

# City of Delray Beach

100 NW 1st Avenue - Delray Beach, Florida 33444

Phone: (561) 243-7000

[www.delraybeachfl.gov](http://www.delraybeachfl.gov)



## Regular Commission Meeting

Regular Meeting at 5:00 PM

Tuesday, February 24, 2026

Commission Chambers

Delray Beach City Hall or Watch on YouTube:

<https://www.youtube.com/@cityofdelraybeachfl/streams>

### City Commission

*Mayor Thomas F. Carney, Jr.*

*Deputy Vice Mayor Angela Burns*

*Commissioner Tom Markert*

*Commissioner Juli Casale*

## **RULES FOR PUBLIC PARTICIPATION**

**PUBLIC COMMENT:** City Commission meetings are business meetings and the right to limit discussion rests with the Commission. **Generally, remarks by an individual will be limited to three minutes or less.** The Mayor, presiding officer or a consensus of the City Commission has discretion to adjust the amount of time allocated.

### **Public comment shall be allowed as follows:**

- A.** Comments and Inquiries on Non-Agenda and Agenda Items (excluding public hearing or quasi-judicial hearing items) from the Public: Any citizen is entitled to be heard concerning any matter within the scope of jurisdiction of the Commission under this section. The Commission may withhold comment or direct the City Manager to take action on requests or comments.
- B.** Public Hearings/Quasi-Judicial Hearings: Any citizen is entitled to speak on items under these sections at the time these items are heard by the Commission.
- C.** All persons desiring to do a presentation on agenda or non-agenda items that are on a portable flash drive device or a CD/DVD, must provide their media to the City Clerk no later than 12:00 p.m. one day prior to the meeting where they wish to present.

**SIGN IN SHEET:** Prior to the start of the Commission Meeting, individuals wishing to address the Commission should sign in on the sheet located on the right side of the dais. If you are not able to do so prior to the start of the meeting, you may still address the Commission. The primary purpose of the sign-in sheet is to assist staff with record keeping. Therefore, when you come up to the to speak, please complete the sign-in sheet if you have not already done so.

**ADDRESSING THE COMMISSION:** At the appropriate time, please step up to the lectern and state your name and address for the record. All comments must be addressed to the Commission as a body and not to individuals. Any person making impertinent or slanderous remarks or who becomes boisterous while addressing the Commission shall be barred by the presiding officer from speaking further, unless permission to continue or again address the Commission is granted by a majority vote of the Commission members present.

## **APPELLATE PROCEDURES**

Please be advised that if a person decides to appeal any decision made by the City Commission with respect to any matter considered at this meeting, such person will need to ensure that a verbatim record includes the testimony and evidence upon which the appeal is based. The City neither provides nor prepares such record.

**1. ROLL CALL****2. PLEDGE OF ALLEGIANCE TO THE FLAG****3. AGENDA APPROVAL**

3.A. Additions, Deletions, Substitutions

**4. PRESENTATIONS:****4.A. MILAGRO CENTER AND SOUTHTECH SCHOOLS COLLABORATION**

**Sponsors:** City Manager Department

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

**4.B. FEDERAL LEGISLATIVE UPDATE PRESENTATION FROM MICHAEL WILLIS OF THE COLOR NINE GROUP**

**Recommendation:** The Commission is asked to receive a presentation updating the City on Federal issues, and the Color Nine Group's efforts on behalf of the City of Delray Beach.

**Sponsors:** City Manager Department

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

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

5.A. City Manager's response to inquiries and highlights

5.B. From the Public

**6. CONSENT AGENDA: City Manager Recommends Approval****6.A. CITY COMMISSION MEETING MINUTES**

**Recommendation:** Motion to approve meeting minutes as listed below:

January 20, 2026 Workshop Meeting Minutes - DRAFT

**Sponsors:** City Clerk Department

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

[January 20, 2026 Workshop Meeting Minutes - DRAFT.pdf](#)

**6.B. AGREEMENT FOR VOTE PROCESSING EQUIPMENT USE AND ELECTION SERVICES BY AND BETWEEN THE PALM BEACH COUNTY SUPERVISOR OF ELECTIONS AND THE CITY OF DELRAY BEACH.**

**Recommendation:** Recommend approval of the attached agreement.

**Sponsors:** City Clerk Department

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

[2026 Uniform Municipal Election and Runoff Election Agreement - Reviewed.pdf](#)

[Simple Legal Review Approval Municipal Election Agreement.pdf](#)

**6.C.** RESOLUTION 49-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH AMENDING RESOLUTION 79-18 PROVIDING SETTLEMENT AUTHORITY LIMITS FOR ALL CLAIMS AND LITIGATION INVOLVING THE CITY; REMOVING AUTHORITY TO SETTLE CLAIMS AND LITIGATION FROM THE RISK MANAGEMENT DIVISION; PROVIDING FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

**Recommendation:** Motion to Approve Resolution 49-26 amending Resolution 79-18 providing settlement authority limits for all claims and litigation involving the City; removing authority to settle claims and litigation from the risk management division.

**Sponsors:** City Attorney Department

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

[Res 49-26 amend settlement authority](#)

[Res No. 79-18](#)

[Simple Legal Review Reso 49-26](#)

**6.D.** RESOLUTION 46-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING AN ANNUAL SPECIAL EVENT PERMIT FOR A SERIES OF IMPACT EVENTS KNOWN AS "ART & JAZZ ON THE AVENUE 2026" TO BE HELD ON FEBRUARY 25, 2026, MAY 27, 2026 AND JULY 22, 2026; AUTHORIZING THE CLOSURE OF ATLANTIC AVENUE AND NE 2ND AVENUE AS MORE SPECIFICALLY DESCRIBED HEREIN; AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO EFFECTUATE THE INTENT OF THIS RESOLUTION; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Recommendation:** Consider Resolution 46-26 approving an Annual Special Event Permit for a series of impact events known as Art & Jazz on the Avenue 2026 to be held on February 25, 2026, May 27, 2026, and July 22, 2026 and authorizing the closure of certain rights-of-way for the events; and authorizing the City Manager to take all actions necessary to effectuate the intent of the resolution.

**Sponsors:** City Manager Department

**Attachments:** [Agenda Cover Report](#)  
[Art & Jazz Signed App](#)  
[Beachside](#)  
[PG 1](#)  
[PG 2](#)  
[PG 3](#)  
[West Atlantic](#)  
[Simple Legal Review Approval- Dani](#)  
[Impact Event Resolution 46-26 Jazz on the Avenue 2026 Series](#)

**6.E. APPROVAL OF FY24-25 CONSOLIDATED ANNUAL PERFORMANCE EVALUATION REPORT**

**Recommendation:** Motion to approve the 2024-2025 Consolidated Annual Performance and Evaluation Report required by the United States Housing and Urban Development (HUD) for utilization of federal grant funds.

**Sponsors:** Neighborhood & Community Services

**Attachments:** [Agenda Cover Report](#)  
[CAPER 24-25 Final](#)

**6.F. APPROVAL TO GRANT AN UNDERGROUND EASEMENT FROM THE CITY OF DELRAY BEACH IN FAVOR OF FLORIDA POWER & LIGHT FOR POMPEY PARK COMMUNITY CENTER AND CAMPUS, LOCATED AT 1101 NW 2ND STREET**

**Recommendation:** Motion to approve granting an Underground Easement from the City of Delray Beach in favor of Florida Power & Light for Pompey Park, located at 1101 NW 2nd Street.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[FPL Underground Easement Agreement - 1101 NW 2nd Street](#)  
[Easement - Legal Sketch & Description \(Exhibit "A"\)](#)  
[Legal Review FPL Easement - Pompey Park](#)

- 6.G. ITEM(S) 1 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 1304 GWENZELL AVE.**  
**ITEM(S) 2 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 1424 GWENZELL AVE.**  
**ITEM(S) 3 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 127 SW 7TH AVE.**  
**ITEM(S) 4 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 121 SE 7TH ST.**  
**ITEM(S) 5 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 35 NW 14TH AVE.**  
**ITEM(S) 6 - ACCEPTANCE OF A RIGHT-OF-WAY DEDICATION BY 205 SW 11TH AVE.**

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

Item 1 - Motion to approve and accept a Right-of-Way Dedication by the owners of 1304 Gwenzell Ave.

Item 2 - Motion to approve and accept a Right-of-Way Dedication by the owners of 1424 Gwenzell Ave.

Item 3 - Motion to approve and accept a Right-of-Way Dedication by the owners of 127 SW 7th Ave.

Item 4 - Motion to approve and accept a Right-of-Way Dedication by the owners of 121 SE 7th St.

Item 5 - Motion to approve and accept a Right-of-Way Dedication by the owners of 35 NW 14th Ave.

Item 6 - Motion to approve and accept a Right-of-Way Dedication by the owners of 205 SW 11th Ave.

**Sponsors:** Public Works Department

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

[1a - Right of Way - 1304 Gwenzell Ave - Hirsch Properties LLC](#)

[1b - Legal Review Right of Way Deed - 1304 Gwenzell Ave - Hirsch Properties LLC](#)

[2a - Right of Way -1424 Gwenzell Avenue - 1424 Gwenzell Avenue LLC](#)

[2b - Legal Review Right of Way Deed - 1424 Gwenzell Ave - 1424 Gwenzell Av](#)

[3a - Right of Way Deed - 127 SW 7th Ave - Rudean Cartwright-Williams](#)

[3b - Legal Review Right of Way Deed - 127 SW 7th Ave - Rudean Cartwright-W](#)

[4a - Right of Way Deed - 121 SE 7th ST - Michael and Lisa Lockwood](#)

[4b - Legal Review Right of Way Deed - 121 SE 7th Street - Michael and Lisa Lo](#)

[5a - Right of Way Deed - 35 NW 14TH AVE - Thrive Collective Foundation](#)

[5b - Legal Review Right of Way Deed - 35 NW 14th Ave - Thrive Collective Fou](#)

[6a - Right of Way - 205 SW 11th Ave - Shared Future Foundation INC.](#)

[6b - Legal Review Right of Way Deed - 205 SW 11th Ave - Shared Future Foun](#)

**6.H. APPROVAL OF THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF DELRAY BEACH AND DELRAY BEACH COMMUNITY REDEVELOPMENT AGENCY FOR FUNDING CONSTRUCTION/PROFESSIONAL SERVICES - FISCAL YEAR 2024-2025**

**Recommendation:** Approve the Second Amendment to the Interlocal Agreement (ILA) between the City of Delray Beach (City) and Delray Beach Community Redevelopment Agency (CRA) for funding for Capital Improvement Plan (CIP) Projects within the CRA District for Fiscal Year (FY) 2024-2025

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Second Amendment to City CRA ILA for FY24-25 CIP](#)  
[Simple Legal Review Approval ILA 2nd Amendment](#)

**6.I. APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN PALM BEACH COUNTY AND THE CITY OF DELRAY BEACH PROVIDING FOR CERTAIN TRAFFIC CONTROL AUTHORITY WITHIN THE CITY OF DELRAY BEACH BY PALM BEACH COUNTY**

**Recommendation:** Motion to approve an Interlocal Agreement between Palm Beach County and the City of Delray Beach Providing for Certain Traffic Control Authority within the City of Delray Beach by Palm Beach County.

**Sponsors:** Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[PBC Delray ILA\\_Traffic Control Authority \(new\)](#)  
[Simple Legal Review Approval Traffic ILA with County](#)  
[Amend. No. 1\\_PBC Delray ILA - Traffic Cntrol Authority \(1992\)](#)  
[PBC Delray ILA\\_Traffic Control Authority \(1987\)](#)

**6.J. PROCLAMATIONS:**

6.J.1. None

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

**6.K.1. REPORT OF APPEALABLE DEVELOPMENT APPLICATION ACTIONS FROM JANUARY 28, 2026, THROUGH FEBRUARY 10, 2026.**

**Recommendation:** By motion, receive and file this report for actions on development application requests from January 28, 2026, through February 10, 2026.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[SPRAB \(1-28\) - Plaza at Delray](#)  
[SPRAB \(1-28\) - Wells Fargo Linton](#)  
[SPRAB \(1-28\) - Wells Fargo Military](#)  
[HPB \(2-4\)-53 Palm Square](#)  
[HPB \(2-4\) -Magnolia Place Lot 1-170-176 SE 1st Ave](#)  
[HPB \(2-4\)-Magnolia Place Lot 2-160-166 SE 1st Ave](#)  
[HPB \(2-4\)-Magnolia Place Lot 3-150-156 SE 1st Ave](#)  
[HPB \(2-4\)-Magnolia Place Lot 4-140-146 SE 1st Ave](#)  
[HPB \(2-4\)-Magnolia Place Lot 5-13-136 SE 1st Ave](#)

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

**6.L.1.** APPROVAL OF RESOLUTION NO. 38-26, TO AWARD AN AGREEMENT WITH HOG TECHNOLOGIES FOR HYDROBLASTING SERVICES PURSUANT TO ITB NO. 2026-015, IN A 5 YEAR TOTAL CONTRACT VALUE NOT TO EXCEED \$750,000 (\$150,000 YEAR) RESPECTIVELY.

**Recommendation:** Motion to approve Resolution No. 38-26, to award an agreement with Hog Technologies, for Hydroblasting Services, pursuant to ITB No. 2026-015, in a 5 year total contract value not to exceed \$750,000 (\$150,000 year) respectively.

**Sponsors:** Purchasing Department and Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Res 38-26](#)  
[Legal Review Checklist - ITB 2026-015 - Hyrdoblasting - Hog Technologies](#)  
[ITB 2026-015 - Hyrdoblasting - Hog Technologies](#)  
[Ex A - ITB 2026-015 Hydroblasting Hog Technologies](#)  
[ITB 2026-015 Hydroblasting Advertised](#)  
[Hog Technologies Submittal](#)

**6.L.2.** APPROVAL OF RESOLUTION NO. 33-26 TO AWARD AN AGREEMENT WITH SOUTHLAND CONTROLS, INC., FOR PROVIDING SYSTEM REPAIR AND MAINTENANCE SERVICES ON AN AS-NEEDED BASIS FOR THE CITY OF DELRAY BEACH WATER TREATMENT PLANT (WTP) LIME STORAGE SILO SYSTEMS, LIME SLAKERS UNITS AND FEEDERS, AND CO2 STORAGE TANK AND FEEDER PUMPS SYSTEM PURSUANT TO INVITATION TO BID (ITB) NO. 2026-006 FOR A FIVE (5) YEAR TERM NOT TO EXCEED \$315,000 (\$63,000 YEARLY).

**Recommendation:** Motion to approve Resolution No. 33-26 to award an Agreement with Southland Controls, Inc., for providing system repair and maintenance services on an as-needed basis for the City of Delray Beach Water Treatment Plant (WTP) Lime Storage Silo Systems, Lime Slaker Units, and Feeders, and Co2 Storage Tank Feeder Pumps System, pursuant to Invitation to Bid (ITB) No. 2026-006 for a five (5) year term not to exceed \$315,000 (\$63,000 yearly).

**Sponsors:** Purchasing Department and Utilities Department

**Attachments:** [Agenda Cover Report](#)  
[Res No. 33-26 - ITB2026-017 - Southland Controls - Lime and CO2 System Ser](#)  
[Exhibit A. Agreement](#)  
[Legal Review](#)  
[ITB2026-017 Lime and CO2 System Services ct Final](#)  
[Submittal](#)

**6.L.3. APPROVAL OF RESOLUTION NO. 51-26 TO AWARD AN AGREEMENT WITH GREAT LAKES DREDGE & DOCK COMPANY, LLC PURSUANT TO A BID WAIVER FOR BEACH RENOURISHMENT (SAND PLACEMENT) SERVICES IN THE AMOUNT OF \$1,312,700.00**

**Recommendation:** Motion to approve Resolution No. 51-26 to award an agreement with Great Lakes Dredge & Dock Company, LLC pursuant to a Bid Waiver for Beach Renourishment (Sand Placement) Services in the amount of \$1,312,700.0; authorizing the City Manager to execute any amendments and/or renewals thereto and take any and all actions necessary to effectuate the intent of this resolution; providing an effective date; and for other purposes.

**Sponsors:** Purchasing Department and Public Works Department

**Attachments:** [Agenda Cover Report](#)  
[Res No. 51-26 BW 2026-003 Beach renourishment Services](#)  
[Ex A Bid Waiver Memo](#)  
[Ex. B Agreement](#)  
[Legal Review Checklist](#)

**7. REGULAR AGENDA:**

**7.A. RESOLUTION NO. 39-26 AMENDING THE FISCAL YEAR 2025-26 BUDGET ADOPTED BY RESOLUTION NO.198-25 ON SEPTEMBER 15, 2025.**

**Recommendation:** Motion to Approve Resolution No.39-26 amending the Fiscal Year 2025-26 budget adopted on September 15, 2025.

**Sponsors:** Finance Department

**Attachments:** [Agenda Cover Report](#)  
[Resolution 39-26](#)  
[Exhibit A 39-26 with backup](#)  
[Legal Review Res 39-26 Budget Amendment FY 2026](#)

#### 7.B. DISCUSSION REGARDING FINANCIAL REVIEW COMMITTEE STRUCTURE

**Recommendation:** Receive presentation and provide guidance regarding preferred oversight structure and next steps.

**Sponsors:** City Manager Department

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

#### 7.C. CITY ATTORNEY'S MERIT INCREASE

**Recommendation:** Motion to consider the City Attorney's salary review.

**Sponsors:** Human Resources Department

**Attachments:** [Agenda Cover Report](#)  
[City Attorney Performance Evaluation 2026](#)

#### 7.D. RESOLUTION NO. 47-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF A WATER EASEMENT LOCATED AT 3900 SHERWOOD BOULEVARD, TOTALING APPROXIMATELY ONE THOUSAND EIGHT HUNDRED AND TWELVE SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Recommendation:** Consider Resolution No. 47-26, abandoning a 1,812 square foot water easement.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res. No. 47-26 Abandonment of Water Easement](#)  
[3900 Sherwood Blvd, Engineer's Recommendation](#)  
[Recorded Plat, Layton Pointe](#)  
[Certified Site Plan, Layton Pointe](#)  
[Legal Review, Resolution No. 47-26](#)

#### 7.E. RESOLUTION NO. 48-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF A SEWER EASEMENT LOCATED AT 3900 SHERWOOD BOULEVARD, TOTALING APPROXIMATELY TWO THOUSAND SIXTEEN SQUARE FEET, AS MORE PARTICULARLY DESCRIBED HEREIN, PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

**Recommendation:** Consider Resolution No. 48-26, abandoning a 2,016 square foot sewer easement.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[3900 Sherwood Blvd, Engineer's Recommendation](#)  
[Resolution No. 48-26 Abandonment of Sewer Easement](#)  
[Recorded Plat, Layton Pointe](#)  
[Certified Site Plan, Layton Pointe](#)  
[Legal Review, Resolution No. 48-26](#)

**7.F. RESOLUTION NO. 53-26 APPROVING RECONSIDERATION OF RESOLUTION 62-23**

**Recommendation:** Motion to approve Resolution No. 53-26.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Meeting Excerpt - April 18, 2023](#)  
[CAD](#)  
[Res. No. 53-26](#)  
[Reso 53-26 LRC](#)

**7.G. RESOLUTION NO. 57-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, APPROVING A WAIVER TO SECTION 4.4.3(F)(1)(A) OF THE LAND DEVELOPMENT REGULATIONS TO ALLOW A FLOOR AREA RATIO OF 0.85 FOR THE PROPERTY LOCATED AT 1006 BROOKS LANE, AS MORE PARTICULARLY DESCRIBED HEREIN; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES. (QUASI JUDICIAL)**

**Recommendation:** Review and consider a resolution approving a waiver request to the maximum floor area ratio for 1006 Brooks Lane.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Res No. 57-26 1006 Brooks Lane FAR Waiver](#)  
[1006 Brooks Ln - Plan Set](#)  
[1006 Brooks Ln - Justification Statement](#)  
[1006 Brooks Ln - Adjacent Property Photos](#)  
[Simple Legal Review Approval 1006 Brooks Lane FAR waiver](#)

**7.H. NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION BOARD. BASED ON THE ROTATION SYSTEM, THE NOMINATION FOR ONE (1) QUALIFIED MEMBER TO SERVE AN UNEXPIRED TERM ENDING AUGUST 31, 2026, WILL BE MADE BY COMMISSIONER MARKERT (SEAT #1).**

**Recommendation:** Motion to approve the nomination for the appointment of one **(1) QUALIFIED MEMBER** to serve an unexpired term ending August 31, 2026.

**Sponsors:** City Clerk Department

**Attachments:**      [Agenda Cover Report](#)  
[Exhibit A](#)  
[Board Member List](#)  
[HPB Attendance 2025](#)  
[HPB Attendance 2026](#)  
[Amani, Sandra](#)  
[DeLacio, John](#)  
[Eliopolous, Jake](#)  
[Fredericks, Carol](#)  
[Martino, Daniel](#)

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

- 8.A.** ORDINANCE NO. 03-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS, BOARDS AND COMMISSIONS", SECTION 32.64, "QUALIFICATIONS", TO CLARIFY THE CRITERIA FOR APPOINTMENT OF BOARD MEMBERS TO THE POLICE ADVISORY BOARD; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AND AUTHORITY TO CODIFY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES(SECOND READING)

**Recommendation:** Motion to Approve Ordinance 03-26.

**Sponsors:** City Attorney Department

**Attachments:**      [Agenda Cover Report](#)  
[Ord 03-26 Amend to Police Advisory Board lg enclosure FINAL 2nd reading](#)  
[Equal Protection Concerns - Police Advisory Board Appointments Process](#)  
[Letter Regarding Correspondence Dated November 13, 2025](#)  
[Business Impact Estimate Ord 03-26](#)

- 8.B.** ORDINANCE NO. 13-26: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, TITLE III, "ADMINISTRATION," CHAPTER 36, "ACQUISITION OF GOODS AND SERVICES AND DISPOSAL OF CITY PROPERTY", SECTION 36.02, "COMMISSION APPROVAL REQUIRED", TO INCREASE THE THRESHOLD FOR CITY COMMISSION APPROVAL OF ACQUISITIONS FROM \$65,000 TO \$100,000; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES. (SECOND READING)

**Recommendation:** Motion to Approve Ordinance 13-26.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ord 13-26 purchasing authority for CM](#)  
[BIE ord 13-26 amending purchasing code](#)  
[Legal Review Ordinance Amending Ch. 36](#)

- 8.C.** ORDINANCE 35-25: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DELRAY BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES OF THE CITY OF DELRAY BEACH, CHAPTER 99, "NOISE CONTROL," BY REPEALING THE ADOPTED CHAPTER 99 IN ITS ENTIRETY AND READOPTING SAME, AS REVISED, IN ORDER TO AMEND AND UPDATE THE CITY'S REGULATIONS FOR THE APPROPRIATE LEVEL OF NOISE OUTPUT ORIGINATING WITHIN THE LIMITS OF THE CITY; PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND PROVIDING AN EFFECTIVE DATE (SECOND READING).

**Recommendation:** Motion to Approve Ordinance 35-25.

**Sponsors:** City Attorney Department

**Attachments:** [Agenda Cover Report](#)  
[Ordinance No. 35-25 Chapter 99 lg rev 11-20-25](#)  
[Ex A to Noise Ordinance 11-20-2025](#)  
[Ex B to Noise Ordinance for 2nd reading FINAL 2-24-26 lg rev](#)  
[Ordinance 35-25 BIE reviewed by Finance - 01.20.26](#)  
[Delray Beach -2024 Sound Study](#)

- 8.D.** ORDINANCE NO. 10-26: 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 1.3, "NONCONFORMING USES, LOTS, AND STRUCTURES," SECTION 1.3.2, "NONCONFORMING LOTS OF RECORD," TO REMOVE THE DEFINITION OF A NONCONFORMING LOT OF RECORD; AMENDING CHAPTER 4, "ZONING REGULATIONS," ARTICLE 4.1, "ESTABLISHMENT OF DISTRICTS AND OFFICIAL ZONING MAP," SECTION 4.1.4, "USE OF LOTS OF RECORD," TO ALLOW THE REDEVELOPMENT OF PREVIOUSLY DEVELOPED NONCONFORMING LOTS OF RECORD AND TO ELIMINATE RELIEF PROCEDURES, AMENDING ARTICLE 4.3, "DISTRICT REGULATIONS, GENERAL PROVISIONS," SECTION 4.3.1, "APPLICATION OF DISTRICT REGULATIONS," TO ELIMINATE RELIEF PROCEDURES AND TO ADD ALLOWANCES FOR LOTS OF RECORDS; AMENDING ARTICLE 4.4, "BASE ZONING DISTRICT," SECTION 4.4.3, "SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICTS;" AMENDING ARTICLE 4.7, "FAMILY/WORKFORCE HOUSING," SECTION 4.7.8, "OTHER INCENTIVES," TO ADD DESIGN REQUIREMENTS AND SETBACK RELIEF FOR WORKFORCE HOUSING UNITS; AND AMENDING APPENDIX A, "DEFINITIONS," TO AMEND THE DEFINITION OF "LOT OF RECORD" AND ADOPT A DEFINITION FOR A LEGACY PROPERTY, NONCONFORMING LOT, AND NONCONFORMING LOT OF RECORD;" PROVIDING A CONFLICTS CLAUSE, A SEVERABILITY CLAUSE, AUTHORITY TO CODIFY, AND

**PROVIDING AN EFFECTIVE DATE. (SECOND READING / PUBLIC HEARING)**

**Recommendation:** Consider Ordinance No. 10-26, a City-initiated amendment to the Land Development Regulations (LDR), amending Section 1.3.2, "Nonconforming Lots of Record," Section 4.1.4, "Use of Lots of Record," Section 4.3.1, "Application of District Regulations," Section 4.4.3, "Single Family Residential (R-1) Districts," Section 4.7.8, "Other Incentives," and Appendix A, "Definitions" to amend regulations related to the use of lots of record.

**Sponsors:** Development Services Department

**Attachments:** [Agenda Cover Report](#)  
[Ord. No. 10-26 Proposed Changes from First Reading](#)  
[PZB Staff Report, Lots of Record](#)  
[Ordinance No. 10-26, Lots of Record First Reading](#)  
[Legal Review, Ordinance No. 10-26](#)  
[BIE, Ordinance No. 10-26](#)  
[Proof of Legal Advertisement, Ordinance No. 10-26](#)

**9. FIRST READINGS:**

9.A. None

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

**A. City Manager**

**B. City Attorney**

**C. City Commission**

**11. ADJOURNMENT**

The City shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in and enjoy the benefits of a service, program, or activity conducted by the City. Please contact the Human Resources Department at (561) 243-7125 at least 24 hours prior to the program or activity for the City to reasonably accommodate your request. Adaptive listening devices are available for meetings in the Commission Chambers.