



Meeting Minutes City Commission

Tuesday, September 6, 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
Commissioner Ben Preston
Vice Mayor Michael Hudak
Mayor Bill Ganz

Also Present: 3 – City Manager David Santucci
City Attorney Anthony Soroka
Assistant City Clerk Heather Montemayor

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Commissioner Parness commented on the recent passing of Ms. Velemina Williams; wherein, she made great contributions in the creation of the Branhilda Richardson-Knowles Memorial Park. He said Ms. Velemina opened his eyes by showing him a community that cares about the City's history.

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

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - August 2 & August 16, 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

Budget Workshop Meeting Minutes - June 15 & June 16, 2022

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

Non-Uniformed Employees' Retirement Committee Meeting Minutes - May 9, 2022

Hillsboro Inlet District Meeting Minutes - July 11, 2022

Code Compliance Meeting Minutes - June 29 & July 12, 2022

Community Redevelopment Agency Meeting Minutes - June 14 & August 9, 2022

Cultural Committee Meeting Minutes - May 16, June 27, & July 18, 2022

African American Heritage Committee Meeting Minutes - July 14, 2022

Affordable Housing Advisory Committee Meeting Minutes - April 4, 2022

Marine Advisory Board Meeting Minutes - May 19, 2022

Community Appearance Board Meeting Minutes - July 27, 2022

MOTION was made by Commissioner Parness, 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

September 6, 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. Proclamation presented to the League of Women Voters of Broward recognizing September 2022 as Suicide Awareness Month.

Mayor Ganz read a proclamation recognizing September as Suicide Awareness Month.

Linda Thompson Gonzalez, League of Women Voters of Broward, thanked the Commission for the recognition. Thereafter, she provided tips for suicide prevention for those in distress; removal of lethal means from home, which includes guns and medications. Also, there is a new crisis number, 9-8-8. Lastly, she advised in suicides which have increased extraordinarily over the last 2 years from both guns and medications.

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.

Mayor Ganz outlined the contributions made by Mr. Mirantz as the Executive Director of the Deerfield Beach

AWARDS & RECOGNITION - CONTINUED

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.

Mr. Mirantz thanked the Commission for recognizing him and briefly outlined his time spent in the City and the work he has done on various boards and the relationships he has built.

Bob Birdsong, Deerfield Beach Economic Development Council, applauded Mr. Mirantz for his contributions.

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

Mayor Ganz said Ms. Williams has worked in the Center for Active Aging for 16 years and has always worked hard and put the seniors and residents best wishes at heart. All the best to her in her future endeavors.

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.**

Anthony Soroka, City Attorney, advised that a presentation will be given on Items 4 and 5; thereafter, he read both titles into the record. Additionally, he outlined the proposed operating millage, 6.0018; proposed debt service millage, 0.2807; total proposed millage rate for fiscal year 2023, 6.2825. The proposed operating millage is 9.58% more than the rolled back rate of 5.4770 mills calculated pursuant to State law.

David Santucci, City Manager, presented a PowerPoint presentation for Items 4 and 5.

Public Budget Event Calendar - Mr. Santucci provided a list of the meetings held in relation to the proposed budget. Tonight, is the first public hearing of the millage rate and budget recommendation; Wednesday, September 14th is the final public hearing and adoption of the fire assessment fee, nuisance abatement assessment, millage rate and final budget. He explained that an amended schedule in September is necessary as to not conflict with budget proposals for the School Board and Broward County.

Budget Message - Mr. Santucci provided the concepts behind driving boldly; engaging the community, investing in the City, planning for the future, adapting to the market, and fiscal responsibility. He advised that many deferred capital improvement projects are being pursued that could not previously be done.

FY23 Millage Rate - Mr. Santucci said the total millage rate for fiscal year 2023 is proposed at 6.2825 which is a reduction from last year due to a lower debt millage rate.

Total Property Taxes - Mr. Santucci explained that property tax revenues are divided among various governmental entities in the County; whereas, the City only receives approximately 1/3 of total property tax revenue. Furthermore, although the City has decreased its overall millage rate this year, other agencies have increased theirs; he then listed the entities who collect property tax revenue, other than the City.

Current V. Proposed Operating Millage Rates - Mr. Santucci provided a comparison of millage rates among cities comparable to Deerfield Beach.

BUDGET & MILLAGE PUBLIC HEARINGS - CONTINUED

FY23 Millage Rate (History) - Mr. Santucci outlined the City's millage rate since fiscal year 2013 and the circumstances that caused it to either increase or decrease.

Taxable Value V. Operating Millage Rate - Mr. Santucci explained that a lower millage rate is generally attributed to a higher taxable value as demonstrated with the city of Fort Lauderdale. When taxable values are not as high, the millage rate is higher to bring in revenue and fund the General Fund services.

Residential Property Values - Mr. Santucci explained the representation of both condo and home parcels; whereby, in areas with a higher average home value, and greater capacity, the millage rate tends to be slightly lower. There has been an increase in the City for the overall average assessed home value due to an influx of homebuyers to Florida and increased resale values in the City. Although the values have increased, homesteaded property owners are capped at 3%. Furthermore, he advised that the City is now the 11th lowest assessed value in Broward County.

Ad Valorem (Property Tax Collection) - Mr. Santucci said the City's total estimated tax collections are \$55.8 million, but the Community Redevelopment Agency (CRA) collects \$2.4 million of the total, resulting in a net of \$53.4 million. One mil generates \$8.8 million of ad valorem taxes; whereas, there has been a 9.6% increase of taxable values of properties, \$9.3 billion total.

Ad Valorem Tax Revenue Projection - Mr. Santucci displayed the continual increase in the tax revenue since 2014.

Broward County Localities Fire Assessment Fees - Mr. Santucci said the current fire assessment fee is \$235 per residential unit; adopted on first reading is an increase to \$295. The fire assessment fee study that supported the increase was approximately \$308 which would have been the amount to charge in order to maintain the proportional amount of contribution of the fire assessment fee in relation to the total fire budget. Additionally, if the fee were not increased, the result would have been a lower revenue contribution because the study data changed since the previous study.

Economic Climate/Cost Drivers - Mr. Santucci outlined factors that have positively and negatively impacted the city: consumer price index - 9.1% in June and increase in revenue collection.

Proposed Budget Overview by Fund - Stephanie Tinsley, Chief Financial Officer, provided an overview of the funds being budgeted and said the total proposed budget across all funds is approximately \$319 million. Thereafter, she briefly outlined the increases or decreases to various funds. General Fund increased by approximately \$6 million due to contractual services and proposed compensation plan. Another major change is the Road & Bridge Fund which increased by \$11.2 million due to a surtax that was not spent in this fiscal year and proposal to fund a project through loan proceeds. The decrease in Grant Funds is attributed to spending down ARPA funds and moving them to the General Fund. Utility, Stormwater, and Solid Waste Funds include both operating and capital and the increases are due to capital investments. Debt Service Funds experienced an increase primarily for capital lease proceeds being budgeted in FY 2023. The Capital Improvement Plan includes not only the capital project fund initiated in FY 2022 but also the bond funded construction projects, resulting in a \$6 million increase. There was a decrease in other funds as related to budgeting of various impact fees and Target Area Trust Fund and Law Enforcement Trust Fund.

Major Use of Fund Balances - Ms. Tinsley outlined the changes to the fund balance in terms of utilization. The General Fund was originally \$11.4 million, but when \$4 million for ARPA indirect projects were moved, it reduced to \$7.4 million and is being used for capital projects (\$5.3 million), emergency reserve (\$1.5 million) and contingency and FY22 carryforwards (\$0.6 million). There are initiatives funded through the utility fund, whereby, funds will be loaned to stormwater, which will repay the utility fund over the course of 3 to 5 years. The utility fund will also use some of its reserves to fund operating budget as well. She advised that the stormwater and solid waste funds are carryforward for various equipment. The capital related funds, \$17.9 million, relates to utilities capital funds, general capital funds and road & bridge; however, some is related to ARPA direct. Other funds - restricted for use is the \$1.5 million.

BUDGET & MILLAGE PUBLIC HEARINGS - CONTINUED

Status of General Fund Unassigned/Reserves - Ms. Tinsley explained that the fund balance, ending in fiscal year 2021, was \$40 million which she broke out into 3 categories. Non-spendable was \$0.4 million, assigned, which includes the emergency reserve was \$4.7 million, and the unassigned was \$35 million. For fiscal year 2022, budgeted use of the unassigned reserve was \$5.2 million; however, for fiscal year 2023, staff is proposing use of unassigned fund balance of \$7.4 million. She explained that of the \$7.4 million, \$1.5 million is being shifted from unassigned to assigned to fund the emergency reserve.

Proposed Budget Revenues by Source All Funds - Ms. Tinsley provided a list of the dollar changes to revenues collected by the City. Intergovernmental, grants and contributions resulted in a decrease of approximately \$3.5 million due to a spend out of ARPA funds; no change in administration fees because staff is waiting on the cost allocation plan, but an update will occur thereafter. The overall change resulted in an increase of approximately \$37 million.

Proposed Budget by Expenditure Category - Ms. Tinsley updated changes since the previous presentation; whereas, adjustments were made based on Commission feedback and mostly affected the Financial Services Department by increasing consultant services. Grants and contributions include community participation of approximately \$180,000.

Budget Initiatives and Recommendations - Mr. Santucci outlined current initiatives and those expected in the upcoming fiscal year: pay and compensation strategy implementation; cost of living adjustment increases of 5%; property acquisition for beach parcel which is forthcoming; increased project costs for SE 8th Avenue and Deer Run stormwater improvements resulting in a loan from the utility fund to stormwater; as well as others. Continuing, Mr. Santucci commented on other initiatives to be addressed by the Commission, i.e. SpotShotter, bank charges generated by credit card usage, community participation grant program - \$180,000, and others.

Future Considerations - Mr. Santucci outlined areas that staff will be addressing soon, i.e. solid waste fund audit observation and fee study to assess the fee structure; long term funding strategy for the utility fund; ARPA project implementation has a specific date that projects must be complete; ERP implementation is underway; pay and classification analysis is ongoing and expects completion in late fall or winter; and the public safety master plan.

Personnel Summary - Mr. Santucci provided a listing of changes to personnel throughout the City. He advised that Ocean Rescue personnel was reduced by one full-time position and 30 part-time remain. All changes relevant to the budget workshop in June and August are reflected.

Fiscal Year 2023 Capital Improvement Plan - Mr. Santucci highlighted projects funded through the general obligation revenue bonds: street resurfacing, City Hall renovations is on hold until the costs of both the Center for Active Aging and Tigner Center are determined before City Hall renovations are discussed. Additionally, projects secured by general fund revenues, road & bridge funds, utility funds, solid waste funds, and stormwater funds were displayed.

In response to Commissioner Preston's question, Mr. Santucci replied that ShotSpotter has improved and described how it works. It is not a remedy for gun violence, but it is a way that law enforcement can be made aware of when a gun is shot and where it came from. Mr. Santucci also commented on funding received through an appropriation from the federal government.

Mr. Santucci responded to various questions posed by the Commission.

Mayor Ganz commented on the consideration, years ago, to place cameras in various areas to assist with reducing gun violence, but he is happy to see SpotShotter included in the budget.

Mayor Ganz opened the public hearing.

BUDGET & MILLAGE PUBLIC HEARINGS - CONTINUED

Inaudible, Deerfield Beach, said she has been a resident for three (3) years and has a business on Hillsboro Boulevard; thereafter, she commented on the Broward County budget and how inflation is causing people to suffer. She asked questions regarding tax revenue in the budget for next year and whether staff has applied for grants to pay for infrastructure improvements. Lastly, she commented on things that can be done to increase tourism and helping small businesses to increase revenue for the City and prioritizing revenue over infrastructure improvements.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said on page 58 of the proposed budget, there appears to be a large increase to the boat ramp parking fees, \$90,000, and asked how it was determined. She also asked for clarification on the revenue funds, under program activity fees, taxable and non-taxable.

James Kopkowski, 2159 Discovery Circle West, Deerfield Beach, asked if there are any details on how SpotShotter has improved and whether the costs can be shared with another city.

Mayor Ganz closed the public hearing.

Mr. Santucci replied to questions posed by the public; whereby, the Broward County Property Appraiser provides the anticipated ad valorem revenue to the City. Also, staff is very aggressive in seeking grant funding along with state and federal lobbyists. Other projects to spark activity in the City are underway which include asset repair, playgrounds, fishing pier and others. Regarding the increase to boat ramp fees, it was recently renovated so that could be the reasoning for the increase.

Mayor Ganz commented on ShotSpotter and explained that it is a sound tracking device that determines where the gun shot occurred.

Captain Hofstein, BSO Police District X, agreed that it is not a camera system, but an audio detection system. The locations are fixed points throughout the City.

Mayor Ganz explained that the Commission and staff would love to make various changes throughout the City, but cannot due to a lack of funds. Furthermore, he advised that certain services provided to the citizens are not always profitable which is why government cannot be run like a business. He also commented on various projects the City has worked on to draw people, as well as the difficulties the City has faced through the pandemic and market crash.

Vice Mayor Hudak commented on the Deerfield Beach Economic Development Council bringing business to the City and the importance of continuing that relationship. He asked about the reserves and what the ideal goal is.

Mr. Santucci replied that operational costs need to be evaluated to assure that the undesignated reserves is approximately 3 to 4 months of those costs. He said the current debt policy must also be reviewed to determine the target amount.

Vice Mayor Hudak reiterated the importance of having a road map and determining where the City is and its direction.

Commissioner Preston applauded the Commission for being progressive in revenue generating infrastructure, such as increasing the size of the Tigner Center to hold larger scale events. He also commented on how the Commission has welcomed businesses.

Commissioner Drosky said his concerns have been addressed in the budget, including reducing the millage rate which is the most important to him. Regarding the utility fund, there is a new reclaimed water main loan proceed for \$3.5 million; he asked if it is related to the SW 10th Street project.

Mr. Santucci replied yes.

BUDGET & MILLAGE PUBLIC HEARINGS - CONTINUED

Commissioner Drosky said he will continue to fight the Florida Department of Transportation as they should be participating. Thereafter, he commented on expected changes next year, inflation, an offset to increased contractual services from increased property values, possible increases due to the pay and class study, fire and police contractual services, solid waste and other challenges. He said he does not want to see any increases in the millage and wants it to continually decrease.

Commissioner Parness commented on the reserves and the possibility of perils; whereas, it is important to set funds aside until the Commission knows what amount is necessary for the City's survivability. Thereafter, he commented on his experiences with hurricanes in New York. Furthermore, he applauded the budget because it considers the possibility of emergencies. Lastly, he said he supports the increase to the fire assessment fee because it stops the City from spending \$3.5 million which can be used for other projects. Thereafter, he motioned approval.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 4 on first reading. Roll Call:

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

Nays: 0

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.

The Ordinance was read by title only.

Prior to Mayor Ganz opening the public hearing, a motion was made by Vice Mayor Hudak and seconded by Commissioner Parness.

Mayor Ganz opened the public hearing for Item 5; however, there were none to speak and the public hearing was closed.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Parness, to approve Item 5 on first reading. Roll Call:

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

Nays: 0

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.

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.

BUDGET & MILLAGE PUBLIC HEARINGS - CONTINUED

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 6 on first reading. Roll Call:

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

Nays: 0

PUBLIC HEARING

7. Resolution 2022/146 - 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.

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.

A motion was made by Commissioner Preston and seconded by Commissioner Parness to approve the proposed resolution prior to commission discussion.

Commissioner Drosky said he would like there to be more consideration on the award given to the agencies based on their investment to the City. He advised that the impact to the City is very low and was not his intention when the process was handed to staff. He asked that the process be revamped moving forward and said his preference was that the Historical Society receive the full amount requested. Additionally, he would like last year's organizations to receive the same amount.

David Santucci, City Manager, advised that the full cost for the Deerfield Beach Historical Society could be absorbed and the adjustment can be made without any impact to the budget. Furthermore, more adjustments can be made to the program based on Commission feedback.

Commissioner Drosky outlined the amounts each organization received last year and the amount allocated for this year; whereby, some organizations did not receive any funding last year, but are receiving funds this year without illustrating any direct impact to the City. Lastly, his reallocation resulted in a net total of \$138,000 instead of \$180,000.

Thereafter, a lengthy discussion ensued regarding the allocated amount given to the organizations and staff's role in ranking the organizations.

Mayor Ganz reopened the public hearing.

Inaudible, Deerfield Beach, recommended tabling the item for further consideration instead of approving it now because she agreed the funds should be contributed to Deerfield Beach organizations.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, agreed with Commissioner Drosky that some of the organizations listed do not have as much as a benefit to the City as others and recommended additional backup material on the organizations to determine how they contribute to the City.

Mayor Ganz closed the public hearing.

PUBLIC HEARING - CONTINUED

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 7 as amended, increase Deerfield Beach Historical Society allocation to full amount requested; adopted Resolution 2022/146. Roll Call:

Yeas: 3 - Commissioner Parness, Commissioner Preston, and Vice Mayor Hudak.

Nays: 2 - Commissioner Drosky and Mayor Ganz

PUBLIC HEARING - SECOND READING

- 8. P.H. 2022-082: ORDINANCE 2022/017 - 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 Resolution was read by title only.

David Santucci, City Manager, provided a brief recap on the intent of the Ordinance; an update to the beach ordinance and provides various restrictions on where recreational activities can occur on the beach and in the water. It also restricts certain distances from the pier, regarding stopping, standing or sitting to increase the safety in the pier area and the congregation that can occur underneath.

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 Vice Mayor Hudak, seconded by Commissioner Parness, to approve Item 8, adopted Ordinance 2022/017. Voice Vote:

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

Nays: 0

PUBLIC COMMENT

Marilyn McConnell, 2121 Discovery Circle West, Deerfield Beach, reminded the Commission of her first appearance in August when she discussed residents, including herself, being taken advantage of by the homeowner's association and roofer. She said all funds, \$8,000 per unit owner, have been paid and no work has been done.

Janice Fulmore-Tigner, 1090 SW 4th Terrace, Deerfield Beach, said AT&T is working on fiber optics in the neighborhood and asked if it is possible to receive literature on what is happening. Also, people are wondering if damaged grass will be replaced and how long will the equipment be visible as it is a safety hazard.

Mayor Ganz said when the project occurred in his neighborhood, no one was informed.

PUBLIC COMMENT - CONTINUED

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said the lights have been for quite some time on SW 10th Street from Dixie Highway to Federal Highway. She said it has been 6 to 8 months since she brought it to the City's attention and asked if the City Manager was able to communicate with FP&L. Additionally, she thanked the Commission for not allowing Clear Channel to install a billboard on SW 10th Street. Lastly, Ms. Freitag expressed frustration with comments made regarding the no smoking beach and alcoholic beverage establishments.

John Connell, 4394 NW 9th Avenue, Deerfield Beach, said he lives in Heritage Circle Condominiums, 4300 NW 9th Avenue, Deerfield Beach, and thanked Commissioner Preston for coming to the property to see the issues he previously made. He also thanked Commissioner Parness for his guidance. He said he understands that the City does not get involved with legal issues; however, they do get involved with criminal issues which he believes is happening. Mr. Connell said these issues were reported back in 2017 and one of the board members owns a company which was contracted to do the landscaping and maintenance. Mr. Connell also commented on other concerns he would like the Commission to review. Lastly, he said he is the only one involved as other homeowners have abandoned him.

Commissioner Drosky advised that he has not received information regarding code violations, and only received information where complaints on homeowner associations can be filed.

David Santucci, City Manager, responded to questions posed by Mayor Ganz. He advised that for the roofing issue, he will follow up with the Director of Planning & Development Services to see if any assistance can be provided. Additionally, AT&T is responsible for updating the residents, but since they have not, he will see what the City can do when notifications are received from AT&T. Furthermore, regarding the lights on SW 10th Street, he has work orders open with FP&L and will follow up. As for the lights on Powerline Road, he will follow up on those also.

Mayor Ganz said the City does not involve itself with civil matters such as HOA issues; however, he asked for clarification on criminal matters such as embezzlement.

Anthony Soroka, City Attorney, said if there is evidence of a criminal action, it should be reported to the Broward Sheriff's Office; whereas, the City is not the prosecutorial entity, whereby, the State Attorney who would make the decision.

Commissioner Preston warned the public about scammers going to homeowners under the guise of being FP&L employees and being conscious about the type of information being given.

In response to Vice Mayor Hudak's question, Mr. Santucci replied that he signs off on canvassing applications for various projects and a badge is provided; however, he has not approved those applications in quite some time.

The Commission implored that the residents be mindful of solicitors, even if wearing badges.

CONSENT - BOARD APPOINTMENTS

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 Items 9 & 10, Board Appointments. Voice Vote:

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

Nays: 0

CONSENT - BOARD APPOINTMENTS - CONTINUED

9. Resolution 2022/147 - 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.
10. Resolution 2022/148 - 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.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

Item 18 was pulled for discussion.

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 Commissioner Preston, to approve Items 11 – 17 of the Consent Agenda. Roll Call:

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

Nays: 0

11. Resolution 2022/149 - 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.
12. Resolution 2022/150 - 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)*
13. Resolution 2022/151 - 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)*
14. Resolution 2022/152 - 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)*

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

15. Resolution 2022/153 - 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)*
16. Resolution 2022/154 - 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.
17. Resolution 2022/155 - 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.
18. Resolution 2022/156 - 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.

The Resolution was read by title only.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked for additional information on the project and the source of grant funding.

Mayor Ganz replied that it is from the US Department of Justice through the Bureau of Justice Assistance FY22 Byrne Discretionary Community Project; it does not come from the City's taxpayers.

There were no other speakers from the public.

There was no discussion amongst the commission.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 18, adopted Resolution 2022/156. Roll Call:

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

Nays: 0

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.**

The Ordinance was read by title only.

Commissioner Drosky said he would like to make changes to the appointment structure of the nine members since the board is moving from ad hoc to permanent. He recommended that the same structure apply to this board; whereas, each elected official has the same number of appointments. Additionally, he recommended staff researching the consolidation of boards due to the difficulty of obtaining volunteers. For example, combining the African American Heritage Board with the Cultural Committee. He recommended a total of 10 members, 5 regular and alternate with an appointment from each elected official.

Commissioner Preston said this board is vital as it becomes a liaison between community concerns, city involvement, and the historically Black celebrated holidays. Commissioner Preston explained that the board was implemented because of alienation and isolation toward the community. Although he understands, he asked that his peers trust his judgement and not alienate the community. Furthermore, volunteers on this committee need to understand the events and providing a collaborative bridge between the committee and City staff to vet any concerns is needed, so the community is not isolated. Thereafter, he expressed how the current structure has thrived and brought the community together and asked that the Commission understand his viewpoint.

Commissioner Parness said he does not have an issue with the current set up and spoke in support of the proposed ordinance.

Vice Mayor Hudak said he believes African American representation is throughout the City and would like to have equal representation among the districts so no one feels alienated.

Mayor Ganz agreed with Commissioner Preston as there could be some sensitivity to the board and based on performance, the committee is worthwhile; however, he does think the structure should be the same as the other boards. Thereafter, he commented on a reference he made about a District 2 representative being synonymous with African American which is an assumption; whereas, other districts could be represented by an African American in the future. Lastly, he spoke in support of making the board permanent, but would like to change the structure so each elected official selects 1 person.

Thereafter, a lengthy discussion ensued regarding the appointment structure; whereas, the structure for most boards consist of the elected official appointing one regular and one alternate member.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said the Cultural Committee has two (2) members appointed from each official and one (1) alternate. Also, she said there is a regulation that allows potential members from a different district to appeal to the Commission for appointment by another district commissioner. She expressed concern with the committee being of African American descent as the Cultural Committee is working on Kwanza. She also said both boards should work together to ensure the events thrive. Lastly, she recommended equal appointment so all districts are represented.

Mayor Ganz said Commissioner Preston never said members of the committee need to be African American. Thereafter, he closed the public hearing.

Commissioner Preston recommended three (3) appointments per commissioner.

DEPARTMENTAL BUSINESS - CONTINUED

Mayor Ganz agreed as each district would have the same amount.

David Santucci, City Manager, expressed concern with filling the board at 15.

Anthony Soroka, City Attorney, said with the current structure of the board, a majority of the committee members appointed constitutes quorum; so, if the boards capacity was 15 and only 8 were appointed, 5 would have to be in attendance to hold a meeting.

Discussion ensued regarding a quorum and options for structuring the committee.

Commissioner Parness motioned approval to amend the current structure; whereby, each commissioner would appoint 2 members and the Mayor would appoint 3.

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

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

Nays: 0

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.

The Ordinance was read by title only.

David Santucci, City Manager, advised that this item is merely intended to clean up the section and remove obsolete verbiage; whereas, the information provides for the naming of organizations within the organizational charts of the City departments. This information is included in the budget and can be amended through the budget process. Lastly, he requested approval so the budget then becomes the enabling legislation.

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

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve Item 20 on first reading. Voice Vote:

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

Nays: 0

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.

DEPARTMENTAL BUSINESS - CONTINUED

The Ordinance was read by title only.

David Santucci, City Manager, advised that a fee is currently charged to the City as a result of a customer using a credit card to pay a fee. The fees continue to rise because it is based on the type of credit card being used, such as cash back options. He said if approved, any customer that uses a credit card will be responsible for the surtax in the same amount charged to the City; wherein, the City would not make a profit on the transaction.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked if the surtax includes water bill payments. Since there are a lot of people struggling to pay their water bill, and does not think water bills should be included. Also, people rely on credit cards to pay for permit fees and thinks it should not be included. Lastly, she said anyone paying by cash or check should get a discount as an incentive.

Mayor Ganz explained that the total fees the City is being charged is \$850,000 yearly; therefore, everyone in the City is paying that fee instead of only the people using the credit card. Furthermore, he disagreed with a discount.

Thereafter, Mayor Ganz and Ms. Freitag continued to discuss the pros and cons of the proposed ordinance.

Mr. Santucci advised that customers on automatic payment withdrawals from the checking account will not be charged the fee.

James Kopkowski, 2159 Discovery Circle West, Deerfield Beach, spoke in support of the proposed ordinance.

Mayor Ganz closed the public hearing.

The Commission briefly outlined their support for the proposed ordinance.

In response to Mayor Ganz's question, Mr. Santucci replied that he does not have exact percentages, but outlined the charges the City pays for credit card fees. Currently, many fees come from the parking system, as well as utility payments which result in approximately \$6,200/month in fees.

Mayor Ganz said he would like the percentages. Furthermore, he expressed the difficulty in deciding where to draw the line with charging the fee to the customer, i.e. a parent trying to pay a sports registration; therefore, he does not know where to apply the fee.

Commissioner Preston expressed concerns with the City absorbing the costs.

MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to approve Item 21 on first reading. 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 - No Report.

CITY COMMISSION BUSINESS

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

Anthony Soroka, City Attorney, advised that the City Manager's contract outlines an annual written performance evaluation and submission of a written evaluation form and review in a public meeting. A form was previously approved for this purpose and pursuant to section 3b of the contract, it is up to the City Commission to increase the manager's salary to such amount and extent as desirable by the Commission, based on the evaluation.

Commissioner Preston commented on the evaluation form and the confusion with the ranking criteria; whereas, the numbers for average are higher than the numbers for excellent, so he did not put anything in this section and asked that the evaluation form be tweaked. Thereafter, he applauded City Manager Santucci for his performance this year as the City is trending and going in the right direction.

Commissioner Parness applauded the City Manager for the following reasons: continued communication, handles requests assigned to him, and overall improvement in the City.

Vice Mayor Hudak said he is pleased with the City Manager's performance and applauded him for being proactive and hopes this continues. He also made recommendations for the future: scrutinize fiscal costs and oversight of ARP funds to ensure proper handling and proactive oversight of finances by way of ERP communication which he would like to see completed this year as it will help alleviate challenges in the Finance Department.

Commissioner Drosky agreed that the form needs to be tweaked because a true evaluation cannot be given due to some of the categories, which he outlined. He advised that the scores provided were mostly 3 because some of the topics cannot be truly evaluated; nevertheless, the evaluation was better than last year. Thereafter, Commissioner Drosky highlighted four (4) goals from last year and City Manager Santucci's successes or opportunities for improvement; the highest performing goal was continued advancement of the four corners of redevelopment which is on track. Additionally, he outlined his goals for the upcoming year: continue exploration of P3 opportunities, decrease millage rate again, advance fire station bond, and implementation of four corners recommendations. Mr. Santucci has grown into the role and he has improved.

Mayor Ganz outlined the parameters for scoring which need to be corrected. Thereafter, he commented on past practices for evaluating the City Manager and recalled that last year, Mr. Santucci did not receive an increase. Mayor Ganz said there has been definite improvement and the City Manager has continued to thrive and recommended a 5% increase. Mayor Ganz outlined goals for next year: reduction of millage rate, completion of bond/ARP projects by 2025, improve beach and city aesthetics, correct financial report findings and/or provide a plan for correction, and master plan for public safety to replace fire station and build a headquarters.

There was a brief recess at 10:50 p.m.; the meeting reconvened at 10:53 p.m.

Vice Mayor Hudak said he has asked the City Attorney to review a new evaluation form, along with feedback from the Commission as the current evaluation needs to be revised. Furthermore, he agreed with a 5% increase for the City Manager.

Commissioner Preston commended Mr. Santucci for his performance this year and recommended adding above average to the evaluation form. Thereafter, he said the measures within the evaluation should be achievable and the Commission should do what they can to help him attain the highest level.

Commissioner Drosky recommended an 8% merit increase.

Mayor Ganz opened the public hearing.

William Lane, 11 Tilford A, Deerfield Beach, applauded City Manager Santucci for his accomplishments and expressed how the city has grown. Lastly, he agreed with the 8% merit increase.

CITY COMMISSION BUSINESS - CONTINUED

Mayor Ganz closed the public hearing.

After a brief discussion, the Commission agreed with a 6.5% merit increase to take effect at the next pay period.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve a 6.5 % merit increase for City Manager Santucci, effective at the next pay period. Roll Call:

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

Nays: 0

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

September 11th - Commissioner Drosky reminded everyone of the upcoming September 11th tragedy in the United States and to give solace for that time. Additionally, he reminded everyone to remain vigilant of future attacks.

COMMISSIONER PARNESS**DISTRICT 3**

Growing City - Commissioner Parness said he is grateful to be part of the City and his involvement in helping the City continually grow. He also applauded the events that are well attended.

COMMISSIONER PRESTON**DISTRICT 2**

District Meeting - Commissioner Preston said there is a district meeting at the Hillsboro Community Center on September 29th at 7:00 p.m.

Accolades - Commissioner Preston applauded the Broward Sheriff's Office Police for their efforts at the Packer Rattler games. He said the children are asking questions and this promotes community relations.

Battery Backup - Commissioner Preston asked that the City Manager provide power cords on the dais for each commissioner to serve as backup.

Resident's Support - Commissioner Preston said a resident experienced a house fire and applauded staff, City and Broward Sheriff's Office police and fire, for their support.

Resident Attendance - Commissioner Preston thanked the public for their continued involvement at the meetings. He encouraged them to keep attending and providing input, so that the City does improve.

VICE MAYOR HUDAK**DISTRICT 1**

September 11th Moment of Silence - Vice Mayor Hudak said the Broward Sheriff's Office will have a moment of silence on September 11th at Pioneer Park from 8:30 a.m. till 10:30 a.m. He encouraged attendance and remembrance of that day.

Eller Project - Vice Mayor Hudak asked that staff to look into the process for closing NE 4th Street to Federal Highway to alleviate traffic.

Upcoming Meetings - Vice Mayor Hudak said from 7:00 p.m. till 9:00 p.m. on September 8th at City Hall, and September 15th at Hillsboro Community Center there will be a workshop to discuss the Pioneer Village Concepts Streetscape, 2nd Avenue, Project.

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

Branhilda Richardson Knowles Memorial Park - Mayor Ganz said Ms. Velemina Williams was instrumental in the creation of this park as she informed the City that the property was formerly a cemetery. He commented on past actions which resulted in the discovery of human remains.

City's Renaming Policy - Mayor Ganz commented on his opposition to renaming the 10th Street linear park after Pastor Ford. He explained that he previously thought it was inappropriate to rename a facility after a living person because of the possibility of wrongdoing, i.e. being convicted of a crime, and having to remove the name. He said that is looking for the negative and is now open to changing his position and believes people should be honored; whereas, he would have liked something to be named after Ms. Williams.

Broward State Attorney - Mayor Ganz said he met with Broward State Attorney Harold Pryor regarding a resident's concern about the lack of prosecuting certain cases; whereby, it appears to be a sense of lawlessness. He said they both agreed that when you stop prosecuting on smaller crimes, they lead to bigger crimes, i.e. robbery and burglary escalates to worse crimes. He said he is not looking to wipe away crimes, but explained that officers do have options when it comes to arrests. He encouraged those interested to reach out to him and explain their concerns.

Mayor Ganz welcomed Commissioner Parness back.

ADJOURNMENT

There being no additional business to discuss.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to adjourn the meeting at 11:22 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