44-23 Charter Bus Services](#)

Commissioner Boylston left the meeting at 5:15 p.m.
approved

7. REGULAR AGENDA:

Mayor Petrolia read the quasi-judicial rules into the record.

City Clerk, Katerri Johnson, swore all those who wished to give testimony on Item No. 7.A., 7.B., and 7.C.

Mayor Petrolia asked if her colleagues had any ex-parte communications to disclose. There were no ex-parte communications to disclose.

7.A.

RESOLUTION NO. 45-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, GRANTING A WAIVER REQUEST TO SECTION 4.3.4(K) OF THE LAND DEVELOPMENT REGULATIONS APPROVING A DWELLING UNIT WITH 864 SQUARE FEET OF FLOOR AREA FOR THE PROPERTY LOCATED AT 1115 NORTH SWINTON AVENUE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)
[Resolution No. 45-23](#)
[Applicant Justification Statement](#)
[Property Survey](#)
[Legal Review](#)

Anthea Gianniotis, Development Services Director, entered file ID # 2023-056 into the record.

Ann Koplas, 1115 N. Swinton Avenue, Delray Beach, was present to request a waiver to allow a dwelling unit with a foot area of 1500 square feet to an 864 square feet living space.

Anthea Gianniotis provided the City's criteria for separating lots and mentioned that Ms. Kopla's request did not meet the requirements for two homes on a single-family lot.

Mayor Petrolia opened the floor to anyone who wished to provide testimony on Resolution No. 45-23. Seeing no one present, Mayor Petrolia closed public comment.

There was no cross-examination or rebuttal.

The Commission shared its concern that the garage facing the street would adversely affect the neighborhood if approved.

Deputy Vice Mayor Casale motioned to approve Resolution No. 45-23. Vice Mayor Frankel seconded the motion. The motion was carried by the following vote:

YES: 2 - Deputy Vice Mayor Casale, Vice Mayor Frankel

NO: 2 - Mayor Petrolia, Commissioner Johnson

no action taken

Ms. Gelin suggested the Commission vote to **deny**, which would give the applicant more process should she desire.

denied

Yes: 1 - Vice-Mayor Frankel

No: 3 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, and Mayor Petrolia

7.B.

RESOLUTION NO. 47-23: 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 LOCATED NORTH OF WITHERSPOON LANE AND SOUTH OF BOND WAY, TOTALING APPROXIMATELY 2,062.5 SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI-JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 47-23 905, 907, 909 Witherspoon Lane -](#)

[905, 907, 909 Witherspoon Lane - PZB Staff Report](#)

[905, 907, 909 Witherspoon Lane - Survey of Right of Way](#)

[905, 907, 909 Witherspoon Lane - City Engineer Recommendation](#)

[905, 907, 909 Witherspoone Lane - Applicant Justification Statement](#)

[905, 907, 909 Witherspoon Lane - History](#)

[905, 907, 909 Witherspoon Lane - Legal Review of Resolution No. 47-23](#)

Mayor Petrolia previously read the quasi-judicial rules into the record. She

asked if her colleagues had any ex-parte communications to disclose. There were no ex-parte communications to discuss.

Anthea Gianniotis entered file ID #2021-177 into the record.

Tom Carney, 133 SE 5th Avenue, Delray Beach, was present to seek abandonment of a Right-of-Way (Alley) of three properties owned by the City. Mr. Carney stated the Planning and Zoning Department voted unanimously to approve this item on July 18th, 2022.

Ms. Gianniotis provided a staff report on this item.

Mayor Petrolia opened the floor to anyone who wished to provide testimony on Resolution No. 47-23. Seeing no one present, Mayor Petrolia closed public comment.

There was no cross-examination or rebuttal.

Ms. Gelin cautioned the Commission if they approve Resolution 47-23, it should be amended with the condition that the easement agreement will first be recorded.

approved as amended

Yes: 4 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, and Vice-Mayor Frankel

7.B.1.

ACCEPTING A GENERAL UTILITY EASEMENT AGREEMENT AT 905 WITHERSPOON LANE, TOTALING APPROXIMATELY TWO HUNDRED AND TEN SQUARE FEET (210 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[General Utility Easement - 905 Witherspoon Lane](#)

[Legal Review General Utility Easement Agreement - 905 Witherspoon Lane](#)

approved as amended

Yes: 4 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, and Vice-Mayor Frankel

7.B.2.

ACCEPTING A GENERAL UTILITY EASEMENT AGREEMENT AT 907 WITHERSPOON LANE, TOTALING APPROXIMATELY TWO HUNDRED AND TEN SQUARE FEET (270 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[General Utility Easement Spencer Noon - 907 Witherspoon Lane](#)

[Legal Review General Utility Easement Agreement - 907 Witherspoon Lane - Spencer Noon](#)

approved as amended

Yes: 4 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, and Vice-Mayor Frankel

7.B.3.

ACCEPTING A GENERAL UTILITY EASEMENT AGREEMENT AT 909 WITHERSPOON LANE, TOTALING APPROXIMATELY TWO HUNDRED AND TEN SQUARE FEET (270 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN.

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[General Utility Easement Agreement - 909 Witherspoon - GDS Love LLC](#)

[Legal Review General Utility Easement Agreement - 909 Witherspoon Lane - GDS Love LLC](#)

approved as amended

Yes: 4 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, and Vice-Mayor Frankel

7.C.

RESOLUTION NO. 51-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ABANDONING A PORTION OF A WATER EASEMENT LOCATED AT 4575 W. LINTON BOULEVARD, TOTALING APPROXIMATELY FIVE THOUSAND TWO HUNDRED FIFTY FOUR SQUARE FEET (5,254.27 SQ. FT.), AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (QUASI JUDICIAL)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Resolution No. 51-23](#)

[Resolution No. 51-23, Exhibit A](#)

[Abandonment Recommendation: Engineering](#)

[Abandonment Recommendation: Utilities](#)

[Legal Review](#)

Mayor Petrolia previously read the quasi-judicial rules into the record.

Anthea Gianniotis entered file ID # 2023-007 into the record.

David Milledge, Esq. was present on behalf of his client, who was requesting the abandonment of a portion of a water easement located at 4575 W. Linton Blvd.

Anthea Gianniotis provided a staff report. She stated that the City Engineer and the Public Utilities Department recommended approving the abandonment of the water easement.

Mayor Petrolia opened the floor to anyone who wished to provide testimony on Resolution No. 51-23.

Alice Finst, 707 Place Tavant, Delray Beach, expressed her concerns about approving the easement and what it would mean to the abutting residents.

After the meeting, Deputy Vice Mayor Casale offered to explain the process to Ms. Finst.

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

There was no cross-examination or rebuttal.
approved

Yes: 4 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, and Vice-Mayor Frankel

8. PUBLIC HEARINGS/SECOND READINGS:

8.A.

ORDINANCE NO. 04-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF DELRAY BEACH CODE OF ORDINANCES, CHAPTER 1, "GENERAL PROVISIONS," ARTICLE 1.1, "ADOPTION OF CODE," SECTION 1.1.6, "AMENDMENTS," MODIFYING THE PROCEDURE FOR PRIVATELY INITIATED AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS; AMENDING CHAPTER 2, "ADMINISTRATIVE PROVISIONS," ARTICLE 2.4, "GENERAL PROCEDURES," SECTION 2.4.5, "PROCEDURES FOR OBTAINING DEVELOPMENT APPROVALS," SUBSECTION (M), "AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS," TO REQUIRE SPONSORSHIP BY A SINGLE COMMISSIONER IN ORDER TO APPEAR AT A COMMISSION WORKSHOP MEETING AND TO REQUIRE SUPPORT BY AT LEAST THREE MEMBERS OF THE CITY COMMISSION AT A WORKSHOP MEETING IN ORDER TO SUBMIT A PRIVATELY INITIATED AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE.

(SECOND READING/PUBLIC HEARING)

Sponsors: Development Services Department

Attachments: [Agenda Cover Report](#)

[Ordinance No. 04-23](#)

[PZB Staff Report](#)

[Legal Review](#)

[Delray Beach Ord 04-23 Notice](#)

Deputy Vice Mayor Casale left the dais at 6.24 p.m. and returned at 6:28 p.m.

City Attorney Gelin entered Ordinance No. 04-23 into the record.

Ms. Gelin stated that this item had not been advertised inadvertently, which was why it was being heard for a second time. Ms. Gianniotis requested that the legal department be added to the second reading for approval from the Sun Sentinel.

Mayor Petrolia opened the floor to anyone who wished to provide testimony on Ordinance No. 04-23. Seeing no one present, public comment was closed.
approved

Yes: 3 - Commissioner Ervin Johnson, Mayor Petrolia, and Vice-Mayor Frankel

8.B.

ORDINANCE NO. 05-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, ADOPTING A SMALL-SCALE LAND USE MAP AMENDMENT REDESIGNATING FOURTEEN PARCELS OF LAND MEASURING APPROXIMATELY 17.03 ACRES, LOCATED ON GREENSWARD LANE, SOUTH OF HAMLET DRIVE, AS MORE PARTICULARLY DESCRIBED HEREIN, FROM OPEN SPACE TO LOW DENSITY RESIDENTIAL AND MEDIUM DENSITY RESIDENTIAL, 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](#)
[The Hamlet - Ordinance No. 05-23 leg rev WB](#)
[The Hamlet - PZB Staff Report](#)
[The Hamlet - Location Map Index](#)
[The Hamlet - Existing Land Use](#)
[The Hamlet - Proposed Land Use](#)
[The Hamlet - Legal Review Form](#)
[Proof of Legal Ad - 2.24.23](#)

City Attorney Gelin entered Ordinance # 05-23 into the record.

Anthea Gianniotis stated the Department of Economic Development for the State requested that the City create an Ordinance that reflects the correct land use for this item. She noted that this Ordinance went before the Planning and Zoning Board on September 12, 2023 and was approved by a 6 - 0 vote.

Mayor Petrolia opened the floor to anyone who wished to provide testimony on Ordinance No. 05-23. Seeing no one present, public comment was closed.

Mayor Petrolia commented that this Ordinance was correcting an error and would not take up any green space.
approved

Yes: 4 - Commissioner Ervin Johnson, Deputy Vice Mayor Casale, Mayor Petrolia, and Vice-Mayor Frankel

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:

- Mentioned the passing of Beth Johnston

- Favored scheduling a workshop to discuss Special Events

Commissioner Johnson:


- Thanked her colleagues for their support
- Shared the lessons she had learned over the past six years

11. ADJOURNMENT

There being no further business to discuss, Mayor Petrolia adjourned the Regular City Commission meeting at 6.33 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 March 6, 2023 City Commission Regular Meeting held on March 6, 2023, which minutes were formally approved and adopted by the City on April 4, 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.