



Regular City Commission Meeting Agenda

150 NE 2nd Avenue | Deerfield Beach, FL, 33441 | 954-480-4200

Mayor Bill Ganz

Vice Mayor Michael Hudak

District 2 Commissioner Ben Preston

District 3 Commissioner Bernie Parness

District 4 Commissioner Todd Drosky

Wednesday

September 6, 2022

7:00 PM

CALL TO ORDER & ROLL CALL

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes

Attachment: August 2, 2022, August 16, 2022

Budget Workshop Meeting Minutes

Attachment: June 15, 2022, June 16, 2022

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Non-Uniformed Employees' Retirement Committee Meeting Minutes

Attachment: May 9, 2022

Hillsboro Inlet District Meeting Minutes

Attachment: July 11, 2022

Code Compliance Meeting Minutes

Attachment: June 29, 2022 , July 12, 2022

Community Redevelopment Agency Meeting Minutes

Attachment: June 14, 2022, August 9, 2022

Cultural Committee Meeting Minutes

Attachment: May 16, 2022 , June 27, 2022 , July 18, 2022

African American Heritage Committee Meeting Minutes

Attachment: July 14, 2022

Affordable Housing Advisory Committee Meeting Minutes

Attachment: April 4, 2022

Marine Advisory Board Meeting Minutes

Attachment: May 19, 2022

Community Appearance Board Meeting Minutes

Attachment: July 27, 2022

APPROVAL OF THE AGENDA

September 6, 2022

ZOOM MEETING

Join Zoom Meeting by clicking the below link:

<https://deerfield-beach.zoom.us/j/86829263759?pwd=VG1HMjNubU9aUUtuY3pNN0hKUjB6Zz09>

Join Zoom Meeting via telephone by dialing:

Call-in Number: (929) 205-6099

Meeting ID: 868 2926 3759#

Participant ID: #

Passcode: 878393#

For complete instructions on joining and/or participating during Public Comment, please click the following link or attend in person in the City Commission Chambers:

Attachment: Zoom Instructions

AWARDS & RECOGNITION

- 1. Proclamation presented to the League of Women Voters of Broward recognizing September 2022 as Suicide Awareness Month.**

Sponsor: Commissioner Todd Drosky & Vice Mayor Michael Hudak

- 2. Certificate of Recognition presented to Dave Mirantz for his contributions and dedication to the business community and promoting economic growth within the City while serving as Executive Director of Deerfield Beach Economic Development Council.**

Sponsor: Mayor Bill Ganz

- 3. Certificate of Recognition presented to Robbin Williams for 16 years of service to the City of Deerfield Beach.**

Sponsor: Department of Community Services

BUDGET & MILLAGE PUBLIC HEARINGS

4. **ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE MILLAGE RATE TO BE LEVIED BY THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; STATING THE PERCENTAGE CHANGE BY WHICH THE MILLAGE RATE EXCEEDS THE ROLLED-BACK RATE AS COMPUTED PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance and set second public hearing for September 14, 2022

Voting Requirement: Adoption requires a 4/5 vote of the City Commission

Sponsor: Department of Financial Services & Office of the City Manager

Attachment: FY23 Millage Rate

5. **ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance and set second public hearing for September 14, 2022

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Financial Services & Office of the City Manager

Attachment: FY23 Budget

6. **ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE BUDGET FOR THE DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR FUNDING THROUGH TAX INCREMENT FINANCING AS PROVIDED FOR IN PART III, CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance and set second public hearing for Septemebr 14, 2022

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Financial Services & Community Redevelopment Agency

Attachment: FY23 CRA Budget

PUBLIC HEARING

- 7. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the rankings and funding allocations to charitable and public purpose organizations for the Community Participation Grant Program; providing for implementation and an effective date.**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Community Services

Attachment: FY23 Community Participation

PUBLIC HEARINGS – SECOND READING

- 8. P.H. 2022-082: ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 50-2 "DEFINITIONS" OF THE CITY CODE OF ORDINANCES TO ADD DEFINITIONS FOR "DIVE", "DIVER", "UNDERWATER BREATHING APPARATUS", AND "VESSEL EXCLUSION ZONE"; AMENDING SECTION 50-108 "RECREATIONAL ACTIVITIES AT PARK FACILITIES AND BEACHES", AND SECTION 50-112 "MUNICIPAL/PUBLIC BEACH REGULATIONS" TO MODIFY AND PROVIDE FOR ADDITIONAL MUNICIPAL BEACH REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Ocean Rescue

Attachment: Beach Regulations**PUBLIC COMMENT**

Persons addressing the Commission shall state his/her name and address and may speak for three (3) minutes unless extended for one (1) additional minute by the Mayor. All remarks made by the public at a Commission meeting on an agenda item shall be addressed to the Commission as a body and limited to the subject matter before the Commission at that particular time. No comments shall be made related to the personal life or personal qualities of any person and no language which would offend persons of ordinary sensibilities shall be permitted. The public shall be given an opportunity to speak on any substantive agenda item, subject to the aforementioned restrictions, prior to a vote on the matter by the City Commission. The Commission shall determine the appropriate time, prior to the vote, for the public to speak. For consent agenda items, the public shall be given an opportunity to speak prior to the approval of the consent agenda. The Commission may, by majority vote, determine that public input on an agenda item be tabled to a future meeting so long as the vote on the agenda item take place at the future meeting and that the public input take place prior to the Commission making any decision.

CONSENT - BOARD APPOINTMENTS

- 9. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, confirming the appointment of Richard Giuffreda as the fifth member to the Board of Trustees of the Municipal Police Officers' Retirement Trust Fund of the City of Deerfield Beach; providing for an effective date.**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Office of the City Clerk

Attachment: Police Pension Board - Fifth Member

- 10. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, confirming the appointment of Andrew Gianino as an employee representative member to the Board of Trustees of the Municipal Police Officers' Pension Retirement Trust Fund; providing an effective date.**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Office of the City Clerk

Attachment: Police Pension Board Election Results

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

- 11. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting the schedule for the Regular City Commission Meetings for fiscal year 2022/2023; providing for an effective date.**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Office of the City Clerk

Attachment: FY22/23 RCC Meeting Schedule

- 12. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Award of Invitation to Bid #22-30-RC for supply and install, service and repair of various fences and gates; authorizing execution of an agreement with Coast to Coast Garage Door, LLC, the sole responsive and responsible bidder, for the services on an as needed basis for a two year term, with three additional one year renewal terms; providing for implementation and an effective date. (*Funds from Account #001-7020-539-60-31 - Improvement Other than Buildings*)**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Parks & Recreation

Attachment: Coast to Coast Garage Door, LLC

- 13. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of the request for proposals for wholesale compressed natural gas; authorizing execution of an agreement with Interconn Resources, LLC, the lowest priced responsive and responsible bidder, for a one year term; providing for severability and an effective date. (*Funds from Account #450-4551-534-38-12 - Compressed Natural Gas*)**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Sustainable Management

Attachment: Interconn Resources, LLC

- 14. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with Johnson-Laux Construction, LLC through Sourcewell, Inc. Indefinite Quantity Construction Contract #FL-R10-GC11-111821-JLC for decommissioning the existing underground fuel tank at Fire Station No. 1 and installation of a new above ground fuel tank for generator use in an amount not to exceed \$143,549.00, with an additional ten percent (10%) contingency; providing for execution and an effective date. (*Funds from Account #399-5060-519-62-00 - Buildings & Account #399-5060-529-65-30 - CIP - Infrastructure*)**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Environmental Services

Attachment: Johnson-Laux Construction, LLC

- 15. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Award of Invitation to Bid #22-24-PC for purchase and installation, service and repair of overhead roll-up doors and grills, and hydraulic bi-fold doors to Above All Garage Door of South Florida, Inc., Coast to Coast Garage Door, LLC, and Door Systems of South Florida, Inc., the three responsive and responsible bidders; authorizing execution of agreements with the three bidders for a two year term, with three additional one year renewal terms; providing for implementation and an effective date. (*Funds from various city accounts*)**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Environmental Services

Attachment: Overhead Roll-Up Doors and Grills

- 16. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JL022-06-2023 with the Areawide Council on Aging of**

Broward County, Inc. for Center for Active Aging Services for the Local Service Program in an amount not to exceed \$132,380.00; authorizing execution of the contract; providing for implementation and an effective date.

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Community Services

Attachment: Local Service Program

- 17. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JZ022-06-2023 with the Areawide Council on Aging of Broward County, Inc. for Center for Active Aging Services for the Alzheimer's Disease Initiative Program in an amount not to exceed \$601,081.28; authorizing execution of the Contract; providing for implementation and an effective date.**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Community Services

Attachment: Alzheimer's Disease Initiative Program

- 18. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting a grant award from the U.S. Department of Justice through the Bureau of Justice Assistance FY22 Byrne Discretionary Community Project Funding Grants Program in the amount of \$595,000.00 for the Deerfield Beach Security Technology Enhancements - ShotSpotter Project; authorizing execution of the Grant Agreement; providing for an effective date.**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Community Services

Attachment: ShotSpotter Project

DEPARTMENTAL BUSINESS

- 19. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF**

DEERFIELD BEACH, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE II "BOARDS, COMMITTEES, COMMISSIONS," OF THE CITY CODE OF ORDINANCES BY CREATING DIVISION 19 "AFRICAN AMERICAN HERITAGE COMMITTEE" TO ESTABLISH THE AFRICAN AMERICAN HERITAGE COMMITTEE AND PROVIDE FOR ITS PURPOSE AND MEMBERSHIP; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance and set public hearing for September 14, 2022

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Parks & Recreation

Attachment: African American Heritage Committee

20. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE IV "DEPARTMENTS, DIVISIONS, OFFICES AND AGENCIES" OF CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF ORDINANCES TO REVISE THE NAMES OF CITY DEPARTMENTS AND PROVIDE FOR ORGANIZATIONAL CHARTS TO BE INCLUDED IN THE ANNUAL BUDGET; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance and set public hearing for September 14, 2022

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Human Resources

Attachment: Departments Organizational Charts

21. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING CHAPTER 38 "FINANCE AND TAXATION," ARTICLE VI "MISCELLANEOUS FEES," OF THE CITY CODE OF ORDINANCES BY CREATING SECTION 38-182 "TRANSACTION CONVENIENCE FEES" TO PROVIDE FOR THE IMPLEMENTATION OF A CONVENIENCE FEE FOR USE OF A CREDIT CARD, BANK DEBIT CARD, CHARGE CARD, AND ELECTRONIC FUNDS TRANSFER FOR PAYMENTS TO THE CITY OF DEERFIELD BEACH; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance and set public hearing for September 14,

2022

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Financial Services

Attachment: Transaction Convenience Fees

COMMENTS BY ADMINISTRATION & LEGAL

CITY COMMISSION BUSINESS

22. City Manager's Annual Performance Evaluation. (*Deferred from August 16, 2022*)

Suggested Action: Motion on decision of Commission

Sponsor: City Commission

Attachment: CM Annual Performance Evaluation

COMMENTS BY MAYOR & CITY COMMISSION
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ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Regular City Commission Meeting - Wednesday, September 14, 2022

Any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meetings or hearings will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and the evidence upon which the appeal is made. The above notice is required by State Law (F.S. 286.0105). Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the presence of a certified court reporter at the hearing.



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



Meeting Minutes City Commission

Tuesday, August 16, 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 7:01 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

Mayor Ganz announced the passing of former Boca Mayor Susan Whelchel and asked that everyone keep her family in their prayers. Thereafter, was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes – July 12, 2022

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve the meeting minutes as submitted. Voice Vote:

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Appearance Board Meeting Minutes - June 8, 2022

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, 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 16, 2022

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve the agenda as submitted. Voice Vote:

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

Nays: 0

AWARDS & RECOGNITION

- 1. Certificate of Recognition presented to Dave Mirantz for his contributions and dedication to the business community and promoting economic growth within the City while serving as Executive Director of Deerfield Beach Economic Development Council.**

Mayor Ganz outlined the contributions made by Mr. Mirantz as the Executive Director of the Deerfield Beach Economic Development Council. Mayor Ganz thanked Mr. Mirantz for his contributions to the COAT Committee and the professional relationships he forged in and outside the City. Lastly, he wished Mr. Mirantz all the best in his future endeavors.

- 2. Certificate of Recognition presented to Ocean Rescue Lifeguards in honor of their participation in the 2022 USLA Southeast Regional Championships.**

Mayor Ganz said the Ocean Rescue Department represented the City at the United States Lifeguard Southeast Regional Championships this year in Stuart Beach and won a total of 18 events. He applauded staff for gaining regional recognition and the continuous care of our beach and keeping the community safe. Thereafter, Mayor Ganz announced the participants in the regional championships.

Mike Brown, Ocean Rescue Captain, thanked his lifeguards and applauded their efforts for what they do every day. Additionally, he advised that this past week, the United States Lifesaving National Championships was held at Formosa Beach, in Los Angeles, California, and only a six-man team attended; whereby, they won the City's first national championship.

PUBLIC HEARING – SECOND READING

- 3. P.H. 2022-075: ORDINANCE 2022/013 - 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.

Mayor Ganz said although he originally considered the idea of a smoking section, he has decided that a complete ban is necessary. Also, based on previous comments from the City Manager and City Attorney, other neighboring cities would invoke a ban, starting with Pompano Beach. He explained how the ban protects the health and welfare of the general public and reiterated his decision to support the proposed ordinance. He then opened the public hearing.

Paula Cook, 62 Centennial Court, Deerfield Beach, recommended amending the ordinance by allowing smoking at the parks and not the beach. She also commented on the City following others.

PUBLIC HEARING – SECOND READING – CONTINUED

Caryl Berner, 3130 Cambridge F, Deerfield Beach, said many years ago, she recommended a no-smoking beach and the Commission agreed which is why she supports the proposed ordinance. Ms. Berner also commented on the littering of cigarette butts at the beach. Lastly, she recommended a no-smoking sign be placed near the meters.

Dan Shanetzky, 34 Keswick B, Deerfield Beach, spoke in favor of the proposed ordinance due to the health and safety of marine life and the general public. Mr. Shanetzky also asked what can be done regarding the private parcels on the beach.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, spoke in opposition to the proposed ordinance because cigars are not included. Further, she said the increase in litter is due to the lack of receptacles. Lastly, Ms. Freitag said she would prefer the police to monitor other issues, such as speeding, instead of smoking.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, recommended a smoking section; however, if the ordinance is passed, she recommended a trial period.

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

Mayor Ganz closed the public hearing.

Thereafter, a detailed discussion pursued amongst the Commission regarding various health reasons and statistical information as to why the ban should be supported. Furthermore, the Commission also agreed with the difficulty of enforcement.

Mayor Ganz responded to comments from the public. He advised that cigarette butts are not discarded in trash receptacles because of the fire hazard; the City is being proactive and not considering the acts of other municipalities. Lastly, he reiterated his support of a complete ban.

MOTION was made by Commissioner Drosky, seconded by Commissioner Preston, to approve Item 3, adopted Ordinance 2022/013. Voice Vote:

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

Nays: 0

- 4. P.H. 2022-073: ORDINANCE 2022/014 - 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.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Hudak, to approve Item 4, adopted Ordinance 2022/014. Voice Vote:

PUBLIC HEARING – SECOND READING – CONTINUED

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

Nays: 0

- 5. P.H. 2022-072: ORDINANCE 2022/015 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING 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.

Mayor Ganz opened the public hearing.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked about the financial impact to residents for meter upgrades and deposits.

Mayor Ganz closed the public hearing.

David Santucci, City Manager, replied that the deposit was determined by reviewing Broward County's deposit requirements on meters as a portion of the City is on Broward County's water and wastewater system. The change will not affect existing residents and no additional deposits are required for existing customers; however, new development or redevelopments require an increased water line or meter. Additionally, the cost of the meters has substantially increased since the Ordinance was last amended in the early 2000's; thus, the goal is to recoup the cost of current meters.

In response to Commissioner Drosky's question, Mr. Santucci replied yes, the City's Information Technology staff has reviewed and agreed that the technology for the meters is sufficient for security purposes.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Hudak, to approve Item 5, adopted Ordinance 2022/015. Roll Call:

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

Nays: 0

- 6. Resolution 2022/135 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the water service connection deposit amounts and charges for water meters, water meter installation, taps and service lines; providing for implementation and an effective date. (Departmental Business)**

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 Parness, seconded by Vice Mayor Hudak, to approve Item 6, adopted Resolution 2022/135. Roll Call:

PUBLIC HEARING – SECOND READING – CONTINUED

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

Nays: 0

7. **P.H. 2022-074: ORDINANCE 2022/016 - 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.

Commissioner Drosky asked that his recommendation at the previous meeting, to repeal the special master's decision, not be considered and recommended approving the original ordinance.

Mayor Ganz opened the public hearing

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said a couple of businesses were said to sell alcohol, Topsy's Nail Salon and Painting with a Twist, during the presentation at the previous meeting; however, they allow people to bring their own alcohol and consume it there. Ms. Freitag asked what happens with places like Costco, and if current businesses in conflict with the proposed ordinance are grandfathered in.

Mayor Ganz closed the public hearing.

Eric Power, Director of Planning & Development Services, replied that samples at stores are excluded and not impacted by the regulation. Additionally, whether a business sells alcohol or allows people to bring it in, they would have to abide by the proposed ordinance.

Mayor Ganz clarified that it is currently an absolute ban, so this allows for a case by case approval process to allow it in the Code potentially.

Mr. Power agreed.

Thereafter, Mr. Power entertained questions from the Commission.

Anthony Soroka, City Attorney, advised that there is a 1,000-foot distance separation requirement to another alcoholic beverage establishment; thus, it is not only a requirement for schools and churches.

MOTION was made by Commissioner Preston, seconded by Commissioner Drosky, to approve Item 7, adopted Ordinance 2022/016. Roll Call:

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

Nays: 1 - Vice Mayor Hudak

PUBLIC COMMENT

John Connell, 4394 NW 9th Avenue, Deerfield Beach, said the City has cited the Heritage Circle Condo Association with violations, but additional assistance is needed with its condition and finances. Mr. Connell listed all the ongoing issues and the fines associated with the violations; furthermore, he expressed concern with the lack of cleanliness and rodents in the condos. He asked for Commission assistance and invited them to walk the property.

Marilyn Lucano, 2121 Discovery Circle, West, Deerfield Beach, said she needs help with fraudulent activities among the president and vice president of the association; whereas, they signed a contract for a roof replacement and each unit owner is to pay \$8,000 each, over \$2 million to the contractor. She said the residents had to pay the \$8,000 over 4 installments and work was to be completed by September, but no work has been done. Additionally, she explained that materials were purchased and left on top of the roof which, in her opinion, are no longer useful due to sun damage. Lastly, she advised that the contractor cannot obtain a permit and asked for assistance and direction.

Patricia Link, 252 Ventnor R, Deerfield Beach, asked about other recycling locations as the one on Powerline is no longer available.

Ali Abusen, 4384 NW 9th Avenue, Deerfield Beach, said he also lives in Heritage Circle Condominiums and they really need help and asked that someone from the City come out and see what is happening. He expressed concern with his family's safety and wellbeing as he sees people sleeping in the hallway. Furthermore, the association is unresponsive, which is why he has been documenting everything since 2017. He reiterated the need for the Commission's help and how the fines are paid by the residents, not the association.

Chris Marino, 1525 SE 14th Court, Deerfield Beach, commented on Commissioner Parness' comments on gun control during the last meeting. Thereafter, he commented on political activities and past issues regarding firearms, gun violence, and violent acts against the Jewish population. Lastly, he requested that the City Commission focus on city business.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said based on the comments by Heritage Circle residents, term limits are bad for business and she will be voting against increasing term limits in November.

Mayor Ganz said the City cannot intervene on behalf of those dealing with condo issues. He outlined the options available to the City, Code Enforcement, going after unlicensed contractors, health and welfare, and doing work without permits.

Anthony Soroka, City Attorney, agreed with Mayor Ganz. Additionally, he said the City cannot remove board members, but there is a State regulatory body.

Mayor Ganz offered his phone number for those wishing to contact him.

David Santucci, City Manager, advised that there is a recycling drop-off center with receptacles at fire station 66.

Mayor Ganz commented on recyclable materials being sent to the landfill due to cleaning the materials and costs to reproduce. Furthermore, he said he does not believe the Commission is involving itself with partisan politics but people have a difference of opinion and all should be allowed to share; notwithstanding, if people supported another person's opinions he questioned if there would be any rebuttals. Lastly, he asked that things controlled by the Commission be discussed to allow people to speak on what they would like.

Vice Mayor Hudak said if Code Enforcement goes out to the Heritage Club Condos, the costs would be passed on to those residents and there is nothing that the City can really do outside of sending Code Enforcement. He asked Mr. Soroka to research other options.

PUBLIC COMMENT – CONTINUED

Vice Mayor Hudak left the dais temporarily at 8:34 p.m. and returned at 8:35 p.m.

Commissioner Preston commented on the concerns expressed by the condo association residents and agreed with walking the property to see what else may be discovered. He also offered to come out and work toward a solution.

Commissioner Parness provided his phone number as well to meet with the residents in Heritage Circle.

Commissioner Drosky asked that staff provide information from Code Enforcement on violations and results from the magistrate hearing on Heritage Circle in their weekly package.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

After a brief discussion, Item 11 was pulled for discussion.

Mayor Ganz opened the public hearing for Items 8 – 13, of the Consent Agenda; 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 Items 8 - 10 and 12-13 of the Consent Agenda. Roll Call:

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

Nays: 0

- 8. Resolution 2022/136 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract JP022-06-2023 with the Areawide Council on Aging of Broward County, Inc., for the Center of Active Aging Emergency Home Energy Assistance Program; authorizing execution of the Contract in an amount not to exceed \$26,081.37; and providing an effective date.**
- 9. Resolution 2022/137 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the filing of the Local Government Funding Request for Fiscal Year 2023/2024 with the Florida Department of Environmental Protection for projects to mitigate beach erosion in Deerfield Beach; authorizing projects for which funding is requested; authorizing City's ability to serve as a local sponsor; authorizing City's ability to fund the appropriate local share of projects; approving City's funding source; providing for an effective date.**
- 10. Resolution 2022/138 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving submission of the application to the US Department of Agriculture for the Composting and Food Waste Reduction Cooperative Agreement Pilot Program; approving execution of the Grant Agreement if awarded; providing for an effective date.**
- 11. Resolution 2022/139 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing submission of a 2022 Bridge Investment Program Bridge Projects Grant Application to the Federal Highway Administration for replacement of the Southeast 15th Avenue Bridge; authorizing execution of the Grant Agreement if awarded to the City; providing for an effective date. (Funds from Account #108-0000-381-0100 - Road & Bridge Fund/Transfer in General Fund & Account #108-5050-541-6031 - Infrastructure Maintenance/Improvement Other than Building)**

The Resolution was read by title only.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

Vice Mayor Hudak highlighted staff's efforts with securing other funds for repairs of this nature.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve Item 11, adopted Resolution 2022/139. Roll Call:

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

Nays: 0

12. Resolution 2022/140 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a cooperative purchasing agreement with Shiff Construction & Development, Inc. through Sourcewell, Inc. Job Order Contract (JOC) #FL-R10-GC02-111821-SCD to construct community center improvements in an amount not to exceed \$580,598.50; providing for an effective date. (*Funds from Account #146-8000-539-6031 - Parks Impact Fees - Improvements Other than Buildings (West Community Center Building Project)*)

13. Resolution 2022/141 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the sole source purchase of main generator automatic switchgear upgrades from ABB, Inc. for water plant operations in the amount of \$355,017.00, utilizing \$200,000.00 in American Rescue Plan Act Funding; providing for execution of a purchase agreement; providing for an effective date. (*Funds from Account #413-5000-536-6031 - Automatic Transfer Switch (ARP41327)*)

DEPARTMENTAL BUSINESS

14. Resolution 2022/142 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting a 10-foot-wide water and sewer utility easement, a 10-foot-wide right-of-way dedication, and a 10 foot by 10 foot wide utility easement from the Boys & Girls Clubs of Broward County, Inc. in connection with the 7,280 sq. ft. teen center addition on the 4.24 acre property located at 27 South Dixie Highway; providing for conflicts, implementation and an effective date.

The Resolution was read by title only.

Anthony Soroka, City Attorney, said a site plan was previously approved a site plan for the teen center project, along with transfers of easements; however, during the permitting process, staff requested the dedication of certain easements back to the City. The proposed resolution allows the City to accept the easements requested by staff.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 14, adopted Resolution 2022/142. Voice Vote:

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

Nays: 0

DEPARTMENTAL BUSINESS – CONTINUED**15. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 50-2 "DEFINITIONS" OF THE CITY CODE OF ORDINANCES TO ADD DEFINITIONS FOR "DIVE", "DIVER", "UNDERWATER BREATHING APPARATUS", AND "VESSEL EXCLUSION ZONE"; AMENDING SECTION 50-108 "RECREATIONAL ACTIVITIES AT PARK FACILITIES AND BEACHES", AND SECTION 50-112 "MUNICIPAL/PUBLIC BEACH REGULATIONS" TO MODIFY AND PROVIDE FOR ADDITIONAL MUNICIPAL BEACH REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

David Santucci, City Manager, advised that additional language was modified to ensure a 5-yard buffer was added for distances from the pier for no stopping, standing, or sitting.

Mike Brown, Ocean Rescue Chief, provided a brief PowerPoint presentation regarding the proposed changes to Section 50. The goal of the ordinance is to enhance public safety by making the beach more visitor friendly through the establishment of defined areas for leisurely uses such as swimming and sunbathing while avoiding any conflicts with recreational activities. Furthermore, the ordinance also identifies and addresses new modern water activities such as kite boards, water propelled jet packs, and motorized boards which have become more popular in recent years.

Continuing, Mr. Brown outlined the updates to the code: added definitions in section 50-2, allowing divers with dive flags to go out past swimming area; creation of the vessel exclusion zone to enhance swimmer safety; defined designated recreational areas north of the pier and south of tower 5. Thereafter, he described the swimming area and changes; whereas, divers with dive flags will be allowed to go out past 50 yards which was previously restricted. Further, the vessel exclusion zone allows enforcement of any motorized vessel and newer apparatus, as well as kite boards. Mr. Brown said kite boards travel at a very high speed which becomes a danger when entering the swimming area. Lastly, due to the beach's increased popularity, areas have been defined north of the pier and south of tower 5, and will be marked with a checkered flag for recreation to make the beach more user friendly.

Thereafter, Mr. Brown entertained questions by the Commission. He replied that the recreational area was extended to protect visitors from hardboards and other devices. He also explained that the red flag indicates high surf and no swimming is allowed. Designated areas are really useful during green flag days. Additionally, he explained that the area after tower 1 was not originally populated but there will be a tower constructed north of tower 1.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said kite surfing was originally allowed on the north side of the pier and tends to stay far north of the volleyball court; nevertheless, the map shows the area as a swim zone. She asked if kite surfing is no longer allowed on the beach.

Mr. Brown replied yes, that is correct. Kite surfing boards are not allowed to launch from the guarded area and are instructed to walk north out of the City. Based on various safety precautions, this is the best solution. Furthermore, the vessel exclusion zone is an indication to not come into the close area of the beach.

Mayor Ganz closed the public hearing.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve Item 15 on first reading. Voice Vote:

DEPARTMENTAL BUSINESS – CONTINUED

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

Nays: 0

16. Resolution 2022/143 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, ratifying an amendment to the 2021-2024 Collective Bargaining Agreement between the City of Deerfield Beach and Local 1010/District Council 78 of the International Union of Painters and Allied Trades (IUPAT) to provide for a cost of living increase, effective October 1, 2022; authorizing the City Manager to take all actions necessary to implement the Amendment; 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.

The Commission briefly discussed the impact of losing employees to other localities due to low pay, dealing with increased costs causing too much stress on the City's budget in the future, and remaining competitive for recruitment and retaining quality employees. Notwithstanding, the Commission supported the negotiations and conveyed their desire to adopt the resolution.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 16, adopted Resolution 2022/143. Roll Call:

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

Nays: 0

17. Resolution 2022/144 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, ratifying an amendment to the 2021-2024 Collective Bargaining Agreement between the City of Deerfield Beach and the Professional Managers and Supervisors Association to provide for a cost of living increase, effective October 1, 2022; authorizing the City Manager to take all actions necessary to implement the Amendment; 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 was no discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 17, adopted Resolution 2022/144. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY – No Report.

CITY MANAGER

Quiet Zones – David Santucci, City Manager, advised that the Federal Railway Administration is looking at Broward's quiet zones; therefore, he will be meeting with the Broward Metropolitan Planning Organization tomorrow, possibly along with Florida Department of Transportation to discuss issues occurring in the County. Currently, Broward County has some of the highest incidents in the Country right now and collaborative efforts are being pursued to provide actions such as modifications to the crossings.

CITY COMMISSION BUSINESS

18. Resolution 2022/145 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Third Amendment to the Settlement Agreement with Broward County for the litigation styled *City of Sunrise et. al. vs. Broward County*; and providing an effective date.

The Resolution was read by title only.

Anthony Soroka, City Attorney, provided background on how the Resource Recovery Board and its correlation to the settlement. There were issues regarding the allocation of the Board assets based on tonnage, but there was a dispute with the County and after 25 years, the County decided that the cities should not receive anything; therefore, litigation ensued and resulted in the City receiving over \$2 million. Furthermore, there was a property, Alpha 250, located in Pompano Beach that was to be sold within one year of that settlement, but the agreement was amended which paused the sale of the property for 3 years. Now that time has expired, there is a working group reviewing solid waste; thus, the proposed amendment will further extend the sale for another 3 years while the group works through the study to determine the best decision.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Drosky, seconded by Vice Mayor Hudak, to approve Item 18, adopted Resolution 2022/145. Roll Call:

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

Nays: 0

19. City Manager's Annual Performance Evaluation.

Mayor Ganz asked that the evaluation be performed at the next City Commission Meeting.

There was no objection.

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 defer Item 19 until the next meeting. Roll Call:

CITY COMMISSION BUSINESS – CONTINUED

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

Nays: 0

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

Health & Recovery – Commissioner Parness said although he has had health difficulties, he is on the mend. Also, he is unable to drive at this time, but will be returning to the meetings in person soon.

District 3 Direction – Commissioner Parness applauded the ongoing activities in his district and his ability to either help or steer them in the right direction. He also expressed his willingness to meet with constituents at any time.

COMMISSIONER PRESTON**DISTRICT 2**

Accolades – Commissioner Preston thanked the Broward Sheriff's Office Police and Fire Rescue for their efforts and the care given to the City behind the scenes.

Harold Morrison Place – Commissioner Preston said the unveiling of the street renaming occurred on Saturday. He thanked everyone for attending, including his colleagues.

Community Day/Day of Diversity – Commissioner Preston asked for an update on community day for the entire city to come together on a rotating basis. Due to COVID, it has not come to fruition; however, the pandemic has passed and he would like to move forward.

Packer Rattlers Opening Day – Commissioner Preston said the children competed well; thereafter, he thanked the residents for their participation.

T-shirts – Commissioner Preston said Brandon Powell, Superbowl Champion, gave him shirts for the Commission and will present them when possible. Commissioner Preston listed various NFL players who were part of the Packer Rattlers.

COMMISSIONER DROSKY**DISTRICT 4**

Back to School – Commissioner Drosky said he, City staff, and BSO personnel were in attendance this morning to celebrate going back to school. He thanked everyone for volunteering and supporting the children.

Annual Florida League of Cities Conference – Commissioner Drosky said he and Vice Mayor Hudak attended the conference over the weekend. Next year, Greg Ross, Cooper City Mayor, is in line to take over as President of the League. He asked that the City support him as Broward County has not had many elected officials assume the role of President. He asked that pertinent staff and the entire Commission attend the event next year in Orlando.

Saturday Office Hours – Commissioner Drosky said he will not have Saturday office hours in September due to the Labor Day holiday; notwithstanding, he encouraged people to reach out to him at any time via phone or e-mail.

Polling Places – Commissioner Drosky thanked the Clerk's Office for providing information on the new polling places and precincts as a result of redistricting; whereas, some are new locations. He advised that District 1 has lost 3 polling places, District 2 lost 3, District 3 lost 1, and District 4 lost 1. He said polling locations in District 4 are Constitution Park, Meadows Clubhouse, and Quiet Waters Elementary.

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

Early Voting – Mayor Ganz said early voting has started and is available at Oveta McKeithen Recreational Complex.

Accolades – Mayor Ganz thanked BSO Police and City staff for their actions in a threat on the beach, that ended up being a hoax.

Broward Sheriff's Office – Mayor Ganz expressed disappointment with the downtown office for poor communication with the City as changes are usually made in a split second after a collaborative decision has been made. When it happens, it causes panic and misinformation, but also, interferes with the work being done. Mayor Ganz encouraged people to call the City for information instead of relying on social media.

Speeding – Mayor Ganz asked everyone to slow down with school being in session. Furthermore, he recommended discussions with the School Board as to why the City is paying for school resource officers at the elementary level.

David Santucci, City Manager, said the guardians are being used at the elementary level; however, floating school resource officers still go to the schools on rotation. Nevertheless, a discussion can still be held with the School Board regarding underfunding.

Mayor Ganz said many children who attend City schools do not live in the City's boundaries and do not have this added expense, i.e. Lighthouse Point. He encouraged the voters to have discussions with School Board before deciding on whom to vote.

VICE MAYOR HUDAK**DISTRICT 1**

Upcoming Conferences – Vice Mayor Hudak said the Legislative Conference will be held November 30 – December 2, 2022 and the Florida League of Cities Conference, August 10 – August 12, 2023. He said many cities are faced with similar issues and it is good to collaborate. There are many educational seminars to keep everyone abreast of what has happened in previous years.

District 1 Meeting – Vice Mayor Hudak said the district meeting will be held on August 25, 2022 at City Hall to discuss district concerns and challenges. He thanked residents who keep him abreast of varying activities in the district.

Back to School – Vice Mayor Hudak said school started; he encouraged everyone to be careful and the police to look out for speeding.

Plexiglass on Dais – Vice Mayor Hudak asked everyone their opinion on the plexiglass.

Mayor Ganz said he does not have any issues with the sneeze guards.

There were no other comments from the dais.

ADJOURNMENT

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to adjourn the meeting at 9:34 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk



**CITY OF DEERFIELD BEACH
BUDGET WORKSHOP MEETING MINUTES
Wednesday, June 15, 2022 at 6:00 PM**

The meeting was called to order on the above date by Mayor Bill Ganz at 6:02 p.m. at the Hillsboro Community Center, Deerfield Beach, Florida.

ROLL CALL

Present: Commissioner Todd Drosky
Commissioner Ben Preston
Vice Mayor Michael Hudak - arrived at 6:03 p.m.
Mayor Bill Ganz

Also Present: David Santucci, City Manager
Anthony Soroka, City Attorney
Samantha Gillyard, CMC, City Clerk

Absent: Commissioner Bernie Parness – excused absence

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

MOTION was made by Commissioner Drosky, seconded by Vice Mayor Hudak, to approve the agenda as submitted. Voice Vote:

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

Nays: 0

FY23 BUDGET WORKSHOP

David Santucci, City Manager, outlined the workshop agenda; thereafter, a PowerPoint presentation was displayed. Further, he said capital project requests will be highlighted differently this year so there is a better understanding of the near and long-term expenditures associated with the CIP, which was accomplished by the Commission's approval of a dedicated capital fund in FY22. Lastly, Mr. Santucci thanked the Department of Public Affairs & Marketing for spearheading graphics and compiling the budget presentations, as well as all staff involved in the budget process.

Budget Message - Mr. Santucci said this year's budget message is driving boldly by maintaining fiscal stewardship, investing in our City, planning for the future by considering the City's utility and stormwater infrastructures, and the anticipation of an economic downturn as extremely high inflation points to a recession. Unfortunately, the overall message for this budget is any gains received in revenues will be absorbed by inflationary costs; furthermore, the City's ad valorem tax revenues will mainly be absorbed by public safety costs.

FY23 BUDGET WORKSHOP - CONTINUED

Budget Process/Calendar - Mr. Santucci explained that the budget process is year-round. Thereafter, he outlined the critical dates: June 15th and 16 - budget workshops. Currently, staff is receiving preliminary revenue information and on July 1st, final values should be received from the State and County. At the July 12th City Commission meeting, the preliminary fire rescue assessment rate and nuisance abatement will be adopted; whereby, a rate increase is being recommended based on the fee assessment rate study. Also, another budget workshop will be held on August 9th so requests, recommendations, priorities, etc. can be discussed and finalized. The budget must be submitted to the City Commission by August 15th, and the public hearings will be held on September 6th and September 14th.

Demographics - Mr. Santucci outlined the City's demographics: unemployment rate - 2.5%, median household income is \$47,183, the County is at \$60,922; poverty rate is 17%, which is higher than the County and State average; population over 65 is higher than the State and County; the labor force, which indicates those actually employed, is 61.7%; persons per household is lower than the State and County; and the poverty rate is higher than the State and County's rate.

Economic Indicators - Mr. Santucci displayed a graph outlining the Consumer Price Index (CPI) from April 2019 - April 2022, whereby, the last month has trailed down but some of the increases in the budget line items are due to cost increases. Further, he said the U.S. Consumer Sentiment is low, which is another indication of an economic downturn. Thereafter, he displayed a graph outlining the unemployment rate in Florida, which has decreased over the last year. Lastly, Mr. Santucci displayed a photograph outlining the market sales; whereby, the City is once again one of the top 5 cities with the most sales.

Single-Family Home Assessed Values - Mr. Santucci said the average assessed value as of June for the City increased 10.3%, which is a \$79,872 difference from last year, and the County average increased 9.2%, which is an \$84,816 difference. The City still has the 10th lowest assessed value in the County.

Millage Rate History - Mr. Santucci displayed a graph outlining the millage rate history, which showed a decrease since 2015 and unchanged and consistent over the last three (3) years. He said the FY23 rate is an estimate because the debt millage rate, which continues to decrease, but must be paid; nevertheless, once the final numbers are received the information will be updated and provided at the August 9th workshop.

Ad Valorem Tax Revenue Projection - Mr. Santucci stated that the ad valorem tax revenue has steadily increased, which is due to the increased housing market.

Ad Valorem (Property Tax Collection) - Mr. Santucci stated that a portion of the City's tax revenue is dedicated to the CRA. The total citywide estimated tax collections are \$55.5 million; however, the CRA's allocation is \$2.3 million, so the projected net General Fund tax collections are \$53.2 million. He explained that one mill generates \$8.8 million for the City and the taxable value of properties increase was 8.5%

Revenue Estimates - All Funds - Stephanie Tinsley, Chief Financial Officer, displayed a graph depicting the City's revenue forecast for FY23; however, as new information is received, the numbers may change. Property taxes increased by almost \$3.3 million, due to the increase of assessed value and stagnant millage rate; fire assessment fees will generate almost \$17.5 million in revenue, approximate increase of \$1.5 million.

Mr. Santucci explained that the fire assessment fee is affected by a higher residential call volume; therefore, if the current rate is maintained, there would be a lower revenue and greater General Fund contribution to the overall fire services budget. He advised it would be discussed in greater detail at an upcoming Commission meeting.

In response to Commissioner Drosky's question, Mr. Santucci replied that the \$17.5 million in revenue is based on a residential rate of \$309. Thereafter, he outlined various scenarios.

Ms. Tinsley continued outlining the revenue estimates for all funds: intergovernmental, grants and distributions decreased due to the ARPA funds; loan proceeds decreased due to bond funds related to CIP projects that are underway; the use of fund balance is not finalized because expenditures are still being

FY23 BUDGET WORKSHOP - CONTINUED

accessed, and a final CIP is needed. Charges for services include charges for parks and recreation and Enterprise Funds.

Mr. Santucci stated that the local option gas tax has decreased, as the Governor implemented a sales tax holiday, and the sales tax holiday for gas will be October through November.

Revenue Estimates (General Fund) - Ms. Tinsley displayed a chart outlining the revenue estimates for the General Fund, whereas, 46% of the City's revenue is from property taxes and charges for services and fire assessment fees account for 29%.

Your City Taxes - Ms. Tinsley provided examples of how property values impact the ad valorem tax with a city tax rate of 6.3125; property valued at \$100,000 would have an ad valorem tax of \$315.63; property valued at \$198,168, ad valorem tax of \$935.31; property valued at \$450,000, ad valorem tax of \$2,500.

In response to Vice Mayor Hudak's question, Mr. Santucci replied that assessed and taxable value differ, whereas, the above-mentioned scenarios are based on taxable value which is what you will pay.

Total Property Taxes - Mr. Santucci displayed a breakdown of a tax bill, whereas, the total millage paid is 20.4690, but the City only represents 30.8%. The remaining percentage contributes to other taxing authorities: Broward County, the School Board, North Broward Hospital District, South Florida Water Management District and Children's Services Council.

Budget Considerations - Mr. Santucci outlined budget considerations: inflation, local housing market, bear-market scenario, economic uncertainty; pay and class study results; fire assessment fee study and recommendation; solid waste fund audit observation and fee assessment. He explained that he will be meeting with the City's disposal contractor as costs are increasing; nevertheless, the City has maintained the lowest cost for quite some time. Further, he continued outlining budget considerations: utility fund long-term rate assessment; and the reallocation of non-departmental expenses, i.e. pension expenses, insurance service allocation, etc.

FY23 CIP PROJECT REQUEST

David Santucci, City Manager, said this presentation includes an overview of the FY23-FY27 project requests, as well as a review of the FY23 requests. Thereafter, he displayed various slides outlining the five-year capital improvement projects from the General Fund, Utility Fund, Stormwater Fund, and Road & Bridge Fund.

General Capital Projects Fund

Information Technology - Mr. Santucci said this project consists of a backup upgrade to help mitigate risks and increase resiliency, for a total cost of \$275,000 from general operating funds.

Parks and Recreation - Maintenance - Mr. Santucci said the Crystal Heights North Playground will be replaced, for a total cost of \$175,000 from general operating funds. The addition of an outdoor, prefabricated restroom at Constitution Park, \$150,000 from general operating funds. The Oveta McKeithen pavilion replacement, \$200,000 from grant funding through the National Recreation and Park Association, and CDBG funding.

Parks and Recreation - Athletics - Mr. Santucci said the installation of a bulkhead for the aquatic center pool will expand its use as a multi-purpose, multi-functional system, \$250,000 from general operating funds. Additionally, he said due to the age of the pier, a structural assessment is needed to determine next steps, \$100,000 from general operating funds.

Parks and Recreation - Maintenance - Mr. Santucci said new furniture, fixtures, and equipment will be added to the Johnny L. Tigner Center as part of the construction project, \$370,000 from general operating funds. City Hall/BSO parking lot resurfacing and upgrades, \$140,000 from the general operating funds and citywide median improvements, \$250,000 from general operating funds.

FY23 CIP PROJECT REQUEST - CONTINUED

Commissioner Drosky said \$150,000 is budgeted in FY24 for the medians and asked if it could all be budgeted for FY23 as it is a priority of this Commission.

Teresa Rynard, Director of Parks & Recreation, stated that the FY23 budget is specific to the four main entryways into the City, and the FY24 budget is for the interior medians. Further, she spoke in support of completing all the medians in FY23, but didn't want her budget request to be costly.

Commissioner Drosky spoke in favor of completing all medians in FY23.

In response to Commissioner Preston's question (inaudible), Mr. Santucci replied that this is just a CIP request, which will require contractual services to complete larger projects. Furthermore, he explained that funds are allocated within the Parks and Recreation - Maintenance operating budget for internal work; nevertheless, if the Commission desires, monies can be allocated to the CIP request.

Commissioner Drosky suggested moving the funds for the City Hall/BSO parking lot improvements to the medians.

After a brief discussion, it was agreed that the City Hall/BSO parking lot improvements were a lower priority than the medians.

Mr. Santucci continued outlining the Parks and Recreation maintenance projects funded through general operating funds: the demolition and replacement of the Mayo Howard Park restrooms, \$160,000; replacement of the pavilions at Mayo Howard Park and OMRC, \$220,000; and replacement of playground equipment at Crystal Heights Central and Mayo Howard, \$300,000. The Pioneer Park Boat Ramp Project will be completed by the end of the week, but minor closures will be needed to maintain the concrete spalling; nevertheless, the remaining Pier 5 will need to be constructed at a cost of \$85,000.

Environmental Services - Construction & Facilities - Mr. Santucci said a city-wide unified key management system will be implemented for a first-year cost of \$85,000 and in year two, the BSO and Fire Stations will be completed. Further, staff recently received state grant funding to address drainage issues at the middle school aquatics parking lot. The CRA Board recently approved a contract for sea turtle replacement bollards; whereby, the City will be required to reimburse the CRA for the City's portion.

In response to Vice Mayor Hudak's question, Mr. Santucci replied that the CRA contract cost covers all the bollards; however, city monies must be allocated to reimburse the CRA.

Mr. Santucci continued outlining the Environmental Services construction & facilities projects: replacement of nine (9) lifeguard towers and the construction of one (1) additional tower on the North Beach. He explained that staff plans to replace two (2) every year, for a completion date of 2026.

In response to Vice Mayor Hudak's question, Mr. Santucci replied that the \$435,600 is a locked in price and will replace two (2) towers.

Sustainable Management - Coastal & Waterways - Mr. Santucci said the joint beach nourishment project with the Town of Hillsboro is currently in permitting and funded through American Rescue Plans; however, staff is working on obtaining possible reimbursement through grant funding from the Florida Department of Environmental Protection.

In response to Vice Mayor Hudak's question, Mr. Santucci replied that staff continues to find ways to retain our sand, as do the permitting agencies.

Vehicles and Equipment - Mr. Santucci said vehicles include a rescue, engine, etc.

In response to Commissioner Preston's question, Mr. Santucci replied that many of the stations need repair; however, accomplishments have been made to include, life safety upgrades to Fire Station 66; interior and exterior renovations to Fire Station 75; replacement of Fire Station 111; and Fire Station 51, which was originally in Pompano Beach, is a brand-new station and facility. Thereafter, he outlined fire stations that still need repairs.

FY23 CIP PROJECT REQUEST - CONTINUED

Commissioner Preston said a modern, updated multifunctional facility for our fire department is needed, as our firefighters are beneficial to the City, and their living situation is outdated. Further, he said bond funding may be needed and should be investigated.

Commissioner Drosky agreed and said bond funds will be needed as CIP and general funds are not enough. Further, he explained that it will also have to be approved by the voters and suggested that the bond for parks and fire stations be added to the ballot with the FARDA referendum.

Utility Fund Capital Projects

Environmental Services - Utility Maintenance - Mr. Santucci outlined two water and wastewater projects: FAU Research Park Boulevard Water & Sewer Upgrade project, \$600,000, and funded through the Utility Fund debt services; Pioneer Grove Water & Sewer Upgrade Project, \$600,000. Both projects will improve the water and wastewater for their respective areas.

Environmental Services - Water Plant - Mr. Santucci said the Water Plant Site Security Upgrade Project will assist with the compliance of federal government requirements and recommendations related to security assessment at the Water Plant. Thereafter, he outlined some of the upgrades, for a total cost of \$270,000.

Environmental Services - Utility Maintenance - Mr. Santucci said negotiations for Advanced Metering Infrastructure Project have been completed; the award will be on an upcoming commission meeting for Commission consideration.

Environmental Services - Water Plant - Mr. Santucci said the Ion Exchange System Project will assist with phasing out the lime softening system, for a cost of \$1.8 million. The New Reclaimed Water Main Project has a total cost of \$7 million and is associated with the SW 10th Street Project; whereby, staff has not received anything definitive from FDOT on what they will be funding, but other state funded loans were sought.

Vehicles and Equipment - Mr. Santucci displayed the vehicle and equipment request which included a backhoe, dump truck, etc.

Stormwater Fund Capital Projects

Environmental Services - Stormwater - Mr. Santucci said the Citywide Stormwater Improvements Project is not specific to any area; nevertheless, staff is aware that stormwater projects must be completed as the need arises. Further, he said the request is for \$400,000, as the areas are beyond repair and maintenance, and this amount will allow staff to build up capital for current and future projects. The SE 8th Avenue Stormwater Project addresses a stormwater drainage deficiency affecting a specific area in the City, for a cost of \$2.4 million. The West Deerfield Stormwater Project is estimated at \$4.9 million and funded through Enterprise Fund operating and debt and grant (ARPA) funding. He advised that as the project designs near completion, costs are being refined and increasing.

Vehicles and Equipment - Mr. Santucci said vehicles and equipment include a dump truck, replacement vehicles and a second street sweeper to increase compliancy with federal and state requirements.

Road and Bridge Fund Capital Projects

Infrastructure Maintenance - Mr. Santucci said roadway improvements for FAU Research Park Boulevard and Pioneer Grove Corridor are being requested through surtax dollars. He stated that the Pioneer Grove Corridor area is SE 2nd Avenue from Eller Street to SE 10th Street to include SE 4th Street from Dixie to SE 2nd Avenue and Eller Street from the railroad to NE 6th Avenue. The City has been awarded a LAP Project for Safe Routes to School for both Deerfield Elementary and Middle Schools. The project includes sidewalk and pedestrian improvements, etc., for an approximate cost of \$500,000. Further, the City Bridge Rehabilitation Project includes the rehabilitation of one (1) bridge which is funded through surtax; however, the requested amount is for staff to begin building a capital reserve for repair and replacement of city bridges. Mr. Santucci said the FEC Fence Project caught the attention of State Representative Ted Deutch,

FY23 CIP PROJECT REQUEST - CONTINUED

who suggested that an appropriation be submitted for completion of this project to Deerfield Beach's border, for a proposed cost of \$2.6 million.

Vehicles and Equipment - Mr. Santucci displayed the vehicle and equipment requests from the road and bridge fund.

Solid Waste Fund Capital Projects

Vehicles and Equipment - Mr. Santucci said the requests include replacement vehicle for a light duty truck, as well as heavy duty equipment, i.e. front-end loader, etc.

FINANCIAL SERVICES

Recent Achievements - Stephanie Tinsley, Chief Financial Officer, listed the FY22 achievements: business license tax from Naviline to GovEasy; banking fee reduction, whereby, staff was able to save upwards to \$70,000; as well as many others.

Current Initiatives - Ms. Tinsley listed the current initiatives: fire inspection billing and collections conversion from FireHouse to GovEasy; continued fiscal year end business process cleanup and improvements; customer service enhancements, which is a collaborative project with PAM to clean up the website; as well as others.

Future Considerations - Ms. Tinsley outlined the future considerations: Attorney General operational audit results; cost allocation plan study, which includes the continued improvement of processes and cleanup; OpenGov implementation; AML, which consists of automated meter reading implementation that will take 3-4 years to complete; interactive voice response (IVR) or "pay by phone"; as well as others.

Operating Budget - Ms. Tinsley displayed the overall operating budget, which includes three (3) divisions operating from the General Fund and Customer Service from the Utility Fund.

Accounting & Treasury Management Operating Budget - Ms. Tinsley said transfers were completed in FY22 to accommodate temporary contractual services. Further, she stated that the salary allocation for the Revenue Collection Manager was changed from 100% utilities to 75% utilities and 25% General Fund.

Budget & Performance Management Operating Budget - Ms. Tinsley said changes include personnel services: budget transfers to operating expenditures for temporary contractual services.

In response to Mayor Ganz's question, Ms. Tinsley replied that the Budget Performance & Analysis position, which was budgeted in FY22, is vacant and currently in recruitment.

Purchasing & Contract Administration Operating Budget - Ms. Tinsley outlined changes for personnel services: budget transfer to operating expenditures for temporary contractual services, whereas, currently there are two (2) vacant positions.

Customer Service Operating Budget - Ms. Tinsley said the slight decrease in personnel is due to the salary reallocation of the Revenue Collection Manager. She explained that there was a huge increase in bank charges, which is across the board; an increase in postage; and the implementation of the IVR, which is \$30,000.

David Santucci, City Manager, explained that bank charges consist of credit card fees and cannot be directly controlled.

In response to Mayor Ganz's questions, Ms. Tinsley replied that the ERP Project is a capital improvement project which is currently in the design phase. She said the consultant, Government Financial Officers Association (GFOA), made recommendations to the auditor general which will be implemented. Further, she said the RFP will be issued in July 2022; nevertheless, she wants to assure the proper staff is in place to run the system.

FINANCIAL SERVICES - CONTINUED

Mayor Ganz asked if the ERP system will allow employees to adjust their direct deposit information, W-2 forms, etc. or will it strictly be an accounting system.

Ms. Tinsley said staff hopes that is the case, but an ERP system has not yet been chosen and reiterated that an RFP will be issued in July 2022.

Mayor Ganz said this project has taken way too long and has been mentioned year after year. Since the project analysis was completed, this project should have been done; nevertheless, he asked that staff look into where this project is lacking and fix it, quickly. Thereafter, he commented on the outdated systems that are in place and provided feedback on certain initiatives he would like included, i.e. updating direct deposit information. Further, Mayor Ganz said he appreciates staff's concerns but reiterated his concerns with the length of time it has taken and advised that moving forward it must be corrected. Further, he said an IVR is being requested but the AMI has not been completed, which was outlined in last year's budget and asked for clarification.

Mr. Santucci replied that the AMI was held up in negotiation, which has now been competed, and will be coming before the Commission at an upcoming meeting.

Mayor Ganz said projects that have been discussed for years must be completed before new projects are considered.

In response to Mayor Ganz's questions, Ms. Tinsley replied that the Budget Performance & Analysis position was the only new position requested in FY22; whereby, no new positions were requested in FY23. Further, she said there are vacancies within her department that would oversee the ERP system and commented on issues with filling positions. Ms. Tinsley stated that currently, there are four (4) vacant positions within her department.

In response to Mayor Ganz's question, Mr. Santucci replied that current staff is capable of overseeing the ERP system; however, their workload has increased due to other vacancies. Further, he said two (2) positions are vacant due to one promotion, and one being new.

In response to Mayor Ganz's question, Ms. Tinsley replied that no new positions are being requested in FY23; however, additional financial consulting services are being requested.

Mayor Ganz said if the proper staff isn't in place to perform their job, that needs to be evaluated.

HUMAN RESOURCES

Recent Achievements - Amanda Robin, Director of Human Resources and Risk Management, listed the FY22 achievements: revised employee handbook; emergency pay policy; revised recruitment policy, which was based on comments from the auditor general; citywide vehicle inventory insurance project; as well as others.

Current Initiatives - Ms. Robin listed the current initiatives: enhanced training, which will assist in employee retention; property/asset inspections; union negotiations were reopened; temporary employment services; revision of Article IV; as well as others.

Future Considerations - Ms. Robin outlined the future considerations: increased temporary services due to the "Great Resignation"; whereas, there are currently over 100 vacant positions with 51 in recruiting. She explained that previously, many applications were received for an administration assistant position, and now staff is lucky to receive 10. Additional considerations include implementation of pay & class recommendations; minimum wage is current but will need to be addressed in the future; as well as others.

Operating Budget - Ms. Robin said there is a 7.7% increase in human resources and a 4.5% decrease in insurance services.

HUMAN RESOURCES - CONTINUED

Administration Operating Budget - Ms. Robin said due to the increase in training and development, a training & development specialist position is being proposed at a midpoint salary of \$73,000, which will be a cost split between HR and risk management. Further, she said there is a decrease in operating expenditures due to the pay & class study being budgeted in FY22.

Risk Management Operating Budget - Ms. Robin said there is an increase in COBRA due to turnover; retiree operating expenditures decreased by 26% due to the continued trends in plan modifications; risk operating expenses decreased due to training and evaluations of insurance; and the increase in personnel cost is from the new position split.

In response to Vice Mayor Hudak's question, David Santucci, City Manager, replied that the total cost for the new position includes benefits, etc., which is consistent throughout these presentations.

In response to Commissioner Drosky's question, Ms. Robin replied that no one currently oversees the trainings. The trainings are sometimes handled by her or conducted by an outside entity; nevertheless, this new position would handle the administrative aspects of the in-house trainings, i.e. scheduling, finding a trainer, etc.

Commissioner Drosky commented on trainings leading to employee retention and asked Vice Mayor Hudak for his input.

Vice Mayor Hudak said money is a short-term motivator but employee morale is a long-term motivator.

In response to Vice Mayor Hudak's question, Ms. Robin replied that the position would be split 50/50, and oversee HR and safety trainings, which would free up staff time to work on analytical tasks.

In response to Commissioner Drosky's comments regarding the positions' job duties, Ms. Robin said she would provide a draft job description. Thereafter she outlined some of the functions the position would oversee.

In response to Mayor Ganz's question, Ms. Robin replied that \$45,000 has been budgeted for trainings, but isn't earmarked for specific things.

Mayor Ganz said last year \$40,000 was requested for training and this year \$45,000 is being requested plus \$73,000 for a trainer; therefore, he requested clarification as the budget should decrease, not increase.

Ms. Robin said the proposed position would take on some of the trainings, but not all, due to the skillsets needed for each training.

Mayor Ganz continued to express concerns with the increase plus the new position; therefore, he spoke in opposition of the new position.

Commissioner Preston said many of our internal issues stem from a lack of personnel, which causes the existing system to suffer because it cannot function at the appropriate level; therefore, when something is being requested it needs to be looked into and if it is denied we must understand the net result. Further, he said this administration is fiscally responsible and aware of what they need, but if people don't want to work, how is the City going to get better.

INFORMATION TECHNOLOGY SERVICES

Recent Achievements - Ron McKenzie, Chief Information Officer, listed the FY22 achievements: obtained software for vulnerability scanning (NESSUS); implemented multi-factor authentication for critical applications; implemented electronic paystubs; implemented Deerfield electronically entered permit system (DEEPS) application to help the Building Division with addresses; as well as others.

INFORMATION TECHNOLOGY SERVICES – CONTINUED

Current Initiatives - Mr. McKenzie listed the current initiatives: working on policies and procedures for compliance with HB 7055 Cybersecurity Bill; completing technology for Fire Stations 51 and 111; electronic notice for business tax renewals (BTR); field data capture (FDC) application for Parks & Recreation; as well as others.

Future Considerations - Mr. McKenzie outlined future considerations: Cybersecurity Bill compliance, which goes into effect July 1, 2022, and mandates ransomware, training, etc. Thereafter, he provided a brief overview of how ransomware works and how the backup upgrade (CIP) will assist with these type threats. Additional considerations include, creating a zero-trust atmosphere for remote applications; workforce mobility in preparation for disasters; as well as others.

Operating Budget - Mr. McKenzie said there is a 37.2% increase due to the allocation in capital projects.

Information Technology Budget - Mr. McKenzie said increases are due to telephone charges now being funded by ITS, which were previously a non-departmental fund; network communications (Comcast) increased to \$38,386; software maintenance and professional services have increased \$30,000 each; and other minor increases are due to inflation. Further, he said capital outlay projects include backup upgrade; upgrade to the security information event monitoring (SIEM), which allows staff to review various reports; automated attack server, which allows staff to simulate attacks; as well as others.

In response to Mayor Ganz's question, David Santucci, City Manager, replied that the ERP system is in the General Fund Capital Improvement Program, so it will come from the Capital Fund.

Mayor Ganz reiterated his comments regarding the ERP system and stated that it must move forward.

Commissioner Preston commented on a cyber issue that occurred at the City of Riviera Beach and commended Deerfield Beach ITS staff for a job well done.

Commissioner Drosky expressed concern regarding the calculation for the budget increase; whereas, the General Fund shows a 37% increase from \$2.6 million to \$3.5 million. Further, he expressed concerns with the pay & class study results as it is going to add millions to the budget. He also commented on the millage rate remaining steady, and even decreasing this year, as well as the increasing costs to the BSO contracts. With that being said, cost requests must be accurate, as these requests are going to make a huge difference on future budgets.

Mr. Santucci agreed, and advised that this is not a presentation of the final budget, only budget requests, which are not always guaranteed.

Vice Mayor Hudak commented on the cost discrepancy as well. Further, he commented on the increase to the lifeguard stations, as well as revenue increases due to labor costs, software, capital expenditures, etc. He said the pay & class study is going to be eye opening and expressed concerns, whereas, employee retention is not just based on training but wages as well.

OFFICE OF THE CITY CLERK

Recent Achievements - Samantha Gillyard, City Clerk, listed the FY22 achievements: enhanced required public records training to include comprehensive training of state statutes, lawsuits, city policy changes and the utilization of JustFOIA; reduction of contractual services for document remediation; remediation of campaign treasurer reports for elected officials dating back to 2009 for incumbents; and revision of the City Clerk webpages to simplify navigation.

Current Initiatives - Ms. Gillyard listed the current initiatives: create a brief, informative video to share with field and office personnel, not required to attend the training, on how to properly handle public record requests; completion of an advisory board handbook, as well as an online tutorial for newly appointed advisory board members; create an internal policy for remediation which will help new employees understand the importance of remediation and provide a timeline for reviewing the webpage; preparation for the March municipal election, as well as the November referendum that will consist of the term limit

OFFICE OF THE CITY CLERK - CONTINUED

question, submitted in May 2022 for placement on the ballot; and audio/visual updates to the commission chambers to enhance the in person and virtual attendance experience.

Future Considerations - Ms. Gillyard outlined the future considerations: synchronize lobbyist registration system with the online registration form, which will allow staff to manage the registration process and ensure payments and forms are received and complete. Ms. Gillyard stated that staff is currently using a paper system, which she outlined. Further, the implementation of an electronic payment portal for lobbyist registrations and public records requests to reduce the receipt of paper checks, foot traffic, and alleviate postal issues. Lastly, staff is looking to develop a minute's transcription tutorial and online training to help staff better manage the transcription of minutes.

Operating Budget - Ms. Gillyard said the operating expenditures decreased by 2.6% mainly due to the reduction in contractual services for document remediation. Further, the main increase is in the election budget, whereas, the November referendum is a little less than \$35,000. The cost estimate for the Districts 1 and 2 March municipal election is \$66,100; however, if the property disposition question is added, it would require all Deerfield Beach polling places be open. Ms. Gillyard said the new SOE provided a cost breakdown based on the number of registered voters, approximately 49,000; whereby, the cost is \$2.79 per registered voter, regardless of voter turnout, for an estimated cost of \$150,000. Lastly, she was advised that if an additional question is added the cost would remain as is, but that is unlikely.

In response to Mayor Ganz's question, Ms. Gillyard replied that since Financial Services has a payment portal, the preference is to collaborate, so there aren't multiple systems doing the same thing.

PUBLIC AFFAIRS & MARKETING

Recent Achievements - Rebecca Medina-Stewart, Director of Public Affairs & Marketing, introduced her staff. Thereafter, she listed the FY22 recent achievements: 11,000 Instagram followers; 43,000 YouTube subscribers with 4 million views; website and mobile app redesign; training for content creators; 1.1 million website visits; pier signage and artwork; DFB City newsletter; surf and sports cameras; and others.

Current Initiatives - Ms. Medina-Stewart listed the current initiatives: DFB live naturescapes; DFB resident spotlight, which will include ordinary residents doing extraordinary things within the community; DFB employee spotlight; fish page; redesigned city flag; new underwater camera technology; as well as others.

Future Considerations - Ms. Medina-Stewart outlined future considerations: installation of arboretum cameras; continued advances in social media, i.e. Citibot texting communications tool for the public; marine tracking technology; as well as others.

Operating Budget - Ms. Medina-Stewart said there is a decrease in personnel costs due to the augmented contractual services. Further, she said the \$31,000 increase in capital outlay is for the addition of the naturescape cameras.

Commissioner Preston commented on fishermen at Juno Beach discussing Deerfield's underwater camera. Further, he said the redesign of the city flag is forthcoming and suggested that it be installed at every city park, along with the American flag. Thereafter, he commented on the Juneteenth promo and commended staff for a job well done.

Commissioner Drosky spoke in support of text communications, as it is one of his priorities. Thereafter, he outlined the services provided by Citibot and asked what services will be included.

Ms. Medina-Stewart said the main services include text reminders for city meetings, events, etc.; whereby, the text alert wouldn't be utilized because the City currently has a system through the State, which is an emergency alert and call/text/e-mail back system, which has been well received.

Commissioner Drosky said he would like the text alert communication included, as it would be more beneficial than listening to a 30 second message. Further, public safety is one of the core functions in government, so the easier the information can get out, the better.

PUBLIC AFFAIRS & MARKETING - CONTINUING

In response to Commissioner Drosky's question, Ms. Medina-Stewart replied that baseline services would be around \$15,000.

In response to Mayor Ganz's question, David Santucci, City Manager, replied that he would research the costs associated with the installation/maintenance of the flags at every park and provide the information at a later time. Further, he said it is customary to also display the State flag.

Mayor Ganz said many of the existing park flags were installed by service organization projects and suggested that staff reach out to the Eagle Scout, lodges, etc.

Vice Mayor Hudak said 30% of the City's residents are seniors and are not computer savvy and asked how communication is filtered to them.

Ms. Medina-Stewart replied that communications are currently filtered through the phone bill. Additionally, information is added to the Century Village reporter, their local channel or events area.

In response to Commissioner Preston's question, Ms. Medina-Stewart replied that Comcast previously provided a free public service channel but started charging and not everyone has Comcast.

Mayor Ganz clarified that staff can see when residents receive and check e-mails/notifications.

PLANNING & DEVELOPMENT SERVICES

Recent Achievements - Eric Power, Director Planning & Development Services, listed the FY22 achievements: anticipated completion of the 2021 Comprehensive Plan, early next month; B-tactical NE 3rd Avenue installation; Dixie Highway landscape improvements; linked Broward e-permits to city building permits; as well as others.

Current Initiatives - Mr. Power listed the current initiatives: NW area improvement plan - Phase 1; FAU partnership for a walkability study of Tedder/Tallman Pines area, which will consist of utilizing a software program that will help the City better understand the needs of people who walk, bike or use public transportation; online submittal for building permits; 10th Street aesthetic and architectural review; and others.

Future Considerations - Mr. Power outlined future considerations: tactical urbanism is a planning tool utilized to create temporary improvements to roadways; whereby, a \$25,000 request is being made to assist with the creation of a multi-year plan that will allow the use of similar methods of tactical urbanism throughout the City. Thereafter, he outlined various areas within the City for tactical urbanism. Additional considerations include NW area improvement - Phase II and possible Phase III; county rezoning initiative for annexed areas; evaluation of the building fee schedule; as well as others.

Operating Budget - Mr. Power said Planning & Development Services consists of Planning & Zoning and Building; Code Compliance is now under Public Safety.

Planning & Zoning Operating Budget - Mr. Power said an additional 20% of the director and assistant director salary will be allocated to the building fund. Previously, the salaries were previously split three (3) ways and now it'll be split 50/50. Further, he reiterated the \$25,000 request for the tactical urbanism program.

Building Services - Operating Budget - Mr. Power said there are a few upcoming major projects, so staff is projecting a slight decrease in permit fees.

Permits by Year - Mr. Power displayed a graph outlining the permits by year, which are reviewed by multiple departments. Further, he said permits have decreased over the years because of the economy but remain steady.

Building Revenue by Year - Mr. Power said there will be a slight decrease in revenue in FY22 and a slight decrease from FY22 to FY23 as well due to the value of permits.

PLANNING & DEVELOPMENT SERVICES - CONTINUED

City Revenue - Mr. Power said due to CGA contract revisions, the City is now tracking a 20% retainership of revenue, an increase from the previous contract of 15%.

Mayor Ganz asked that staff be cautious when allocating salaries to certain funds to assure they are being done correctly.

David Santucci, City Manager, agreed and advised that all scenarios have been scrutinized. Further, the cost allocation study will also help.

Commissioner Drosky said the Tree Programs are one of his priorities and suggested that funds be allocated to expand them, so residents can beautify their area, as well as the City.

Mr. Power said there is currently \$643,000 in the landscape fund; whereas, this past year staff requested to budget money for these programs. Though staff was conservative the first year, moving forward values can be increased. Additionally, there aren't annual contributions to the fund and these funds are used for large scale beautification projects, which he outlined.

In response to Commissioner Drosky's question, Mr. Power replied that the City Commission can allocate money to the landscape fund.

Commissioner Drosky said the large-scale beautification projects are important, but wants residents and HOA's to have a chance to participate; therefore, he recommended an allocation and commission notification if additional funding is needed. Thereafter, he commented on a tree assessment that was done in his community and how the Shady Tree Program was a huge benefit to many. Lastly, he agreed with the cost share component, but the City must do better to assure that these type programs are funded, even if the programs require a waiting list.

Mayor Ganz said the City has received praise from other cities regarding the B-tactical Project and commended staff for a job well done.

ECONOMIC DEVELOPMENT

Recent Achievements - Griselle Chazu, Economic Development Coordinator, listed the FY22 achievements: continued COVID response to minimize negative impacts on businesses and workers; 92 graduates from the Ready2Work Program, which is the workforce initiative the City has provided over the last two (2) years; over 800 participants in the small business and entrepreneurship training, which has had an international reach; Deerfield Beach was recently designated as the business recovery center for disasters; the Hire DFB Program supported Publix's new expansion and 600 new jobs were created, 69 were city residents; as well as others.

Current Initiatives - Ms. Chazu listed current initiatives: small business development center will be opening a satellite office and business incubator with programming from FAU; business education; connecting expanding and potential businesses with resources; invitation to negotiate real estate development; as well as others.

Future Considerations - Ms. Chazu outlined future considerations: potential recession due to the significant slowdown in global growth; implementation of the central city strategy; implementation of the job creation incentive with the Greater Fort Lauderdale Alliance; increased focus on entrepreneurship and small business development, whereas, a publication of "How to Open a Business in Deerfield Beach" is located on the City's website; film initiative, which consists of working with Broward County's Film Executive Director on capturing all the content creation done during COVID; as well as others.

Operating Budget - David Santucci, City Manager, said an administrative support specialist is being requested, as well as the reclassification of the Economic Development Coordinator to Business Development Manager, due to the expansion of position's current roles, responsibilities and time commitments. Further, he said workforce training is being increased, as they pay dividends and continue to benefit the City. Lastly, Mr. Santucci said marketing is being increased so staff can market the City's economic strategy further.

ECONOMIC DEVELOPMENT - CONTINUED

Commissioner Preston commented on the Urban Land Institute (ULI) study, whereby, great ideas were provided but unfortunately those ideas did not come to fruition due to funding. Further, he said District 2 is underdeveloped and economically deprived compared to the other districts, which causes residents to have a greater dependency on social services and asked if a plan has been put in place.

Mr. Santucci replied that the infrastructure projects, i.e. Pioneer Grove, FAU Research Park Boulevard, etc. will help beautify the area, but the ULI provided various recommendations, i.e. zoning, to spark development within the private sector, which requires man power and resources. Further, he said the increases in the operating budget will assist with ensuring the City has the resources to implement these major projects. Mr. Santucci said there have been discussions on how to financially support this area, and the creation of a CRA was suggested by Commissioner Preston, but all options must be researched. Thereafter, he commented on staff finding information from years ago regarding economic organizations establishing economic funding to bring up this area but was never followed through on. Lastly, he said if a CRA was created for that area it would be TIF-less because the County would not participate.

In response to Commissioner Preston's question, Mr. Santucci replied that the information found was meant to spark development in the central area, but was never fully vetted; nevertheless, now that this new information has been brought to staff's attention, all options will be researched and brought forward to the City Commission.

Mayor Ganz commented on the investments made over the last 10 years within District 2, i.e. Tigner Center, relocation of the teen center, Boys and Girls Club expansion, etc., which may have not happened if a CRA wasn't in the beach area. The CRA was created in 1999 and at that time, the beach area was a blighted area and in need of redevelopment; nevertheless, two (2) CRA's should have been created and additional planning and foresight should have been done. Thereafter, he commented on the increase in property values due to the creation of a CRA.

Thereafter was a lengthy discussion regarding redevelopment in the City and the creation of a CRA in District 2.

Commissioner Drosky said Hillsboro Boulevard from Dixie Highway to I-95 will look significantly different on its own 5-10 years from now, but on Dixie Highway, from Hillsboro Boulevard to Sample Road needs help, as that area is key for this city developing in the future. Unfortunately, no one has been able to figure out how to move forward with redevelopment and it's not going to happen overnight, as multiple layers are involved. Also, the ULI recommendations will go a long way, and the implementation of the coordinator and zoning changes are a good start, but buy-in is needed from the residents. Further, Commissioner Drosky recommended the Economic Development Department recruiting a business to come into the area, which will bring more businesses.

Commissioner Preston commented on the blighted area and the struggles staff may face when dealing with developers and suggested offering incentives.

Thereafter, discussion ensued regarding the redevelopment of the Dixie Highway corridor.

COMMUNITY SERVICES

Recent Achievements - Jon Salas, Acting Director of Community Services, listed the FY22 achievements: \$3.2 million in awarded grants and appropriations; \$5.7 million in pending grants and appropriations, which includes the fencing along the Dixie Highway corridor; \$1.7 million in entitlement grants, i.e. SHIP, HOME, etc.; assisted 29 residents with housing assistance; provided 118 households with rental and utility assistance; assisted two (2) seniors through the high school scholarship program; as well as other.

Current Initiatives - Mr. Salas listed the current initiatives: community outreach, i.e. book & toy drive, food distribution, etc.; education advisory board partnership with schools; tutoring initiatives; back to school block party, which will be in memory of Deputy Harold Morrison; health and support services; American Rescue Plan Funds project management, which consists of staff working with the consultant on the 22 projects, 16 of which are funded directly through ARP and 6 indirectly funded; etc.

COMMUNITY SERVICES - CONTINUED

Future Considerations - Mr. Salas outlined future considerations: implementation of My Senior Center & Civic Rec software technology; intergenerational collaborations with Parks & Recreation; census data analysis; CDBG 5-year consolidated plan development; potential federal, state and county government funding cuts, whereby, the CDBG allocation decreased this year; city affordable housing crisis; and tenant protection for rent increases.

In response to Commissioner Hudak's question, David Santucci, City Manager said the allocation for purchasing a home is \$50,000, but recommendations from the granting agency have been made to increase it to \$70,000, which will be presented to the City Commission.

Operating Budget - Administration - Mr. Salas said there is a 29% increase in personnel services due to the addition of a business manager, which will assist with providing more accountability and maintaining compliance. Further, there is an increase in operating expenses due to the transfer of lobbyist services from non-departmental, as well as a \$6,000 increase for the volunteer appreciation program.

Operating Budget - Health & Social Services - Mr. Salas said there is an increase in personnel services due to transferring two (2) recreation coordinators from Parks & Recreation to Community Services; they currently assist daily with programming.

Operating Budget - Grants & Housing - Mr. Salas said staff is requesting the merge of grants and housing divisions, as they both deal with grants, and the merge will include transferring one (1) existing position. There is a decrease in CDBG due to the funding allocation in FY23 and the HOME funding allocation has not been received for FY23, so the estimate is based on the previous year. Miscellaneous grants consist of Shot Spotter - \$595,000, a federal appropriation, and the JAG grant - \$27,314, through the US Department of Justice. The hazard mitigation grant allocation is \$120,000 for a generator at the lift station near the middle school. Disaster recovery grants include hurricane loss mitigation, which has an allocation of \$194,000 and can only be used for hurricane hardening. The CDBG-CV, is in the fourth round, but could aid three (3) programs, Ready2Work, senior technology and hot food. Lastly, Mr. Salas said the SHIP allocation is pending.

Community Participation - Mr. Salas said the community participation program was designed to provide financial resources to local non-profits and organizations to assist in serving the public and City. Thereafter, the organizations and requested amounts were displayed. In FY22, 10 applications were received and \$125,000 was awarded; FY23, 14 were received and \$181,021 is being requested.

David Santucci, City Manager, requested feedback from the Commission on how they would like staff to rank these organizations moving forward.

Mayor Ganz suggested keeping it Deerfield Beach centric and organizations must outline their return on investment.

Commissioner Drosky agreed and welcomed changes from staff to better the program.

PUBLIC INPUT

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, commented on a piece of equipment that runs the entire server room at City Hall that needs to be replaced, as it has become a fire hazard and asked that it be addressed.

Gwendolyn Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said many of the things discussed should have been done prior to the workshop; nevertheless, she asked how contact information can be changed on the DFBA alert system. Further, she said the Dixie Highway corridor is continuously discussed, but no one wants to sit down with the community to establish a plan for the area. Thereafter, she commented on the history of the area and agreed with incentives being offered.

ADJOURNMENT

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to adjourn the meeting at 10:23 p.m. Voice Vote:

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

Nays: 0

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk



**CITY OF DEERFIELD BEACH
BUDGET WORKSHOP MEETING MINUTES
Thursday, June 16, 2022 at 6:00 PM**

The meeting was called to order on the above date by Mayor Bill Ganz at 6:03 p.m. at the Hillsboro Community Center, Deerfield Beach, Florida.

ROLL CALL

Present: Commissioner Todd Drosky
Commissioner Bernie Parness - excused absence
Commissioner Ben Preston
Vice Mayor Michael Hudak
Mayor Bill Ganz

Also Present: David Santucci, City Manager
Anthony Soroka, City Attorney
Samantha Gillyard, CMC, City Clerk

Absent: None

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF THE AGENDA

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve the agenda as submitted. Voice Vote:

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

Nays: 0

David Santucci, City Manager, briefly outlined some of the items discussed during yesterday evening's workshop; thereafter, he advised that the operational departments will be discussed this evening.

OFFICE OF PUBLIC SAFETY

Recent Achievements - Rodney Brimlow, Director of Public Safety, stated that the Department of Public Safety oversees public safety, emergency management, code enforcement, parking enforcement, park rangers, ocean rescue, fire rescue and law enforcement divisions. Thereafter, he listed various FY22 achievements: public safety has evaluated all contracts, including Broward Sheriff's Office (BSO), varying fees being charged, and increased interdepartmental communication. Emergency management established new policies and protocols, conducted trainings, etc. Code enforcement established a minimum cost recovery for cases reviewed by the magistrate to offset costs, mitigation protocol for the City; reduced continuances; adopted an ordinance increasing daily fines on nuisance cases; and recovery of costs for foreclosures and enforcement of vacation rental registrations. Parking established the rolling 12-month permits; cancelled liability transfers; reduced credit card fees by renegotiating; renegotiated collections; and completion of the amnesty program which resulted in approximately \$100,000 savings.

OFFICE OF PUBLIC SAFETY - CONTINUED

Continuing, Mr. Brimlow said ocean rescue completed the junior lifeguard camp; increased certified watercraft safety and rescue personnel; and enhanced public education which includes videos on rip currents and safety warnings. Fire rescue implemented the P-25 alert system for all six (6) stations; maintained the Class 1 ISO rating; set the grand opening of Station 51; and various upgrades were completed at various stations. Lastly, law enforcement implemented a retail theft initiative, which has decreased the overall crime rate, which attracts businesses, and the bolstered traffic unit has been successful; the impact will be seen over time.

Current Initiatives - Mr. Brimlow listed the current initiatives: public safety continues evaluating contracts; reviewing the cross-department cost savings with Finance; recovering fire rescue transport fees; and establishing a master plan. Emergency management is implementing a standardized staff training and continues the infrastructure assessment. Code Enforcement continues to investigate outstanding fines on foreclosed properties; working to provide a quicker turnaround on code cases through stronger enforcement; and working with volunteer groups and churches to assist residents with compliance. Parking is onboarding a new supervisor; assessing code and parking fees; and completing the meter wrapping. Park rangers are onboarding a new supervisor; recruiting quality rangers and beach ambassadors; and changing the park ranger mission. Ocean rescue hopes to maintain staffing; provide continued public education; and replace towers. Fire Rescue is working to maintain accreditation; increase public education programs; and evaluate annual inspection protocols. Lastly, law enforcement is looking to open the Oveta McKeithen Recreational Complex (OMRC) substation; implement the animal reunification; and recently received countywide infrastructure access for the license plate readers, which is a 60% cost savings.

Future Considerations - Mr. Brimlow outlined the future considerations: public safety - infrastructure recommendations and target area trust fund improvements. Emergency management - EOC upgrades and reconfiguration, and comprehensive emergency management plan (CEMP). Code Enforcement - add an inspector at a cost of \$156,000; review COLA/CPI; and operate as a task force to assist with search warrants, that is cooperative across all public safety.

David Santucci, City Manager, explained that staff is not recommending increasing code enforcement, but showing the cost of a code compliance officer. Further, the COLA/CPI needs to be reviewed as the contract has not changed since inception; therefore, a significant cost increase should be expected in the future.

Mr. Brimlow continued outlining the future considerations: parking - evaluate daily boat parking fees; establishing new parking apps since the current parking app wants to charge almost \$12,000 when other cities are using free apps; evaluating the collection process. Crossing guards - there are 36 posts with 9 being city employees and 27 are agency staffing, which is becoming cost prohibitive to maintain. Ocean rescue - maintain staffing and increase coverage to all 10 towers during daylight savings, which is a \$38,000 increase. Fire rescue - adding an executive officer at a cost of \$317,000 and three (3) EMS captains for each shift for a total cost of \$759,000. Law enforcement - replace two (2) vacant deputy positions with a sergeant, for a cost savings of \$70,000, and enhance PAL/community engagement.

Mr. Santucci advised that the operating budget for fire rescue does not include the recommended positions, as it is not his recommendation due to the other requested increases; nevertheless, he agreed that an executive officer is needed. Further, he spoke in support of the recommendation for the sergeant position due to the vacant deputy positions.

In response to Vice Mayor Hudak's question, Mr. Santucci replied that the law enforcement contract assures services are being provided; however, vacancies occur across all districts because there aren't enough deputies within their organization to fill all the spots, but shifts are covered through overtime.

In response to Vice Mayor Hudak's question, Mr. Brimlow replied that the City receives a vacancy credit for all positions not filled.

In response to Commissioner Drosky's questions, Mr. Brimlow replied that he is keeping an eye on the vacancy credits, which are discussed monthly with BSO, along with a quarterly report that is provided. Further, he stated that if a deputy from another district is reassigned to Deerfield, it would offset the vacancy credit only if it deals with the minimum staffing levels. Mr. Brimlow explained in detail the number of deputies assigned between shifts.

OFFICE OF PUBLIC SAFETY - CONTINUED

Office of Public Safety - Operating Budget - Mr. Brimlow said the largest increases are from fire rescue and law enforcement services, but there is a reduction in parking and school crossing guards. Further, he said the nuisance abatement assessment fund is now under public safety. The \$120,000 in the Law Enforcement Trust Fund consists of money BSO seized throughout the year, which funds the Deerfield Beach PAL Program. Lastly, Mr. Brimlow said crime prevention funds and PAL donations are from civic organizations.

Public Safety and Administration - Operating Budget - Mr. Brimlow said this department was created in FY22 causing unknown expenses; whereby, personnel services increased due to the non-uniformed pension plan, and sick leave conversion pay; operating expenses increased due to mandatory training. Further, the \$255,000 in the beatification/landscape fund is coming out of the targeted trust fund for enhancements to parks in District 2.

Code Enforcement - Operating Budget - Mr. Brimlow said the \$3,000 increase in operating expenses is due to increased magistrate expenses. Also, the code compliance contract has not increased since 2015, so staff is currently reviewing, as it will most likely increase substantially in the future.

In response to Vice Chair Hudak's question, Mr. Santucci replied that the contract for building services was recently renegotiated.

Thereafter, there was a brief discussion regarding the potential increase to the code compliance contract.

Parking Authority - Operating Budget - Mr. Brimlow said a little under 19,000 citations are projected for FY22, which is a 9% increase, and parking revenue and fines increased to \$4.1 million. Further, he said there was a reduction in capital outlay due to the completed installation of new screens and meters. Personnel services increased due to insurance services and retirement and a budget transfer for one part-time employee. Lastly, he said operational expenses decreased due to contractual services negotiations and credit card fees.

School Crossing Guards - Operating Budget - Mr. Brimlow said maintaining the current positions is becoming cost prohibitive; whereas, contracting them out completely will be a cost savings of \$100,000.

Park Rangers - Operating Budget - Mr. Brimlow said this operating expense was previously under the Parks & Recreation Department. Further, there was an increase in personnel services due to the insurance allocation.

In response to Vice Mayor Hudak's question, Mr. Brimlow replied that the 40 and 50-year inspections are done by a code compliance officer who works with the building department to ensure they are being completed. He advised that any structure requiring this inspection is cited if they don't comply, and the magistrate is unwavering in assessing fines from the beginning to assure compliancy.

In response to Commissioner Preston's question, Mr. Brimlow replied that the contracts for installation and maintenance of the parking meters were done prior to him; therefore, he is looking into new providers as he is unhappy with the customer service and fee structures.

Commissioner Preston commented on an issue he and others had with parking meters.

Mr. Brimlow said the companies that have been on his radar are very well known; nevertheless, staff is also investigating a text to park app option.

Commissioner Drosky said it is becoming difficult to match the slides up from previous years due to the reallocation of items and asked when it will be more consistent.

Mr. Santucci said increases to personnel services look off due to the dissolvment of non-departmental, the allocation of insurance services and retirement; and although costs look higher, they are absorbing existing costs into new line items, so next year will only include changes based on compensation strategy and personnel recommendations.

OFFICE OF PUBLIC SAFETY - CONTINUED

Ocean Rescue - Operating Budget - Mr. Brimlow said beach attendance has increased by 41%, medical calls increased 14%, and rescues are up almost 20%. Currently, there is a nationwide issue filling lifeguard positions, but Deerfield stations are always staffed, as the beach averages over 10,000 people a day and on a spring break week, the beach averages 50,000/day. Further, the operating expenditures slightly increased and although insurance services and retirement were added to personnel services, it remains flat due to Chief Brown allocating his staff properly.

Commissioner Preston commented on will-call employees and the importance of having qualified individuals overseeing our beach, as he has seen firsthand what challenges lifeguards face.

Mike Brown, Ocean Rescue Chief, stated that inhouse, fulltime staff is the preference, but as previously mentioned, there is a nationwide issue with lifeguard vacancies; thus, will call is currently necessary especially with operating all 10 towers during daylight savings.

Thereafter, discussion ensued regarding the importance of lifeguards and the nationwide issue with vacancies.

In response to Vice Mayor Hudak's question, Chief Brown replied that he believes the salary range is comparable to surrounding beaches.

Commissioner Preston suggested partnering with Deerfield Beach High School to introduce a public safety program with three (3) components, fire rescue, law enforcement and ocean rescue, and recruit students upon graduation.

Fire Rescue - Operating Budget - Mr. Brimlow said there has been an increase in calls for service and building inspections; fire hydrant inspections remain flat; and plan reviews decreased. The increase in personnel services is related to the city's fire pension fund and operating expenses increased to \$31.7 million due to the contract. He explained that staff has been thoroughly reviewing the contract to see if there are items that can be pushed for a couple years; notwithstanding, the contract allows for BSO to increase retirement and health insurance based on staffing. Further, he said the annualized increase since the merger in 2011 is 3.8%.

In response to Commissioner Preston's question, Chief Whitehorne replied that the City has effectively addressed the rodent issues at Fire Station 4.

Mayor Ganz expressed concerns with increasing the fire assessment fee as the current revenue exceeds the budgetary change for fire rescue; therefore, he asked for clarification when the recommended increase is brought forward.

Law Enforcement - Operating Budget - Mr. Brimlow said calls for service have increased over the last four (4) years; crashes have increased 7%; arrests have steadily increased; and tickets have increased 52% due to additional traffic enforcement personnel. The increase in personnel services is related to the city's police pension fund. Also, the operating expenditures increased to \$28.5 million due to contractual services. Further, he explained that the revenue outlined in the Law Enforcement Trust Fund and crime prevention fund are based on assets seized from the current year. Mr. Brimlow stated that the retirement portion of the contract increased 12% and health insurance 4%; however, if those are removed, the overall contract increased 3.5%, which is consistent with the contract language.

Commissioner Drosky commented on the yearly cost increases to the BSO contracts and expressed concerns with the city's tax rate eventually not being enough to support the substantial increases.

Mr. Brimlow advised that he has vigorously reviewed the BSO contracts and met with the Chief many times to scrutinize the contract; nevertheless, increases are going to happen. Furthermore, staff has required BSO to perform a cap analysis, which breaks the contract down into categories that are limited by the contract language; whereas, everything is capped at 5% except for retirement and health insurance. Thereafter, he commented on a vehicle analysis he requested from BSO.

OFFICE OF PUBLIC SAFETY - CONTINUED

Commissioner Preston said although the numbers have increased, they could be higher if it wasn't for the creation of the Public Safety Department.

In response to Commissioner Drosky's questions, Mr. Brimlow replied that the grant funding was outlined during Community Services presentation; however, staff also applied for federal funding and continues to research a wide array of grants. Further, there have been substantial revenue increases and cost savings, i.e. collection fees, credit card fees, fire rescue transport fees, etc.

Mayor Ganz called for a five-minute recess prior to hearing the remaining presentations.

PARKS & RECREATION

Recent Achievements - Teresa Rynard, Director of Parks & Recreation provided the mission statement for the department and described the theme of the budget for the upcoming fiscal year. Thereafter, she outlined various FY22 achievements: initiated the community engagement café, which brings people together to answer questions; engaging local non-profits to collaborate on special events, destination playground at OMRC; community center improvements; pressure washed and sealed playgrounds; field renovations at Pioneer Park and OMRC; as well as others.

Current Initiatives - Ms. Rynard listed the current initiatives: pool renovations; GPS mapping of all parks and park amenities; implementation of the computer maintenance management system, coordination with GIS for completion between 12 to 18 months; new incentives for youth influencers to share the City's information, i.e. \$15 gift card; partnership with Community Cares and includes initiatives such as Ignite with approximately 100 children attended funded through an American Rescue grant; continued work on updating the park master plan; create a recreation program plan in collaboration with a third-party vendor; etc.

Future Considerations - Ms. Rynard outlined the future considerations: programming the new Tigner Center and possible collaboration with other organizations as it would be a great opportunity for multigenerational programming and a place for gatherings. Other considerations listed in the presentation include: implementing median arterial roadway guidelines; explore more options for burial space expansion; continue seeking grants, and others.

Parks & Recreation - Operating Budget - Ms. Rynard explained the reorganization of the department; whereby, various positions have been eliminated under each division and functions divided. Aquatics and athletics were split which makes it simple to determine cost recovery. Special events were removed from administration and is a separate division. Also, the reduction is not a savings, but a shift to a new division. Ms. Rynard advised that software and training will continue through administration.

Athletics - Operating Budget - Ms. Rynard said although athletics is no longer combined with aquatics, the numbers did not change because the ballfield maintenance crew will move from parks maintenance to athletics to allow cross-training and coordination.

Aquatics - Operating Budget - Ms. Rynard said under this new division, the full-time assistant aquatics manager and two (2) part-time water safety instructor positions were eliminated but two (2) full-time lead guards are being added and 12 part-time water safety instructors remain. She advised that only four positions are filled due to pool renovations. Staff hopes these proposed changes will provide better coverage and recruitment opportunities.

Cemetery - Operating Budget - Ms. Rynard said the increase in operating expenses is due to sod replacement at Memorial and Pineview cemeteries, and hedge replacement at Memorial cemetery.

Parks Maintenance - Operating Budget - Ms. Rynard said the increase in personnel services is due to the addition of a full-time small engine mechanic, which will offset outsourced repairs and provide savings. Additionally, a full-time parks project manager is being proposed, who will oversee mowing the medians, capital projects, and contractor accountability. The increase in operating expenses is based on staff trying

PARKS & RECREATION - CONTINUED

to complete tasks and implement a capital replacement cycle.; however, these items are not a part of the CIP, i.e. increased tree maintenance, some on medians, and increasing median maintenance, slide replacement, fencing, etc.

In response to Mayor Ganz's question, David Santucci, City Manager, replied that staff is looking to either enter into a partnership with an outside entity to assist with remediating and programming the field next to Quiet Waters Elementary School or doing so inhouse.

Ms. Rynard said the area was redone a few years ago. Water and soil tests were performed this past year, which confirmed that remediation must be done to the City's irrigation system; therefore, staff is seeking P3 opportunities, which is accounted for in this budget.

Mr. Santucci said if staff is unsuccessful with obtaining a P3 opportunity, then the project will have to be completed through a CIP in the future.

Mayor Ganz asked that something be done this year.

Recreation - Operating Budget - Ms. Rynard said currently there are 19 part-time rec leaders, and only two (2) are filled. Further, staff is proposing to eliminate the superintendent of recreation, parks and recreation manager I, and eight (8) part-time recreation leaders and adding three (3) full-time assistant parks and recreation managers and move two (2) full-time and one (1) part-time transportation specialists to special events and changing their titles to event specialist. Ms. Rynard also commented on potentially promoting by adding an assistant parks and recreation manager. Lastly, the parks and recreation manager I and adaptive recreation coordinator will be move to Community Services.

Special Events - Operating Budget - Ms. Rynard reiterated that this division was removed from administration; therefore, staff is proposing the reclassification of the superintendent of community events to administrator of special events and athletics and the addition of a parks and recreation manager II would work in the Special Events office, so the administrator can oversee both divisions. Thereafter, the special events were displayed along with the costs associated for each. She explained that there is an increase in the Martin Luther King, Jr. Day event to allow for a national keynote speaker; Fourth of July and Pioneer Days increased due to fireworks. Ms. Rynard said some larger special events i.e. movies in the park, etc. are being pulled out of recreation and added to special events. Thereafter, Ms. Rynard outlined other special events that will continue, but will also move to Special Events: Sip N' Stroll, Memorial Day, Veteran's Day, and the egg hunt.

In response to Commissioner Drosky's question regarding Juneteenth, Mr. Santucci replied that in previous years, a line item was created for every event which was not the best practice. He said adding the event to Special Events is an accounting mechanism whereas a project code is assigned and allows for tracking expenses.

In response to Mayor Ganz's question, Ms. Rynard replied that sponsorships are not impactful; nevertheless, staff has discussed putting a sponsorship package together for every event to create revenue opportunities.

Mayor Ganz asked that this be done by next year, as sponsorships were previously discussed.

Thereafter, discussion ensued regarding event sponsorships.

Summer Program - Operating Budget - Ms. Rynard said staff is proposing to eliminate positions that are vacant and provide more creativity to programming.

In response to Vice Mayor Hudak's question, Ms. Rynard replied that a camp counselor must be 18 years or older and a high school graduate, and the starting salary is \$15/hour. Further, she said staff is hoping to implement junior counselor positions in an effort to assist with vacancies, but nothing has been finalized. Lastly, she said the DFB Leadership Program was moved into the summer camp budget.

PARKS & RECREATION - CONTINUED

Transportation - Operating Budget - Ms. Rynard said six (6) full-time bus driver positions were filled and although there were six (6) part-time positions, one position was eliminated; notwithstanding, some of those positions do not have to be filled. Further, transportation is provided for summer trips to the recreation division to eliminate outsourcing.

Mr. Santucci explained that the personnel increase is related to the cost allocations for insurance services and retiree health benefits.

Waterfront Operations - Operating Budget - Ms. Rynard said staff is proposing the reclassification of the waterfront operations manager to administrator of waterfront operations & aquatics; eliminating three (3) part-time pier attendants; and adding two (2) full-time pier attendants.

Commissioner Preston commended Ms. Rynard for a job well done in such a short amount of time. Further, he commented on rebranding this department to become more attractive to families and requested adding sports turf to all fields and implementing a sports ethics program; whereas, volunteers would teach sports etiquette in conjunction with the parks and recreation objectives. Thereafter, he commented on the importance of proper tackling techniques to alleviate injuries. Commissioner Preston also suggested that additional sports be offered, i.e. lacrosse and volleyball, to assist with city growth. Thereafter, he commented on a Packer Rattlers game he attended.

SUSTAINABLE MANAGEMENT

Recent Achievements - Chad Grecsek, Director of Sustainable Management, listed the FY22 achievements: reinstated beach and community cleanups; waste watch and bulk re-route to ensure operational efficiency; electric charging station which has an annual service charge that is covered by FP&L; CNG fueling; and maintained service levels through staff and equipment shortages.

Current Initiatives - Mr. Grecsek listed the current initiatives: fuel management system upgrades which provides staff with the ability to manage fuel usage; alternative fuels and electric vehicle transition planning; beach nourishment; mechanic apprentice program; DFBee apiary program; and solid waste rate sufficiency study, which is nearing completion and results will be presented at a future commission meeting.

Future Considerations - Mr. Grecsek outlined the future considerations: residential re-route to reduce vehicles; commercial solid waste invoice changes, so staff can begin invoicing in advance; the state of recycling, as many local communities have eliminated curbside recycling due to costs, staffing levels, etc., whereas, reinstating the City's curbside recycling program is not being recommended; solid waste working group; long term solid waste fund viability which will be discussed when the rate sufficiency study is presented; as well as others.

Coastal and Waterways - Operating Budget - Mr. Grecsek said the artificial reef program will not be funded this fiscal year, but staff is working on obtaining public-private partnerships.

Fleet Management - Operating Budget - Mr. Grecsek said there is a slight reduction in personnel services due to the reallocation of one master truck mechanic position to the Solid Waste Fund.

Recycling and Solid Waste - Operating Budget - Mr. Grecsek said capital outlay was moved from this fund and staff is recommending reclassifying the container service worker to a driver collector, which is a \$7,800 savings. Other major changes to operating expenses are due to cost increases, i.e. fuel, equipment and vehicle repairs.

Key Expenses - Mr. Grecsek said the City has been fortunate with disposal costs, but the contract will be renegotiated, and costs are expected to increase. Further, he said steel has increased by 220%, capital equipment increased 9%, and fuel is up 30%.

In response to Vice Mayor Hudak's questions, Mr. Grecsek replied that half of the solid waste vehicles are CNG and the other half are diesel. Light duty fleet is around 60% unleaded, and 40% are a mixture of diesel and CNG. Further, a replacement plan is in place to allow staff to switch 3-4 solid waste vehicles a year from diesel to CNG, within a 5-year period.

SUSTAINABLE MANAGEMENT - CONTINUED

Solid Waste Fund Expense - Mr. Grecsek said the Solid Waste Fund is comprised of personnel - 35%, disposal - 28%, general admin & debt service - 20%, and operating - 18%.

Mayor Ganz asked that the status of the capital improvement budget items be provided in the future.

Commissioner Preston commented on another city that has had issues with garbage not being properly handled, which is not the case in Deerfield Beach. Further, he commented on a city truck leaking oil that was taken care of quickly and wants to ensure staff has the proper resources to perform at the current level.

Commissioner Drosky asked that staff keep the Commission informed on the state of recycling and artificial reef.

ENVIRONMENTAL SERVICES

Recent Achievements - Priscilla Cygielnik, Director of Environmental Services, listed the FY22 facilities and capital project successes: Pioneer Park boat ramp dock the final gangway was completed this week; pier restroom renovations; Fire Station 111 trailer replacement; new Fire Station 51, was built in connection with the Lennar development to service the Crystal Lake area; Fire Station 66 life safety improvements; and middle school athletic complex roof replacements. The FY22 utilities successes include: lift station 25 replacement; well rehabilitations which improved water quality; water plant access control and camera upgrades in compliance with Environmental Protection Agency (EPA) regulations; and mechanical integrity test. The FY22 stormwater successes consist of the adoption of the Stormwater and Flood Resiliency Master Plan; completed the design and received permits for city hall drainage improvements, associated with a FEMA grant; SE 13th Avenue drainage improvements; and NE 3rd Avenue storm drain lining. The FY22 infrastructure successes consist of B-tactical NE 3rd Avenue quick build project; pavement condition index of city roads, which is very good at a 79-service level. She advised that an investment request in this infrastructure will continue, so this service level can remain. Additional successes include traffic calming devices installed at 20 locations and pilot of chevron led lights and stop signs, which has been very successful.

Current Initiatives - Ms. Cygielnik listed the facilities and capital projects underway: aquatic facility renovation, Tigner Center, Center for Active Aging, and parking lot drainage design; Fire Station 102 building envelope to water-proof the facility; Fire Station 75 generator to provide emergency backup power; truck wash at central city campus is being guided for environmental compliance; as well as others. She advised that the truck wash is essential for the inspection by the EPA in September and is performed every five years. The following utility projects are underway: lift station 5 generator installation for largest sewer shed; electrical and controls system upgrades to improve network security; bulk chemical storage tank design to replace aging infrastructure; automatic meter reading to improve accuracy and track water loss; as well as others. The current stormwater projects under design consist of the design of SE 8th Avenue, West Deerfield, Crystal Lake and NW 45th Street stormwater drainage improvements. She advised that the documents will be 60% completed this fall, and staff will begin conducting public workshops to encourage public participation. The current infrastructure projects are being partially funded through Broward County surtax due to the escalation of costs.

Future Considerations - Ms. Cygielnik outlined the future considerations: automatic meter reading and water lateral data collection will be done over the course of a three-year cycle, so two (2) concurrent systems will be running simultaneously; the first reclaimed waterline is under negotiations with FDOT to share costs with the SW 10th Street Connector Project; water plant treatment process improvement by moving from lime softening system; pier structural assessment to ensure life cycle; grant funding will be heavily pursued to ensure City needs are being met; lead and copper rule, which is a federal requirement to inventory the laterals, and the City may be asked to do replacements beyond the public right-of-way and possibly onto private property; increased regulation for level of service to address stormwater quality; HB 53 requires the City to perform a condition assessment on sanitary and stormwater systems, which has been completed and will be submitted at the end of the month; as well as others.

Operating Budget - Ms. Cygielnik said construction \$ facilities operates from the General Fund, road and bridge, stormwater and utility each have its own enterprise fund.

ENVIRONMENTAL SERVICES - CONTINUED

Construction & Facilities - Operating Budget - Ms. Cygielnik said the increase from personnel services is due to the reclass of non-uniform pension from non-departmental division. Capital was increased to \$100,000 due to the pier bollard replacements.

Infrastructure Maintenance - Operating Budget - Ms. Cygielnik said no additional personnel is being requested. Further, she explained that this is the only enterprise fund where the capital budget is not separated, so the full cost of the road & bridge capital projects is included in capital outlay. She stated that the FAU Research Park Boulevard Project is \$7 million and Pioneer Grove is \$5 million, but both are partially funded through surtax funds and the Safe Routes to School project is significantly funded through a state grant at \$382,419. Thereafter, other capital projects were displayed, as well as the costs associated for each. Lastly, she explained that the FEC fence is an 80/20 split through a grant, which will allow for a decorative fence from 10th Street to Sample Road.

Stormwater - Operating Budget - Ms. Cygielnik said the decrease in capital outlay is due to the creation of a stormwater capital project fund.

Administration/Engineering - Operating Budget - Ms. Cygielnik said the increase in operations is due to the non-departmental expenses that include legal services.

Utilities Maintenance - Operating Budget - Ms. Cygielnik said the personnel increase is due to the addition of a wastewater crew leader, which was previously eliminated, but now needed because of HB 53 rules.

Wastewater Service - Operating Budget - Ms. Cygielnik said staff does not have control over this budget, as it is a direct pass through expense; nevertheless, there was a significant increase last year but no projected increases from Broward County for FY23.

Water Plant - Operating Budget - Ms. Cygielnik said staff is requesting reorganization to be more consistent with operations, which includes the addition of a water plant manager and reclassification of a water lab technician to quality assurance and control officer due to various requirements and regulations. Operating expenses have increased due to chemical and lime sludge hauling and disposal increases.

In response to Vice Mayor Hudak's question, Ms. Cygielnik replied that as part of the ION exchange analysis, staff is researching ways to pilot a program to reduce chemical usage.

Commissioner Drosky said he receives numerous calls regarding traffic calming devices and requested significant funding for that the line item. He also asked why the west community center project is being delayed.

Ms. Cygielnik replied that staff is currently working with contractors to obtain costs for the improvements based on the plans produced by Ken Carlson. Further, she said staff did discover that there is a funding mechanism through the parks impact fees; however, if additional funding is needed, it will be brought before the Commission.

Commissioner Preston commended staff for their expedited response regarding the issue at Buck Pride Way.

Mayor Ganz commended staff on tackling many of the drainage issues and requested that Palm Plaza drainage improvements be added to a future budget. He also requested that license plate readers be added to other areas, i.e. Deer Creek, Deer Run, etc. since the cost has been decreased. He applauded staff for the continued pier upgrades but asked that it be cleaned regularly. Lastly, Mayor Ganz commented on potential partnerships with the Historical Society and encouraged staff to find areas for them to operate.

PUBLIC INPUT

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, commented on departments responsibilities and the importance of ensuring that job functions are properly defined, ensuring repairs are being completed in a timely manner so replacements are needed and thus, money is being saved.

PUBLIC INPUT - CONTINUED

Gwendolyn Clarke-Reed, 1430 SW 6th Way, asked if businesses are required to have heart paddle machines within their establishment. Further, she suggested that Commissioner Drosky bring the ocean rescue programming suggestion to the Broward League of Cities.

David Santucci, City Manager, replied that the building code does not require heart paddle machines to be installed in private establishments; however, they are installed at city facilities.

ADJOURNMENT

MOTION was made by Commissioner Preston, seconded by Vice Mayor Hudak, to adjourn the meeting at 9:00 p.m. Voice Vote:

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

Nays: 0

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk

CITY OF DEERFIELD BEACH NON-UNIFORMED
EMPLOYEES' RETIREMENT COMMITTEE SUMMARY OF REGULAR MEETING MINUTES
May 9, 2022

ROLL CALL: The quarterly meeting of the Board of Trustees of the City of Deerfield Beach Non-Uniformed Employees' Defined Benefit Pension Fund was called to order at 12:10 PM on May 9, 2022 at Central City Campus.

TRUSTEES PRESENT: Lee Magnuson, F David Rolwing, Najaim Musto and Valerie Hackett

OTHERS PRESENT:

Attorney Robert Sugarman, Consultant Scott Owens and Administrator Livia Giuliani.

APPROVAL OF MINUTES:

February 14, 2022

Chairman Magnuson moved to approve the February 14, 2022 meeting minutes and Trustee Musto seconded the motion and it passed.

PUBLIC COMMENTS:

There were no public comments at this meeting.

INVESTMENT REPORTS FOR QUARTER ENDING 3/31/2022

Graystone Consulting

Mr. Owens reported on the economy noting that the S&P declined 4.6% in the 1st quarter after returning 11.3% in the 4th quarter. US equities outperformed International developed and emerging markets. Energy, Utilities, and staples outperformed 39.0%, 4.8% and -0.1% respectively. The Laggards were Technology, Discretion and Communication services returning -8.4%, -9.0% and -11.9% respectively. The EAFE Index declined -5.8% while the MSCI Emerging Markets Index declined 6.9%. The US Aggregate bond market declined during the quarter and the Bloomberg Barclays US Aggregate Index declined -5.9%. Commodities returned higher in the 4th quarter and the Bloomberg Commodity index returned 25.5% from the last quarter return of 1.57%. The GDP increased to 6.9% vs. 2.3% in the 3rd quarter. The unemployment rate as of February 2022 was 3.8%.

Mr. Owens reported on the performance noting that the total fund returned -5.60% for the quarter vs. the policy index of -4.25%. The Wedge large cap value equity returned -6.61% vs. the index of -0.74%. The Sawgrass Growth fund returned -6.09% vs. the Russell 1000 Growth of -9.04%. The London Company returned -7.46% vs. the small cap 2000 index of -7.53%. Lazard and Renaissance returned -7.406% and -7.62% vs. the MSCI AC World index of -5.44% respectively. Sage fixed income returned -4.54% vs. the BC Gov Cr index of -4.51%. Wedge fixed income returned -6.21% vs. the Barclays Govt/Credit Bond index of -6.33%. Blackrock and Blackstone returned -2.22% and -1.14% vs. the Barclays' Aggregate of -5.93%. AEW real estate returned 7.70% vs. the NCREIF property index of -5.93%. Finally, Mr. Owens reported that the fund is doing well and had no recommendations at this time. That being said, Trustee Rolwing moved to accept the Consultant's report as presented and Chairman Musto seconded the motion and it passed.

NEW BUSINESS:

There was no New Business discussed.

UNFINISHED BUSINESS:

There was no unfinished business discussed.

CONSENT AGENDA: For Approval: Warrant #324

Benefits USA, Inc. (Flat Monthly Fee for May 2022)	\$1,450.00
Benefits USA, Inc. (Bookkeeping Fee for May 2022)	\$275.00
Graystone Consulting (Q1-2022 Consulting Fee-Inv #10128322111 dated 4/21/22)	\$11,875.00
Lazard Asset Mgmt. (Q1-2022 Mgmt Fee-Inv #1791624 dated 4/7/2022)	\$2,968.91
Sawgrass Asset Mgmt (Q1-2022 Mgmt Fee-Inv #dege112s-033122 dated 4/21/2022)	\$11,637.09
Wedge Capital Mgmt (Q1-2022 Mgmt Fee-LCV a/c #W00639 dated 4/21/2022)	\$14,726.30
Wedge Capital Mgmt (Q1-2022 Mgmt Fee-FI a/c #W01170 dated 4/21/2022)	\$6,176.07
Total	\$49,108.37

For Ratification: Warrants #322-323

Graystone Consulting (Q4-2021 Consulting Fee-Inv #10128322041)	\$11,875.00
KSDT (Final billing for 9/30/2021 audit; Invoice #111598 dated 2/28/2022)	\$1,700.00
Total	\$13,575.00
Benefits USA, Inc. (Flat Monthly Fee for March 2022)	\$1,450.00
Benefits USA, Inc. (Bookkeeping Fee for March 2022)	\$275.00
Benefits USA, Inc. (Flat Monthly Fee for April 2022)	\$1,450.00
Benefits USA, Inc. (Bookkeeping Fee for April 2022)	\$275.00
GRS (Services Rendered; Invoice #468461 dated 1/5/2022)	\$5,849.00
London Company (Q1-22 Mgmt Fee-Invoice dated 4/12/2022)	\$10,922.00
Renaissance Inv. Mgmt. (Q1-2022 Mgmt Fee-Invoice dated 4/5/2022)	\$4,588.33
Sage Adv. Svcs (Q1-2022 Mgmt Fee-Inv #20220331-564-A dated 3/31/2022)	\$4,655.37
Sugarman & Susskind (Legal Fees-Invoice #166705 dated 3/9/2022)	\$3,000.00
Sugarman & Susskind (Legal Fees-Invoice #167648 dated 4/14/2022)	\$3,000.00
Total	\$35,464.70

Trustee Rolwing moved to approve the Consent Agenda and Trustee Magnuson seconded the motion and it passed.

ATTORNEY'S REPORT:

Mr. Sugarman had nothing to report on new legislation from the 2022 Florida legislative session. He reminded the Board to complete and submit their Financial Disclosure forms by June 30th. He noted that they can be mailed or submitted online to the Supervisor of Elections in the county where the trustee resides.

ADMINISTRATOR'S REPORT:

The Administrator reported on FPPTA Annual Conference on June 26-29 at the Hilton Bonnet Creek. Anyone wishing to attend should let her know.

NEXT MEETING DATE:

The Administrator reported that the next regular meeting date is August 8, 2022 at 12:00 Noon and lunch will be brought in.

ADJOURN:

Trustee Musto moved to adjourn and Chairman Magnuson seconded the motion and it passed. The meeting was duly adjourned at 1:46 pm.


Secretary

Date

HILLSBORO INLET DISTRICT
Minutes of Regular Monthly Meeting, Monday, July 11, 2022
Fletcher Hall, 2200 NE 38th Street, City of Lighthouse Point

MEMBERS PRESENT:

Chairman Denise Bryan
Vice Chair Laurence Gore
Commissioner Scott Loesel
Commissioner Hank Sarkis (Via Zoom)
Commissioner Mohamed "Mo" Tarifi
Commissioner Randy Strauss
Commissioner Robert O'Neill

OTHERS PRESENT:

David N. Tolces, General Counsel, Weiss Serota Helfman
Cole & Bierman, P.L.
Captain Woodworth R. Draughon III
Assistant Captain, Alexander Cuevas
District Accountant Robert Andrews
Commissioner Everett Marshall III, Lighthouse Point
Christopher Creed, P.E., D.C.E, Olsen Associates, Inc.
Michael Schlossberg, Health Insurance Agent
Amelia N. Jadoo, Weiss Serota Helfman Cole &
Bierman, P.L.
Kimberly Longo, District Secretary

QUORUM PRESENT: The Secretary called the roll and established a quorum for the regular meeting. The meeting was called to order by Chair Bryan at 6:30 P.M.

APPROVAL OF MINUTES: A Motion to approve the June 20, 2022 Regular Meeting Minutes was made by Vice Chair Gore and seconded by Commissioner Loesel.

Chair Bryan	Yes
Vice Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Sarkis	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes

The Motion to approve the minutes was approved unanimously. (7-0)

APPROVAL OF OUTSTANDING BILLS: A Motion was made by Vice Chair Gore and seconded by Commissioner Loesel for approval of all outstanding bills in the amount of \$38,162.98. The bills were reviewed and discussed in detail.

Chair Bryan	Yes
Vice Chair Gore	Yes

Commissioner Loesel	Yes
Commissioner Sarkis	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes

The Motion to approve the minutes was approved unanimously. (7-0)

APPROVAL OF CURRENT MONTH'S EXPENSES: Motion was made by Vice Chair Gore and seconded by Commissioner Loesel to approve current month's expenses of approximately \$40,000.00.

Chair Bryan	Yes
Vice Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Sarkis	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes

The Motion to approve the minutes was approved unanimously. (7-0)

DREDGE LOG: Captain Draughon advised the Board no depth chart due to weather. Captain Draughon advised there was 8.5 hours of dredging time, resulting in about 3,825 yd³ of sand bypassed to Pompano Beach.

INLET STATUS REPORT: Captain Draughon advised the Board that the crew performed general maintenance. Captain Draughon also advised that the crew also performed the following:

1. Maintenance of ropes and anchors; and
2. Performed preventive maintenance

Captain Draughon advised the Board that Assistant Captain Cuevas found Apex Marine and it looks like Apex Marine can assist with the barges once they come in. Apex Marine is located in Pompano Beach on NE 16th Street. They offer good prices. To assist with offloading it is \$400.00 a barge. After one hour, the District will be charged \$225.00 per hour.

Captain Draughon advised the Board that Inlet II is going to Cable Marine on July 25, 2022 for overhaul.

Captain Draughon also advised the Board that the District needs to think about the dredge as it comes out next year. He will speak to Lauderdale Marine Center to allow the crew to do what it does. The cost to overhaul the dredge 3 or 4 years ago was \$300,000.00.

The Board discussed the E&K Equipment invoice for the winch in the amount of \$190,000.00. Motion was made by Vice Chair Gore and seconded by Commissioner O'Neill to approve the

E&K Equipment invoice in the amount of \$190,000.00 with up to 20% down payment and a separate one year warranty for the engine.

Chair Bryan	Yes
Vice Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Sarkis	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes

The Motion to approve the minutes was approved unanimously. (7-0)

Captain Draughon discussed the elbow barge drawings that were provided to the Board. He advised the Board that there are issues with the paint. He would like to speak to Paul Velisarios of Quality Sandblasting, Inc. regarding the paint issues and have him come up with paint specs to make sure the paint is right.

PUBLIC COMMENTS: No public comments.

NEW BUSINESS:

HEALTH INSURANCE RENEWAL FOR 2022-23 FISCAL YEAR: Insurance Agent Michael Schlossberg discussed the Florida Blue health insurance renewal for the 2022-23 Fiscal Year with the members of the Board. Mr. Schlossberg advised that the rates have gone up about 11% due to demographic changes and advised that the District has a grandfathered plan.

Motion was made by Commissioner Strauss and seconded by Vice Chair Gore to approve the Florida Blue health insurance renewal for Fiscal Year 2022-23, and for Chair Bryan to process and sign the renewal documents

Chair Bryan	Yes
Vice Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Sarkis	No
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes

. The motion was approved. (6-1)

PROPOSED MILLAGE RATE FOR 2022-23 FISCAL YEAR: The Board discussed the proposed Budget for the upcoming fiscal year. The Board discussed the Millage Rate of 0.0999 mills. District Accountant Robert Andrews discussed the District's need to put money aside for the repair and replacement of the District's equipment. The Board discussed possible items that

the District may need to be purchased and/or repaired in the future and that costs and expenses are increasing. The District will need 6 of 8 votes to pass the proposed Budget.

Motion was made by Commissioner Strauss and seconded by Commissioner Loesel to set the proposed Millage Rate for the 2022-23 fiscal year at 0.0999 mills.

Chair Bryan	Yes
Vice Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Sarkis	Yes
Commissioner Tarifi	Yes
Commissioner Strauss	Yes
Commissioner O'Neill	Yes

The motion was approved unanimously. (7-0)

Attorney Tolces advised the Board that the first budget meeting is on September 12, 2022 and the second budget and regular meeting is on September 19, 2022.

LINE OF CREDIT WITH TRUIST BANK: District Account Robert Andrews advised that the Truist Bank line of credit renewal documents will be provided at the August meeting.

OLD BUSINESS

NORTH JETTY SIGNAGE DISCUSSION: Chris Creed of Olsen Associates provided a revised proposal for the design and permitting of warning buoys and/or permanent signs to mark the Hillsboro Inlet north jetty weir.

Attorney David Tolces advised the Board that the District has become recently aware of the proposed construction of a dock on the property immediately south of the District's south jetty. Attorney Tolces has made Broward County aware. The District's coastal engineer, Chris Creed attended via zoom to discuss the potential impact on the District's operations if this dock is constructed in the proposed location. He also discussed the State lands issue. Mr. Creed advised that he has been in contact with the Florida Department of Environmental Protection and will keep the Board updated.

COMMISSIONER COMMENTS: Commissioner O'Neill advised that on July 4th there were tons of people on the beach and jumping off the pilings and the Board discussed the safety issues. Motion was made by Commissioner O'Neill to notify local law enforcement to protect our dredges and seconded by Vice-Chair Gore.

Chair Bryan	Yes
Vice Chair Gore	Yes
Commissioner Loesel	Yes
Commissioner Sarkis	Yes
Commissioner Tarifi	Yes

Commissioner Strauss	Yes
Commissioner O'Neill	Yes

The motion was approved unanimously. (7-0)

Captain Draughon advised that the crew will be putting up signage this week.

GENERAL COUNSEL COMMENTS: Attorney Tolces advised that the next meeting is August 15, 2022.

Motion was made by Commissioner Strauss to adjourn the meeting and seconded by Commissioner Loesel. The meeting was adjourned at 7:30 PM by Chair Bryan.

Respectfully submitted,

Kimberly Longo, District Secretary

CODE COMPLIANCE OF DEERFIELD BEACH

MINUTES OF A CODE COMPLIANCE HEARING

June 29, 2022

Douglas Gonzales

Presiding

Special Magistrate Douglas Gonzales in the City Commission Room called the meeting to order at 9:30 AM.

PRESENT: Lenore Graber, Code Compliance Manager
Jean Placide, Code Compliance Inspector
Jade Robinson, Code Compliance Inspector
Marcio Chavez, Code Compliance Inspector
Silvio Baca, Code Compliance Inspector
Josh Stambaugh, Code Compliance Inspector
Sean Miller, Code Compliance Inspector
Winlett Jordan-Banton, Special Magistrate Clerk

For the record, Shariann Pearson Special Magistrate Clerk swore the attendees.

<u>Tab#</u>	<u>Case Nr.</u>	<u>Owner Name</u>	<u>Property Address</u>	<u>Violation</u>	<u>Disposition</u>
1	22040178	DEERFIELD DEVELOPMENT RESOURCES LLC	412 N RIVER DR, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 7-22-2022 \$250 PER DAY \$80 PROSECUTION COST
2	22040179/ post/ building	2020 PG FLORIDA INVESTMENTS LLC	774 NW 42 PL, DEERFIELD BEACH, FL 33064	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98- 113(a) Building permits	RESPONDENT NOT PRESENT CONTINUED TO 7-27-2022
86	22030298/ 40 year	DANAHER,COREY P	1428 SE 4 AVE, UNIT 165,DEERFIELD BEACH, FL 33441 165	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT NOT PRESENT CASE COMPLIED
127	22030337/ HOA	JEFFERIES,REUBEN JR	1428 SE 4 AVE, UNIT 148,DEERFIELD BEACH, FL 33441 148	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT NOT PRESENT CASE COMPLIED
229	21090027	FMR FLORIDA LLC	101 SE 10 ST, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY	RESPONDENT NOT PRESENT

				REGULATIONS ARTICLE II. - DEERFIELD BEACH LAND DEVELOPMENT CODE Section 98-16 - Maintenance of development.	CERTIFIED WITH \$80 PROSECUTION COST
231	22030100/ fire safety	QUIET WATERS BUSINESS PARK LLC	710 S POWERLINE RD, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- MICHELL LONG EXTENDED TO 7-22-2022
265	22050026/ post/ building	GNCJ INVESTMENTS LLC	3492 SW 15 ST, DEERFIELD BEACH, FL 33442	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-8 (i) (1) - Minimum standards for interior of structures.	RESPONDENT NOT PRESENT CONTINUED TO 7-27-2022
266	22030335/ 40 year	BENNYS ROOF SYSTEMS INC	700 NE 42 ST, DEERFIELD BEACH, FL 33064	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 7-22-2022 \$250 PER DAY \$80 PROSECUTION COST
267	22030332/ 40 year	HOUSE OF GOD WHICH IS THE CHURCH OF THE LIVING GOD ETAL	107 SW 9 ST, DEERFIELD BEACH, FL 33441	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT NOT PRESENT FINES IMPOSED AS OF 6-24-2022 FOR \$250 PER DAY

268	21090314/ POD	GOLDBERG, TONTO	203 NE 8 TER, DEERFIELD BEACH, FL 33441	Chapter 46 - OFFENSES Section 46-28(a) - Storage of materials.	RESPONDENT NOT PRESENT EXTENDED TO 8-19-2022
275	22040188/ post/ building	INNECCO,CAMILLA	1021 VERDE CT, DEERFIELD BEACH, FL 33064	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98- 113(a) Building permits	RESPONDENT WAS PRESENT- CAMILLA INNECCO CONTINUED TO 8-24-2022
278	22050007	WILSON,BARBARA	3317 SW 3 ST	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(4) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98- 113(a) Building permits	RESPONDENTS WERE PRESENT- KEMBER GERVAIS BARBARA WILSON EXTENDED TO 7-22-2022

279	22030253/ building	FAMILY FIRST FOUNDATION INC	166 SW 2 ST, DEERFIELD BEACH, FL 33441	Chapter 2 UNSAFE STRUCTURES Sec. 2-146(a). - Unsafe buildings; DIVISION 9. - UNSAFE STRUCTURES AND HOUSING APPEALS BOARD Chapter 2 UNSAFE STRUCTURES Sec. 2-146(b) - Unsafe buildings: DIVISION 9. - UNSAFE STRUCTURES AND HOUSING APPEALS BOARD Chapter 2 UNSAFE STRUCTURES Sec. 2-146(c). - Unsafe buildings: DIVISION 9. - UNSAFE STRUCTURES AND HOUSING APPEALS BOARD[10] Chapter 2 UNSAFE STRUCTURES Sec. 2-146(d). - Unsafe buildings: DIVISION 9. - UNSAFE STRUCTURES AND HOUSING APPEALS BOARD[10]	RESPONDENT NOT PRESENT FINES IMPOSED AS OF 6-24-2022 FOR \$125 PER DAY PER VIOLATION
280	22050067/ NAB	MR TAX 1111 LLC	84 SW 1 CT	Chapter 34 - ENVIRONMENT - ARTICLE III. - NUISANCES ARTICLE VII. - ABANDONED REAL PROPERTY Section 34-144 - Maintenance requirements.	RESPONDENT NOT PRESENT FINES IMPOSED AS OF 6-24-2022 FOR \$100 PER DAY

281	22020110	DIAMOND KEY INVESTMENT LLC	431 NE 39 ST, DEERFIELD BEACH, FL 33064	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(8) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 58 - SOLID WASTE DIVISION 3. - RESIDENTIAL COLLECTION Section 58-69.(g) - Preparation and storage of residential refuse Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-88(j)(2) - Off-street parking and loading.	RESPONDENT NOT PRESENT FINES IMPOSED AS OF 6-24-2022 FOR \$110 PER DAY PER VIOLATION
282	22050076/ post/ repeat/ NAB bulk	MAIURO,JOSEPH K	1930 NE 5 ST, UNIT 1- 3,DEERFIELD BEACH, FL 33441 1-3	Chapter 58 - SOLID WASTE DIVISION 3. - RESIDENTIAL COLLECTION Section 58-70.(f) - Preparation of bulky yard and vegetative wastes.	RESPONDENT WAS PRESENT – ATTORNEY DAVID R. ROY REPEAT FINAL ORDER ISSUED COMPLIED \$75 PER DAY

					\$80 PROSECUTION COST
283	22060021/ post/ NAB bulk	FRANCILLON,ERNST	501 NW 43 PL, DEERFIELD BEACH, FL 33064	Chapter 58 - SOLID WASTE DIVISION 3. - RESIDENTIAL COLLECTION Section 58-70.(f) - Preparation of bulky yard and vegetative wastes.	RESPONDENT NOT PRESENT FINDING OF FACT ORDER ISSUED. COST WAIVED
284	22060044/ NAB Bulk	HO,DUC HO,JENA P	3271 SW 4 ST	Chapter 58 - SOLID WASTE DIVISION 3. - RESIDENTIAL COLLECTION Section 58-70.(f) - Preparation of bulky yard and vegetative wastes.	RESPONDENT WAS PRESENT – DUC HO REPEAT FINAL ORDER ISSUED \$75 TOTAL PER DAY \$80 PROSECUTION COST
285	21060060/ building/ cm cost due	LEPAGE,ROBERT III & CATHLEEN	1349 SE 8 ST, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98- 113(a) Building permits	RESPONDENT NOT PRESENT RESPONDENT CAME AND PAID COST BUT DID NOT ATTEND THE HEARING
288	22050054	FUDO MYOO LLC	4613 NW 3 AVE	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 7-22-2022

				ENFORCEMENT Section 98-113(a) Building permits FIRE PREVENTION CODE F-103.2.9.5 Hurricane Protection Devices - Shutters Up After Storms	\$250 PER DAY PER VIOLATION \$80 PROSECUTION COST
A	20100019	STARBUCK,GARRETT	730 SW 11 CT, DEERFIELD BEACH, FL 33441	Chapter 46 - OFFENSES Section 46-13 - Trees, bushes and shrubs—Encroaching on public right-of-way.	RESPONDENT NOT PRESENT NO ACTION TAKEN
B	21030048	STARBUCK,GARRETT	730 SW 11 CT, DEERFIELD BEACH, FL 33441	Chapter 34 - ENVIRONMENT - ARTICLE III. - NUISANCES ARTICLE VII. - ABANDONED REAL PROPERTY Section 34-144 - Maintenance requirements.	RESPONDENT NOT PRESENT NO ACTION TAKEN
C	19100116	STARBUCK,GARRETT	730 SW 11 CT, DEERFIELD BEACH, FL 33441	Chapter 34 - ENVIRONMENT - ARTICLE III. - NUISANCES ARTICLE VII. - ABANDONED REAL PROPERTY Section 34-144 - Maintenance requirements.	RESPONDENT NOT PRESENT NO ACTION TAKEN
D	18040149	STARBUCK,GARRETT	730 SW 11 CT, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT NOT PRESENT NO ACTION TAKEN

				Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98 - 88(j)(1) Off-street parking and loading. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-80.(u) - Landscape requirements.	
E	21070385	HUTCHINSON,LYDIA	1021 CRYSTAL LAKE DR # 210	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT VACATE ORDER ISSUED
F	21070386	FOREST HILL LAND TR ZUPAN,MARYSOL ALEJANDRA TRS	1021 CRYSTAL LAKE DR, UNIT 107	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15	RESPONDENT NOT PRESENT VACATE ORDER ISSUED

				(B)(1) Building Safety Inspection 40 Year Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98- 113(a) Building permits	\$80 COST REMAINS
G	21070555/ building	MEDEIROS,ADRIANO GOUVEA,ALESSANDRA	3316 SW 2 ST, DEERFIELD BEACH, FL 33442	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98- 113(a) Building permits	RESPONDENT WAS PRESENT – ALESSANDRA GOUVEA FINES MITIGATED FOR \$1,000 TO BE PAID BY 12-16- 2022
H	22030005	JVF HILLSBORO PROPERTIES INC / Elizabeth Schawe	1973 NE 4 ST	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT WAS PRESENT – TERRY TURBYFILL FINES MITIGATED FOR \$480 TO BE PAID BY 7-27-2022
I	21030142	FARIA,FABIANA MORAIS DA SILVA FARIA,PEDRO HENRIQUE FRANCISCO	1183 SE 1 TER	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) -	RESPONDENT WAS PRESENT – PEDRO FARIA

				Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	FINES MITIGATED FOR \$2,000 TO BE PAID BY 12-16-2022
J	21080053	URBAN DEERFIELD LLC	531 SE 2 AVE	Chapter 34 - ENVIRONMENT - ARTICLE III. - NUISANCES ARTICLE VII. - ABANDONED REAL PROPERTY Section 34-144 - Maintenance requirements.	RESPONDENTS WERE PRESENT – CARL ANDERSON HORACIO GONZALES FINES MITIGATED FOR \$1,000 TO BE PAID BY 7-27-2022
K	12-4887	PAUL, JEAN CLAUDE & MARTHE C/ Wills McVicker	1251 SW 11 AVE	BUILDING PERMITS REQUIRED	RESPONDENT NOT PRESENT NO ACTION TAKEN DUE TO FORECLOSURE
L	14-1504	PAUL, JEAN CLAUDE & MARTHE C/ Wills McVicker	1251 SW 11 AVE	PROPERTY EXTERIOR MAINTENANCE	RESPONDENT NOT PRESENT NO ACTION TAKEN DUE TO FORECLOSURE
M	21060158	WORRALL, JANICE D/ Jorge Cortes	341 SW 15 ST	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS	RESPONDENT WAS PRESENT – JORGE CORTES

				Section 14-74 - Display of street numbers on buildings. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	FINES MITIGATED FOR \$9,000 TO BE PAID BY 12-16-2022
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SPECIAL MAGISTRATE MINUTES
CITY OF DEERFIELD BEACH, FLORIDA

Douglas Gonzales, Special Magistrate

Date

CODE COMPLIANCE OF DEERFIELD BEACH

MINUTES OF A CODE COMPLIANCE HEARING

July 12, 2022

Eugene Steinfeld

Presiding

Special Magistrate Eugene Steinfeld in the City Commission Room called the meeting to order at 9:30 AM.

PRESENT: Lenore Graber, Code Compliance Manager
Bernard Pita, Code Compliance Director
Jean Placide, Code Compliance Inspector
Silvio Baca, Code Compliance Inspector
Marcio Chavez, Code Compliance Inspector
Josh Stambaugh, Code Compliance Inspector
Jade Robinson, Code Compliance Inspector
Shariann Pearson, Special Magistrate Clerk

For the record Winlett Jordan-Banton, Special Magistrate Clerk swore the attendees.

<u>Tab#</u>	<u>Case Nr.</u>	<u>Owner Name</u>	<u>Property Address</u>	<u>Violation</u>	<u>Disposition</u>
11	22050016	ZAMBRANO, SANTO DIAZ, ANA/LANDSCAPE	1321 SE 3 AVE, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-74 - Display of street numbers on buildings. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98 -88(j)(1) Off-street parking and loading.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY PER VIOLATION \$80 PROSECUTION COST
16	22050047	CRD FEDERAL LLC /PROP. MAINT.	226 NE 9 AVE, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 58 - SOLID WASTE DIVISION 3. - RESIDENTIAL COLLECTION Section 58-69. (g) - Preparation and storage of residential refuse Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(C)(3) - Landscape Requirements.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY PER VIOLATION \$80 PROSECUTION COST

17	22050049	BARNES, WILLIAM/LANDSCAPE	150 SE 4 AVE, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT NOT PRESENT CONTINUED TO 8-9-2022
19	22050051	MANCINI,LUKE JOSEPH /LANDSCAPE	1208 SE 12 TER, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(K)(14)(b) - Landscape Requirements.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY \$80 PROSECUTION COST
20	22050052	CITY FIRST MORTGAGE 401-K PROFIT SHARING PLAN/TREE PRESERVATION	275 SW 1 ST, UNIT 1- 4, DEERFIELD BEACH, FL 33441 1-4	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-81(L)(1)(a- g) - Tree preservation.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY \$80 PROSECUTION COST
21	22040036	GIRARD,DAVID & JULIA	320 SE 3 CT, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-88.(b) - Off- street parking and loading.	RESPONDENT NOT PRESENT CONTINUED TO 8-9-2022
22	22040038	GRETLAND, SOLAN	330 SE 3 CT, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 8-5-2022

				Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(C)(3) - Landscape Requirements.	\$100 PER DAY PER VIOLATION \$80 PROSECUTION COST
24	22030416	SUMPTER,IDA MAE H/E SUMPTER,JANNIE M EST	560 SW 11 DR, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT WAS PRESENT CERTIFIED WITH \$80 PROSECUTION COST
26	22060002	OLD FLORIDA BUNGALOWS HOMEOWNERS ASSN INC	850 SE 4 CT, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (a)- Minimum standards for maintenance of premises. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (c)- Minimum standards for maintenance of premises.	RESPONDENT WAS PRESENT- MICHELE HICKFORD CONTINUED TO 10-3-2022
27	22060003	CAMPBELL CORNER LLC	447 S FEDERAL HWY, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (a)- Minimum standards for maintenance of premises. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (c)- Minimum standards for maintenance of premises.	RESPONDENT WAS PRESENT- MICHAEL ASHLEY CONTINUED TO 10-3-2022
28	22060004	455 FEDERAL LLC	455 S FEDERAL HWY, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (a)-	RESPONDENT WAS PRESENT- BOB DECHERT

				Minimum standards for maintenance of premises. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (c)- Minimum standards for maintenance of premises.	CONTINUED TO 10-3-2022
29	22060005	MAUK,TERRY R	903 SE 4 CT, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (a)- Minimum standards for maintenance of premises. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (c)- Minimum standards for maintenance of premises.	RESPONDENT WAS PRESENT-TERRY MAUK CONTINUED TO 10-3-2022
30	22060040	FISK,JEFFREY ALAN	901 SE 4 CT, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (a)- Minimum standards for maintenance of premises. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (c)- Minimum standards for maintenance of premises.	RESPONDENT WAS PRESENT-JEFF FISK CONTINUED TO 10-3-2022
31	220600056	APPLE OF MY EYES LLC	853 SE 4 CT, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (a)- Minimum standards for maintenance of premises. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (c)- Minimum standards for maintenance of premises.	RESPONDENT NOT PRESENT- CONTINUED TO 10-3-2022

37	22050021	825 FLORIDA PROPERTY LP	825 NE 42 ST, DEERFIELD BEACH, FL 33064	Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IX. - CERTIFICATES OF USE Section 98-161(b) - Certificate of use permit requirements.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY PER VIOLATION \$80 PROSECUTION COST
39	22050011	10604 SW VILLAGE PARKWAY LLC % NATIONAL TAX SEARCH LLC	1051 E HILLSBORO BLVD, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE II. - DEERFIELD BEACH LAND DEVELOPMENT CODE Section 98-16 - Maintenance of development.	RESPONDENT WAS PRESENT- JUAN MARTINEZ CONTINUED TO 8-9-2022
41	22060034	MCDOUGLE PROPERTIES	49 S DIXIE HWY, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 58 - SOLID WASTE ARTICLE I. - IN GENERAL Section 58-3. - Maintenance of area. Chapter 58 - SOLID WASTE DIVISION 4. - COMMERCIAL REFUSE COLLECTION Section 58- 83.(a) - Refuse containers, contents and collection schedule. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 7-22-2022 \$100 PER DAY PER VIOLATION \$80 PROSECUTION COST

				REGULATIONS Section 98 -88(j)(1) Off-street parking and loading.	
42	22050073	HOUSE COMPANY LLC PROHIBITIONS	1100 S FEDERAL HWY, UNIT 1,DEERFIELD BEACH, FL 33441 1	Chapter 102 - SIGNS Section 102-7. (3)- Certain sign or sign structures prohibited.	RESPONDENT NOT PRESENT CONTINUED TO 8-9-2022
43	22050055	MASONIC LODGE DELTA 519 % EDDIE NEAL	159 SW 1 TER, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(6) - Exterior building and structure standards.	RESPONDENT NOT PRESENT CONTINUED TO 8-9-2022
44	22040177	ALDI FLORIDA LLC %RYAN TAX COMPLIANCE SERVICES	747 S FEDERAL HWY, DEERFIELD BEACH, FL 33064	Chapter 102 - SIGNS Section 102-7. (3)- Certain sign or sign structures prohibited.	RESPONDENT NOT PRESENT FINES IMPOSED AS OF 7-8-2022 \$100 PER DAY
45	21110028	CALIGIURI,RAYMOND & CALIGIURI,DOREEN/ CU/BTR	1417 SW 1 WAY, DEERFIELD BEACH, FL 33441	Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IX. - CERTIFICATES OF USE Section 98-161(b) - Certificate of use permit requirements.	RESPONDENT WAS PRESENT- ROBERT CIERI CERTIFIED WITH \$80 PROSECUTION COST
47	22030103	RMB HOLDINGS LLC	3400 SW 10 ST, DEERFIELD BEACH, FL 33442	Chapter 102 - SIGNS Sec. 102- 10(a)(1-8) - Temporary signs. Chapter 102 - SIGNS Section 102-7. (3)- Certain sign or sign structures prohibited. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section	RESPONDENT NOT PRESENT SECTION 14-106(b) NOT IN COMPLIANCE, VIOLATION EXTENDED TO 8-5-2022

				14-106(b) - Minimum standards for yard and landscape areas.	
50	22050037	ALESCI'S OCEAN REEF LLC	217 SE 20 AVE, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- LANOIS ELGE FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY \$80 PROSECUTION COST BUILDING PLANS TO BE SUBMITTED BY 8-5-2022 AND PERMIT TO BE OBTAINED BY 9- 2-2022
51	22050014	YAHAV PROPERTIES LLC	2001 NW 44 ST, DEERFIELD BEACH, FL 33064	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- AL ALVAREZ FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY \$80 PROSECUTION COST BUILDING PLANS TO BE SUBMITTED BY 8-5-2022 AND PERMIT TO BE OBTAINED BY 9- 2-2022
52	22050070	ROUNDS, DUSTIN MAGRO, RACHAEL	186 NW 48 AVE, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- RACHAEL MAGRO FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY \$80 PROSECUTION COST BUILDING PLANS TO BE SUBMITTED BY 8-5-2022 AND

					PERMIT TO BE OBTAINED BY 9-2-2022
56	22040031	BUSMAN BUILDERS LLC	143 NE 7 CT, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS ARTICLE IV. - PROPERTY EXTERIOR MAINTENANCE CODE; Section 14-105(8) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES ARTICLE IV. - JUNKED VEHICLES AND ABANDONED PROPERTY- Section 34-160 -Parking or storage for over 72 hours restricted.	RESPONDENT WAS PRESENT- JACOB BUSMAN FINAL ORDER ISSUED COMPLY BY 8-1-2022 \$150 PER DAY PER VIOLATION \$80 PROSECUTION COST
58	22060059	MCKINNEY, CHERYL A H/E MCKINNEY, MALCOLM J/PROP. MAINT.	3864 NW 2 CT, DEERFIELD BEACH, FL 33442	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(1) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(6) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT NOT PRESENT CONTINUED TO 9-7-2022

				Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-74 - Display of street numbers on buildings.	
60	22040191	FUDO MYOO LLC	4613 NW 3 AVE, DEERFIELD BEACH, FL 33064	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(4) - Exterior building and structure standards.	RESPONDENT NOT PRESENT FINES IMPOSED AS OF 7-8-2022 FOR \$100 PER DAY
65	22050057	ABRAM,IRISH YOUNG CESAR,IRENE ANN ETAL.	246 SW 3 CT, DEERFIELD BEACH, FL 33441	Chapter 66 - TRAFFIC AND VEHICLES Section 66-117.(b) - Parking prohibitions; enforcement.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 8-5-2022 \$100 PER DAY \$80 PROSECUTION COST
67	22040166	FUDO MYOO LLC	4613 NW 3 AVE, DEERFIELD BEACH, FL 33064	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-88(j)(2) - Off-street parking and loading.	RESPONDENT NOT PRESENT FINES IMPOSED AS OF 7-8-2022 FOR \$100 PER DAY
68	22040167	PONASA LLC	540 NE 42 ST, DEERFIELD BEACH, FL 33064	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(1) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(8) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT WAS PRESENT- ANTONIETTA DRAICCHO EXTENDED TO 9-2-2022

				Chapter 58 - SOLID WASTE ARTICLE I. - IN GENERAL Section 58-3. - Maintenance of area. Chapter 58 - SOLID WASTE DIVISION 3. - RESIDENTIAL COLLECTION Section 58-69. (g) - Preparation and storage of residential refuse Chapter 66 - TRAFFIC AND VEHICLES Section 66-117.(b) - Parking prohibitions; enforcement. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-88.(b) - Off-street parking and loading.	
72	21090320	DELLISANTI,ISABELLA	224 FARNHAM J, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- ISABELLA DELLISANTI EXTENDED TO 9-2-2022
69	21070479	PAGLIARO,NICOLA	9 KESWICK A, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- NICOLA PAGLIARO EXTENDED TO 9-2-2022
A	18050134	3275 WEST HILLSBORO PLAZA REALTY LLC	3275 W HILLSBORO BLVD, DEERFIELD BEACH, FL 33442	Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required.	RESPONDENT NOT PRESENT CONTINUED TO 8-24-2022

				Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IX. - CERTIFICATES OF USE Section 98-161(b) - Certificate of use permit requirements.	
B	19080079	PAUL A EASSEY REV LIV TR /Attorney Renee Marie Smith	121 NW 42 CT, DEERFIELD BEACH, FL 33064	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(1) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(6) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-74 - Display of street numbers on buildings. Chapter 46 – OFFENSES Section 46-9(g) - Defacing or damaging property of another. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98 -88(j)(1) Off-street parking and loading.	RESPONDENT NOT PRESENT CONTINUED TO 7-27-2022

C	21050075	LA TONA,SABRINA R / Attorney David Yon	785 VILLA PORTOFINO CIRCLE, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT CONTINUED TO 7-27-2022
D	21120123	DEERFIELD INVESTMENTS GROUP INC	405 SW 13 PL, UNIT 121, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-10 (3) (b) - General interior maintenance requirements. Chapter 94 MIN HOUSECHAPTER 94 HOUSING; Sec. 94-8 (a) (3) - Minimum standards for interior of structures. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-8 (d) (1) - Minimum standards for interior of structures. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- JAG PRAKASH FINES MITIGATED FOR \$7, 580 TO BE PAID BY 8-9-2022
E	21110254	WEINGARTEN REALTY INVESTORS %PAUL WILKE	3700 W HILLSBORO BLVD, DEERFIELD BEACH, FL	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT VACATED IMPOSITION OF FINE AND CLAIM OF LIEN
F	21120114	KOUKOULARIS,ROULA	1233 SE 8 ST, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS ARTICLE IV. - PROPERTY EXTERIOR	RESPONDENT WAS PRESENT- PARTHENIA KOUKOULARIS

				MAINTENANCE CODE; Section 14-105(8) - Exterior building and structure standards. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	FINES MITIGATED FOR \$280 TO BE PAID BY 8-9-2022
G	19090097	TAH 2017-1 BORROWER LLC % TRICON AMERICAN HOMES LLC	920 NE 50 CT, DEERFIELD BEACH, FL	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-80. (u) – Landscape Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-80.(n)(1-2) - Landscape requirements.	RESPONDENT WAS PRESENT- JOHN SCALIA FINES MITIGATED FOR \$7,580 TO BE PAID BY 8-9-2022
H	18010033	POMPANO PROPERTY SOLUTIONS LLC/ Attorney Michael W. Gomez	5321 NE 10 AVE, DEERFIELD BEACH, FL	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(2) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(4) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(7) - Exterior building and structure standards.	RESPONDENTS WERE PRESENT- ATTORNEY MICHAEL GOMEZ JOHN TIRONI NO ACTION CITY LIEN WAS FORECLOSED OUT

				Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE II. - DEERFIELD BEACH LAND DEVELOPMENT CODE Section 98-16 - Maintenance of development. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98 -88(j)(1) Off-street parking and loading.	
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SPECIAL MAGISTRATE MINUTES
CITY OF DEERFIELD BEACH, FLORIDA

Eugene Steinfeld, Special Magistrate

Date



Meeting Minutes Community Redevelopment Agency

Tuesday, June 14, 2022

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Chair Bill Ganz at 7:01 p.m., in the City Commission Chambers, 150 NE 2nd Avenue, Deerfield Beach, Florida.

Present: 5 - Mr. Todd Drosky
Mr. Bernie Parness
Mr. Ben Preston
Vice Chair Michael Hudak
Chair Bill Ganz

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

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Community Redevelopment Agency Meeting Minutes - April 12, 2022

MOTION was made by Vice Chair Hudak, seconded by Mr. Parness, to approve the April 12, 2022 minutes as submitted. Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Parness, Mr. Preston, Vice Chair Hudak and Chair Ganz

Nays: 0

APPROVAL OF COMMUNITY REDEVELOPMENT AGENCY AGENDA

June 14, 2022

MOTION was made by Mr. Parness, seconded by Mr. Preston, to approve the agenda as submitted. Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Parness, Mr. Preston, Vice Chair Hudak and Chair Ganz

Nays: 0

GENERAL ITEMS

1. **CRA Resolution 2022/006 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), authorizing the expenditure of \$152,066.15 on Comcast of South Florida II, Inc. ("Comcast") for Comcast to underground Comcast's aerial utility lines along the S-Curve as part of the City's S-Curve Streetscape Improvements Project; authorizing execution of an agreement with Comcast; and providing for an effective date. (Funds from Account #190-8000-539-63-11 - Lighting)**

The Resolution was read by title only.

Mark DiMascio, CRA Capital Projects Manager, said all three (3) items are associated with the S-Curve Undergrounding and Streetscape Improvement Project.

In response to Mr. Parness' question, Mr. DiMascio replied that these are existing services that will be moved underground.

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

MOTION was made by Mr. Parness, seconded by Vice Chair Hudak, to approve Item 1, adopted CRA Resolution 2022/006. Roll Call:

Yeas: 5 - Mr. Drosky, Mr. Parness, Mr. Preston, Vice Chair Hudak and Chair Ganz

Nays: 0

2. **CRA Resolution 2022/007 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving an underground facilities conversion agreement and city right-of-way agreement for underground conversions with Florida Power & Light Company ("FPL") for FPL to underground FPL's utility lines along the S-Curve as part of the City's S-Curve Streetscape Improvement Project; authorizing execution of the Agreements; providing for an effective date. (Funds from Account #190-8000-539-63-11 - Lighting)**

The Resolution was read by title only.

Mark DiMascio, CRA Capital Projects Manager, advised that all utilities are located on the same poles and reiterated that they will be undergrounded.

There was no discussion amongst the Board.

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

MOTION was made by Mr. Parness, seconded by Vice Chair Hudak, to approve Item 2, adopted CRA Resolution 2022/007. Roll Call:

Yeas: 5 - Mr. Drosky, Mr. Parness, Mr. Preston, Vice Chair Hudak and Chair Ganz

Nays: 0

3. **CRA Resolution 2022/008 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving a special construction agreement with Bellsouth Telecommunications, LLC dba AT&T Southeast ("AT&T") for AT&T to underground AT&T's utility lines along the S-Curve as part of the City's S-Curve Streetscape Improvement Project; authorizing execution of the Agreement; providing for an effective date. (Funds from Account #190-8000-539-63-11 - Lighting)**

The Resolution was read by title only.

GENERAL ITEMS - CONTINUED

Mr. Drosky commented on the costs not being outlined in the title for Items 2 and 3; nevertheless, they are outlined in the backup material. He said the estimate for this Item is \$222,582.61 and asked if the Board will be approving a not to exceed amount.

Mark DiMascio, CRA Capital Projects Manager, stated that these were the estimates provided and if the Board approves, staff is hopeful the costs will be locked in as is.

In response to Mr. Drosky's question, Anthony Soroka, City Attorney, replied that Items 2 and 3 have agreements, which speak to the actual cost, so it could be more; therefore, he said the Board has two (2) options, 1) to approve as is, or 2) approve, subject to not exceed a certain amount. Mr. Soroka explained that if the Board desires to move forward with Option 2, the item would have to come back for approval if the cost goes over. Regarding the FP&L item, it is driven by tariff, and states that it can go 10% above the \$510,000. The AT&T item is based on actual cost; whereby, an estimate has been provided, but the CRA will be responsible for the actual cost.

Mr. Drosky recommended approval for an amount not to exceed \$222,582.61 and if it goes over, the vendor can come back with justification.

Mr. Soroka explained that the CRA Director does have change order authority under a certain amount therefore, clarification is needed on whether the Board wants the item being brought back if it goes over the cost.

Vice Chair Hudak asked if the Board was considering stopping the project if the cost is higher than anticipated because one project cannot be done without the others.

Mr. DiMascio clarified that construction will be done concurrently; however, if this cost increases, this portion would be stopped, and the entire project could take longer. Further, he stated that per the FP&L agreement, the City has 180 days to execute the agreement and pay the specified amount outlined in the agreement.

In response to Mr. DiMascio's question, Mr. Soroka replied that the FP&L agreement states that if the conversion exceeds the estimate the cost shall be adjusted by the lesser of the difference between the actual cost and the estimate, or 10% of the \$510,000.

Mr. Parness agreed with moving forward as is because having the utilities undergrounded is safer for the residents on the Island.

Chair Ganz opened the public hearing.

Janice Fulmore-Tigner, 1090 SW 4th Terrace, Deerfield Beach, asked if utility undergrounding is part of the median and beautification project that is being done on the westside of the City and asked if money has been allocated.

Chair Ganz replied no; this project only pertains to utility undergrounding on the S-Curve.

Mr. DiMascio said these items are part of the S-Curve Utility Undergrounding and Streetscape Improvements Project; whereby, another component will be brought before the Board later this year, which includes the streetscape portion, i.e. pavers, landscaping, etc.

In response to Chair Ganz's question, David Santucci, City Manager, clarified that no other utility undergrounding projects are being done by the City. Thereafter, he commented on an undergrounding utility project being done on SW 10th Street.

Peggy Ross, 103 NE 19th Avenue, Deerfield Beach, spoke in opposition since the utility project will only be for the S-Curve and not the entire island.

Mr. DiMascio stated that the area is from NE 1st to NE 4th Court, which will mainly cover the commercial portion of the S-Curve.

GENERAL ITEMS - CONTINUED

Thereafter, Chair Ganz provided a brief overview of the project and staff displayed a photograph of the project location.

Paula Cook, 62 Centennial Court, Deerfield Beach, asked for the cost of the FP&L item.

Mr. DiMascio replied that FP&L's cost is estimated at \$510,201.

Chair Ganz closed the public hearing.

After a brief discussion, Mr. Parness motioned approval of Item 3, which was to approve the actual cost of the item.

MOTION was made by Mr. Parness, seconded by Vice Chair Hudak, to approve Item 3, adopted CRA Resolution 2022/008. Roll Call:

Yeas: 3 - Mr. Parness, Mr. Preston and Vice Chair Hudak

Nays: 2 - Mr. Drosky and Chair Ganz

ADMINISTRATION COMMENTS

None.

BOARD COMMENTS

None.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

MOTION was made by Mr. Parness, seconded by Mr. Preston, to adjourn the meeting at 7:25 p.m. Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Parness, Mr. Preston, Vice Chair Hudak and Chair Ganz

Nays: 0

BILL GANZ, CHAIR

Samantha Gillyard, CMC, City Clerk



Meeting Minutes Community Redevelopment Agency

Tuesday, August 9, 2022

6:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Chair Bill Ganz at 6:00 p.m., in the City Commission Chambers, 150 NE 2nd Avenue, Deerfield Beach, Florida.

Present: 5 - Mr. Todd Drosky
Mr. Bernie Parness - via Zoom
Mr. Ben Preston
Vice Chair Michael Hudak - Tardy
Chair Bill Ganz

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

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Community Redevelopment Agency Meeting Minutes - April 12, 2022

MOTION was made by Mr. Preston, seconded by Mr. Parness, to approve the June 14, 2022 minutes as submitted.
Voice Vote:

Yeas: 4 - Mr. Drosky, Mr. Parness, Mr. Preston, and Chair Ganz

Nays: 0

APPROVAL OF AGENDA

August 9, 2022

MOTION was made by Mr. Preston, seconded by Mr. Parness, to approve the agenda as submitted. Voice Vote:

Yeas: 4 - Mr. Drosky, Mr. Parness, Mr. Preston, and Chair Ganz

Nays: 0

GENERAL ITEMS

1. Presentation regarding Sawgrass to Seagrass Creative Interior Design.

Kris Mory, Director of Economic Development, provided a brief background of the project. She explained that various interior conceptual designs were created through a committee consisting of CRA and city staff, Patxi Pastor, and the Guy Harvey Ocean Foundation, which included Dr. Tonya Shearer who's experienced with children's science exploratoriums in the Atlanta area. Thereafter, she introduced James Bowers, project architect.

Mr. Bowers introduced Josh Adcock and Erik Baeumlisberger, BaseMint Creative; thereafter, a brief PowerPoint presentation was displayed.

Vice Chair Hudak arrived at 6:10 p.m.

Mr. Adcock said the images will focus on the creative interior of the guest's Sawgrass to Seagrass experience at Sullivan Park, which will allow patrons to be immersed and transported into the wonders of our waters. The presentation will show how individuals will step from outside to inside the facility and outline the embarkment of your journey, descending into the deep and exploring our waters. Thereafter, various images were displayed. Mr. Adcock said at the front door, individuals will enter the colorful and vibrant worlds of both Guy Harvey and "Alligator" Ron Bergeron; whereby, scenic Guy Harvey dimensional sculptures will be displayed to the right near the reception area, and the left side will have media walls outlining welcome messaging, story introduction of the experiences and act as a community message board, school group times, etc. The next experience includes a special effects theater that will transport individuals from above water to underwater by hopping on an airboat ride, with real special effects, i.e. fans, that will take you through the mangroves and coastal waterways while highlighting and featuring some of the species and wildlife that's encountered, and then descend into an underwater realm. Mr. Adcock said from the theater, you will enter the Exploratorium through a coral transition tunnel that includes real and digital species, viewable through portals. The Exploratorium will also include analog learning, real species, touch tanks, etc. and at the end of the journey there will be an area for purchasing retail, i.e. Guy Harvey merchandise, etc.

Mr. Baeumlisberger outlined the floor plan, which was displayed. He advised that the directional arrow illustrates the guest flow, whereby, guests will come in through Zone 1, reception area, where questions can be answered, tickets can be purchased, etc.; Zone 2 consists of the media walls, gathering space, and restrooms; Zone 3 is the theater which showcases the Sawgrass to Seagrass theatrical show every 3-5 minutes; Zone 4 includes the coral transition tunnel, which will showcase the digital and real species and incorporate the Deerfield Beach live cameras; Zone 5 will include various exhibits, augmented reality sandbox, color your own marine animal, shell-fie station, touch tank, lionfish aquarium, etc. and Zone 6 will be the gift shop. Thereafter, photographs of each zone were displayed. Mr. Baeumlisberger said Zone 1 will be colorful and bright, with the use of natural materials mixed with fun colors and will showcase Guy Harvey artwork. Zone 2 will consist of three offset media walls, which will assist with the acclimation of the Sawgrass to Seagrass story and hopefully be a placemaking opportunity of what's to come in Zone 3. Further, the welcome messaging will blend in with the scenery and the area will include sound deadening material, natural wood ceiling treatment, and dimensional Guy Harvey sea life, etc.

Continuing, Mr. Baeumlisberger said Zone 3, theater, is where individuals jump on an airboat while Guy Harvey explains the Sawgrass to Seagrass transition and how everything is connected. Further, the theater will feature a curved screen, caustic lighting creates an animated ground through projection; the space between the bottom of the screen and floor will be used to hide the special effect fans. These features will engage individuals with the experience and transition them into Zone 4, the coral reef, which includes real and digital species, as well as Guy Harvey messaging. Zone 5 is a thoughtful mix of analog and digital exhibits to include the augmented reality sand box that contains real sand with digital imagery projected on top, a drawing experience, etc. Finally, guests will exit through the gift shop, where merchandise can be purchased, along with virtual drawing sessions with Guy Harvey, etc.

Mr. Bowers displayed various updated exterior photographs of the facility, whereby, the stair width was increased because of FEMA's base flood elevation requirement. He explained that the elevator core was brought up, a covered area was added to the roof, facility materials include smooth stucco finishes in grey and white and a contrast of the green hardie board and the veneer wood finishes, media has been incorporated on the west façade, and the Deerfield logo was moved to the southwest corner. Further, he reiterated that the elevator was brought up to the roof, which consists of a covered area with tables and chairs, and an opportunity to take the Sawgrass to Seagrass

GENERAL ITEMS - CONTINUED

experience to the exterior of the building. Mr. Bowers said the square footage of the floor plan increased to enhance the overall experience. Thereafter, an updated exterior rendering of the southside was displayed which showcased the up lights along the façade, as well as the shadow lines of the 3D fish.

Continuing, Mr. Bowers said the community center is approximately 2,600 square feet and located on the parking level. On the topside, to the right of the elevator will be a set of double doors leading to the reception area, which provides access to the community center. To the left of the elevator core is a prep kitchen with direct access to the exterior to allow for cleanliness; on the right there is an open area which can be utilized for events; and south of the kitchen is a very large storage room, with adjacent bathrooms. Lastly, Mr. Bowers said the exterior and interior mesh well together to provide a unique, one of a kind experience.

Ms. Mory stated that the next step will include taking the images and creating collaborative materials, so staff can begin marketing the Sawgrass to Seagrass experience to potential sponsors and funding sources. She explained that the materials would be used to bring sponsors onboard to donate to the interior build out, as well as provide a three-year operational savings. Lastly, she explained that the exterior costs of the building will be discussed during the budget presentation.

Mr. Preston applauded all involved with the project.

In response to Vice Chair Hudak's question, Ms. Mory replied that part of the operational responsibility will include changing the interior content of the Exploratorium to ensure it is up to date.

2. Presentation regarding the Fiscal Year 2023 Community Redevelopment Agency Budget.

Kris Mory, Director of Economic Development, provided a brief PowerPoint presentation. She said 78% of the budget is allocated to capital projects and 5% to agency administration. The estimated carryover from fiscal year 2022 is \$7.4 million and \$4.9 million is from new tax increment for an overall budget of \$12,403,106; however, debt service, agency administration, programs and professional services are deducted, leaving \$9.7 million of the remaining budget to be allocated to specific projects. Thereafter, she outlined the programs offered by the CRA: community policing; special events increased due to fireworks, etc.; public art; and commercial façade to include the Cove Restaurant and Cove Brewery.

Moreover, Ms. Mory listed the projects allocated from the remaining \$9.7 million: S-Curve Undergrounding Project - \$2.5 million, costs have not been finalized; Ocean Way bollards - \$1.3 million, which the CRA will be reimbursed by the City for their portion in fiscal year 2023; island mobility - \$1.3 million; main beach parking lot seating - \$301,059; and proposed Hillsboro Square access improvements - \$80,000 which consists of partnering with the plaza to redesign the entrance. If project costs do not exceed the budgeted amounts, \$4.1 million will be available for the Sawgrass to Seagrass at Sullivan Park Facility. She explained that during the mid-year accomplishments presentation, staff expected construction commencement on the facility in fiscal year 2023; however, since the cost is uncertain, staff will have a better understanding within the coming months. Thereafter, photographs of the proposed projects were displayed.

Continuing, Ms. Mory displayed the final 5-year capital improvements plan for the Deerfield Beach CRA. She explained that during construction of the Sawgrass to Seagrass facility, CRA staff will need to relocate, so commercial acquisition redevelopment, east of Hillsboro Boulevard, is being recommended. Furthermore, she outlined other recommendations as proposed by the Board and City Manager: creation of a Main Beach Parking Lot Master Plan to encompass the main beach parking lot, fire station, fire station parking lot, and the small east Hillsboro Boulevard parking lot. These infrastructures will help determine the best possible location for the Fire Station, possible addition of a community center, potential location for ocean rescue headquarters, etc. Ms. Mory said if Sullivan Park can be completed in fiscal year 2023, roughly \$17.5 million will be available over the next 5 years.

In response to Mr. Preston's question, Ms. Mory replied that SE 1st Street could be a potential location for the Fire Station due to the lane structure; nevertheless, if relocating the Fire Station was a desire of the Board, precursory master planning would be needed to find the best location.

GENERAL ITEMS - CONTINUED

Mr. Preston said the Fire Station must be leveled and a new plan needs to be designed through a General Bond, or other funding mechanism.

Chair Ganz opened the public hearing.

Paula Cook, 62 Centennial Court, Deerfield Beach, asked for clarification on where the monies are coming from and the debt service. Thereafter, she read an excerpt from the Pompano Pelican regarding the operation of the Exploratorium.

Chair Ganz closed the public hearing.

Ms. Mory explained that the CRA is funded through tax increment revenue, which is a portion of the City's taxes. Further, she said in 2012, the CRA was not collecting \$4.9 million a year but projects were needed to get the tax increment going; therefore, the Board approved a bond to fund projects in the CRA and agreed to pay them off until the CRA sunsets.

Chair Ganz spoke in favor of the budget but said additional discussion will be needed regarding the main beach parking and is unsure about including it in the 5-year plan.

Vice Chair Hudak spoke in favor of allocating funds toward a Main Beach Parking Lot Master Plan, so the Board has a better understanding of area opportunities.

Chair Ganz spoke in support of obtaining a study, but additional information is needed on what is being studied; nevertheless, he agreed that changes need to be made, especially to the Fire Station, but the Board must know what can and cannot be done.

Mr. Drosky said the CIP can be amended, so he is not overly concerned with what can be done in 2028 but agreed that the Board must understand what the study covers and the cost. He said projects are outlined until FY24, so FY 25/26 will provide options for new projects; nevertheless, he expressed interest in the proposed Main Beach Parking Lot Master Plan and reiterated that the Board will need additional information on what exactly is studied. Further, Mr. Drosky said a Deerfield Beach element should be included in the Sawgrass to Seagrass experience.

Mr. Parness suggested combining the police station and Fire Station 4 and selling the land that currently houses the fire station to cover the costs.

Chair Ganz said that would have to be discussed at a City Commission meeting.

Mr. Preston suggested holding off on a study to see what ideas staff can bring forward; nevertheless, he agreed that the study should provide a clear understanding of what is being studied.

ADMINISTRATION COMMENTS

None.

BOARD COMMENTS**MR. DROSKY**

None.

MR. PRESTON

Sawgrass to Seagrass Experience - Mr. Preston applauded staff for the presentation but agreed that Deerfield Beach should be included in the experience.

BOARD COMMENTS - CONTINUED**MR. PARNESS**

None.

VICE CHAIR HUDAK

None.

CHAIR GANZ

None.

PUBLIC COMMENT

Paula Cook, 62 Centennial Court, Deerfield Beach, expressed concerns with who will operate the Exploratorium, and the funding mechanisms for the facility, as the project in Pompano Beach has yet to be fully funded.

Chair Ganz said the Exploratorium and the City of Pompano Beach projects are different.

Kris Mory, Economic Development Director, explained that the City does not have the expertise to run a science Exploratorium, so staff is hopeful that through in-kind efforts, a not-for-profit organization will be created. Further, she said the CRA will be funding the brick and mortar, but staff, along with partnerships with the Guy Harvey Ocean Foundation, and other outside organizations will seek donations to create an endowment that will fund the not-for-profit organization, who will enter into an interlocal agreement or lease agreement to use the facility.

ADJOURNMENT

MOTION was made by Mr. Parness, seconded by Mr. Preston, to adjourn the meeting at 7:10 p.m. Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Parness, Mr. Preston, Vice Chair Hudak and Chair Ganz

Nays: 0

BILL GANZ, CHAIR

Samantha Gillyard, CMC, City Clerk

City of Deerfield Beach - CULTURAL COMMITTEE
MEETING of May16th, 2022– 6:30 PM at
Deerfield Beach Chambers (150 NE 2nd Ave)
MINUTES

1. Call to order/roll call

Chair Karen Hardy called the meeting to order at 6:33 pm.

Members Present: Vice-Chair Katherine Freitag, Mayor
Nicholas Kerns, District 4
Chair Karen Hardy, District 4
Tiffany O'Bryan, District 1
Daniel Shanetzky, District 3
Deborah Sullivan, District 1

Members Not Present: BrenNette Rahming, (Alternate Member), Mayor
Thelema Lamar, District 2 - unexcused
Ashley Gombs, District 2 - excused

Also Present: Teresa Rynard, City of Deerfield Beach
Carolyn Marshall, City of Deerfield Beach
Monique Spencer, City of Deerfield Beach
Elizabeth Ricci, City of Deerfield Beach
Elen Gantner, City Attorney's Office

2. Approval of April 18th

- MOTION made by Katherine Freitag Karen Hardy to approve the minutes seconded by Tiffany O'Bryan. The motion was CARRIED unanimously.

3. Elizabeth Ricci/Terry Rynard-updates-

- Mrs. Ricci – moving forward we will no longer have zoom as part of our meeting and that will be for both committees.

- **Attorney Elen Gantner** – will review information on unexcused absences a calendar year and the alternate member does have to go to all meetings that will be called to attend meetings if someone is out. Elen's recommendation would be to let them know they are expected to be here, and if they don't show up, then you know move forward with the unexcused.

5. Old Business-

- a. **FOA outstanding invoices (Framing for posters) Mrs. Ricci** – no outstanding invoices we are still waiting on the check for the CRA and that was added to the budget.
- b. **FOA final budget/proceeds** – The budget spreadsheet was emailed to the committee as well as printed.
- c. **Results on a new survey sent to Artists/Vendors- keep FOA separate from Pioneer Days or combine? Date discussion** – No updated survey was sent out.
- d. **Vote on FOA date** – MOTION made by Karen Hardy to change the date to February 18th & 19th seconded by Deborah Sullivan MOTION passed.

6. New Business

- a. **DFB Historical Society Love4Arts Sponsorship** - Katherine Freitag made MOTION to fund Love4Arts in the total of \$1,530 to pay \$765 per month for the next 2 months Daniel Shanetzky seconded by MOTION passed.
- b. Thelema Lamar - has to presentation for a proposal one is for Juneteenth and one is for the Kwanzaa committee love the idea for Juneteenth for next year the committee can start working on it in January of 2023. The Kwanzaa is something that the committee needs to review and definitely get working on now. Committee will move forward with discussing Kwanzaa in the presence of Thelema Lamar.
- c. Richard Rosenblatt - president of the century village Jewish veterans would like for the committee to come up with a National Jewish veterans committee, so he wants to present a proposal and Daniel Shanetzky will work on a written proposal on the behalf of Richard Rosenblatt
- b. **2022-2023 FOA discussion-next steps** - Elizabeth Ricci will send out an email to artists that participated, for the last several years past with FOA and updated Facebook as well.

7. **New project proposals? Need actually written proposals to present to City Commissioners-rates, dates, location, objective, etc –**
 - a. **The New Florida Follies** – Cheryl Steintal – presented an outline of the history of the background of The New Florida Follies
8. **Comments from the Chair & Vice-Chair** – No Comments
9. **Comments from Committee** – No Comments
10. **Comments from Staff** – No Comments
11. **Comments from Alternates** – No Comment
12. **Comments from Public** – No Comments
15. **Next Meeting** – June 27th at 6:30 PM
16. **Adjournment** – Katherine Freitag motion to adjourn Nicholas Kerns second
7:56 pm

Committee Mission Statement

The mission of the Deerfield Beach Cultural Committee is to assist the City of Deerfield Beach in positioning Deerfield Beach as the city with the most desirable cultural environment for individuals and families as well as businesses both large and small by providing a cultural environment that is accessible, progressive and positive in design.

Minutes Approved _____ Date _____

City of Deerfield Beach - CULTURAL COMMITTEE
MEETING of June 27, 2022– 6:30 PM at
Deerfield Beach Chambers (150 NE 2nd Ave)
MINUTES

1. Call to order/roll call

Chair Karen Hardy called the meeting to order at 6:34 pm.

Members Present: Chair Karen Hardy, District 4
Nicholas Kerns, District 4
Thelema Lamar, District 2
Ashley Gombs, District 2
Daniel Shanetzky, District 3
Deborah Sullivan, District 1

Members Not Present: BrenNette Rahming, (Alternate Member), Mayor
Vice-Chair Katherine Freitag, Mayor 2 - excused
Tiffany O'Bryan, District 1- excused

Also Present: Carolyn Marshall, City of Deerfield Beach
Monique Spencer, City of Deerfield Beach
Elizabeth Ricci, City of Deerfield Beach
Amelia Jadoo, City Attorney's Office

2. Approval of 5/16/22

- MOTION made by Nicholas Kerns to approve the minutes seconded by Deborah Sullivan. The motion was CARRIED unanimously.

3. Elizabeth Ricci -updates-

- Mrs. Ricci – moving forward, when working with the vendor, please make sure all invoices go to the City staff so that there is no confusion on invoices being paid.
- **Attorney Amelia Jadoo** – Mrs. Jadoo introduced herself to the board. She's new to the firm. She has 15 yrs. in law

4. Amelia Jadoo-City Attorney-discuss attendance policy & revisions

- Nicholas Kerns - made a motion to define unexcused absence and attendance. Motion died after discussion.

- Nicholas Kerns - made a motion that regular board members must attend 75% of the meetings held each calendar year per the code and defined an unexcused absence is a no-show no call. Ashley Gombs seconded the motion.

5. **Old Business-**

- a. **FOA were the judges paid**– waiting for vendor form from Victoria Engelhart.

6. **New Business**

- a. **Feb 18-19th 2023 FOA discussion- Next steps** – Karen asked the board members to consider a chair appointment they would like to have for FOA. Debora Sullivan- merchandise, Ashley Combs – entertainment, Nicholas Kerns – sponsorship, Karen Hardy - volunteer and hospitality, Daniel Shanetzky - Katherine Freitag – logistics, Thelema Lamar - judge chair
- b. **Karen Hardy** – stated the board needs to develop the scope of services. I think we started thinking about it in June and July; Karen would like City staff to update the scope of service for vendors.

1. Who will take over Kids Corner/Art Display Tent? Debora Sullivan made a motion to table until the next meeting Thelema Lamar seconded.

2. Call for Artists to go out? Any interest yet?

- Elizabeth Ricci - Sent an email to artists who have participated in FOA with the 2023 date.

7. **New project proposals? We need a written proposal to present to the Cultural Committee-rates, dates, location, objective, etc. – (NONE)**

8. **Comments from the Chair & Vice-Chair** – No Comments

9. **Comments from Committee** – No Comments

10. **Comments from Staff** – No Comments

11. **Comments from Alternates** – No Comment

12. **Comments from Public** – No Comments

15. **Next Meeting** – July 18 at 6:30 PM

16. **Adjournment** – Daniel Shanetzky motion to adjourn Deborah Sullivan second 7:44 pm.

Committee Mission Statement

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Minutes Approved_____ **Date**_____

City of Deerfield Beach - CULTURAL COMMITTEE
MEETING of July 18th, 2022– 6:30 PM at
Deerfield Beach Chambers (150 NE 2nd Ave)
MINUTES

1. Call to order/roll call

Chair Karen Hardy called the meeting to order at 6:34 pm.

Members Present: Chair Karen Hardy, District 4
Nicholas Kerns, District 4
Thelema Lamar, District 2
Ashley Gombs, District 2
Daniel Shanetzky, District 3
Deborah Sullivan, District 1
Vice Chair Katherine Freitag, Mayor

Members Not Present: BrenNette Rahming, (Alternate Member)
Tiffany O'Bryan, District 1- excused

Also Present: Carolyn Marshall, City of Deerfield Beach
Elizabeth Ricci, City of Deerfield Beach
Amelia Jadoo, City Attorney's Office

2. Approval of 6/27/22

- MOTION made by Katherine Freitag to approve the minutes seconded by Ashley Gombs. The motion was CARRIED unanimously.

3. Elizabeth Ricci -updates-

- Mrs. Ricci – No updates; I would like to introduce Dean Scott Miller. He would like to go over a proposal.
- **Dean Scott Miller** – From Broward College proposed the Broward College Jazz Band can come and perform at different locations for a minimal cost. Dean Scott Miller was given dates and asked to create a new proposal from the committee with a price attached for review and approval by the City Manager.

4. Amelia Jadoo-City Attorney-updates? No updates

5. Old Business-

- a. Re: attendance discussion-remove nonattending member Alternate BreNette Rahming from the committee?

- **Attorney Amelia Jadoo** – No updates. **Karen Hardy** - wanted to know information about the removal of BrenNette Rahming (Alternate Member).
- **Elizabeth Ricci** – Stated we could not backtrack on her attendance; we would start tracking attendance from now on. I will reach out to BrenNette Rahming to ask that she start attending meetings because that is the committee's expectation.
- **Attorney Amelia** – Stated the City Commission is the only one that can remove someone from the committee, not the committee themselves. The committee can make the recommendation to the commission.

6. New Business -

a. Feb 18-19th 2023 FOA discussion-next steps

1. Who will take over Kids Corner/Art Display Tent?

2. Poster Contest- Discussion about making adjustments to the application

Attorney Amelia – Stated that the expectation is that they present to you an original piece of work. Staff and legal will work on creating an outline for the poster contest language.

3. Chair Appointments:

I. Merchandise-Deborah Sullivan

II. Entertainment-Ashley Gombs

III. Logistics - Katy Freitag

IV. Sponsorship- Nick Kerns

V. Volunteer & Hospitality-Karen Hardy

VI. Publicity/Marketing Daniel Shanetsky

VII. Judges-Thelema Lamar

VIII. Kid's Art Corner- Tiffany O'Bryan/ Thelema Lamar

4. Scope of Services 2022-2023-all vendors (artists & food/beverage)

Katherine Freitag made a motion to table the scope of service to the next meeting, seconded by Ashley Gombs

5. Management Company bids –logistically, we will not be hiring a management company for pioneer days. City staff will handle load-in and load-out. Katherine Freitag – asked that the committee member take that Friday off and be on-

site to assist with logistics for FOA and not hire a management company. The committee agreed.

7. New project proposals? We need a written proposal to present to the Cultural Committee-rates, dates, location, objective, etc. – (NONE)

- 8. **Comments from the Chair & Vice-Chair** – No Comments
- 9. **Comments from Committee** – No Comments
- 10. **Comments from Staff** – No Comments
- 11. **Comments from Alternates** – No Comment
- 12. **Comments from Public** – No Comments
- 15. **Next Meeting** – August 15th at 6:30 PM
- 16. **Adjournment** – Katherine Freitag motion to adjourn Ashley Gombs second 7:47 pm.

Committee Mission Statement

The mission of the Deerfield Beach Cultural Committee is to assist the City of Deerfield Beach in positioning Deerfield Beach as the city with the most desirable cultural environment for individuals and families as well as businesses, both large and small, by providing a cultural environment that is accessible, progressive and positive in design.

Minutes Approved_____ **Date**_____

City of Deerfield Beach – AFRICAN AMERICAN HERITAGE COMMITTEE BOARD
MEETING OF JULY 14, 2022 – 6:30 pm
Commission Chamber (150 NE 2nd Ave.)
MINUTES

1. Call to order/roll call

Chair Lawanna Strowbridge-Called meeting to order at 7:04 PM.

Members Present: Chair Lawanna Strowbridge, District 2
Vice-Chair Sandra Jackson, District 2
Gloria Docilait, District 3
Diane Chisholm, District 1

Members Not Present: Annette Mitchell, District 2
Barri McMillion, Mayor

Also Present: Elizabeth Ricci, City of Deerfield Beach
Carolyn Marshall, City of Deerfield Beach
Monique Spencer, City of Deerfield Beach
Attorney Milton R. Collins, City Attorney's Office

2. Approval of June 2, 2022 Minutes

3. Old Business

a. Juneteenth Wrap Up-by section-please keep comments brief

i. Budget review

1. Ms Docilait corrected an item on the budget.
2. Mrs. Spencer informs the board that the total spent for this event was \$57,960.37 with the exception of invoices that have not been turned in from other departments.

ii. Consultant (Art N Soul)

1. Mrs. Strowbridge does not feel that we need a consultant and he did not do an excellent job on the entertainment lineup, the advertisement on the radio and thought we produced a better successful event last year.
2. Ms. Jackson will not like to bring back the consultant, and the entertainment was not up to par.
3. Ms. Docilait has no opinion of the consultant.
4. Ms. Chisholm did not feel heard by the consultant. He did not interact with the entertainment and thought she had to step in. Diane did not see the benefit and that he appeared to be lost during the process.

iii. Vendors (totals and discussion)

1. Internal and external

- a. Mrs. Strowbridge was very impressed with the food vendors and suggested more business vendors. I had concerns with the flow of people and the ability of the vendors to make money

- b. Ms. Jackson felt we had food vendors, and the lack of advertisement contributed to their revenue.
- c. Ms. Docilait enjoyed the food vendors and believed we had too many.
- d. Ms. Chisholm's views on the morning breakfast vendor "Sticky Buns" was too heavy to start the day, and the food went waisted. Loved the package meals from chick fila for lunch. Her heart ached for the vendors, food, and business, with the lack of participation. She believed that the clothing vendors wouldn't make a lot of money due to the area, and the length of the day contributed to the revenue.

iv. Gym

- 1. Ms. Strowbridge was not impressed with the movie in the gym but felt it was nicely decorated. Lawanna suggested having a tent again like the black museum from last year.
- 2. Ms. Jackson was not impressed with the gym setup and felt it took away from the entertainment on the field.
- 3. Ms. Docilait did not like movies displayed in the gym and felt they didn't show anything about Juneteenth. Gloria thinks that all portions of the event should be in one area.
- 4. Ms. Chisholm feels that Mr. Huggins failed to listen and should have heard. She feels the board should go with what we know.

v. Art Wall

- 1. Ms. Strowbridge thinks the mural on the wall looks nice.
- 2. Ms. Jackson does not like the location of the mural. I would have preferred it placed on the concession stand wall to be more visible.
- 3. Ms. Docilait likes the mural and would prefer to use the containers again. Also, to add to the mural in the following events.
- 4. Ms. Chisolm is not big on murals and believes they are stereotypical in black neighborhoods.

vi. Entertainment

- 1. Ms. Strowbridge was not pleased with the lineup. I enjoyed the 99 jams host and felt they did an excellent job.
- 2. Ms. Jackson felt there was dead time. We need a headliner and better performances to bring out the crowd.
- 3. Ms. Docilait saw a lot of dead time with an 8-hour event.
- 4. Ms. Chisholm believes Big Lip and Shelby from the 99 jams did a great job. Enjoyed the spoken word, and the mc was very interactive. Diane also feels there were too many bands.

vii. Kid Zone

1. Ms. Strowbridge felt it went well, and we should bring it back. She was also impressed with the reading corner.
2. Ms. Jackson agrees with Lawanna Strowbridge.
3. Ms. Docilait thinks the kid's corner was a good turnout and provided an even balance.
4. Ms. Chisolm agrees with the board's comments.

viii. Merchandise

1. Ms. Strowbridge was pleased with all the merchandise; we have enough to utilize next year.
2. Ms. Jackson suggests not to buy anymore for next year as we should have enough left over. The drawstring backpacks should be of better quality. We need to reorder T-shirts with the city's logo on the sleeve, not the back.
3. Ms. Docilait wants the hats to be a giveaway, not for sale. Doesn't want to reorder shirts for next year until we get rid of all the old inventory. Feels we can have city staff and other avenues of getting most of the shirts out, such as the black heritage banquet, as giveaways.
4. Ms. Chisholm loved the bracelets and would like city staff to check inventory as she only saw one pack to give out. The size of the city's logo on the shirt is too big, and we can give the shirts to city staff.

ix. Volunteers

1. Mrs. Strowbridge feels the amount of volunteered was enough for the event and the turnout.
2. Ms. Jackson believes Father's Day and that children were out for summer is why the turn out of volunteers that participated.
3. Ms. Docilait believes the turnout was due to the summer, and we could use a different approach.

x. Miscellaneous items

1. Mrs. Strowbridge would like the same tent for merchandise and the giveaways but different tables, not connected. Also, have a sign to be displayed to different them both. Was overall pleased with the food vendors. Lawanna feels the event should be shorter and should have a better headliner for promotional tools. Next year we should include more business vendors, such as jewelry.
2. Ms. Jackson would like next year's Juneteenth to be shorter. To cater to the older adults as it's too hot for the long hours. The event needs a better headliner and better advertisement—a new concept of starting the event with African dancers beginning at the entrance.
3. Ms. Docilait is happy with the staff and the efforts for Juneteenth. She believes the time of the event should be shorter

4. Ms. Chisholm wasn't to give kudos to the city staff for a successful event. The event needs to be shorter, and we need a headliner with a strong line-up and opener. Diane would like to provide better shade and tents for the guest to protect them from the sun. Ms. Chisholm wants the city to utilize all our beautiful flags and get the poles placed in various places for ascetics.
5. Mr. Collins enjoyed the event, and the vendors were great. He believes if more people would have been present, the event would have been a 10 out of 10.

4. MLK 2023

i. Event Outline/Logistics

1. Motion was made by Ms. Docilait and seconded by Ms. Jackson to extend the meeting 15 more minutes. Voice Vote:
Yeas: 4 - Chair Lawanna Strowbridge, Vice-Chair Sandra Jackson, Diane Chisholm, Gloria Docilait; Nays: 0-

ii. Entertainment (Sandra)

1. Sandra will work with Liz on contracting artists.

iii. Grand Marshall and Speaker (Ms. Chisolm)

1. Ms. Chisholm has some people in mind. School board Mrs. Valarie Wanaza and football players.

iv. Volunteer Information

1. Mrs. Strowbridge will reach out to schools and the Kiwanis West of Deerfield Beach group.

v. Social/Hospitality

1. N/A

vi. Merchandise (Gloria)

1. Shirts from the year before can be used.
2. Update the save the dates and banners. We will utilize the box trucks for advertisement along with the VMS boards.

vii. Sponsorship (Diane)

1. Liz will provide sponsorship packages

5. New Business /Proposals

- a. N/A

6. Comments from Chair & Vice Chair

- a. Mrs. Lawanna would say the city did an outstanding job working with the board to move forward and make events better. And thank you to Mr. Collins for coming out.
- b. Ms. Jackson is thankful to the staff and feels that they did a good job.

7. Comments from Board

- a. Ms Docilait is thankful for the city and will not be able to make the next meeting.
- b. Ms Chisholm is thankful for the board and appreciative of the conversation.

8. Comments from Staff

- a. N/A

9. Comments from the Public

- a. N/A

10. Next Meeting: *August 9, 2022*

11. Adjournment

- Motion was made by Ms. Chisholm and seconded by Ms. Jackson to adjourn the meeting. Voice Vote: Yeas: 4 - Chair Lawanna Strowbridge, Vice-Chair Sandra Jackson, Diane Chisholm, Gloria Docilait; Nays: 0-

Approved_____ **Date**_____

Affordable Housing Advisory Committee (AHAC)
Meeting Minutes
Monday, April 4, 2022 @ 7:00 pm
Hillsboro Community Center

Call to Order and Roll Call

Ms. Aneisha Nicholas called the meeting to order at 7:00 pm.

Members Present: Abner Clerveaux
Betty Ferguson
Brian Bennett
Carolyn McNamara
David Cherry
Eric Power

City Staff Present: Jonathan Salas, Community Services Department
Aneisha Nicholas, Community Services Department
Vennillia Wyatt, Community Services Department
Donna DeFronzo, Community Services Department
Elen Gantner, City Attorney's Office

Guests Present: None

Approval of Minutes

MOTION was made by Brian Bennett and seconded by Betty Ferguson to approve the February 7, 2022 meeting minutes. The MOTION carried unanimously.

Staff Updates

AHAC Vacancies

Ms. Nicholas reported that there are several vacancies on the committee. Members were advised to encourage persons who may interested to fill out an application available on the City's website or contact the Community Services Department for assistance.

National Community Development Week

Ms. Nicholas shared that National Community Development Week is April 11th - 15th.

Fair Housing Month

Ms. Nicholas shared that April is Fair Housing Month and in recognition, a proclamation will go before City Commission at the regular meeting on Tuesday, April 5, 2022. The City will also advertise Fair Housing information in, The Pelican, a local newspaper.

Affordable Housing Programs Status Report

Ms. Nicholas provided a status update on the City's Fiscal Year 2021/2022 Affordable Housing Program budget. The presentation is attached with detailed information. Key highlights include the following:

Home Rehabilitation

- **SHIP** – An estimated \$387,000 budgeted; about 81% awarded/disbursed
- **CDBG** – An estimated \$383,000 budgeted; about 37% awarded /disbursed

Purchase Assistance

- **SHIP** – An estimated \$90,000 budgeted; 22% awarded/disbursed
- **CDBG** – An estimated \$84,000 budgeted
- **HOME** – An estimated \$291,000 budgeted.

Rental & Utility Assistance

- **CDBG-CV (Coronavirus Relief Funding)**
 - Rental Assistance: An estimated \$390,000 budgeted; over 80% awarded/disbursed.
 - Utility Assistance: An estimated \$325,00 budgeted; about 10% awarded/disbursed

Housing Trust Fund Overview

Mr. Eric Power, Director of Planning and Development Services, provided an overview of regulations regarding the Housing Trust Fund. He explained that Broward County amended development regulations to require any Developer that builds more than 100 units in the County to provide affordable housing units or pay an in-lieu fee. If a Developer opts to pay an in-lieu fee, the City and Broward County shall split the funds. The City is required to establish a Housing Trust Fund to deposit any funds received.

Mr. Power explained that the City is in the process of establishing the Housing Trust Fund which can be utilized to fund the following activities:

- Acquisition of land or property for the redevelopment of affordable housing;
- Affordable Housing Programs;
- Redevelopment of affordable housing properties,
- Relocation assistance; and,
- Gap funding, whereas, with sufficient funding in the Housing Trust Fund the City can loan money to Developers for affordable housing projects and charge interest. This approach incentivizes Developers while generating revenue for the trust fund.

Mr. Power opened the floor for comments and input from the Committee.

Mr. Abner Clerveaux asked if the \$500.00 per unit requirement for Developers is a one-time fee, to which Mr. Power replied yes, subject to future increases.

Ms. Betty Ferguson shared that it will take time to generate revenue in the Housing Trust Fund for property acquisition and recommended using the funding for Purchase Assistance.

Ms. Nicholas shared that SHIP has a maximum home purchase price limit of about \$352,000 and explained that if the City has a local funding source there may be fewer restrictions than state and federal funding.

Ms. Carolyn McNamara stated that she anticipates a real estate listing in the Vista Clara Marina area in Deerfield Beach and inquired of any improvements in the area. Mr. Power advised of the following pending improvements: a new lift station, boardwalk, and roadway, light, and drainage improvements.

In response to Mr. Abner Clerveaux, Ms. Nicholas explained that first-time homebuyers must meet HUD low-and moderate-income guidelines to be eligible for an award through the Purchase Assistance Program.

Ms. Nicholas advised that City Departments, Community Services and Planning and Development Services are working in coordination to establish the Housing Trust Fund which will go before City Commission for approval.

Public Hearing: Fiscal Years 2022 – 2025 SHIP Local Housing Assistance Plan

Ms. Nicholas presented on the draft Fiscal Years 2022-2025 SHIP Local Housing Assistance Plan (LHAP) which was distributed to the Committee with the AHAC meeting agenda packet for review. The presentation included an overview of the following:

- Purpose of the LHAP
 - Identifies strategies to meet the affordable housing needs of our community; and details how funding through SHIP will be expended.
- Proposed Housing Strategies
 - Home Rehabilitation, Purchase Assistance & Disaster Assistance
- Maximum Award / Program Terms
 - Home Repair/Purchase Assistance: \$20,000 – \$50,000
 - Disaster Assistance: Mortgage/Rental - \$10,000; Utility - \$1,000
 - 0% interest Deferred Loan Term - 0-15 years (forgiven on prorated basis)
- Proposed Incentive Strategies
 - Expedited Permitting; Ongoing Review Process – local policies, ordinances, regulations & provisions that impact affordable housing; and Printed Inventory of locally owned public lands suitable for affordable housing.
- Timeline for Estimated Encumbrance & Expenditure: Three years

The proposed LHAP 30-day public comment period is underway and ends on April 14, 2022; plan adoption is scheduled for the City Commission meeting on April 19, 2022. The LHAP is due to the Florida Housing Coalition by May 2, 2022. The presentation is attached for detailed information.

Ms. Nicholas opened the floor for questions and/or comments. There were no public comments.

Old Business: Paint Program

Mr. Power reported that in prior years the City of Deerfield Beach participated in the Broward County Free Paint program for a fee of \$5,000. However, due to underutilization by City residents, the City no longer participates in the program.

New Business

Affordable Housing Programs Maximum Assistance Discussion

Ms. Nicholas explained that to combat the housing crisis the City is considering increasing the Affordable Housing Program maximum award amount for the Home Rehabilitation and Purchase Assistance programs. City staff recommended an increase from \$50,000 to \$70,000 for low income persons. The Committee engaged in discussion.

Ms. Betty Ferguson suggested increasing the Purchase Assistance program maximum award for moderate-income persons as well. Mr. Bennett recommended an increase to \$40,000.

MOTION was made by Brian Bennett and seconded by David Cherry to increase the Affordable Housing Program maximum subsidy award for low income persons to \$70,000 and moderate-income persons to \$40,000 for the Purchase Assistance and Home Rehabilitation Programs. The MOTION carried unanimously.

CDBG-CV Funding Reallocation

Ms. Nicholas reported that the City has about \$292,000 available in CDBG-CV funding for the Utility Assistance program and has been receiving very few applications for assistance. Consequently, the City is considering reallocating the funding to another program/activity and would like the Committee's input and recommendations for funding. Ms. Nicholas also shared that the City anticipates receiving an influx of Utility Assistance applications within the next few weeks due to recent City utility shut offs.

Mr. Bennett recommended leaving the funding as is and revisiting the reallocation discussion at the next meeting to which the Committee agreed.

Board Updates

None

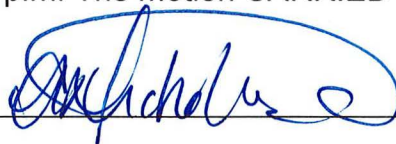
Public Comments

Ms. Nicholas opened the floor for public comment. There were no public comments.

Adjournment

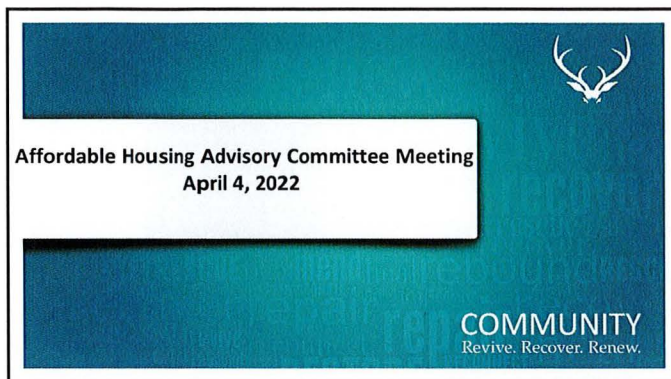
MOTION was made by Mr. Brian Bennett and seconded by Ms. Betty Ferguson to adjourn the meeting at 8:27 p.m. The motion CARRIED unanimously.

Minutes approved

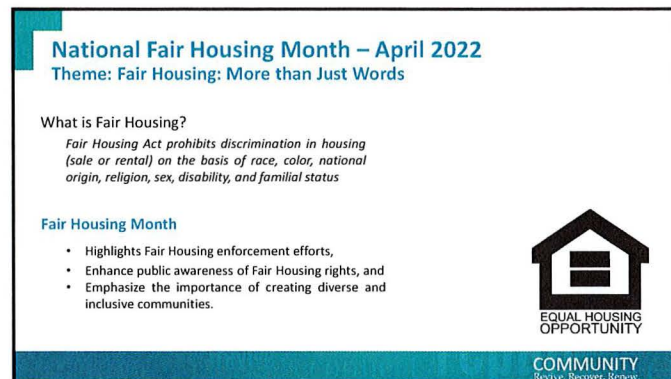


Date

8/8/22



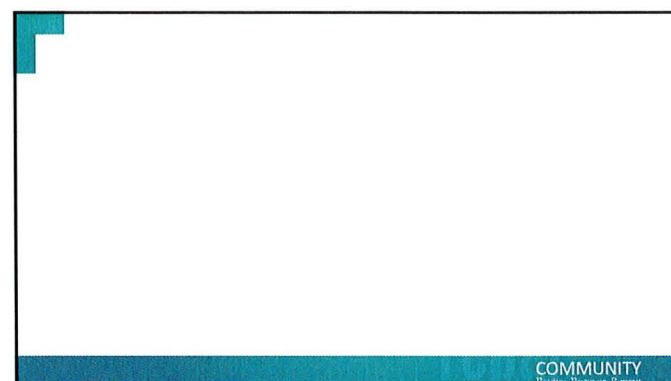
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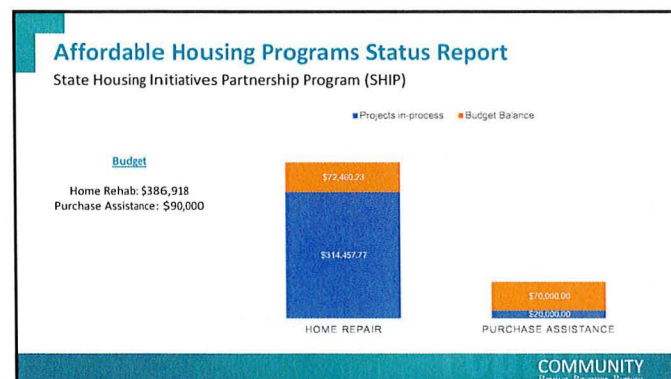
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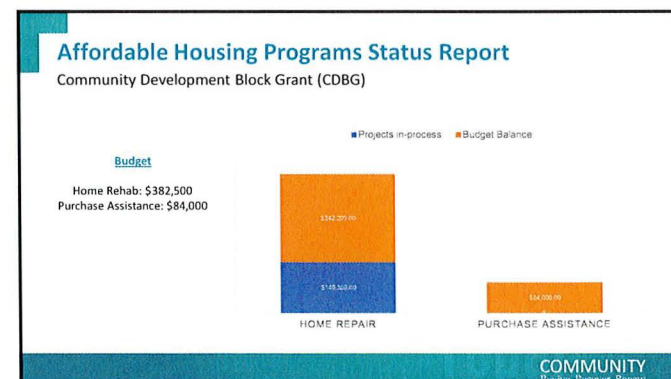
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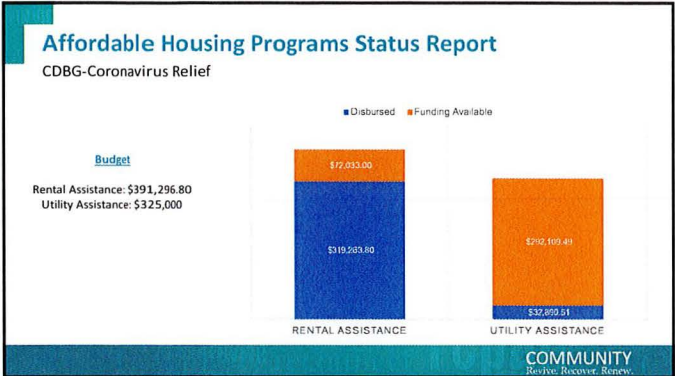
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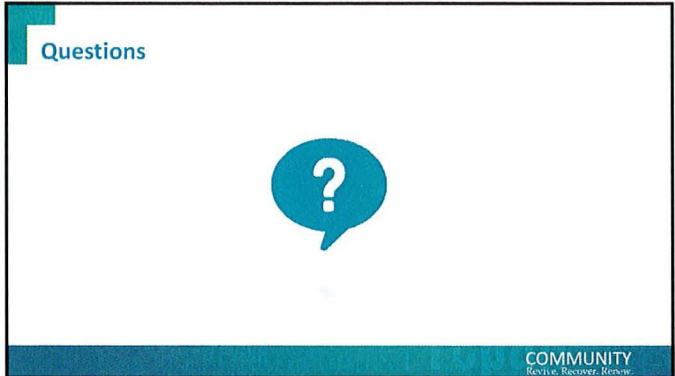
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6



7



8

FY 2022 – 2025 Proposed Local Housing Assistance Plan

Local Housing Assistance Plan

- State Housing Initiatives Partnership Program (SHIP) Requirement;
- Entitlement Communities required to submit updated Plans every three years;

Purpose

- Identifies strategies to meet the affordable housing needs of our community; and
- Details how funding through SHIP will be expended.

COMMUNITY
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9

FY 2022 – 2025 Proposed Local Housing Assistance Plan

Plan Structure

- Program Details –
 - Designed to serve very low, low- and moderate-income households
 - Expand production of and preserve affordable housing
 - Further housing element of the City's Comprehensive Plan (affordable housing)

Eligible SHIP Activities include:

- Emergency repairs
- New construction
- Rehabilitation
- Down payment and closing cost assistance
- Acquisition of property for affordable housing
- Homeownership counseling, etc.

COMMUNITY
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10

FY 2022 – 2025 Proposed Local Housing Assistance Plan

Plan Structure

- Housing Strategies
 - Home Repair
 - Purchase Assistance
 - Disaster Assistance

Program Terms

- Maximum Award
 - Home Repair/Purchase Assistance: \$20,000 – \$50,000
 - Disaster Assistance: Mortgage/Rental - \$10,000; Utility - \$1,000
- Purchase Price Limit - \$352,371
- 0% interest Deferred Loan Term - 0-15 years (forgiven on prorated basis)

COMMUNITY
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11

FY 2022 – 2025 Proposed Local Housing Assistance Plan

Plan Structure

- Incentive Strategies
 - Expedited Permitting
 - Ongoing Review Process – local policies, ordinances, regulations & provisions that impact affordable housing
 - Printed Inventory of locally owned public lands suitable for affordable housing
- Administrative Budget – Estimated \$500,000 (10% allocated to Program Admin.)

COMMUNITY
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12

FY 2022 – 2025 Proposed Local Housing Assistance Plan

Plan Structure

- Timeline for Estimated Encumbrance & Expenditure
 - Three years to expend annual allocation of SHIP funds
- Housing Delivery Goals
 - Construction/Rehab - 75%
 - Homeownership - 65%
 - Very-low Income - 30%
 - Low Income - 30%

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13

LHAP Plan Timeline

- Pre-Development Meeting2/7/2022
- Publish Proposed Plan Notice3/15/2022
- 30 Day Public Comment Period End4/14/2022
- Public Meeting - Plan Review4/4/2022
- Public Hearing – Plan Adoption4/19/2022
- Transmit to State/Federal Agency5/2/2022

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14

Questions



COMMUNITY
Revive. Recover. Renew.

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**City of Deerfield Beach
MARINE ADVISORY BOARD MINUTES
May 19, 2022**

The meeting was called to order on the above date by Patrick Bardes, Coastal & Waterway Coordinator, at 6:01 p.m. The following board members were in attendance:

Voting

- Ms. Ramon
- Mr. Streather
- Mr. Bonner
- Mr. Chapman
- Mr. Nass

Also in attendance: Patrick Bardes, Coastal & Waterway Coordinator, and Elen Gantner, Assistant City Attorney

Not in attendance: Chair Hendrickson

PUBLIC INPUT

None.

APPROVAL OF AGENDA

Patrick Bardes, Coastal and Waterway Coordinator, proposed tabling Item C due to Chair Hendrickson's absence.

Motion was made by Mr. Chapman, seconded by Mr. Nass, to approve the agenda as amended, tabling Item C. The motion CARRIED by unanimous vote.

APPROVAL OF MINUTES

Mr. Nass requested the wording in the second paragraph of section B be amended from "had" to "have" to more accurately depict the ongoing issues occurring in Sullivan Park.

Motion was made by Mr. Nass, seconded by Mr. Chapman, to approve the March 17, 2022 minutes as amended. The motion CARRIED by unanimous vote.

NEW BUSINESS

A. New Board Member Introduction – Dennis Bonner

Patrick Bardes, Coastal & Waterway Coordinator, introduced Dennis Bonner, alternate.

Thereafter, all of the members introduced themselves and provided a brief overview of their background and credentials.

B. Marine Advisory Board Event Discussion by Sacha Ramon

Ms. Ramon introduced the idea of creating a Board sponsored event at Sullivan Park geared towards children and families in order to bring awareness of the Board's presence and increase community engagement. She suggested partnering with Gumbo Limbo Nature Center to provide an educational seminar for children.

Patrick Bardes, Coastal & Waterway Coordinator, advised the City is willing to host the event, but it would have to be budgeted for the next fiscal year.

Mr. Nass suggested relocating the event to Deerfield Island Park in order have the event sooner.

Mr. Bardes stated outside sponsorships would also expedite the process. Additionally, he suggested setting up a meeting with the Superintendent of Special Events to come up with alternative ideas to get the process started.

BOARD MEMBER COMMENTS

Mr. Chapman noted the abundant population of frogfish in the water off of West Palm Beach and inquired if a marine life survey had ever been conducted for the City's waterways. He advised people come from all over the world to see the fish.

Patrick Bardes, Coastal & Waterway Coordinator, advised frogfish, seahorses and octopus can be found off the City's coast and can be seen on the underwater pier camera.

Mr. Nass encouraged Mr. Bardes to urge commissioners to fill Board vacancies.

Mr. Bardes advised the City Clerk's Office has brought the vacancies to the Commission's attention.

Mr. Bonner suggested creating a Facebook group or increasing promotion of the Board on the City's Facebook page in order to create more community awareness.

Mr. Bardes advised increasing Board attendance has been challenging since the start of the pandemic, but he will look into both suggestions.

ADJOURNMENT

Motion was made by Mr. Chapman, seconded by Mr. Nass, to adjourn the meeting at 6:58 p.m. The motion CARRIED by unanimous vote.

**COMMUNITY APPEARANCE BOARD
MEETING MINUTES
CITY OF DEERFIELD BEACH, FLORIDA
July 27, 2022**

A regular meeting of the Community Appearance Board of the City of Deerfield Beach, a municipal corporation of Florida, was called to order on the above date at 7:17 p.m. in the City Commission Chambers, Deerfield Beach, by Chair Belton.

Roll call showed:

Present: Harry Belton, Chair
Terrance Glunt, Vice Chair
Tinka Ellington

Also Present: Anthony Soroka, City Attorney
Christopher Suneson, Assistant Director of Planning and Development Services
Bonnie Jacobson, Senior Planner
Emily Cortez, Assistant Planner
Tracy Britten, Administrative Support Specialist

Absent: Jack Hugentugler
Patrick Morris
Mark Damiano, Alternate

APPROVAL OF MINUTES OF PREVIOUS MEETING

Vice Chair Glunt made a motion, seconded by Ms. Ellington to approve the June 8, 2022 meeting minutes as submitted. The motion CARRIED by unanimous vote.

NEW ITEMS

**#7029 Dolphin Tile
 1471 West Hillsboro Boulevard
 Building Paint Change**

Bonnie Jacobson, Senior Planner, displayed images captured via Google maps.

The applicant provided renderings of the proposed paint change to include Winsome Grey for the main body, brick columns and rolling doors; Reflection for the horizontal accent bend; Black of Night for the accents; Blue Brilliance for the wall corners and main entrance. All existing landscaping and signage will remain unchanged.

Vice Chair Glunt made a motion, seconded by Ms. Ellington to approve Item #7029 as submitted. The motion CARRIED by unanimous vote.

**#7027 Miami Grill/K&S Hillsboro LLC
259-263 West Hillsboro Boulevard
Major Site Plan**

Bonnie Jacobson, Senior Planner, displayed images captured via Google maps.

The applicant provided the proposed site plans for the construction of a Miami Grill restaurant on a 1,129 square foot vacant lot. The property will be leased from the owner of the Dunkin' Donuts in the same plaza. There will be two (2) drive-thru lanes on the south side of the building and a walk-up window on the west side with outside seating, but no indoor seating. Menu boards will be located as far east as possible to allow for seven (7) to eight (8) cars to queue in the drive-thru before they impede the pedestrian crosswalk. Due to the small size of the property, the location of the crosswalk and picnic tables can not be moved to a different location, but pedestrian crossing signage will be posted.

Bonnie Jacobson, Senior Planner, advised that staff has already reviewed the proposed plans.

The majority of the trees on 2nd Terrace and Hillsboro Boulevard are existing and will remain. Any plants that are not currently planted at the site will be installed according to the approved landscape plan.

Vice Chair Glunt made a motion, seconded by Ms. Ellington to approve Item #7027 with the stipulation that any landscaping labeled existing (as shown in presentation), must be planted; and if any Crepe Myrtle is removed, it should be replaced with Muskogee or Natchez. The motion CARRIED by unanimous vote.

**#7028 3111 West Hillsboro JV LLC
3111 West Hillsboro Boulevard
Major Site Plan**

Bonnie Jacobson, Senior Planner, displayed images captured via Google maps.

The applicant provided the proposed site plan to tear down the existing two (2) story bank and build a one (1) story 7,484 square foot retail building with restaurants on each end and a medical use space in the center. The Chipotle restaurant on the west end will only have a drive-thru pick-up window for pre-ordered food. Specific tenant leases are still being finalized.

Building materials will include concrete blocks with a stucco finish, and the base of the columns will be decorative stones. Aluminum awnings will cover storefronts, and aspects of surrounding buildings have been included in the overall design to match to area. The Origami White color of the stucco walls matches neighboring buildings, and the Autumn Rose accent wall is Chipotle's corporate color. Most of the existing landscape islands will be removed.

The Board expressed concern with the accent wall color; whereas, the City should have a more coastal color scheme, as well as the dark color of the decorative stones at the base of the building.

Vice Chair Glunt made a motion, seconded by Ms. Ellington to continue Item #7028 to the next available meeting to allow for the applicant to provide alternate options for the decorative stones, accent wall and landscaping in the northeast corner. The motion CARRIED by unanimous vote.

REPORTS

Comments by Deerfield Beach City Attorney

Anthony Soroka, City Attorney, reminded the Board of the bill passed by Florida legislature five (5) years ago limiting local government's ability to impose certain sets of color requirements that conflict with federally recognized franchises.

Comments by Deerfield Beach Planning and Development Services Department

Christopher Suneson, Assistant Director of Planning and Development Services, introduced himself to the Board.

Bonnie Jacobson, Senior Planner, introduced Emily Cortez, Assistant Planner, to the Board.

ADJOURNMENT

Chair Belton adjourned the meeting at 8:50 p.m.

Harry Belton, Chair
Community Appearance Board



City Commission Meeting - September 6, 2022

DEERFIELD BEACH - YOU ARE HEREBY NOTIFIED that the **Regular City Commission** meeting will be held on **Tuesday, September 6, 2022, at 7:00 PM in the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, Florida.** A quorum of the City Commission will be physically present at the meeting and the City will be utilizing communications media technology with most City staff participating through video conferencing.

The September 6, 2022, Regular City Commission meeting will proceed utilizing communications media technology; **however, the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, will be open to the public as an additional method** for speakers wishing to speak on items. A copy of the agenda for the September 6, 2022 meeting will be available at <http://www.deerfield-beach.com/1554/Meetings-Agendas>.

Attending and Viewing the City Commission Meeting:

This meeting will be broadcast live for members of the public. There are several options available to the public to attend/view the meeting:

- 1. In Person Attendance.** Attend in person in the City Commission Chambers.
- 2. Zoom**
 - a. Via Zoom Online** - Access to the meeting will begin at 6:45 PM on September 6, 2022.
 - i. Use the following link below to access the meeting via Zoom:
<https://deerfield-beach.zoom.us/j/86829263759?pwd=VG1HMjNubU9aUUtuY3pNN0hKUjB6Zz09>
 - ii. The video camera display feature is disabled for public use
 - b. Via Zoom Telephone** - Join the meeting via telephone (audio only) using the Call-in number below, followed by the Meeting ID when prompted. No computer or access code is required.

Call-in Number: (929) 205-6099, Meeting ID: 868 2926 3759#, Participant ID: #, Passcode: 878393#

For more information on using Zoom, please visit Zoom Support at the following link:
<https://support.zoom.us/hc/en-us>.

3. YouTube

The meeting will also be available to the public via YouTube for audio and video access; however, public participation, i.e. comments are not possible. The link to watch the meeting via YouTube will be active no later than 6:45 PM on September 6, 2022, and can be found by clicking the camera icon in the Media column at <http://www.deerfield-beach.com/1554/Meetings-Agendas>.

Providing Public Comment:

Public participation is strongly encouraged. Your comments will be limited to three minutes per person. To participate, please choose the option best for you and remember to include your name and address for the record.

1. **In person** - Public comment may be given in the Commission Chambers during the applicable public comment portion of the meeting.
2. **Live Zoom Video Participation** - If attending via Zoom online, at the appropriate public comment period, click “raise hand” on the bottom of the “participants” tab, and your audio will be unmuted when you are recognized.
3. **Live Zoom Telephone Participation** - If attending via Zoom by telephone, at the appropriate public comment period, press *9 to “raise your hand” and your audio will be unmuted when you are recognized.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK NO LATER THAN 3 DAYS PRIOR TO THE MEETING AT (954) 480-4213 FOR ASSISTANCE.

Should you have any questions, please feel free to contact the City Clerk’s Office at 954.480.4213. For additional information on the agenda items for the Commission meeting, please visit www.dfb.city.



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1461

Agenda Date: 9/6/2022

Status: BUDGET & MILLAGE PUBLIC
HEARINGS

In Control: City Commission

Title

ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE MILLAGE RATE TO BE LEVIED BY THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; STATING THE PERCENTAGE CHANGE BY WHICH THE MILLAGE RATE EXCEEDS THE ROLLED-BACK RATE AS COMPUTED PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set second public hearing for September 14, 2022

Voting Requirement

Adoption requires a 4/5 vote of the City Commission

Background/History

In accordance with Section 200.065, F.S., during the City Commission meeting of September 6, 2022, the first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget. During the budget hearings, the governing body shall hear comments regarding the proposed increase and explain the reasons for the proposed increase over the rolled-back rate. The general public shall be allowed to speak and to ask questions prior to adoption of any measures by the governing body. The governing body shall adopt its tentative or final millage rate prior to adopting its tentative or final budget.

Current Activity

The FY2023 proposed millage rate of 6.2825 mills represents a decrease from the prior year's legally adopted millage rate of 6.3125.

The FY2023 proposed operating millage rate of 6.0018 mills represents no increase from the prior year's operating millage rate of 6.0018. The operating millage rate of 6.0018 mills is 9.58% more than the rolled-back rate of 5.4770 mills calculated pursuant to state law.

The proposed millage rate is expected to generate a net of approximately \$53.5 million of ad valorem tax revenue, which is approximately 9.7% more than the previous fiscal year's estimate of \$48.7 million.

Ad Valorem Tax Revenue History

FY23 - \$53,450,956 (Est.)
FY22 - \$48,699,619 (Est.)
FY21 - \$45,624,288

Recommendation

Staff recommends approval of the proposed millage rate for Fiscal Year 2023.

ORDINANCE NO. 2022/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE MILLAGE RATE TO BE LEVIED BY THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; STATING THE PERCENTAGE CHANGE BY WHICH THE MILLAGE RATE EXCEEDS THE ROLLED-BACK RATE AS COMPUTED PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City Commission has held all necessary budget workshops and public hearings to consider and make changes to the Annual Budget submitted by the City Manager for the fiscal year ending September 30, 2023; and

WHEREAS, the proposed Fiscal Year 2023 operating millage rate is 6.0018, which represents an increase of 9.58% over the rolled-back rate, and such percentage change is characterized as the percentage increase in property taxes pursuant to Section 200.065, Fla. Stat; and

WHEREAS, the City has provided notice and has conducted public hearings as required by Section 200.065, Florida Statutes, to consider, discuss and hear public comment regarding the millage rate for Fiscal Year 2023.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. That the millage rate hereby adopted and levied for the fiscal year beginning October 1, 2022 and ending September 30, 2023 is as follows:

Operating Millage Rate	6.0018
Voted Debt Service Millage Rate	<u>0.2807</u>
Total Millage Rate	<u>6.2825</u>

Section 2. The Fiscal Year 2023 operating millage rate of 6.0018 mills is 9.58% more than the rolled-back rate of 5.4770 mills calculated pursuant to Florida law. The voted debt service millage is 0.2807 mills.

Section 3. That the appropriate City officials are authorized to do all things necessary and expedient to carry out the aims of this Resolution.

Section 4. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 5. Should any section or provision of this ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 6. This Ordinance shall take effect immediately upon its passage and adoption on Second Reading.

Section 7. This Ordinance was adopted after a second public hearing on the subject matter hereof and notice of the public hearings were published as required by the City Charter and Florida law, which public hearings were held at 7:00 P.M. on September 6, 2022, and September 14, 2022, in the City Commission Room, City Hall, Deerfield Beach, Florida.

PASSED 1ST READING ON THIS _____ DAY OF SEPTEMBER, 2022

PASSED 2ND READING ON THIS _____ DAY OF SEPTEMBER, 2022

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1462

Agenda Date: 9/6/2022

Status: BUDGET & MILLAGE PUBLIC
HEARINGS

In Control: City Commission

Title

ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set second public hearing for September 14, 2022

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

Budget workshops were held on June 15, June 16, and August 9, 2022. The workshops provided details into each department's and fund's budget; including revenues, expenditures, programs, and capital expenses. The workshops also provided the City Commission and the Public an opportunity to provide input and additional recommendations. Staff hereby presents for your consideration and approval the Fiscal Year 2023 Proposed Budget. The Proposed budget incorporates, to the extent possible, all of the recommendations which were discussed during the budget workshops. The Fiscal Year 2023 Proposed Budget is available on the City website for public review at the following link: <https://www.deerfield-beach.com/561/City-Budget>. A summary of the FY 2023 Proposed Budget is enclosed. Additionally, staff will present a budget overview during the budget hearing.

Recommendation

Staff recommends approval of the recommended budget.

ORDINANCE NO. 2022/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the City Manager of the City of Deerfield Beach, Florida, has submitted his annual budget report to the City Commission covering the fiscal year ending September 30, 2023 (“Fiscal Year 2023”); and

WHEREAS, the City Manager has estimated the revenues and expenditures for Fiscal Year 2023 and has determined the required millage rate for the purpose of ad valorem taxation; and

WHEREAS, the City Commission has held all necessary budget workshops and public hearings to consider and make changes to the annual budget and the City Commission has had the opportunity to review the complete proposed budget for Fiscal Year 2023; and

WHEREAS, the City Commission has passed an Ordinance adopting the millage rate for Fiscal Year 2023.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part hereof.

Section 2. That the City of Deerfield Beach budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023, a summary of which is attached hereto as “Exhibit A” and incorporated herein by this reference (a full copy is on file with the City Clerk and is hereby incorporated herein in its entirety by this reference), is hereby adopted, and the appropriations set forth therein are hereby made for the operation of the government of the City and for paying the annual debt service on all outstanding bonds of the City.

Section 3. That all delinquent taxes collected during the ensuing fiscal year as proceeds from levies of operating millages of prior years are hereby specifically appropriated for the use and benefit of the General Fund.

Section 4. That in accordance with Section 4.03(10) of the City Charter, the City Manager has the authority to sign contracts on behalf of the City pursuant to the provisions of this appropriations ordinance, and as may be further authorized by the City Commission pursuant to ordinance or resolution.

Section 5. That the appropriate City officials are authorized to do all things necessary and expedient to carry out the aims of this Ordinance.

Section 6. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 8. This Ordinance shall take effect immediately upon its passage and adoption on Second Reading.

Section 9. This Ordinance was adopted after a second public hearing on the Fiscal Year 2023 budget and notices of the public hearings were published as required by City Charter and Florida law, which public hearings were held at 7:00 p.m. on September 6, 2022, and September 14, 2022, in the City Commission Room, City Hall, Deerfield Beach, Florida.

PASSED 1ST READING ON THIS _____ DAY OF SEPTEMBER, 2022.

PASSED 2ND READING ON THIS _____ DAY OF SEPTEMBER, 2022.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK

BUDGET SUMMARY
CITY OF DEERFIELD BEACH, FLORIDA - FISCAL YEAR 2022-2023
THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF DEERFIELD BEACH ARE 13.4%
MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES

General Fund **6.0018**
Voted Debt **0.2807**

	GENERAL FUND	INSURANCE SERVICES FUND	SPECIAL REVENUE FUNDS	DEBT SERVICE FUND	CAPITAL PROJECT FUNDS	ENTERPRISE FUNDS	CRA TRUST FUND	TOTAL ALL FUNDS
ESTIMATED REVENUES:								
Taxes: Millage Per \$1,000								
Ad Valorem Taxes 6.0018	50,957,697	-	-	-	-	-	2,352,036	53,309,733
Ad Valorem Taxes 0.2807 (Voted Debt)	2,493,259	-	-	-	-	-	-	2,493,259
Delinquent Tax Collections	1,100,000	-	-	-	-	-	-	1,100,000
Sales and Use Taxes	1,300,000	-	-	-	-	-	-	1,300,000
Communications Service Taxes	2,850,000	-	-	-	-	-	-	2,850,000
Public Service Taxes	8,894,000	-	-	-	-	-	-	8,894,000
Fire Assessment Fees	16,694,930	-	-	-	-	-	-	16,694,930
Franchise Fees	6,665,000	-	-	-	-	-	-	6,665,000
Local Option Gas Tax	6,100,000	-	1,147,356	-	-	-	-	7,247,356
Licenses, Permits & Fees	780,000	-	5,070,000	-	-	-	-	5,850,000
Intergovernmental Revenue	3,010,000	-	490,990	-	-	-	-	3,500,990
Charges for Services	9,805,791	-	122,000	-	-	45,745,542	-	55,673,333
Fines and Forfeitures	1,400,000	-	120,000	-	-	-	-	1,520,000
Grants and Contributions	2,329,788	-	17,290,144	-	-	986,300	-	20,606,232
Administration Fees	8,079,662	-	437,720	-	-	-	-	8,517,382
Loan Proceeds	-	-	6,020,000	-	27,409,703	8,425,900	-	41,855,603
Other Financing Sources	70,000	2,041,800	170,000	-	-	50,000	2,660,336	4,992,136
TOTAL SOURCES	122,530,127	2,041,800	30,868,210	-	27,409,703	55,207,742	5,012,372	243,069,954
Transfers In	853,656	9,124,844	1,004,733	7,187,349	10,770,318	11,158,378	-	40,099,278
Fund Balances/Reserves/Net Assets	11,414,444	-	4,891,898	-	7,803,094	17,287,382	7,390,734	48,787,552
TOTAL REVENUES, TRANSFERS & BALANCES	134,798,227	11,166,644	36,764,841	7,187,349	45,983,115	83,653,502	12,403,106	331,956,784
EXPENDITURES:								
General Government	18,371,599	11,166,644	-	-	12,426,816	-	-	41,965,059
Economic Environment	728,281	-	2,431,222	-	-	-	8,467,812	11,627,315
Public Safety	75,758,744	-	6,727,314	-	2,982,787	-	50,000	85,518,845
Physical Environment	1,207,023	-	749,071	-	2,529,939	75,613,773	2,550,000	82,649,806
Transportation	863,854	-	17,993,315	-	1,476,308	-	-	20,333,477
Human Services	3,252,805	-	1,738,409	-	12,898,449	-	-	17,889,663
Culture and Recreation	15,972,025	-	368,633	-	13,668,816	-	239,000	30,248,474
Debt Service	-	-	-	7,187,349	-	1,757,982	1,096,294	10,041,625
Other Financing Uses	1,500,000	-	-	-	-	-	-	1,500,000
TOTAL EXPENDITURES	117,654,331	11,166,644	30,007,964	7,187,349	45,983,115	77,371,755	12,403,106	301,774,264
Transfers Out	17,143,896	-	6,756,877	-	-	6,281,747	-	30,182,520
Fund Balances/Reserves/Net Assets	-	-	-	-	-	-	-	-
TOTAL APPROPRIATED EXPENDITURES	17,143,896	-	6,756,877	-	-	6,281,747	-	30,182,520
TRANSFERS, RESERVES & BALANCES	134,798,227	11,166,644	36,764,841	7,187,349	45,983,115	83,653,502	12,403,106	331,956,784

The tentative, adopted, and/or final budgets are on file in the office of the above referenced taxing authority as a public record.



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1463

Agenda Date: 9/6/2022

Status: BUDGET & MILLAGE PUBLIC
HEARINGS

In Control: City Commission

Title

ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE BUDGET FOR THE DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR FUNDING THROUGH TAX INCREMENT FINANCING AS PROVIDED FOR IN PART III, CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set second public hearing for September 14, 2022

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The budget for the City of Deerfield Beach Community Redevelopment Agency (CRA) was adopted by the CRA Board on August 23, 2022. The Fiscal Year 2023 CRA budget is hereby presented, along with the budgets of the other City funds in accordance with Section 200.065, Florida Statutes.

Recommendation

Staff recommends approval of the City of Deerfield Beach Community Redevelopment Agency Fiscal Year 2023 Budget.

ORDINANCE NO. 2022/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE BUDGET FOR THE DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; PROVIDING FOR FUNDING THROUGH TAX INCREMENT FINANCING AS PROVIDED FOR IN PART III, CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the Deerfield Beach Community Redevelopment Agency (the “CRA”) is considering a budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023 (“Fiscal Year 2023”); and

WHEREAS, the CRA budget for Fiscal Year 2023 has been presented to the City Commission of the City of Deerfield Beach; and

WHEREAS, the City Commission is to approve the CRA’s budget for Fiscal Year 2023 separately from the City’s general budget; and

WHEREAS, the City Commission has reviewed and accepted the CRA’s Fiscal Year 2023 Budget; and

WHEREAS, the CRA Director recommends that the City Commission approve the CRA’s Fiscal Year 2023 Budget and authorize funding for the CRA as set forth in Part III of Chapter 163, Florida Statutes.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Ordinance.

Section 2. The City Commission of the City of Deerfield Beach hereby approves the CRA’s Fiscal Year 2023 Budget, attached as Exhibit “A” and incorporated herein by this reference. CRA expenditures shall be made in accordance with the CRA’s Fiscal Year 2023 Budget and as permitted by law.

Section 3. The City Commission hereby authorizes the funding of the CRA Community Redevelopment Trust Fund pursuant to the provisions of Part III, Chapter 163, Florida Statutes, and hereby directs the appropriate governmental entities to comply with the requirement for payment of funds into the CRA Community Redevelopment Trust Fund as provided for in Section 163.387, Florida Statutes.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Ordinance.

Section 5. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 6. This Ordinance shall take effect immediately upon its passage and adoption on Second Reading.

Section 7. This Ordinance was adopted after a second public hearing on the CRA's Fiscal Year 2023 Budget, and notices of the public hearings were published as required by law, which public hearings were held at 7:00 p.m. on September 6, 2022, and September 14, 2022.

PASSED 1ST READING ON THIS ____ DAY OF _____, 2022.

PASSED 2ND READING ON THIS ____ DAY OF _____, 2022.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK

EXHIBIT A

Deerfield Beach Community Redevelopment Agency Fiscal Year 2023 Budget

OPERATING				
ORG	OBJECT	ACCOUNT DESCRIPTION	BUDGET DESCRIPTION	AMOUNT
1901500	5521001	REGULAR SALARY	Payment for the following portion of staff salaries (Director of Economic Development 50%, CRA Project Manager 100%, CRA Administrative Coordinator 100%, Assistant City Clerk 25%)	\$ 276,779
1901500	5521012	SICK LEAVE CONVERSION PAY	Once a year in December, every full-time employee who has used less than six days of sick leave during the preceding year may choose to be paid for the unused portion of those days. The payment is calculated using the employee's base hourly rate and not including any additional pay factors	\$ 4,355
1901500	5521101	FICA	The 7.65% FICA rate is composed of two rates; a 6.2% social security tax that is applied to the first \$106,800 that an employee earns and a 1.45% Medicare tax that is applied to all earnings	\$ 21,503
1901500	5521204	ICMA PENSION	Estimated by city pension contribution for those city employees who are participants in the ICMA defined contribution plan; the city contribution, as a percentage of salary, is 8%	\$ 22,486
1901500	5522300	INSURANCE SERVICES ALLOCATION	Payment to the general fund for insurances required for staff and the agency	\$ 62,003
1901500	5523927	GENERAL ADMIN CHARGE	Payment to the general fund for the services that are provided to support the CRA Fund	\$ 131,645
1901500	5521003	LONGEVITY	Payment to staff who have greater than 10 years service	\$ 4,300
1901500	1909000	DEBT SERVICE / BOND PRINCIPAL PAYMENT	Principal payment for debt service on Florida Municipal Loan Council Covenant Bonds (CRA portion 73% of \$1,210,000)	\$ 920,000
1901500	1909000	DEBT SERVICE / BOND INTEREST PAYMENT	Interest payment for debt service payments on Florida Municipal Loan Council Covenant Bonds	\$ 168,994
1901500	1909000	DEBT SERVICE / PAYING AGENT FEES	Trustee and Administrative fees for debt service payments on Florida Municipal Loan Council Covenant Bonds (CRA portion 73% of \$ 9,492)	\$ 7,300
1901500	5521006	AUTOMOBILE ALLOWANCE	CRA's portion of the cost of one and a half (1.5) vehicles for use by CRA staff	\$ 6,000
1901500	5521025	CLOTHING ALLOWANCE	Staff clothing	\$ 250
1901500	5523403	CELLULAR PHONE SERVICES	Staff cell phone service	\$ 2,500
1901500	5523513	MINOR TOOLS AND EQUIPMENT	Minor administrative office repairs	\$ 1,000
1901500	5523609	COPIER LEASE	Cost of Toshiba lease and maintenance	\$ 5,000
1901500	5523524	MATERIALS AND MAINTENANCE	Materials and maintenance services necessary for CRA Building and Sullivan Park	\$ 30,000
1901500	5523509	PROFESSIONAL PUBLICATIONS	Funding for development and management newspapers, trade magazines and books	\$ 100
1901500	5523935	DUES AND MEMBERSHIPS	Annual professional association memberships and Special District Reporting	\$ 1,200
1901500	5523504	OFFICE SUPPLIES	Office supplies as necessary for operations	\$ 1,000
1901500	5523901	TRAVEL AND TRAINING	Mileage reimbursement for CRA Administrative Coordinator (\$4,000), attendance at seminars and meetings	\$ 9,500
1901500	5523902	PRINTING	Printing of brochures, hand-outs and annual report	\$ 500
1901500	5523921	ADVERTISING	Advertising in newspapers	\$ 500
1901500	5526043	OTHER MACH AND EQUIPMENT	Laptop replacement for CRA Staff	\$ 1,900
OPERATING TOTAL				\$ 1,678,815
OTHER CONTRACTUAL (NON CAPITAL)				
ORG	OBJECT	ACCOUNT DESCRIPTION	BUDGET DESCRIPTION	AMOUNT
1901500	5523216	LANDSCAPING SERVICES	Small landscaping projects within the CRA	\$ 5,000
1901500	5523299	ADA COMPLIANCE SERVICES	Funding for document remediation and ADA compliance	\$ 4,000
1901500	5523299	LEGAL SERVICES	Contractual services provided by the CRA Attorney for legal services	\$ 48,000
1901500	5523006	INTERNAL AUDITING SERVICES	Marcum LLP Independent audit of CRA financials as required by statute; based on 4 year contract	\$ 6,459
1901500	5523299	ANNUAL REPORT DESIGN SERVICES	Annual report design as required by statute	\$ 5,000
1901500	5523299	OTHER PROFESSIONAL SERVICES AS NEEDED	Other professional services as determined by the CRA Board	\$ 100,000
OTHER CONTRACTUAL TOTAL				\$ 168,459

PROGRAMS				
ORG	OBJECT	ACCOUNT DESCRIPTION	BUDGET DESCRIPTION	AMOUNT
1901500	5713230	COMMUNITY POLICING	Cost of BSO Deputy Detail to provide additional security in the CRA	\$ 50,000
1901500	5793574	SPECIAL EVENTS	Funding for 4th of July Celebration (\$105,000), December Holiday Celebration (Event \$25,000 and Lighting \$102,000), Greater Pompano, Lighthouse Point and Deerfield Beach Holiday Boat Parade (\$7,000)	\$ 239,000
1901500	5523595	ART IN PUBLIC PLACES	Public art projects, programs and events	\$ 130,000
1901500	5523959	COMMERCIAL FAÇADE LOAN PROGRAM	Funds to partner on façade improvements to storefronts in the CRA District and past year awards	\$ 417,147
PROGRAMS TOTAL				\$ 836,147

CAPITAL PROJECTS				
ORG	OBJECT	ACCOUNT DESCRIPTION	PROJECT/DESCRIPTION	AMOUNT
			S-Curve Utilities Undergrounding and Streetscape Improvements	
1901500	5396311	LIGHTING	Streetscape Construction, Utility Undergrounding	\$ 2,500,000
1901500	5396311	OTHER CONTRACTUAL SERVICES	Construction Administration	\$ 50,000
			Island Mobility - Relocation of Bus Shelter and Streetscape Improvements	
1901500	5596304	INFRASTRUCTURE AND CAPITAL IMPROVEMENTS	Construction	\$ 1,272,973
1901500	5596304	OTHER CONTRACTUAL SERVICES	Construction Administration	\$ 60,000
			Ocean Way Bollards - Installation of pedestrian bollards along Ocean Way	
1901500	5596304	INFRASTRUCTURE AND CAPITAL IMPROVEMENTS	Construction	\$ 1,265,793
1901500	5596304	OTHER CONTRACTUAL SERVICES	Construction Administration	\$ 50,000
			Sullivan Park Facility - Phase II of Sullivan Park Expansion	
1901500	5596304	INFRASTRUCTURE AND CAPITAL IMPROVEMENTS	Construction	\$ 3,769,664
1901500	5596304	OTHER CONTRACTUAL SERVICES	Design, Permitting and Construction Administration	\$ 370,196
			Main Beach Parking Lot Stairs - Construction of amphitheater style stairs at the Main Beach Parking Lot	
1901500	5526308	MAIN BEACH PARKING LOT	Construction	\$ 286,059
1901500	5526308	OTHER CONTRACTUAL SERVICES	Construction Administration	\$ 15,000
1901500	5596304	INFRASTRUCTURE AND CAPITAL IMPROVEMENTS	Hillsboro Square Access Improvements	\$ 80,000
CAPITAL PROJECTS TOTAL				\$ 9,719,685

Fiscal 2023	
Total Proposed CRA Budget	\$ 12,403,106
Projected Fiscal Year 2023 Tax Increment Revenue	\$ 4,961,877
ESTIMATED Fiscal 2022 Carryover	\$ 7,441,229
Total Available Tax Increment Revenue Funds	\$ 12,403,106

FY 2023 Budget Adopted August 23, 2022

EXHIBIT B

City of Deerfield Beach CRA Five-Year Capital Improvements Plan (CIP) FY 2024-2028

Adopted 8/23/2022

ACQUISITION/REDEVELOPMENT

	Total Cost	FY 2024	FY 2025	FY2026	FY2027	FY2028	5 Year Total
Hillsboro Boulevard Commercial Acquisition			\$ 2,000,000				
Hillsboro Boulevard Commercial Redevelopment			\$ 1,500,000				
Ocean Way Public Facility Acquisition					\$ 3,000,000		
ACQUISITION/REDEVELOPMENT TOTAL	\$ 6,500,000		\$ 3,500,000		\$ 3,000,000		\$ 6,500,000

PARKING IMPROVEMENTS

		FY 2024	FY 2025	FY2026	FY2027	FY2028	5 Year Total
Main Beach Parking Lot				\$ 3,000,000			\$ 3,000,000
PARKING TOTAL	\$ 3,000,000			\$ 3,000,000			\$ 3,000,000

PARK IMPROVEMENTS

		FY 2024	FY 2025	FY2026	FY2027	FY2028	5 Year Total
Sullivan Park Facility		\$ 5,000,000					\$ 5,000,000
Ocean Way Public Facility Redevelopment						\$ 3,000,000	\$ 3,000,000
PARK TOTAL	\$ 8,000,000	\$ 5,000,000				\$ 3,000,000	\$ 8,000,000

OVERALL TOTALS	\$ 17,500,000	\$ 5,000,000	\$ 3,500,000	\$ 3,000,000	\$ 3,000,000	\$ 3,000,000	\$ 17,500,000
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City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1459

Agenda Date: 9/6/2022

Status: PUBLIC HEARING

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the rankings and funding allocations to charitable and public purpose organizations for the Community Participation Grant Program; providing for implementation and an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The Community Participation Grant ("CPG") program was established to provide financial resources to local non-profit organizations that assist the City in serving a valid public purpose. The grant is competitive, and funding is determined annually. The program's guidelines are outlined in Resolution 2020/115, which includes a provision designating City Staff to evaluate and rank all grant proposals and provide a funding recommendation to the City Commission for approval.

Current Activity

The FY 23 Community Participation Grant application cycle opened on May 3, 2022 and closed on May 31, 2022. Fourteen (14) nonprofit organizations submitted applications for funding consideration. The total amount of funding requested is \$181,021.00

In accordance with Resolution 2020/115, the CPG evaluation committee, comprised of City staff, completed a programmatic and budgetary review of each FY 23 proposal. The scoring criteria were based on the following: Completeness of Proposal, Demonstrated Need, Impact and Execution. The Evaluation Committee recommends approval of funding in the amount of \$180,000. Their ranking and funding recommendations are outlined in Exhibit "A", attached for City Commission approval.

Upon approval, a Notification of Award will be distributed to award recipients. Awardees will be required to enter into a binding Agreement with the City. The Agreement will outline the City's grant terms and conditions.

Recommendation

It is recommended that the City Commission approve the FY 23 Community Participation Grant award and funding allocation recommendations provided by the Evaluation Committee.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE RANKINGS AND FUNDING ALLOCATIONS TO CHARITABLE AND PUBLIC PURPOSE ORGANIZATIONS FOR THE COMMUNITY PARTICIPATION GRANT PROGRAM; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach believes that charitable and public purpose organizations contribute to the public welfare of the community and should be supported by the City financially to the extent these organizations assist the City in serving a valid public purpose; and

WHEREAS, the Community Participation Grant program (the “CPG Program”) was established to provide financial resources to charitable and public purpose organizations; and

WHEREAS, Resolution 2020/115, which outlines the CPG Program’s guidelines, provides for City staff to review and rank all grant proposals received by the deadline and make a funding allocation recommendation to the City Commission; and

WHEREAS, the application cycle for the fiscal year 2023 CPG Program opened on May 3, 2022 and closed on May 31, 2022; and

WHEREAS, the City received 14 applications from charitable and public purpose organizations for consideration (collectively, the “Organizations”), with the total amount of funding requested equaling \$181,021.00; and

WHEREAS, the CPG Program’s budget for fiscal year 2023 is \$180,000.00; and

WHEREAS, in accordance with Resolution 2020/115, the evaluation committee comprised of City staff completed a programmatic and budgetary review of each timely received application, and ranked and recommended the allocation of funding to the Organizations; and

WHEREAS, the evaluation committee recommends the City Commission approve the rankings and recommended funding allocations to the Organizations as set forth in the attached Exhibit “A”; and

WHEREAS, the City Commission finds that the Organizations contribute to a valid public purpose and service the public interests of the citizens of the City of Deerfield Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the rankings and funding allocations to the Organizations as set forth in Exhibit “A.”

Section 3. The appropriate City officials are authorized to take all necessary steps to implement the aims of this Resolution, including providing the funding as set forth in Exhibit “A.”

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



EXHIBIT A

FY 2023 Community Participation Grant Committee Ranking & Funding Recommendation

In accordance with Resolution 2020/115, the table below outlines the City of Deerfield Beach Community Participation Grant Committee applicant ranking and funding recommendation for FY 23. The Community Participation Grant program budget for FY 23 is **\$180,000.00**. The City received 14 grant applications requesting funding in the amount of combined.

Organization	FY 22 Funding Request	Ranking (1-10) <i>(1= high priority 10 = low priority)</i>	Recommended Funding Amount
Women in Distress	\$10,000.00	1	\$10,000.00
Voices for Children of Broward County	\$5,600.00	2	\$5,600.00
Early Learning Coalition of Broward County	\$15,000.00	3	\$15,000.00
Kids in Distress	\$10,000.00	4	\$10,000.00
Gateway Community Outreach	\$25,000.00	5	\$25,000.00
Family Central, Inc.	\$10,000.00	6	\$10,000.00
Lighthouse of Broward County	\$8,000.00	7	\$8,000.00
World AIDS Museum and Education Center	\$4,961.00	8	\$4,961.00
Deerfield Beach High School Band	\$5,000.00	9	\$5,000.00
Junior Achievement	\$14,960.00	10	\$14,960.00
Deerfield Beach Historical Society	\$42,000.00	11	\$40,979.00
Jewish Family Services	\$12,500.00	12	\$12,500.00
Center for Hearing and Communication	\$10,000.00	13	\$10,000.00
Deerfield Beach Community Cares	\$8,000.00	14	\$8,000.00
	\$181,021.00		\$ 180,000.00



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1452

Agenda Date: 9/6/2022

Status: PUBLIC HEARINGS –
SECOND READING

In Control: City Commission

Title

P.H. 2022-082: ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 50-2 "DEFINITIONS" OF THE CITY CODE OF ORDINANCES TO ADD DEFINITIONS FOR "DIVE", "DIVER", "UNDERWATER BREATHING APPARATUS", AND "VESSEL EXCLUSION ZONE"; AMENDING SECTION 50-108 "RECREATIONAL ACTIVITIES AT PARK FACILITIES AND BEACHES", AND SECTION 50-112 "MUNICIPAL/PUBLIC BEACH REGULATIONS" TO MODIFY AND PROVIDE FOR ADDITIONAL MUNICIPAL BEACH REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The City Commission has made findings that since time immemorial the public has enjoyed access to the beach and has made use of the beach and adjacent waters for bathing and swimming, and that such use has been ancient, reasonable and customary. The City Commission historically has had the authority to regulate and continues to have the authority to regulate both the dry sand beach area owned by the City of Deerfield Beach and the wet sand beaches along the entire beach area within the City. The City's existing regulations governing the use of the beach are primarily set forth in Chapter 50 of the City Code. City Code Section 50-112 includes regulations specific to the municipal/public beaches of the City.

Current Activity

It is the intent of the enclosed Ordinance to protect the health, safety and welfare of the public in exercising its rights of access to and use of the beach by regulating uses to provide a safe and clean beach environment on which the public can exercise its customary rights while avoiding conflicts between recreational uses that can diminish the ancient right of the public to swim and bathe in the waters adjacent to the beach. The following is a summary of the revisions proposed in the enclosed Ordinance:

- Definitions of "Dive", "Diver", "Underwater Breathing Apparatus" and "Vessel Exclusion Zone" are being added to City Code Section 50-2 "Definitions."
- Provides for diving regulations.
- Provides for designated watersport recreational areas (ex. for skim boards, surf boards, etc.) - North of the Pier and South of Lifeguard Tower 5.
- Provides for designated ball playing and games recreation area (ex. volleyball) -located South

of Lifeguard Tower No. 5 and North of the city fishing pier.

- Prohibits launching or landing of any aerial aircraft from the municipal beach.
- Prohibits launching or landing a jet ski or other motorized watercraft, including but not limited to a hydrofoil or any other motorized board, anywhere on the wet sand beach.
- Updated regulations related to newer forms of watersports (ex. hydrofoils)
- Allowing divers with dive flags to go out past the swimming area.
- Addressed the existing Vessel Exclusion Zone.

Recommendation

Staff recommends approval.

ORDINANCE NO. 2022/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 50-2 “DEFINITIONS” OF THE CITY CODE OF ORDINANCES TO ADD DEFINITIONS FOR “DIVE”, “DIVER”, “UNDERWATER BREATHING APPARATUS”, AND “VESSEL EXCLUSION ZONE”; AMENDING SECTION 50-108 “RECREATIONAL ACTIVITIES AT PARK FACILITIES AND BEACHES”, AND SECTION 50-112 “MUNICIPAL/PUBLIC BEACH REGULATIONS” TO MODIFY AND PROVIDE FOR ADDITIONAL MUNICIPAL BEACH REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

WHEREAS, the City Commission finds that since time immemorial the public has enjoyed access to the beach and has made use of the beach and adjacent waters for bathing and swimming, and that such use has been ancient, reasonable and customary; and

WHEREAS, it is the intent of this ordinance to protect the health, safety and welfare of the public in exercising its rights of access to and use of the beach by regulating uses to provide a safe and clean beach environment on which the public can exercise its customary rights while avoiding conflicts between recreational uses that can diminish the ancient right of the public to swim and bathe in the waters adjacent to the beach; and

WHEREAS, it is not the intent of this ordinance to affect title of the owner of land adjacent to the Atlantic Ocean or the wet sand area of the beach, or to reduce any rights of public access or use that may exist or arise as other than a customary use; and

WHEREAS, the City Commission historically has had the authority to regulate and continues to have the authority to regulate both the dry sand beach area owned by the City of Deerfield Beach and the wet sand beaches along the entire beach area within the City; and

WHEREAS, the City Commission wishes to clarify the City’s authority over both the wet sand and dry sand beach areas through detailed definitions and modifications and additions to the City’s existing municipal beach regulations.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above “Whereas” clauses are true and correct and made a part of this Ordinance.

Section 2. Section 50-2 “Definitions” of the City of Deerfield Beach Code of Ordinances is hereby amended to read as follows¹:

¹ Additions to the City Code text are shown in underline. Deletions to the City Code text are shown in ~~striketrough~~.

Sec. 50-2. Definitions.

For the purposes of this chapter, the following words have the meaning indicated:

Dive shall mean the act of being wholly or partially submerged in the waters of the Atlantic Ocean while equipped with a face mask or snorkel or underwater breathing apparatus.

Diver shall mean any person who is wholly or partially submerged in the waters of the Atlantic Ocean and is equipped with a face mask and snorkel or underwater breathing apparatus.

Underwater Breathing Apparatus shall mean any apparatus, whether self-contained or connected to a distant source of air or other gas, whereby a person wholly or partially submerged in water is enabled to obtain or reuse air or any other gas or gases for breathing without returning to the surface of the water.

Vessel exclusion zone. An area from which all vessels or certain classes of vessels are excluded, which area is further defined and described in Section 74-31 of the City Code of Ordinances and marked by Florida Fish and Wildlife Conservation Commission permitted Florida Uniform Waterway Markers.

Section 3. Section 50-108 “Recreational activities at park facilities and beaches” of the City of Deerfield Beach Code of Ordinances is hereby amended to read as follows:

Sec. 50-108. Recreational activities at park facilities and beaches.

(a) Bathing and swimming.

- (1) No person, regardless of age or manner of dress, shall swim, bathe or wade in any waters or waterways within park boundaries, except in such waters and at such places and times as are designated by the director and in compliance with this chapter.
- (2) No person shall erect, maintain, use or occupy on or in any beach or bathing area any tent, shelter, hammock or structure of any kind, unless there shall be an unobstructed view into said tent, shelter or structure from at least two sides; nor shall any guy wire, rope, extension, exterior brace or support be connected or fastened from any such structure to any other structure, stake, rock, tree or other object outside thereof.
- (3) In each and every bathing and swimming area, all persons shall be covered with a bathing suit which conforms to commonly accepted standards. No person shall dress or undress on any beach area or in any vehicle, rest room or other place in any park area, except in such bathing houses or structures as may be provided and maintained by the park for that purpose.

- (4) No person shall wash or be washed with soap or other cleaners in bathing or swimming areas.

(b) *Boating.*

- (1) No person shall bring into or operate any boat, yacht, cruiser, canoe, raft or other watercraft (except toys), whether motor powered or not, upon any park watercourse, bay, lagoon, lake, canal, pond, slough, or beach except at such places as are or may be designated by the director for such use or purpose.
- (2) No watercraft shall be launched into or removed from any park waters except at such places as are designated for such use or purpose.
- (3) No person shall navigate, direct or handle any boat in such a manner as to unjustifiably or unnecessarily endanger the occupants of any other boat. All motorboats must be kept out of the way of sailboats, rowboats, canoes, pedal boats, sailboards or other unmotorized vessels. All boat owners or operators shall lend emergency assistance, if such is required by other boats in ~~difficulties~~ distress.

- (d) *Photography.* No person shall take still or motion pictures for commercial purposes involving the use of special settings or structures, or the performance of a cast or persons without first obtaining permission from the director and a permit from the city. ~~Otherwise there shall be no restriction on photographic activities.~~

Section 4. Section 50-112 “Municipal/public beach regulations” of the City of Deerfield Beach Code of Ordinances is hereby amended to read as follows:

Sec. 50-112. Municipal/public beach regulations.

It shall be unlawful for any person to do any acts set out in this section upon the municipal/public beaches of the city.

- (a) Disobey any order of a lifeguard.
- (b) Swim outside an area extending 50 yards eastward from the mean high-water mark of the Atlantic Ocean at the municipal/public beaches, unless express permission has been obtained from the supervising lifeguard.
- (c) Launch, land, assemble use or operate hard boards, such as surf boards, skim boards, paddle boards or any other kind of hard device designed to ride waves, or kayaks: (i) in the Vessel Exclusion Zone, or (ii) within 300 feet of the city fishing pier, or (iii) anywhere on the municipal/public beaches, except in the designated recreation area located South of Lifeguard Tower No. 5 and North of the city fishing pier.
- (d) Swim, paddle, kayak, surf, wind surf, kite board/surf or snorkel within 50 yards of the city fishing pier.
- (æ) Engage in or play ball or any other thrown object and/or other games, except in the designated recreation areas approved by the city commission located South of Lifeguard Tower No. 5 and North of the city fishing pier.

- (~~b~~f) Sell, peddle, solicit, carry on or promote in any manner whatsoever, whether directly or indirectly, any business, promotional scheme, advertising program, or any other similar activity on the municipal/public beaches; provided, that this subsection shall not apply to persons delivering newspapers, persons distributing religious literature, persons operating under beach franchises and established business operations conducted entirely within an enclosed building or structure.
- (eg) Bring any glass containers upon municipal/public beaches or other than medical treatment.
- (~~e~~h) Build or maintain an open fire, barbecue grills or similar items upon the municipal/public beaches, ~~except in designated areas as may be posted by the City of Deerfield Beach. It shall be unlawful for any person to dispose of any coals, briquette, embers, or other heated objects except in designated receptacles.~~ All materials brought to municipal/public beaches shall be removed from such beaches by the owners or users of such materials when such people leave the municipal/public beaches.
- (ei) Take any dog or other domesticated animal, upon a leash or otherwise, upon the municipal/public beaches or upon the sidewalks abutting the municipal dry sand beaches in the city, except service animals as such are defined by Sec. 413.08, Florida Statutes.
- (~~f~~) ~~Swimming, paddling, kayaking, surfing, or kite boarding/surfing within 50 yards or 150 feet of the city fishing pier.~~
- (~~g~~) ~~Disobey any order of a lifeguard.~~
- (~~h~~j) Tents or canopies - no person shall:
- (1) Erect, or cause to be erected, any tent, shelter or structure on or in any municipal/public beach, bathing and wading area in such a manner that a guy wire, rope, extension brace or support connected or fastened from any such structure (including hammocks), stake, rock or object is necessary; nor shall any structure, tent or shelter lack an unobstructed view of the interior from at least two sides.
 - (2) Erect tents or canopies which cover more than an area of ten feet by ten feet except as may be authorized by the city for special events on the municipal dry sand beach.
 - (3) Erect any tent, canopy or umbrella on municipal/public beaches from dusk to dawn, except as may be authorized by the city.
 - (4) Erect a tent or canopy in such a way as to obstruct the view of the lifeguards.
- (~~i~~k) ~~Enter or be carried in the water at any wet sand beach area wearing, pushing or towing an inflated inner tube, rubber boat, life preserver, life ring, cork or kapok belt, water wings or any other device designed to artificially hold a person afloat. Stand or climb on the rocks or boulders located on the municipal beach or in the areas adjacent thereto.~~
- (~~j~~l) Knowingly allow any child under nine years of age who is under his or her care and custody to loiter, idle, wander, stroll, play, or be in or upon the municipal ~~dry sand~~ beach unless such child is accompanied by a person of at least 15 years of age who has care and custody of such child.
- (~~k~~m) Load or use underwater spear fishing guns, gigs, slings, bows, or other similar devices ~~and any artificial breathing devices, such as scuba tanks,~~ upon the

municipal/public beaches or within ~~50 yards or 150 feet eastward from the mean high water mark of the Atlantic Ocean at the municipal/public beaches~~ the Vessel Exclusion Zone.

- (~~ln~~) Operate or park a bicycle, scooter or any motorized vehicle or motorized equipment of any kind on the municipal/public beaches or on the sidewalks abutting the municipal beaches in the city, except that this prohibition shall not apply to law enforcement officers, emergency rescue personnel, city maintenance employees, or employees of other applicable governmental agencies acting within the scope of their public duties, or to persons with permission of the director who are performing services related to special events permitted by the city and/or authorized sea turtle activity or research.
- (~~m~~) ~~use hard boards, such as surf boards, skim boards, paddle boards, kite boards, wind surf boards or and small kayaks, , except in designated areas approved by the city commission.~~
- (~~no~~) Launch a kite board ~~or wind surf~~ anywhere on the municipal beach or within, or east, of the Vessel Exclusion Zone ~~50 yards or 150 feet of the city fishing pier or 150 feet eastward from the high tide water mark of the Atlantic Ocean at the municipal beach,~~ unless express permission has been obtained from the supervising lifeguard.
- (~~o~~) ~~Swim past 50 yards or 150 feet eastward from the mean high water mark of the Atlantic Ocean at the municipal/public beaches, unless express permission has been obtained from the supervising lifeguard.~~
- (~~op~~) Fish off of the municipal/public beaches, including the use of cast nets, from 8:00 a.m. to dusk.
- (~~qq~~) Sleep on any municipal dry sand beach from dusk to dawn.
- (~~rr~~) Launch, land, use or Operate a water propelled jet pack within 150 feet eastward from the mean high water mark of the Atlantic Ocean at the municipal/public beaches the Vessel Exclusion Zone, within 300 feet of the city fishing pier or anywhere on the municipal beach.
- (s) Dive utilizing an underwater breathing apparatus, unless (i) a buddy system using two or more people is in use; (ii) each diver has a current nationally recognized open water certification card; and (iii) each diver has a buoyancy compensator capable of supporting the head of an unconscious diver above the water.
- (t) Dive without displaying a Diver Down flag that is a minimum of 12 inches by 12 inches, with a red diagonal background and white stripe and is free flying and clearly visible to boaters from at least 100 feet in all directions and is used with a wire or other stiffener to hold the flag unfurled and extended.
- (u) Engage in aerial launching or landing anywhere on the municipal/public beaches of a kite, glider, paraglider, hang glider, or any other aerial aircraft not specifically regulated and preempted by the Federal Aviation Administration.
- (v) Launch or land a jet ski or other motorized watercraft, including but not limited to a hydrofoil or any other motorized board, anywhere on the wet sand beach.

- (w) Transport, carry or place a jet ski or other motorized watercraft, kiteboard, paraglider glider or hang glider over, across, or on the wet sand beach.
- (x) Stop, stand, sit or lay down in the area located directly under the municipal fishing pier, or stop, stand, sit or lay down anywhere within five yards north or south of the municipal fishing pier from the west end of the dry sand municipal beach east to the shoreline. Persons are permitted to walk through such areas, but shall not stop, stand, sit or lay down in such areas.
- (sy) Discard or otherwise dispose of or abandon any trash, garbage, bottles, containers, cans, dead fish or parts thereof, charcoal briquettes or ashes, cigarette or cigar butts, or any other litter, on the municipal beach, except in designated containers for that purpose. It is further unlawful to dispose of any household garbage on the municipal/public beaches.

Section 5. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 6. That the provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 7. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 8. That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED 1ST READING ON THIS ____ DAY OF _____, 2022

PASSED 2ND READING ON THIS ____ DAY OF _____, 2022

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK

**CITY OF DEERFIELD BEACH, FLORIDA
NOTICE OF PUBLIC HEARING**

YOU ARE HEREBY NOTIFIED that a public hearing will be before the City Commission on **Tuesday, September 6, 2022** at 7:00 p.m. in the City Commission Chambers, City Hall, 150 NE 2nd Avenue, Deerfield Beach, Florida and utilizing communications media technology with some City staff participating through video conferencing via Zoom (virtual meeting), to consider the adoption of the following ordinances:

P.H. 2022-082: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 50-2 "DEFINITIONS" OF THE CITY CODE OF ORDINANCES TO ADD DEFINITIONS FOR "DIVE", "DIVER", "UNDERWATER BREATHING APPARATUS", AND "VESSEL EXCLUSION ZONE"; AMENDING SECTION 50-108 "RECREATIONAL ACTIVITIES AT PARK FACILITIES AND BEACHES", AND SECTION 50-112 "MUNICIPAL/PUBLIC BEACH REGULATIONS" TO MODIFY AND PROVIDE FOR ADDITIONAL MUNICIPAL BEACH REGULATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Copies of the Ordinances are available for public inspection in the City Clerk's Office, 150 N.E. 2nd Avenue, Deerfield Beach, Florida 33441. All interested persons are urged to attend the Public Hearing(s) in person, virtually, send a representative or express their views by letter.

You may either be present in person at the Public Hearing(s) or attend online or by phone virtually utilizing Zoom, represented by counsel or letter. All interested persons take due notice of the time and place of the Public Hearing(s) and govern yourselves accordingly.

Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting would need a record of the proceedings. And for such purpose, may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring auxiliary aids and services at this meeting may contact the City Clerk's Office at (954) 480-4213 at least 24 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 or 1-800-955-8771.

BY: SAMANTHA GILLYARD, CMC, CITY CLERK

Publish: Sun-Sentinel
Friday, August 26, 2022



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1374

Agenda Date: 9/6/2022

Status: CONSENT - BOARD
APPOINTMENTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, confirming the appointment of Richard Giuffreda as the fifth member to the Board of Trustees of the Municipal Police Officers' Retirement Trust Fund of the City of Deerfield Beach; providing for an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The Police Pension Board is comprised of five (5) members; two (2) members are elected by the police officers, two (2) members are selected by the City Commission and the 5th member is appointed by the Board. At the Board's June 30, 2022 board meeting, the Board unanimously voted to reappoint Richard Giuffreda as the 5th Trustee. The proposed resolution requests the Commission take ministerial action in approving the appointment. Upon approval, the Board will have no vacancies.

Recommendation

Approval is recommended.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, CONFIRMING APPOINTMENT OF RICHARD GIUFFREDA AS THE FIFTH MEMBER TO THE BOARD OF TRUSTEES OF THE MUNICIPAL POLICE OFFICERS' RETIREMENT TRUST FUND OF THE CITY OF DEERFIELD BEACH; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, in accordance with Section 185.05, Fla. Stat., the City Commission created the Board of Trustees (the "Board"), which is responsible for administering Municipal Police Officers' Retirement Trust Fund (the Trust Fund"), and is comprised of five members: two members are appointed by the City Commission, two police officers are elected by a majority of the plan participants, and the fifth member is chosen by the majority of the four other Board members; and

WHEREAS, pursuant to Section 185.05, Fla. Stat., the City Commission appoints two of the five members of the Board; and

WHEREAS, the Board currently has four members and one seat that will be vacant on September 30, 2022; and

WHEREAS, pursuant to Section 185.05, Fla. Stat., a majority of the current members of the Board may select a fifth member for submission to be appointed by the City Commission; and

WHEREAS, a majority of the members of the Board selected Richard Giuffreda as the fifth member to serve on the Board; and

WHEREAS, pursuant to the City Code Section 54-71, the fifth member shall serve a four year term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

Section 2. Richard Giuffreda is hereby appointed to serve as the fifth member of the Board of Trustees of the Municipal Police Officers' Retirement Trust Fund for a term expiring on September 30, 2026.

Section 3. Richard Giuffreda shall serve without compensation and is required to file a financial disclosure statement in accordance with Florida law.

Section 4. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2022

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK



BOARD OF TRUSTEES POLICE OFFICER'S RETIREMENT TRUST FUND

Creating Authority:

Ordinance No. 1130 under Authority of Florida Statutes Chapter 185.
Amended - Ordinance No. 1986/39

Method of Appointment:

Two (2) Residents selected by Commission for Four (4) Year Terms
Two (2) Police Officers elected by Police Officers for Four (4) Year Terms
One (1) Resident selected by the previous four (4) members and confirmed by Resolution
** Ordinance 2011/037 – extended terms from two (2) years to four (4) years for elected and appointed members.

Financial Disclosure:

Required

Compensation:

None. However, may receive expenses and per diem as provided by law.

Liaison:

Amanda Kish, Pension Resource Centers, 561-855-2210

Meeting Dates:

4th Thursday

Functions and Responsibilities:

The Board of Trustees shall have such powers, duties and responsibilities as are prescribed by law or as may, from time to time, be prescribed by Chapter 185.06 (F.S.) and/or amendments thereto as may be duly enacted.

Name Regular Members	Address	Phone	Replaces	Resolution Number	Date Appointed	Term Expires
Richard Giuffreda Board (5 th Member) Chairman			SELF	2018/115	08/29/18	09/30/22
Robert Schnakenberg Employees (Elected)			SELF	2021/122	08/17/21	09/30/25
Andrew Gianino Employees (Elected)			SELF	2018/149	09/17/18	09/30/22
Giuseppe Lapenna (Commission)			SELF	2022/126	08/02/22	09/30/26
Robert Amante (Commission)			NEW	2019/004	01/15/19	09/30/23



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1451

Agenda Date: 9/6/2022

Status: CONSENT - BOARD
APPOINTMENTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, confirming the appointment of Andrew Gianino as an employee representative member to the Board of Trustees of the Municipal Police Officers' Pension Retirement Trust Fund; providing an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

At the request of the Police Officer's Retirement Trust Fund Board of Trustees (the "Board"), an election was held in July for one vacancy. The registration period was held from July 27, 2022 to August 8, 2022. During the registration period, Andrew Gianino submitted an application, which was the only application received and is provided in the agenda backup. Since Mr. Gianino was unopposed, staff requests Commission approve the resolution appointing him to the Board.

Recommendation

Approval is recommended.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, CONFIRMING APPOINTMENT OF ANDREW GIANINO AS AN EMPLOYEE REPRESENTATIVE MEMBER TO THE BOARD OF TRUSTEES OF THE MUNICIPAL POLICE OFFICERS' PENSION RETIREMENT TRUST FUND; PROVIDING AN EFFECTIVE DATE

WHEREAS, in accordance with Section 185.05, Fla. Stat., the City Commission created the Board of Trustees (the "Board"), which is responsible for administering the Municipal Police Officers' Retirement Trust Fund (the Trust Fund"), and is comprised of five members: two members are appointed by the City Commission, two police officers are elected by a majority of the plan participants, and the fifth member is chosen by the majority of the four other Board members; and

WHEREAS, the term for one of the Employee Representatives, Andrew Gianino, expires on September 30, 2022; and

WHEREAS, the City Code Section 54-72 provides procedures for filling vacancies on the Board, and requires an election be held to fill Employee Representative vacancies; and

WHEREAS, during the registration period of July 27, 2022 to August 8, 2022 for the election, the City Clerk's Office accepted applications for the vacancy; and

WHEREAS, during that period, the City only received one application by Andrew Gianino; therefore, the candidate, Andrew Gianino, was unopposed; and

WHEREAS, the City did not hold an election because Andrew Gianino was unopposed; and

WHEREAS, pursuant to City Code Section 54-71, the Employee Representatives shall serve a four-year term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part hereof.

Section 2. Andrew Gianino is hereby confirmed as a member to the Board of Trustees for the Police Officer's Pension Retirement Trust Fund for a four-year term commencing on October 1, 2022 and ending on September 30, 2026.

Section 3. The member shall serve without compensation and is required to file a financial disclosure statement in accordance with Florida Statutes.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



City of Deerfield Beach
Application for Advisory Board or Committee

Advisory Board or Committee you are applying for: Deerfield Beach Police Pension

Are you willing to be considered for an alternate Board or Committee? Yes ☐ No ☒

Name Andrew A. Gianino

Address 2601 West Broward Blvd - CID

City Fort Lauderdale State *FL* Zip 33312

I reside in District # (can be found on back of your Voter Registration Card)

Year- Round Resident? Yes ☒ No ☐

If No, how what months are you away? N/A

Home Phone Work/Mobile Phone (954) 817-8755

E-mail andrew_gianino@yahoo.com

Employer Broward Sheriff's Office

Address 2601 West Broward Blvd, Fort Lauderdale, Florida 33312

Occupation (if retired, please indicate and list former occupation) Deputy Sheriff

Please list any governmental Advisory Boards or Committees on which you currently serve:

Deerfield Beach Police Pension Board

REV 05/2020

Complete the following. Please describe those facets of your background/experience which you feel may be useful for membership on this Board/Committee.

Academic: Degrees, Diplomas

Professional: Certification(s)

I have attended numerous conferences and seminars associated to public and police pensions and their investment strategies.

Knowledge: Training, interest or experience

I have been a member of the Deerfield Beach Police Pension Board for more than 20 years.

Community Involvement: List organizations/positions

N/A

Organizations: Memberships

International Union of Police Association (IUPA)

I understand that in accordance with the Florida Sunshine Law, this information may be made public. I understand that the appointment is for voluntary, uncompensated service. If appointed, I agree to faithfully and fully perform the duties of my office, will make every endeavor to serve my full term, and will comply with all laws and ordinances of the City, County and State of Florida, particularly those pertaining to the conduct of public officials and the financial disclosure requirements, if applicable to my position.

Signature: 

Date: 08/01/22

Print Name: Andrew A. Gianino

Return completed application to:

City Clerk's Office

150 NE 2nd Avenue, Deerfield Beach, FL 33441

Phone: 954-480-4213

Website: www.deerfield-beach.com

Fax: 954-480-4323

E-mail: web.clerk@deerfield-beach.com

PLEASE NOTE: Resumes/Additional information may be included; however, the application MUST be completed



NOTICE OF ELECTION
POLICE OFFICER'S RETIREMENT TRUST
FUND BOARD OF TRUSTEES

YOU ARE HEREBY NOTIFIED that the period to register for the Police Pension Board election has expired.

Currently, there is one (1) position available for election; whereby, only one (1) application was received during the registration period of July 27, 2022 - August 8, 2022. Therefore, the following candidate was unopposed and will be appointed to the Police Officer's Retirement Trust Fund Board.

Andrew Gianino

NO ELECTION WILL BE HELD FOR THIS BOARD

Should you have any questions, please feel free to contact the City Clerk's Office.

CITY OF DEERFIELD BEACH, FLORIDA
BY: SAMANTHA GILLYARD, CMC, CITY CLERK



BOARD OF TRUSTEES POLICE OFFICER'S RETIREMENT TRUST FUND

Creating Authority:

Ordinance No. 1130 under Authority of Florida Statutes Chapter 185.
Amended - Ordinance No. 1986/39

Method of Appointment:

Two (2) Residents selected by Commission for Four (4) Year Terms
Two (2) Police Officers elected by Police Officers for Four (4) Year Terms
One (1) Resident selected by the previous four (4) members and confirmed by Resolution
** Ordinance 2011/037 – extended terms from two (2) years to four (4) years for elected and appointed members.

Financial Disclosure:

Required

Compensation:

None. However, may receive expenses and per diem as provided by law.

Liaison:

Amanda Kish, Pension Resource Centers, 561-855-2210

Meeting Dates:

4th Thursday

Functions and Responsibilities:

The Board of Trustees shall have such powers, duties and responsibilities as are prescribed by law or as may, from time to time, be prescribed by Chapter 185.06 (F.S.) and/or amendments thereto as may be duly enacted.

Name Regular Members	Address	Phone	Replaces	Resolution Number	Date Appointed	Term Expires
Richard Giuffreda Board (5 th Member) Chairman			SELF	2018/115	08/29/18	09/30/22
Robert Schnakenberg Employees (Elected)			SELF	2021/122	08/17/21	09/30/25
Andrew Gianino Employees (Elected)			SELF	2018/149	09/17/18	09/30/22
Giuseppe Lapenna (Commission)			SELF	2022/126	08/02/22	09/30/26
Robert Amante (Commission)			NEW	2019/004	01/15/19	09/30/23



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1450

Agenda Date: 9/6/2022

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting the schedule for the Regular City Commission Meetings for fiscal year 2022/2023; providing for an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The purpose of this agenda item is to request City Commission approval of the regular City Commission meeting schedule for Fiscal Year 2022/2023.

Recommendation

Approval is recommended.

RESOLUTION NO. 2022/

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
DEERFIELD BEACH, FLORIDA, ADOPTING THE SCHEDULE FOR
THE REGULAR CITY COMMISSION MEETINGS FOR FISCAL YEAR
2022/2023; PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, the City Commission desires to adopt the schedule for Regular City Commission Meetings for Fiscal Year 2022/2023, attached as Exhibit “A.”

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF
THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:**

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby adopts the Regular City Commission Meeting Schedule for Fiscal Year 2022/2023, attached as Exhibit “A.”

Section 3. The City Commission reserves the right to reschedule meetings, schedule special meetings, or take such other actions as it deems appropriate.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2022.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



FY23 City Commission Meeting Schedule

Monday, October 3, 2022

Tuesday, October 18, 2022

Tuesday, November 15, 2022

Tuesday, December 6, 2022

Tuesday, January 10, 2023

Tuesday, January 24, 2023

Tuesday, February 7, 2023

Tuesday, February 21, 2023

Tuesday, March 7, 2023

Tuesday, March 21, 2023

Tuesday, April 4, 2023

Tuesday, April 18, 2023

Tuesday, May 2, 2023

Tuesday, May 16, 2023

Tuesday, June 6, 2023

Tuesday, June 20, 2023

Tuesday, July 18, 2023

Tuesday, August 1, 2023

Tuesday, August 15, 2023

Tuesday, September 5, 2023*

Tuesday, September 19, 2023*

Tuesday, October 3, 2023

*subject to change based on budget hearing scheduling requirements



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1464

Agenda Date: 9/6/2022

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Award of Invitation to Bid #22-30-RC for supply and install, service and repair of various fences and gates; authorizing execution of an agreement with Coast to Coast Garage Door, LLC, the sole responsive and responsible bidder, for the services on an as needed basis for a two year term, with three additional one year renewal terms; providing for implementation and an effective date. (Funds from Account #001-7020-539-60-31 - Improvement Other than Buildings)

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Fiscal Impact

Costs: \$12,000

Account Name: Improvement Other than Buildings

Account Number: 001-7020-539-60-31

Background/History

On July 11, 2022, the ITB was advertised in the legal notices section of the Sun-Sentinel. The notice was also sent to one hundred fourteen (114) prospective Offerors via the e-Procurement Marketplace. Eight (8) vendors viewed the documents of the ITB. On July 25, 2022, at 3:00 p.m., the Purchasing and Contract Administration Division closed and unsealed one (1) response. The response was reviewed by the Purchasing and Contract Administration Division to ensure the response met the ITB requirements.

Current Activity

Staff determined that Coast to Coast Garage Door, LLC's response met the ITB requirements. Additionally, Coast to Coast Garage Door, LLC is a Certified Business Enterprise (CBE) with Broward County, Office of Economic and Small Business Development.

Coast to Coast Garage Door, LLC shall be responsible to provide all labor, materials, equipment, tools, transportation, insurances, licenses, permits (if required), and incidentals necessary to perform the requested services; specifically, the purchase and install, service, and repair of various fences and gates, etc. on an as needed basis as outlined in the Scope of Services of the ITB.

Recommendation

Staff recommends that the City Commission approve the award to Coast to Coast Garage Door, LLC

and authorize execution of an Agreement with Coast to Coast for a two year term, with three additional one-year renewal options.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE AWARD OF INVITATION TO BID #22-30-RC FOR SUPPLY AND INSTALL, SERVICE AND REPAIR OF VARIOUS FENCES AND GATES; AUTHORIZING EXECUTION OF AN AGREEMENT WITH COAST TO COAST GARAGE DOOR, LLC, THE SOLE RESPONSIVE AND RESPONSIBLE BIDDER, FOR THE SERVICES ON AN AS NEEDED BASIS FOR A TWO YEAR TERM, WITH THREE ADDITIONAL ONE YEAR RENEWAL TERMS; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach (“City”) requires installation, service, and repair services of various fences and gates (“Services”); and

WHEREAS, the City issued Invitation to Bid No. 22-30-RC for Supply and Install, Service and Repair of Various Fences and Gates (the “ITB”) on an as needed basis; and

WHEREAS, the ITB was advertised in the legal notices section of the Sun-Sentinel on July 11, 2022, and the notice was also sent to 114 prospective bidders via the e-Procurement Marketplace; and

WHEREAS, eight vendors viewed the ITB documents; and

WHEREAS, on July 25, 2022 at 3:00 p.m., the ITB due date and time, the Purchasing and Contract Division (the “Division”) closed and unsealed the one bid that was timely received, and reviewed the bid to ensure it met the ITB requirements; and

WHEREAS, the Division reviewed the bid submitted by Coast to Coast Garage Door, LLC (“Coast to Coast”), the sole bidder, discussed it with the Parks Superintendent, and concluded that Coast to Coast met all the requirements of the ITB; and

WHEREAS, the Division recommends that the City Commission approve the award of the ITB to Coast to Coast, the sole responsive and responsible bidder to the ITB, and authorize execution of an agreement with Coast to Coast for the Services, on an as needed, basis for a two year term with three additional one-year renewal terms (the “Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the award of the ITB to Coast to Coast for the Services, on an as needed basis, for a two year term with three additional one-year renewal terms.

Section 3. The City Manager is hereby authorized to execute the Agreement with Coast to Coast for the Services, consistent with the terms of the ITB, together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



Memorandum

TO: Teresa Rynard, Director of Parks and Recreation

FROM: Robert Chiego, Buyer

THRU: Bogdan Avasiloe, Purchasing Manager

DATE: August 3, 2022

RE: **Supply and Install, Service and Repair of Various Fences and Gates, ITB #22-30-RC**

The Purchasing and Contract Administration Division issued an Invitation to Bid for Supply and Install, Service and Repair of Various Fences and Gates, ITB #22-30-RC. This formal competitive solicitation process complies with the City of Deerfield Beach procurement requirements. Details of the competitive solicitation process are as follows:

- On July 11, 2022, the ITB was advertised in the legal notices section of the Sun-Sentinel. The notice was also sent to one hundred fourteen (114) prospective Offeror's via the e-Procurement Marketplace.
- Eight (8) vendors viewed the documents of the ITB.
- On July 25, 2022 at 3:00 p.m. EDT, the Purchasing and Contract Administration Division closed and unsealed one (1) response. The response was reviewed by the Purchasing and Contract Administration Division to ensure the response met the ITB requirements.
- The only Offeror, Coast to Coast Garage Door, LLC response met the ITB requirements. Also, Coast to Coast Garage Door, LLC is a Certified Business Enterprise (CBE) with Broward County, Office of Economic and Small Business Development.
- The Purchasing and Contract Administration Division reviewed the response and discussed it with the Parks Superintendent and concluded that Coast to Coast Garage Door, LLC meets all the requirements of the ITB.
- The Parks Superintendent recommends awarding the contract to Coast to Coast Garage Door, LLC.
- Reference checks were conducted on Coast to Coast Garage Door, LLC and revealed positive ratings.
- Documentation related to this solicitation may be obtained by e-mailing sfrancis@deerfield-beach.com or rchiego@deerfield-beach.com. You may contact the Purchasing and Contract Administration Division at 954-480-4381 with any questions.

In summary, Coast to Coast Garage Door, LLC is the only responsive and responsible Offeror able to meet the ITB requirements; therefore, the award recommendation of this contract is to Coast to Coast Garage Door, LLC.

Please use this memorandum and all attachments as your backup to the City Manager for the next available City Commission Meeting.

Att. Tabulation Sheet, Tabulation Summary, Scope of Services

c: Mike Pursell, Superintendent of Parks
Stephanie Tinsley, Chief Financial Officer

1	Lot I: Hourly rates for service and repair of gates and fences as per bid documents.					
	Supplier	QTY	UOM	Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	hr	\$400.00	\$400.00	
1.1	Offeror shall provide their hourly rate to repair or remove "manual" gates and fences during normal business hours (Monday - Friday, 8: a.m. - 5:00 p.m., excluding holidays) as per bid documents.					
	Supplier	QTY	UOM	Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	hr	\$80.00	\$80.00	
1.2	Offeror shall provide their hourly rate to repair or remove "manual" gates and fences during "After" normal business hours (Monday - Friday, 5:01 p.m. - 7:59 a.m.), Holidays, Saturdays or Sundays and Emergencies as per bid documents.					
	Supplier	QTY	UOM	Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	hr	\$120.00	\$120.00	
1.3	Offeror shall provide their hourly rate to repair or install "electric operators" on gates during normal business hours (Monday - Friday, 8: a.m. - 5:00 p.m. excluding holidays) as per bid documents.					
	Supplier	QTY	UOM	Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	hr	\$80.00	\$80.00	
1.4	Offeror shall provide their hourly rate to repair or install "electric operators" on gates during "After" normal business hours (Monday - Friday, 5:01 p.m. - 7:59 a.m.), Holidays, Saturdays or Sundays and Emergencies as per bid documents.					
	Supplier	QTY	UOM	Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	hr	\$120.00	\$120.00	
2	Cost-Plus Percentage Mark-up on Parts and Material to Service and Repair Gates, Fences and Electric Operators and New Electric Operators as per bid documents.					
2.1	Offeror shall provide their cost-plus percentage mark-up for parts and material to service and repair the “manual" gates and fences.					
	Supplier	QTY	UOM	Percentage	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	ea	20.0%		
2.2	Offeror shall provide their cost-plus percentage mark-up for parts and material which includes motor, sensors and remote devices to repair the "electric operators" on gates.					
	Supplier	QTY	UOM	Percentage	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	ea	20.0%		

2.3	Offeror shall provide their cost-plus percentage mark-up for new electric operators on gates, including sensors and remote devices.					
	Supplier	QTY	UOM	Percentage	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1		ea	20.0%		
2.4	Offeror shall provide their cost-plus percentage mark-up for parts and material to repair the windscreens					
	Supplier	QTY	UOM	Percentage	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1		ea	20.0%		
Provide new fences with posts and hardware, including delivery and installation as per bid documents.						
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$594.00	\$594.00	
3.1	Offeror shall provide new – 4’ high, galvanized chain link fences with posts and hardware, including delivery and installation as per bid documents.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$23.00	\$23.00	
3.2	Offeror shall provide new – 6’ high, galvanized chain link fences with posts and hardware, including delivery and installation as per bid documents.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$29.00	\$29.00	
3.3	Offeror shall provide new – 8’ high, galvanized chain link fences with posts and hardware, including delivery and installation as per bid documents.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$35.00	\$35.00	
3.4	Offeror shall provide new – 10’ high, galvanized chain link fences with posts and hardware, including delivery and installation as per bid documents.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$40.00	\$40.00	
3.5	Offeror shall provide new – 12’ high, galvanized chain link fences with posts and hardware, including delivery and installation as per bid documents.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$47.00	\$47.00	

3.6	Offeror shall provide new – 4’ high, vinyl coated galvanized chain link fences with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	LF	\$26.00	\$26.00
3.7	Offeror shall provide new – 6’ high, vinyl coated galvanized chain link fences with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	LF	\$32.00	\$32.00
3.8	Offeror shall provide new – 8’ high, vinyl coated galvanized chain link fences with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	LF	\$38.00	\$38.00
3.9	Offeror shall provide new – 6’ high, pressure treated wood fences with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	LF	\$42.00	\$42.00
3.10	Offeror shall provide new – 4’ high, PVC (Polyvinyl Chloride) fences with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	LF	\$38.00	\$38.00
3.11	Offeror shall provide new – 6’ high, PVC (Polyvinyl Chloride) fences with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	LF	\$45.00	\$45.00
3.12	Offeror shall provide new – 4’ high, ornamental aluminum fences with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	LF	\$65.00	\$65.00
3.13	Offeror shall provide new – 6’ high, ornamental aluminum fences with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1	1	LF	\$100.00	\$100.00

3.14	Offeror shall provide new – 6’ high, open-mesh windscreens, including delivery and installation as per bid documents.					
Supplier		QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC 1			LF	\$6.00	\$6.00	
3.15	Offeror shall provide new – 8’ high, open-mesh windscreens, including delivery and installation as per bid documents.					
Supplier		QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC 1			LF	\$9.00	\$9.00	
3.16	Offeror shall provide new – 6’ high, closed-mesh windscreens, including delivery and installation as per bid documents.					
Supplier		QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC 1			LF	\$8.00	\$8.00	
3.17	Offeror shall provide new – 8’ high, closed-mesh windscreens, including delivery and installation as per bid documents.					
Supplier		QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC 1			LF	\$11.00	\$11.00	
Provide new manual gates with posts and hardware, including delivery and installation as per bid documents.						
Supplier		QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC 1			LF	\$1,900.00	\$1,900.00	
4.1	Offeror shall provide new – 4’ high, galvanized chain link "manual" gates with posts and hardware, including delivery and installation as per bid documents.					
Supplier		QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC 1			LF	\$110.00	\$110.00	
4.2	Offeror shall provide new – 6’ high, galvanized chain link "manual" gates with posts and hardware, including delivery and installation as per bid documents.					
Supplier		QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC 1			LF	\$140.00	\$140.00	
4.3	Offeror shall provide new – 8’ high, galvanized chain link "manual" gates with posts and hardware, including delivery and installation as per bid documents.					
Supplier		QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC 1			LF	\$175.00	\$175.00	

4.4	Offeror shall provide new – 4’ high, vinyl coated galvanized chain link "manual" gates with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$130.00	\$130.00
4.5	Offeror shall provide new – 6’ high, vinyl coated galvanized chain link "manual" gates with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$160.00	\$160.00
4.6	Offeror shall provide new – 8’ high, vinyl coated galvanized chain link "manual" gates with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$200.00	\$200.00
4.7	Offeror shall provide new – 6’ high, pressure treated wood "manual" gates with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$150.00	\$150.00
4.8	Offeror shall provide new – 4’ high, PVC (Polyvinyl Chloride) "manual" gates with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$120.00	\$120.00
4.9	Offeror shall provide new – 6’ high, PVC (Polyvinyl Chloride) "manual" gates with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$140.00	\$140.00
4.10	Offeror shall provide new – 4’ high, ornamental aluminum "manual" gates with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$250.00	\$250.00
4.11	Offeror shall provide new – 6’ high, ornamental aluminum "manual" gates with posts and hardware, including delivery and installation as per bid documents.				
	Supplier	QTY	UOM	Unit Price	Extended Supplier Notes
	Coast To Coast Garage Door,LLC 1		LF	\$325.00	\$325.00

Event Number	22-30-RC	Organization	City of Deerfield Beach
Event Title	Supply and Install, Service and Repair of Various Fences and Gates	Workgroup	Purchasing Dept.
Event Description	The City of Deerfield Beach is soliciting sealed responses from vendors to provide the services in accordance with the terms, conditions and scope of services of the above-mentioned formal competitive solicitation.	Event Owner	Robert Chiego
Event Type	ITB (Commodity)	Email	rchiego@deerfield-beach.com
Issue Date	7/11/2022 09:00:00 AM (ET)	Phone	(954) 4804415
Close Date	7/25/2022 03:00:00 PM (ET)	Fax	

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total
Coast To Coast Garage Door,LLC	Sunrise	FL	7/25/2022 02:26:49 PM (ET)	36	\$2,894.00

Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.

SECTION VI – SCOPE OF SERVICES

1. General

- a. The City of Deerfield Beach is actively seeking bids from qualified vendors to Supply and Install, Service and Repair of Various Fences and Gates on an “as needed, when needed, and if needed” basis throughout the City. This will be a term contract.
- b. Contractor shall be responsible to provide all labor, material, equipment, tools, transportation, insurances, licenses, permits (if required) and incidentals necessary to perform the requested services. It is the responsibility of the Contractor to provide sufficient manpower to perform the work safely and expeditiously acceptable to the City in accordance with the terms, conditions and scope of services herein.

2. Scope of Services

- a. The Contractor shall provide the City with detailed quotes that outlines labor, parts and material cost for new installation. The Contractor shall provide quotes for only parts and material for repairs over \$500.00. The quotes shall be consistent with the prices submitted in the Contractors bid line items. All quotes must be approved by the City prior to the commencement of any work.
- b. The Contractor shall respond to the site for repairs within seventy-two (72) hours after notification from the City.
- c. The Contractor shall always be responsible for the location and avoidance of underground utilities. Damages shall be promptly repaired by the Contractor within twenty-four (24) hours at no expense to the City.
- d. The Contractor shall employ adequate numbers of skilled workers who are trained and experienced with the type of work for which they are assigned.
- e. All completed work shall meet basic visual standards. Post shall be properly aligned, post shall be plumb and vertical, parts and materials shall be consistent in quality, parts and material shall be undamaged, gates shall not sag and other flaws found by the City.
- f. All completed work shall meet basic structural standards. Post shall not wobble or move within footings, fabric and wire shall be taut between posts, hardware shall be adequately tightened and all parts and material shall meet the minimum specifications on the following sections.
- g. The Contractor shall remove all debris and unused parts and material from the job site at the completion of each project. Soil excavated for post footings must be removed or spread evenly as directed by the City.

3. Locations of Gates and Fences

The current locations of gates and fences are as follows: (locations may be added or deleted during the contract period)

- Deerfield Beach International Fishing Pier – 200 NE 21st Avenue
- Public Beach – Hillsboro Blvd and Ocean Way
- Main Beach Parking Lot – 149 SE 21st Avenue
- Beach Boardwalk – SE 9th Street and Ocean Way

- Beach Boardwalk – SE 10th Street and Ocean Way
- Sullivan Park – 1700 Riverview Road
- Pioneer Park & Tennis Center – 222 NE 2nd Avenue
- City Hall – 150 NE 2nd Avenue
- Broward Sheriff's Office (BSO) – 300 NE 2nd Street
- Johnnie McKeithen Park – 629 N. Deerfield Avenue
- Riverview Park – 185 NE 6th Court
- Aquatic Center & Athletic Complex – 501 SE 6th Avenue
- Center for Active Aging Campus – 227 NW 2nd Street & 301 NW 2nd Avenue
- Branhilda Richardson Knowles Memorial Park – 411 SE 2nd Avenue
- Pineview Cemetery – 390 SW 3rd Avenue
- Oveta McKeith Recreational Complex – 445 SW 2nd Street
- Central City Campus – 401 SW 4th Street
- Tivoli Sand Pines Preserve – 501 SW 10th Street
- Mayo Howard Park – 1131 SW 11th Way
- Teen Center – 1345 SW 11th Way
- Fire Station 102 – 1441 SW 11th Way
- Highlands Community Center – 511 NE 44th Street
- Environmental Services – 200 Goolsby Blvd
- East Water Plant – 101 NW 2nd Avenue
- West Water Plant – 290 Goolsby Blvd
- Ecidar Park – 1901 SW 15th Street
- Constitution Park – 2841 W Hillsboro Blvd
- Deer Run Park East – 301 SW 31st Avenue
- Deer Run Park West – 155 SW 34th Avenue
- Ada Graham-Johnson Park – 155 SW 34th Avenue
- Villages of Hillsboro Park – 4111 NW 6th Street
- Quiet Waters Athletic Park – 4150 W. Hillsboro Blvd
- Trailhead Park – 3700 American Way

4. Types of Fences and Windscreens for Repair

There are several different types of fences throughout the City. This contract is for the repair of any of the fences in the City. Below are examples of the types of fencing.

a. Chain Link:

- i. 4 to 8 - foot high galvanized chain link fencing, needs to be a minimum of 9 - gauge with galvanized posts.
- ii. 4 to 8 - foot high vinyl coated galvanized chain link fencing, needs to be a minimum of 9 - gauge with galvanized posts.

b. PVC (Polyvinyl Chloride): The PVC Fence and Post products must be fabricated from high grade PVC that is rust-free and must meet or exceed Building Officials and Code Administrators (B.O.C.A.) Pool Code regulations. PVC Handrail Systems must meet International Building Code (IBC) and International Residential Code (IRC) Building Codes. All PVC Fence, Handrails, and Posts must be high impact resistance and manufactured with ultraviolet inhibitors.

- c. Wooden: 6 - foot high shadow box pressure treated wood fencing.
- d. Ornamental Aluminum Fence and Posts: A Rust-Free product fabricated from 6063 series aluminum alloy material with the ability to be installed near water and pool areas and must meet or exceed Building Officials and Code Administrators (B.O.C.A.) Pool Code regulations. The product shall be coated using PPG® TGIC polyester powder coating for superior durability that ensures a lasting maintenance-free finish. The coating meets the American Architectural Manufacturers Association (AAMA) 2604 specifications. The screws must be hardened 410 stainless steel with Cr6 plating and colored heads.
- e. Windscreen
 - i. Tennis Center: The City's Tennis Center uses opened mesh windscreen. The color is dark green. Grommets every 12", standard vents, reinforced hems, 70% shade factor. The tie wraps are standard 8.0" 50lb. The rope is 1/4" poly, black.
 - ii. Aquatic Center: They City's Aquatic Center uses closed mesh windscreen. The color is dark green. Grommets every 12", standard vents with reinforced hem. The tie wraps are standard 8.0", 50lb. The rope is 1/4" poly, black.

5. Types of Gates for Repair

The City's facilities have a majority of manual gates and a few electric operated gates. This contract is for the repair of any of the gates in the City. Below are examples of the types gates.

- a. Chain Link:
 - i. 4 to 8 - foot high galvanized chain link "manual" gate, needs to be a minimum of 9 - gauge with galvanized posts.
 - ii. 4 to 8 - foot high vinyl coated galvanized chain link "manual" gate, needs to be a minimum of 9 - gauge with galvanized posts.
 - iii. 4 to 8 - foot high galvanized chain link "electric operated" gate which includes motor, sensors and remote devices, needs to be a minimum of 9 - gauge with galvanized posts.
 - iv. 4 to 8 - foot high vinyl coated galvanized chain link "electric operated" gate with post which includes motor, sensors and remote devices, needs to be a minimum of 9 - gauge with galvanized posts.
- b. PVC (Polyvinyl Chloride)
- c. Wooden: 6 - foot high shadow box pressure treated wood gates.
- d. Ornamental Aluminum Fence and Posts.

6. Parts and Material to Repair Fences, Gates and Windscreens, and New Electric Operators on Gates

Offerors shall provide parts and material to repair the gates and fences on an as-needed- basis. (The cost of the parts and material shall be based on a "cost-plus percentage mark-up"). Reference Bid Line Items 2.1 thru 2.4.

7. New Fences

Offerors shall provide new fences with installation and permitting on an as-needed-basis. Below are examples on the types of fences. (The cost of the new fences, including delivery and installation, shall be based on “per linear foot”). Reference Bid Line Items 3.1 thru 3.13.

a. Chain Link:

- i. 4 to 12 - foot high galvanized chain link fencing with posts and hardware, needs to be a minimum of 9 – gauge galvanized.
- ii. 4 to 8 - foot high vinyl coated galvanized chain link fencing with posts and hardware, needs to be a minimum of 9 - gauge galvanized.

b. PVC (Polyvinyl Chloride) with Posts and Hardware: Various heights, styles and colors approved by the City. The PVC Fence and Post products must be fabricated from high grade PVC that is rust-free and must meet or exceed Building Officials and Code Administrators (B.O.C.A.) Pool Code regulations. PVC Handrail Systems must meet International Building Code (IBC) and International Residential Code (IRC) Building Codes. All PVC Fence, Handrails, and Posts must be high impact resistance and manufactured with ultraviolet inhibitors.

c. Wooden with Post and Hardware: 6 - foot high shadow box pressure treated wood fencing.

d. Ornamental Aluminum Fence with Posts and Hardware: Various heights, styles and colors approved by the City. A Rust-Free product fabricated from 6063 series aluminum alloy material with the ability to be installed near water and pool areas and must meet or exceed Building Officials and Code Administrators (B.O.C.A.) Pool Code regulations. The product shall be coated using PPG® TGIC polyester powder coating for superior durability that ensures a lasting maintenance-free finish. The coating meets the American Architectural Manufacturers Association (AAMA) 2604 specifications. The screws must be hardened 410 stainless steel with Cr6 plating and colored heads.

8. New Gates

Offerors shall provide new gates with installation and permitting on an as-needed-basis. Below are examples on the types of gates. (The cost of the new gates, including delivery and installation, shall be based on “per linear foot”). Reference Bid Line Items 3.1 thru 3.13.

a. Chain Link (manual and electric operated):

- i. 4 to 8 - foot high galvanized chain link “manual” gate with posts and hardware, needs to be a minimum of 9 - gauge galvanized.
- ii. 4 to 8 - foot high vinyl coated galvanized chain link “manual” gate with posts and hardware, needs to be a minimum of 9 - gauge galvanized.
- iii. 4 to 8 - foot high galvanized chain link “electric operated” gate with posts and hardware, which includes motor, sensors and remote devices, needs to be a minimum of 9 - gauge galvanized.

- iv. 4 to 8 - foot high vinyl coated galvanized chain link “electric operated” gate with posts and hardware, which includes motor, sensors and remote devices, needs to be a minimum of 9 - gauge galvanized.
- b. PVC (Polyvinyl Chloride) with Posts and Hardware: Various heights, styles and colors approved by the City. The PVC Gate and Post products must be fabricated from high grade PVC that is rust-free and must meet or exceed Building Officials and Code Administrators (B.O.C.A.) Pool Code regulations. PVC Handrail Systems must meet International Building Code (IBC) and International Residential Code (IRC) Building Codes. All PVC Fence, Handrails, and Posts must be high impact resistance and manufactured with ultraviolet inhibitors.
- c. Wooden with Posts and Hardware: 6 - foot high shadow box pressure treated wood gate.
- d. Ornamental Aluminum Gate with Posts and Hardware: Various heights, styles and colors approved by the City. A Rust-Free product fabricated from 6063 series aluminum alloy material with the ability to be installed near water and pool areas and must meet or exceed Building Officials and Code Administrators (B.O.C.A.) Pool Code regulations. The product shall be coated using PPG® TGIC polyester powder coating for superior durability that ensures a lasting maintenance-free finish. The coating meets the American Architectural Manufacturers Association (AAMA) 2604 specifications. The screws must be hardened 410 stainless steel with Cr6 plating and colored heads.

9. New Windscreens

Offerors shall provide new windscreens with installation and permitting on an as-needed-basis. Below are examples on the types of windscreens. (The cost of the new windscreens, including delivery and installation, shall be based on “per linear feet”). Reference Bid Line Items 3.14 thru 3.17.

- a. Windscreens:
 - i. 6 to 8 - foot high, open-mesh with grommets, color: green. Grommets every 12”, standard vents, reinforced hems, 70% shade factor. The tie wraps are standard 8.0” 50lb. The rope is ¼” poly, black.
 - ii. 6 to 8 – foot high, closed mesh windscreen with grommets, color: green. Grommets every 12”, standard vents with reinforced hem. The tie wraps are standard 8.0”, 50lb. The rope is ¼” poly, black.

10. Quality Assurance

All employees shall be competent and highly skilled in their particular job in order to properly perform the work assigned to them. The Contractor shall be responsible for maintaining the quality of the workmanship on the job throughout the duration of his/her responsibility.

11. Maintenance of Traffic (MOT)

- a. Contractor shall provide all items necessary to protect, warn and/or maintain vehicular and pedestrian traffic during the course of construction.
- b. If necessary, Contractor shall arrange for the services of a Traffic Engineer, registered as a Professional Engineer in the State of Florida, to prepare detailed Maintenance of Traffic (MOT)

Plans for approval by the City and other governmental agencies having jurisdiction prior to the start of construction activities.

- c. The Maintenance of Traffic Plan and all traffic warning and control devices shall conform to the applicable provisions of the latest editions of the national "Manual on Uniform Traffic Control Devices" (MUTCD), the 600 series of the Florida Department of Transportation's "Roadway and Traffic Design Standards", and Broward County's Minimum Standards Applicable to Public Rights of Way Under Broward County Jurisdiction".

12. Protection of Property

- a. The Contractor shall at all times guard against damage or loss to the City property and any other persons in or around the work site, and shall be responsible for replacing or repairing any such damage or loss. The Contractor will be required to report any such damages immediately to the City's Park Superintendent or his designee. Replacement or repairs shall begin within five (5) days of the incident that caused the damage.
- b. The Contractor and its subcontractor(s) shall clean, repair or replace any item damaged during the performance of the service to the satisfaction of City at no additional cost.
- c. The City reserves the right at its sole and absolute discretion, to repair any damages created by the Contractor and deduct the actual cost of repairs from their payment.

13. Personnel

- a. The City may, in its sole and absolute discretion, require the Consultant to remove any employee it deems careless, incompetent, insubordinate or otherwise objectionable and whose presence on City property is not in the best interests of the City. The City shall not have any duty to implement or enforce such requirements and such obligation shall be the sole responsibility of the Consultant to immediately address upon the City's notification to the Consultants supervisory staff on-site or the managerial point of contact designated to the contract.
- b. The Contractors employees performing work on City property shall be in uniforms with the company's name, clean, courteous, sober and competent. The Contractor agrees to be responsible for such personnel. All Contractors' personnel dealing with the public under this contract, shall be identified by name using a nametag or embroidered name on his/her uniform. The Contractor agrees that the owners of the company, or officers if a corporation, shall be held fully responsible, except as otherwise prohibited by law, for acts of their personnel while on duty.
- c. At least one (1) employee in a supervisory role at the worksite must be able to communicate clearly and fluently in the "English" language.
- d. All employees shall be competent and highly skilled in their particular job in order to properly perform the work assigned to them.

14. Contractors Equipment and Vehicles

- a. Contractor's equipment shall be maintained in an efficient and safe operating condition while performing work under this contract. Equipment shall have proper safety devices maintained at all

times while in use. If equipment does not contain proper safety devices and/or is being operated in an unsafe manner, the City may direct the Contractor to remove such equipment and/or operator until the deficiency is corrected to the satisfaction of the City. The Contractor shall be responsible and liable for injury to persons caused by the operation of the equipment.

- b.** Contractor's vehicles used on City projects shall be clean and presentable, in working condition, and identified with the name of the company and properly licensed.

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City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1470

Agenda Date: 9/6/2022

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of the request for proposals for wholesale compressed natural gas; authorizing execution of an agreement with Interconn Resources, LLC, the lowest priced responsive and responsible bidder, for a one year term; providing for severability and an effective date. (Funds from Account #450-4551-534-38-12 - Compressed Natural Gas)

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Fiscal Impact

Costs: Approximately \$150,000 Per Year

Account Name: Compressed Natural Gas

Account Number: 450-4551-534-38-12

Background/History

In 2015, the City of Deerfield Beach (City) began purchasing compressed natural gas (CNG) fueled solid waste collection vehicles. This was an effort to reduce harmful emissions being released into the air, reduce maintenance and fueling costs, and provide better service to the community overall. In June of 2021, the City completed the construction of an on-site CNG fueling station (Station). This station has allowed the City to purchase its own CNG, therefore reducing the cost of gas and eliminating the dependency on the off-site Waste Management filling station. The installation of the CNG Station requires that the local gas utility, Peoples Gas System (PGS), provide delivery of CNG for the City's Station. Due to the volumes that the City's operation requires, the City can purchase its natural gas directly from a supplier, rather than PGS, and reduce the overall cost of the gas.

In February of 2021, the City hired TECO Partners, an energy consultant, to manage the procurement of wholesale CNG.

Section 38-132 (a) of the City's procurement code, "Procurement of Insurance, Financial Borrowing, and Energy," allows the City to contract with a consultant to solicit the market on behalf of the city for financial borrowing, insurance, or energy, as applicable.

TECO Partners has been monitoring the City's usage and providing technical assistance regarding the operation.

Current Activity

On August 9, 2022, TECO Partners issued a Request for Proposals for Wholesale Compressed Natural Gas provision. The City required submitting firms to be on PGS's (TECO) pre-qualified vendor list.

The following firms submitted proposals: Florida Natural Gas, Gas South, Interconn Resources, Mansfield, and Tiger Natural Gas. Interconn Resources presented the lowest cost option and is the current supplier of gas to the City's Station. TECO Partners recommends awarding the contract to Interconn Resources, LLC.

Recommendation

Staff recommends following the recommendation of TECO Partners and executing an agreement with Interconn Resources for the provision of wholesale compressed natural gas for a one-year term.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE AWARD OF THE REQUEST FOR PROPOSALS FOR WHOLESALE COMPRESSED NATURAL GAS; AUTHORIZING EXECUTION OF AN AGREEMENT WITH INTERCONN RESOURCES, LLC, THE LOWEST PRICED RESPONSIVE AND RESPONSIBLE BIDDER, FOR A ONE YEAR TERM; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the construction of the compressed natural gas (“CNG”) filling station (the “Station”) at Central City Campus (“CCC”), which is intended to serve the current and future City CNG waste collection fleet, is substantially complete; and

WHEREAS, in February 2021, the City contracted with TECO Partners, Inc. (“TECO”), an energy consultant, to provide technical assistance in the procurement of wholesale CNG; and

WHEREAS, TECO evaluated the City’s current usage and developed a scope for wholesale CNG purchase and transportation; and

WHEREAS, TECO issued a Request for Proposals for Natural Gas Supply (the “RFP”) for the City’s Station for the period commencing October 1, 2022 and ending September 30, 2023; and

WHEREAS, the prospective bidders for the RFP consisted of bidders from TECO’s pool of pre-qualified bidders; and

WHEREAS, on August 15, 2022 at 4:00 p.m., the RFP due date and time, TECO unsealed the five bid responses that were timely received, and reviewed the bids to ensure they met the RFP requirements; and

WHEREAS, Interconn Resources, LLC (“Interconn”) was determined to be the lowest priced bidder and met all the requirements of the RFP; and

WHEREAS, TECO recommends that the City Commission approve the award of the ITB to Interconn, the lowest priced, responsive and responsible bidder to the ITB, and authorize execution of an agreement with Interconn for the CNG based on the submitted price of \$.0915 + FGT Zone 3 (currently \$.5879) + pass thru costs per therm unit pricing provided in the bid submitted by Interconn (the “Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part hereof.

Section 2. The City Commission hereby approves the award of the RFP to Interconn for the CNG.

Section 3. The City Manager is hereby authorized to execute the Agreement with Interconn for the CNG for a one year term, consistent with the RFP, together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. The Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK

Customer: **City of Deerfield Beach**
RFP Results for: October 1, 2022 - September 31, 2023
Date Submitted:
Pricing Format: *Therms*

NCTS Accounts EAT: *172,807*

Term: One Year

	Supplier Bid:	NYMEX	FGT Zone 3	NYMEX plus Pass Thru Cost	FGT Zone 3 plus Pass Thru Cost
	Florida Natural Gas	\$0.190	\$0.150	\$0.075	\$0.015
	Gas South	\$0.15500	\$0.100		
	Interconn Resources	\$0.1760	\$0.0915		
	Mansfield	\$0.147	\$0.092		
	Tiger Natural Gas	swing	Disqualified		\$0.049

	Fuel Cost:		Pass Through Cost:				
	NYMEX	FGT Zone 3	Pipeline Capacity	Fuel Retention			
Current Rate	0.5735	0.5879	0.08852	0.01648			
Fuel + Adder+ applicable Pass Thru's							
	NYMEX	FGT Zone 3	NYMEX plus Pass Thru Cost	FGT Zone 3 plus Pass Thru Cost	Cost per Therm	Total Cost per Therm	Bidder Ranking
	\$0.7635	\$0.7379	\$0.7535	\$0.7079	\$0.7379	\$0.7379	4
	\$0.7587	\$0.7181			\$0.7181	\$0.7181	3
	\$0.7797	\$0.7096			\$0.7096	\$0.7096	1
	\$0.7506	\$0.7102			\$0.7102	\$0.7102	2
				\$0.7419	\$0.7419	\$0.7419	5

Conclusion: TECO Partners sent RFP's to different suppliers. The results indicate that **Interconn** is the lowest cost third party provider for **City of Deerfield Beach** with a proposed price of FGT + \$.0915 + pass thru costs per therm.
Comparisons of bid analysis:

Mansfield new bid compared to current Interconn pricing:	\$ 2,286
Interconn (best bid) compared to Mansfield (2nd best bid):	\$ (86)
Interconn compared to utility:	\$ (65,669)

Definition:

NYMEX - New York Mercantile Exchange is the largest physical commodity exchange where natural gas and other commodity are traded.

FGT Zone 3 - The price of the gas delivered at FGT Zone 3. These indices are compiled and published through subscription.

Pass Thru Cost - The cost to get gas from the well to city gate. It includes capacity charges, reservation and fuel loss charges.

City Of Deerfield Beach Volume Summary

Acct #	Location	Mar-20	Apr-20	May-20	Jun-20	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Total
221008011902	Deerfield Bea	11741.02	10303.22	10257.45	11866.20	11584.10	10677.74	10500.00	11652.88	9373.40	11155.05	12067.14	12975.12	134,153.3
Estimated										Estimated				
Acct #	Location	Mar-21	Apr-21	May-21	Jun-21	Jul-21	Aug-21	Sep-21	Oct-21	Nov-21	Dec-21	Jan-22	Feb-22	Total
221008011902	Deerfield Bea	14,475.77	11,605.67	5,569.00	12,367.00	11,911.00	10,032.00	15,041.00	13,906.00	11,598.00	16,187.00	14,147.00	12,766.00	149,605.4
Acct #	Location	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Total
221008011902	Deerfield Bea	17,073.00	13,900.00	17,243.00	15,377.00	15,537.00								79,130.0
Acct #	Location	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Total
221008011902	Deerfield Beach													-



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1456

Agenda Date: 9/6/2022

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with Johnson-Laux Construction, LLC through Sourcewell, Inc. Indefinite Quantity Construction Contract #FL-R10-GC11-111821-JLC for decommissioning the existing underground fuel tank at Fire Station No. 1 and installation of a new above ground fuel tank for generator use in an amount not to exceed \$143,549.00, with an additional ten percent (10%) contingency; providing for execution and an effective date. (Funds from Account #399-5060-519-62-00 - Buildings & Account #399-5060-529-65-30 - CIP - Infrastructure)

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Fiscal Impact

Costs: \$143,549.00

Account Name: Buildings (Fire Station No. 1 Fuel Tank Removal)

Account Number: 399-5060-519-6200

Secondary Account Name: CIP - Infrastructure

Secondary Account Number: 399-5060-529-6530

Background/History

The intent of this capital project was to decommission aging underground storage tanks at Fire Station #1. While planning for this removal, it was discovered that the underground tank provided diesel to an existing emergency generator necessary for back up power during emergencies. It was then determined that, due to the age and increasing costs to the city to insure these underground tanks, a better solution would be a replacement with an above ground fuel tank for generator use. The city sought a proposal from Johnson Laux Construction, LLC utilizing the terms of competitively procured Sourcewell, Inc. Indefinite Quantity Construction Contract IFB# FL R10 GC11 111821 JLC. Johnson Laux provided the following detailed scope for abandonment of the underground storage tank and furnishing and installing an above ground storage tank:

- ☐ Abandonment in place existing underground storage tanks (UST), including removal of integral piping and dispensers. Resurfacing with #57 stone.
- ☐ FDEP UST closure sampling and closure report as required by Code.
- ☐ Furnish and install a 500-gallon aboveground storage tank (AST) and mount on a concrete tank pad including preparation of subgrade and installation of tank pad.
- ☐ AST shall be placed close enough to the building to allow fuel lines to be ran above ground. Underground piping is not recommended.
- ☐ Install piping to existing generator. Generator and AST shall be tested and brought on-line prior to abandonment of UST
- ☐ Remove all construction debris and waste from the site

Current Activity

Funds are available in the line item capital budget for the Fire Station No.1 Fuel Tank Removal, the balance of funds will come from available capital CIP Infrastructure. Original estimates for the budget had not anticipated the required above ground storage tank to maintain the emergency generator in operation, thus the increase in the estimated cost.

Recommendation

It is recommended the City Commission of the City of Deerfield Beach approve an agreement with Johnson-Laux Construction, LLC through Sourcewell, Inc. Indefinite Quantity Construction Contract IFB# FL R10 GC11 111821 JLC for decommissioning the existing underground fuel tank and installation of a new above ground fuel tank for generator use.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING AN AGREEMENT WITH JOHNSON-LAUX CONSTRUCTION, LLC THROUGH SOURCEWELL, INC. INDEFINITE QUANTITY CONSTRUCTION CONTRACT# FL-R10-GC11-111821-JLC FOR DECOMMISSIONING THE EXISTING UNDERGROUND FUEL TANK AT FIRE STATION NO. 1 AND INSTALLATION OF A NEW ABOVE GROUND FUEL TANK FOR GENERATOR USE IN AN AMOUNT NOT TO EXCEED \$143,549.00, WITH AN ADDITIONAL TEN PERCENT (10%) CONTINGENCY; PROVIDING FOR EXECUTION AND AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach (“City”) desires to decommission the aging underground storage tank at Fire Station No. 1; and

WHEREAS, while planning for this removal, it was discovered that the underground tank provided diesel to an existing emergency generator necessary for back-up power during emergencies; and

WHEREAS, due to the age and increasing costs to the City to insure these underground tanks, it was determined a better solution would be to replace the underground tank at Fire Station No. 1 with an above ground fuel tank for generator use (“Project”); and

WHEREAS, Section 38-116(3)(b)10–11 of the City Code provides authority for the City to acquire or contract for non-real property, goods, or services that are the subject of a contract with state governments, their political subdivisions, or other local governmental entities within the United States, or with associations affiliated with state and/or local governmental entities or departments, or where the City participates in joint procurement of non-real property, goods, or services with other public entities; and

WHEREAS, staff recommends use of the terms of the competitively procured, cooperative purchasing Sourcewell, Inc. Indefinite Quantity Construction Contract IFB# FL-R10-GC11-111821-JLC (the “Sourcewell Contract”) with Johnson-Laux Construction, LLC (“Johnson-Laux”) for construction of the Project; and

WHEREAS, staff has confirmed that the Sourcewell Contract is in effect; and

WHEREAS, the funding for this Project is available in the line item capital budget for the Fire Station No. 1 Fuel Tank Removal, and the balance of funds will come from available capital CIP Infrastructure; and

WHEREAS, staff recommends that the City Commission approve an agreement with Johnson-Laux for construction of the Project, utilizing the terms of the Sourcewell Contract in an amount not to exceed \$143,549.00, with an additional ten percent (10%) contingency (the “Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the Agreement with Johnson-Laux for construction of the Project in an amount not to exceed \$143,549.00, with an additional ten percent (10%) contingency.

Section 3. The City Manager is authorized to execute the Agreement with Johnson-Laux, consistent with the terms of the Sourcewell Contract, together with such additional terms that are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



Indefinite Delivery-Indefinite Quantity Construction Contract

Contract Number: FL-R10-GC11-111821-JLC

This Indefinite Delivery-Indefinite Quantity Construction Contract (Contract) is between **Sourcewell**, 202 12th Street Northeast, P.O. Box 219, Staples, MN 56479 and **Johnson-Laux Construction**, 650 Garden Commerce Parkway, suite 100, Winter Garden, FL 34787 (Contractor).

Sourcewell is a State of Minnesota local government agency and service cooperative created under the laws of the State of Minnesota (Minnesota Statutes Section 123A.21) that offers cooperative procurement solutions to government entities. Participation is open to federal, state and municipal governmental entities, K-12 and higher education entities, nonprofit entities, tribal governments, and other public entities located within the United States.

The Contractor desires to contract with Sourcewell to provide construction services to entities that access Sourcewell's indefinite delivery-indefinite quantity (IDIQ) construction contracts within the Region.

I. TERM OF CONTRACT

A. **EFFECTIVE DATE.** This Contract, including the General Terms and Conditions incorporated by reference, is effective upon the later of December 29, 2021, or the date of the final signature below.

B. **EXPIRATION DATE AND EXTENSION.** This Contract expires **December 28, 2022**, unless it is terminated sooner pursuant to Article XX of the General Terms and Conditions, which are incorporated into this Contract by reference. This Contract may be extended up to two additional one-year periods upon request of Sourcewell and with written agreement by the Contractor, not to exceed a total of three years.

II. REGION

The Contractor's Region is as follows: Region 10 - Southern Florida.

III. ADJUSTMENT FACTORS

The Contractor will perform any or all Tasks in the Construction Task Catalog for the Unit Price appearing therein multiplied by the following Adjustment Factors. See the General Terms and Conditions for additional information.

A. **Normal Working Hours Projects:** Work performed from 7:00 a.m. until 4:00 p.m. Monday to Friday, except Holidays. The Contractor will perform Tasks during Normal Working Hours for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: **1.2372**.

B. **Other Than Normal Working Hours Projects:** Work performed from 4:00 p.m. to 7:00 a.m. Monday to Friday, and any time Saturday, Sunday, and Holidays. The Contractor will perform Tasks during Other

Than Normal Working Hours for the Unit Price set forth in the CTC multiplied by the Adjustment Factor of: 1.2491.

C. **Non pre-priced Adjustment Factor:** To be applied to Work determined not to be included in the CTC but within the general scope of the work: 1.2972.

IV. AUTHORIZED REPRESENTATIVE

A. Sourcewell's Authorized Representative is its Chief Procurement Officer.

B. The Contractor's Authorized Representative is Kevin Johnson. If the Contractor's Authorized Representative changes at any time during this Contract, Contractor must promptly notify Sourcewell in writing.

Sourcewell

DocuSigned by:
By: Jeremy Schwartz
C0FD2A139D06489

Jeremy Schwartz, CSSBB, CPPO

Title: Chief Procurement Officer

Date: 12/28/2021 | 2:33 PM CST

Johnson-Laux Construction

DocuSigned by:
By: Kevin Johnson
11E0207ED04764EE

Kevin Johnson

Title: Vice President

Date: 12/28/2021 | 2:24 PM EST

Date: August 03, 2022

**Deerfield Beach Fire Station #1
Fuel Tank Decommissioning**

Summary Scope

Decommission existing underground fuel tanks and install new above ground fuel tank for generator use only.

Project Total Budget: \$143,549.00

Abandonment of UST and Testing: \$43,065.00

Furnish and Install of AST: \$100,484.00

Detailed Scope

- Abandonment in place existing underground storage tanks (UST), including removal of integral piping and dispensers. Resurfacing with #57 stone.
- FDEP UST closure sampling and closure report as required by Code.
- Furnish and install a 500-gallon aboveground storage tank (AST) and mount on a concrete tank pad including preparation of subgrade and installation of tank pad.
- AST shall be placed close enough to the building to allow fuel lines to be ran above ground. Underground piping is not recommended.
- Install piping to existing generator. Generator and AST shall be tested and brought on-line prior to abandonment of UST
- Remove all construction debris and waste from the site

Clarifications

- This is just a Budget Estimate. Size of existing UST is unknown.
- Owner to provide As-Built Drawings of existing site showing size and location of UST.
- A Payment and Performance Bond has been included in the proposal price.
- No Builder's Risk insurance included.
- No Architectural or Engineering Services have been included.
- No Signed and Sealed drawings have been included. Only Shop Drawing for Permitting. If A/E drawings are required for permitting, those will be an additional cost.
- Estimated Permit Fee has been included.



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1472

Agenda Date: 9/6/2022

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Award of Invitation to Bid #22-24-PC for purchase and installation, service and repair of overhead roll-up doors and grills, and hydraulic bi-fold doors to Above All Garage Door of South Florida, Inc., Coast to Coast Garage Door, LLC, and Door Systems of South Florida, Inc., the three responsive and responsible bidders; authorizing execution of agreements with the three bidders for a two year term, with three additional one year renewal terms; providing for implementation and an effective date. (Funds from various city accounts)

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Fiscal Impact

Costs: \$12,000

Account Name: General Fund - Other Contractual Service

Account Number: 001-5060-519-32-99

Secondary Account Name: General Fund, Utilities, Solid Waste - Other Contractual Service

Secondary Account Number: 001-7020-539-32-99, 401-5030-536-32-99, 450-4551-534-32-99

Background/History

The Purchasing and Contract Administration Division issued an Invitation to Bid for the Purchase and Installation, Service and Repair of Overhead Roll-up Doors and Grills, and Hydraulic Bi-Fold Doors, ITB #22-24-PC. This formal competitive solicitation process complies with the City of Deerfield Beach procurement requirements.

The City of Deerfield Beach is the lead agency for the Purchase & Installation, Service & Repair of Overhead Roll-up Doors and Grills, and Hydraulic Bi-Fold Doors contract on behalf of the Southeast Florida Governmental Purchasing Cooperative Group. This contract is vital for all the participating co-op agencies. Eighteen (18) other agencies in the South Florida area are active participants in this contract. The cumulative estimated annual cost is \$357,000.00. The City of Deerfield Beach's portion is \$12,000.00.

Details of the competitive solicitation process are as follows:

- On April 22, 2022, the ITB was advertised in the legal notices section of the Sun-Sentinel. The notice was sent to eighty (80) prospective Offerors via the e-Procurement Marketplace.
- Four (4) vendors viewed the documents of the ITB.
- Three (3) Addendums were issued to make additions, deletions and changes to the ITB documents.

- On May 12, 2022 at 2:00 p.m. EST, the Purchasing and Contract Administration Division closed and unsealed three (3) responses. The responses were reviewed by the Purchasing and Contract Administration Division to ensure the responses met the ITB requirements.

Current Activity

The Purchasing and Contract Administration Division discussed the responses with the Facilities Manager and concluded that the City, in its best interest, will utilize the multiple award option of this ITB and recommend awarding a contract to Above All Garage Door of South Florida, Inc., Coast-to-Coast Garage Door, LLC, and Door Systems of South Florida, Inc. The contract will be obligated within Facilities Management with reimbursements from other departments as used.

Reference checks were conducted on Above All Garage Door of South Florida, Coast-to-Coast Garage Door LLC, and Door Systems of South Florida, revealing positive ratings.

In summary, Above All Garage Door of South Florida, Inc., Coast-to-Coast Garage Door, LLC, and Door Systems of South Florida, Inc. were determined to be the three responsive and responsible bidders able to provide the availability of the required products and services and meet all the ITB requirements. Therefore, staff recommends award of contracts to Above All Garage Door of South Florida, Coast-to-Coast Garage Door LLC, and Door Systems of South Florida for the services on an as needed basis.

Recommendation

Staff recommends City Commission approval of the award of ITB #22-24-PC to Above All Garage Door of South Florida, Inc., Coast-to-Coast Garage Door, LLC, and Door Systems of South Florida, Inc. and authorizing execution of agreements with the three bidders for the Purchase and Install, Service and Repair of Overhead Roll-up Doors, Grills and Hydraulic Bi-Fold Doors.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE AWARD OF INVITATION TO BID #22-24-PC FOR PURCHASE AND INSTALLATION, SERVICE AND REPAIR OF OVERHEAD ROLL-UP DOORS AND GRILLS, AND HYDRAULIC BI-FOLD DOORS TO ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA, INC., COAST TO COAST GARAGE DOOR, LLC, AND DOOR SYSTEMS OF SOUTH FLORIDA, INC., THE THREE RESPONSIVE AND RESPONSIBLE BIDDERS; AUTHORIZING EXECUTION OF AGREEMENTS WITH THE THREE BIDDERS FOR A TWO YEAR TERM, WITH THREE ADDITIONAL ONE YEAR RENEWAL TERMS; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach (the “City”) requires services including purchase and installation, and service and repair of overhead roll-up doors and grills, and hydraulic bi-fold doors on an as needed basis (the “Services”); and

WHEREAS, the City serves as the lead agency for the Purchase & Installation, Service & Repair of Overhead Roll-up Doors and Grills, and Hydraulic Bi-Fold Doors contract on behalf of the Southeast Florida Government Purchasing Cooperative Group comprised of eighteen other agencies in the South Florida area; and

WHEREAS, the City issued Invitation to Bid No. 22-24-PC for Purchase and Installation, Service and Repair of Overhead Roll-up Doors and Grills, and Hydraulic Bi-Fold Doors (the “ITB”); and

WHEREAS, the ITB was advertised in the legal notices section of the Sun-Sentinel on April 22, 2022, and the notice was also sent to 80 prospective bidders via the e-Procurement Marketplace; and

WHEREAS, four vendors viewed the ITB documents; and

WHEREAS, on May 12, 2022 at 2:00 p.m., the ITB due date and time, the Purchasing and Contract Division (the “Division”) closed and unsealed three bids that were timely received, and reviewed the responses to ensure they met the ITB requirements; and

WHEREAS, the Division reviewed and discussed the bid responses with the Facilities Manager and concluded that the City, in its best interest, will utilize the multiple contract award option and recommended awarding a contract to the three responsive and responsible bidders, Above All Garage Door of South Florida, Inc. (“Above All”), Coast to Coast Garage Door, LLC (“Coast to Coast”), and Door Systems of South Florida, Inc. (“Door Systems”); and

WHEREAS, the Division recommends that the City Commission approve the award of the ITB to Above All, Coast to Coast, and Door Systems, the three responsive and responsible bidders to the ITB, and authorize execution of agreements with Above All, Coast-to-Coast, and Door Systems for the Services on an as needed basis for a two year term, with three additional one-year renewal terms (the “Agreement”).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the award of the ITB to Above All, Coast to Coast, and Door Systems.

Section 3. The City Manager is hereby authorized to execute agreements with Above All, Coast to Coast, and Door Systems, consistent with the terms of the ITB, together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



Memorandum

TO: Priscilla Cygielnik, Director of Environmental Services

FROM: Paul Collette, Buyer

THRU: Bogdan Avasiloe, Purchasing Manager

DATE: August 16, 2022

RE: **Purchase and Installation, Service and Repair of Overhead Roll-up Doors and Grills, and Hydraulic Bi-Fold Doors, ITB #22-24-PC**

The Purchasing and Contract Administration Division issued an Invitation to Bid for the Purchase and Installation, Service and Repair of Overhead Roll-up Doors and Grills, and Hydraulic Bi-Fold Doors, ITB #22-24-PC. This formal competitive solicitation process complies with the City of Deerfield Beach procurement requirements.

The City of Deerfield Beach is the lead agency for the Purchase & Installation, Service & Repair of Overhead Roll-up Doors and Grills, and Hydraulic Bi-Fold Doors contract on behalf of the Southeast Florida Governmental Purchasing Cooperative Group. This contract is vital for all the participating co-op agencies. Eighteen (18) other agencies in the South Florida area are active participants in this contract. The cumulative estimated annual cost is \$357,000.00. The City of Deerfield Beach's portion is \$12,000.00.

Details of the competitive solicitation process are as follows:

- On April 22, 2022, the ITB was advertised in the legal notices section of the Sun-Sentinel. The notice was sent to eighty (80) prospective Offerors via the e-Procurement Marketplace.
- Four (4) vendors viewed the documents of the ITB.
- Three (3) Addendums were issued to make additions, deletions and changes to the ITB documents.
- On May 12, 2022 at 2:00 p.m. EST, the Purchasing and Contract Administration Division closed and unsealed three (3) responses. The responses were reviewed by the Purchasing and Contract Administration Division to ensure the responses met the ITB requirements.
- The Purchasing and Contract Administration Division discussed the responses with the Facilities Manager and concluded that the City, in its best interest, will utilize the multiple award option of this ITB and recommend awarding a contract to Above All Garage Door of South Florida, Coast-to-Coast Garage Door LLC, Door Systems of South Florida.
- Reference checks were conducted on Above All Garage Door of South Florida, Coast-to-

Coast Garage Door LLC, Door Systems of South Florida revealing positive ratings.

- Documentation related to this solicitation may be obtained by e-mailing pcollette@deerfield-beach.com or may contact the Purchasing and Contract Administration Division at 954-480-4381 with any questions.

In summary, Above All Garage Door of South Florida, Coast-to-Coast Garage Door LLC, Door Systems of South Florida are the lowest, responsive and responsible Offerors able to provide the best value and availability of the required products and services and meet all the ITB requirements; therefore, recommendation of this contract will be to Above All Garage Door of South Florida, Coast-to-Coast Garage Door LLC, Door Systems of South Florida in the City's best interest.

Please use this memorandum and all attachments as your backup to the City Manager for the next available City Commission Meeting.

Att. Tabulation Sheets, Scope of Work

1	Labor Rates during normal business hours (Monday - Friday 8:00 a.m. - 5:00 p.m.); Labor Rates after normal business hours (5:01 p.m. - 7:59 a.m.); Labor Rates (Saturday and Sunday, Anytime); Labor Rates (Holidays, Anytime).					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1		\$490.50	\$490.50	
	Coast To Coast Garage Door,LLC	1		\$695.00	\$695.00	
	Door Systems of South Florida	1		\$750.00	\$750.00	
1.1	Mechanic - Labor Rates during normal business hours (Monday - Friday, 8:00 a.m. - 5:00 p.m.)					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$52.50	\$52.50	
	Door Systems of South Florida	1	hr	\$70.00	\$70.00	
	Coast To Coast Garage Door,LLC	1	hr	\$80.00	\$80.00	
1.2	Helper - Labor Rates during normal business hours (Monday - Friday, 8:00 a.m. - 5:00 p.m.)					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$33.00	\$33.00	
	Coast To Coast Garage Door,LLC	1	hr	\$50.00	\$50.00	
	Door Systems of South Florida	1	hr	\$50.00	\$50.00	
1.3	Mechanic - Labor Rates after normal business hours (Monday - Friday, 5:01 p.m. - 7:59 a.m.)					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$80.00	\$80.00	
	Door Systems of South Florida	1	hr	\$105.00	\$105.00	
	Coast To Coast Garage Door,LLC	1	hr	\$110.00	\$110.00	
1.4	Helper - Labor Rates after normal business hours (Monday - Friday, 5:01 p.m. - 7:59 a.m.)					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$55.00	\$55.00	
	Coast To Coast Garage Door,LLC	1	hr	\$60.00	\$60.00	
	Door Systems of South Florida	1	hr	\$75.00	\$75.00	
1.5	Mechanic - Labor Rates (Saturday and Sunday, Anytime)					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$80.00	\$80.00	
	Door Systems of South Florida	1	hr	\$105.00	\$105.00	
	Coast To Coast Garage Door,LLC	1	hr	\$110.00	\$110.00	

1.6	Helper - Labor Rates (Saturday and Sunday, Anytime)				
Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$55.00	\$55.00	
Coast To Coast Garage Door,LLC	1	hr	\$60.00	\$60.00	
Door Systems of South Florida	1	hr	\$105.00	\$105.00	

1.7	Mechanic - Labor Rates (Holidays, Anytime)				
Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$80.00	\$80.00	
Door Systems of South Florida	1	hr	\$140.00	\$140.00	
Coast To Coast Garage Door,LLC	1	hr	\$150.00	\$150.00	

1.8	Helper - Labor Rates (Holidays, Anytime)				
Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$55.00	\$55.00	
Coast To Coast Garage Door,LLC	1	hr	\$75.00	\$75.00	
Door Systems of South Florida	1	hr	\$100.00	\$100.00	

2	Preventative Maintenance (Annual, Semi-Annual and Quarterly) for various Co-op Agencies as listed in Exhibit 1 thru Exhibit 17.				
Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1		\$123,780.00	\$123,780.00	
Door Systems of South Florida	1		\$129,500.00	\$129,500.00	
Coast To Coast Garage Door,LLC	1		\$132,300.00	\$132,300.00	

2.1	Exhibit 1A - Annual Preventative Maintenance for Broward Sheriff's Office as per Scope of Services.				
Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC	1	Lump Sum	\$4,300.00	\$4,300.00	
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$5,160.00	\$5,160.00	
Door Systems of South Florida	1	Lump Sum	\$5,180.00	\$5,180.00	

2.2	Exhibit 1B - Semi-Annual Preventative Maintenance for Broward Sheriff's Office as per Scope of Services.				
Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$10,220.00	\$10,220.00	
Coast To Coast Garage Door,LLC	1	Lump Sum	\$8,600.00	\$8,600.00	
Door Systems of South Florida	1	Lump Sum	\$10,360.00	\$10,360.00	

2.3	Exhibit 2 - Semi-Annual Preventative Maintenance for City of Coral Springs as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$12,120.00	\$12,120.00	
	Door Systems of South Florida	1	Lump Sum	\$13,360.00	\$13,360.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$17,300.00	\$17,300.00	
2.4	Exhibit 3A - Quarterly Preventative Maintenance for City of Deerfield Beach as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$8,400.00	\$8,400.00	
	Door Systems of South Florida	1	Lump Sum	\$9,040.00	\$9,040.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$10,200.00	\$10,200.00	
2.5	Exhibit 3B - Semi-Annual Preventative Maintenance for City of Deerfield Beach as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$480.00	\$480.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$400.00	\$400.00	
	Door Systems of South Florida	1	Lump Sum	\$480.00	\$480.00	
2.6	Exhibit 4 - Annual Preventative Maintenance for City of Greenacres as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$900.00	\$900.00	
	Door Systems of South Florida	1	Lump Sum	\$960.00	\$960.00	
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$1,080.00	\$1,080.00	
2.7	Exhibit 5 - Semi-Annual Preventative Maintenance for City of Lauderdale Lakes as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$2,640.00	\$2,640.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$2,200.00	\$2,200.00	
	Door Systems of South Florida	1	Lump Sum	\$2,640.00	\$2,640.00	
2.8	Exhibit 6 - Quarterly Preventative Maintenance for City of Pompano Beach as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$18,480.00	\$18,480.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$17,800.00	\$17,800.00	
	Door Systems of South Florida	1	Lump Sum	\$18,960.00	\$18,960.00	

2.9	Exhibit 7A - Semi-Annual Preventative Maintenance for City of Sunrise as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$3,480.00	\$3,480.00	
	Door Systems of South Florida	1	Lump Sum	\$3,640.00	\$3,640.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$3,700.00	\$3,700.00	
2.10	Exhibit 7B - Annual Preventative Maintenance for City of Sunrise as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$3,550.00	\$3,550.00	
	Door Systems of South Florida	1	Lump Sum	\$4,260.00	\$4,260.00	
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$4,260.00	\$4,260.00	
2.11	Exhibit 8A - Annual Preventative Maintenance for City of Tamarac as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$1,860.00	\$1,860.00	
	Door Systems of South Florida	1	Lump Sum	\$2,100.00	\$2,100.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$2,750.00	\$2,750.00	
2.12	Exhibit 8B - Semi-Annual Preventative Maintenance for City of Tamarac as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$3,720.00	\$3,720.00	
	Door Systems of South Florida	1	Lump Sum	\$4,200.00	\$4,200.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$5,500.00	\$5,500.00	
2.13	Exhibit 9 - Semi-Annual Preventative Maintenance for Town of Palm Beach as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$2,280.00	\$2,280.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$2,000.00	\$2,000.00	
	Door Systems of South Florida	1	Lump Sum	\$2,400.00	\$2,400.00	
2.14	Exhibit 10 - Semi-Annual Preventative Maintenance for City of Aventura as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$360.00	\$360.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$300.00	\$300.00	
	Door Systems of South Florida	1	Lump Sum	\$360.00	\$360.00	

2.15	Exhibit 11 - Semi-Annual Preventative Maintenance for City of Weston as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$2,400.00	\$2,400.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$2,000.00	\$2,000.00	
	Door Systems of South Florida	1	Lump Sum	\$2,400.00	\$2,400.00	
2.16	Exhibit 12 - Semi-Annual Preventative Maintenance for City of Margate as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$3,960.00	\$3,960.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$3,300.00	\$3,300.00	
	Door Systems of South Florida	1	Lump Sum	\$3,960.00	\$3,960.00	
2.17	Exhibit 13 - Quarterly Preventative Maintenance for City of Fort Lauderdale as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$29,520.00	\$29,520.00	
	Door Systems of South Florida	1	Lump Sum	\$30,960.00	\$30,960.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$31,800.00	\$31,800.00	
2.18	Exhibit 14 - Semi-Annual Preventative Maintenance for City of West Palm Beach as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$8,080.00	\$8,080.00	
	Door Systems of South Florida	1	Lump Sum	\$8,840.00	\$8,840.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$10,700.00	\$10,700.00	
2.19	Exhibit 15 - Annual Preventative Maintenance for City of North Lauderdale as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$1,320.00	\$1,320.00	
	Door Systems of South Florida	1	Lump Sum	\$1,440.00	\$1,440.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$1,700.00	\$1,700.00	
2.20	Exhibit 16 - Semi-Annual Preventative Maintenance for Town of Davie as per Scope of Services.					
	Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
	ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$3,480.00	\$3,480.00	
	Coast To Coast Garage Door,LLC	1	Lump Sum	\$2,900.00	\$2,900.00	
	Door Systems of South Florida	1	Lump Sum	\$3,480.00	\$3,480.00	

2.21 Exhibit 17 - Semi-Annual Preventative Maintenance for City of Hallandale Beach as per Scope of Services.

Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	Lump Sum	\$480.00	\$480.00	
Coast To Coast Garage Door,LLC	1	Lump Sum	\$400.00	\$400.00	
Door Systems of South Florida	1	Lump Sum	\$480.00	\$480.00	

3 Cost-Plus Percentage Markup on Parts.

Supplier	QTY	UOM	Percentage	Extended	Supplier Notes
Door Systems of South Florida		Percentage	10.0%		
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA		Percentage	15.0%		
Coast To Coast Garage Door,LLC		Percentage	20.0%		

4 Equipment Rental (examples: scissor lift, hydraulic lifts, etc.)

Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
Coast To Coast Garage Door,LLC	1	hr	\$0.00	\$0.00	Rental equipment is cost + percentage mark-up in an amount not to exceed 5% percent.
Door Systems of South Florida	1	hr	\$60.00	\$60.00	
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	hr	\$500.00	\$500.00	

5 Equipment Rental (examples: scissor lift, hydraulic lifts, etc.)

Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
Door Systems of South Florida	1	day	\$0.00	\$0.00	
Coast To Coast Garage Door,LLC	1	day	\$300.00	\$300.00	Forklift or Scissor Lift Daily
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	day	\$500.00	\$500.00	

6 Equipment Rental (examples: scissor lift, hydraulic lifts, etc.)

Supplier	QTY	UOM	Unit Price	Extended	Supplier Notes
Door Systems of South Florida	1	wkly	\$0.00	\$0.00	
ABOVE ALL GARAGE DOOR OF SOUTH FLORIDA	1	wkly	\$500.00	\$500.00	
Coast To Coast Garage Door,LLC	1	wkly	\$750.00	\$750.00	Forklift or Scissor Lift Weekly

SECTION VI - SCOPE OF SERVICES

1. General Requirements

The City of Deerfield Beach (the City) invites qualified and experienced vendors to submit bids to provide the City and participating members of the Southeast Florida Governmental Purchasing Co-Operative Group with the Purchase and Installation, Service and Repair of Overhead Roll-up Doors and Grills, and Hydraulic Bi-Fold Doors for various City and Co-operative Agencies facilities. Any further reference in the Invitation to Bid to the City shall apply to all participating agencies referenced in this ITB. Due to the Co-operative nature of this contract involving several agencies, it may be necessary to establish a multiple award contract for the products and services pertaining to this ITB.

2. Participating Agencies

The following agencies are active participants in the Southeast Florida Governmental Purchasing Co-operative Group and have indicated their willingness to participate in this contract. Estimated annual expenditures, contact information, and addresses are provided below.

NORTHERN ZONE

BROWARD SHERIFF'S OFFICE

Estimate annual expenditure: \$25,000.00
2601 W. Broward Blvd
Ft Lauderdale, FL 33312
Contact: Aurret Gil
Phone: (954) 831-8170
aurret_gil@sheriff.org

CITY OF CORAL SPRINGS

Estimate annual expenditure: \$32,000.00
9500 W. Sample Road
Coral Springs, FL 33065
Contact: Nick Orcutt
Phone: (954) 344-1103
Fax: (954) 344-1186
norcutt@coralsprings.org

CITY OF DEERFIELD BEACH

Estimate annual expenditure: \$12,000.00
401 SW 4th Street
Deerfield Beach, FL, 33441
Contact: Amirali Nilchian
Phone: (954) 480-4315
Fax: (954) 344-1186
anilchian@deerfield-beach.com

CITY OF GREENACRES

Estimate annual expenditure: \$5,000.00
5800 Melaleuca Lane
Greenacres, FL 33463
Contact: Monica Powery
Phone: (561) 642-2039
Fax: (561) 642-2037
mpowery@greenacresfl.gov

CITY OF LAUDERDALE LAKES

Estimate annual expenditure: \$3,000.00
4300 NW 36th Street
Lauderdale Lakes, FL 33319
Contact: Bobbi Williams
Phone: (954) 535-2816
Fax: (954) 535-1892
bobbiiw@lauderdalelakes.org

CITY OF MARGATE

Estimate annual expenditure: \$15,000.00
5790 Margate Blvd
Margate, FL 33063
Contact: Spencer Shambray
Phone: (954) 935-5341
Fax: (954) 935-5258
sshambray@margatefl.com

CITY OF POMPANO BEACH

Estimate annual expenditure: \$10,000.00
1190 NE 3rd Avenue, Bldg C
Pompano Beach, FL 33060
Contact: Jeffrey English
Phone: (954) 786-4098
Fax: (954) 786-4168
Jeffrey.english@copbfl.com

CITY OF TAMARAC

Estimate annual expenditure: \$10,000.00
7525 NW 88TH Avenue
Tamarac, FL 33321
Contact: Keith Glatz
Phone: (954) 597-3570
Fax: (954) 597-3565
keithg@tamarac.org

CITY OF WEST PALM BEACH

Estimated annual expenditure: \$60,000.00
1306 Allendale Rd,
West Palm Beach FL 33405
Contact: Jeff Rockhill
O: 561-804-4749
C: 561-323-3205
jrockhill@wpb.org

CITY OF PARKLAND

Estimate annual expenditure: \$10,000.00
6500 Parkside Drive
Parkland, FL 33067
Contact: Anthony Cariveau
Phone: (954) 757-4177
Fax: (954) 341-5161
acariveau@cityofparkland.org

CITY OF SUNRISE

Estimate annual expenditure: \$20,000.00
10770 W Oakland Park Blvd
Sunrise, FL 33351
Contact: Holly Raphaelson
Phone: (954) 572-2202
Fax: (954) 578-4809
hraphaelson@sunrisefl.org

TOWN OF PALM BEACH

Estimate annual expenditure: \$10,000.00
951 Old Okeechobee Road, Suite D
West Palm Beach, FL 33401
Contact: Dean Mealy
Phone: (561) 227-7001
Fax: (561) 835-4688
dmealy@townofpalmbeach.com

CITY OF NORTH LAUDERDALE

Estimated annual expenditure: \$5,000.00
701 SW 71st Avenue
North Lauderdale, FL 33068
Contact: Andrew Rozwadowski
Phone: 954-597-4776
Fax: 954-597-4818
arozwadowski@nlauderdale.org

CITY OF FORT LAUDERDALE

Estimated annual expenditure: \$95,000.00
100 N. Andrews Avenue, Room 619
Fort Lauderdale, FL 33301
Contact: Stefan Mohammed
Phone: 954-828-5351
Fax: 954-828-5576
SMohammed@fortlauderdale.gov

SOUTHERN ZONE

TOWN OF DAVIE

Estimate annual expenditure: \$15,000.00
6951 Orange Drive
Davie, FL 33314
Contact: Jenna Albers
Phone: (954) 797-1131
Fax: (954) 797-1049
jalbers@davie-fl.gov

CITY OF HALLANDALE BEACH

Estimated annual expenditure: \$10,000.00
630 NW 2nd Street
Hallandale Beach, FL 33309
Contact: Andrea Lues
Phone: (954) 457-1332
Fax: (954) 457-1342
alues@cohb.org

CITY OF WESTON

Estimated annual expenditure: \$5,000.00
2599 S. Post Road
Weston, FL 33310
Contact: Martha Perez-Garviso
Phone: (954) 385-2000
Fax: (954) 385-2610
mperezgarviso@westonfl.org

CITY OF NORTH MIAMI BEACH

Estimated annual expenditure: \$10,000.00
17011 NE 19th Avenue
North Miami Beach, FL 33162
Contact: Eugene Baer
Phone: 305-948-2936
Fax: 305-919-1838
Eugene.baer@citynmb.com

CITY OF AVENTURA

Estimated annual expenditure: \$5,000.00
19200 W Country Club Drive
Aventura, FL 33180
Contact: Indra Sarju
Phone: 305-466-8925
Fax: 305-466-8939
sarjui@cityofaventura.com

3. Scope of Services

- a.** The services to be performed by the Contractor shall consists of furnishing all labor, parts and material, equipment, tools, supervision, travel, insurances, permits and incidentals necessary to provide full repair service, including installations, inspections, adjustments, test, and repairs to keep the overhead roll-up doors and grills, and hydraulic bi-fold doors in continuous useand efficiency for the intended purpose.
- b.** The Successful Offeror shall have an established service shop in Broward County, Palm Beach County or Dade County for a minimum period of three (3) years specializing in selling and repairing of overhead coiling, roll-up doors and grills, and hydraulic bi-fold doors.
- c.** The Contractor shall provide all labor, parts and material, equipment and tools required for therepair of manual and electric powered overhead coiling, roll-up doors and grills, and hydraulic bi-fold doors at the locations specified in the bid documents.
 - i.** All work performed shall return mechanical equipment to original equipment specifications and performance. Contractor shall have the experience and capability for repairing all manufacturer types and sizes of doors listed in this Invitation to Bid.
 - ii.** All equipment shall be serviced in a manner, which meets or exceeds the requirements of the original manufacturer and their specifications.
 - iii.** The Contractor shall provide replacement parts as required during the term of the contract. Only Original Equipment Manufacturer (OEM) parts shall be utilized unless authorized by the Contract Administrator or his/her designee.
 - iv.** Work shall be accomplished during normal business hours Monday through Friday (8:00 a.m. to 5:00 p.m.) unless otherwise scheduled by the Contract Administrator or his/her designee. Work hours may continue past a normal eight (8) hour work shift if required. Overtime hours shall be from 5:01 p.m. to 7:59 a.m., Monday through Friday and all hours Saturday and Sunday and approved holidays of the trade. Overtime hours shall be approved prior to work being performed by the Contract Administrator or his/her designee.
 - v.** Contractor shall have communication capabilities for 24 hours per day/7 days per week.A telephone answering system will not be acceptable.
 - vi.** During normal working hours the Contractor must respond on-site within two (2) hours after receiving a call. For emergency service called in after normal working hours, the Contractor shall respond by phone within fifteen (15) minutes and on site within two (2) hours, unless other arrangements are made by the Contract Administrator or his/her designee.
 - vii.** The Fire Rescue Department and Police Department require emergency service and repairs 24 hours per day/7 days per week. The continuous uninterrupted and satisfactory operation of the overhead roll-up doors and grills, and hydraulic bi-fold doors is a vital factor in the ability of the Fire Rescue Department and Police Department to respond ina timely manner to their emergency calls. Due to the nature of the emergency services performed by Public Safety Agencies, the Contractor shall provide all Public Safety facilities priority on service calls 24 hours a day/7 days per week.

- viii.** All repairs shall include diagnosis, removal and replacement of defective electrical and mechanical components, as required.
- d.** The Contractor may be required to submit a written estimate on each job if the cost of repairs exceeds two hundred dollars (\$200.00). The written estimate shall be based on the requirements of labor hours for each classification (mechanic, helper), parts and material, etc. for a specific repair job. The written estimate shall be broken down by hours per mechanic and helper and a separate price for parts and materials. The date of completion of the repairs shall be included. Lump sum estimates shall not be accepted. If requested, the Contractor shall include with the written estimate the cost of new equipment versus the repair of the unit. Price quotations shall remain firm for thirty (30) days. The preparation of all price quotations shall be provided at no cost or obligation to the City.
- e.** Contractor shall bill for actual time spent at the job site for servicing and repairing the equipment. The hourly rate per call, whether equipment is repaired/serviced at the site or at the Contractor's shop, shall remain fixed throughout the term of the contract. Payment will be made only for actual work completed and time will be pro-rated as the actual time spent at the job site. All mileage and/or travel time shall be included in the hourly rate.
- i.** The first hour of the service call shall only be charged once per repair i.e. after the initial service call, all subsequent half hours shall be as per the hourly rate specified on the BidSchedule pages even if the Contractor leaves the job site and returns another time to complete the job. Helper charges will only be charged when necessary. Contractor maybe requested to justify the need for a helper.
- f.** Contractor shall stock on the service truck, if possible, all parts necessary to make repairs at the time of first response. In the event repairs cannot be completed at the first service call, the Contractor shall complete the repairs within forty-eight (48) hours after the initial call for repairs.
- g.** When an immediate repair is not possible, the Contractor may be requested to secure the overhead roll-up door or grill, or hydraulic bi-fold door in the closed position or to the greatest extent practical in order to protect the integrity of the facility, its occupants and contents.
- h.** In the event that a repair takes more than three (3) days to complete, the Contractor shall provide a daily progress report to the Contract Administrator or his/her designee. The Contractor shall make status calls to the Contract Administrator or his/her designee on the expected completion time for each job.
- i.** If the job completion extends beyond twelve (12) days without the approval from the Contract Administrator or his/her designee, the City reserves the right to secure three (3) competitive quotes and award the job to another vendor.
- j.** All new equipment with manufacturer's warranty shall be installed and serviced only by an authorized service representative of the manufacturer for the duration of the warranty period. It shall be the authorized service representative responsibility for obtaining any reimbursements of payment due for performance of repair installation of parts guaranteed under any manufacturer's warranties from the manufacturer. The City will not be billed for any repairs made under the manufacturer's warranty.

- k. Offerors shall provide a fixed percentage discount or mark-up for various parts and new equipment required for repairs and replacement to overhead roll-up doors and grills, and hydraulic bi-fold doors.

4. Preventive Maintenance

- a. Preventive Maintenance shall be requested by the City and Co-operative Agencies as an option in this bid. Offerors shall provide a total Lump Sum for Exhibit 1 thru Exhibit 24 as listed under Bid Line Items for overhead roll-up doors and grills, and hydraulic bi-fold doors. The City and all the other Co-operative Agencies are under no obligation to select the preventive maintenance program as part of their contract. Participation will vary from each Co-operative Agency.
- b. Offerors shall provide pricing for Exhibit 1 thru Exhibit 24 and submit them with their Response Attachments.
- c. The Successful Offeror(s) shall provide annual, semi-annual and quarterly inspection service/preventive maintenance service calls or as listed in the Bid Line Items, Exhibit 1 thru Exhibit 24.
- d. Preventive maintenance program shall include preventive and remedial maintenance, not limited to:
 - i. Adjustments
 - ii. Lubrications
 - iii. Hydraulic fluid and seals
 - iv. Replacement parts
 - v. Verification of proper calibration
 - vi. Performance of an electrical check
 - vii. Mechanical operations are consistent with applicable product specifications
- e. Contractor shall provide the City with a written report to identify any replaced parts or recommendation for replacement parts after each repair and/or inspection.
- f. Contractor shall schedule the preventative maintenance with each Co-operative Agency. The schedules will vary with each Co-operative Agency.

5. Quality Control

Contractor shall be required to establish a written quality control program to insure requirements of the contract. A list of quality control requirements are as follows:

- Record of response performance
- Total elapsed time from receipt of call to arrival at the job site.
- Number of trips required to complete each repair/installation.
- Number of mechanics and/or helpers required to complete each repair.

6. Doors

Contractor shall replace overhead roll-up doors with 22-gauge galvanized steel doors, and overhead sectional/slot doors with 24-gauge galvanized steel with trusses or the latest code

requirements, and hydraulic bi-fold doors with 24-gauge galvanized steel. Doors shall be electrically operated and furnished with three (3) handheld remote-control units. All overhead roll-up doors and grills, and hydraulic bi-fold doors shall meet the manufacturer's specifications.

7. Installation

- a. All installations shall also include off-loading all items to interim locations as directed by the Contract Administrator or his/her designee. Items shall be unpacked from all cartons, boxes, etc., assembled, set-in place, prepared and ready for use. Contractor shall remove all trash and debris to the satisfaction of the City.
- b. Any installation work that requires 120-volt electrical hook-up shall require a City permit and provide the City with proof of subcontractors State of Florida Certified Electrical Contractor License prior to any work.

8. Warranty

- a. Upon installation, all overhead roll-up doors, overhead sectional/slot doors and grills, and bi-fold doors shall include all parts and materials necessary for its complete operation. All products must comply with specifications in accordance with the National Fire Protection Association (NFPA). All the doors must be guaranteed for the period specified under manufacturer's warranty period. All labor and workmanship for replacement parts and supplies shall be fully warranted and guaranteed for a minimum of one (1) year from date of completion and acceptance. The contract is required to expressly warrant that all items are new and free from defects warranted for their merchantability and meet the performance specification of the original equipment.
- b. The Contractor shall address unsatisfactory work within twenty-four (24) hours of notification by the Contract Administrator or his/her designee.

9. Miscellaneous Materials, Equipment, and Parts

- a. The Contractor will be allowed to invoice for miscellaneous materials and equipment. Miscellaneous materials and equipment are defined as materials or equipment that are already owned by the Contractor and are incidentally used to complete the repairs or installation. The cost of miscellaneous materials and parts shall not exceed \$200 per repair without the approval of the City's Contract Administrator or his/her designee. Miscellaneous materials and equipment are not intended to be abused by the contractor; therefore, it will require the approval of the Contract Administrator or his/her designee. A decision by the Contract Administrator or his/her designee pertaining to invoicing of miscellaneous materials and equipment is final, whether it is in favor or against the Contractor. No back up will be required for the invoicing of miscellaneous materials or equipment; however, the Contractor will be required to list such miscellaneous items on the invoice, already owned by his company, and used for invoiced repairs or installation.
- b. The contractor will be allowed to invoice for miscellaneous parts used to complete installation and/or repairs. For all other manufacturer's not listed in Lot 1 of Exhibit A, the Bidders shall provide a fixed percentage discount or mark-up on manufacturer's suggested list price. This discount or mark-up shall be applied to all parts among all manufacturer's available from the Contractor and not specifically listed on this bid.

10. Service Tickets

The Contractor will be required to complete a separate service ticket for each piece serviced. Contractor shall complete the service ticket showing the following information:

- Description of problem
- Description of service performed
- Equipment's Manufacturer, Model Number and Serial Number
- Location where service was performed
- Parts used, if any
- Name of technician who performed the service
- Date of service (start and completion time)

11. Service Records

The Contractor shall allow the City free and complete access to its records and enable an audit of the performance of contract in this respect. The Contractor will be required to maintain a service history of each and every equipment listed under this contract. (This service will be performed at no additional charge).

12. Authorization to Request Service and Repair

A list of City personnel authorized to request service and repair work shall be provided to the Successful Offeror(s) prior to any work.

13. Security

- a. The awarded Contractor shall be required by several Co-operative Agencies to complete a "CONTRACTOR PASS REQUEST FORM" (Refer to Attachments, Exhibit B), with photo identification of all personnel authorized to be on City property, including but not limited to Fire Rescue Stations, Police Departments, Utility and Water Plants. This form shall be sent to the Successful Offeror(s) with the notification of award letter(s) and shall be returned to the Purchasing Division when completed.
- b. Personnel additions and/or deletions shall be reported to the City's Contract Administrator or his/her designee within twenty-four (24) hours of the change in writing via fax or e-mail to the Co-op Agency utilizing the security notification form that will be provided to the Successful Offeror(s).
- c. All personnel shall report to the City's designated representative at each site for check-in upon arrival at any City facility. Photo identification of person, their purpose of visit, and name of contact person at the City facility, shall be required for entry. Contractor shall ensure that only authorized personnel perform the services requested by the City.
- d. Upon leaving Utility premises, all personnel shall be required to check out with the Security Guard or Operator on duty.
- e. The awarded Contractor shall be held responsible for complying with these procedures. Some Agencies may require the Contractor to provide preventative maintenance with (48) hours of notification by the Agency.

14. Additions/Deletions/Changes

The City and participating Co-operative Agencies reserve the right to add, delete, or change the Overhead Doors, Grills and Hydraulic Bi-Fold Doors requiring service and maintenance in

accordance with the terms, conditions and scope of service contained in this ITB. The Contractor shall provide a credit based on the prices submitted by the Contractor when equipment is deleted. Pricing for additions shall be consistent with the prices contained in the Bid Line Items.

15. Protection of Property

- a. The Contractor shall at all times guard against damage or loss to City property (includes road, facilities, sewers, signage, utilities, irrigation system, plant material, etc.) and any other persons in or around the work site, and shall be responsible for replacing or repairing any such damage or loss. The Contractor will be required to report any such damages or loss immediately to the Parks Superintendent or his designee or Code Compliance.
- b. Replacement or repairs shall begin within forty-eight (48) hours of the incident that caused the damage. Failure to restore said damage shall result in a deduction from the Contractor's payment for the City's expenses incurred to restore the property to its original condition.
- c. The Contractor and its subcontractor(s) shall clean, repair or replace any item damaged during the performance of the service to the satisfaction of City at no additional cost.

16. Quality Assurance

All employees shall be competent and highly skilled in their particular job in order to properly perform the work assigned to them. The Contractor shall be responsible for maintaining the quality of the materials and workmanship on the job throughout the duration of his/her responsibility.

17. Contractor's Personnel

- a. The Successful Offeror(s) shall provide the City with a list of all personnel (including supervisory personnel) assigned to the contract. The list shall include the names, emergency telephone and cellular phone numbers. The Contractor shall be responsible for keeping this list up to date.
- b. The City may require the Contractor to remove any employee it deems careless, incompetent, insubordinate or otherwise objectionable and whose presence on City property is not in the best interests of the City. Contractor shall immediately remove any employee engaged in conduct involving drugs, alcohol consumption or use or possession of firearms/weapons on City premises. The City shall not have any duty to implement or enforce such requirements and such obligation shall be the sole responsibility of the Contractor to immediately address upon the City's notification to the Contractor's supervisory staff on-site or the managerial point of contact designated to the contract.
- c. The Contractor's personnel performing work on City property shall be in uniforms with the company's name, clean, courteous, sober and competent. The Contractor agrees to be responsible for such personnel. All Contractor's personnel dealing with the public under this contract, shall be identified by name through the use of a nametag or embroidered name on his/her uniform and a photo identification badge. Working without a shirt and proper identification is not permitted and shall be grounds for removal from City property. The Contractor agrees that the owners of the company, or officers if a corporation, shall be held fully responsible, except as otherwise prohibited by law, for acts of their personnel while on duty.

- d. At least one (1) employee in a supervisory role at the worksite must be able to communicate clearly and fluently in the "English" language.
- e. All employees shall be competent and highly skilled in their particular job in order to properly perform the work assigned to them.

18. Contractor's Vehicles

- a. Contractor's vehicles used for the maintenance services shall be clean and presentable, in good working condition, identified with the name of the company and properly licensed.
- b. Contractor's vehicles will have assigned vehicle ID #'s and display company name and logos so City staff can denote which vehicles were working at which locations during site inspections.

19. Miscellaneous Materials, Equipment, and Parts

- a. The Contractor will be allowed to invoice for miscellaneous materials and equipment. Miscellaneous materials and equipment are defined as materials or equipment that are already owned by the Contractor and are incidentally used to complete the repairs or installation. The cost of miscellaneous materials and parts shall never exceed \$200 per repair. Miscellaneous materials and equipment are not intended to be abused by the contractor; therefore, it will require the approval of the Contract Administrator or his/her designee. A decision by the Contract Administrator or his/her designee pertaining to invoicing of miscellaneous materials and equipment is final, whether it is in favor or against the Contractor. No back up will be required for the invoicing of miscellaneous materials or equipment; however, the Contractor will be required to list such miscellaneous items on the invoice, already owned by his company, and used for invoiced repairs or installation.
- b. The contractor will be allowed to invoice for miscellaneous parts used to complete installation and/or repairs. For all other manufacturer's not listed in Lot 1 of Exhibit A, the Bidders shall provide a fixed percentage discount or mark-up on manufacturer's suggested list price. This discount or mark-up shall be applied to all parts among all manufacturer's available from the Contractor and not specifically listed on this bid.
- c. The contractor will be allowed to invoice for miscellaneous parts used to complete installation and/or repairs. For all other manufacturer's not listed in Lot 1 of Exhibit A, the Bidders shall provide a fixed percentage discount or mark-up on manufacturer's suggested list price. This discount or mark-up shall be applied to all parts among all manufacturer's available from the Contractor and not specifically listed on this bid.



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1457

Agenda Date: 9/6/2022

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JL022-06-2023 with the Areawide Council on Aging of Broward County, Inc. for Center for Active Aging Services for the Local Service Program in an amount not to exceed \$132,380.00; authorizing execution of the contract; providing for implementation and an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The City of Deerfield Beach Center for Active Aging/Northeast Focal Point Senior Center and the Areawide Council on Aging of Broward County, Inc./Area Agency on Aging have been working together in collaboration for over 41 years to provide supportive services for the senior population in the City.

The Local Service Program (LSP) provides community-based services to preserve elders' independence, support caregivers, and target at-risk persons. Through the provision of meals, transportation, caregiver support, in-home services, expanded respite, adult day care, or other services authorized by provisions, the LSP assists elders to live in the least restrictive environment that meets their needs.

Current Activity

This agreement provides funding in the amount not to exceed \$132,380.00 for the Local Service Program. The City will assist eligible elders aged sixty (60) or older with long-term care alternatives enabling elders to maintain an acceptable quality of life in their own homes and to avoid or delay nursing home placement.

Recommendation

It is recommended that the City Commission approve and authorize execution of Contract #JL022-06-2023 with the Areawide Council on Aging of Broward County, Inc., in an amount not to exceed \$132,380.00 for the LSP program.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING CONTRACT #JL022-06-2023 WITH THE AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. FOR CENTER FOR ACTIVE AGING SERVICES FOR THE LOCAL SERVICE PROGRAM IN AN AMOUNT NOT TO EXCEED \$132,380.00; AUTHORIZING EXECUTION OF THE CONTRACT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach Center for Active Aging/Northeast Focal Point Senior Center (“City”) and the Areawide Council on Aging of Broward County, Inc. (“Council”) have been working together in collaboration for over 41 years to provide supportive services for the senior population in the City of Deerfield Beach; and

WHEREAS, the City wishes to contract with the Council for the City’s provision of Center for Active Aging services for a one-year period pursuant to Contract #JL022-06-2023, attached as Exhibit “A” (the “Contract”); and

WHEREAS, the City’s provision of Center for Active Aging services under the Contract for the Council’s Local Service Program (“LSP”) includes the provision of meals, transportation, caregiver support, inhome services, expanded respite, and adult day care, to assists elders to live in the least restrictive environment that meets their needs (the “Services”); and

WHEREAS, the contract term for the Contract with the Council is from July 1, 2022 through June 30, 2023; and

WHEREAS, the City Commission believes that it is in the best interest of the City to approve and authorize execution of Contract #JL022-06-2023 with the Council in an amount not to exceed \$132,380.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves Contract #JL022-06-2023 with the Council for Center for Active Aging Services in an amount not to exceed \$132,380.00.

Section 3. The Mayor is hereby authorized to execute the Contract with the Council, attached as Exhibit “A,” together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK

LOCAL SERVICES PROGRAM

THIS CONTRACT is entered into between the Areawide Council on Aging of Broward County, Inc., hereinafter referred to as the “Council”, and **City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging**, hereinafter referred to as the “Contractor”, and collectively referred to as the “Parties.” This Contract is subject to all provisions contained in the Master Contract executed between the Council and the Contractor, and its successor, as revised or renewed from time to time, incorporated herein by reference.

WITNESSETH THAT:

WHEREAS, the Council has determined that it is in need of certain services as described herein; and **WHEREAS**, the Contractor has demonstrated that it has the requisite expertise and ability to faithfully perform such services as an independent Contractor of the Council. **NOW THEREFORE**, in consideration of the services to be performed and payments to be made, together with the mutual covenants and conditions hereinafter set forth, the Parties agree as follows:

1. Purpose of Contract:

The purpose of this Contract is to provide services in accordance with the terms and conditions specified in this Contract including all attachments, forms, exhibits and references incorporated, which constitute the contract document.

2. Incorporation of Documents within the Contract:

This Contract will incorporate attachments, proposal(s), area plan(s), grant agreements, relevant Department of Elder Affairs handbooks, manuals, or desk books and Master Contract, as an integral part of the Contract, except to the extent that the Contract explicitly provides contrary. In the event of conflict in language among any of the documents referenced above, the specific provisions and requirements of the Contract document(s) shall prevail over inconsistent provisions in the proposal(s) or other general materials not specific to this Contract document and identified attachments.

3. Term of Contract:

This Contract when executed will have an effective date of July 1, 2022. It will end at midnight, Eastern Standard time on June 30, 2023.

4. Contract Amount:

The Council agrees to pay for contracted services according to the terms and conditions of this Contract in an amount not to exceed **\$132,380.00** or the rate schedule, subject to the availability of funds. Any costs or services paid for under any other contract or from any other source are not eligible for payment under this Contract.

5. Background Screening

The Contractor shall ensure that the requirements of Section 430.0402 and Chapter 435, F.S., as amended, are met regarding background screening for all persons who meet the definition of a direct service provider and who are not exempt from the State of Florida, Department of Elder Affairs' level 2 background screening pursuant to Section 430.0402(2)-(3), F.S. The Contractor must also comply with any applicable rules promulgated by the State of Florida, Department of Elder Affairs and the Agency for Health Care Administration regarding implementation of Section 430.0402 and Chapter 435, F.S.

5.1 To demonstrate compliance with this provision, Contractor shall submit Background Screening Affidavit of Compliance, ATTACHMENT IX of this Contract, annually, by January 5. Further

information concerning the procedures for background screening is found at <https://elderaffairs.org/about-us/background-screening/>.

6. Nondiscrimination-Civil Rights Compliance

- 6.1** The Contractor shall execute assurances as stated in the Assurances-Non-Construction Programs, ATTACHMENT VII of this Contract, that it will not discriminate against any person in the provision of services or benefits under this Contract or in employment because of age, race, religion, color, disability, national origin, marital status or sex in compliance with state and federal law and regulations. The Contractor further assures that all contractors, subcontractors, subgrantees, or others with whom it arranges to provide services or benefits in connection with any of its programs and activities are not discriminating against clients or employees because of age, race, religion, color, disability, national origin, marital status or sex.
- 6.2** During the term of this Contract, the Contractor shall complete and retain on file a timely, complete, and accurate Civil Rights Compliance Checklist, ATTACHMENT VIII of this Contract.
- 6.3** The Contractor shall establish procedures pursuant to federal law to handle complaints of discrimination involving services or benefits through this Contract. These procedures will include notifying clients, employees, and participants of the right to file a complaint with the appropriate federal or state entity.
- 6.4** If this Contract contains federal funds, these assurances are a condition of continued receipt of or benefit from federal financial assistance, and are binding upon the Contractor, its successors, transferees, and assignees for the period during which such assistance is provided. The Contractor further assures that all subcontractors, vendors, or others with whom it arranges to provide services or benefits to participants or employees in connection with any of its programs and activities are not discriminating against those participants or employees in violation of the above statutes, regulations, guidelines, and standards. In the event of failure to comply, the Contractor understands that the Council may, at its discretion, seek a court order requiring compliance with the terms of this assurance or seek other appropriate judicial or administrative relief, including but not limited to, termination of and denial of further assistance.

7. Provision of Services:

The Contractor shall provide services in the manner described in ATTACHMENT I of this Contract.

8. Official Payee and Representatives (Names, Addresses, and Telephone Numbers):

a.	The Contractor name, as shown on page 1 of this Contract, and mailing address of the official payee to whom the payment will be made is:	City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging 227 NW 2 nd Street Deerfield Beach, FL 33441
b.	The name of the contact person and street address where financial and administrative records are maintained is:	Jonathan Salas, Interim Director of Community Services City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging 227 NW 2 nd Street Deerfield Beach, FL 33441

c.	The name, address, and telephone number of the representative of the Contractor responsible for the administration of the program under this Contract is:	Jonathan Salas, Interim Director of Community Services City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging 227 NW 2 nd Street Deerfield Beach, FL 33441 954-480-4449
d.	The section and location within the Council where the Request for Payment and Receipt and Expenditure forms are to be mailed or e-mailed is:	Areawide Council on Aging of Broward County, Inc. 5300 Hiatus Road, Sunrise, FL 33351 fiscal@adrcbroward.org
e.	The name, address, and telephone number of the Program Specialist for the Council for this Contract is:	Samantha Riviere Areawide Council on Aging of Broward County, Inc. 5300 Hiatus Road, Sunrise, FL 33351 (954) 745-9567
Upon change of representatives (names, addresses, telephone numbers) by either party, notice will be provided in writing to the other party and the notification attached to the originals of this Contract.		

9. All Terms and Conditions Include:

This Contract and its ATTACHMENTS I-IX, any exhibits referenced in said attachments, together with any documents incorporated by reference, contain all the terms and conditions agreed upon by the Parties. There are no provisions, terms, conditions, or obligations other than those contained herein, and this Contract shall supersede all previous communications, representations or agreements, either written or verbal between the Parties. By signing this Contract, the Parties agree that they have read and agree to the entire Contract.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS THEREOF, the parties hereto have caused this 40 page contract to be executed by their undersigned officials as duly authorized.

CONTRACTOR:

**City of Deerfield Beach, Florida / Northeast
Focal Point Senior Center dba Department of
Active Aging**

**Areawide Council on Aging of Broward
County, Inc.**

BOARD PRESIDENT OR AUTHORIZED
DESIGNEE

SIGNED BY:

NAME:

TITLE:

DATE:

FEDERAL ID NUMBER: 59-6000305
FISCAL YEAR-END DATE: September 30
DUNS: 086-382-090

SIGNED BY:

JOHN G. PRIMEAU
NAME:

PRESIDENT
TITLE:

DATE:

ATTACHMENT I

STATEMENT OF WORK LOCAL SERVICE PROGRAM

SECTION I: SERVICES TO BE PROVIDED

A. DEFINITIONS OF TERMS AND ACRONYMS

1. Contract Acronyms

Activities of Daily Living (ADLs)
Assessed Priority Consumer List (APCL)
Client Information and Registration Tracking System (CIRTS)
Code of Federal Regulations (CFR)
Corrective Action Plan (CAP)
Department of Elder Affairs (DOEA)
Florida Administrative Code (F.A.C)
Florida Statutes (F.S.)
Instrumental Activities of Daily Living (IADLs)
Local Services Program (LSP)
Notice of Instruction (NOI)
Planning and Service Area (PSA)
Service Provider Application (SPA)
Summary of Programs and Services (SOPS)
United States Code (U.S.C.)

2. Program Specific Terms

Department of Elder Affairs Programs and Services Handbook (DOEA Handbook). An official document of DOEA. The DOEA Handbook includes program policies, procedures, and standards applicable to agencies which are recipients of DOEA-funded programs, and providers of program-funded services. An annual update is provided through a NOI.

Functional Assessment: A comprehensive, systematic, and multidimensional review of a person's ability to remain living independently in the least restrictive living arrangement.

NOI: DOEA's established method to communicate to the Contractor and subcontractor the requirements to perform specific tasks or activities in a particular manner. NOIs are located on the DOEA website at <https://elderaffairs.state.fl.us/doea/nois.php>.

Program Highlights: Success stories, quotes, testimonials, or human-interest vignettes that are used in the Summary of Programs and Services (SOPS) to demonstrate how programs and services help elders, families, and caregivers.

Proviso: Language used in a general appropriations bill to qualify or restrict the way in which a specific appropriation is to be expended.

Service Provider Application (SPA): A plan developed by the Contractor outlining a comprehensive and coordinated service delivery system in its PSA in accordance with the Section

306 of the Older Americans Act (42 U.S.C. Section 3026) and Council instructions. The SPA includes performance measures and unit rates per service offered.

Service Provider Application (SPA) Update: A revision to the SPA wherein the Contractor provides HCE-specific data for the Council to enter into CIRTS. An update may also include other revisions to the SPA as instructed by the Council.

Summary of Programs and Services (SOPS): A document produced by the DOEA and updated yearly to provide the public and the Legislature with information about programs and services for Florida's elders.

B. GENERAL DESCRIPTION

1. General Statement

The LSP provides long-term care alternatives enabling elders to maintain an acceptable quality of life in their own homes and to avoid or delay nursing home placement.

2. Local Service Program (LSP) Mission Statement

The LSP provides community-based services to preserve elders' independence, support caregivers, and target at-risk persons. Through the provision of meals, transportation, caregiver support, in-home services, expanded respite, adult day care, or other services authorized by proviso, the LSP assists elders to live in the least restrictive environment that meets their needs.

3. Authority

The relevant authority governing LSP program include:

- a. Sections 430.201 through 430.207, F.S.,
- b. The State of Florida General Appropriations Act; and
- c. The Catalog of State Financial Assistance (CSFA) Number 65.009.

4. Scope of Service

The Contractor is responsible for the programmatic, fiscal, and operational management of LSP. LSP services shall be provided in a manner consistent with the Contractor's current SPA and the current DOEA Handbook, which are hereby incorporated by reference. The Contractor agrees to be bound by all subsequent amendments and revisions to the DOEA Handbook, and the Contractor agrees to accept all such amendments and revisions via a NOI.

5. Major Program Goals

The major goals of the LSP are to ensure that:

- a. LSP services are provided to individuals who need long-term care alternatives to maintain an acceptable quality of life in their own home; and
- b. Nursing home placement is delayed or avoided because of the services provided in this program.

C. CLIENTS TO BE SERVED

1. General Eligibility

The LSP Program provides long-term care alternatives which assist elders in delaying or avoiding nursing home placement.

2. Client Eligibility

Clients eligible to receive services under this Contract must:

- a. Be at least 60 years of age or older, unless otherwise specified in the proviso authorizing the service; and
- b. Not be enrolled in any Medicaid capitated long-term care program, except consumers in need of Legal Assistance services and Congregate Nutrition Services, including transportation to and from congregate meal sites, provided through providers following Older Americans Act (OAA) program guidelines.

3. Targeted Groups

Priority for services provided under this Contract shall be given to those eligible persons assessed to be at risk of placement in an institution or as otherwise specified in the authorizing proviso.

4. Client Determination

The Council shall have final authority for the determination of client eligibility.

SECTION II: MANNER OF SERVICE PROVISION**A. SERVICE TASKS**

In order to achieve the goals of the LSP program, the Contractor shall perform the following tasks:

1. Client Eligibility Determination

The Contractor shall ensure that applicant data is evaluated to determine eligibility. Eligibility to become a client is based on meeting the requirements described in this ATTACHMENT I, Section I.C.2 and Section I.C.3, of this Contract.

2. Assessment and Prioritization of Service Delivery for New Clients

The Contractor shall ensure the following criteria are used, to prioritize new clients for service delivery in the sequence below. It is not the intent of the Council to remove existing clients from services in order to serve new clients being assessed and prioritized for service delivery.

- a. Imminent Risk Individuals: Individuals in the community whose mental or physical health condition has deteriorated to the degree that self-care is not possible, there is no capable caregiver, and nursing home placement is likely within one (1) month or very likely within three (3) months.
- b. Regardless of referral source, individuals determined through the DOEA's functional assessment to be at a higher levels of frailty and risk of nursing home placement shall be given first priority.

3. Program Services

The Contractor shall ensure the provision of program services is consistent with the Contractor's current SPA, as updated and approved by the Council, and the current DOEA Handbook.

B. Staffing Requirements**1. Staffing Levels**

The Contractor shall dedicate its own staff necessary to meet the obligations of this Contract and ensure that subcontractors dedicate adequate staff accordingly.

2. Professional Qualifications

The Contractor shall ensure that the staff responsible for performing any duties or functions within this Contract have the qualifications as specified in the DOEA Handbook.

3. Service Times

The Contractor shall ensure the availability of the services listed in this Contract are appropriate to meet client service needs, at a minimum, during normal business hours, or as otherwise specified in proviso. Normal business hours are defined as Monday through Friday, 8:00am to 5:00pm local time.

4. Use of Subcontractors

If this Contract involves the use of a subcontractor or third party, then the Contractor shall not delay the implementation of its contract with the subcontractor. If any circumstances occur that may result in a delay for a period of sixty (60) days or more of the initiation of the subcontract or in the performance of the subcontractor, the Contractor shall notify the Council's Program Specialist and the Council's Chief Financial Officer in writing of such delay.

The Contractor shall not permit a subcontractor to perform services related to this Contract without having a binding subcontractor contract executed. In accordance with Paragraph 23 of the Master Contract, the Council will not be responsible or liable for any obligations or claims resulting from such action.

a. Copies of Subcontracts

The Contractor shall submit a copy of all subcontracts to the Council's Program Specialist within thirty (30) days of the subcontract being executed.

b. Monitoring the Performance of Subcontractors

The Contractor shall perform at least one monitoring per year of each subcontractor, subrecipient, vendor, and/or consultant paid from funds provided under this Contract. The Contractor shall perform fiscal, administrative and programmatic monitoring of each subcontractor to ensure contractual compliance, fiscal accountability, programmatic performance, and compliance with applicable state and federal laws and regulations. The Contractor shall monitor to ensure that time schedules are met, the budget and scope of work is accomplished within the specified time periods and other performance goals stated in this Contract are achieved.

c. Copies of Subcontractor Monitoring Reports

The Contractor shall forward a copy of all subcontractor monitoring reports to the Council's Contract manager within thirty (30) days of the report being issued to the subcontractors, subrecipients, vendors, and/or consultants.

C. DELIVERABLES

The following section provides the specific quantifiable units of deliverables and source documentation required to evidence the completion of the task specified in this Contract.

1. Delivery of Service to Eligible Clients

The Contractor shall ensure the provision of the services to address the diverse needs of functionally impaired elders. The Contractor shall ensure performance and reporting of the following services per the Contractor's current approved Service Provider Application (SPA), the current DOEA Handbook, proviso language and ATTACHEMTN I, Section II.A.1. through Section II.A.3, of this Contract. Documentation of service delivery must include a report consisting of the following:

- a. Number of clients served;
- b. Number of service units provided by service; and
- c. Rate per service unit with calculations that equal the total invoice amount.

2. Services and Units of Services

The Contractor shall ensure the provision of described in this Contract is performed in accordance with the current DOEA Handbook and the service tasks described in ATTACHMENT I, Section II.A, of this Contract. Units of service will be paid pursuant to the rate established in the SPA as updated, as shown in ATTACHMENT IV, Budget Summary as approved by the Council.

3. Administrative Responsibilities

The Contractor shall provide management and oversight of LSP Program operations in accordance with the current DOEA Handbook and the approved Contractor's Service Provider Application. Management and oversight of LSP Program operations include the following:

- a. Developing a Service Provider Application and updating it annually, at a minimum, as directed by the Council;
- b. Establishing vendor agreements at the PSA level, when applicable for LSP services according to manuals, rules, and agreement procedures of DOEA Handbook;
- c. Providing technical assistance and training to subcontractors and vendors to ensure provision of quality services;
- d. Monitoring and evaluating subcontractors and vendors for fiscal, administrative, and programmatic compliance;
- e. Appropriately and timely submitting payments to subcontractors;
- f. Arranging in-service training for staff and/or subcontractors at least annually;
- g. Establishing procedures for handling client complaints and ensuring that subcontractors develop and implement complaint procedures to process and resolve client dissatisfaction with services. Complaint procedures shall address the quality and timeliness of services, subcontractor and direct service worker complaints, and any other issues related to complaints (other than termination, suspension or reduction in services) that require the grievance process as described in Appendix D of the current DOEA Handbook. The complaint procedures shall include notification to all clients of the complaint procedure and include tracking the date, nature of complaint, and the determination of each complaint;
- h. Ensuring compliance with CIRTS regulations;

- i. Monitoring performance objective achievements specific to authorizing proviso in accordance with targets set by the Council and/or DOEA; and
- j. Conducting annual client satisfaction surveys to evaluate and improve service delivery.

D. REPORTS

The Contractor shall respond within ten (10) business days or within deadlines established by the Council, to the Council's request for routine and/or special requests for information and ad hoc reports. The Contractor must establish due dates for any subcontractors that permit the Contractor to meet the Council's and/or the DOEA's reporting requirements.

1. Service Provider Application (SPA) Update and All Revisions Thereto

The Contractor is required to submit SPA and an annual update, wherein the Council enters LSP specific data, into the Client Information and Registration Tracking System (CIRTS). The Contractor may also be required to submit revisions to the SPA as instructed by the Council.

2. Client Information and Registration Tracking System (CIRTS)

The Contractor shall ensure timely input of LSP specific data into the CIRTS. To ensure CIRTS data accuracy, the Contractor shall use CIRTS generated reports, which include the following:

- a. Client Reports
- b. Monitoring Reports
- c. Services Reports
- d. Miscellaneous Reports
- e. Fiscal Reports
- f. Outcome Measurement Reports

3. Service Costs Reports

The Contractor is required to submit to the Council a semi-annual and annual service cost reports, which reflect actual costs of providing each service by program. This report provides information for planning and negotiating unit rates. The semi-annual service cost report encompassing the six months ending 12/31/2022 is due on February 17, 2023. The annual service cost report encompassing the twelve months ending 6/30/2023 is due on August 18, 2023, which will be forward to DOEA.

4. Surplus/Deficit Report

The Contractor will submit a consolidated surplus/deficit report in a format provided by the Council to the Council's Program Specialist by the 5th of each month. This report is for all agreements and/or contracts between the Contractor and the Council. The report will include the following:

- a. A list of all services and their current status regarding surplus or deficit;
- b. The Contractor's detailed plan on how the surplus or deficit spending exceeding the threshold of plus or minus one percent (+/- 1%) will be resolved;

- c. Recommendations to transfer funds to resolve surplus/deficit spending;
- d. Input from the Contractor's Board of Directors, or governing body, on resolution of spending issues, if applicable

5. Program Highlights

The Contractor shall submit brief written narratives to the Council for publication in the Program Highlight sections of the DOE's Summary of Programs and Services (SOPS), which is hereby incorporated by reference, to include any subsequent revisions thereof. The narratives shall reference specific events that have occurred since the last submission of Program Highlight narratives, including new success stories, quotes, testimonials, or human-interest vignettes. The narratives shall be written for a general audience, with no acronyms or technical terms. For all agencies or organizations that are referenced in the narratives, the Contractor shall provide a brief description of their mission or role. The active tense shall be consistently used in the narratives to identify the specific individuals or entities that performed the activities described in the narratives. The Contractor shall review and edit narratives for clarity, readability, relevance, specificity, human interest, and grammar prior to submitting them to the Council.

E. RECORDS AND DOCUMENTATION

1. Requests for Payment

The Contractor will maintain documentation to support payment requests that shall be available to the Council or authorized individuals upon request. Such documentation will be provided upon request to the Council or the Department of Financial Services.

2. CIRT's Address Validation

The Contractor shall work with the Council to ensure that client addresses are correct in CIRT's for disaster preparedness efforts. At least annually, and more frequently as needed, the Council will provide direction on how to validate CIRT's addresses to ensure they can be mapped. The Contractor will receive a list of unmatched addresses that cannot be mapped, and the Contractor will be responsible for correcting the address and send a list to the Council with confirmed addresses. The Council will use this information to update maps, client rosters, and unmatched addresses and disseminate this information.

3. CIRT's Data and Maintenance

The Contractor shall ensure the collection and maintenance of client and service information on a monthly basis from the Client Information and Registration Tracking System (CIRT's) or any such system designated by the Council. Maintenance includes valid exports and backups of all data and systems according to Council standards.

4. Data Integrity and Back up Procedures

The Contractor and subcontractors, among other requirements, must anticipate and prepare for the loss of information processing capabilities. The routine backing up of all data and software is required to recover from losses or outages of the computer system. Data and software essential to the continued operation of Contractor functions must be backed up. The security controls over the backup resources will be as stringent as the protection required of the primary resources. A copy of the backed up data be stored in a secure, offsite location.

5. Policies and Procedures for Records and Documentation

The Contractor shall maintain written policies and procedures for computer system backup and recovery and shall have the same requirement in its contracts and/or agreements with subcontractors. These policies and procedures will be made available to the Council upon request.

F. PERFORMANCE SPECIFICATIONS**1. Outcomes and Outputs (Performance Measures)**

The Contractor must:

- a. Ensure the prioritization of clients and provision of services to clients in accordance with ATTACHMENT I, Section II.A.1. through Section II.A.3. and Section II.C.1 through Section II.C.3 of this Contract;
- b. Ensure the provision of services described in this Contract are in accordance with the current DOE Handbook;
- c. Timely and accurately submit to the Council all required documentation and reports described in this ATTACHMENT I, Sections II.D. of this Contract; and
- d. Timely and accurately, in accordance with the Invoice Report Schedule, ATTACHMENT III of this Contract, submit to the Council Forms 105 & 106, ATTACHMENT V of this Contract, including supporting documentation.

2. Contract Monitoring

The Council will review and evaluate the performance of the Contractor under the terms of this Contract. Monitoring will be conducted through direct contact with the Contractor through telephone, in writing, or an on-site visit(s). The primary, secondary, or signatory of this Contract must be available for any on-site programmatic monitoring visit. The Council's determination of acceptable performance shall be conclusive. The Contractor agrees to cooperate with the Council in monitoring the progress of completion of the service tasks and deliverables. The Council may use, but is not limited to, one or more of the following methods for monitoring:

- a. Desk reviews and analytical reviews;
- b. Scheduled, unscheduled and follow-up on-site visits;
- c. Client visits;
- d. Review of independent auditor's reports;
- e. Review of third-party documents and/or evaluation;
- f. Review of progress reports;
- g. Review of customer satisfaction surveys;
- h. Agreed-upon procedures review by an external auditor or consultant;
- i. Limited-scope reviews; and

- j. Other procedures as deemed necessary.

G. Contractor Responsibilities

1. Contractor Accountability

All service tasks and deliverables pursuant to this Contract are solely and exclusively the responsibility of the Contractor and are tasks and deliverables for which, by execution of this Contract, the Contractor agrees to be held accountable.

2. Coordination with Other Providers and/or Entities

Notwithstanding that services for which the Contractor is held accountable involve coordination with other entities in performing the requirements of this Contract, the failure of other entities does not alleviate the Contractor from any accountability for tasks or services that the Contractor is obligated to perform pursuant to this Contract.

H. Council's Responsibilities

1. Council Obligations

The Council may, within its resources, provide technical support and/or assistance to the Contractor to assist the Contractor in meeting the requirements of this Contract. The Council's technical support/assistance or the lack thereof, does not relieve the Contractor from full performance of the contract requirements.

2. Council Determinations

The Council reserves the exclusive right to make certain determinations in the tasks and approaches used to perform tasks required by this Contract. The absence of the Council setting forth a specific reservation of rights does not mean that all other areas of this Contract are subject to mutual agreement.

SECTION III: METHOD OF PAYMENT

A. General Statement of Method of Payment

The method of payment for this Contract is a combination of advances, cost reimbursement, and a unit rate payment for services. The Council will pay the Contractor upon satisfactory completion of the Deliverables, as specified in ATTACHMENT I, Section II., Manner of Service Provision, of this Contract, and in accordance with other terms and conditions of this Contract.

1. Unit Rate

Payment for Unit Rates shall not exceed amounts established in the approved Service Provider Application.

2. Advance Payment

The Contractor may request up to two (2) months of advances at the start of the contract period to cover program administrative and service costs. The payment of an advance will be contingent upon the sufficiency and amount of funds released to the Department of Elder Affairs by the State of Florida ("budget release"). The Contractor will provide the Council's Chief Financial Officer documentation justifying the need for an advance and describing how the funds will be distributed. For the first month's advance request, the Contractor shall provide to the Council's Chief Financial Officer documentation justifying the need for an advance and describing how the funds will be

distributed. If the Contractor is requesting two (2) months of advances, documentation must be provided reflecting the cash needs of the Contractor within the initial two (2) months and should be supported through a cash-flow analysis or other information appropriate to demonstrate the Contractor's financial need for the second month of advances. The Contractor must also describe how the funds will be distributed for the first and second month. The Contractor's requests for advance require the approval of the Council's Chief Financial Officer. If sufficient budget is available, the Council will issue approved advance payments after July 1 of the contract year. The schedule for submission of advance requests (when available) is listed in the Invoice Report Schedule ATTACHMENT III, to this Contract.

- a. All advance payments retained by the Contractor must be fully expended no later than September 30, 2022. Any portion of advance payments not expended must be recouped on report number 5, due to the Council on October 7, 2022, in accordance with the Invoice Report Schedule, ATTACHMENT III to this Contract.
- b. All advance payments made to the Contractor shall be returned to the Council as follows: one-tenth (1/10) of the advance payment received shall be reported as an advance recoupment on each request for payment, starting with report number five, in accordance with the Invoice Report Schedule, ATTACHMENT III to this Contract.

B. Funding Distribution

The Contractor agrees to distribute funds as detailed in the SPA requested by the Council and the Budget Summary, ATTACHMENT IV to this Contract. The Contractor may request a budget revision by submitting a written request to the Council's Contract Manager. Upon approval, the Council's Chief Financial Officer will issue a budget revision letter. An amendment is required to change the total amount of this Contract.

C. Method of Invoice Payment

Payment shall be made upon the Contractor's presentation of an invoice subsequent to the acceptance and approval by the Council of the deliverables shown on the invoice. The form and substance of each invoice submitted by the Contractor shall be as follows:

1. Request payment monthly for the units of service established in the Contractor's approved Service Provider Application, provided in conformance with the requirements as described in the current DOE Handbooks, at the rates established in the Budget Summary, ATTACHMENT IV to this Contract. Any requested changes to the approved budget subsequent to the execution of this Contract must be submitted to the Council's Program Specialist for approval. Any changes to the total contract amount requires a formal contract amendment.
2. All requests for payment and expenditure reports submitted to support requests for payment shall be on Forms 105 and 106, ATTACHMENT V to this Contract. The Contractor will consolidate all requests for payment from subcontractors and expenditure reports that support requests for payment.

D. Payment Withholding

Any payment due by the Council under the terms of this Contract may be withheld pending the receipt and approval by the Council of all financial and programmatic reports due from the Contractor and any adjustments thereto, including any disallowance not resolved as outlined in Paragraph 27 of the Master Contract.

E. Date for Final Request for Payment

The final request for payment will be due to the Council no later than July 25, 2023.

F. CIRTS Data Entries for Subcontractors

The Contractor and its subcontractor(s) shall enter all required data for clients and services in the CIRTS database in accordance with the current DOE Handbooks and the CIRTS User Manual – Aging Provider Network users (located in Documents on the CIRTS Enterprise Application Services). Subcontractor(s) must enter this data into the CIRTS prior to submitting their invoice to the Contractor. The Contractor shall establish deadlines for completing CIRTS data entry and ensure compliance with due dates in the Invoice Report Schedule, ATTACHMENT III of this Contract.

G. Monthly CIRTS Reports

The Contractor is required to run monthly CIRTS's reports and verify that client and service data in the CIRTS is accurate. This report must be submitted to the Council with the monthly request for payment and expenditure report and must be reviewed by the Council before the Contractor's request for payment and expenditure reports can be approved by the Council.

H. Corrective Action Plan

1. Contractor shall ensure 100% of the deliverables identified in ATTACHMENT I, Section II.C.1 through Section II.C.3 of this Contract are performed pursuant to Contract requirements.
2. If at any time the Contractor is notified by the Council's Program Specialist that it has failed to correctly, completely, adequately perform contract deliverables identified in ATTACHMENT I, Section II.C.1 through Section II.C.3 of this Contract, the Contractor will have ten (10) days to submit a Corrective Action Plan ("CAP") to the Council's Program Specialist that addresses the deficiencies and states how the deficiencies will be remedied within a time period approved by the Council's Program Specialist. The Council shall assess a Financial Consequence for Noncompliance on the Contractor as referenced in ATTACHMENT I, Section III.I of this Contract for each deficiency identified in the CAP which is not corrected pursuant to the CAP. The Council will also assess a Financial Consequence for failure to timely submit a CAP.
3. If the Contractor fails to correct an identified deficiency within the approved time period specified in the CAP, the Council shall deduct the percentage established in ATTACHMENT I, Section III.I. of this Contract from the payment for the invoice of the following month.
4. If Contractor fails to timely submit a CAP, the Council shall deduct the percentage established in ATTACHMENT I, Section III.I. of this Contract for each day the CAP is overdue. The deduction will be made from the payment for the invoice of the following month.

I. Financial Consequences

1. The Council will withhold or reduce payment if the Contractor fails to perform the deliverables to the satisfaction of the Council according to the requirements referenced in ATTACHMENT I, Section II.C of this Contract. The following financial consequences will be imposed if the deliverables stated do not meet in part or in whole the performance criteria as outlined in ATTACHMENT I, Section II.C of this Contract.
 - a. Delivery of services to eligible clients as referenced in ATTACHMENT I, Section II.A.1 through Section II.A.2 and Section II.C.1 of this Contract – Failure to comply with established

assessment and prioritization criteria, as evidenced by the CIRT reports, will result in a 2% reduction of payment per business day. The reduction of payment will begin on the first business day following the Council's notification to the Contractor that the identified deficiency was not cured or satisfactorily addressed in accordance with the Council-approved CAP, referenced in ATTACHMENT I, Section III.H of this Contract.

- b. Services and units of services as referenced in Section II.E.2. of this Contract – Failure to provide services in accordance with the current DOE Programs and Services Handbook, the service tasks described in ATTACHMENT I, Section II.A of this Contract, and submission of required documentation will result in a 2% reduction of payment per business day. The reduction of payment will begin the first business day following the Council's notification to the Contractor that the identified deficiency is not cured or satisfactorily addressed in accordance with the Council approved CAP, referenced in ATTACHMENT I, Section III.H of this Contract.
- c.
- d. Administrative duties as referenced in Section II.C.3. of this Contract – Failure to perform management and oversight of LSP Program operations will result in a 2% reduction of payment per business day. The reduction of payment will begin the first business day following the Council's notification to the Contractor that the identified deficiency was not cured or satisfactorily addressed in accordance with the Council-approved CAP, referenced in ATTACHMENT I, Section III.H of this Contract.
- e. Timely submission of a CAP – Failure to timely submit a CAP within 10 business days after notification of a deficiency by the DOE Contract Manager will result in a 2% reduction of payment per business day the CAP is not received. The reduction of payment will begin the first business day following the Council's notification to the Contractor that the identified deficiency was not cured or satisfactorily addressed in accordance with the Council approved CAP, referenced in ATTACHMENT I, Section III.H of this Contract.

- 2. Exceptions may be granted solely, in writing, by the Council's Program Director.

SECTION IV. SPECIAL PROVISIONS

A. Date for Final Request for Budget Revisions

Final requests for budget revision or adjustments to Contract funds based on expenditures for services provided through June 30, 2023, must be submitted to the Program Specialist and the Chief Financial Officer, no later than June 30, 2023; email requests are considered acceptable.

B. Contractor's Financial Obligations

1. Use of Service Dollars and Assessed Priority Consumer List Management

The Contractor is expected to spend all federal, state and other funds provided by the Council for the purpose specified in this Contract. The Contractor must manage service funds in such a manner as to avoid having a wait list and a surplus of funds at the end of the contract period for each program managed by the Contractor. If the Council determines that the Contractor is not spending service funds accordingly, the Council may transfer funds to other service areas during the contract period and/or adjust subsequent funding allocations accordingly, as allowable under state and federal law.

C. Contract Limits

In no case shall the Contractor be required to incur costs in excess of the contract amount in providing services to the clients.

D. Remedies- Nonconforming Services

1. The Contractor shall ensure that all goods and/or services provided under this Contract are delivered timely, completely and commensurate with required standards of quality. Such goods and/or services will only be delivered to eligible program participants.
2. If the Contractor fails to meet the prescribed quality standards for services, such services will not be reimbursed under this Contract. In addition, any nonconforming goods and/or services not meeting such standards will not be reimbursed under this Contract. The Contractor's signature on the Forms 106 and 105, ATTACHMENT V of this Contract, certifies maintenance of supporting documentation and acknowledgement that the Contractor shall solely bear the costs associated with preparing or providing nonconforming goods and/or services. The Council requires immediate notice of any significant and/or systemic infractions that compromise the quality, security or continuity of services to clients.

E. Incident Reporting

The Contractor shall notify the Council immediately, but no later than forty-eight (48) hours from, the Contractor's awareness or discovery of conditions that may materially affect the Contractor or subcontractor's ability to perform the services required to be performed under any contract or agreement which incorporates Master Contract by reference and in authorizing proviso. Such notice shall be made orally to the Council's Program Director (by telephone) with an email to immediately follow, including the Contractor's plan for provision of services authorized in proviso.

F. Investigation of Criminal Allegations

Any report that implies criminal intent on the part of the Contractor or any subcontractors, if known to Contractor, and referred to a governmental or investigatory agency must be sent to the Council. If the Contractor has reason to believe that the allegations will be referred to the State Attorney, a law enforcement agency, the United States Attorney's office, or governmental agency, the Contractor shall notify the Council immediately. A copy of all documents, reports, notes, or other written material concerning the investigation, whether in the possession of the Contractor or subcontractors, must be sent to the Council with a summary of the investigation and allegations.

G. Volunteers

The Contractor shall ensure the use of trained volunteers in providing direct services delivered to older individuals and individuals with disabilities needing such services. If possible, the Contractor shall work in coordination with organizations that have experience in providing training, placement, and stipends for volunteers or participants (such as the Senior Community Service Employment Program or organizations carrying out federal service programs administered by the Corporation for National and Community Service), in community service settings.

H. Enforcement

1. The Council may, without taking any intermediate measures available to it against the Contractor, rescind the Contractor's designation as a Contractor, if the Council finds that:
 - a. An intentional or negligent act of the Contractor has materially affected the health, welfare, or safety of clients served pursuant to any contract or agreement incorporating Master

Contract by reference, or substantially and negatively affected the operation of an aging services program covered under any contract or agreement;

- b. The Contractor lacks financial stability sufficient to meet contractual obligations or that contractual funds have been misappropriated;
 - c. The Contractor has committed multiple or repeated violations of legal and regulatory standards, regardless of whether such laws or regulations are enforced by the Council, or the Contractor has committed or repeated violations of Council standards;
 - d. The Contractor has failed to continue the provision or expansion of services after the declaration of a state of emergency;
 - e. The Contractor has exceeded its authority or otherwise failed to adhere to the terms of Master Contract and any contract or agreement incorporating Master Contract by reference;
 - f. The Contractor has failed to properly determine client eligibility as defined by the Council or efficiently manage program budgets; or
 - g. The Contractor has failed to implement and maintain a Council-approved client grievance resolution procedure.
2. In making any determination under this provision the Council may rely upon the findings of another state or federal agency, or other regulatory body. Any claims for damages for breach of any contract or agreement incorporating Master Contract by reference are exempt from administrative proceedings and shall be brought before the appropriate entity in the venue of Broward County, Florida.

I. Contract Modifications

The Council's Program Director has the authority to modify and/or extend deliverable deadlines. All deliverable extension requests must be made to the Council's Program Director, in writing, prior to the required deadline. All approvals for deliverable extensions must be communicated, in writing, by the Council's Program Director to the Contractor and are subject to the discretion of the Council's Program Director. The requests and the approval must occur prior to the established deadline. An e-mail writing (request and response) is considered acceptable.

END OF ATTACHMENT I

ATTACHMENT II**FINANCIAL AND COMPLIANCE AUDIT**

The administration of resources awarded by the Council to the Contractor may be subject to audits and/or monitoring by the Council, as described in this section.

MONITORING

In addition to reviews of audits conducted in accordance with 2 CFR Part 200 (formerly OMB Circular A-133 as revised), and Section 215.97, F.S., (see “AUDITS” below), monitoring procedures may include, but not be limited to, on-site visits by the Council staff, limited scope audits, and/or other procedures. By entering into this Contract, the Contractor agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Council. In the event the Council determines that a limited scope audit of the Contractor is appropriate, the provider agrees to comply with any additional instructions provided by the Council to the provider regarding such audit. The Contractor further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Council or Auditor General.

AUDITS**PART I: FEDERALLY FUNDED**

This part is applicable if the Contractor is a State or local government or a non-profit organization as defined in 2 CFR Part 200, Subpart A.

In the event that the Contractor expends \$750,000.00 or more in federal awards during its fiscal year, the Contractor must have a single or program-specific audit conducted in accordance with the provisions of 2 CFR Part 200. EXHIBIT 2 indicates federal resources awarded through the Council by this Contract. In determining the federal awards expended in its fiscal year, the provider shall consider all sources of Federal awards, including federal resources received from the Council. The determination of amounts of Federal awards expended should be in accordance with 2 CFR Part 200. An audit of the Contractor conducted by the Auditor General in accordance with the provisions of 2 CFR Part 200 will meet the requirements of this part.

In connection with the audit requirements addressed in Part I, paragraph 1, the Contractor shall fulfill the requirements relative to auditee responsibilities as provided in 2 CFR §200.508.

If the Contractor expends less than \$750,000.00 in federal awards in its fiscal year, an audit conducted in accordance with the provisions of 2 CFR Part 200 is not required. In the event that the Contractor expends less than \$750,000.00 in federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200 the cost of the audit must be paid from non-federal resources (i.e., the cost of such audit must be paid from Contractor resources obtained from other than federal entities.)

An audit conducted in accordance with this part shall cover the entire organization for the organization’s fiscal year. Compliance findings related to contract with the Council shall be based on the contract’s requirements, including any rules, regulations, or statutes referenced in the contract. The financial statements shall disclose whether or not the matching requirement was met for each applicable contract. All questioned costs and liabilities due to the Council shall be fully disclosed in the audit report with reference to the Council contract involved. If not otherwise disclosed as required by 2 CFR §200.510 the schedule of expenditures of federal awards shall identify expenditures by contract number for each contract with the Council in effect during the audit period. Financial reporting packages required under this part must be submitted within the earlier of 30 days after receipt of the audit report or 9 months after the end of the Contractor’s fiscal year end.

PART II: STATE FUNDED

This part is applicable if the Contractor is a non-state entity as defined by Section 215.97(2), F.S.

In the event that the Contractor expends a total amount of state financial assistance equal to or in excess of \$750,000.00 in any fiscal year of such Contractor, the Contractor must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, F.S.; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations),

Rules of the Auditor General. EXHIBIT 2, Financial Compliance Audit Attachment to this Contract indicates state financial assistance awarded through the Council by this Contract. In determining the state financial assistance expended in its fiscal year, the provider shall consider all sources of state financial assistance, including state financial assistance received from the Council, other state agencies, and other non-state entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a non-state entity for Federal program matching requirements.

In connection with the audit requirements addressed in Part II, paragraph 1, the Contractor shall ensure that the audit complies with the requirements of Section 215.97(8), F.S. This includes submission of a financial reporting package as defined by Section 215.97(2), F.S., and Chapter 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

If the Contractor expends less than \$750,000.00 in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, F.S., is not required. In the event that the Contractor expends less than \$750,000.00 in state financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of Section 215.97, F.S., the cost of the audit must be paid from the non-state entity's resources (i.e., the cost of such an audit must be paid from the provider resources obtained from other than State entities).

An audit conducted in accordance with this part shall cover the entire organization for the organization's fiscal year. Compliance findings related to contracts with the Council shall be based on the contract's requirements, including any applicable rules, regulations, or statutes. The financial statements shall disclose whether or not the matching requirement was met for each applicable agreement. All questioned costs and liabilities due to the Council shall be fully disclosed in the audit report with reference to the Council contract involved. If not otherwise disclosed as required by Rule 69I-5.003, F.A.C., the schedule of expenditures of state financial assistance shall identify expenditures by contract number for each contract with the Council in effect during the audit period. Financial reporting packages required under this part must be submitted within 45 days after delivery of the audit report, but no later than 12 months after the Contractor's fiscal year end for local governmental entities. Non-profit or for-profit organizations are required to be submitted within 45 days after delivery of the audit report, but no later than 9 months after the Contractor's fiscal year end. Notwithstanding the applicability of this portion, the Council retains all right and obligation to monitor and oversee the performance of this contract as outlined throughout this document and pursuant to law.

PART III: REPORT SUBMISSION

Copies of reporting packages for audits conducted in accordance with 2 CFR Part 200 and required by PART I of this Financial Compliance Audit Attachment shall be submitted, when required by 2 CFR §200.512 by or on behalf of the provider directly to each of the following:

Federal Audit Clearinghouse Bureau of the Census
1201 East 10th Street Jeffersonville, IN 47132

Pursuant to 2 CFR §200.512, all other Federal agencies, pass-through entities and others interested in a reporting package and data collection form must obtain it by accessing the Federal Audit Clearinghouse.

The Contractor shall submit a copy of any management letter issued by the auditor, to the Council at the following address:

Areawide Council on Aging of Broward County, Inc.
5300 Hiatus Road Sunrise, FL 33351

Additionally, copies of financial reporting packages required by PART II of this Financial Compliance Audit Attachment shall be submitted by or on behalf of the Contractor directly to each of the following:

The Council at the following address:

Areawide Council on Aging of Broward County, Inc.
5300 Hiatus Road Sunrise, FL 33351

The Auditor General's Office at the following address:
State of Florida Auditor General
Claude Pepper Building, Room 574
111 West Madison Street Tallahassee, Florida 32399-1450

Any reports, management letter, or other information required to be submitted to the Council pursuant to this contract shall be submitted timely in accordance with 2 CFR Part 200, Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

Contractors, when submitting financial reporting packages to the Council for audits done in accordance with 2 CFR Part 200 or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Contractor in correspondence accompanying the reporting package.

PART IV: RECORD RETENTION

The provider shall retain sufficient records demonstrating its compliance with the terms of this Contract for a period of six (6) years from the date the audit report is issued, and shall allow the Council or its designee, the CFO or Auditor General access to such records upon request. The provider shall ensure that audit working papers are made available to the Council or its designee, CFO, or Auditor General upon request for a period of six (6) years from the date the audit report is issued, unless extended in writing by the Council.

END OF ATTACHMENT II

EXHIBIT 1**PART I: AUDIT RELATIONSHIP DETERMINATION**

Contractors who receive state or federal resources may or may not be subject to the audit requirements of 2 CFR Part 200 and/or Section 215.97, F.S. Contractors who are determined to be recipients or sub-recipients of federal awards and/or state financial assistance may be subject to the audit requirements if the audit threshold requirements set forth in Part I and/or Part II of Exhibit 1 are met. Providers who have been determined to be vendors are not subject to the audit requirements of 2 CFR §200.38, and/or Section 215.97, F.S. Regardless of whether the audit requirements are met, providers who have been determined to be recipients or sub-recipients of Federal awards and/or state financial assistance must comply with applicable programmatic and fiscal compliance requirements.

In accordance with 2 CFR Part 200 and/or Rule 69I-5.006, FAC, Contractor has been determined to be:

____ Vendor not subject to 2 CFR §200.38 and/or Section 215.97, F.S.

X Recipient/sub-recipient subject to 2 CFR §200.86 and §200.93 and/or Section 215.97, F.S.

____ Exempt organization not subject to 2 CFR Part 200 and/or Section 215.97, F.S. For Federal awards, for-profit organizations are exempt; for state financial assistance projects, public universities, community colleges, district school boards, branches of state (Florida) government, and charter schools are exempt. Exempt organizations must comply with all compliance requirements set forth within the contract or award document.

NOTE: If a Contractor is determined to be a recipient/sub-recipient of federal and or state financial assistance and has been approved by the Council to subcontract, they must comply with Section 215.97(7), F.S., and Rule 69I-5.006, F.A.C. [state financial assistance] and 2 CFR §200.330[federal awards].

PART II: FISCAL COMPLIANCE REQUIREMENTS

FEDERAL AWARDS OR STATE MATCHING FUNDS ON FEDERAL AWARDS. Contractors who receive Federal awards, state maintenance of effort funds, or state matching funds on Federal awards and who are determined to be a subrecipient must comply with the following fiscal laws, rules and regulations:

STATES, LOCAL GOVERNMENTS AND INDIAN TRIBES MUST FOLLOW:

2 CFR §200.416 - §200.417 – Special Considerations for States, Local Governments and Indian Tribes*

2 CFR §200.201 – Administrative Requirements**

2 CFR §200 Subpart F – Audit Requirements

Reference Guide for State Expenditures

Other fiscal requirements set forth in program laws, rules and regulations

NON-PROFIT ORGANIZATIONS MUST FOLLOW:

2 CFR §200.400 - §200.411 – Cost Principles*

2 CFR §200.100 – Administrative Requirements

2 CFR §200 Subpart F – Audit Requirements

Reference Guide for State Expenditures

Other fiscal requirements set forth in program laws, rules and regulations

EDUCATIONAL INSTITUTIONS (EVEN IF A PART OF A STATE OR LOCAL GOVERNMENT) MUST FOLLOW:

2 CFR §200.418 – §200.419 – Special Considerations for Institutions of Higher Education*

2 CFR §200.100 – Administrative Requirements

2 CFR §200 Subpart F – Audit Requirements

Reference Guide for State Expenditures

Other fiscal requirements set forth in program laws, rules and regulations

*Some Federal programs may be exempted from compliance with the Cost Principles Circulars as noted in 2 CFR §200.400(5) (c).

**For funding passed through U.S. Health and Human Services, 45 CFR 75; for funding passed through U.S. Department of Education, 34 CFR 80.

STATE FINANCIAL ASSISTANCE. Contractors who receive state financial assistance and who are determined to be a recipient/sub-recipient must comply with the following fiscal laws, rules and regulations:

Section 215.97 & 215.971, F.S.

Chapter 69I-5, F.A.C.

State Projects Compliance Supplement

Reference Guide for State Expenditures

Other fiscal requirements set forth in program laws, rules and regulations

END OF EXHIBIT 1

EXHIBIT 2**FUNDING SUMMARY**

Note: Title 2 CFR, as revised, and Section 215.97, F.S., require that the information about Federal Programs and State Projects included in Attachment II, Exhibit 1, be provided to Contractor. Information contained herein is a prediction of funding sources and related amounts on the contract budget.

1. FEDERAL RESOURCES AWARDED TO THE SUBRECIPIENT PURSUANT TO THIS CONTRACT CONSISTS OF THE FOLLOWING:

Program Title	Year	Funding Source	CFDA/ CSFA #	Amount
TOTAL FUNDS CONTAINED IN THIS CONTRACT:				

COMPLIANCE REQUIREMENTS APPLICABLE TO THE FEDERAL RESOURCES AWARDED PURSUANT TO THIS CONTRACT ARE AS FOLLOWS:

FEDERAL FUNDS:

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. OMB Circular A-133 – Audits of States, Local Governments, Non-Project Organizations.

2. STATE RESOURCES AWARDED TO THE RECIPIENT PURSUANT TO THIS CONTRACT CONSIST OF THE FOLLOWING:

MATCHING RESOURCES FOR FEDERAL PROGRAMS

PROGRAM TITLE	FUNDING SOURCE	CFDA	AMOUNT
TOTAL STATE AWARD			\$0

STATE FINANCIAL ASSISTANCE SUBJECT TO Sec. 215.97, F.S.

PROGRAM TITLE	FUNDING SOURCE	CSFA	AMOUNT
Local Service Programs	General Revenue	65.009	\$ 132,380.00
TOTAL AWARD			\$ 132,380.00

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS CONTRACT ARE AS FOLLOWS:

STATE FINANCIAL ASSISTANCE

Section 215.97 & 215.971, F.S., Chapter 69I-5, F.A.C, State Projects Compliance Supplement
Reference Guide for State Expenditures

Other fiscal requirements set forth in program laws, rules and regulations

ATTACHMENT III**LOCAL SERVICE PROGRAM****INVOICE REPORT SCHEDULE**

<u>Report Number</u>	<u>Based On</u>	<u>Due to Council On This Date</u>
1	July Advance*	July 1
2	August Advance*	July 1
3	July Expenditure Report	August 5
4	August Expenditure Report	September 7
5	September Expenditure Report	October 7
6	October Expenditure Report	November 7
7	November Expenditure Report	December 7
8	December Expenditure Report	January 9
9	January Expenditure Report	February 7
10	February Expenditure Report	March 7
11	March Expenditure Report	April 7
12	April Expenditure Report	May 5
13	May Expenditure Report	June 7
14	June Expenditure Report	July 10
15	Final Expenditure	July 25

Legend: * Advance based on projected cash need as supported by a cash-flow analysis is or other information appropriate to demonstrate the Contractor financial need for the advance.

Note # 1: Report #1 and #2 for Advance Basis Contracts cannot be submitted to the DOEA prior to July 1 or until the Contract with the Council has been executed and a copy sent to DFS.

Note # 2: Report numbers 3 through 14 will reflect an adjustment of one twelve of the total advance amount, on each of the reports respectively, repaying advances on the contract. The adjustment will be recorded in Part C, 1 of the report.

Note # 3: Submission of expenditure reports may or may not generate a payment request. If final expenditure report reflects funds due back to the Council, payment is to accompany the report.

Note # 4: Reports submitted after the 10th of the month will be processed the following month. This rule will be enforced.

ATTACHMENT IV**LOCAL SERVICE PROGRAMS****BUDGET SUMMARY**

FIXED SERVICES	Total Units	Unit Rate	LSP Funds	Total Reimbursement
Adult Day Care Days	625.25	\$65.30	\$40,820.00	\$40,820.00
Transportation	14,000	\$6.54	\$91,560.00	\$91,560.00
TOTAL LSP AGREEMENT AMOUNT			\$132,380.00	\$132,380.00

ATTACHMENT V

Forms 105 and 106

Sub Contractor for PSA #10

CONTRACT #

RECEIPTS AND UNIT COST REPORT PROGRAM

PROVIDER NAME, ADDRESS, PHONE # and FEID#		FUNDING SOURCE:	THIS REPORT PERIOD			
PROVIDER NAME		Program	MONTH			
ADDRESS ADDRESS			REPORT #:			
Tel: 954-XXX-XXXX Fax: 954-XXX-XXXX FEID #: 59-XXXXXX			CONTRACT PERIOD: CONTRACT #			
			PSA #: 10			
CERTIFICATION: I certify to the best of my knowledge and belief that the report is complete and correct and all outlays herein are for purposes set forth in						
Prepared By:		Date:	Approved By:			
Date:		Date:				
PART a: INCOME / RECEIPTS		A. Approved Budget	B. Actual Receipts for	C. Total Receipts Year to Date	D. % Of Approved	
3. Program Income		\$0.00	\$0.00	\$0.00	#DIV/0!	
		\$0.00	\$0.00	\$0.00	#DIV/0!	
		\$0.00	\$0.00	\$0.00	#DIV/0!	
SERVICE	(C) CONTRACT AMOUNT	(D) UNITS	(E) UNIT RATE	(F) AMOUNT EARNED THIS PERIOD	(G) AMOUNT PREV. EARNED	(H) AMOUNT EARNED YTD
<u>FIXED SERVICES</u>						
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
	\$0.00			\$0.00	\$0.00	\$0.00
PART c: OTHER REVENUE / PROGRAM INCOME		A. Total - Current Month		B. Total - Year To Date		
				\$0.00		
		\$0.00		\$0.00		
		\$0.00		\$0.00		
		\$0.00		\$0.00		
		\$0.00		\$0.00		

PSA #10 Form 105, Dated July 1997

CONTRACT #

CASH ADVANCE AND CONTRACT PAYMENT REQUEST FORM

FUNDING SOURCE

PROVIDER NAME, ADDRESS, PHONE & FEID # PROVIDER NAME ADDRESS ADDRESS Tel: 954-XXX-XXXX Fax: 954-XXX-XXXX FEID #: 59-XXXXXXX	TYPE OF REPORT: A. PAYMENT REQUEST: Regular ☒ Supplemental B. METHOD OF PAYMENT: Advance ☒ Reimbursement ☒	THIS REQUEST PERIOD: MONTH REPORT #: CONTRACT PERIOD: CONTRACT # PSA#: 10		
CERTIFICATION: I hereby certify that this request or refund conforms with the terms of the above contract.				
Prepared By:	Date:	Approved By:	Date:	
PART A: CONTRACT FUNDS SUMMARY	SERVICE	SERVICE	SERVICE	TOTAL
1. Approved Contract Amount	\$0.00	\$0.00	\$0.00	\$0.00
2. Previous Funds Requested for Contract Period	\$0.00	\$0.00	\$0.00	\$0.00
3 Contract Funds Available	\$0.00	\$0.00	\$0.00	\$0.00
PART B: CONTRACT FUNDS REQUESTED:				
1. Cash Advances (1st-2nd Months)	\$0.00	\$0.00	\$0.00	\$0.00
2. Amount Earned This Period = to PSA #10 Form 105Z Part B, Column E)	\$0.00	\$0.00	\$0.00	\$0.00
3. Total	\$0.00	\$0.00	\$0.00	\$0.00
PART C: NET FUNDS REQUESTED:				
1. Less Overadvance	\$0.00	\$0.00	\$0.00	\$0.00
2. Contract Funds Are Hereby Requested Part B Line 4 minus Part C line 1) (Not to exceed Part A Line 5)	\$0.00	\$0.00	\$0.00	\$0.00
ADVANCE EARNED	\$0.00	\$0.00	\$0.00	\$0.00
Advance Remaining	\$0.00	\$0.00	\$0.00	\$0.00

PSA #10 FORM 106, Dated July 97

AAA Office Use Only

BATCH #: _____

VENDOR ID: P-PROVIDER

DESC: PROVIDER PROGRAM MM/YYYY

ACCOUNT #: _____

CHECK # _____ CHECK DATE: _____

INPUT: _____ APPROVAL: _____

ATTACHMENT VI**CERTIFICATIONS AND ASSURANCES**

Council will not award this Contract unless Contractor completes the CERTIFICATIONS AND ASSURANCES contained in this Attachment. In performance of this Contract, Contractor provides the following certifications and assurances:

- A. Debarment and Suspension Certification (29 CFR Part 95 and 45 CFR Part 75)**
- B. Certification Regarding Lobbying (29 CFR Part 93 and 45 CFR Part 93)**
- C. Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 37 and 45 CFR Part 80)**
- D. Certification Regarding Public Entity Crimes, section 287.133, F.S.**
- E. Association of Community Organizations for Reform Now (ACORN) Funding Restrictions Assurance (Pub. L. 111-117)**
- F. Scrutinized Companies Lists and No Boycott of Israel Certification, section 287.135, F.S.**
- G. Certification Regarding Data Integrity Compliance for Contracts, Agreements, Grants, Loans and Cooperative Agreements**
- H. Verification of Employment Status Certification**
- I. Records and Documentation**
- J. Certification Regarding Inspection of Public Records**

A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS – PRIMARY COVERED TRANSACTIONS.

The undersigned Contractor certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
2. Have not within a three-year period preceding this Contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph A.2. of this certification; and/or
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause of default.

The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients and contractors shall provide this certification accordingly.

B. CERTIFICATION REGARDING LOBBYING – Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned Contractor certifies, to the best of its knowledge and belief, that:

No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or employee of a Member of Congress in connection with a Federal contract, grant, loan, or cooperative.

agreement, the undersigned shall also complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients and contractors shall certify and disclose accordingly. This certification is a material representation of fact upon which reliance was placed when this Contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this Contract imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. NON DISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE (29 CFR PART 37 AND 45 CFR PART 80).

As a condition of the Contract, Contractor assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Investment Act of 1998 (WIA), (Pub. L. 105-220), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I-financially assisted program or activity;
2. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Council.
3. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112) as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 84), to the end that, in accordance with Section 504 of that Act, and the Regulation, no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Council.
4. The Age Discrimination Act of 1975 (Pub. L. 94-135), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 91), to the end that, in accordance with the Act and the Regulation, no person in the United States shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Council.
5. Title IX of the Educational Amendments of 1972 (Pub. L. 92-318), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 86), to the end that, in accordance with Title IX and the Regulation, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Applicant receives Federal financial assistance from the Council.
6. The American with Disabilities Act of 1990 (Pub. L. 101-336), prohibits discrimination in all employment practices, including, job application procedures, hiring, firing, advancement, compensation, training, and other terms, conditions, and privileges of employment. It applies to

recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities, and;

7. Contractor also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to Contractor's operation of the WIA Title I – financially assisted program or activity, and to all contracts Contractor makes to carry out the WIA Title I – financially assisted program or activity. Contractor understands that DOE and the United States have the right to seek judicial enforcement of the assurance.

The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients and contractors shall provide this certification accordingly.

D. CERTIFICATION REGARDING PUBLIC ENTITY CRIMES, SECTION 287.133, F.S.

Contractor hereby certifies that neither it, nor any person or affiliate of Contractor, has been convicted of a Public Entity Crime as defined in section 287.133, F.S., nor placed on the convicted vendor list. Contractor understands and agrees that it is required to inform Council immediately upon any change of circumstances regarding this status.

E. ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW (ACORN) FUNDING RESTRICTIONS ASSURANCE (Pub. L. 111-117).

As a condition of the Contract, Contractor assures that it will comply fully with the federal funding restrictions pertaining to ACORN and its subsidiaries per the Consolidated Appropriations Act, 2010, Division E, Section 511 (Pub. L. 111-117). The Continuing Appropriations Act, 2011, Sections 101 and 103 (Pub. L. 111-242), provides that appropriations made under Pub. L. 111-117 are available under the conditions provided by Pub. L. 111-117.

The undersigned shall require that language of this assurance be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub recipients and contractors shall provide this assurance accordingly.

F. SCRUTINIZED COMPANIES LISTS CERTIFICATION AND NO BOYCOTT OF ISRAEL CERTIFICATION, SECTION 287.135, F.S.

In accordance with section 287.135, F.S., Contractor hereby certifies that it has not been placed on the Scrutinized Companies that Boycott Israel List and that it is not engaged in a boycott of Israel.

If this Contract is in the amount of \$1 million or more, in accordance with the requirements of section 287.135, F.S., Contractor hereby certifies that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. Both lists and that it is not engaged in business operations in Cuba or Syria.

Contractor understands that pursuant to section 287.135, F.S., the submission of a false certification may result in the Council terminating this Contract and the submission of a false certification may subject Contractor to civil penalties, attorney's fees, and/or costs, including any costs for investigation that led to the finding of false certification.

If Contractor is unable to certify to any of the statements in this certification, Contractor shall attach an explanation to this Contract.

G. CERTIFICATION REGARDING DATA INTEGRITY COMPLIANCE FOR CONTRACT, AGREEMENTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

1. The Contractor and any Subcontractors of services under this Contract have financial management systems capable of providing certain information, including: (1) accurate, current, and complete

disclosure of the financial results of each grant-funded project or program in accordance with the prescribed reporting requirements; (2) the source and application of funds for all contract supported activities; and (3) the comparison of outlays with budgeted amounts for each award. The inability to process information in accordance with these requirements could result in a return of grant funds that have not been accounted for properly.

2. Management Information Systems used by the Contractor, Subcontractors, or any outside entity on which the Contractor is dependent for data that is to be reported, transmitted or calculated, have been assessed and verified to be capable of processing data accurately, including year-date dependent data. For those systems identified to be non-compliant, Contractors will take immediate action to assure data integrity.
3. If this Contract includes the provision of hardware, software, firmware, microcode or imbedded chip technology, the undersigned warrants that these products are capable of processing year-date dependent data accurately. All versions of these products offered by the Contractor (represented by the undersigned) and purchased by the state will be verified for accuracy and integrity of data prior to transfer.
4. In the event of any decrease in functionality related to time and date related codes and internal subroutines that impede the hardware or software programs from operating properly, the Contractor agrees to immediately make required corrections to restore hardware and software programs to the same level of functionality as warranted herein, at no charge to the state, and without interruption to the ongoing business of the state, time being of the essence.
5. The Contractor and any Subcontractors of services under this Contract warrant their policies and procedures include a disaster plan to provide for service delivery to continue in case of an emergency including emergencies arising from data integrity compliance issues.

H. VERIFICATION OF EMPLOYMENT STATUS CERTIFICATION

As a condition of contracting with the Council, Contractor certifies the use of the U.S. Department of Homeland Security's E-verify system to verify the employment eligibility of all new employees hired by Contractor during the contract term to perform employment duties pursuant to this Contract and that any subcontracts include an express requirement that subcontractors performing work or providing services pursuant to this Contract utilize the E-verify system to verify the employment eligibility of all new employees hired by the subcontractor during the entire Contract term.

The Contractor shall require that the language of this certification be included in all subcontract, subgrants, and other agreements and that all subcontractors shall certify compliance accordingly.

This certification is a material representation of fact upon which reliance was placed when this Contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this Contract imposed by OMB Circulars A-102 and 2 CFR Part 200, and 215 (formerly OMB Circular A-110).

I. RECORDS AND DOCUMENTATION

The Contractor agrees to make available to Council staff and/or party designated by the Council any and all contract related records and documentation. The Contractor shall ensure the collection and maintenance of all program related information and documentation of any such system designated by the Council. Maintenance includes valid exports and backups of all data and systems according to Council standards.

J. CERTIFICATION REGARDING INSPECTION OF PUBLIC RECORDS

1. In addition to the requirements of Sections 10.1 of the Master Contract, and 119.0701(3) and (4) F.S., and any other applicable law, if a civil action is commenced as contemplated by section 119.0701(4), F.S., and the Council is named in the civil action, Contractor agrees to indemnify and hold harmless the Council for any costs incurred by the Council, and any attorneys' fees assessed

or awarded against the Council from a Public Records Request made pursuant to Chapter 119, F.S., concerning this Contract or services performed thereunder.

- a. Notwithstanding section 119.0701, F.S., or other Florida law, this section is not applicable to contracts executed between the Council and state agencies or subdivisions defined in section 768.28(2), F.S.
2. Section 119.01(3), F.S., states if public funds are expended by an agency in payment of dues or membership contributions for any person, corporation, foundation, trust, association, group, or other organization, all the financial, business, and membership records of such an entity which pertain to the public agency (Florida Department of Elder Affairs) are public records. Section 119.07, F.S., states that every person who has custody of such a public record shall permit the record to be inspected and copied by any person desiring to do so, under reasonable circumstances.

Additionally, I certify this organization does _____ does not _____ provide for institutional memberships.

Contractor's signature below attests that records pertaining to the dues or membership application by the Council are available of inspection if applicable, as stated above.

By execution of this Contract, Contractor must include these provisions (A-I) in all related subcontract agreements (if applicable).

By signing below, Contractor certifies the representations outlined in parts A through I above, are true and correct.

Signature and Title of Authorized Representative

Date

City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging

Contractor

227 NW 2nd Street
Deerfield Beach, FL 33441

ATTACHMENT VII**ASSURANCES—NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 45, minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) § 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. § 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. §874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. § 327-333), regarding labor standards for federally assisted construction sub agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000.00 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging	DATE SUBMITTED

ATTACHMENT VIII

**STATE OF FLORIDA DEPARTMENT OF ELDER AFFAIRS
CIVIL RIGHTS COMPLIANCE CHECKLIST**

City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging	County Broward	AAA/Contractor
227 NW 2 nd Street	Completed By	
Deerfield Beach, FL 33441	Date	Phone 954-480-4449

PART I. READ THE ATTACHED INSTRUCTIONS FOR ILLUSTRATIVE INFORMATION, WHICH WILL HELP YOU IN THE COMPLETION OF THIS FORM.

1. Briefly describe the geographic area served by the program/facility and the type of service provided:

2. POPULATION OF AREA SERVED. Source of data:

Total #	% White	% Black	% Hispanic	% Other	% Female		
---------	---------	---------	------------	---------	----------	--	--

3. STAFF CURRENTLY EMPLOYED. Effective date:

Total #	% White	% Black	% Hispanic	% Other	% Female	% Disabled	
---------	---------	---------	------------	---------	----------	------------	--

4. CLIENTS CURRENTLY ENROLLED OR REGISTERED. Effective date:

Total #	% White	% Black	% Hispanic	% Other	% Female	% Disabled	% Over 40
---------	---------	---------	------------	---------	----------	------------	-----------

5. ADVISORY OR GOVERNING BOARD, IF APPLICABLE.

Total #	% White	% Black	% Hispanic	% Other	% Female	% Disabled	
---------	---------	---------	------------	---------	----------	------------	--

PART II. USE A SEPARATE SHEET OF PAPER FOR ANY EXPLANATIONS REQUIRING MORE SPACE.

6. Is an Assurance of Compliance on file with the Council? If NA or NO, explain. NA YES NO
☐ ☐ ☐

7. Compare the staff composition to the population. Is the staff representative of the population?
If NA or NO, explain. NA YES NO
☐ ☐ ☐

8. Compare the client composition to the population. Are race and sex characteristics representative of the
Population? If NA or NO, explain. NA YES NO
☐ ☐ ☐

9. Are eligibility requirements for services applied to clients and applicants without regard to race,
color, national origin, sex, age, religion, or disability? If NA or NO, explain. NA YES NO
☐ ☐ ☐

10. Are all benefits, services, and facilities available to applicants and participants in an equally effective
manner regardless of race, sex, color, age, national origin, religion, or disability? If NA or NO, explain. NA YES NO
☐ ☐ ☐

11. For in-patient services, are room assignments made without regard to race, color, national
origin, or disability? If NA or NO, explain. NA YES NO
☐ ☐ ☐

12. Is the program/facility accessible to non-English speaking clients? If NA or NO, explain. NA YES NO
☐ ☐
-
13. Are employees, applicants, and participants informed of their protection against discrimination?
If yes, how? Verbal ☐ Written ☐ Poster ☐ If NA or NO, explain. NA YES NO
☐ ☐ ☐
-
14. Give the number and current status of any discrimination complaints regarding services or employment filed against the program/facility. NA NUMBER
☐ _____
-
15. Is the program/facility physically accessible to mobility, hearing, and sight-impaired individuals? If NA or NO, explain. NA YES NO
☐ ☐ ☐
-

PART III. THE FOLLOWING QUESTIONS APPLY TO PROGRAMS AND FACILITIES WITH 15 OR MORE EMPLOYEES

16. Has a self-evaluation been conducted to identify any barriers to serving disabled individuals, and to make any necessary modifications? If NO, explain. YES NO
☐ ☐
-
17. Is there an established grievance procedure that incorporates due process in the resolution of complaints? If NO, explain. YES NO
☐ ☐
-
18. Has a person been designated to coordinate Section 504 compliance activities? If NO, explain. YES NO
☐ ☐
-
19. Do recruitment and notification materials advise applicants, employees, and participants of nondiscrimination on the basis of disability? If NO, explain. YES NO
☐ ☐
-
20. Are auxiliary aids available to assure the accessibility of services to hearing and sight impaired individuals? If NO, explain. YES NO
☐ ☐
-

PART IV. FOR PROGRAMS OR FACILITIES WITH 50 OR MORE EMPLOYEES AND FEDERAL CONTRACTS OF \$50,000.00 OR MORE.

21. Do you have a written affirmative action plan? If NO, explain. YES NO
☐ ☐
-

DOEA USE		
Reviewed By		In Compliance: YES NO*
Program Office		*Notice of Corrective Action Sent ____/____/____
Date	Telephone	Response Due ____/____/____
On-Site	Desk Review	Response Received ____/____/____

INSTRUCTIONS FOR THE CIVIL RIGHTS COMPLIANCE CHECKLIST

1. Describe the geographic service area such as a district, county, city, or other locality. If the program/facility serves a specific target population such as adolescents, describe the target population. Also, define the type of service provided.
2. Enter the percent of the population served by race and sex. The population served includes persons in the geographical area for which services are provided such as a city, county or other regional area. Population statistics can be obtained from local chambers of commerce, libraries, or any publication from the 1980 Census containing Florida population statistics. Include the source of your population statistics. ("Other" races include Asian/Pacific Islanders and American Indian/Alaskan Natives.)
3. Enter the total number of full-time staff and their percent by race, sex, and disability. Include the effective date of your summary.
4. Enter the total number of clients who are enrolled, registered, or currently served by the program or facility, and list their percent by race, sex, and disability. Include the date that enrollment was counted.
5. Enter the total number of advisory board members and their percent by race, sex, and disability. If there is no advisory or governing board, leave this section blank.
6. Each recipient of federal financial assistance must have on file an assurance that the program will be conducted in compliance with all nondiscriminatory provisions as required in 45 CFR 80. This is usually a standard part of the contract language for DOE A recipients and their sub-grantees, 45 CFR 80.4 (a).
7. Is the race, sex, and national origin of the staff reflective of the general population? For example, if 10% of the population is Hispanic, is there a comparable percentage of Hispanic staff?
8. Where there is a significant variation between the race, sex or ethnic composition of the clients and their availability in the population, the program/facility has the responsibility to determine the reasons for such variation and take whatever action may be necessary to correct any discrimination. Some legitimate disparities may exist when programs are sanctioned to serve target populations such as elderly or disabled persons, 45 CFR 80.3 (b) (6).
9. Do eligibility requirements unlawfully exclude persons in protected groups from the provision of services or employment? Evidence of such may be indicated in staff and client representation (Questions 3 and 4) and also through on-site record analysis of persons who applied but were denied services or employment, 45 CFR 80.3 (a) and 45 CFR 80.1 (b) (2).
10. Participants or clients must be provided services such as medical, nursing and dental care, laboratory services, physical and recreational therapies, counseling and social services without regard to race, sex, color, national origin, religion, age or disability. Courtesy titles, appointment scheduling, and accuracy of record keeping must be applied uniformly and without regard to race, sex, color, national origin, religion, age, or disability. Entrances, waiting rooms, reception areas, restrooms, and other facilities must also be equally available to all clients, 45 CFR 80.3 (b).
11. For in-patient services, residents must be assigned to rooms, wards, etc., without regard to race, color, national origin, or disability. Also, residents must not be asked whether they are willing to share accommodations with persons of a different race, color, national origin, or disability, 45 CFR 80.3 (a).
12. The program/facility and all services must be accessible to participants and applicants, including those persons who may not speak English. In geographic areas where a significant population of non-English speaking people live, program accessibility may include the employment of bilingual staff. In other areas, it is sufficient to have a policy or plan for service, such as a current list of names and telephone numbers of bilingual individuals who will assist in the provision of services, 45 CFR 80.3 (a).

13. Programs/facilities must make information regarding the nondiscriminatory provisions of Title VI available to their participants, beneficiaries, or any other interested parties. This should include information on their right to file a complaint of discrimination with either the Council, the State of Florida, Department of Elder Affairs, or the U.S. Department of HHS. The information may be supplied verbally or in writing to every individual, or may be supplied through the use of an equal opportunity policy poster displayed in a public area of the facility, 45 CFR 80.6 (d).
14. Report number of discrimination complaints filed against the program/facility. Indicate the basis, e.g., race, color, creed, sex, age, national origin, disability, retaliation; the issues involved, e.g., services or employment, placement, termination, etc. Indicate the civil rights law or policy alleged to have been violated along with the name and address of the local, state, or federal agency with whom the complaint has been filed. Indicate the current status, e.g., settled, no reasonable cause found, failure to conciliate, failure to cooperate, under review, etc.
15. The program/facility must be physically accessible to disabled individuals. Physical accessibility includes designated parking areas, curb cuts or level approaches, ramps and adequate widths to entrances. The lobby, public telephone, restroom facilities, water fountains, information, and admissions offices should be accessible. Door widths and traffic areas of administrative offices, cafeterias, restrooms, recreation areas, counters, and serving lines should be observed for accessibility. Elevators should be observed for door width, and Braille or raised numbers. Switches and controls for light, heat, ventilation, fire alarms and other essentials should be installed at an appropriate height for mobility impaired individuals.
16. Section 504 of the Rehabilitation Act of 1973 requires that a recipient of federal financial assistance conduct a self-evaluation to identify any accessibility barriers. Self-evaluation is a four-step process:
 - a. With the assistance of a disabled individual/organization, evaluate current practices and policies which do not comply with Section 504.
 - b. Modify policies and practices that do not meet Section 504 requirements.
 - c. Take remedial steps to eliminate any discrimination that has been identified.
 - d. Maintain self-evaluation on file. (This checklist may be used to satisfy this requirement if these four steps have been followed.), 45 CFR 84.6.
17. Programs or facilities that employ 15 or more persons must adopt grievance procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504.45 CFR 84.7 (b).
18. Programs or facilities that employ 15 or more persons must designate at least one person to coordinate efforts to comply with Section 504.45 CFR 84.7 (a).
19. Continuing steps must be taken to notify employees and the public of the program/facility's policy of nondiscrimination on the basis of disability. This includes recruitment material, notices for hearings, newspaper ads, and other appropriate written communication, 45 CFR 84.8 (a).
20. Programs/facilities that employ 15 or more persons must provide appropriate auxiliary aids to persons with impaired sensory, manual, or speaking skills where necessary. Auxiliary aids may include, but are not limited to, interpreters for hearing impaired individuals, taped or Braille materials, or any alternative resources that can be used to provide equally effective services, (45 CFR 84.52 (d)).
21. Programs/facilities with 50 or more employees and \$50,000.00 in federal contracts must develop, implement, and maintain a written affirmative action compliance program in accordance with Executive Order 11246. 41 CFR 60 and Title VI of the Civil Rights Act of 1964, as amended.

ATTACHMENT IX

BACKGROUND SCREENING



Ron DeSantis
Governor

Michelle Branham
Secretary

BACKGROUND SCREENING

Attestation of Compliance - Employer

AUTHORITY: This form is required annually of all employers to comply with the attestation requirements set forth in section 435.05(3), Florida Statutes.

- The term "employer" means any person or entity required by law to conduct background screenings, including but not limited to, Area Agencies on Aging/Aging and Disability Resource Centers, Lead Agencies, and Service Providers that contract directly or indirectly with the Department of Elder Affairs (DOEA), and any other person or entity which hires employees or has volunteers in service who meet the definition of a direct service provider. See §§ 435.02, 430.0402, Fla. Stat.
- A direct service provider is "a person 18 years of age or older who, pursuant to a program to provide services to the elderly, has direct, face-to-face contact with a client while providing services to the client and has access to the client's living area, funds, personal property, or personal identification information as defined in s. 817.568. The term includes coordinators, managers, and supervisors of residential facilities and volunteers." § 430.0402(1)(b), Fla. Stat.

ATTESTATION:

As the duly authorized representative of

Employer Name

located at _____
Street Address City State ZIP code

I, _____ do hereby affirm under penalty of
Name of Representative

perjury that the above named employer is in compliance with the provisions of Chapter 435 and section 430.0402, Florida Statutes, regarding level 2 background screening.

Signature of Representative

Date



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1458

Agenda Date: 9/6/2022

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JZ022-06-2023 with the Areawide Council on Aging of Broward County, Inc. for Center for Active Aging Services for the Alzheimer's Disease Initiative Program in an amount not to exceed \$601,081.28; authorizing execution of the Contract; providing for implementation and an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The City of Deerfield Beach Center for Active Aging/Northeast Focal Point Senior Center and the Areawide Council on Aging of Broward County, Inc./Area Agency on Aging have been working together in collaboration for over 41 years to provide supportive services for the senior population in the City.

The Alzheimer's Disease Initiative Program (ADI) assists persons afflicted with Alzheimer's Disease (AD) and other forms of dementia to live as independently as possible with support to family members and caregivers.

Current Activity

This agreement provides funding in an amount not to exceed \$601,081.28 for the Alzheimer's Disease Initiative Program. The City will assist eligible elders aged 60 years or older, afflicted with AD and other forms of dementia, their families, and caregivers.

Recommendation

It is recommended that the City Commission approve and authorize execution of Contract # JZ022-06-2023 with the Areawide Council on Aging of Broward County, Inc., in an amount not to exceed \$601,081.28 for the ADI program.

RESOLUTION NO. 2022/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING CONTRACT #JZ022-06-2023 WITH THE AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. FOR CENTER FOR ACTIVE AGING SERVICES FOR THE ALZHEIMER'S DISEASE INITIATIVE PROGRAM IN AN AMOUNT NOT TO EXCEED \$601,081.28; AUTHORIZING EXECUTION OF THE CONTRACT; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach Center for Active Aging/Northeast Focal Point Senior Center ("City") and the Areawide Council on Aging of Broward County, Inc. ("Council") have been working together in collaboration for over 41 years to provide supportive services for the senior population in the City of Deerfield Beach; and

WHEREAS, the City wishes to contract with the Council for the City's provision of Center for Active Aging services for a one-year period pursuant to Contract #JZ022-06-2023, attached as Exhibit "A" (the "Contract"); and

WHEREAS, the City's provision of Center for Active Aging services under the Contract for the Council's Alzheimer's Disease Initiative Program ("ADI") includes assistance to persons aged 60 or older afflicted with Alzheimer's Disease and other forms of dementia to help them live as independently as possible and support their families and caregivers (the "Services"); and

WHEREAS, the contract term for the Contract with the Council is from July 1, 2022 through June 30, 2023; and

WHEREAS, the City Commission believes that it is in the best interest of the City to approve and authorize execution of Contract #JZ022-06-2023 with the Council in an amount not to exceed \$601,081.28.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves Contract #JZ022-06-2023 with the Council for Center for Active Aging Services in an amount not to exceed \$601,081.28.

Section 3. The Mayor is hereby authorized to execute the Contract with the Council, attached as Exhibit "A," together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK

July 1, 2022 – June 30, 2023

Contract JZ022-06-2023

ALZHEIMER'S DISEASE INITIATIVE PROGRAM

THIS CONTRACT is entered into between the Areawide Council on Aging of Broward County, Inc., hereinafter referred to as the "Council", and **City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging**, hereinafter referred to as the "Contractor", and collectively referred to as the "Parties." This Contract is subject to all provisions contained in the Master Contract executed between the Council and the Contractor, and its successor, as revised or renewed from time to time, incorporated herein by reference.

WITNESSETH THAT:

WHEREAS, the Council has determined that it is in need of certain services as described herein; and **WHEREAS**, the Contractor has demonstrated that it has the requisite expertise and ability to faithfully perform such services as an independent Contractor of the Council.

NOW THEREFORE, in consideration of the services to be performed and payments to be made, together with the mutual covenants and conditions hereinafter set forth, the Parties agree as follows:

1. Purpose of Contract:

The purpose of this Contract is to provide services in accordance with the terms and conditions specified in this Contract including all attachments, forms, exhibits and references incorporated, which constitute the contract document.

2. Incorporation of Documents within the Contract:

This Contract will incorporate attachments, proposal(s), area plan(s), grant agreements, relevant Department of Elder Affairs handbooks, manuals, or desk books and Master Contract, as an integral part of the Contract, except to the extent that the Contract explicitly provides contrary. In the event of conflict in language among any of the documents referenced above, the specific provisions and requirements of the Contract document(s) shall prevail over inconsistent provisions in the proposal(s) or other general materials not specific to this Contract document and identified attachments.

3. Term of Contract:

This Contract when executed will have an effective date of July 1, 2022. It will end at midnight, Eastern Standard time on June 30, 2023.

4. Contract Amount:

The Council agrees to pay for contracted services according to the terms and conditions of this Contract in an amount not to exceed **\$601,081.28**, subject to the availability of funds. Any costs or services paid for under any other contract or from any other source are not eligible for payment under this Contract.

5. Background Screening

The Contractor shall ensure that the requirements of Section 430.0402 and Chapter 435, F.S., as amended, are met regarding background screening for all persons who meet the definition of a direct service provider and who are not exempt from the State of Florida, Department of Elder Affairs' level 2 background screening pursuant to Section 430.0402(2)-(3), F.S. The Contractor must also comply with any applicable rules promulgated by the State of Florida, Department of Elder Affairs and the Agency for Health Care Administration regarding implementation of Section 430.0402 and Chapter 435, F.S.

To demonstrate compliance with this provision, Contractor shall submit Background Screening Attestation of Compliance, ATTACHMENT IX of this Contract, annually, by January 5. Further

information concerning the procedures for background screening is found at <https://elderaffairs.org/about-us/background-screening/>.

6. Nondiscrimination-Civil Rights Compliance

- 6.1** The Contractor shall execute assurances as stated in the Assurances-Non-Construction Programs, ATTACHMENT VII of this Contract, that it will not discriminate against any person in the provision of services or benefits under this Contract or in employment because of age, race, religion, color, disability, national origin, marital status or sex in compliance with state and federal law and regulations. The Contractor further assures that all contractors, subcontractors, subgrantees, or others with whom it arranges to provide services or benefits in connection with any of its programs and activities are not discriminating against clients or employees because of age, race, religion, color, disability, national origin, marital status or sex.
- 6.2** During the term of this Contract, the Contractor shall complete and retain on file a timely, complete, and accurate Civil Rights Compliance Checklist, ATTACHMENT VIII of this Contract.
- 6.3** The Contractor shall establish procedures pursuant to federal law to handle complaints of discrimination involving services or benefits through this Contract. These procedures will include notifying clients, employees, and participants of the right to file a complaint with the appropriate federal or state entity.
- 6.4** If this Contract contains federal funds, these assurances are a condition of continued receipt of or benefit from federal financial assistance, and are binding upon the Contractor, its successors, transferees, and assignees for the period during which such assistance is provided. The Contractor further assures that all subcontractors, vendors, or others with whom it arranges to provide services or benefits to participants or employees in connection with any of its programs and activities are not discriminating against those participants or employees in violation of the above statutes, regulations, guidelines, and standards. In the event of failure to comply, the Contractor understands that the Council may, at its discretion, seek a court order requiring compliance with the terms of this assurance or seek other appropriate judicial or administrative relief, including but not limited to, termination of and denial of further assistance.

7. Provision of Services:

The Contractor shall provide services in the manner described in the Statement of Work, ATTACHMENT I of this Contract.

8. Official Payee and Representatives (Names, Addresses, and Telephone Numbers):

a.	The Contractor name, as shown on page 1 of this Contract, and mailing address of the official payee to whom the payment will be made is:	City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging 227 NW 2 nd Street Deerfield Beach, FL 33441
b.	The name of the contact person and street address where financial and administrative records are maintained is:	Jonathan Salas, Interim Director of Community Services City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging 227 NW 2 nd Street Deerfield Beach, FL 33441

c.	The name, address, and telephone number of the representative of the Contractor responsible for the administration of the program under this Contract is:	Jonathan Salas, Interim Director of Community Services City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging 227 NW 2 nd Street Deerfield Beach, FL 33441 954-480-4449
d.	The section and location within the Council where the Request for Payment and Receipt and Expenditure forms are to be mailed or e-mailed is:	Areawide Council on Aging of Broward County, Inc. 5300 Hiatus Road, Sunrise, FL 33351 fiscal@adrcbroward.org
e.	The name, address, and telephone number of the Program Specialist for the Council for this Contract is:	Samantha Riviere Areawide Council on Aging of Broward County, Inc. 5300 Hiatus Road, Sunrise, FL 33351 (954) 745-9567
Upon change of representatives (names, addresses, telephone numbers) by either party, notice will be provided in writing to the other party and the notification attached to the originals of this Contract.		

9. All Terms and Conditions Include:

This Contract and its ATTACHMENTS I-IX, any exhibits referenced in said attachments, together with any documents incorporated by reference, contain all the terms and conditions agreed upon by the Parties. There are no provisions, terms, conditions, or obligations other than those contained herein, and this Contract shall supersede all previous communications, representations or agreements, either written or verbal between the Parties. By signing this Contract, the Parties agree that they have read and agree to the entire Contract.

REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK

IN WITNESS THEREOF, the parties hereto have caused this 41 page Contract to be executed by their undersigned officials as duly authorized.

CONTRACTOR:

**City of Deerfield Beach, Florida / Northeast
Focal Point Senior Center dba Department of
Active Aging**

**Areawide Council on Aging of Broward
County, Inc.**

BOARD PRESIDENT OR AUTHORIZED
DESIGNEE

SIGNED BY:

NAME:

TITLE:

DATE:

FEDERAL ID NUMBER: 59-6000305
FISCAL YEAR-END DATE: September 30
DUNS: 086-382-090

SIGNED BY:

JOHN G. PRIMEAU

NAME:

PRESIDENT

TITLE:

DATE:

ATTACHMENT I

**STATEMENT OF WORK
ALZHEIMER'S DISEASE INITIATIVE PROGRAM**

SECTION I: SERVICES TO BE PROVIDED**A. DEFINITIONS OF TERMS AND ACRONYMS****1. Contract Acronyms**

Alzheimer's Disease (AD)
Alzheimer's Disease Initiative (ADI)
Activities of Daily Living (ADLs)
Assessed Priority Consumer List (APCL)
Adult Protective Services (APS)
Client Information and Registration Tracking System (CIRTS)
Community Care for Disabled Adults (CCDA)
Code of Federal Regulations (CFR)
Corrective Action Plan (CAP)
Dementia Care & Cure Initiative (DCCI)
Department of Elder Affairs (DOEA)
Florida Administrative Code (F.A.C.)
Florida Statutes (F.S.)
Home Care for Disabled Adults (HCDA)
Instrumental Activities of Daily Living (IADLs)
Memory Disorder Clinic (MDC)
Notice of Instruction (NOI)
Planning and Service Area (PSA)
Service Provider Application (SPA)
Summary of Programs and Services (SOPS)
United States Code (U.S.C.)

2. Program Specific Terms

Department of Elder Affairs Programs and Services Handbook (DOEA Handbook). An official document of DOEA. The DOEA Handbook includes program policies, procedures, and standards applicable to agencies which are recipients of DOEA-funded programs, and providers of program-funded services. An annual update is provided through a NOI.

Functional Assessment: A comprehensive, systematic, and multidimensional review of a person's ability to remain living independently in the least restrictive living arrangement.

NOI: DOEA's established method to communicate to the Contractor and subcontractor the requirements to perform specific tasks or activities in a particular manner. NOIs are located on the DOEA website at <https://elderaffairs.org/newsroom/notices-of-instruction-2021>.

Program Highlights: Success stories, quotes, testimonials, or human-interest vignettes that are used in the Summary of Programs and Services (SOPS) to demonstrate how programs and services help elders, families, and caregivers.

Proviso: Language used in a general appropriations bill to qualify or restrict the way in which a specific appropriation is to be expended.

Service Provider Application (SPA): A plan developed by the Contractor outlining a comprehensive and coordinated service delivery system in its PSA in accordance with the Section 306 of the Older Americans Act (42 U.S.C. Section 3026) and Council instructions. The SPA includes performance measures and unit rates per service offered.

Service Provider Application (SPA) Update: A revision to the SPA wherein the Contractor provides ADI-specific data for the Council to enter into CIRTS. An update may also include other revisions to the SPA as instructed by the Council.

Summary of Programs and Services (SOPS): A document produced by the DOEA and updated yearly to provide the public and the Legislature with information about programs and services for Florida's elders.

B. GENERAL DESCRIPTION

1. General Statement

The purpose of the ADI is to address the special needs of individuals with AD and other forms of dementia, their families, and caregivers.

2. Alzheimer's Disease Initiative Program Mission Statement

The ADI program assists persons afflicted with AD and other forms of dementia to live as independently as possible with support to family members and caregivers.

3. Authority

The relevant authority governing ADI Program include:

- (1) Sections 430.501 through 430.504, F.S.,
- (2) Rule Chapter 58D-1, F.A.C.; and
- (3) The Catalog of State Financial Assistance (CSFA) Number 65.004 and 65.002.

4. Scope of Service

The Contractor is responsible for the programmatic, fiscal, and operational management of ADI. The program services shall be provided in a manner consistent with the Contractor's current SPA and the current DOEA Handbook, which are hereby incorporated by reference. The Contractor agrees to be bound by all subsequent amendments and revisions to the DOEA Handbook, and the Contractor agrees to accept all such amendments and revisions via a NOI.

5. Major Program Goals

The major goals of the ADI Program is to provide services to meet the needs of caregivers and individuals with AD and other forms of dementia or other related disorders.

C. CLIENTS TO BE SERVED

1. General Eligibility

The ADI Program addresses the special needs of individuals with AD and other forms of dementia or other related disorders and their caregivers.

2. Client Eligibility

Clients eligible to receive services under this Contract must:

- a. Be 18 years of age or older and have a diagnosis of AD and other forms of dementia or related disorder, or be suspected of having AD and other forms of dementia or a related disorder; and
- b. Not be enrolled in any Medicaid capitated long-term care program.

3. Targeted Groups

Priority for services provided under this Contract shall be given to those eligible persons assessed to be at risk of placement in an institution or as otherwise specified in the authorizing proviso.

4. Client Determination

The Council shall have final authority for the determination of client eligibility.

5. Contract Limits

In no case shall the Contractor be required to incur costs in excess of the contract amount in providing services to clients.

SECTION II: MANNER OF SERVICE PROVISION

A. SERVICE TASKS

In order to achieve the goals of the ADI program, the Contractor shall perform, or ensure that its subcontractors perform, the following tasks:

1. Client Eligibility Determination

The Contractor shall ensure that applicant data is evaluated to determine eligibility. Eligibility to become a client is based on meeting the requirements described in this Statement of Work, ATTACHMENT I, Section I.C.2. of this Contract.

2. Assessment and Prioritization of Service Delivery for New Clients

The Contractor shall ensure the following criteria are used, to prioritize new clients for service delivery in the sequence below. It is not the intent of the Council to remove existing clients from services in order to serve new clients being assessed and prioritized for service delivery.

- a. Imminent Risk Individuals: Individuals in the community whose mental or physical health condition has deteriorated to the degree that self-care is not possible, there is no capable caregiver, and nursing home placement is likely within one (1) month or very likely within three (3) months.
- b. Service priority for individuals not included above, regardless of referral source, individuals determined through the DOEA's functional assessment administered to each applicant to the extent funding is available. The Contractor shall ensure that first priority is given to applicants at a higher levels of frailty and risk of nursing home placement.

3. Program Services

The Contractor shall ensure the provision of program services is consistent with the Contractor's current SPA, as updated and approved by the Council, and the current DOEA Handbook.

4. Task Limits

The Contractor shall not perform any tasks related to the project other than those described in this Contract without the express written consent of the Council.

B. Use of Subcontractors

If this Contract involves the use of a subcontractor or third party, then the Contractor shall not delay the implementation of its contract with the subcontractor. If any circumstances occur that may result in a delay for a period of sixty (60) days or more of the initiation of the subcontract or in the performance of the subcontractor, the Contractor shall notify the Council's Program Specialist and the Council's Finance Director in writing of such delay.

The Contractor shall not permit a subcontractor to perform services related to this Contract without having a binding subcontractor contract executed. In accordance with Paragraph 23 of the Master Contract, the Council will not be responsible or liable for any obligations or claims resulting from such action.

1. Copies of Subcontracts

The Contractor shall submit a copy of all subcontracts to the Council's Program Specialist within thirty (30) days of the subcontract being executed.

2. Monitoring the Performance of Subcontractors

The Contractor shall perform at least one monitoring per year of each subcontractor, subrecipient, vendor, and/or consultant paid from funds provided under this Contract. The Contractor shall perform fiscal, administrative and programmatic monitoring of each subcontractor to ensure contractual compliance, fiscal accountability, programmatic performance, and compliance with applicable state and federal laws and regulations. The Contractor shall monitor to ensure that time schedules are met, the budget and scope of work is accomplished within the specified time periods and other performance goals stated in this Contract are achieved.

3. Copies of Subcontractor Monitoring Reports

The Contractor shall forward a copy of all subcontractor monitoring reports to the Council's Contract manager within thirty (30) days of the report being issued to the subcontractors, subrecipients, vendors, and/or consultants.

C. Staffing Requirements**1. Staffing Levels**

The Contractor shall dedicate its own staff necessary to meet the obligations of this Contract and ensure that subcontractors dedicate adequate staff accordingly.

2. Professional Qualifications

The Contractor shall ensure that the staff responsible for performing any duties or functions within this Contract have the qualifications as specified in the DOEA Handbook.

3. Service Times

The Contractor shall ensure the availability of the services listed in this Contract are appropriate to meet client service needs, at a minimum, during normal business hours, or as otherwise specified in proviso. Normal business hours are defined as Monday through Friday, 8:00 a.m. to 5:00 p.m. local time.

D. Service Location and Equipment**1. Service Delivery Location**

Services will be provided as needed in location determined by the Contractor to best meet clients' immediate needs.

2. Changes in Location

The Contractor shall notify the Council in writing a minimum of two weeks prior to making changes in location that will affect the Council's ability to contact the Contractor by telephone or facsimile.

3. Equipment

Contractor shall be responsible for supplying, at its own expense, all equipment necessary for its performance under this Contract including, but not limited to, computers, telephones, copiers, fax machines, maintenance and office supplies.

E. DELIVERABLES

The following section provides the specific quantifiable units of deliverables and source documentation required to evidence the completion of the task specified in this Contract.

1. Delivery of Service to Eligible Clients

The Contractor shall ensure the availability of a continuum of services to addressing the diverse needs of individuals with AD and their caregivers. The Contractor shall ensure performance and reporting of the services per the Contractor's current approved Service Provider Application (SPA), the current DOEA Handbook, proviso language and the Statement of Work, ATTACHMENT I, Section II.A. of this Contract. Documentation of service delivery must include a report consisting of the following:

- a. Number of clients served;
- b. Number of service units provided by service; and
- c. Rate per service unit with calculations that equal the total invoice amount.

2. Services and Units of Services

The Contractor shall ensure the provision of the services described in this Contract are performed in accordance with the current DOEA Handbook and the service tasks described in the Statement of Work, ATTACHMENT I, Section II.A. of this Contract. Units of service will be paid pursuant to the rate established in the SPA as updated, as shown in the Budget Summary, ATTACHMENT IV of this Contract, as approved by the Council.

3. Administrative Responsibilities

The Contractor shall provide management and oversight of ADI Program operations in accordance with the current DOEA Handbook and the approved Contractor's Service Provider Application. Management and oversight of ADI Program operations include the following:

- a. Developing a competitive solicitation process for allocation of ADI funds, including appeal procedures for handling disputes involving the subcontractors;
- b. Developing a Service Provider Application and updating it annually, at a minimum, as directed by the Council;
- c. Establishing vendor agreements at the PSA level, when applicable for ADI services according to manuals, rules, and agreement procedures of DOEA Handbook and/or NOI;
- d. Providing technical assistance and training to subcontractors and vendors to ensure provision of quality services;
- e. Monitoring and evaluating subcontractors and vendors for fiscal, administrative, and programmatic compliance;

- f. Appropriately and timely submitting payments to subcontractors;
- g. Arranging in-service training for staff and/or subcontractors at least annually;
- h. Establishing procedures for handling client complaints and ensuring that subcontractors develop and implement complaint procedures to process and resolve client dissatisfaction with services. Complaint procedures shall address the quality and timeliness of services, subcontractor and direct service worker complaints, and any other issues related to complaints (other than termination, suspension or reduction in services) that require the grievance process as described in Appendix D of the current DOEA Handbook. The complaint procedures shall include notification to all clients of the complaint procedure and include tracking the date, nature of complaint, and the determination of each complaint;
- i. Ensuring compliance with CIRTS regulations;
- j. Monitoring performance objective achievements in accordance with targets set by the Council and/or DOEA; and
- k. Conducting annual client satisfaction surveys to evaluate and improve service delivery.

F. REPORTS

The Contractor shall respond within ten (10) business days or within deadlines established by the Council, to the Council's request for routine and/or special requests for information and ad hoc reports. The Contractor must establish due dates for any subcontractors that permit the Contractor to meet the Council's and/or the DOEA's reporting requirements.

1. Service Provider Application (SPA) Update and All Revisions Thereto

The Contractor is required to submit the SPA and an annual update, wherein the Council enters ADI specific data, into the Client Information and Registration Tracking System (CIRTS). The Contractor may also be required to submit revisions to the SPA as instructed by the Council.

2. Client Information and Registration Tracking System (CIRTS)

The Contractor shall ensure timely input of ADI specific data into the CIRTS. To ensure CIRTS data accuracy, the Contractor shall use CIRTS generated reports, which include the following:

- a. Client Reports
- b. Monitoring Reports
- c. Services Reports
- d. Miscellaneous Reports
- e. Fiscal Reports
- f. Outcome Measurement Reports

3. Service Costs Reports

The Contractor is required to submit to the Council a semi-annual and annual service cost reports, which reflect actual costs of providing each service by program. This report provides information

for planning and negotiating unit rates. The semi-annual service cost report encompassing the six months ending 12/31/2022 is due on February 17, 2023. The annual service cost report encompassing the twelve months ending 6/30/2023 is due on August 18, 2023, which will be forwarded to DOEA.

4. Surplus/Deficit Report

The Contractor will submit a consolidated surplus/deficit report in a format provided by the Council to the Council's Program Specialist by the 5th of each month. This report is for all agreements and/or contracts between the Contractor and the Council. The report will include the following:

- a. A list of all services and their current status regarding surplus or deficit;
- b. The Contractor's detailed plan on how the surplus or deficit spending exceeding the threshold of plus or minus one percent (+/- 1%) will be resolved;
- c. Recommendations to transfer funds to resolve surplus/deficit spending;
- d. Input from the Contractor's Board of Directors, or governing body, on resolution of spending issues, if applicable

5. Program Highlights

The Contractor shall submit brief written narratives to the Council for publication in the Program Highlight sections of the DOEA's Summary of Programs and Services (SOPS), which is hereby incorporated by reference, to include any subsequent revisions thereof. The narratives shall reference specific events that have occurred since the last submission of Program Highlight narratives, including new success stories, quotes, testimonials, or human-interest vignettes. The narratives shall be written for a general audience, with no acronyms or technical terms. For all agencies or organizations that are referenced in the narratives, the Contractor shall provide a brief description of their mission or role. The active tense shall be consistently used in the narratives to identify the specific individuals or entities that performed the activities described in the narratives. The Contractor shall review and edit narratives for clarity, readability, relevance, specificity, human interest, and grammar prior to submitting them to the Council.

G. RECORDS AND DOCUMENTATION

1. Requests for Payment

The Contractor will maintain documentation to support payment requests that shall be available to the Council or authorized individuals upon request. Such documentation will be provided upon request to the Council or the Department of Financial Services.

2. CIRT Address Validation

The Contractor shall work with the Council to ensure that client addresses are correct in CIRT for disaster preparedness efforts. At least annually, and more frequently as needed, the Council will provide direction on how to validate CIRT addresses to ensure they can be mapped. The Contractor will receive a list of unmatched addresses that cannot be mapped, and the Contractor will be responsible for correcting the address and send a list to the Council with confirmed addresses. The Council will use this information to update maps, client rosters, and unmatched addresses and disseminate this information.

3. CIRT Data and Maintenance

The Contractor shall ensure the collection and maintenance of client and service information on a monthly basis from the Client Information and Registration Tracking System (CIRT) or any such system designated by the Council. Maintenance includes valid exports and backups of all data and systems according to Council standards.

4. Data Integrity and Back up Procedures

The Contractor and subcontractors, among other requirements, must anticipate and prepare for the loss of information processing capabilities. The routine backing up of all data and software is required to recover from losses or outages of the computer system. Data and software essential to the continued operation of Contractor functions must be backed up. The security controls over the backup resources will be as stringent as the protection required of the primary resources. A copy of the backed up data be stored in a secure, offsite location.

5. Policies and Procedures for Records and Documentation

The Contractor shall maintain written policies and procedures for computer system backup and recovery and shall have the same requirement in its contracts and/or agreements with subcontractors. These policies and procedures will be made available to the Council upon request.

H. PERFORMANCE SPECIFICATIONS**1. Outcomes and Outputs (Performance Measures)**

The Contractor must:

- a. Ensure the prioritization of clients and provision of services to clients in accordance with the Statement of Work, ATTACHMENT I, Section II.A.1. through Section II.A.4. and Section II.D.1. through Section II.D.3. of this Contract;
- b. Ensure the provision of services described in this Contract are in accordance with the current DOE Handbook;
- c. Timely and accurately submit to the Council all required documentation and reports described in this Statement of Work, ATTACHMENT I, Sections II.F. of this Contract; and
- d. Timely and accurately, in accordance with the Invoice Report Schedule, ATTACHMENT III of this Contract, submit to the Council Forms 105 & 106, ATTACHMENT V of this Contract, including supporting documentation.

2. Annual Programmatic Monitoring Report

The Contractor's performance of the measures in the Statement of Work, ATTACHMENT I, Section II.H.1. of this Contract, will be reviewed and documented in the Council's Annual Programmatic Monitoring Report.

3. Contract Monitoring

The Council will review and evaluate the performance of the Contractor under the terms of this Contract. Monitoring will be conducted through direct contact with the Contractor through telephone, in writing, or an on-site visit(s). The primary, secondary, or signatory of this Contract must be available for any on-site programmatic monitoring visit. The Council's determination of acceptable performance shall be conclusive. The Contractor agrees to cooperate with the Council

in monitoring the progress of completion of the service tasks and deliverables. The Council may use, but is not limited to, one or more of the following methods for monitoring:

- a. Desk reviews and analytical reviews;
- b. Scheduled, unscheduled and follow-up on-site visits;
- c. Client visits;
- d. Review of independent auditor's reports;
- e. Review of third-party documents and/or evaluation;
- f. Review of progress reports;
- g. Review of customer satisfaction surveys;
- h. Agreed-upon procedures review by an external auditor or consultant;
- i. Limited-scope reviews; and
- j. Other procedures as deemed necessary.

I. Contractor Responsibilities

1. Contractor Accountability

All service tasks and deliverables pursuant to this Contract are solely and exclusively the responsibility of the Contractor and are tasks and deliverables for which, by execution of this Contract, the Contractor agrees to be held accountable.

2. Coordination with Other Providers and/or Entities

Notwithstanding that services for which the Contractor is held accountable involve coordination with other entities in performing the requirements of this Contract, the failure of other entities does not alleviate the Contractor from any accountability for tasks or services that the Contractor is obligated to perform pursuant to this Contract.

J. Council's Responsibilities

1. Council Obligations

The Council may, within its resources, provide technical support and/or assistance to the Contractor to assist the Contractor in meeting the requirements of this Contract. The Council's technical support/assistance or the lack thereof, does not relieve the Contractor from full performance of the contract requirements.

2. Council Determinations

The Council reserves the exclusive right to make certain determinations in the tasks and approaches used to perform tasks required by this Contract. The absence of the Council setting forth a specific reservation of rights does not mean that all other areas of this Contract are subject to mutual agreement.

SECTION III: METHOD OF PAYMENT**A. General Statement of Method of Payment**

The method of payment for this Contract is a combination of advances, cost reimbursement, and a unit rate payment for services. The Council will pay the Contractor upon satisfactory completion of the Deliverables, as specified in the Statement of Work, ATTACHMENT I, Section II.D. of this Contract, and in accordance with other terms and conditions of this Contract.

1. Unit Rate

Payment for Unit Rates shall not exceed amounts established in the approved Service Provider Application.

2. Advance Payment

The Contractor may request up to two (2) months of advances at the start of the contract period to cover program administrative and service costs. The payment of an advance will be contingent upon the sufficiency and amount of funds released to the Department of Elder Affairs by the State of Florida (“budget release”). The Contractor will provide the Council’s Finance Director documentation justifying the need for an advance and describing how the funds will be distributed. For the first month’s advance request, the Contractor shall provide to the Council’s Finance Director documentation justifying the need for an advance and describing how the funds will be distributed. If the Contractor is requesting two (2) months of advances, documentation must be provided reflecting the cash needs of the Contractor within the initial two (2) months and should be supported through a cash-flow analysis or other information appropriate to demonstrate the Contractor’s financial need for the second month of advances. The Contractor must also describe how the funds will be distributed for the first and second month. The Contractor’s requests for advance require the approval of the Council’s Finance Director. If sufficient budget is available, the Council will issue approved advance payments after July 1 of the contract year. The schedule for submission of advance requests (when available) is listed in the Invoice Report Schedule ATTACHMENT III of this Contract.

- a. All advance payments retained by the Contractor must be fully expended no later than September 30, 2022. Any portion of advance payments not expended must be recouped on report number 5, due to the Council on October 7, 2022, in accordance with the Invoice Report Schedule, ATTACHMENT III of this Contract.
- b. All advance payments made to the Contractor shall be returned to the Council as follows: one-tenth (1/10) of the advance payment received shall be reported as an advance recoupment on each request for payment, starting with report number five, in accordance with the Invoice Report Schedule, ATTACHMENT III of this Contract.

B. Funding Distribution

The Contractor agrees to distribute funds as detailed in the SPA requested by the Council and the Budget Summary, ATTACHMENT IV of this Contract. The Contractor may request a budget revision by submitting a written request to the Council's Contract Manager. Upon approval, the Council's Finance Director will issue a budget revision letter. An amendment is required to change the total amount of this Contract.

C. Method of Invoice Payment

Payment shall be made upon the Contractor’s presentation of an invoice subsequent to the acceptance and approval by the Council of the deliverables shown on the invoice. The form and substance of each invoice submitted by the Contractor shall be as follows:

1. Request payment monthly for the units of service established in the Contractor's approved Service Provider Application, provided in conformance with the requirements as described in the current DOE Handbooks, at the rates established in the Budget Summary, ATTACHMENT IV of this Contract. Any requested changes to the approved budget subsequent to the execution of this Contract must be submitted to the Council's Program Specialist for approval. Any changes to the total contract amount requires a formal contract amendment.
2. All requests for payment and expenditure reports submitted to support requests for payment shall be on Forms 105 and 106, ATTACHMENT V of this Contract. The Contractor will consolidate all requests for payment from subcontractors and expenditure reports that support requests for payment.

D. Payment Withholding

Any payment due by the Council under the terms of this Contract may be withheld pending the receipt and approval by the Council of all financial and programmatic reports due from the Contractor and any adjustments thereto, including any disallowance not resolved as outlined in Paragraph 27 of the Master Contract.

E. Date for Final Request for Payment

The final request for payment will be due to the Council no later than July 25, 2023.

F. CIRT Data Entries for Subcontractors

The Contractor and its subcontractor(s) shall enter all required data for clients and services in the CIRT database in accordance with the current DOE Handbooks and the CIRT User Manual – Aging Provider Network users (located in Documents on the CIRT Enterprise Application Services). Subcontractor(s) must enter this data into the CIRT prior to submitting their invoice to the Contractor. The Contractor shall establish deadlines for completing CIRT data entry and ensure compliance with due dates in the Invoice Report Schedule, ATTACHMENT III of this Contract.

G. Monthly CIRT Reports

The Contractor is required to run monthly CIRT's reports and verify that client and service data in the CIRT is accurate. This report must be submitted to the Council with the monthly request for payment and expenditure report and must be reviewed by the Council before the Contractor's request for payment and expenditure reports can be approved by the Council.

H. Corrective Action Plan

1. Contractor shall ensure 100% of the deliverables identified in the Statement of Work, ATTACHMENT I, Section II.E.1. through Section II.E.3. of this Contract are performed pursuant to Contract requirements.
2. If at any time the Contractor is notified by the Council's Program Specialist that it has failed to correctly, completely, adequately perform contract deliverables identified in the Statement of Work, ATTACHMENT I, Section II.E.1. through Section II.E.3. of this Contract, the Contractor will have ten (10) days to submit a Corrective Action Plan ("CAP") to the Council's Program Specialist that addresses the deficiencies and states how the deficiencies will be remedied within a time period approved by the Council's Program Specialist. The Council shall assess a Financial Consequence for Noncompliance on the Contractor as referenced in the Statement of Work, ATTACHMENT I, Section III.I. of this Contract for each deficiency identified in the CAP which

is not corrected pursuant to the CAP. The Council will also assess a Financial Consequence for failure to timely submit a CAP.

3. If the Contractor fails to correct an identified deficiency within the approved time period specified in the CAP, the Council shall deduct the percentage established in the Statement of Work, ATTACHMENT I, Section III.I. of this Contract from the payment for the invoice of the following month.
4. If Contractor fails to timely submit a CAP, the Council shall deduct the percentage established in the Statement of Work, ATTACHMENT I, Section III.I. of this Contract for each day the CAP is overdue. The deduction will be made from the payment for the invoice of the following month.

I. Financial Consequences

The Council will withhold or reduce payment if the Contractor fails to perform the deliverables to the satisfaction of the Council according to the requirements referenced in the Statement of Work, ATTACHMENT I, Section II.E. of this Contract. The following financial consequences will be imposed if the deliverables stated do not meet in part or in whole the performance criteria as outlined in the Statement of Work, ATTACHMENT I, Section II.E. of this Contract.

1. Delivery of services to eligible clients as referenced in the Statement of Work, ATTACHMENT I, Section II.A.1. through Section II.A.2. and Section II.E.1. of this Contract – Failure to comply with established assessment and prioritization criteria, as evidenced by the CIRT reports, will result in a 2% reduction of payment per business day. The reduction of payment will begin on the first business day following the Council's notification to the Contractor that the identified deficiency was not cured or satisfactorily addressed in accordance with the Council-approved CAP, referenced in the Statement of Work, ATTACHMENT I, Section III.H. of this Contract.
2. Services and units of services as referenced in the Statement of Work, ATTACHMENT I, Section II.E.2. of this Contract – Failure to provide services in accordance with the current DOEA Programs and Services Handbook, the service tasks described in the Statement of Work, ATTACHMENT I, Section II.A. of this Contract, and submission of required documentation will result in a 2% reduction of payment per business day. The reduction of payment will begin the first business day following the Council's notification to the Contractor that the identified deficiency is not cured or satisfactorily addressed in accordance with the Council approved CAP, referenced in the Statement of Work, ATTACHMENT I, Section III.H. of this Contract.
3. Administrative duties as referenced in the Statement of Work, ATTACHMENT I, Section II.E.3. of this Contract – Failure to perform management and oversight of ADI Program operations will result in a 2% reduction of payment per business day. The reduction of payment will begin the first business day following the Council's notification to the Contractor that the identified deficiency was not cured or satisfactorily addressed in accordance with the Council-approved CAP, referenced in the Statement of Work, ATTACHMENT I, Section III.H. of this Contract.
4. Timely submission of a CAP – Failure to timely submit a CAP within 10 business days after notification of a deficiency by the DOEA Contract Manager will result in a 2% reduction of payment per business day the CAP is not received. The reduction of payment will begin the first business day following the Council's notification to the Contractor that the identified deficiency was not cured or satisfactorily addressed in accordance with the Council approved CAP, referenced in the Statement of Work, ATTACHMENT I, Section III.H. of this Contract.
5. Exceptions may be granted solely, in writing, by the Council's Program Director.

SECTION IV. SPECIAL PROVISIONS**A. Date for Final Request for Budget Revisions**

Final requests for budget revision or adjustments to Contract funds based on expenditures for services provided through June 30, 2022, must be submitted to the Council's Program Specialist and the Council's Finance Director, no later than June 30, 2022; email requests are considered acceptable.

B. Contractor's Financial Obligations**1. Cost Sharing and Co-payments**

The Council will ensure the Contractor establishes annual co-payment goals. Pursuant to Section 430.204(8), F.S., and Rule 58C-1.007, F.A.C., the dollar amount for co-payments associated with ADI must be calculated by applying the current federal poverty guidelines published by the U.S. Department of Health and Human Services.

- a. No co-payment will be assessed on a client whose income is at, or below, the federal poverty level (FPL) as established each year by the U.S. Department of Health and Human Services.
- b. No client may have their services terminated for inability to pay their assessed co-payment. The Contractor, in conjunction with provider agencies, must establish procedures to remedy financial hardships associated with co-payments and ensure there is no interruption in service(s) for the inability to pay. If a client's co-payment is reduced or waived entirely, a written explanation for the change must be placed in the client file.
- c. Co-payments include only the amounts assessed consumers or the amounts consumers opt to contribute in lieu of an assessed co-payment. The consumers' contribution must be equal to or greater than the assessed co-payment.

2. Use of Service Dollars and Assessed Priority Consumer List Management

The Contractor is expected to spend all federal, state and other funds provided by the Council for the purpose specified in this Contract. The Contractor must manage service funds in such a manner as to avoid having a wait list and a surplus of funds at the end of the contract period for each program managed by the Contractor. If the Council determines that the Contractor is not spending service funds accordingly, the Council may transfer funds to other service areas during the contract period and/or adjust subsequent funding allocations accordingly, as allowable under state and federal law.

C. Remedies-Nonconforming Services

1. The Contractor shall ensure that all goods and/or services provided under this Contract are delivered timely, completely and commensurate with required standards of quality. Such goods and/or services will only be delivered to eligible program participants.
2. If the Contractor fails to meet the prescribed quality standards for services, such services will not be reimbursed under this Contract. In addition, any nonconforming goods and/or services not meeting such standards will not be reimbursed under this Contract. The Contractor's signature on the Forms 105 and 106, ATTACHMENT V of this Contract, certifies maintenance of supporting documentation and acknowledgement that the Contractor shall solely bear the costs associated with preparing or providing nonconforming goods and/or services. The Council requires

immediate notice of any significant and/or systemic infractions that compromise the quality, security or continuity of services to clients.

D. Incident Reporting

The Contractor shall notify the Council immediately, but no later than forty-eight (48) hours from, the Contractor's awareness or discovery of conditions that may materially affect the Contractor or subcontractor's ability to perform the services required to be performed under any contract or agreement which incorporates Master Contract by reference. Such notice shall be made orally to the Council's Program Director (by telephone) with an email to immediately follow.

E. Investigation of Criminal Allegations

Any report that implies criminal intent on the part of the Contractor or any subcontractors, if known to Contractor, and referred to a governmental or investigatory agency must be sent to the Council. If the Contractor has reason to believe that the allegations will be referred to the State Attorney, a law enforcement agency, the United States Attorney's office, or governmental agency, the Contractor shall notify the Council immediately. A copy of all documents, reports, notes, or other written material concerning the investigation, whether in the possession of the Contractor or subcontractors, must be sent to the Council with a summary of the investigation and allegations.

F. Volunteers

The Contractor shall ensure the use of trained volunteers in providing direct services delivered to older individuals and individuals with disabilities needing such services. If possible, the Contractor shall work in coordination with organizations that have experience in providing training, placement, and stipends for volunteers or participants (such as the Senior Community Service Employment Program or organizations carrying out federal service programs administered by the Corporation for National and Community Service), in community service settings.

G. Enforcement

1. The Council may, without taking any intermediate measures available to it against the Contractor, rescind the Contractor's designation as a Contractor, if the Council finds that:
 - a. An intentional or negligent act of the Contractor has materially affected the health, welfare, or safety of clients served pursuant to any contract or agreement incorporating Master Contract by reference, or substantially and negatively affected the operation of an aging services program covered under any contract or agreement;
 - b. The Contractor lacks financial stability sufficient to meet contractual obligations or that contractual funds have been misappropriated;
 - c. The Contractor has committed multiple or repeated violations of legal and regulatory standards, regardless of whether such laws or regulations are enforced by the Council, or the Contractor has committed or repeated violations of Council standards;
 - d. The Contractor has failed to continue the provision or expansion of services after the declaration of a state of emergency;
 - e. The Contractor has exceeded its authority or otherwise failed to adhere to the terms of Master Contract and any contract or agreement incorporating Master Contract by reference;
 - f. The Contractor has failed to properly determine client eligibility as defined by the Council or efficiently manage program budgets; or

- [illegible]

H. Contract Modifications

The Council's Program Director has the authority to modify and/or extend deliverable deadlines. All deliverable extension requests must be made to the Council's Program Director, in writing, prior to the required deadline. All approvals for deliverable extensions must be communicated, in writing, by the Council's Program Director to the Contractor and are subject to the discretion of the Council's Program Director. The requests and the approval must occur prior to the established deadline. An e-mail writing (request and response) is considered acceptable.

END OF ATTACHMENT I

ATTACHMENT II**FINANCIAL AND COMPLIANCE AUDIT**

The administration of resources awarded by the Council to the Contractor may be subject to audits and/or monitoring by the Council, as described in this section.

MONITORING

In addition to reviews of audits conducted in accordance with 2 CFR Part 200 (formerly OMB Circular A-133 as revised), and Section 215.97, F.S., (see “AUDITS” below), monitoring procedures may include, but not be limited to, on-site visits by the Council staff, limited scope audits, and/or other procedures. By entering into this Contract, the Contractor agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Council. In the event the Council determines that a limited scope audit of the Contractor is appropriate, the provider agrees to comply with any additional instructions provided by the Council to the provider regarding such audit. The Contractor further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Council or Auditor General.

AUDITS**PART I: FEDERALLY FUNDED**

This part is applicable if the Contractor is a State or local government or a non-profit organization as defined in 2 CFR Part 200, Subpart A.

In the event that the Contractor expends \$750,000.00 or more in federal awards during its fiscal year, the Contractor must have a single or program-specific audit conducted in accordance with the provisions of 2 CFR Part 200. EXHIBIT 2 indicates federal resources awarded through the Council by this Contract. In determining the federal awards expended in its fiscal year, the provider shall consider all sources of Federal awards, including federal resources received from the Council. The determination of amounts of Federal awards expended should be in accordance with 2 CFR Part 200. An audit of the Contractor conducted by the Auditor General in accordance with the provisions of 2 CFR Part 200 will meet the requirements of this part.

In connection with the audit requirements addressed in Part I, paragraph 1, the Contractor shall fulfill the requirements relative to auditee responsibilities as provided in 2 CFR §200.508.

If the Contractor expends less than \$750,000.00 in federal awards in its fiscal year, an audit conducted in accordance with the provisions of 2 CFR Part 200 is not required. In the event that the Contractor expends less than \$750,000.00 in federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of 2 CFR Part 200 the cost of the audit must be paid from non-federal resources (i.e., the cost of such audit must be paid from Contractor resources obtained from other than federal entities.)

An audit conducted in accordance with this part shall cover the entire organization for the organization’s fiscal year. Compliance findings related to contract with the Council shall be based on the contract’s requirements, including any rules, regulations, or statutes referenced in the contract. The financial statements shall disclose whether or not the matching requirement was met for each applicable contract. All questioned costs and liabilities due to the Council shall be fully disclosed in the audit report with reference to the Council contract involved. If not otherwise disclosed as required by 2 CFR §200.510 the schedule of expenditures of federal awards shall identify expenditures by contract number for each contract with the Council in effect during the audit period. Financial reporting packages required under this part must be submitted within the earlier of 30 days after receipt of the audit report or 9 months after the end of the Contractor’s fiscal year end.

PART II: STATE FUNDED

This part is applicable if the Contractor is a non-state entity as defined by Section 215.97(2), F.S.

In the event that the Contractor expends a total amount of state financial assistance equal to or in excess of \$750,000.00 in any fiscal year of such Contract, the Contractor must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, F.S.; applicable rules of the Department of Financial Services; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 2, Funding Summary Attachment to this Contract indicates state financial

assistance awarded through the Council by this Contract. In determining the state financial assistance expended in its fiscal year, the provider shall consider all sources of state financial assistance, including state financial assistance received from the Council, other state agencies, and other non-state entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a non-state entity for Federal program matching requirements.

In connection with the audit requirements addressed in Part II, paragraph 1, the Contractor shall ensure that the audit complies with the requirements of Section 215.97(8), F.S. This includes submission of a financial reporting package as defined by Section 215.97(2), F.S., and Chapter 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.

If the Contractor expends less than \$750,000.00 in state financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, F.S., is not required. In the event that the Contractor expends less than \$750,000.00 in state financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of Section 215.97, F.S., the cost of the audit must be paid from the non-state entity's resources (i.e., the cost of such an audit must be paid from the provider resources obtained from other than State entities).

An audit conducted in accordance with this part shall cover the entire organization for the organization's fiscal year. Compliance findings related to contracts with the Council shall be based on the contract's requirements, including any applicable rules, regulations, or statutes. The financial statements shall disclose whether or not the matching requirement was met for each applicable agreement. All questioned costs and liabilities due to the Council shall be fully disclosed in the audit report with reference to the Council contract involved. If not otherwise disclosed as required by Rule 69I-5.003, F.A.C., the schedule of expenditures of state financial assistance shall identify expenditures by contract number for each contract with the Council in effect during the audit period. Financial reporting packages required under this part must be submitted within 45 days after delivery of the audit report, but no later than 12 months after the Contractor's fiscal year end for local governmental entities. Non-profit or for-profit organizations are required to be submitted within 45 days after delivery of the audit report, but no later than 9 months after the Contractor's fiscal year end. Notwithstanding the applicability of this portion, the Council retains all right and obligation to monitor and oversee the performance of this contract as outlined throughout this document and pursuant to law.

PART III: REPORT SUBMISSION

Copies of reporting packages for audits conducted in accordance with 2 CFR Part 200 and required by PART I of this Financial and Compliance Audit Attachment shall be submitted, when required by 2 CFR §200.512 by or on behalf of the provider directly to each of the following:

Federal Audit Clearinghouse Bureau of the Census
1201 East 10th Street Jeffersonville, IN 47132

Pursuant to 2 CFR §200.512, all other Federal agencies, pass-through entities and others interested in a reporting package and data collection form must obtain it by accessing the Federal Audit Clearinghouse.

The Contractor shall submit a copy of any management letter issued by the auditor, to the Council at the following address:

Areawide Council on Aging of Broward County, Inc.
5300 Hiatus Road Sunrise, FL 33351

Additionally, copies of financial reporting packages required by PART II of this Financial Compliance Audit Attachment shall be submitted by or on behalf of the Contractor directly to each of the following:

The Council at the following address:

Areawide Council on Aging of Broward County, Inc.
5300 Hiatus Road Sunrise, FL 33351

The Auditor General's Office at the following address:
State of Florida Auditor General
Claude Pepper Building, Room 574
111 West Madison Street Tallahassee, Florida 32399-1450

Any reports, management letter, or other information required to be submitted to the Council pursuant to this contract shall be submitted timely in accordance with 2 CFR Part 200, Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

Contractors, when submitting financial reporting packages to the Council for audits done in accordance with 2 CFR Part 200 or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the Contractor in correspondence accompanying the reporting package.

PART IV: RECORD RETENTION

The provider shall retain sufficient records demonstrating its compliance with the terms of this Contract for a period of six (6) years from the date the audit report is issued, and shall allow the Council or its designee, the CFO or Auditor General access to such records upon request. The provider shall ensure that audit working papers are made available to the Council or its designee, CFO, or Auditor General upon request for a period of six (6) years from the date the audit report is issued, unless extended in writing by the Council.

END OF ATTACHMENT II

EXHIBIT 1**PART I: AUDIT RELATIONSHIP DETERMINATION**

Contractors who receive state or federal resources may or may not be subject to the audit requirements of 2 CFR Part 200 and/or Section 215.97, F.S. Contractors who are determined to be recipients or sub-recipients of federal awards and/or state financial assistance may be subject to the audit requirements if the audit threshold requirements set forth in Part I and/or Part II of Exhibit 1 are met. Providers who have been determined to be vendors are not subject to the audit requirements of 2 CFR §200.38, and/or Section 215.97, F.S. Regardless of whether the audit requirements are met, providers who have been determined to be recipients or sub-recipients of Federal awards and/or state financial assistance must comply with applicable programmatic and fiscal compliance requirements.

In accordance with 2 CFR Part 200 and/or Rule 69I-5.006, FAC, Contractor has been determined to be:

____ Vendor not subject to 2 CFR §200.38 and/or Section 215.97, F.S.

X Recipient/sub-recipient subject to 2 CFR §200.86 and §200.93 and/or Section 215.97, F.S.

____ Exempt organization not subject to 2 CFR Part 200 and/or Section 215.97, F.S. For Federal awards, for-profit organizations are exempt; for state financial assistance projects, public universities, community colleges, district school boards, branches of state (Florida) government, and charter schools are exempt. Exempt organizations must comply with all compliance requirements set forth within the contract or award document.

NOTE: If a Contractor is determined to be a recipient/sub-recipient of federal and or state financial assistance and has been approved by the Council to subcontract, they must comply with Section 215.97(7), F.S., and Rule 69I-5.006, F.A.C. [state financial assistance] and 2 CFR §200.330[federal awards].

PART II: FISCAL COMPLIANCE REQUIREMENTS

FEDERAL AWARDS OR STATE MATCHING FUNDS ON FEDERAL AWARDS. Contractors who receive Federal awards, state maintenance of effort funds, or state matching funds on Federal awards and who are determined to be a subrecipient must comply with the following fiscal laws, rules and regulations:

STATES, LOCAL GOVERNMENTS AND INDIAN TRIBES MUST FOLLOW:

2 CFR §200.416 - §200.417 – Special Considerations for States, Local Governments and Indian Tribes*

2 CFR §200.201 – Administrative Requirements**

2 CFR §200 Subpart F – Audit Requirements

Reference Guide for State Expenditures

Other fiscal requirements set forth in program laws, rules and regulations

NON-PROFIT ORGANIZATIONS MUST FOLLOW:

2 CFR §200.400 - §200.411 – Cost Principles*

2 CFR §200.100 – Administrative Requirements

2 CFR §200 Subpart F – Audit Requirements

Reference Guide for State Expenditures

Other fiscal requirements set forth in program laws, rules and regulations

EDUCATIONAL INSTITUTIONS (EVEN IF A PART OF A STATE OR LOCAL GOVERNMENT) MUST FOLLOW:

2 CFR §200.418 – §200.419 – Special Considerations for Institutions of Higher Education*

2 CFR §200.100 – Administrative Requirements

2 CFR §200 Subpart F – Audit Requirements

Reference Guide for State Expenditures

Other fiscal requirements set forth in program laws, rules and regulations

*Some Federal programs may be exempted from compliance with the Cost Principles Circulars as noted in 2 CFR §200.400(5) (c).

**For funding passed through U.S. Health and Human Services, 45 CFR 75; for funding passed through U.S. Department of Education, 34 CFR 80.

STATE FINANCIAL ASSISTANCE. Contractors who receive state financial assistance and who are determined to be a recipient/sub-recipient must comply with the following fiscal laws, rules and regulations:

- Section 215.97 & 215.971, F.S.

- Chapter 69I-5, F.A.C.

- State Projects Compliance Supplement

- Reference Guide for State Expenditures

- Other fiscal requirements set forth in program laws, rules and regulations

END OF EXHIBIT 1

EXHIBIT 2**FUNDING SUMMARY**

Note: Title 2 CFR, as revised, and Section 215.97, F.S., require that the information about Federal Programs and State Projects included in Attachment II, Exhibit 1, be provided to Contractor. Information contained herein is a prediction of funding sources and related amounts on the contract budget.

1. FEDERAL RESOURCES AWARDED TO THE SUBRECIPIENT PURSUANT TO THIS CONTRACT CONSISTS OF THE FOLLOWING:

Program Title	Year	Funding Source	CFDA/ CSFA #	Amount
TOTAL FUNDS CONTAINED IN THIS CONTRACT:				

COMPLIANCE REQUIREMENTS APPLICABLE TO THE FEDERAL RESOURCES AWARDED PURSUANT TO THIS CONTRACT ARE AS FOLLOWS:

FEDERAL FUNDS:

2 CFR Part 200 – Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards. OMB Circular A-133 – Audits of States, Local Governments, Non-Project Organizations.

2. STATE RESOURCES AWARDED TO THE RECIPIENT PURSUANT TO THIS CONTRACT CONSIST OF THE FOLLOWING:

MATCHING RESOURCES FOR FEDERAL PROGRAMS

PROGRAM TITLE	FUNDING SOURCE	CFDA	AMOUNT
TOTAL STATE AWARD			\$0

STATE FINANCIAL ASSISTANCE SUBJECT TO Sec. 215.97, F.S.

PROGRAM TITLE	FUNDING SOURCE	CSFA	AMOUNT
Alzheimer's Disease Initiative – Special Projects	General Revenue	65.002	\$286,705.00
Alzheimer's Disease Initiative - Respite	General Revenue	65.004	\$259,855.28
Council Match			\$54,521.00
TOTAL AWARD			\$601,081.28

COMPLIANCE REQUIREMENTS APPLICABLE TO STATE RESOURCES AWARDED PURSUANT TO THIS CONTRACT ARE AS FOLLOWS:

STATE FINANCIAL ASSISTANCE

Section 215.97 & 215.971, F.S., Chapter 69I-5, F.A.C, State Projects Compliance Supplement
Reference Guide for State Expenditures
Other fiscal requirements set forth in program laws, rules and regulations

ATTACHMENT III**ALZHEIMER'S DISEASE INITIATIVE PROGRAM****INVOICE REPORT SCHEDULE**

<u>Report Number</u>	<u>Based On</u>	<u>Due to Council On This Date</u>
1	July Advance*	July 1
2	August Advance*	July 1
3	July Expenditure Report	August 5
4	August Expenditure Report	September 7
5	September Expenditure Report	October 7
6	October Expenditure Report	November 7
7	November Expenditure Report	December 7
8	December Expenditure Report	January 9
9	January Expenditure Report	February 7
10	February Expenditure Report	March 7
11	March Expenditure Report	April 7
12	April Expenditure Report	May 5
13	May Expenditure Report	June 7
14	June Expenditure Report	July 10
15	Final Expenditure	July 25

Legend: * Advance based on projected cash need as supported by a cash-flow analysis is or other information appropriate to demonstrate the Contractor financial need for the advance.

Note # 1: Report #1 and #2 for Advance Basis Contracts cannot be submitted to the DOEA prior to July 1 or until the Contract with the Council has been executed and a copy sent to DFS.

Note # 2: Report numbers 3 through 14 will reflect an adjustment of one twelve of the total advance amount, on each of the reports respectively, repaying advances on the contract. The adjustment will be recorded in Part C, 1 of the report.

Note # 3: Submission of expenditure reports may or may not generate a payment request. If final expenditure report reflects funds due back to the Council, payment is to accompany the report.

Note # 4: Reports submitted after the 10th of the month will be processed the following month. This rule will be enforced.

ATTACHMENT IV

ALZHEIMER'S DISEASE INITIATIVE PROGRAM						
BUDGET SUMMARY						
FIXED SERVICES	Total Units	Unit Rate	Project Funds	Respite Funds	Council Match Funds	Total Reimbursement
Case Management	251.25	\$62.81	\$14,066.30	\$0.00	\$1,700.00	\$15,766.30
Caregiver Training/ Support Ind	1,897.00	\$93.69	\$172,334.13	\$0.00	\$5,387.08	\$177,721.21
Respite In-Facility	29,939.50	\$13.05	\$90,854.57	\$259,855.28	\$40,000.00	\$390,709.85
Telephone Reassurance	1,786.75	\$9.45	\$9,450.00	\$0.00	\$7,433.92	\$16,883.92
TOTAL ADI AGREEMENT AMOUNT			\$286,705.00	\$259,855.28	\$54,521.00	\$601,081.28

Contract JZ022-06-2023

Forms 105 and 106

CONTRACT #

PROVIDER NAME, ADDRESS, PHONE # and FEID# PROVIDER NAME ADDRESS ADDRESS Tel: 954-XXX-XXXX Fax: 954-XXX-XXXX FEID #: 59-XXXXXXX		FUNDING SOURCE: Program	THIS REPORT PERIOD MONTH REPORT #: CONTRACT PERIOD: CONTRACT # PSA #: 10			
CERTIFICATION: I certify to the best of my knowledge and belief that the report is complete and correct and all outlays herein are for purposes set forth in						
Prepared By: _____ Date: _____		Approved By: _____ Date: _____				
PART a: INCOME / RECEIPTS		A. Approved Budget	B. Actual Receipts for	C. Total Receipts Year to Date	D. % Of Approved	
3. Program Income		\$0.00	\$0.00	\$0.00	#DIV/0!	
		\$0.00	\$0.00	\$0.00	#DIV/0!	
		\$0.00	\$0.00	\$0.00	#DIV/0!	
		\$0.00	\$0.00	\$0.00	#DIV/0!	
SERVICE	CONTRACT AMOUNT	(C) UNITS	(D) UNIT RATE	(E) AMOUNT EARNED THIS PERIOD	(F) AMOUNT PREV. EARNED	(G) AMOUNT EARNED YTD
<u>FIXED SERVICES</u>						
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
				\$0.00	\$0.00	\$0.00
	\$0.00			\$0.00	\$0.00	\$0.00
PART c: OTHER REVENUE / PROGRAM INCOME		A. Total - Current Month		B. Total - Year To Date		
				\$0.00		
		\$0.00		\$0.00		
		\$0.00		\$0.00		
		\$0.00		\$0.00		
		\$0.00		\$0.00		

CONTRACT #

CASH ADVANCE AND CONTRACT PAYMENT REQUEST FORM

FUNDING SOURCE

PROVIDER NAME, ADDRESS, PHONE & FEID # PROVIDER NAME ADDRESS ADDRESS Tel: 954-XXX-XXXX Fax: 954-XXX-XXXX FEID #: 59-XXXXXXX	TYPE OF REPORT: A. PAYMENT REQUEST: Regular ☒ Supplemental B. METHOD OF PAYMENT: Advance ☒ Reimbursement ☒	THIS REQUEST PERIOD: MONTH REPORT #: CONTRACT PERIOD: CONTRACT # PSA#: 10		
CERTIFICATION: I hereby certify that this request or refund conforms with the terms of the above contract.				
Prepared By:	Date:	Approved By:	Date:	
PART A: CONTRACT FUNDS SUMMARY	SERVICE	SERVICE	SERVICE	TOTAL
1. Approved Contract Amount	\$0.00	\$0.00	\$0.00	\$0.00
2. Previous Funds Requested for Contract Period	\$0.00	\$0.00	\$0.00	\$0.00
3 Contract Funds Available	\$0.00	\$0.00	\$0.00	\$0.00
PART B: CONTRACT FUNDS REQUESTED:				
1. Cash Advances (1st-2nd Months)	\$0.00	\$0.00	\$0.00	\$0.00
2. Amount Earned This Period = to PSA #10 Form 105Z Part B, Column E)	\$0.00	\$0.00	\$0.00	\$0.00
3. Total	\$0.00	\$0.00	\$0.00	\$0.00
PART C: NET FUNDS REQUESTED:				
1. Less Overadvance	\$0.00	\$0.00	\$0.00	\$0.00
2. Contract Funds Are Hereby Requested ^{Part B} Line 4 minus Part C line 1) (Not to exceed Part A Line 5)	\$0.00	\$0.00	\$0.00	\$0.00
ADVANCE EARNED	\$0.00	\$0.00	\$0.00	\$0.00
Advance Remaining	\$0.00	\$0.00	\$0.00	\$0.00

PSA #10 FORM 106, Dated July 97

AAA Office Use Only

BATCH #: _____

VENDOR ID: P-PROVIDER

DESC: PROVIDER PROGRAM MM/YYYY

ACCOUNT #: _____

CHECK # _____ CHECK DATE: _____

INPUT: _____ APPROVAL: _____

ATTACHMENT VI**CERTIFICATIONS AND ASSURANCES**

Council will not award this Contract unless Contractor completes the CERTIFICATIONS AND ASSURANCES contained in this Attachment. In performance of this Contract, Contractor provides the following certifications and assurances:

- A. Debarment and Suspension Certification (29 CFR Part 95 and 45 CFR Part 75)**
- B. Certification Regarding Lobbying (29 CFR Part 93 and 45 CFR Part 93)**
- C. Nondiscrimination & Equal Opportunity Assurance (29 CFR Part 37 and 45 CFR Part 80)**
- D. Certification Regarding Public Entity Crimes, section 287.133, F.S.**
- E. Association of Community Organizations for Reform Now (ACORN) Funding Restrictions Assurance (Pub. L. 111-117)**
- F. Scrutinized Companies Lists and No Boycott of Israel Certification, section 287.135, F.S.**
- G. Certification Regarding Data Integrity Compliance for Contracts, Agreements, Grants, Loans and Cooperative Agreements**
- H. Verification of Employment Status Certification**
- I. Records and Documentation**
- J. Certification Regarding Inspection of Public Records**

A. CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS – PRIMARY COVERED TRANSACTIONS.

The undersigned Contractor certifies to the best of its knowledge and belief, that it and its principals:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by a Federal department or agency;
2. Have not within a three-year period preceding this Contract been convicted or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
3. Are not presently indicted or otherwise criminally or civilly charged by a government entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph A.2. of this certification; and/or
4. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause of default.

The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients and contractors shall provide this certification accordingly.

B. CERTIFICATION REGARDING LOBBYING – Certification for Contracts, Grants, Loans, and Cooperative Agreements.

The undersigned Contractor certifies, to the best of its knowledge and belief, that:

No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or modification of any Federal contract, grant, loan or cooperative agreement.

If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress,

an officer or employee of Congress, or employee of a Member of Congress in connection with a Federal contract, grant, loan, or cooperative agreement, the undersigned shall also complete and submit Standard Form – LLL, “Disclosure Form to Report Lobbying,” in accordance with its instructions.

The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub-recipients and contractors shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this Contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this Contract imposed by 31 U.S.C. 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

C. NON DISCRIMINATION & EQUAL OPPORTUNITY ASSURANCE (29 CFR PART 37 AND 45 CFR PART 80).

As a condition of the Contract, Contractor assures that it will comply fully with the nondiscrimination and equal opportunity provisions of the following laws:

1. Section 188 of the Workforce Investment Act of 1998 (WIA), (Pub. L. 105-220), which prohibits discrimination against all individuals in the United States on the basis of race, color, religion, sex, national origin, age, disability, political affiliation, or belief, and against beneficiaries on the basis of either citizenship/status as a lawfully admitted immigrant authorized to work in the United States or participation in any WIA Title I-financially assisted program or activity;
2. Title VI of the Civil Rights Act of 1964 (Pub. L. 88-352), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 80), to the end that, in accordance with Title VI of that Act and the Regulation, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Council.
3. Section 504 of the Rehabilitation Act of 1973 (Pub. L. 93-112) as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 84), to the end that, in accordance with Section 504 of that Act, and the Regulation, no otherwise qualified handicapped individual in the United States shall, solely by reason of his handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Council.
4. The Age Discrimination Act of 1975 (Pub. L. 94-135), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 91), to the end that, in accordance with the Act and the Regulation, no person in the United States shall, on the basis of age, be denied the benefits of, be excluded from participation in, or be subjected to discrimination under any program or activity for which the Applicant receives Federal financial assistance from the Council.
5. Title IX of the Educational Amendments of 1972 (Pub. L. 92-318), as amended, and all requirements imposed by or pursuant to the Regulation of the Department of Health and Human Services (45 CFR Part 86), to the end that, in accordance with Title IX and the Regulation, no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any education program or activity for which the Applicant receives Federal financial assistance from the Council.
6. The American with Disabilities Act of 1990 (Pub. L. 101-336), prohibits discrimination in all employment practices, including, job application procedures, hiring, firing, advancement,

compensation, training, and other terms, conditions, and privileges of employment. It applies to recruitment, advertising, tenure, layoff, leave, fringe benefits, and all other employment-related activities, and;

7. Contractor also assures that it will comply with 29 CFR Part 37 and all other regulations implementing the laws listed above. This assurance applies to Contractor's operation of the WIA Title I – financially assisted program or activity, and to all contracts Contractor makes to carry out the WIA Title I – financially assisted program or activity. Contractor understands that DOE and the United States have the right to seek judicial enforcement of the assurance.

The undersigned shall require that language of this certification be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients and contractors shall provide this certification accordingly.

D. CERTIFICATION REGARDING PUBLIC ENTITY CRIMES, SECTION 287.133, F.S.

Contractor hereby certifies that neither it, nor any person or affiliate of Contractor, has been convicted of a Public Entity Crime as defined in section 287.133, F.S., nor placed on the convicted vendor list.

Contractor understands and agrees that it is required to inform Council immediately upon any change of circumstances regarding this status.

E. ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW (ACORN) FUNDING RESTRICTIONS ASSURANCE (Pub. L. 111-117).

As a condition of the Contract, Contractor assures that it will comply fully with the federal funding restrictions pertaining to ACORN and its subsidiaries per the Consolidated Appropriations Act, 2010, Division E, Section 511 (Pub. L. 111-117). The Continuing Appropriations Act, 2011, Sections 101 and 103 (Pub. L. 111-242), provides that appropriations made under Pub. L. 111-117 are available under the conditions provided by Pub. L. 111-117.

The undersigned shall require that language of this assurance be included in the documents for all subcontracts at all tiers (including subcontracts, sub-grants and contracts under grants, loans and cooperative agreements) and that all sub recipients and contractors shall provide this assurance accordingly.

F. SCRUTINIZED COMPANIES LISTS CERTIFICATION AND NO BOYCOTT OF ISRAEL CERTIFICATION, SECTION 287.135, F.S.

In accordance with section 287.135, F.S., Contractor hereby certifies that it has not been placed on the Scrutinized Companies that Boycott Israel List and that it is not engaged in a boycott of Israel.

If this Contract is in the amount of \$1 million or more, in accordance with the requirements of section 287.135, F.S., Contractor hereby certifies that it is not listed on either the Scrutinized Companies with Activities in Sudan List or the Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List. Both lists and that it is not engaged in business operations in Cuba or Syria.

Contractor understands that pursuant to section 287.135, F.S., the submission of a false certification may result in the Council terminating this Contract and the submission of a false certification may subject Contractor to civil penalties, attorney's fees, and/or costs, including any costs for investigations that led to the finding of false certification.

If Contractor is unable to certify to any of the statements in this certification, Contractor shall attach an explanation to this Contract.

G. CERTIFICATION REGARDING DATA INTEGRITY COMPLIANCE FOR CONTRACT, AGREEMENTS, GRANTS, LOANS AND COOPERATIVE AGREEMENTS

1. The Contractor and any Subcontractors of services under this Contract have financial management systems capable of providing certain information, including: (1) accurate, current, and complete disclosure of the financial results of each grant-funded project or program in accordance with the prescribed reporting requirements; (2) the source and application of funds for all contract supported activities; and (3) the comparison of outlays with budgeted amounts for each award. The inability to process information in accordance with these requirements could result in a return of grant funds that have not been accounted for properly.
2. Management Information Systems used by the Contractor, Subcontractors, or any outside entity on which the Contractor is dependent for data that is to be reported, transmitted or calculated, have been assessed and verified to be capable of processing data accurately, including year-date dependent data. For those systems identified to be non-compliant, Contractors will take immediate action to assure data integrity.
3. If this Contract includes the provision of hardware, software, firmware, microcode or imbedded chip technology, the undersigned warrants that these products are capable of processing year-date dependent data accurately. All versions of these products offered by the Contractor (represented by the undersigned) and purchased by the state will be verified for accuracy and integrity of data prior to transfer.
4. In the event of any decrease in functionality related to time and date related codes and internal subroutines that impede the hardware or software programs from operating properly, the Contractor agrees to immediately make required corrections to restore hardware and software programs to the same level of functionality as warranted herein, at no charge to the state, and without interruption to the ongoing business of the state, time being of the essence.
5. The Contractor and any Subcontractors of services under this Contract warrant their policies and procedures include a disaster plan to provide for service delivery to continue in case of an emergency including emergencies arising from data integrity compliance issues.

H. VERIFICATION OF EMPLOYMENT STATUS CERTIFICATION

As a condition of contracting with the Council, Contractor certifies the use of the U.S. Department of Homeland Security's E-verify system to verify the employment eligibility of all new employees hired by Contractor during the contract term to perform employment duties pursuant to this Contract and that any subcontracts include an express requirement that subcontractors performing work or providing services pursuant to this Contract utilize the E-verify system to verify the employment eligibility of all new employees hired by the subcontractor during the entire Contract term.

The Contractor shall require that the language of this certification be included in all subcontract, subgrants, and other agreements and that all subcontractors shall certify compliance accordingly.

This certification is a material representation of fact upon which reliance was placed when this Contract was made or entered into. Submission of this certification is a prerequisite for making or entering into this Contract imposed by OMB Circulars A-102 and 2 CFR Part 200, and 215 (formerly OMB Circular A-110).

I. RECORDS AND DOCUMENTATION

The Contractor agrees to make available to Council staff and/or party designated by the Council any and all contract related records and documentation. The Contractor shall ensure the collection and maintenance of all program related information and documentation of any such system designated by the Council. Maintenance includes valid exports and backups of all data and systems according to Council standards.

J. CERTIFICATION REGARDING INSPECTION OF PUBLIC RECORDS

1. In addition to the requirements of Sections 10.1 of the Master Contract, and 119.0701(3) and (4) F.S., and any other applicable law, if a civil action is commenced as contemplated by section 119.0701(4), F.S., and the Council is named in the civil action, Contractor agrees to indemnify and hold harmless the Council for any costs incurred by the Council, and any attorneys' fees assessed or awarded against the Council from a Public Records Request made pursuant to Chapter 119, F.S., concerning this Contract or services performed thereunder.
 - a. Notwithstanding section 119.0701, F.S., or other Florida law, this section is not applicable to contracts executed between the Council and state agencies or subdivisions defined in section 768.28(2), F.S.
2. Section 119.01(3), F.S., states if public funds are expended by an agency in payment of dues or membership contributions for any person, corporation, foundation, trust, association, group, or other organization, all the financial, business, and membership records of such an entity which pertain to the public agency (Florida Department of Elder Affairs) are public records. Section 119.07, F.S, states that every person who has custody of such a public record shall permit the record to be inspected and copied by any person desiring to do so, under reasonable circumstances.

Additionally, I certify this organization does _____ does not _____ provide for institutional memberships.

Contractor's signature below attests that records pertaining to the dues or membership application by the Council are available of inspection if applicable, as stated above.

By execution of this Contract, Contractor must include these provisions (A-I) in all related subcontract agreements (if applicable).

By signing below, Contractor certifies the representations outlined in parts A through I above, are true and correct.

Signature and Title of Authorized Representative

Date

City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging

Contractor

227 NW 2nd Street
Deerfield Beach, FL 33441

ATTACHMENT VII**ASSURANCES—NON-CONSTRUCTION PROGRAMS**

Public reporting burden for this collection of information is estimated to average 45, minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0043), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET, SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

Note: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. § 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) § 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. § 290 dd-3 and 290 ee 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with the provisions of the Hatch Act (5 U.S.C. §1501-1508 and 7324-7328), which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §276a to 276a-7), the Copeland Act (40 U.S.C. 276c and 18 U.S.C. §874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. § 327-333), regarding labor standards for federally assisted construction sub agreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000.00 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended, (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §1721 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §4801 et seq.), which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 CFR Part 200.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL	TITLE
APPLICANT ORGANIZATION City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging	DATE SUBMITTED

ATTACHMENT VIII

**STATE OF FLORIDA DEPARTMENT OF ELDER AFFAIRS
CIVIL RIGHTS COMPLIANCE CHECKLIST**

City of Deerfield Beach, Florida / Northeast Focal Point Senior Center dba Department of Active Aging	County Broward	AAA/Contractor
	Completed By	
	Date	Phone

PART I. READ THE ATTACHED INSTRUCTIONS FOR ILLUSTRATIVE INFORMATION, WHICH WILL HELP YOU IN THE COMPLETION OF THIS FORM.

1. Briefly describe the geographic area served by the program/facility and the type of service provided:

2. POPULATION OF AREA SERVED. Source of data:

Total #	% White	% Black	% Hispanic	% Other	% Female		
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3. STAFF CURRENTLY EMPLOYED. Effective date:

Total #	% White	% Black	% Hispanic	% Other	% Female	% Disabled	
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4. CLIENTS CURRENTLY ENROLLED OR REGISTERED. Effective date:

Total #	% White	% Black	% Hispanic	% Other	% Female	% Disabled	% Over 40
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5. ADVISORY OR GOVERNING BOARD, IF APPLICABLE.

Total #	% White	% Black	% Hispanic	% Other	% Female	% Disabled	
---------	---------	---------	------------	---------	----------	------------	--

PART II. USE A SEPARATE SHEET OF PAPER FOR ANY EXPLANATIONS REQUIRING MORE SPACE.

6. Is an Assurance of Compliance on file with the Council? If NA or NO, explain.

NA YES NO
☐ ☐ ☐

7. Compare the staff composition to the population. Is the staff representative of the population?

If NA or NO, explain.

NA YES NO
☐ ☐ ☐

8. Compare the client composition to the population. Are race and sex characteristics representative of the

Population? If NA or NO, explain.

NA YES NO
☐ ☐ ☐

9. Are eligibility requirements for services applied to clients and applicants without regard to race, color, national origin, sex, age, religion, or disability? If NA or NO, explain.

NA YES NO
☐ ☐ ☐

10. Are all benefits, services, and facilities available to applicants and participants in an equally effective

manner regardless of race, sex, color, age, national origin, religion, or disability? If NA or NO, explain.

NA YES NO
☐ ☐ ☐

11. For in-patient services, are room assignments made without regard to race, color, national

origin, or disability? If NA or NO, explain.

NA YES NO
☐ ☐ ☐

12. Is the program/facility accessible to non-English speaking clients? If NA or NO, explain. NA YES NO
☐ ☐ ☐
-
13. Are employees, applicants, and participants informed of their protection against discrimination?
If yes, how? Verbal ☐ Written ☐ Poster ☐ If NA or NO, explain. NA YES NO
☐ ☐ ☐
-
14. Give the number and current status of any discrimination complaints regarding services or
employment filed against the program/facility. NA NUMBER
☐ _____
-
15. Is the program/facility physically accessible to mobility, hearing, and sight-impaired individuals?
If NA or NO, explain. NA YES NO
☐ ☐ ☐
-

PART III. THE FOLLOWING QUESTIONS APPLY TO PROGRAMS AND FACILITIES WITH 15 OR MORE EMPLOYEES

16. Has a self-evaluation been conducted to identify any barriers to serving disabled individuals, and to
make any necessary modifications? If NO, explain. YES NO
☐ ☐
-
17. Is there an established grievance procedure that incorporates due process in the resolution
of complaints? If NO, explain. YES NO
☐ ☐
-
18. Has a person been designated to coordinate Section 504 compliance activities? If NO, explain. YES NO
☐ ☐
-
19. Do recruitment and notification materials advise applicants, employees, and participants of
nondiscrimination on the basis of disability? If NO, explain. YES NO
☐ ☐
-
20. Are auxiliary aids available to assure the accessibility of services to hearing and sight
impaired individuals? If NO, explain. YES NO
☐ ☐
-

PART IV. FOR PROGRAMS OR FACILITIES WITH 50 OR MORE EMPLOYEES AND FEDERAL CONTRACTS OF \$50,000.00 OR MORE.

21. Do you have a written affirmative action plan? If NO, explain. YES NO
☐ ☐
-

DOEA USE		
Reviewed By		In Compliance: YES NO*
Program Office		*Notice of Corrective Action Sent ____/____/____
Date	Telephone	Response Due ____/____/____
On-Site	Desk Review	Response Received ____/____/____

INSTRUCTIONS FOR THE CIVIL RIGHTS COMPLIANCE CHECKLIST

1. Describe the geographic service area such as a district, county, city, or other locality. If the program/facility serves a specific target population such as adolescents, describe the target population. Also, define the type of service provided.
2. Enter the percent of the population served by race and sex. The population served includes persons in the geographical area for which services are provided such as a city, county or other regional area. Population statistics can be obtained from local chambers of commerce, libraries, or any publication from the 1980 Census containing Florida population statistics. Include the source of your population statistics. ("Other" races include Asian/Pacific Islanders and American Indian/Alaskan Natives.)
3. Enter the total number of full-time staff and their percent by race, sex, and disability. Include the effective date of your summary.
4. Enter the total number of clients who are enrolled, registered, or currently served by the program or facility, and list their percent by race, sex, and disability. Include the date that enrollment was counted.
5. Enter the total number of advisory board members and their percent by race, sex, and disability. If there is no advisory or governing board, leave this section blank.
6. Each recipient of federal financial assistance must have on file an assurance that the program will be conducted in compliance with all nondiscriminatory provisions as required in 45 CFR 80. This is usually a standard part of the contract language for DOE A recipients and their sub-grantees, 45 CFR 80.4 (a).
7. Is the race, sex, and national origin of the staff reflective of the general population? For example, if 10% of the population is Hispanic, is there a comparable percentage of Hispanic staff?
8. Where there is a significant variation between the race, sex or ethnic composition of the clients and their availability in the population, the program/facility has the responsibility to determine the reasons for such variation and take whatever action may be necessary to correct any discrimination. Some legitimate disparities may exist when programs are sanctioned to serve target populations such as elderly or disabled persons, 45 CFR 80.3 (b) (6).
9. Do eligibility requirements unlawfully exclude persons in protected groups from the provision of services or employment? Evidence of such may be indicated in staff and client representation (Questions 3 and 4) and also through on-site record analysis of persons who applied but were denied services or employment, 45 CFR 80.3 (a) and 45 CFR 80.1 (b) (2).
10. Participants or clients must be provided services such as medical, nursing and dental care, laboratory services, physical and recreational therapies, counseling and social services without regard to race, sex, color, national origin, religion, age or disability. Courtesy titles, appointment scheduling, and accuracy of record keeping must be applied uniformly and without regard to race, sex, color, national origin, religion, age, or disability. Entrances, waiting rooms, reception areas, restrooms, and other facilities must also be equally available to all clients, 45 CFR 80.3 (b).
11. For in-patient services, residents must be assigned to rooms, wards, etc., without regard to race, color, national origin, or disability. Also, residents must not be asked whether they are willing to share accommodations with persons of a different race, color, national origin, or disability, 45 CFR 80.3 (a).
12. The program/facility and all services must be accessible to participants and applicants, including those persons who may not speak English. In geographic areas where a significant population of non-English speaking people live, program accessibility may include the employment of bilingual staff. In other areas, it is sufficient to have a policy or plan for service, such as a current list of names and telephone numbers of bilingual individuals who will assist in the provision of services, 45 CFR 80.3 (a).

13. Programs/facilities must make information regarding the nondiscriminatory provisions of Title VI available to their participants, beneficiaries, or any other interested parties. This should include information on their right to file a complaint of discrimination with either the Council, the State of Florida, Department of Elder Affairs, or the U.S. Department of HHS. The information may be supplied verbally or in writing to every individual, or may be supplied through the use of an equal opportunity policy poster displayed in a public area of the facility, 45 CFR 80.6 (d).
14. Report number of discrimination complaints filed against the program/facility. Indicate the basis, e.g., race, color, creed, sex, age, national origin, disability, retaliation; the issues involved, e.g., services or employment, placement, termination, etc. Indicate the civil rights law or policy alleged to have been violated along with the name and address of the local, state, or federal agency with whom the complaint has been filed. Indicate the current status, e.g., settled, no reasonable cause found, failure to conciliate, failure to cooperate, under review, etc.
15. The program/facility must be physically accessible to disabled individuals. Physical accessibility includes designated parking areas, curb cuts or level approaches, ramps and adequate widths to entrances. The lobby, public telephone, restroom facilities, water fountains, information, and admissions offices should be accessible. Door widths and traffic areas of administrative offices, cafeterias, restrooms, recreation areas, counters, and serving lines should be observed for accessibility. Elevators should be observed for door width, and Braille or raised numbers. Switches and controls for light, heat, ventilation, fire alarms and other essentials should be installed at an appropriate height for mobility impaired individuals.
16. Section 504 of the Rehabilitation Act of 1973 requires that a recipient of federal financial assistance conduct a self-evaluation to identify any accessibility barriers. Self-evaluation is a four-step process:
 - a. With the assistance of a disabled individual/organization, evaluate current practices and policies which do not comply with Section 504.
 - b. Modify policies and practices that do not meet Section 504 requirements.
 - c. Take remedial steps to eliminate any discrimination that has been identified.
 - d. Maintain self-evaluation on file. (This checklist may be used to satisfy this requirement if these four steps have been followed.), 45 CFR 84.6.
17. Programs or facilities that employ 15 or more persons must adopt grievance procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504.45 CFR 84.7 (b).
18. Programs or facilities that employ 15 or more persons must designate at least one person to coordinate efforts to comply with Section 504.45 CFR 84.7 (a).
19. Continuing steps must be taken to notify employees and the public of the program/facility's policy of nondiscrimination on the basis of disability. This includes recruitment material, notices for hearings, newspaper ads, and other appropriate written communication, 45 CFR 84.8 (a).
20. Programs/facilities that employ 15 or more persons must provide appropriate auxiliary aids to persons with impaired sensory, manual, or speaking skills where necessary. Auxiliary aids may include, but are not limited to, interpreters for hearing impaired individuals, taped or Braille materials, or any alternative resources that can be used to provide equally effective services, (45 CFR 84.52 (d)).
21. Programs/facilities with 50 or more employees and \$50,000.00 in federal contracts must develop, implement, and maintain a written affirmative action compliance program in accordance with Executive Order 11246. 41 CFR 60 and Title VI of the Civil Rights Act of 1964, as amended.

ATTACHMENT IX

BACKGROUND SCREENING



Ron DeSantis
Governor

Michelle Branham
Secretary

BACKGROUND SCREENING

Attestation of Compliance - Employer

AUTHORITY: This form is required annually of all employers to comply with the attestation requirements set forth in section 435.05(3), Florida Statutes.

- The term "employer" means any person or entity required by law to conduct background screenings, including but not limited to, Area Agencies on Aging/Aging and Disability Resource Centers, Lead Agencies, and Service Providers that contract directly or indirectly with the Department of Elder Affairs (DOEA), and any other person or entity which hires employees or has volunteers in service who meet the definition of a direct service provider. See §§ 435.02, 430.0402, Fla. Stat.
- A direct service provider is "a person 18 years of age or older who, pursuant to a program to provide services to the elderly, has direct, face-to-face contact with a client while providing services to the client and has access to the client's living area, funds, personal property, or personal identification information as defined in s. 817.568. The term includes coordinators, managers, and supervisors of residential facilities and volunteers." § 430.0402(1)(b), Fla. Stat.

ATTESTATION:

As the duly authorized representative of

Employer Name

located at _____

Street Address

City

State

ZIP code

I, _____ do hereby affirm under penalty of

Name of Representative

perjury that the above named employer is in compliance with the provisions of Chapter 435 and section 430.0402, Florida Statutes, regarding level 2 background screening.

Signature of Representative

Date



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1475

Agenda Date: 9/6/2022

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting a grant award from the U.S. Department of Justice through the Bureau of Justice Assistance FY22 Byrne Discretionary Community Project Funding Grants Program in the amount of \$595,000.00 for the Deerfield Beach Security Technology Enhancements - ShotSpotter Project; authorizing execution of the Grant Agreement; providing for an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

In February 2021, the U.S. House Committee on Appropriations announced that it will accept Member requests for Community Project Funding in appropriations bills for fiscal year 2022. In March 2021, the City of Deerfield Beach submitted a Community Project Funding Request, in the amount of \$595,000, to its congressional district members to procure ShotSpotter, a gunshot detection system.

The City, in partnership with Broward Sheriff's Office, is committed to improving public safety. The goal of the project is to utilize gunfire detection services to support law enforcement efforts and reduce crime in the City. The project's scope of work will involve the installation of network sensors within a 4-square mile coverage area in Deerfield Beach (District 2) to identify, locate and track active gunfire and alert Broward Sheriff's Office so that they can effectively respond to and investigate incidents.

In April 2022, the City was notified by the U.S. Department of Justice, Bureau of Justice Assistance that the ShotSpotter project has been designated for funding in the Consolidated Appropriations Act, 2022 (Public Law 117-103). To receive the funding, the City was required to apply through the Byrne Discretionary Community Project Grants/ Byrne Discretionary Grants program; a grant application was submitted in May 2022.

Current Activity

On July 26, 2022, the City received a Notification of Award in the amount of \$595,000 for the Deerfield Beach Security Technology Enhancements – ShotSpotter project. The funding will be utilized to procure the ShotSpotter system for three (3) years. The project will be implemented in partnership with the Broward Sheriff's Office for the grant agreement term: October 1, 2022 through September 30, 2025.

To accept the award, the City is required to execute an electronic grant agreement with the U.S. Department of Justice outlining the grant's terms and conditions.

Recommendation

It is recommended that the City Commission authorize acceptance of the grant award, in the amount of \$595,000, from the U.S. Department of Justice through the Bureau of Justice Assistance FY 22 Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program for the Deerfield Beach Security Technology Enhancements – ShotSpotter Project; and execution of the grant agreement.

RESOLUTION NO. 2022/

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
DEERFIELD BEACH, FLORIDA, ACCEPTING A GRANT AWARD
FROM THE U.S. DEPARTMENT OF JUSTICE THROUGH THE
BUREAU OF JUSTICE ASSISTANCE FY 22 BYRNE DISCRETIONARY
COMMUNITY PROJECT FUNDING GRANTS PROGRAM IN THE
AMOUNT OF \$595,000.00 FOR THE DEERFIELD BEACH SECURITY
TECHNOLOGY ENHANCEMENTS – SHOTSPOTTER PROJECT;
AUTHORIZING EXECUTION OF THE GRANT AGREEMENT;
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, in February 2021, the U.S. House Committee on Appropriations announced that it will accept member requests for Community Project Funding in appropriations bills for Fiscal Year 2022; and

WHEREAS, in March 2021, the City of Deerfield Beach submitted a Community Project Funding Request, in the amount of \$595,000, to its congressional district members to procure ShotSpotter, a gunshot detection system; and

WHEREAS, the goal of the ShotSpotter Project (the “Project”) is to utilize gunfire detection services to support law enforcement efforts and reduce crime in the City, and the Project’s scope of work will involve the installation of network sensors within a 4-square mile coverage area in Deerfield Beach to identify, locate and track active gunfire and alert the Broward Sheriff’s Office (“BSO”) so that BSO can effectively respond to and investigate incidents; and

WHEREAS, in April 2022, the City was notified by the U.S. Department of Justice, Bureau of Justice Assistance (the “DOJ”) that the ShotSpotter Project has been designated for funding in the Consolidated Appropriations Act, 2022 (Public Law 117-103); and

WHEREAS, on July 26, 2022, the City received a Notification of Award from the DOJ in the amount of \$595,000 for the Deerfield Beach Security Technology Enhancements – ShotSpotter project (the Grant”); and

WHEREAS, the funding will be utilized to procure the ShotSpotter system for three (3) years, and the project will be implemented in partnership with the BSO for the grant agreement term of October 1, 2022 through September 30, 2025; and

WHEREAS, to accept the Grant award, the City is required to execute an electronic grant agreement with the DOJ outlining the Grant’s terms and conditions (the “Grant Agreement”); and

WHEREAS, staff recommends that the City Commission authorize acceptance of the Grant award, in the amount of \$595,000, from the DOJ through the Bureau of Justice Assistance FY 22 Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program for the Deerfield Beach Security Technology Enhancements – ShotSpotter Project, and authorize execution of the Grant Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby accepts the Grant award in the amount of \$595,000 for the Project.

Section 3. The Mayor and City Manager are authorized to execute the Grant Agreement with the DOJ, with such terms as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2022.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK

Award Letter

July 26, 2022

Dear David Santucci,

On behalf of Attorney General Merrick B. Garland, it is my pleasure to inform you the Office of Justice Programs (OJP) has approved the application submitted by CITY OF DEERFIELD BEACH for an award under the funding opportunity entitled 2022 BJA FY 22 Invited to Apply — Byrne Discretionary Community Project Funding/Byrne Discretionary Grants Program. The approved award amount is \$595,000.

Review the Award Instrument below carefully and familiarize yourself with all conditions and requirements before accepting your award. The Award Instrument includes the Award Offer (Award Information, Project Information, Financial Information, and Award Conditions) and Award Acceptance.

Please note that award requirements include not only the conditions and limitations set forth in the Award Offer, but also compliance with assurances and certifications that relate to conduct during the period of performance for the award. These requirements encompass financial, administrative, and programmatic matters, as well as other important matters (e.g., specific restrictions on use of funds). Therefore, all key staff should receive the award conditions, the assurances and certifications, and the application as approved by OJP, so that they understand the award requirements. Information on all pertinent award requirements also must be provided to any subrecipient of the award.

Should you accept the award and then fail to comply with an award requirement, DOJ will pursue appropriate remedies for non-compliance, which may include termination of the award and/or a requirement to repay award funds.

To accept the award, the Authorized Representative(s) must accept all parts of the Award Offer in the Justice Grants System (JustGrants), including by executing the required declaration and certification, within 45 days from the award date.

Congratulations, and we look forward to working with you.

Maureen Henneberg
Deputy Assistant Attorney General

Office for Civil Rights Notice for All Recipients

The Office for Civil Rights (OCR), Office of Justice Programs (OJP), U.S. Department of Justice (DOJ) has been delegated the responsibility for ensuring that recipients of federal financial assistance from the OJP, the Office of Community Oriented Policing Services (COPS), and the Office on Violence Against Women (OVW) are not engaged in discrimination prohibited by law. Several federal civil rights laws, such as Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973, require recipients of federal financial assistance to give assurances that they will comply with those laws. Taken together, these civil rights laws prohibit recipients of federal financial assistance from DOJ from discriminating in services and employment because of race, color, national origin, religion, disability, sex, and, for grants authorized under the Violence Against Women Act, sexual orientation and gender identity. Recipients are also prohibited from discriminating in services because of age. For a complete review of these civil rights laws and nondiscrimination requirements, in connection with DOJ awards, see <https://ojp.gov/funding/Explore/LegalOverview/CivilRightsRequirements.htm>.

Under the delegation of authority, the OCR investigates allegations of discrimination against recipients from individuals, entities, or groups. In addition, the OCR conducts limited compliance reviews and audits based on regulatory criteria. These reviews and audits permit the OCR to evaluate whether recipients of financial assistance from the Department are providing services in a nondiscriminatory manner to their service population or have employment practices that meet equal-opportunity standards.

If you are a recipient of grant awards under the Omnibus Crime Control and Safe Streets Act or the Juvenile Justice and Delinquency Prevention Act and your agency is part of a criminal justice system, there are two additional obligations that may apply in connection with the awards: (1) complying with the regulation relating to Equal Employment Opportunity Programs (EEOPs); and (2) submitting findings of discrimination to OCR. For additional information regarding the EEOP requirement, see 28 CFR Part 42, subpart E, and for additional information regarding requirements when there is an adverse finding, see 28 C.F.R. §§ 42.204(c), 205(c)(5).

The OCR is available to help you and your organization meet the civil rights requirements that are associated with DOJ grant funding. If you would like the OCR to assist you in fulfilling your organization's civil rights or nondiscrimination responsibilities as a recipient of federal financial assistance, please do not hesitate to contact the OCR at askOCR@ojp.usdoj.gov.

Memorandum Regarding NEPA

NEPA Letter Type

OJP - Categorical Exclusion

NEPA Letter

None of the following activities will be conducted whether under the Office of Justice Programs federal action or a related third party action:

- (1) New construction
- (2) Any renovation or remodeling of a property located in an environmentally or historically sensitive area, including property (a) listed on or eligible for listing on the National Register of Historic Places, or (b) located within a 100-year flood plain, a wetland, or habitat for an endangered species
- (3) A renovation that will change the basic prior use of a facility or significantly change its size
- (4) Research and technology whose anticipated and future application could be expected to have an effect on the environment
- (5) Implementation of a program involving the use of chemicals (including the identification, seizure, or closure of clandestine methamphetamine laboratories)

Additionally, the proposed action is neither a phase nor a segment of a project that when reviewed in its entirety would not meet the criteria for a categorical exclusion.

Consequently, the subject federal action meets the Office of Justice Programs' criteria for a categorical exclusion as contained in paragraph 4(b) of Appendix D to Part 61 of Title 28 of the Code of Federal Regulations.

Questions about this determination may be directed to your grant manager or Orbin Terry,
Environmental Coordinator for the Bureau of Justice Assistance
NEPA Coordinator

First Name	Middle Name	Last Name
Orbin	_____	Terry

▼ Award Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

 Recipient Information

Recipient Name
CITY OF DEERFIELD BEACH

UEI
RNAJUJR8BKA5

Street 1
150 NE 2ND AVE

Street 2

City
DEERFIELD BEACH

State/U.S. Territory
Florida

Zip/Postal Code
33441

Country
United States

County/Parish

Province

 Award Details

Federal Award Date
7/26/22

Award Type
Initial

Award Number
15PBJA-22-GG-00038-BRND

Supplement Number
00

Federal Award Amount
\$595,000.00

Funding Instrument Type
Grant

Assistance Listing Number **Assistance Listings Program Title**

16.753

Statutory Authority

Pub. L. No. 117-103, 136 Stat 49, 125; 28 USC 530C

☐ I have read and understand the information presented in this section of the Federal Award Instrument.

▼ Project Information

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

Solicitation Title **Awarding Agency**

2022 BJA FY 22 Invited to Apply — Byrne Discretionary Community Project

Program Office**Application Number**

BJA

GRANT13622881

Grant Manager Name	Phone Number	E-mail Address
Tarasa Napolitano	202-598-7372	Tarasa.Napolitano@usdoj.gov

Project Title

Security Technology Enhancements

Performance Period Start Date

10/01/2022

Performance Period End Date

09/30/2025

Budget Period Start Date

10/01/2022

Budget Period End Date

09/30/2025

Project Description

The City of Deerfield Beach is a coastal community in South Florida that spans 16.3 square miles and has an estimated population of 86,859, according to the U.S. Census. The City is located in Broward County and has contracted law enforcement services from the Broward Sheriff's Office for over 30 years. The City is committed to improving public safety and works closely with the Broward Sheriff's Office to identify ways to improve law enforcement services and reduce incidents of crime in the City.

Gunshot related incidents are a threat to the health and safety of Deerfield Beach residents. According to crime statistics from the Broward Sheriff's Office, in the last 2.5 years there have been over 650 calls dispatched for gunfire related incidents in the City of Deerfield Beach and of that amount only 28% resulted in police reports. The City is requesting funding in the amount of \$595,000 to procure the ShotSpotter gunshot detection, alert, and analysis services to support law enforcement responsiveness and reduce crime in the City of Deerfield Beach. The scope of work will involve the installation of network sensors within a 4-square miles coverage area in Deerfield Beach (*District 2*) to identify, locate and track active gunfire, and alert the Broward Sheriff's Office-Deerfield Beach District so that law enforcement can effectively respond to and investigate gunfire incidents.

The goal of the proposed project is to utilize gunfire detection services to reduce crime in the City of Deerfield Beach. The project supports the City's commitment to improve the safety of the Deerfield Beach community, benefiting law enforcement, City residents and visitors. The proposed project will be implemented in partnership with the Broward Sheriff's Office-Deerfield Beach District.

☐ I have read and understand the information presented in this section of the Federal Award Instrument.

✓ **Financial Information**

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

The recipient budget is currently under review.

☐ I have read and understand the information presented in this section of the Federal Award Instrument.

Award Conditions

This award is offered subject to the conditions or limitations set forth in the Award Information, Project Information, Financial Information, and Award Conditions.

1

Compliance with general appropriations-law restrictions on the use of federal funds (FY 2022)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable restrictions on the use of federal funds set out in federal appropriations statutes. Pertinent restrictions, including from various "general provisions" in the Consolidated Appropriations Act, 2022, are set out at <https://ojp.gov/funding/Explore/FY22AppropriationsRestrictions.htm>, and are incorporated by reference here.

Should a question arise as to whether a particular use of federal funds by a recipient (or a subrecipient) would or might fall within the scope of an appropriations-law restriction, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

2

Applicability of Part 200 Uniform Requirements

The Uniform Administrative Requirements, Cost Principles, and Audit Requirements in 2 C.F.R. Part 200, as adopted and supplemented by DOJ in 2 C.F.R. Part 2800 (together, the "Part 200 Uniform Requirements") apply to this FY 2022 award from OJP.

The Part 200 Uniform Requirements were first adopted by DOJ on December 26, 2014. If this FY 2022 award supplements funds previously awarded by OJP under the same award number (e.g., funds awarded during or before December 2014), the Part 200 Uniform Requirements apply with respect to all funds under that award number (regardless of the award date, and regardless of whether derived from the initial award or a supplemental award) that are obligated on or after the acceptance date of this FY 2022 award.

For more information and resources on the Part 200 Uniform Requirements as they relate to OJP awards and subawards ("subgrants"), see the OJP website at <https://ojp.gov/funding/Part200UniformRequirements.htm>.

Record retention and access: Records pertinent to the award that the recipient (and any subrecipient ("subgrantee") at any tier) must retain -- typically for a period of 3 years from the date of submission of the final expenditure report (SF 425), unless a different retention period applies -- and to which the recipient (and any subrecipient ("subgrantee") at any tier) must provide access, include performance measurement information, in addition to the financial records, supporting documents, statistical records, and other pertinent records indicated at 2 C.F.R. 200.334.

In the event that an award-related question arises from documents or other materials prepared or distributed by OJP that may appear to conflict with, or differ in some way from, the provisions of the Part 200 Uniform Requirements, the recipient is to contact OJP promptly for clarification.

3

Requirement to report actual or imminent breach of personally identifiable information (PII)

The recipient (and any "subrecipient" at any tier) must have written procedures in place to respond in the event of an actual or imminent "breach" (OMB M-17-12) if it (or a subrecipient) -- (1) creates, collects, uses, processes, stores, maintains, disseminates, discloses, or disposes of "Personally Identifiable Information (PII)" (2 CFR 200.1) within the scope of an OJP grant-funded program or activity, or (2) uses or operates a "Federal information system" (OMB Circular A-130). The recipient's breach procedures must include a requirement to report actual or imminent breach of PII to an OJP Program Manager no later than 24 hours after an occurrence of an actual breach, or the detection of an imminent breach.

4

OJP Training Guiding Principles

Any training or training materials that the recipient -- or any subrecipient ("subgrantee") at any tier -- develops or delivers with OJP award funds must adhere to the OJP Training Guiding Principles for Grantees and Subgrantees, available at <https://www.ojp.gov/funding/Implement/training-guiding-principles-grantees-and-subgrantees>.

5

Required training for Grant Award Administrator and Financial Manager

The Grant Award Administrator and all Financial Managers for this award must have successfully completed an "OJP financial management and grant administration training" by 120 days after the date of the recipient's acceptance of the award. Successful completion of such a training on or after October 15, 2020, will satisfy this condition.

In the event that either the Grant Award Administrator or a Financial Manager for this award changes during the period of performance, the new Grant Award Administrator or Financial Manager must have successfully completed an "OJP financial management and grant administration training" by 120 calendar days after the date the Entity Administrator enters updated Grant Award Administrator or Financial Manager information in JustGrants. Successful completion of such a training on or after January 1, 2020, will satisfy this condition.

A list of OJP trainings that OJP will consider "OJP financial management and grant administration training" for purposes of this condition is available at <https://www.ojp.gov/training/fmts.htm>. All trainings that satisfy this condition include a session on grant fraud prevention and detection.

The recipient should anticipate that OJP will immediately withhold ("freeze") award funds if the recipient fails to comply with this condition. The recipient's failure to comply also may lead OJP to impose additional appropriate conditions on this award.

6

Effect of failure to address audit issues

The recipient understands and agrees that the DOJ awarding agency (OJP or OVW, as appropriate) may withhold award funds, or may impose other related requirements, if (as determined by the DOJ awarding agency) the recipient does not satisfactorily and promptly address outstanding issues from audits required by the Part 200 Uniform Requirements (or by the terms of this award), or other outstanding issues that arise in connection with audits, investigations, or reviews of DOJ awards.

7

Requirements of the award; remedies for non-compliance or for materially false statements

The conditions of this award are material requirements of the award. Compliance with any assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance also is a material requirement of this award.

Limited Exceptions. In certain special circumstances, the U.S. Department of Justice ("DOJ") may determine that it will not enforce, or enforce only in part, one or more requirements otherwise applicable to the award. Any such exceptions regarding enforcement, including any such exceptions made during the period of performance, are (or will be during the period of performance) set out through the Office of Justice Programs ("OJP") webpage entitled "Legal Notices: Special circumstances as to particular award conditions" (ojp.gov/funding/Explore/LegalNotices-AwardReqs.htm), and incorporated by reference into the award.

By signing and accepting this award on behalf of the recipient, the authorized recipient official accepts all material requirements of the award, and specifically adopts, as if personally executed by the authorized recipient official, all assurances or certifications submitted by or on behalf of the recipient that relate to conduct during the period of performance.

Failure to comply with one or more award requirements -- whether a condition set out in full below, a condition incorporated by reference below, or an assurance or certification related to

conduct during the award period -- may result in OJP taking appropriate action with respect to the recipient and the award. Among other things, the OJP may withhold award funds, disallow costs, or suspend or terminate the award. DOJ, including OJP, also may take other legal action as appropriate.

Any materially false, fictitious, or fraudulent statement to the federal government related to this award (or concealment or omission of a material fact) may be the subject of criminal prosecution (including under 18 U.S.C. 1001 and/or 1621, and/or 34 U.S.C. 10271-10273), and also may lead to imposition of civil penalties and administrative remedies for false claims or otherwise (including under 31 U.S.C. 3729-3730 and 3801-3812).

Should any provision of a requirement of this award be held to be invalid or unenforceable by its terms, that provision shall first be applied with a limited construction so as to give it the maximum effect permitted by law. Should it be held, instead, that the provision is utterly invalid or -unenforceable, such provision shall be deemed severable from this award.



Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 38

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 38 (as may be applicable from time to time), specifically including any applicable requirements regarding written notice to program beneficiaries and prospective program beneficiaries.

Currently, among other things, 28 C.F.R. Part 38 includes rules that prohibit specific forms of discrimination on the basis of religion, a religious belief, a refusal to hold a religious belief, or refusal to attend or participate in a religious practice. Part 38, currently, also sets out rules and requirements that pertain to recipient and subrecipient ("subgrantee") organizations that engage in or conduct explicitly religious activities, as well as rules and requirements that pertain to recipients and subrecipients that are faith-based or religious organizations.

The text of 28 C.F.R. Part 38 is available via the Electronic Code of Federal Regulations (currently accessible at <https://www.ecfr.gov/cgi-bin/ECFR?page=browse>), by browsing to Title 28-Judicial Administration, Chapter 1, Part 38, under e-CFR "current" data.



Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 42

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 42, specifically including any applicable requirements in Subpart E of 28 C.F.R. Part 42 that relate to an equal employment opportunity program.



Compliance with DOJ regulations pertaining to civil rights and nondiscrimination - 28 C.F.R. Part 54

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements of 28 C.F.R. Part 54, which relates to nondiscrimination on the basis of sex in certain "education programs."



Compliance with 41 U.S.C. 4712 (including prohibitions on reprisal; notice to employees)

The recipient (and any subrecipient at any tier) must comply with, and is subject to, all applicable provisions of 41 U.S.C. 4712, including all applicable provisions that prohibit, under specified circumstances, discrimination against an employee as reprisal for the employee's disclosure of information related to gross mismanagement of a federal grant, a gross waste of federal funds, an abuse of authority relating to a federal grant, a substantial and specific danger to public health or safety, or a violation of law, rule, or regulation related to a federal grant.

The recipient also must inform its employees, in writing (and in the predominant native language of the workforce), of employee rights and remedies under 41 U.S.C. 4712.

Should a question arise as to the applicability of the provisions of 41 U.S.C. 4712 to this award, the recipient is to contact the DOJ awarding agency (OJP or OVW, as appropriate) for guidance.



Compliance with applicable rules regarding approval, planning, and reporting of conferences, meetings, trainings, and other events

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable laws, regulations, policies, and official DOJ guidance (including specific cost limits, prior approval and reporting requirements, where applicable) governing the use of federal funds for expenses related to conferences (as that term is defined by DOJ), including the provision of food and/or beverages at such conferences, and costs of attendance at such conferences.

Information on the pertinent DOJ definition of conferences and the rules applicable to this award appears in the DOJ Grants Financial Guide (currently, as section 3.10 of "Postaward Requirements" in the "DOJ Grants Financial Guide").



Requirement for data on performance and effectiveness under the award

The recipient must collect and maintain data that measure the performance and effectiveness of work under this award. The data must be provided to OJP in the manner (including within the timeframes) specified by OJP in the program solicitation or other applicable written guidance. Data collection supports compliance with the Government Performance and Results Act (GPRA) and the GPRA Modernization Act of 2010, and other applicable laws.



Requirements related to "de minimis" indirect cost rate

A recipient that is eligible under the Part 200 Uniform Requirements and other applicable law to use the "de minimis" indirect cost rate described in 2 C.F.R. 200.414(f), and that elects to use the "de minimis" indirect cost rate, must advise OJP in writing of both its eligibility and its election, and must comply with all associated requirements in the Part 200 Uniform Requirements. The "de minimis" rate may be applied only to modified total direct costs (MTDC) as defined by the Part 200 Uniform Requirements.



Determination of suitability to interact with participating minors

SCOPE. This condition applies to this award if it is indicated -- in the application for the award (as approved by DOJ)(or in the application for any subaward, at any tier), the DOJ funding announcement (solicitation), or an associated federal statute -- that a purpose of some or all of the activities to be carried out under the award (whether by the recipient, or a subrecipient at any tier) is to benefit a set of individuals under 18 years of age.

The recipient, and any subrecipient at any tier, must make determinations of suitability before certain individuals may interact with participating minors. This requirement applies regardless of an individual's employment status.

The details of this requirement are posted on the OJP web site at <https://ojp.gov/funding/Explore/Interact-Minors.htm> (Award condition: Determination of suitability required, in advance, for certain individuals who may interact with participating minors), and are incorporated by reference here.



Requirement to disclose whether recipient is designated "high risk" by a federal grant-making agency outside of DOJ

If the recipient is designated "high risk" by a federal grant-making agency outside of DOJ, currently or at any time during the course of the period of performance under this award, the

recipient must disclose that fact and certain related information to OJP by email at OJP.ComplianceReporting@ojp.usdoj.gov. For purposes of this disclosure, high risk includes any status under which a federal awarding agency provides additional oversight due to the recipient's past performance, or other programmatic or financial concerns with the recipient. The recipient's disclosure must include the following: 1. The federal awarding agency that currently designates the recipient high risk, 2. The date the recipient was designated high risk, 3. The high-risk point of contact at that federal awarding agency (name, phone number, and email address), and 4. The reasons for the high-risk status, as set out by the federal awarding agency.

17

Compliance with DOJ Grants Financial Guide

References to the DOJ Grants Financial Guide are to the DOJ Grants Financial Guide as posted on the OJP website (currently, the "DOJ Grants Financial Guide" available at <https://ojp.gov/financialguide/DOJ/index.htm>), including any updated version that may be posted during the period of performance. The recipient agrees to comply with the DOJ Grants Financial Guide.

18

Encouragement of policies to ban text messaging while driving

Pursuant to Executive Order 13513, "Federal Leadership on Reducing Text Messaging While Driving," 74 Fed. Reg. 51225 (October 1, 2009), DOJ encourages recipients and subrecipients ("subgrantees") to adopt and enforce policies banning employees from text messaging while driving any vehicle during the course of performing work funded by this award, and to establish workplace safety policies and conduct education, awareness, and other outreach to decrease crashes caused by distracted drivers.

19

Potential imposition of additional requirements

The recipient agrees to comply with any additional requirements that may be imposed by the DOJ awarding agency (OJP or OVW, as appropriate) during the period of performance for this award, if the recipient is designated as "high-risk" for purposes of the DOJ high-risk grantee list.

20

Employment eligibility verification for hiring under the award

1. The recipient (and any subrecipient at any tier) must--

A. Ensure that, as part of the hiring process for any position within the United States that is or will be funded (in whole or in part) with award funds, the recipient (or any subrecipient) properly verifies the employment eligibility of the individual who is being hired, consistent with the provisions of 8 U.S.C. 1324a(a)(1).

B. Notify all persons associated with the recipient (or any subrecipient) who are or will be involved in activities under this award of both--

(1) this award requirement for verification of employment eligibility, and

(2) the associated provisions in 8 U.S.C. 1324a(a)(1) that, generally speaking, make it unlawful, in the United States, to hire (or recruit for employment) certain aliens.

C. Provide training (to the extent necessary) to those persons required by this condition to be notified of the award requirement for employment eligibility verification and of the associated provisions of 8 U.S.C. 1324a(a)(1).

D. As part of the recordkeeping for the award (including pursuant to the Part 200 Uniform Requirements), maintain records of all employment eligibility verifications pertinent to compliance with this award condition in accordance with Form I-9 record retention requirements, as well as records of all pertinent notifications and trainings.

2. Monitoring

The recipient's monitoring responsibilities include monitoring of subrecipient compliance with this condition.

3. Allowable costs

To the extent that such costs are not reimbursed under any other federal program, award funds may be obligated for the reasonable, necessary, and allocable costs (if any) of actions designed to ensure compliance with this condition.

4. Rules of construction

A. Staff involved in the hiring process

For purposes of this condition, persons "who are or will be involved in activities under this award" specifically includes (without limitation) any and all recipient (or any subrecipient) officials or other staff who are or will be involved in the hiring process with respect to a position that is or will be funded (in whole or in part) with award funds.

B. Employment eligibility confirmation with E-Verify

For purposes of satisfying the requirement of this condition regarding verification of employment eligibility, the recipient (or any subrecipient) may choose to participate in, and use, E-Verify (www.e-verify.gov), provided an appropriate person authorized to act on behalf of the recipient (or subrecipient) uses E-Verify (and follows the proper E-Verify procedures, including in the event of a "Tentative Nonconfirmation" or a "Final Nonconfirmation") to confirm employment eligibility for each hiring for a position in the United States that is or will be funded (in whole or in part) with award funds.

C. "United States" specifically includes the District of Columbia, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

D. Nothing in this condition shall be understood to authorize or require any recipient, any subrecipient at any tier, or any person or other entity, to violate any federal law, including any applicable civil rights or nondiscrimination law.

E. Nothing in this condition, including in paragraph 4.B., shall be understood to relieve any recipient, any subrecipient at any tier, or any person or other entity, of any obligation otherwise imposed by law, including 8 U.S.C. 1324a(a)(1).

Questions about E-Verify should be directed to DHS. For more information about E-Verify visit the E-Verify website (<https://www.e-verify.gov/>) or email E-Verify at E-Verify@dhs.gov. E-Verify employer agents can email E-Verify at E-VerifyEmployerAgent@dhs.gov.

Questions about the meaning or scope of this condition should be directed to OJP, before award acceptance.

21

Restrictions and certifications regarding non-disclosure agreements and related matters

No recipient or subrecipient ("subgrantee") under this award, or entity that receives a procurement contract or subcontract with any funds under this award, may require any employee or contractor to sign an internal confidentiality agreement or statement that prohibits or otherwise restricts, or purports to prohibit or restrict, the reporting (in accordance with law) of waste, fraud, or abuse to an investigative or law enforcement representative of a federal department or agency authorized to receive such information.

The foregoing is not intended, and shall not be understood by the agency making this award, to contravene requirements applicable to Standard Form 312 (which relates to classified information), Form 4414 (which relates to sensitive compartmented information), or any other form issued by a federal department or agency governing the nondisclosure of classified information.

1. In accepting this award, the recipient--

a. represents that it neither requires nor has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict

(or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

b. certifies that, if it learns or is notified that it is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

2. If the recipient does or is authorized under this award to make subawards ("subgrants"), procurement contracts, or both--

a. it represents that--

(1) it has determined that no other entity that the recipient's application proposes may or will receive award funds (whether through a subaward ("subgrant"), procurement contract, or subcontract under a procurement contract) either requires or has required internal confidentiality agreements or statements from employees or contractors that currently prohibit or otherwise currently restrict (or purport to prohibit or restrict) employees or contractors from reporting waste, fraud, or abuse as described above; and

(2) it has made appropriate inquiry, or otherwise has an adequate factual basis, to support this representation; and

b. it certifies that, if it learns or is notified that any subrecipient, contractor, or subcontractor entity that receives funds under this award is or has been requiring its employees or contractors to execute agreements or statements that prohibit or otherwise restrict (or purport to prohibit or restrict), reporting of waste, fraud, or abuse as described above, it will immediately stop any further obligations of award funds to or by that entity, will provide prompt written notification to the federal agency making this award, and will resume (or permit resumption of) such obligations only if expressly authorized to do so by that agency.

22

Reclassification of various statutory provisions to a new Title 34 of the United States Code

On September 1, 2017, various statutory provisions previously codified elsewhere in the U.S. Code were editorially reclassified (that is, moved and renumbered) to a new Title 34, entitled "Crime Control and Law Enforcement." The reclassification encompassed a number of statutory provisions pertinent to OJP awards (that is, OJP grants and cooperative agreements), including many provisions previously codified in Title 42 of the U.S. Code.

Effective as of September 1, 2017, any reference in this award document to a statutory provision that has been reclassified to the new Title 34 of the U.S. Code is to be read as a reference to that statutory provision as reclassified to Title 34. This rule of construction specifically includes references set out in award conditions, references set out in material incorporated by reference through award conditions, and references set out in other award requirements.

23

All subawards ("subgrants") must have specific federal authorization

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements for authorization of any subaward. This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a "subaward" (and therefore does not consider a procurement "contract").

The details of the requirement for authorization of any subaward are posted on the OJP web site at <https://ojp.gov/funding/Explore/SubawardAuthorization.htm> (Award condition: All subawards ("subgrants") must have specific federal authorization), and are incorporated by reference here.

24

Requirements related to System for Award Management and Universal Identifier Requirements

The recipient must comply with applicable requirements regarding the System for Award Management (SAM), currently accessible at <https://www.sam.gov/>. This includes applicable requirements regarding registration with SAM, as well as maintaining the currency of information in SAM.

The recipient also must comply with applicable restrictions on subawards ("subgrants") to first-tier subrecipients (first-tier "subgrantees"), including restrictions on subawards to entities that do not acquire and provide (to the recipient) the unique entity identifier required for SAM registration.

The details of the recipient's obligations related to SAM and to unique entity identifiers are posted on the OJP web site at <https://ojp.gov/funding/Explore/SAM.htm> (Award condition: System for Award Management (SAM) and Universal Identifier Requirements), and are incorporated by reference here.

This condition does not apply to an award to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

25

Restrictions on "lobbying"

In general, as a matter of federal law, federal funds awarded by OJP may not be used by the recipient, or any subrecipient ("subgrantee") at any tier, either directly or indirectly, to support or oppose the enactment, repeal, modification, or adoption of any law, regulation, or policy, at any level of government. See 18 U.S.C. 1913. (There may be exceptions if an applicable federal statute specifically authorizes certain activities that otherwise would be barred by law.)

Another federal law generally prohibits federal funds awarded by OJP from being used by the recipient, or any subrecipient at any tier, to pay any person to influence (or attempt to influence) a federal agency, a Member of Congress, or Congress (or an official or employee of any of them) with respect to the awarding of a federal grant or cooperative agreement, subgrant, contract, subcontract, or loan, or with respect to actions such as renewing, extending, or modifying any such award. See 31 U.S.C. 1352. Certain exceptions to this law apply, including an exception that applies to Indian tribes and tribal organizations.

Should any question arise as to whether a particular use of federal funds by a recipient (or subrecipient) would or might fall within the scope of these prohibitions, the recipient is to contact OJP for guidance, and may not proceed without the express prior written approval of OJP.

26

Specific post-award approval required to use a noncompetitive approach in any procurement contract that would exceed \$250,000

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements to obtain specific advance approval to use a noncompetitive approach in any procurement contract that would exceed the Simplified Acquisition Threshold (currently, \$250,000). This condition applies to agreements that -- for purposes of federal grants administrative requirements -- OJP considers a procurement "contract" (and therefore does not consider a subaward).

The details of the requirement for advance approval to use a noncompetitive approach in a procurement contract under an OJP award are posted on the OJP web site at <https://ojp.gov/funding/Explore/NoncompetitiveProcurement.htm> (Award condition: Specific post-award approval required to use a noncompetitive approach in a procurement contract (if contract would exceed \$250,000)), and are incorporated by reference here.

27

Requirements pertaining to prohibited conduct related to trafficking in persons (including reporting requirements and OJP authority to terminate award)

The recipient, and any subrecipient ("subgrantee") at any tier, must comply with all applicable requirements (including requirements to report allegations) pertaining to prohibited conduct related to the trafficking of persons, whether on the part of recipients, subrecipients ("subgrantees"), or individuals defined (for purposes of this condition) as "employees" of the recipient or of any subrecipient.

The details of the recipient's obligations related to prohibited conduct related to trafficking in persons are posted on the OJP web site at <https://ojp.gov/funding/Explore/ProhibitedConduct-Trafficking.htm> (Award condition: Prohibited conduct by recipients and subrecipients related to trafficking in persons (including reporting requirements and OJP authority to terminate award)), and are incorporated by reference here.

 28

Requirement to report potentially duplicative funding

If the recipient currently has other active awards of federal funds, or if the recipient receives any other award of federal funds during the period of performance for this award, the recipient promptly must determine whether funds from any of those other federal awards have been, are being, or are to be used (in whole or in part) for one or more of the identical cost items for which funds are provided under this award. If so, the recipient must promptly notify the DOJ awarding agency (OJP or OVW, as appropriate) in writing of the potential duplication, and, if so requested by the DOJ awarding agency, must seek a budget-modification or change-of-project-scope Grant Award Modification (GAM) to eliminate any inappropriate duplication of funding.

 29

Reporting potential fraud, waste, and abuse, and similar misconduct

The recipient, and any subrecipients ("subgrantees") at any tier, must promptly refer to the DOJ Office of the Inspector General (OIG) any credible evidence that a principal, employee, agent, subrecipient, contractor, subcontractor, or other person has, in connection with funds under this award-- (1) submitted a claim that violates the False Claims Act; or (2) committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct.

Potential fraud, waste, abuse, or misconduct involving or relating to funds under this award should be reported to the OIG by--(1) online submission accessible via the OIG webpage at <https://oig.justice.gov/hotline/contact-grants.htm> (select "Submit Report Online"); (2) mail directed to: U.S. Department of Justice, Office of the Inspector General, Investigations Division, ATTN: Grantee Reporting, 950 Pennsylvania Ave., NW, Washington, DC 20530; and/or (3) by facsimile directed to the DOJ OIG Investigations Division (Attn: Grantee Reporting) at (202) 616-9881 (fax).

Additional information is available from the DOJ OIG website at <https://oig.justice.gov/hotline>.

 30

The recipient understands that, in accepting this award, the Authorized Representative declares and certifies, among other things, that he or she possesses the requisite legal authority to accept the award on behalf of the recipient entity and, in so doing, accepts (or adopts) all material requirements that relate to conduct throughout the period of performance under this award. The recipient further understands, and agrees, that it will not assign anyone to the role of Authorized Representative during the period of performance under the award without first ensuring that the individual has the requisite legal authority.

 31

Verification and updating of recipient contact information

The recipient must verify its Grant Award Administrator, Financial Manager, and Authorized Representative contact information in JustGrants, including telephone number and e-mail address. If any information is incorrect or has changed, the award recipient's Entity Administrator must make changes to contact information through DIAMD. Instructions on how to update contact information in JustGrants can be found at <https://justicegrants.usdoj.gov/training/training-entity-management>.

 32

Compliance with 28 C.F.R. Part 23

With respect to any information technology system funded or supported by funds under this award, the recipient (and any subrecipient at any tier) must comply with 28 C.F.R. Part 23, Criminal Intelligence Systems Operating Policies, if OJP determines this regulation to be applicable. Should OJP determine 28 C.F.R. Part 23 to be applicable, OJP may, at its discretion, perform audits of the system, as per the regulation. Should any violation of 28 C.F.R. Part 23 occur, the recipient may be fined as per 34 U.S.C. 10231(c)-(d). The recipient may not satisfy such a fine with federal funds.

 33

Protection of human research subjects

The recipient (and any subrecipient at any tier) must comply with the requirements of 28 C.F.R. Part 46 and all OJP policies and procedures regarding the protection of human research subjects, including obtainment of Institutional Review Board approval, if appropriate, and subject informed consent.

 34

Confidentiality of data

The recipient (and any subrecipient at any tier) must comply with all confidentiality requirements of 34 U.S.C. 10231 and 28 C.F.R. Part 22 that are applicable to collection, use, and revelation of data or information. The recipient further agrees, as a condition of award approval, to submit a Privacy Certificate that is in accord with requirements of 28 C.F.R. Part 22 and, in particular, 28 C.F.R. 22.23.

 35

Copyright; Data rights

The recipient acknowledges that OJP reserves a royalty-free, non-exclusive, and irrevocable license to reproduce, publish, or otherwise use, and authorize others to use (in whole or in part, including in connection with derivative works), for Federal purposes: (1) any work subject to copyright developed under an award or subaward (at any tier); and (2) any rights of copyright to which a recipient or subrecipient (at any tier) purchases ownership with Federal support.

The recipient acknowledges that OJP has the right to (1) obtain, reproduce, publish, or otherwise use the data first produced under any such award or subaward; and (2) authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes. "Data" includes data as defined in Federal Acquisition Regulation (FAR) provision 52.227-14 (Rights in Data - General).

It is the responsibility of the recipient (and of each subrecipient (at any tier), if applicable) to ensure that the provisions of this condition are included in any subaward (at any tier) under this award.

The recipient has the responsibility to obtain from subrecipients, contractors, and subcontractors (if any) all rights and data necessary to fulfill the recipient's obligations to the Government under this award. If a proposed subrecipient, contractor, or subcontractor refuses to accept terms affording the Government such rights, the recipient shall promptly bring such refusal to the attention of the OJP program manager for the award and not proceed with the agreement in question without further authorization from the OJP program office.

 36

Justice Information Sharing

Information sharing projects funded under this award must comply with DOJ's Global Justice Information Sharing Initiative (Global) guidelines. The recipient (and any subrecipient at any tier) must conform to the Global Standards Package (GSP) and all constituent elements, where applicable, as described at: https://it.ojp.gov/gsp_grantcondition. The recipient (and any subrecipient at any tier) must document planned approaches to information sharing and describe compliance with the GSP and appropriate privacy policy that protects shared information, or provide detailed justification for why an alternative approach is recommended.

 37

Body-worn cameras, policies and procedures

In accepting this award, the recipient agrees not to use award funds for purchases of body-worn cameras or related expenses for any agency unless that agency has policies and

procedures in place that reinforce appropriate agency Use of Force policies and training and address technology usage, evidence acquisition, data storage and retention, as well as privacy issues, accountability and discipline.

38

Body armor - compliance with NIJ standards and other requirements

Ballistic-resistant and stab-resistant body armor purchased with award funds may be purchased at any threat level, make or model, from any distributor or manufacturer, as long as the body armor has been tested and found to comply with applicable National Institute of Justice ballistic or stab standards, and is listed on the NIJ Compliant Body Armor Model List. In addition, ballistic-resistant and stab-resistant body armor purchased must be made in the United States and must be uniquely fitted, as set forth in 34 U.S.C. 10202(c)(1)(A). The latest NIJ standard information and the NIJ Compliant Body Armor List may be found by following the links located on the NIJ Body Armor page: <https://nij.ojp.gov/topics/equipment-and-technology/body-armor>. In addition, if recipient uses funds under this award to purchase body armor, the recipient is strongly encouraged to have a "mandatory wear" policy in effect. There are no requirements regarding the nature of the policy other than it be a mandatory wear policy for all uniformed officers while on duty.

39

If award funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System ("CODIS," the DNA database operated by the FBI) by a government DNA laboratory with access to CODIS. No profiles generated under this award may be entered or uploaded into any non-governmental DNA database without prior express written approval from BJA. Award funds may not be used for the purchase of DNA equipment and supplies unless the resulting DNA profiles may be accepted for entry into CODIS. Booking agencies should work with their state CODIS agency to ensure all requirements are met for participation in Rapid DNA (see National Rapid DNA Booking Operational Procedures Manual).

40

Any Web site that is funded in whole or in part under this award must include the following statement on the home page, on all major entry pages (i.e., pages (exclusive of documents) whose primary purpose is to navigate the user to interior content), and on any pages from which a visitor may access or use a Web-based service, including any pages that provide results or outputs from the service: "This Web site is funded in whole or in part through a grant from the Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice. Neither the U.S. Department of Justice nor any of its components operate, control, are responsible for, or necessarily endorse, this Web site (including, without limitation, its content, technical infrastructure, and policies, and any services or tools provided)." The full text of the foregoing statement must be clearly visible on the home page. On other pages, the statement may be included through a link, entitled "Notice of Federal Funding and Federal Disclaimer," to the full text of the statement.

41

Any written, visual, or audio publications, with the exception of press releases, whether published at the grantee's or government's expense, shall contain the following statements: "This project was supported by Grant No. <AWARD_NUMBER> awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the Office for Victims of Crime, and the SMART Office. Points of view or opinions in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice." The current edition of the DOJ Grants Financial Guide provides guidance on allowable printing and publication activities.

42

The recipient agrees to cooperate with any assessments, national evaluation efforts, or information or data collection requests, including, but not limited to, the provision of any information required for the assessment or evaluation of any activities within this project.

43

FFATA reporting: Subawards and executive compensation

The recipient must comply with applicable requirements to report first-tier subawards ("subgrants") of \$30,000 or more and, in certain circumstances, to report the names and total compensation of the five most highly compensated executives of the recipient and first-tier subrecipients (first-tier "subgrantees") of award funds. The details of recipient obligations, which derive from the Federal Funding Accountability and Transparency Act of 2006 (FFATA), are posted on the OJP web site at <https://ojp.gov/funding/Explore/FFATA.htm> (Award condition: Reporting Subawards and Executive Compensation), and are incorporated by reference here.

This condition, including its reporting requirement, does not apply to-- (1) an award of less than \$30,000, or (2) an award made to an individual who received the award as a natural person (i.e., unrelated to any business or non-profit organization that he or she may own or operate in his or her name).

44

The recipient agrees to comply with OJP grant monitoring guidelines, protocols, and procedures, and to cooperate with BJA and OCFO on all grant monitoring requests, including requests related to desk reviews, enhanced programmatic desk reviews, and/or site visits. The recipient agrees to provide to BJA and OCFO all documentation necessary to complete monitoring tasks, including documentation related to any subawards made under this award. Further, the recipient agrees to abide by reasonable deadlines set by BJA and OCFO for providing the requested documents. Failure to cooperate with BJA's/OCFO's grant monitoring activities may result in sanctions affecting the recipient's DOJ awards, including, but not limited to: withholdings and/or other restrictions on the recipient's access to grant funds; referral to the Office of the Inspector General for audit review; designation of the recipient as a DOJ High Risk grantee; or termination of an award(s).

45

Justification of consultant rate

Approval of this award does not indicate approval of any consultant rate in excess of \$650 per day. A detailed justification must be submitted to and approved by the OJP program office prior to obligation or expenditure of such funds.

46

Use of program income

Program income (as defined in the Part 200 Uniform Requirements) must be used in accordance with the provisions of the Part 200 Uniform Requirements. Program income earnings and expenditures both must be reported on the quarterly Federal Financial Report, SF 425.

47

Required monitoring of subawards

The recipient must monitor subawards under this award in accordance with all applicable statutes, regulations, award conditions, and the DOJ Grants Financial Guide, and must include the applicable conditions of this award in any subaward. Among other things, the recipient is responsible for oversight of subrecipient spending and monitoring of specific outcomes and benefits attributable to use of award funds by subrecipients. The recipient agrees to submit, upon request, documentation of its policies and procedures for monitoring of subawards under this award.

48

The recipient shall submit semiannual performance reports. Performance reports shall be submitted within 30 days after the end of the reporting periods, which are June 30 and December 31, for the life of the award. These reports will be submitted to the Office of Justice Programs, on-line through the Internet at <https://justgrants.usdoj.gov>

49

The recipient agrees that it will submit quarterly financial status reports (the SF 425 Federal Financial Report) to OJP in JustGrants, no later than the deadlines set out in the DOJ Financial Guide and the JustGrants guidance (typically 30 days after the end of each calendar quarter). Delinquent reports may lead to funds being frozen and other remedies.

50

Recipients utilizing award funds for forensic genealogy testing must adhere to the United States Department of Justice Interim Policy Forensic Genealogical DNA Analysis and Searching (<https://www.justice.gov/olp/page/file/1204386/download>), and must collect and report the metrics identified in Section IX of that document to BJA.

51

As of the first day of the period of performance for the award, the recipient may choose to incur project costs using non-federal funds, but any such project costs are incurred at the recipient's risk until, at a minimum, all applicable withholding conditions are removed by OJP (via an Award Condition Modification (ACM)).

Except to the extent (if any) that an award condition expressly precludes reimbursement of project costs incurred "at-risk," if and when the recipient makes a valid acceptance of this award and OJP removes each applicable withholding condition through an Award Condition Modification (ACM), the recipient is authorized to reimburse itself for project costs incurred "at-risk" earlier during the period of performance (such as project costs incurred prior to award acceptance or prior to removal of an applicable withholding condition), provided that those project costs otherwise are allowable costs under the award.

52

Recipient integrity and performance matters: Requirement to report information on certain civil, criminal, and administrative proceedings to SAM and FAPIIS

The recipient must comply with any and all applicable requirements regarding reporting of information on civil, criminal, and administrative proceedings connected with (or connected to the performance of) either this OJP award or any other grant, cooperative agreement, or procurement contract from the federal government. Under certain circumstances, recipients of OJP awards are required to report information about such proceedings, through the federal System for Award Management (known as "SAM"), to the designated federal integrity and performance system (currently, "FAPIIS").

The details of recipient obligations regarding the required reporting (and updating) of information on certain civil, criminal, and administrative proceedings to the federal designated integrity and performance system (currently, "FAPIIS") within SAM are posted on the OJP web site at <https://ojp.gov/funding/FAPIIS.htm> (Award condition: Recipient Integrity and Performance Matters, including Recipient Reporting to FAPIIS), and are incorporated by reference here.

53

The recipient may not expend or draw down funds until the Office of the Chief Financial Officer (OCFO) has approved the budget and budget narrative and an Award Condition Modification (ACM) has been issued to remove this award condition.

54

Limit on use of grant funds for grantees' employees' salaries

With respect to this award, federal funds may not be used to pay cash compensation (salary plus bonuses) to any employee of the award recipient at a rate that exceeds 110% of the maximum annual salary payable to a member of the federal government's Senior Executive Service (SES) at an agency with a Certified SES Performance Appraisal System for that year. (An award recipient may compensate an employee at a higher rate, provided the amount in excess of this compensation limitation is paid with non-federal funds.)

This limitation on compensation rates allowable under this award may be waived on an individual basis at the discretion of the OJP official indicated in the program announcement under which this award is made.

No more data to load

☐ I have read and understand the information presented in this section of the Federal Award Instrument.

Award Acceptance

Declaration and Certification to the U.S. Department of Justice as to Acceptance

- By checking the declaration and certification box below, I--
- A. Declare to the U.S. Department of Justice (DOJ), under penalty of perjury, that I have authority to make this declaration and certification on behalf of the applicant.
 - B. Certify to DOJ, under penalty of perjury, on behalf of myself and the applicant, to the best of my knowledge and belief, that the following are true as of the date of this award acceptance: (1) I have conducted or there was conducted (including by applicant's legal counsel as appropriate and made available to me) a diligent review of all terms and conditions of, and all supporting materials submitted in connection with, this award, including any assurances and certifications (including anything submitted in connection therewith by a person on behalf of the applicant before, after, or at the time of the application submission and any materials that accompany this acceptance and certification); and (2) I have the legal authority to accept this award on behalf of the applicant.
 - C. Accept this award on behalf of the applicant.
 - D. Declare the following to DOJ, under penalty of perjury, on behalf of myself and the applicant: (1) I understand that, in taking (or not taking) any action pursuant to this declaration and certification, DOJ will rely upon this declaration and certification as a material representation; and (2) I understand that any materially false, fictitious, or fraudulent information or statement in this declaration and certification (or concealment or omission of a material fact as to either) may be the subject of criminal prosecution (including under 18 U.S.C. §§ 1001 and/or 1621, and/or 34 U.S.C. §§ 10271-10273), and also may subject me and the applicant to civil penalties and administrative remedies under the federal False Claims Act (including under 31 U.S.C. §§ 3729-3730 and/or §§ 3801-3812) or otherwise.

Title of Approving Official	Name of Approving Official	Signed Date And Time
Deputy Assistant Attorney General	Maureen Henneberg	7/25/22 9:50 AM

Authorized Representative

☐

Entity Acceptance

Title of Authorized Entity Official
City Manager
Signed Date And Time



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1391

Agenda Date: 9/6/2022

Status: DEPARTMENTAL BUSINESS

In Control: City Commission

Title

ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE II "BOARDS, COMMITTEES, COMMISSIONS," OF THE CITY CODE OF ORDINANCES BY CREATING DIVISION 19 "AFRICAN AMERICAN HERITAGE COMMITTEE" TO ESTABLISH THE AFRICAN AMERICAN HERITAGE COMMITTEE AND PROVIDE FOR ITS PURPOSE AND MEMBERSHIP; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set public hearing for September 14, 2022

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

On October 20, 2020, the City Commission adopted Resolution No. 2020/146 which created the African American Heritage Board as a special purpose limited time advisory Board. This Board is empowered to provide recommendations and input to the City Commission for events recognizing and celebrating African American History relating to Martin Luther King Jr. Day, Juneteenth, and Black History Month.

The current Board consists of no more than nine members (the Mayor and each District Commissioner appoint one member and the District 2 Commissioner can appoint up to five) and it sunsets on September 30, 2022. With this special purpose Board sunseting and current members' terms expiring, the Board has requested to be made a permanent City Advisory Committee.

ORDINANCE NO. 2022/

**AN ORDINANCE OF THE CITY COMMISSION OF THE
CITY OF DEERFIELD BEACH, AMENDING CHAPTER 2
“ADMINISTRATION,” ARTICLE II “BOARDS,
COMMITTEES, COMMISSIONS,” OF THE CITY CODE
OF ORDINANCES BY CREATING DIVISION 19
“AFRICAN AMERICAN HERITAGE COMMITTEE” TO
ESTABLISH THE AFRICAN AMERICAN HERITAGE
COMMITTEE AND PROVIDE FOR ITS PURPOSE AND
MEMBERSHIP; PROVIDING FOR CONFLICTS,
SEVERABILITY, CODIFICATION, AND AN EFFECTIVE
DATE**

WHEREAS, on October 20, 2020, the City Commission adopted Resolution No. 2020/146, (the “Resolution”) which created the African American Heritage Board (the “Board”) in accordance with Section 3.12(2) of the City Charter; and

WHEREAS, the Board was established as a special purpose limited time advisory board, with the purpose of providing recommendations to the City for events to celebrate and promote African American history; and

WHEREAS, the Board is scheduled to sunset on September 30, 2022; and

WHEREAS, the Board has requested to be made a permanent advisory committee of the City; and

WHEREAS, the City Commission deems it to be in the best interest of the City to amend the City Code, in the manner set forth in this Ordinance, to establish the African American Heritage Committee.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE
CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:**

Section 1. The above “WHEREAS” clauses are true and correct and are incorporated and made a part of this Ordinance.

Section 2. Chapter 2 “Administration,” Article II “Boards, Committees, Commissions,” Division 19 “African American Heritage Committee” of the City Code of Ordinances is hereby created to read as follows¹:

Chapter 2 – ADMINISTRATION

¹ Additions to existing City Code text are shown in underline. Deletions to existing City Code text are shown in ~~strikethrough~~.

ARTICLE II – BOARDS, COMMITTEES, COMMISSIONS

DIVISION 19. AFRICAN AMERICAN HERITAGE COMMITTEE

Section 2-211. Creation of African American Heritage Committee.

The African American Heritage Committee is hereby created. The Committee is empowered to provide recommendations and input to the City Commission for events recognizing and celebrating African American history relating to Martin Luther King Jr. Day, Juneteenth, and Black History Month. The Committee shall make recommendations with the inclusion of, and celebration by, the entire community in mind. The Committee may make recommendations to the City regarding the arrangement of the events, including but not limited to the distribution of tickets and general promotion of the events, but shall not be empowered to contract for such events. The Committee may recommend various expenditures that may be incurred in connection with the events, but shall not have the authority to expend funds. Such expenditures shall only be incurred upon prior approval of the City Manager or City Commission, as applicable.

Section 2-212. Members; terms; appointments; qualifications of members; organization.

The Committee shall be composed of no more than nine members. Each member shall serve without compensation. The Mayor and each City Commissioner may appoint a member to the Committee, except that the District 2 Commissioner may appoint up to five members to the Committee. All appointments shall be subject to approval by a majority of the City Commission. Committee members shall be residents of the City and shall serve two-year terms. A member may be removed from the Committee with or without cause by the Commissioner who appointed the member. A majority of the Committee members appointed shall constitute a quorum. Minutes and records shall be kept of all meetings of the Committee and all meetings shall be public.

Section 3. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. That the provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 5. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such

intent.

Section 6. That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED 1ST READING ON THIS _____ DAY OF _____, 2022.

PASSED 2ND READING ON THIS _____ DAY OF _____, 2022.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1372

Agenda Date: 9/6/2022

Status: DEPARTMENTAL BUSINESS

In Control: City Commission

Title

ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE IV "DEPARTMENTS, DIVISIONS, OFFICES AND AGENCIES" OF CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF ORDINANCES TO REVISE THE NAMES OF CITY DEPARTMENTS AND PROVIDE FOR ORGANIZATIONAL CHARTS TO BE INCLUDED IN THE ANNUAL BUDGET; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set public hearing for September 14, 2022

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Current Activity

Section 4.04 of the City Charter provides that the City Commission shall, in its discretion, establish by ordinance the administrative organization of the City with such departments, offices, agencies, authorities, and boards as it deems necessary from time to time. Article IV of Chapter 2 of the City Code provides for City administration and includes a list of the City departments and organizational charts for certain departments.

Staff recommends the City Commission adopt this Ordinance amending City Code Section 2-246 to reflect the current names of City departments and amending City Code Section 2-247 to remove the organizational charts and provide for the organization charts to be included in the annual budget.

Recommendation

Recommend approval.

ORDINANCE NO. 2022

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE IV “DEPARTMENTS, DIVISIONS, OFFICES AND AGENCIES” OF CHAPTER 2 “ADMINISTRATION” OF THE CITY CODE OF ORDINANCES TO REVISE THE NAMES OF CITY DEPARTMENTS AND PROVIDE FOR ORGANIZATIONAL CHARTS TO BE INCLUDED IN THE ANNUAL BUDGET; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

WHEREAS, Section 4.04 of the City Charter provides that the City Commission shall, in its discretion, establish by ordinance the administrative organization of the City with such departments, offices, agencies, authorities, and boards as it deems necessary from time to time; and

WHEREAS, Article IV of Chapter 2 of the City Code provides for City administration and includes a list of the City departments and organizational charts for certain departments; and

WHEREAS, staff recommends the City Commission adopt this Ordinance amending City Code Section 2-246 to reflect the current names of City departments and amending City Code Section 2-247 to remove the organizational charts and provide for the organization charts to be included in the annual budget.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AS FOLLOWS:

Section 1. The above “WHEREAS” clauses are true and correct and are made a part of this Ordinance.

Section 2. Chapter 2 “Administration” of the City Code of Ordinances is hereby amended to read as follows¹:

Chapter 2 ADMINISTRATION

ARTICLE IV. DEPARTMENTS, DIVISIONS, OFFICES AND AGENCIES

Sec. 2-246. City government administration. The City Commission shall in its discretion establish by ordinance the administrative organization of the City with such departments, offices, agencies, authorities, and boards as it deems necessary from time to time.

¹ Additions to existing City Code text are shown in underline. Deletions to existing text are shown in ~~strikethrough~~.

- (1) Office of the city manager.
 - ~~(a) Community development division.~~
 - ~~(b) Public information office.~~
 - ~~(c) Purchasing and contract administration division.~~
- (2) Office of the city clerk.
- (3) Community redevelopment agency.
- (4) Community services department
- (5) Economic development department.
- (46) Environmental services department.
- (57) Financial services department.
- (68) Human resources department.
- (79) Information technology services department.
- (810) Parks and recreation department.
- (911) Planning and development services department.
- (12) Public affairs and marketing department.
- (13) Public safety department
- (140) ~~Recycling and solid waste~~ Sustainable management department.

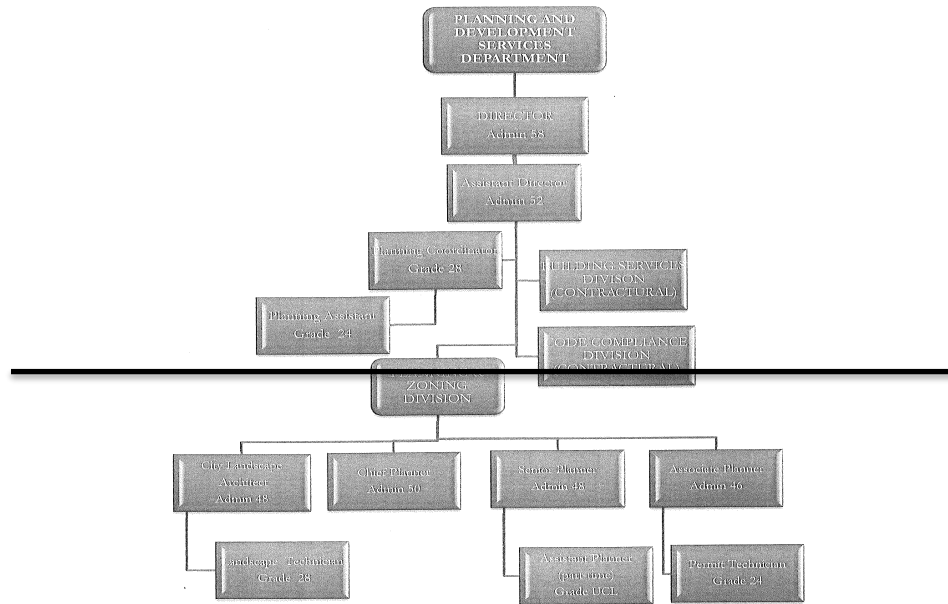
Sec. 2-247. Creation of subdivisions and sections within the departments.

The city manager shall be responsible for the creation and establishment of subdivisions and sections within the departments created in this article, which subdivisions and sections shall facilitate the effective administration of the city. The city manager shall prepare an organizational chart, which shall be included within the annual budget, ~~which that~~ reflects the departments and divisions created by this article and the subdivisions and sections thereunder as established by the city manager.

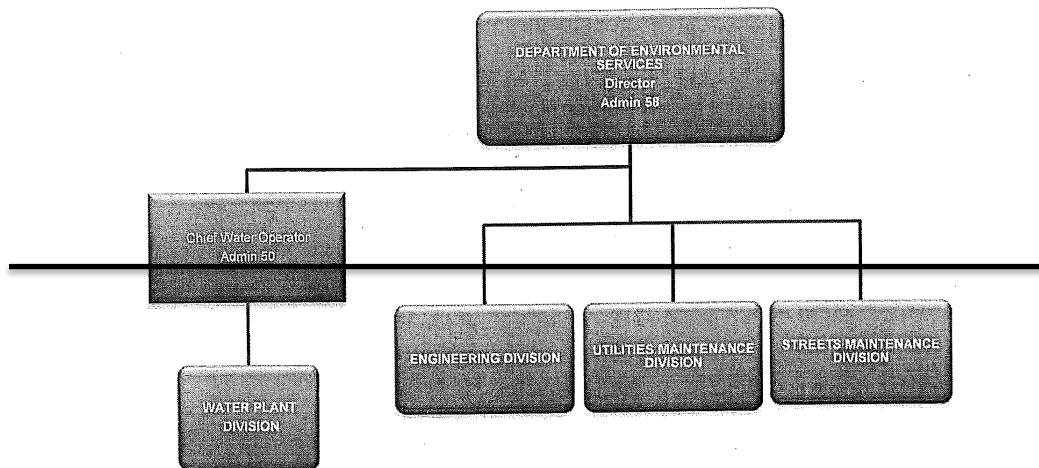
[illegible]

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graph TD; A[CAPITAL IMPROVEMENTS DIVISION] --> B[Capital Project Engineer  
Admin 56]; B --> C[Construction Project Manager  
Admin 48]; C --> D[Division Secretary  
Grade 22];
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**Planning and Development Services Department
Planning and Zoning Division
Organization Chart**

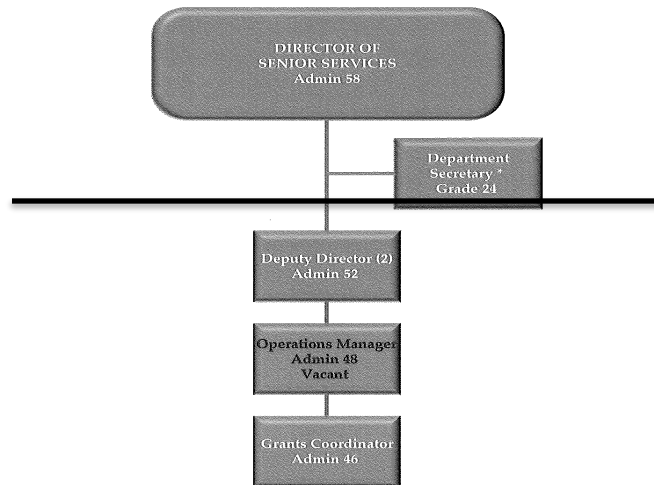


**Department of Environmental Services
Organization Chart**



- ~~The Environmental Services Director Position has been permanently removed~~
- ~~The Facilities and Capital Divisions have been moved under Purchasing~~

Department of Senior Services
~~Administration Organization Chart~~



~~*Department Secretary supervises Administrative Support Specialist and Office Specialist in Senior Center and Office Assistant in Alzheimer's-~~

Secs. 2-248—2-270. Reserved.

Section 3. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. The provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 5. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 6. That this Ordinance shall take effect immediately upon adoption on second reading.

PASSED 1ST READING ON THIS ____ DAY OF _____, 2022.

PASSED 2ND READING ON THIS ____ DAY OF _____, 2022.

 BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1406

Agenda Date: 9/6/2022

Status: DEPARTMENTAL BUSINESS

In Control: City Commission

Title

ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING CHAPTER 38 "FINANCE AND TAXATION," ARTICLE VI "MISCELLANEOUS FEES," OF THE CITY CODE OF ORDINANCES BY CREATING SECTION 38-182 "TRANSACTION CONVENIENCE FEES" TO PROVIDE FOR THE IMPLEMENTATION OF A CONVENIENCE FEE FOR USE OF A CREDIT CARD, BANK DEBIT CARD, CHARGE CARD, AND ELECTRONIC FUNDS TRANSFER FOR PAYMENTS TO THE CITY OF DEERFIELD BEACH; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set public hearing for September 14, 2022

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

Pursuant to Section 215.322, Fla. Stat., the City, in the interest of convenience to its customers, has made the ability to transact business with various City agencies more accessible by accepting payment via City approved credit cards, charge cards, bank debit cards, and electronic funds transfers (EFT). The City has been absorbing fees from the financial and merchant institutions for all credit card, charge card, debit cards or EFT payments processed. In order to help defray the costs incurred by the City when authorizing payments by any of these methods and pursuant to Section 215.322, Fla. Stat., the City is recommending a convenience fee or surcharge be imposed. The convenience fee will be imposed upon the payment of City rates, fees, and charges, including, but not limited to, cost recovery charges, permit and license fees, local business tax receipts, park and recreation fees, code enforcement fines and costs, service charges, or other fees, charges and revenues prescribed for payment to the City (collectively referred to as City Fees).

Current Activity

If the Commission approves the Ordinance, a customer who pays a City Fee via approved credit card, charge card, bank debit card, or EFT, will pay any reasonable service charge or convenience fee charged by the financial institution, credit card company, or other entity for the processing of such payments in an amount sufficient to pay the service charge or convenience fee charged by the financial institution, credit card company, or other entity for such services. The service charge or convenience fee will be separate and in addition to the City Fee, shipping and handling costs and any other rate, fee or charge authorized by applicable law. The service charge or convenience fee will not exceed the total cost imposed on the City for such services by the financial institution, credit card company, or other entity.

Adding a convenience fee to all credit card, charge card, debit card, and other EFT transactions processed will reduce the City's costs for providing said services. In the event of a refund or

reconciliation of payment made by the cardholder, the convenience fee will not be included in any refund.

The convenience fee will be disclosed prior to the completion of the transaction, for the customer to decide whether to cancel the transaction or pay by other methods.

Recommendation

Staff recommends approval of the ordinance and for the convenience fee charges to take effect with implementation of software program updates to enable processing of convenience fees.

ORDINANCE NO. 2022/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING CHAPTER 38 "FINANCE AND TAXATION," ARTICLE VI "MISCELLANEOUS FEES," OF THE CITY CODE OF ORDINANCES BY CREATING SECTION 38-182 "TRANSACTION CONVENIENCE FEES" TO PROVIDE FOR THE IMPLEMENTATION OF A CONVENIENCE FEE FOR USE OF A CREDIT CARD, BANK DEBIT CARD, CHARGE CARD, AND ELECTRONIC FUNDS TRANSFER FOR PAYMENTS TO THE CITY OF DEERFIELD BEACH; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, Section 215.322, Fla. Stat., was created to permit local governments to impose a convenience fee on credit cards, bank debit cards, charge card, and electronic funds transfers ("EFT") (collectively, "Credit/Debit Cards") transactions to pay the service fee charges imposed when a person uses a credit or debit card or EFT for the payment of taxes, fees, fines, penalties, court-ordered payments, court costs or other legislatively prescribed fees and charges; and

WHEREAS, pursuant to Section 215.322, Fla. Stat., the City of Deerfield Beach ("City"), in the interest of convenience to its customers, has made the ability to transact business with various City agencies more accessible by accepting payment via City approved Credit/Debit Cards; and

WHEREAS, the City has been absorbing fees from the financial and merchant institutions for Credit/Debit Cards payments the City processes; and

WHEREAS, adding a convenience fee to all Credit/Debit Cards transactions will reduce the City's costs for providing its services; and

WHEREAS, City staff is proposing to amend the City Code to allow the City to pass the transaction convenience fee that financial institutions charge the City through to those credit/debit card holders who elect to make payments with those Credit/Debit Cards to defray the costs the City incurs; and

WHEREAS, the City Commission has determined that it is in the best interests of the City to amend the City Code by creating Section 38-182, "Transaction Convenience Fees," to provide for the implementation of a pass through of Credit/Debit Cards transaction convenience fees that are charged by financial institutions to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above “WHEREAS” clauses are true and correct and are incorporated and made a part of this Ordinance.

Section 2. Chapter 38 “Finance and Taxation,” Article VI “Miscellaneous Fees,” Section 38-182 “Transaction Convenience Fees,” of the City Code of Ordinances is hereby created to read as follows¹:

Chapter 38 – FINANCE AND TAXATION

ARTICLE VI – MISCELLANEOUS FEES

Sec. 38-182. – Transaction Convenience Fees.

- (a) The City, in the interest of convenience to its customers, desires to make more accessible the ability to transact business with various City departments by accepting payment via City approved credit cards, charge cards, bank debit cards, and electronic funds transfers (“EFT”). In order to help defray the costs incurred by the City when authorizing payment to the City by City approved credit cards, charge cards, bank debit cards, or EFTs, and pursuant to Section 215.322, Fla. Stat., a service charge or convenience fee shall be paid by the customer upon payment of any City rates, fees, and charges, including, but not limited to, cost recovery charges, permit and license fees, local business tax receipts, park and recreation fees, code enforcement fines and costs, service charges, or other fees, charges and revenues prescribed for payment to the City, hereinafter referred to in this Section as “City Fees.”
- (b) When a customer elects to pay a City Fee via City approved credit cards, charge cards, bank debit cards, or EFTs, the customer shall pay any reasonable service charge or convenience fee charged by the financial institution, credit card company, or other entity for the processing of such payments in an amount sufficient to pay the service charge or convenience fee charged by the financial institution, credit card company, or other entity for such services. The service charge or convenience fee shall be separate and in addition to the City Fees, shipping and handling costs and any other rate, fee or charge authorized by applicable law, and is not refundable. The service charge or convenience fee shall not exceed, but may be less than (as determined by the City), the total costs imposed on the City for service by the financial institution, credit card company, or other applicable entity for such services. In the event of a refund or reconciliation of payment made by the cardholder, the convenience fee will not be included in the refund.

Secs. 38-183—38-190. - Reserved.

¹ Additions to existing City Code text are shown in underline. Deletions to existing City Code text are shown in ~~strikethrough~~.

Section 3. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. That the provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 5. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 6. That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED 1ST READING ON THIS _____ DAY OF _____, 2022.

PASSED 2ND READING ON THIS _____ DAY OF _____, 2022.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CITY CLERK



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet File Number: I.D. 2022-1474

Agenda Date: 9/6/2022

Status: CITY COMMISSION
BUSINESS

In Control: City Commission

Title

City Manager's Annual Performance Evaluation. *(Deferred from August 16, 2022)*

Recommended Action

Motion on decision of Commission

Background/History

The City Manager's employment contract provides for the City Commission to provide him with a performance evaluation each year, including submission of a written performance evaluation and a review at a public meeting.

The City Commission previously approved a performance evaluation form to be used for the purpose of providing the written performance evaluation of the City Manager.

Per Section 3(B) of the contract, the City Commission may increase the Manager's salary in such amounts and to such an extent as the City Commission may determine desirable on the basis of performance and evaluation of the Manager, in the City Commission's sole discretion.

Current Activity

The City Manager's employment contract provides for the evaluation and review to be done by September 30 of each year of the contract. The contract provides for an evaluation format, including use of the written evaluation form approved by Resolution of the City Commission.

City Manager Performance Evaluation

City Manager Performance Evaluation

City of Deerfield Beach, FL

Evaluation period: _____

Governing Body Member's Name

Each member of the Dais should complete this evaluation form, sign it in the space below, and return it to [The City Clerks Office](#). The deadline for submitting this performance evaluation is _____. Evaluations will be summarized and included on the agenda for discussion at the work session on _____.

Mayor's Signature

Date

Governing Body Member's Signature

Date Submitted

INSTRUCTIONS

This evaluation form contains ten categories of evaluation criteria. Each category contains a statement to describe a behavior standard in that category. For each statement, use the following scale to indicate your rating of the city manager's performance.

- 5 = Excellent** (almost always exceeds the performance standard)
- 4 = Above average** (generally exceeds the performance standard)
- 3 = Average** (generally meets the performance standard)
- 2 = Below average** (usually does not meet the performance standard)
- 1 = Poor** (rarely meets the performance standard)

Any item left blank will be interpreted as a score of "3 = Average"

This evaluation form also contains a provision for entering narrative comments, including an opportunity to enter responses to specific questions and an opportunity to list any comments you believe appropriate and pertinent to the rating period. Please write legibly.

Leave all pages of this evaluation form attached. Initial each page. Sign and date the cover page. On the date space of the cover page, enter the date the evaluation form was submitted. All evaluations presented prior to the deadline identified on the cover page will be summarized into a performance evaluation to be presented by the governing body to the city manager as part of the agenda for the meeting indicated on the cover page.

PERFORMANCE CATEGORY SCORING

1. INDIVIDUAL CHARACTERISTICS

- _____ Diligent and thorough in the discharge of duties, "self-starter"
- _____ Exercises good judgment
- _____ Displays enthusiasm, cooperation, and will to adapt
- _____ Mental and physical stamina appropriate for the position
- _____ Exhibits composure, appearance and attitude appropriate for executive position

Add the values from above and enter the score for this category _____

2. PROFESSIONAL SKILLS AND STATUS

- _____ Maintains knowledge of current developments affecting the practice of local government management
- _____ Demonstrates a capacity for innovation and creativity
- _____ Anticipates and analyzes problems to develop effective approaches for solving them
- _____ Willing to try new ideas proposed by governing body members and/or staff
- _____ Sets a professional example by handling affairs of the public office in a fair and impartial manner

Add the values from above and enter the score for this category _____

3. RELATIONS WITH ELECTED MEMBERS OF THE GOVERNING BODY

- _____ Carries out directives of the body as a whole as opposed to those of any one member or minority group
- _____ Sets meeting agendas that reflect the guidance of the governing body and avoids unnecessary involvement in administrative actions
- _____ Disseminates complete and accurate information equally to all members in a timely manner
- _____ Assists by facilitating decision making without usurping authority
- _____ Responds well to requests, advice, and constructive criticism

Add the values from above and enter the score for this category _____

4. POLICY EXECUTION

- _____ Implements governing body actions in accordance with the intent of council
- _____ Supports the actions of the governing body after a decision has been reached, both inside and outside the organization
- _____ Understands, supports, and enforces local government's laws, policies, and ordinances
- _____ Reviews ordinance and policy procedures periodically to suggest improvements to their effectiveness
- _____ Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

Add the values from above and enter the score for this category _____

5. REPORTING

- _____ Provides regular information and reports to the governing body concerning matters of importance to the local government, using the city charter as guide
- _____ Responds in a timely manner to requests from the governing body for special reports
- _____ Takes the initiative to provide information, advice, and recommendations to the governing body on matters that are non-routine and not administrative in nature
- _____ Reports produced by the manager are accurate, comprehensive, concise and written to their intended audience
- _____ Produces and handles reports in a way to convey the message that affairs of the city are open to public scrutiny

Add the values from above and enter the score for this category _____

6. CITIZEN RELATIONS

- _____ Responsive to requests from citizens
- _____ Demonstrates a dedication to service to the community and its citizens
- _____ Maintains a nonpartisan approach in dealing with the news media
- _____ Meets with and listens to members of the community to discuss their concerns and strives to understand their interests
- _____ Gives an appropriate effort to maintain citizen satisfaction with city services

Add the values from above and enter the score for this category _____

7. STAFFING

- _____ Recruits and retains competent personnel for staff positions
- _____ Applies an appropriate level of supervision to improve any areas of substandard performance
- _____ Stays accurately informed and appropriately concerned about employee relations
- _____ Professionally manages the compensation and benefits plan
- _____ Promotes training and development opportunities for employees at all levels of the organization

Add the values from above and enter the score for this category _____

8. SUPERVISION

- _____ Encourages heads of departments to make decisions within their jurisdictions with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff
- _____ Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
- _____ Develops and maintains a friendly and informal relationship with the staff and work force in general, yet maintains the professional dignity of the city manager's office
- _____ Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
- _____ Encourages teamwork, innovation, and effective problem-solving among the staff members

Add the values from above and enter the score for this category _____

9. FISCAL MANAGEMENT

- _____ Prepares a balanced budget to provide services at a level directed by council
- _____ Makes the best possible use of available funds, conscious of the need to operate the local government efficiently and effectively
- _____ Prepares a budget and budgetary recommendations in an intelligent and accessible format
- _____ Ensures actions and decisions reflect an appropriate level of responsibility for financial planning and accountability
- _____ Appropriately monitors and manages fiscal activities of the organization

Add the values from above and enter the score for this category _____

10. COMMUNITY

- ___ Shares responsibility for addressing the difficult issues facing the city
- ___ Avoids unnecessary controversy
- ___ Cooperates with neighboring communities and the county
- ___ Helps the council address future needs and develop adequate plans to address long term trends
- ___ Cooperates with other regional, state and federal government agencies

Add the values from above and enter the score for this category _____

Total Score for section I. _____

Rate Category I: Excellent = 225 - 250; Above Average = 200 - 224; Average = 175 - 199; Below Average = 150 - 174; Poor = 1 - 149.

II. GOAL/TARGET ACHIEVEMENT CURRENT REVIEW PERIOD (50%)

Rate Category II: Achieved = 90 - 100; Partially Achieved = 51 - 89; Not Achieved = 30 - 50;

II. GOALS FOR CURRENT REVIEW PERIOD

SCORE FOR GOAL

- A. _____
- B. _____
- C. _____
- D. _____

- A. _____
- B. _____
- C. _____
- D. _____

Comments:

Total Score for section II. _____ / **Number of GOALS** ____ = _____

Rate Category II: Excellent = 90 - 100; Above Average = 75 - 89; Average = 60 - 74; Below Average = 51 - 59; Poor = 30 - 50.

OVERALL EVALUATION (Add scores from Section I and Section II): _____

Overall: Excellent = 315 - 350; Average = 395 - 449; Below Average = 316 - 394; Poor = 1 - 315.

IV. SUGGESTED GOALS/TARGETS FOR UPCOMING YEAR

- A. _____ D. _____
- B. _____
- C. _____

City Manager's Signature _____

Date _____