



Meeting Minutes City Commission

Tuesday, August 2, 2022

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Mayor Bill Ganz at 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

Present: 5 – Commissioner Todd Drosky
Commissioner Bernie Parness – Via Zoom
Commissioner Ben Preston
Vice Mayor Michael Hudak
Mayor Bill Ganz

Also Present: 3 – City Manager David Santucci
City Attorney Anthony Soroka
City Clerk Samantha Gillyard

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Thereafter was a moment of silence, followed by the Pledge of Allegiance.

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Planning & Zoning Board Meeting Minutes - April 7, 2022

Code Compliance Board Meeting Minutes - May 25 & June 14, 2022

Hillsboro Inlet District Meeting Minutes - June 20, 2022

MOTION was made by Commissioner Preston, seconded by Vice Mayor Hudak, to acknowledge the board minutes. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak and Mayor Ganz

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

August 2, 2022

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve the agenda as amended, Public Comment to follow Awards & Recognition. Voice Vote:

APPROVAL OF CITY COMMISSION AGENDA – CONTINUED

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak and Mayor Ganz

Nays: 0

AWARDS & RECOGNITION**1. Presentation by Marty Kiar, Broward County Property Appraiser, regarding property taxes and values.**

Mr. Kiar provided a presentation on property tax values, homestead exemption and title protection for homeowners. Mr. Kiar provided an overview of how taxes are assessed, and how they are split amongst the taxing authorities. He also explained homestead exemption which takes \$50,000 off the property's value, but it also limits the value of your tax increase to 3%. Other exemptions include senior, veterans, disabled persons, widows, and others. He encouraged people to reach out to him by September 19th if there is a problem with their tax bill or if they are not receiving an applicable exemption.

Continuing, Mr. Kiar said everyone will receive their Truth in Millage Notice (TRIM), which helps show the homeowner what they should be paying, exemptions, and when governments are discussing the budget and tax rates. Furthermore, he said the Fraud Division is actively seeking people who are defrauding the system by taking an exemption they should not, and if found, the homeowners are back taxed. Thereafter, he commented on the increased market value and taxable value from 2021 to 2022, which resulted in a 10.44% increase. Should the Commission decide to keep the millage rate the same at 6.0018, it would yield another \$5.3 million to the City. He said most of this revenue comes from new property owners since current property owners are homesteaded. Mr. Kiar outlined the homestead exemptions throughout the City, to include low income seniors, homesteaded properties, disabled veterans, and first responders; neither disabled veterans or first responders pay property taxes.

Additionally, Mr. Kiar said there are over 14,000 residential parcels in the City and the average market value is around \$362,518, and taxable value \$199,737; these are all homesteaded properties. Moreover, Mr. Kiar outlined the number of condo parcels, market and taxable value. Furthermore, in 2021, the average sale of a single-family home was approximately \$415,000 and this month, the sales price is about \$480,000; condo sales have also increased, 2021 - \$177,221 and 2022 – \$202,000. Lastly, Mr. Kiar said South Florida is the title fraud capital of the world and many criminals file fake deeds on peoples' property and try to extort people for money or sell their homes. To combat this crime, they developed Owner Alert which allows people to register with proper documentation and if anything is filed changing ownership of the property, the owner will be notified immediately. Thereafter, he entertained questions by the Commission.

2. Certificate of Recognition presented by Captain Hofstein to BSO Law Enforcement staff.

Captain Hofstein provided certificates of recognition to Deputies Cortez, Lamasezki, Hamilton, and Detective Wellington for successfully capturing and arresting a perpetrator who snatched an elderly woman's purse and caused her injury when she was violently pushed to the ground. He explained the steps taken to securely and safely capture the suspects as another person was working with the perpetrator to stalk the victims. Thereafter, he presented the certificates to those physically present.

3. A Presentation regarding Niagara Perk your Park Grant.

Teresa Rynard, Director of Parks & Recreation, said the City applied for a \$75,000 grant for an outdoor event space at Oveta McKeithen Recreational Complex and was selected as a finalist. She asked that everyone vote, every day for the next 41 days, as the top 3 cities will receive the grant funds. She said you are allowed to vote every day, once a day, per e-mail address. Thereafter, a video was displayed encouraging everyone to vote.

PUBLIC COMMENT

Maria Colavito, 1001 SE 6th Avenue, Deerfield Beach, expressed concerns with drag racing in front of her property. She said she has contacted non-emergency, but no one has come out. Ms. Colavito said drivers are going from one area to another and it happens between midnight and 4 a.m. and it is stopping her family from sleeping.

Chauncey Chapman, HOA Riverglen President, 191 NW 47th Avenue, Deerfield Beach, said it has been announced at the Broward County courts that minor felonies are being watered down; therefore, he asked that the Mayor get involved as Mr. Chapman believes it will make a difference. Thereafter, he commented on damages and crimes happening in their community and the need for help. Mr. Chapman implored the Commission to do something about the watering down of felonies and misdemeanor as these type problems are countywide.

Chris Marino, 1525 SE 14th Court, Deerfield Beach, spoke in regard to the City Commission using the dais to speak about partisan issues, gun violence, and asked that the meetings be used to address city issues.

Amie Kay Tanner, 111 Odas Tanner Way, Deerfield Beach, said the Deerfield Beach Butler House will be 100 years old next year and the Historical Society will be 50. Functions will be announced over the next few months and asked that the Commission share it with their constituency.

Patricia Link, 252 Ventnor R, Deerfield Beach, said she has heard that the beach is losing six parking spots for electric cars, who can charge their cars for free. She expressed concern with losing spaces and the tax implications for free charges.

Willie Graham-Bracy, 501 NW 1st Terrace, Deerfield Beach, said the gate at Johnnie McKeithen Park should be closed every night as it is very dangerous. The gate usually stays open on the weekends.

Adam Medici, 1750 SE 5th Court, Deerfield Beach, said it is very dangerous crossing the Hillsboro bridge as people drive very fast and feels as though he is risking his life when he's running over it. He expressed concern that someone will be hurt, even bicyclists as the bike lane is part of the road. Mr. Medici encouraged options to reduce the speed, i.e. electronic light that is activated before the bridge opens. Lastly, he said he is willing to devote time and resources to finding a resolution.

Mayor Ganz replied to various questions posed by the public. He commented on speeding in the City which resulted in a recent casualty, issues with community pools near his residency, and how elected officials have a right to comment on issues through the First Amendment.

David Santucci, City Manager, advised that the parking spaces for electric cars came from Florida Power & Light who sponsored all components of the project, and will handle maintenance for 10 years. This is a pilot program to encourage sustainable efforts throughout the City.

Lastly, Mayor Ganz assured that the gate at Johnnie McKeithen Park will be locked.

PUBLIC HEARINGS

- 4. P.H. 2022-067: Resolution 2022/111 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a \$20,000 increase to the maximum award amounts available for assistance to low income and moderate income households under the Purchase Assistance and Homeowner Rehabilitation Affordable Housing Programs; providing for implementation and an effective date.**

The Resolution was read by title only.

David Santucci, City Manager, advised that the proposed resolution allows an increase to the maximum amount awarded for purchase assistance and home rehabilitation programs, which was a recommendation from the Affordable Housing Advisory Committee to keep pace with the rising costs of home repair projects

PUBLIC HEARINGS – CONTINUED

and home ownership initiatives.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Hudak, to approve Item 4, adopted Resolution 2022/111. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

5. P.H. 2022-068: Resolution 2022/125 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Fiscal Year 2022/2023 Community Development Block Grant ("CDBG") Annual Action Plan; providing for implementation and an effective.

The Resolution was read by title only.

Jon Salas, Acting Director of Community Services, provided a presentation on the Action Plan. Mr. Salas outlined the purpose and objectives of the CDBG Action Plan, whereby, the City is an entitlement community and receives an annual allocation each year, and the purpose of CDBG is to provide decent housing, a suitable living environment and better economic opportunities. The annual action plan must be completed yearly and submitted to Housing and Urban Development by August 16th. The plan highlights ideas and activities that the department and city wish to carry out as part of the Fiscal Year 2024 Consolidated Plan. Furthermore, Mr. Salas outlined the public comment sessions and collaboration among various agencies.

Continuing, Mr. Salas listed the priorities in the plan: 1) increase access to affordable housing; 2) provide infrastructure improvements; and 3) increase access to public services. The activities for Fiscal Year 22/23 include: assist at least four with home rehabilitation; at least one with purchase assistance; assist at least 100 with senior transportation; provide a minimum 50 seniors with the health and wellness program; and program administration. The allocation for Fiscal Year 2023 is \$659,734. Thereafter, Mr. Salas listed the income guidelines to participate in the CDBG Program; whereas, the City cannot exceed the 80% AMI threshold. The CDBG target area map was displayed, which indicated 50% to 100% of the residents are considered low to moderate income and allots for public service activity like sidewalk improvements, sewer and drain improvements and others.

In response to Vice Mayor Hudak's question, Mr. Salas replied that last year, four homeowners were assisted with purchase assistance and 15 with homeowner rehabilitation. Transportation services assisted 45 seniors with rides, and funds were utilized for health and wellness. The goal this year is to assist 100 residents with rides, 50 with health and wellness, at least four applicants with rehabilitation and one for purchase assistance due to a reduction in the subsidy.

Commissioner Drosky commended Mr. Salas for the presentation and outlined the goals and public services offered through the program.

Mayor Ganz opened the public hearing.

Paula Cook, 62 Centennial Court, Deerfield Beach, asked if the presentation is available to the public.

Mayor Ganz replied that all backup material is on the City's website.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked if the subsidy increased or decreased.

Mayor Ganz closed the public hearing.

PUBLIC HEARINGS – CONTINUED

Mr. Salas said the allocation reduced from last year, \$704,000 to \$659,000.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 5, adopted Resolution 2022/125. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

PUBLIC HEARINGS – SECOND READING

- 6. P.H. 2022-069: ORDINANCE 2022/011 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 38 "FINANCE AND TAXATION" OF THE CITY CODE OF ORDINANCES, ARTICLE IV, "ACQUISITION OF GOODS AND SERVICES AND DISPOSAL OF CITY PROPERTY," SECTION 38-133 "FEDERAL AND STATE PROJECTS; FEDERAL GRANTS" TO INCREASE THE SUBSIDY APPROVAL THRESHOLDS FOR THE RESIDENTIAL REHABILITATION PROGRAM; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

David Santucci, City Manager, advised that the proposed ordinance will effectuate the procurement policy to increase the award for Item 4 by \$20,000.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

There were no comments amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Hudak, to approve Item 6, adopted Ordinance 2022/011. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

- 7. P.H. 2022-070: ORDINANCE 2022/012 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 66-58 "PARKING PROHIBITED ON CERTAIN STREETS AND COMMERCIAL VEHICLE PARKING RESTRICTIONS" OF THE CITY CODE OF ORDINANCES TO PROHIBIT PARKING ON NW ELLER STREET BETWEEN NW 2ND COURT AND NW 2ND TERRACE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. Thereafter, he spoke in support of the proposed ordinance.

Commissioner Preston explained how commercial vehicles are invading the community which is why he sponsored the item.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 7, adopted Ordinance 2022/012. Voice Vote:

PUBLIC HEARINGS – SECOND READING – CONTINUED

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

CONSENT – BOARD APPOINTMENTS

- 8. Resolution 2022/126 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Giuseppe Lapenna to the Board of Trustees of the Municipal Police Officers' Retirement Trust Fund of the City of Deerfield Beach; and providing for an effective date.**

The Resolution was read by title only.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

There were no comments amongst the Commission.

MOTION was made by Commissioner Drosky, seconded by Vice Mayor Hudak, to approve Item 8, adopted Resolution 2022/126. Voice Vote:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

After a brief discussion, items 9, 10, 14, and 15 were pulled for discussion.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve Items 11 - 13 of the Consent Agenda. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

- 9. Resolution 2022/127 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Award of Request for Proposals #22-27-JW for holiday lighting; authorizing execution of an agreement with the top ranked, responsive and responsible proposer Brandano Displays, Inc. for holiday lighting services for a two-year term, with three one-year renewals, in an annual amount not to exceed \$149,943.44; providing for implementation and an effective date. (Funds from Account #001-7005-579-35-68 - Park Holiday Lighting & Account #190-8000-579-35-74 - CRA Special Events)**

The Resolution was read by title only.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

Commissioner Drosky commented on the increased price and has been assured that the event will be far superior as a result.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

MOTION was made by Commissioner Drosky, seconded by Commissioner Parness, to approve Item 9, adopted Resolution 2022/127. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

- 10. Resolution 2022/128 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Award of Request for Proposals #22-28-JW for the design, supply, and install of playground equipment for Oveta McKeithen Park; authorizing execution of an agreement with the top-ranked, responsive and responsible proposer Playmore West, Inc. for the services in an amount not to exceed \$546,931.00 with a 10% contingency; approving the use of target area trust funds in an amount not to exceed \$300,000.00; providing for appropriation of funds, implementation and an effective date. (Funds from Account #399-7035-572-62-00 - OMRC Playground & Target Area Trust Fund - Transfer to General Capital Project Fund)**

The Resolution was read by title only.

Mayor Ganz opened the public hearing.

Paula Cook, 62 Centennial Court, Deerfield Beach, said she would like to see a diagram of the playground when available.

Mayor Ganz said the information is available online; thereafter, he closed the public hearing.

Teresa Rynard, Director of Parks & Recreation, said the design was completed as a result of six community engagement café meetings with the public, and the project is supposed to create a destination playground. Thereafter, she outlined the funding sources, CDBG for half and the remainder from Targeted Zone Trust Fund designated for the area. Lastly, she said there is a cone of silence in place, but she will be speaking with the contractor on final tweaks.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Hudak, to approve Item 10, adopted Resolution 2022/128. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

- 11. Resolution 2022/129 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with National Fitness Campaign for the purchase and installation of an outdoor fitness court and art wall in an amount not to exceed \$227,350.00; approving the use of target area trust funds in an amount not to exceed \$227,350.00; providing for appropriation of funds, implementation and an effective date. (Funds from Target Area Trust Funds - Improvement Other than Buildings)**
- 12. Resolution 2022/130 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a work authorization with Black & Veatch Corporation in an amount not to exceed \$249,811.00 for professional consulting services for the water treatment plant ammonia conversion and 4-log disinfection implementation project; authorizing execution of the Work Authorization; providing for implementation and an effective date. (Funds from Account #413-5000-536-60-31 - Improvements Other than Buildings/ARPA (Ammonia Conversion Project & Account #186-8000-581-90-45 - Transfer to the Utilities Fund)**

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

- 13. Resolution 2022/131 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a Work Authorization with Florida Technical Consultants, LLC, in an amount not to exceed \$79,500.00 to provide consulting services to support the Environmental Services Department Asset Management Program; authorizing execution of the Work Authorization; providing for implementation and an effective date. (Funds from Account #401-5010-536-32-99 - Other Contractual Services)**
- 14. Resolution 2022/132 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the Sole Source purchase of a programmable logic controller (PLC) network and IO upgrades for water plant operations from AWC, Inc., in the amount of \$792,000.00; providing for execution and an effective date. (Funds from Account #413-5000-536-60-31 - ARPA (PLC Upgrades))**

The Resolution was read by title only.

Mayor Ganz asked why the item is sole sourced.

David Santucci, City Manager, replied that the replacement of the components within the system must be replaced with like parts from the same manufacturer, whereas; if replaced with something else, all other system components would have to be replaced.

Mayor Ganz opened the public hearing.

Paula Cook, 62 Centennial Court, Deerfield Beach, asked if the City's engineers are able to maintain the system.

Priscilla Cygielnik, Director of Environmental Services, said this is funded through the American Rescue Plan and is an initiative as part of the overall master plan improvements for the water plant.

Hamid Nikvan, Assistant Director of Environmental Services, replied that staff has been able to maintain the system for over the past 20 years, and now replacement parts are obsolete which is why the manufacturer recommended a migration to updated parts. Furthermore, AWC, Inc. has trained engineers and the City will be using their services to replace the old PLC system; therefore, a migration to the newer version is needed. Lastly, the City has staff to maintain the system.

Lucia Delgenio, 707 North Shore Drive, Deerfield Beach, commented on the City's water being of excellent quality and dangers of fluoride.

Adam Medici, 1750 SE 3rd Court, Deerfield Beach, asked how much research is done in terms of finding the best cost.

Mayor Ganz closed the public hearing.

Mr. Santucci said the water plant system is Siemens based and the PLC controllers need to be replaced with Siemens controllers to run properly; otherwise the entire system would have to be replaced. AWC is the only authorized vendor to supply, install, and service the system in this region of Florida. Lastly, staff does work with the vendor to negotiate cost and scope of work to be completed.

Mayor Ganz explained the function of the Purchasing Division and how sole source is not the Commission's first choice, but sometimes it is the only option.

Commissioner Drosky spoke in support of the item as it is definitely needed.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Drosky, to approve Item 14, adopted Resolution 2022/132. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

15. Resolution 2022/133 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with Johnson-Laux Construction, LLC through the Sourcewell, Inc. Indefinite Quantity Construction Agreement IFB# FL R10 GC11 111821 JLC for repairs and alterations to Fire Station 102 in an amount not to exceed \$366,258.00; providing for execution and an effective date. (Funds from Account #399-5060-519-62-00 - Buildings & Account #399-5060-529-65-30 - CIP Infrastructure)

The Resolution was read by title only.

Mayor Ganz opened the public hearing.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, spoke in support of the proposed resolution and advocated for repairs to Fire Station 66, 590 S. Powerline Road, adjacent to Century Village. He said the station is very antiquated and commented on the commission of a new fire truck for the station. Furthermore, he asked that Station 66 be modernized, as it is currently inadequate.

Mayor Ganz closed the public hearing.

There were no comments amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 15, adopted Resolution 2022/133. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

DEPARTMENTAL BUSINESS

16. Resolution 2022/134 - A Resolution of the City Commission for the City of Deerfield Beach, Florida, approving the Award of Invitation to negotiate #2018-19/19 for advanced metering infrastructure (AMI); authorizing execution of a negotiated agreement with the top ranked, responsive and responsible proposer Core & Main, LP for the project in an amount not to exceed \$4,993,186.10, with a 10% contingency; providing for implementation and an effective date. (Funds from Account #413-5000-536-60-31 - Utilities Capital Fund - Improvement Other than Buildings)

The Resolution was read by title only.

Priscilla Cygielnik, Director of Environmental Services, provided a brief presentation on advanced metering infrastructure (AMI). The work entails the installation of an integrated system of smart meters, communication network to help manage the data and communicate with customers. The project would install meters and bay stations, which are placed on water towers and the Broward Sheriff's Office station to cover the entire system and remotely capture information on the automated water meters. The system will be hosted on a cloud network and the contractor will be responsible for the activation of the hardware

DEPARTMENTAL BUSINESS – CONTINUED

and software integration. Additionally, the program responsibility includes the notification to customers of where the contractor will be working through a web portal. Also, all customers will receive advanced notification of the meter install which will take about two hours; wherein, the customer will be out of service for about the same time. Ms. Cygielnik explained that the meters will have serial numbers, GPS coordinates, and compiles data when installed, as well as a GIS map. Staff will be trained so they can handle new installations.

Continuing, Ms. Cygielnik provided a system network diagram. The customers will have real-time access to the system and will be able to determine if there is a leak, seeing your usage and other data when logging into the customer's portal. The benefits of the meters include: automatically capturing water usage, connect and disconnect services remotely, replacement of aging infrastructure, and others. Furthermore, the propagation study was performed and illustrates the area of coverage within the two bay stations which allows staff to capture meter information citywide. Ms. Cygielnik outlined the invitation process and advised that \$3 million in indirect ARPA funds will be directed toward the project. She advised that there will be a one-time cost and annual recurring costs. The contract is multi-year, so the meters will be replaced over a three-year life cycle. Thereafter, Ms. Cygielnik entertained questions of the Commission.

In response to Mayor Ganz's question, Ms. Cygielnik replied that the meters read automatically through radio frequency back to the bay station. Additionally, she reiterated how this technology allows staff to inform the resident at a much faster pace that a leak may be present.

Mayor Ganz asked that a policy be in place so residents are notified immediately of a spike in water usage.

In response to Vice Mayor Hudak's question, Ms. Cygielnik replied that the system is well protected against hacking; furthermore, staff has the ability to start and stop service. As for meter reading, that will be through the contract with Core & Main, whereas, it will be a hosted network that they protect. Also, there will still be a manual valve.

In response to Commissioner Preston's question, Ms. Cygielnik replied that some of the issues that exist today are based on the style of the meter reading that are going through people's yard, but this advanced system removes that complaint. Furthermore, the cost of meters has increased significantly; notwithstanding, there is a five-year warranty on parts so if anything happens outside that timeframe, a meter replacement is required.

In response to Commissioner Drosky's question, Ms. Cygielnik provided the funding breakdown for the project: year one, FY 22, \$1.5 million; year two, FY 23, \$2.3 million estimate; whereas, a significant amount is being paid through indirect ARPA funds and the balance will come from the Utility Enterprise Fund.

In response to Vice Mayor Hudak's question, Ms. Cygielnik replied yes, if the meters break, the purchase would be sole source because the meters are part of a network of meters.

David Santucci, City Manager, recognized Ron McKenzie, Chief Information Officer, for evaluating the network and security stability of the system. Furthermore, he explained that the City is currently on a sole source for the older meters due to an inventory and maintenance perspective.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve Item 16, adopted Resolution 2022/134. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

DEPARTMENTAL BUSINESS – CONTINUED**17. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 70-133 "DEPOSITS FOR WATER SERVICES" AND SECTION 70-134 "CHARGES FOR WATER METERS, WATER METER INSTALLATION, AND TAPS AND SERVICE LINES" OF CHAPTER 70 "UTILITIES" OF THE CITY CODE OF ORDINANCES TO PROVIDE FOR WATER METER RELATED DEPOSITS AND CHARGES TO BE ADOPTED BY RESOLUTION AND TO UPDATE THE DEPOSIT RETURN POLICY; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Priscilla Cygielnik, Director of Environmental Services, said it is necessary to address the ordinance as they are very old and the established deposits and charges for installation of meters, especially for new developments, has not been updated since 2003, so true costs are not reflected. It is proposed to change the City Code, Section 70-133, to ensure payments are owed to the City. She said the City refunds deposits once an account is closed and wants to make sure that is clear in the Code. Per the 1995 standard, the deposit is refunded after two years; therefore, if someone stops paying their bill the third year, the City no longer has the deposit to receive funds owed. Also, the City pays interest on these deposits and this was established based on the average rate paid by the State of Florida Surplus Trust Fund. The basis for the cost is to be consistent with the average cost for typical residential bills and to be consistent with Broward County for what they charge their customers for deposits. The costs reflected in the presentation for less than a 2-inch meter is consistent to what the metered customers in Broward County spend. For meter sizes above 2-inch, the proposed costs are consistent with the actual costs.

Vice Mayor Hudak left the dais temporarily at 8:52 p.m.

Continuing, Ms. Cygielnik said Section 70-134 consists of charges for new developments. If a service line already exists, and only a meter box and meter are installed, the estimated cost reflected is for an equipment operator, distribution worker, maintenance worker, and the equipment to install these materials at an estimated timeframe of two hours. She reiterated that the costs have not changed since 2003 and are not consistent with real-time costs. Moreover, Ms. Cygielnik explained the process for installation of taps and service lines which is an additional cost for the lateral plus meter and charges is based on three hours; costs reflected in the presentation are 1-inch \$880; 2-inch - \$1140. She said for any service line above two inches is based on time and material and invoiced to the developer. Finally, Ms. Cygielnik said the reflected costs apply to upgrading meter sizes; for example, if a 1500 square foot home is demolished and replaced with a 5000 square foot home, larger meters are needed. Up to a one-inch line, there are no other costs except the installation of the meter; however, if the service line is larger, the charge is based on the new service and water meter installation. Thereafter, Ms. Cygielnik entertained questions of the Commission.

Mayor Ganz opened the public hearing for Items 16 & 17.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked if the meters would be changed at every home and whether the system is monitored 24 hours so residents are notified of leaks

Vice Mayor Hudak returned at 8:54 p.m.

Willie Graham-Bracy, 501 NW 1st Terrace, Deerfield Beach, asked if the residents will be assessed additional fees as a result of the changes; whereas, she is concerned with senior citizens being affected financially.

Dean Kallan, 3250 SW 2nd Court, Deerfield Beach, asked for additional information on the type of safeguards in place for hacking and what happens if the system goes down if the power goes out and if the water is shut off.

Mayor Ganz closed the public hearing.

DEPARTMENTAL BUSINESS – CONTINUED

David Santucci, City Manager, replied that every meter will eventually be switched out over the three-year period; however, there are no charges to the customer to change the meters. The City Commission recently approved the utility rate increase, but there is no guarantee that future increases will not occur when considering the costs fluctuations in the market and the need to maintain the utility enterprise fund. Mr. Santucci also commented on the reliability of the system as the technology has been in place over 10 years and the reliability is there; furthermore, he has not heard of any catastrophic failures of the current system. Mr. Santucci explained that mechanical meters fail, but it is not discovered until later as staff checks on a monthly basis. The new system allows real-time monitoring, but a leak will not be detected per se, only higher usage is detected based on thresholds that ping the City and resident on a higher usage than normal. Lastly, he said specificities on network security cannot be released as it is exempt from public records.

Ms. Cygielnik advised that all the meters are battery operated and not tied into any electrical grade network. Also, she responded to Mr. Kallan's question and said within the warranty period, if something happened with the meter, it would be removed, repaired, and reinstalled.

In response to Mayor Ganz's question, Ms. Cygielnik replied that when the battery fails, the meter is changed and there is instant notification of a broken meter. Moreover, if there is a power outage, it does not stop the water from running, only reading of the meter. The purpose of the meter change is to capture data on how much water is being used.

Mayor Ganz said shutoffs will happen immediately, as well as return service, because a person will not need to go out and restart the service.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve Item 17 on first reading. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

18. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS" OF THE CITY LAND DEVELOPMENT CODE BY AMENDING SECTION 98-71 "LOT REGULATIONS" AND SECTION 98-87 "DOCKING AND MOORING FACILITIES" REGARDING THE MINIMUM ELEVATION AND LIGHTING REQUIREMENTS FOR DOCKS AND MAXIMUM WIDTH OF SEAWALL CAPS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Eric Power, Director of Planning & Development Services, provided a brief presentation regarding docking and mooring. In January 2022, the Commission amended Section 98-87 based on the County's requirement that sea walls meet an elevation of 4 feet by 2035 and 5 feet by 2050. Since then the County has decided on a policy change, whereby, a dock can be 4 feet provided that it can be structurally shown to 5 feet by 2050 which the City is now adopting. Minor changes included: amending the 4 foot in the Code; new definition on upland stem wall in Section 98-71 Lot Regulations; clarified dock lighting; increased the seawall cap from 30 to 42 inches. He said a projection into the waterway cannot change, so it does not matter if the seawall width changes. Lastly, he outlined more changes to Section 98-71, definitions.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Hudak, to approve Item 18, on first reading. Roll Call:

DEPARTMENTAL BUSINESS – CONTINUED

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

19. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS", ARTICLE IV "SUPPLEMENTARY REGULATIONS", BY AMENDING SECTION 98-104 "SEPARATION REQUIREMENTS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS" OF THE CITY'S LAND DEVELOPMENT CODE TO PERMIT PACKAGE STORES AND BUSINESSES THAT ARE NOT CONSIDERED ALCOHOLIC BEVERAGE ESTABLISHMENTS WHO WISH TO SELL ALCOHOLIC BEVERAGES ON-SITE TO SUBMIT APPLICATIONS TO THE SPECIAL MASTER FOR A VARIANCE, SUBJECT TO CONDITIONS, FROM THE DISTANCE SEPARATION REQUIREMENTS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Eric Power, Director of Planning & Development Services, provided a presentation on the proposed ordinance. He said a few businesses have come to the City who do not share the same rights and privileges that they would if in another area of the City. Mr. Power explained that a lot of businesses today are finding reasons to bring alcohol into a part of their business model, i.e. painting with a twist, nail salons, bowling alleys, etc.; however, these places are not considered a bar or alcoholic beverage establishment, but based on the City's strict definition about what makes an alcoholic beverage establishment, these places are considered as such. Because they serve alcohol, they are treated with the same regulations as a bar or package store; thus, there are distance separation requirements, 1,000 feet from any other alcoholic beverage establishment, school, house of worship, or children's center.

Continuing, Mr. Power outlined how the variance request would work: business could submit an administrative variance that goes through Planning & Development Services and if approved, before the Special Master who makes the determination. First, package stores normally entail liquor stores in a plaza, or bars, but recently large box retailers and grocers fall in this category. For example, if a Publix liquor store is within 1,000 feet of a church, they would not be allowed to open the liquor store; therefore, the City would like to offer an administrative variance opportunity where these type establishments can apply for a variance if within 1,000 feet of the businesses mentioned. Thereafter, he outlined the conditions the package stores must meet to apply for the variance: solely owned and operated by a retail or grocery store which shares a common wall with the alcoholic beverage establishment and the retail or grocer store has a floor plan which is greater than 5,000 square feet. Or, the package store has a floor plan greater than 3,000 square feet and does not permit the sale of alcohol for consumption on site; this prohibits a bar that also operates as a package store.

Mr. Power said the next variance is for businesses where alcohol is not the primary use, but is served. The variance requirements would entail the sale of alcohol for onsite consumption, as an accessory to the primary use of business; the sale of alcohol will not precede or exceed the hours of operation and the business does not permit customers to bring their own alcohol, which is a bottle club. Thereafter, photos were displayed of businesses in this category.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

Commissioner Drosky asked if there was an appeals process.

Mr. Power replied yes. He then reiterated the process for filing a variance request.

DEPARTMENTAL BUSINESS – CONTINUED

There was a brief discussion about serving alcohol near a church or inside a church, how the law applies, as well as exemptions, i.e. churches and restaurants.

Commissioner Parness motioned approval.

Commissioner Drosky said a denial can be appealed, but the granting cannot be appealed, so he would like the City Attorney to consider adding language to the ordinance, so the City could appeal a bad ruling.

Vice Mayor Hudak said his concern is having other establishments selling alcohol and being close to schools and churches, as he does not think this is what the City wants.

Vice Mayor Hudak and Commissioner Drosky discussed various businesses serving alcohol and adding to the ordinance, the option for the Commission to appeal the granting of a variance that the Commission would not favor.

Mayor Ganz said the ordinance only changes the type of business the establishment would be recognized as.

Mr. Power explained that any commercial business is allowed to sell alcohol; however, when within 1,000 feet, of one of these institutions that the City says no. For example, there are properties within the Cove Shopping Center serve alcohol but if it were in a Publix plaza [Federal Highway], it would not be allowed since it is close to St. Ambrose Church.

Commissioner Drosky recommended amending the motion to allow the Commission to appeal an approval by the special master if deemed not in the best interest of the City.

Commissioner Parness agreed with the amendment.

Commissioner Preston recommended tabling the item so additional information can be gathered.

MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to approve Item 19 on first reading as amended. Roll Call:

Yeas: 4 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, and Mayor Ganz

Nays: 1 - Vice Mayor Hudak

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY – No Report.

CITY MANAGER

Target Area – David Santucci, City Manager, said he will bring an item before the Commission to discuss how the Commission may want to expand the existing target area as other areas in the City can use attention.

Street Lights – Mr. Santucci said there are a lot of street light outages. In most cases, these are not simple fixes as there have been underground electrical issues on Hillsboro Boulevard and Federal. Further, several lights have already been replaced. He explained that Florida Power & Light are responsible for most of the lights and is pleased to see that these concerns are being addressed.

CITY COMMISSION BUSINESS**20. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 50 "PARKS AND RECREATION" OF THE CITY CODE OF ORDINANCES, BY CREATING SECTION 50-115 "SMOKING PROHIBITED" TO PROHIBIT SMOKING AT PUBLIC BEACHES AND PUBLIC PARKS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Anthony Soroka, City Attorney, said a bill was recently passed and became effective on July 1, 2022, allowing local governments to regulate smoking in municipally owned city beaches and public parks within their jurisdiction. The proposed ordinance prohibits smoking within municipal beaches and public parks within the City's jurisdiction.

Commissioner Parness asked about sections of the beach that the City does not own and how the restriction works.

Mr. Soroka replied that the preemption from the State is still in place, but they did carve out the City's ability to regulate smoking on public beaches; however, for private beaches, the State would have to regulate it.

Mayor Ganz said this has been a topic for years and although there has been discussion on a non-smoking area, this is a surprising opportunity to allow municipalities to completely ban smoking on the beach. Thereafter, he advised that a majority of litter are cigarette butts; nevertheless, enforcement will be difficult. Mayor Ganz also outlined smoking paraphernalia allowed, i.e. cigars.

In response to Vice Mayor Hudak's question, Mr. Soroka explained the State's law; municipalities can regulate smoking in the jurisdiction except for unfiltered cigars.

Commissioner Preston spoke in support of the proposed ordinance and said as it becomes customary, people will adhere to the law. If the ban is not implemented, the cigarette butts will worsen.

Commissioner Drosky spoke in support of the proposed ordinance and agreed with enforcement issues. Furthermore, he said he does not want a lot of "no smoking" signs all over the beach and recommended educating the public over time.

Mayor Ganz opened the public hearing.

Paula Cook, 62 Centennial Court, Deerfield Beach, spoke in opposition of the proposed ordinance as the problem is litter. Furthermore, eliminating smoking from beaches and parks only forces smokers into other areas such as along the roadside where people are more likely to be impacted. Ms. Cook also recommended a smoking section.

Marilyn Lucano, 2121 Discovery Circle West, Deerfield Beach, spoke in opposition of the proposed ordinance as smokers will not be able to go to the beach or park.

Patricia Link, 252 Ventnor R, Deerfield Beach, spoke in support of the proposed ordinance.

Laura Ortiz, 3500 SW Natura Boulevard, Deerfield Beach, said she thinks it would be wiser to designate smoking areas because there are too many restrictions in life and people should have the right to smoke.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said her concern is enforcement and who will police the activity.

CITY COMMISSION BUSINESS – CONTINUED

Chris Marino, 1525 SE 14th Court, Deerfield Beach, spoke in support of a smoking section because of the difficulty with enforcement issues, conflicts between patrons, and caring for the marine habitat. He also said greater enforcement of littering should be considered.

Mayor Ganz commented on the difficulty with enforcing the littering of cigarette butts; thereafter, he closed the public hearing. He also said having a smoking section could create another issue because people may congregate to the area. Additionally, he advised that staff is often verbally attacked when trying to do their jobs. Mayor Ganz said smoking needs to be curbed as it is no longer allowed in restaurants or airplanes; however, eliminating it is impossible so providing sections could help, but it is still problematic as a location would have to be determined. Moreover, people who cannot smoke on the beach, will move to the sidewalk, so this makes it very tricky and there is no right answer, but something needs to be done.

David Santucci, City Manager, agreed with the difficulty of implementing the proposed ordinance. He also thanked the Mayor for recognizing the possible reaction toward staff and concerns with enforcement. Mr. Santucci recommended public education and temporary signage. Furthermore, a lot of other beach communities are contemplating the ban and warned of the potential that many people flock to other cities that do not have the ban.

Commissioner Preston said if there is a designated smoking section, one shift in the wind will impact bystanders.

Commissioner Drosky commented on the difficulties of a designated smoking section, i.e. location, how is it communicated, etc. This is more difficult to enforce versus the smoking ban, whereas, police can identify the issue faster. Lastly, he agreed with Mr. Santucci that doing nothing will cause others to flock to the city's beach.

Commissioner Parness said when no smoking was banned from restaurants, business increased. He said if the ban is implemented, it will increase the number of people who come as they will enjoy the beach even more. In closing, he said that it is better for people's health and the City should try.

Mayor Ganz commented on the number of cigarette butts left on the beach and the difficulty cleaning the area. Also, he would support a designated smoking area, but due to the southeast winds, it would have to be toward the north, but parking is limited.

MOTION was made by Commissioner Drosky, seconded by Commissioner Preston, to approve Item 20 on first reading. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Parness, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

COMMENTS BY MAYOR & CITY COMMISSION**COMMISSIONER PARNESS****DISTRICT 3**

Mass Shootings – Commissioner Parness commented on previous comments and explained that the mass shooting at Stoneman Douglas happened only 7 miles from the City. He said discussing this is not political, whereas, his stance is saving children's lives. Thereafter, he commented on bans on assault weapons which were not a violation of the Second Amendment, as well as statistical data on a reduction of mass shootings during the ban.

Health – Commissioner Parness commented on his health, whereas, he is on the mend and hopes to be back in person soon.

COMMENTS BY MAYOR & CITY COMMISSION – CONTINUED**COMMISSIONER DROSKY****DISTRICT 4**

Grant Opportunity – Commissioner Drosky reminded everyone of the web address, Niagaraparkyourpark.com, to vote for the \$75,000 grant opportunity for Oveta McKeithen Park.

Broward County Voting – Commissioner Drosky said the number of precincts and polling locations as a result of redistricting has decreased. Previously, there were 577 precincts, now there are 345 and 376 polling places have been reduced to 263. He asked that information be provided to the Commission on the polling places and precincts on the new locations.

AT&T Fiber Optic Cable – Commissioner Drosky said AT&T is installing fiber optics in the Starlight Cove neighborhood and have been going onto residents' property to install it underground. He mentioned the damage they are causing to the community and homes; therefore, he will be meeting with AT&T to discuss. If he is unable to reach an amicable resolution, he will seek the Commission's support.

COMMISSIONER PRESTON**DISTRICT 2**

Community Day – Commissioner Preston said the Commission approved a community day sometime ago and asked for an update. Also, he attended a picnic at the Waterways, which was exemplary, and just the format that he would like to implement.

District 2 Meeting – Commissioner Preston said at last night's meeting, regarding the Historical Society, an approved grant on African American history was discussed. The meeting was well attended and the public's input was awesome.

Harold Morrison Street Unveiling – Commissioner Preston said the street will be unveiled on Saturday, August 6th at 10:00 a.m., followed by a backpack giveaway and block party at 11:00 am.

Packer Rattlers Jamboree – Commissioner Preston said the event was well attended and the teams are almost completely filled again, as many kids are coming from various cities to join.

Accolades – Commissioner Preston thanked Priscilla Cygielnik, Director of Environmental Services, and Horace McHugh, Assistant City Manager, for helping to resolve an issue in his district. He also thanked their staff for their help and support.

Fire Station 66 – Commissioner Preston said the fire stations are old and have many problems which is why he previously requested research into a complex through bonds or grants.

VICE MAYOR HUDAK**DISTRICT 1**

District 2 Meeting – Vice Mayor Hudak applauded the event as it was a good way of having the City and community come together.

Water Meters – Vice Mayor Hudak asked if the meters would be installed in the annexed portion of the City as the water is not serviced by the City.

Priscilla Cygielnik, Director of Environmental Services, replied no.

City Manager Evaluation Form – Vice Mayor Hudak said next week the city's manager evaluation will be performed and last year, concerns were expressed on the form. Nevertheless, he presented a new form to the Commission for consideration, and asked that feedback be provided to the City Attorney.

District 1 Meeting – Vice Mayor Hudak said there will be a meeting on August 25, 2022 at City Hall, 7:00 p.m. He encouraged District 1 residents to attend and bring forward any challenges they are facing.

Florida League of Cities Annual Conference – Vice Mayor Hudak said he and Commissioner Drosky will be attending the event in Hollywood from August 11th - 13th to address needs and highlight the City.

COMMENTS BY MAYOR & CITY COMMISSION – CONTINUED**MAYOR BILL GANZ**

Jim Lusk Award – Mayor Ganz said a lot of the successes of Pioneer Days was due to Mr. Lusk as he was a huge advocate. He asked that the best float in the Pioneer Days Parade be named the Jim Lusk Award because of his contributions.

David Santucci, City Manager, said a motion would be helpful for direction.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Hudak, to designate the best float with the Jim Lusk Award. Roll Call:

Yeas: 4 - Commissioner Drosky, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

Commissioner Parness was unresponsive during the vote.

Debating Issues – Mayor Ganz said sharing an opinion is not the same as a debate, but encouraged his colleagues to try and focus on the things they can control; notwithstanding, he will not stop anyone from sharing an opinion.

Accolades – Mayor Ganz thanked Horace McHugh, Assistant City Manager, for doing an excellent job while the City Manager was out of town.

ADJOURNMENT

There being no additional business to discuss.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Hudak, to adjourn the meeting at 10:38 p.m. Voice Vote:

Yeas: 4 - Commissioner Drosky, Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk