



Meeting Minutes City Commission

Tuesday, October 18, 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
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.

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes – October 3, 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

Planning & Zoning Board Meeting Minutes - September 1, 2022

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

October 3, 2022

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

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

Nays: 0

AWARDS & RECOGNITION**1. Presentation of the appropriation check for the Deerfield Parking Lot Stormwater Project by State Representative Chip LaMarca. (Addendum)**

This presentation was given after Item #2.

Representative LaMarca presented a check in the amount of \$600,000 for the aforementioned project. Thereafter, Representative LaMarca thanked the Commission and City Manager for their efforts in Tallahassee as it makes a difference.

2. Certificate of Recognition presented to the Department of Economic Development for winning the International Economic Development Council (IEDC) Excellence in Economic Development Silver Award.

Mayor Ganz presented a certificate of recognition for Excellence in Economic Development Silver Award. He explained that over the past year, Economic Development Coordinator Gigi Chazu, spearheaded the creation of a digital flip book that was designed to help individuals find information on how to access City services and a network of other resources to explain how to start, grow, and expand a business. The flip book is designed to remove local jurisdiction barriers to small businesses by providing a written and virtual step by step guide to forming a new business in English, Spanish and Portuguese.

3. Proclamation presented to the Florida League of Cities in recognition of Government Week.

Mayor Ganz explained the importance of local government, which has the greatest impact on residents. Government Week offers an important opportunity for elected officials and city staff to spread the word to all citizens of Florida that they can shape and influence this branch of government; thereafter, he presented a proclamation to Vice Mayor Hudak, as the City's Florida League of Cities representative

PUBLIC COMMENT

Robert DiChristopher, 517 NE 6th Avenue, Deerfield Beach, said at the last Commission meeting, there was a discussion related to a traffic study along Federal Highway and performing it during peak season. He asked if the developer has notified the City as to whether the traffic study will be done at that time.

Joe Budd, 21464 Bridge View Drive, Boca Raton, said he is running for Congress, to replace Ted Deutch who recently retired. He advised that he wants to build on the positive contributions Congressman Deutch has accomplished during his tenure; thereafter, he outlined his background and reasons he is running for Congress.

David Santucci, City Manager, advised that no information has been received from the applicant on how the traffic study will be conducted; however, comments from the community have been provided to them.

Mayor Ganz opened the public hearing on items 4 -10.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

Commissioner Drosky asked that Service Line Warranties of America (Item #15) be discussed after the Consent Agenda.

Items 4, 5, 9 & 10 were pulled for discussion; items 6 – 8 were approved in concert.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Hudak, to approve Items 6 - 8 of the Consent Agenda. Roll Call:

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

Nays: 0

- 4. Resolution 2022/169 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Proposals #22-32-PC for public affairs and marketing professional services; authorizing execution of an agreement with RJP Creations, Inc., the top ranked firm, for a two-year term with three additional one-year renewal terms; providing for implementation and an effective date. (Funds from Account #001-1800-513-32-99 - Other Contractual Services)**

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 Preston commented on the variation on pricing and the services offered by the proposers; whereas, one proposer has a price point of \$83,000 and the other, \$24,500, which is considerable different. He said after considering both proposals, it seems that the lower bidder is unable to perform all services outlined in the scope of work.

David Santucci, City Manager, explained that he spoke with the evaluation committee members and it was advised that the recommended vendor understood the scope of services and the bid outlined that the assignment would likely require 40-hours per week. Additionally, the alternate company, who is not being recommended, provided an hourly rate of \$175 but believes all the duties could be performed at \$24,500.

In response to Commissioner Preston's question, Mr. Santucci replied that if the lower bidder were unable to perform all services contained in the bid solicitation, it would be a breach of contract. He outlined various ways a contract can be breached as well as what would be required to secure a new contractor.

In response to Vice Mayor Hudak's question, Mr. Santucci replied that background checks are only done for the recommended vendor which returned positive results.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 4, adopted Resolution 2022/169. Roll Call:

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

Nays: 0

- 5. Resolution 2022/170 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the special event permit application submitted by DS Event Solutions, LLC/Broward Health North for the Ranse Jones Classic Volleyball Tournament to be held on Deerfield Beach from November 5, 2022 through November 6, 2022; denying a waiver of fees; providing for an effective date.**

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

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.

Vice Mayor Hudak spoke in support of the organization and the event. The fees total \$7,443 and asked that the Commission consider waiving the fee for the volleyball courts, \$3,978.74.

Commissioners Parness and Preston, and Mayor Ganz disagreed, as the organization is not a registered charity and should pay the full fee.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 5, adopted Resolution 2022/170. Roll Call:

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

Nays: 1 - Vice Mayor Hudak

- 6. Resolution 2022/171 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a one year agreement with Allied Universal Corporation for chlorine for water treatment operations in an amount not to exceed \$547,200 for fiscal year 2023; waiving the Procurement Code requirements for competitive solicitations; providing for execution, severability and an effective date. (*Funds from Account #401-5020-533-35-11 - Chemicals*)**
- 7. Resolution 2022/172 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to Contract #JP022-06-2023 with the Areawide Council on Aging of Broward County, Inc. to extend the Contract term to March 31, 2023; authorizing execution of the Amendment; providing for implementation and an effective date.**
- 8. Resolution 2022/173 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to Contract #JPP22-06-2022 with the Areawide Council on Aging of Broward County, Inc. to extend the Contract term to March 31, 2023; authorizing execution of the Amendment; providing for implementation and an effective date.**
- 9. Resolution 2022/174 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of the Florida Urban and Community Forestry Grant Program Application to the Florida Department of Agriculture and Consumer Services; authorizing matching funds in the amount of \$25,000; authorizing execution of a grant agreement; and providing for an effective date. (*Funds from Account #614-1166-539-32-16 - Tree Preservation Trust Fund*)**

The Resolution was read by title only.

Mayor Ganz opened the public hearing.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked how the grant benefits the community.

Mayor Ganz closed the public hearing.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

David Santucci, City Manager, explained that the item is for a grant application which is not community driven, but will allow for the continuance of tree giving throughout the City.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Hudak, to approve Item 9, adopted Resolution 2022/174. Roll Call:

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

Nays: 0

10. Resolution 2022/175 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of two separate grant sub-applications to the Florida Division of Emergency Management for FEMA's fiscal year 2022 Flood Mitigation Assistance Program ("FMA") for project areas NW 45th Street and Crystal Lake Drive and Martin Luther King Jr. Avenue to SW 3rd Avenue; authorizing commitment to matching funds in an amount of 25% of the project costs and execution of a grant agreement, if grant funds are awarded; providing for an effective date. (Funds from Account #462-5070-538-60-31 - Stormwater Capital Fund - Improvements Other than Buildings)

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.

David Santucci, City Manager, explained that matching funds are involved with these federal grants and advised that submitting matching funds for those programs is the top priority for appropriation requests.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 10, adopted Resolution 2022/175. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

11. Resolution 2022/176 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, relating to the Florida Department of Environmental Protection State Revolving Fund (SRF); adopting and approving the SRF Loan Planning Document for implementation of the Reclaimed Water Main Project in conjunction with FDOT's SW 10th Street Connector Improvements Project; committing to implementing the planning recommendations in the planning document; providing for implementation, conflicts, severability, and an effective date. (Funds from Account #413-5020-533-60-31 - Capital Projects Utilities - Water - Improvements Other than Buildings)

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.

David Santucci, City Manager, advised that the project relates to the Florida Department of Transportation (FDOT) SW 10th Street connector project. As part of the project and ongoing negotiations with FDOT, staff

DEPARTMENTAL BUSINESS – CONTINUED

has asked that they include a reclaimed water line in the project. Typically, FDOT will install new infrastructure for local agencies, but not at their expense. There are existing utilities that they will be replacing for other projects, i.e. water lines, wastewater lines, etc.; however, there isn't a reclaimed water system in the City yet. FDOT has agreed to fund 50% of that cost, but this item is for approval of the State Revolving Loan planning document for implementation on the reclaimed water project. Additionally, there are two other agreements that will come before the Commission in relation to these, commitment for water usage to Broward County and the other with FDOT for the 50/50 cost share.

Commissioner Preston asked if staff is comfortable with the reclaimed water process.

Mr. Santucci replied yes. Broward County's water is already being used in many local agencies and has been very successful. Furthermore, he said this water would reduce the demand on natural water sources.

Commissioner Drosky said over the last year, a reclaimed water line was being installed on Powerline Road from Pompano Beach; whereby, it will connect to the City at SW 10th Street for irrigation and could go beyond 10th Street. He said although it serves a good purpose, this is another battle with FDOT on the SW 10th Street project. He said the City asked years ago that this cost be borne by FDOT in its entirety and while 50% is positive, it is less than the request. Thus, this is a concern for him as there could be bigger battles with FDOT. Commissioner Drosky said although the water line is needed, this is a bad start to the project because the City will be left dealing with this for years to come.

Mayor Ganz commented on the bureaucracy dealing with FDOT, but sees this is a positive direction; however, moving forward, 50% effort from FDOT on other projects will not be acceptable. Mayor Ganz explained that the City is behind on using reclaimed water, and hopes that in the future, FDOT provides 100% support.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Preston, to approve Item 11, adopted Resolution 2022/176. Roll Call:

Yeas: 3 - Commissioner Preston, Vice Mayor Hudak, and Mayor Ganz

Nays: 2 - Commissioner Drosky & Commissioner Parness

12. Resolution 2022/177 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the rankings and funding allocations to local non-profit organizations for the City's fiscal year 2023 American Rescue Plan Act Grant Program; providing for implementation and an effective date.

The Resolution was read by title only.

David Santucci, City Manager, advised that this item is related to the American Rescue Plan (ARP) expenditure plan previously approved by the City Commission. Within that plan, \$300,000 was allocated for community participation programs for non-profits who comply with the requirements of the ARP Act. This is different than the Community Participation Grant Program approved during the FY 2023 budget as the requirements are different; whereas, there must be a response effort to COVID, which vary. The opportunity was offered to non-profit organizations which resulted in two respondents, Boys & Girls Club, funding request \$200,000, and Community Cares, \$40,000. Both proposers met the criteria for both the Community Participation Grant Program and the ARP funding requirements.

Mayor Ganz opened the public hearing.

Chris Gentile, Co-CEO Boys & Girls Club Broward County, thanked the Commission for the opportunity to apply for the grants; thereafter, he outlined the impact the Club has had on local teens and youth and the services offered. He thanked the Commission for their support.

DEPARTMENTAL BUSINESS – CONTINUED

Mayor Ganz closed the public hearing; thereafter, he said the donation to the Boys & Girls Club is likely the best investment the City makes to the community, as it changes lives with the youth and the family.

Commissioner Preston spoke in support of the Boys & Girls Club and how they positively impact the youth.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Parness, to approve Item 12, adopted Resolution 2022/177. Roll Call:

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

Nays: 0

13. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING AN AMENDMENT TO THE CITY BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; APPROVING A DEPARTMENTAL BUDGET TRANSFER IN THE AMOUNT OF \$702,395 WITHIN THE GENERAL FUND; APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF \$114,655 FOR THE TREE PRESERVATION TRUST FUND; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

David Santucci, City Manager, advised that in the recent audit, it was highlighted that the appropriation was not performed during the audit period and the aforementioned item is a corrective action of some of those findings.

Stephanie Tinsley, Chief Financial Officer, advised that this is the third amendment for fiscal year 2022; thereafter, she briefly outlined the purpose of the appropriation. Essentially, within the General Fund, the Office of Public Safety was over budget by approximately \$700,000 due to the pension contribution; whereas, actual costs were not received until the third quarter of the current fiscal year. However, the General Fund budget allowed for a transfer from the Parks & Recreation Department to cover the expense because they were under budget due to vacancies. Ms. Tinsley also advised that the Tree Preservation fund was under budget for landscaping expenses; thus, moving forward, the landscaping contract will be budgeted appropriately and funds are still being collected.

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 Parness, to approve Item 13 on first reading. Roll Call:

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

Nays: 0

Anthony Soroka, City Attorney, reminded the Commission of Commissioner Drosky's request to discuss Item 15 before the scheduled time on the agenda.

CITY COMMISSION BUSINESS

15. Presentation from Utility Service Partners Private Label Inc. D/B/A Service Line Warranties of America regarding services available for Deerfield Beach residents.

CITY COMMISSION BUSINESS – CONTINUED

Steve Baranowski, National League of Cities, Service Line Warranties of America, provided a brief overview of the program and its impact on the residents. Mr. Baranowski commented on the number of partners throughout Florida, the creation of 3,200 jobs, and saving customers over \$1.9 million statewide. Additionally, as of the end of September, 191 claims have been completed and saved residents over \$128,000 since the program launched in 2016. Furthermore, Mr. Baranowski highlighted HomeServe Cares Foundation, which gives back to communities by providing service assistance to residents without a service line plan. HomeServe will work with a local contractor to fix the issue without any cost to the homeowner; an application must be completed.

Ashley Swarovski, Senior Director, said leak protection has been offered for a little over two years now. The current program helps repair or replace the issue, but this program helps pay for a high water or sewer bill. The leak protection program helps the homeowner and the City by creating a leak adjustment policy process, allows a recapture of all the money for high water or sewer bills and a payment plan or write off is no longer needed; and the resident does not need to contact the City for assistance. The plan is a little different than the service line program because it is an actual insurance policy that insures the City for its loss water and the homeowner is considered a claimant. There are different options for the residents, \$500, \$1,000, or \$2,500 coverage limit; one claim can be filed by the homeowner every 12 months and can be filed over two billing cycles. Furthermore, the loss is paid directly to the City. Homeowners will be notified by bill insert and answers all the questions for them. She explained that it will show up as a separate line item on the bill, but they have the option to decline before any fees are added. Lastly, the cost is approximately \$1 - \$2 monthly.

In response to Commissioner Drosky's question, Ms. Swarovski explained the process for residents filing claims for leak protection and the steps involved in the reimbursement to the City; whereas, the homeowners will pay the fee, but have the freedom to decline.

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

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY – No Report.

CITY MANAGER

14. Discussion regarding the Solid Waste ILA and City's letter response and comments. (Addendum)

Jamie Cole, Weiss, Serota, Helfman, et al., explained that the Solid Waste Working Group has tried for several years to develop a strategy for the long-term problem concerning the disposal and recycling of solid waste in Broward County. The Broward County municipalities that joined the Group did so through an interlocal agreement, excluding Lazy Lake, which has been drafted and negotiated as presented to the Commission. It has been provided to the municipalities for comment; whereby, the Commission may make its comments tonight. Thereafter, Mr. Cole provided the terms of the interlocal agreement; 40-year term with two 10-year renewal options; governing board consists of one member from each municipality and one representative from the County. There is also an executive committee, comprised of 11 members, one from the County and 10 from the cities. The executive committee is chosen by allowing large cities to have 5 members, medium cities will have 3 members, and small cities 2 members. Based on Deerfield Beach's population, the City would be in the large category if all cities joined.

Continuing, Mr. Cole said the initial startup for the authority would take approximately 2 to 3 years and during that period, the governing board would be created, the executive committee would be meeting, an executive director, as well as consultants and attorneys would be hired. Moreover, a master plan would be developed which would specify what would happen over the next 40 years, i.e. if facilities would be built,

COMMENTS BY ADMINISTRATION & LEGAL – CONTINUED

location, financing, special assessments, tipping fees, etc. Upon completion of the master plan, it would be presented to the county and cities and would require either 70% or 80% of city approvals to move forward. Right now, the County has the ability to veto the plan and if denied, the plan would not go forward at that point; nevertheless, this is an area of contention to be discussed.

Furthermore, Mr. Cole advised that the funding for the startup will be approximately \$2 million annually. The current draft proposes a pro-rata funding based on population for all the cities and the County, but the County is only for the unincorporated area and their share is very small. The City's share would be approximately \$1 per person yearly, \$90,000 annually for either two or three years. The County's share would be approximately \$10,000 annually. Assuming the amendment goes forward, and enough cities continue, there will be special assessments each year and the authority will have the power to borrow the money to build facilities and pay off bonds, tipping fees for the waste, and during start up, there will be an economic feasibility analysis to assure it meets the long term goals of saving money, be environmentally sensitive, and ensure a supply of disposal capacity for all cities. Mr. Cole advised that the draft letter provided to the Commission contain many comments adopted by other cities, which he outlined: general statement of support of the interlocal agreement; County's veto power, master plan, building a solid waste disposal facility, and others.

Lastly, Mr. Cole explained the County's veto power; wherein, the current agreement contains the same stipulation, but there is a provision that requires the County Commission to have at least a 6-3 vote to override the will for all the municipalities. He said the County objects to that and believes it should only be a majority vote. The comment responding to veto power suggests no veto power, but if there is, it should be 100% or 2/3 of the County Commission. Mr. Cole continued to outline the comments in the letter. The draft agreement shows that the cities are funding essentially everything and the County barely any funding. Within those 3 years, the cities could fund approximately \$6 million and \$30,000 from the County, but still have the option of vetoing the entire plan. Therefore, the comments request funding split 50/50 between the County and the cities based on population. This is how the funding was done for the waste generation study recently completed. Additionally, Deerfield Beach is one of two cities that performs its own collection and hauling, whereas, disposal location and costs will likely have greater economic and operational impacts on city operations. Thus, the City feels it necessary to have representation on the executive committee so that the unique considerations of such operation are adequately represented. Mr. Cole finalized the comments and said the Commission could choose to finalize all comments contained in the letter or not make any comments.

Commissioner Drosky asked what is the strategy moving forward.

Mr. Cole replied that there will need to be a compromise, for example on the veto issue which will have to be discussed and resolved. The County is responsible for solid waste disposal, so if it doesn't work out, it will be an issue for them. Additionally, they cannot do much because cities have 99% of the waste, but they have statutory responsibility which makes it difficult to satisfy their responsibility if they cannot control the waste. Thus, both sides have strong reasons to compromise.

Commissioner Drosky recommended approving all the comments in the letter, especially the one concerning the composition of the executive committee. He expressed concern that Deerfield Beach is the 10th largest municipality and believes it will be difficult to assume one of those spots.

Mayor Ganz opened the public hearing. Thereafter, he provided a background on how this conundrum started.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said there are still unincorporated areas that could possibly be annexed into cities; she then asked how the budget is being set up for funding and how will the residents be affected.

Robert DiChristopher, 517 NE 6th Avenue, Deerfield Beach, asked if there will be a penalty or adjustment since the City no longer recycles.

Mayor Ganz replied no, most cities have abandoned recycling.

COMMENTS BY ADMINISTRATION & LEGAL – CONTINUED

Chauncey Chapman, 191 NE 47th Avenue, Deerfield Beach, commented on the landfill in Pompano and how the ocean is being polluted from roll-off from the landfill; whereas, there are environmental issues that should be considered. He said the battle should not be with the County, but should be about protecting the environment and making sure it is not destroyed.

William Lane, 11 Tilford A, Deerfield Beach, said he takes his recycling every two weeks to the station near Martin Luther King Boulevard and asked where it is going.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, said someone from Waste Management said most of the trash from Deerfield Beach residents does not go to the landfill; therefore, whatever is taken there is not from the City.

Mayor Ganz closed the public hearing. He then explained what has transpired over the last 15 years and why the City left Waste Management. Furthermore, he advised that recycling is no longer and how the height of the landfill will be upcoming.

Commissioner Preston said this will not be an easy process but implored the residents to stay involved because it will have an impact.

Commissioner Parness said 90% of what is disposed at the landfill is industrial waste and 10% is actual garbage and trash is now going to Orlando; wherein, the prices will continue to rise to solve the garbage problem. Although Waste Management wants to increase the landfill's height, the City is against it, and could possibly be outvoted by other cities. He also commented on other concerns such as environmental pollution and where garbage will be disposed.

Vice Mayor Hudak spoke in support of the comments and opined that the agreement shows the cities how little power municipalities have in terms of the County's veto power. He also encouraged residents to stay involved.

Commissioner Drosky recapped the motion, to send comments to the Working Group so Deerfield Beach continues to be involved.

MOTION was made by Commissioner Drosky, seconded by Commissioner Preston, to send a letter outlining the City's comments and concerns to the Solid Waste Working Group. Roll Call:

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

Nays: 0

Planning Council Interlocal Agreement – David Santucci, City Manager, advised that a land use plan amendment item will be presented on October 27th regarding Monarch Hill. He said it involves the waste to energy designated zoning; whereas, the Commission adopted a resolution opposing the land use plan amendment. Furthermore, once that waste to energy designation is removed, it will be gone forever and the zoning will be turned into an expansion of the landfill. He advised that this conflicts with the goals and objectives of the Solid Waste Working Group, which is to reduce the amount of solid waste material going to the landfills and seeking alternative solutions like waste to energy facilities and recycling. Mr. Santucci said the waste to energy facility is at or near capacity and he is unsure whether that designation will ever be implemented in the northern portion of the County considering the limited amount of land. Lastly, City comments have been submitted to the Planning Council which include the previous resolution and all the letters residents submitted, as well as detailed analysis and staff's concerns.

Mayor Ganz said if Broward County removes the designation, the facility on Green Road will be demolished and the mound will be filled to capacity to the edge of Green Road, if possible. He said this has already happened at the northeast corner of that facility. He encouraged residents to contact Mark Bogen, County Commissioner, to express their disapproval of the project.

COMMENTS BY ADMINISTRATION & LEGAL – CONTINUED

Commissioner Parness encouraged the public to attend, by phone or in person, 115 S. Andrews Avenue, Fort Lauderdale, 10:00 a.m. He explained that if enough people attend and speak against it, the Planning Council will listen. Furthermore, the Council will make a recommendation to the County Commission who will vote on the matter.

COMMENTS BY MAYOR & CITY COMMISSION**VICE MAYOR HUDAK****DISTRICT 1**

State of the City – Vice Mayor Hudak said the State of the City will be held tomorrow night at JM Families and encouraged resident attendance.

Bus Stop Construction – Vice Mayor Hudak asked if there is any progress on the construction on Hillsboro Boulevard as well as the crossing lights near Flanigan's as they have been out for a while.

David Santucci, City Manager, replied that he does not have an update, but will provide at a later date.

COMMISSIONER PRESTON**DISTRICT 2**

Trunk or Treat – Commissioner Preston advised that Tina Hill, Deerfield Beach High School, would like to partner with the City and host a Trunk or Treat at Oveta McKeithen Recreational Complex on October 31st. He advised that the cars belong to the teachers and alumni; whereas, the children would be in a safe environment instead of going door to door.

Mayor Ganz expressed concern with the last-minute request and asked why Ms. Hill could not hold the event at the high school.

After a brief discussion, Commissioner Preston withdrew his request.

COMMISSIONER PARNESS**DISTRICT 3**

Charter Amendment – Commissioner Parness commented on the term limits being on the November 8th ballot and the incumbents being able to work with the Florida Legislature to accomplish tasks and goals needed in the City. Thereafter, he commented on term limits for other cities and how some have none or three terms, but this should be decided by the voters on increasing current term limits. Additionally, he commented on the postcards sent to residents; whereby, they were sent from people outside the City. Commissioner Parness continued commenting on term limits in other cities.

Sidewalk Grant – Commissioner Parness applauded the grant approval for the sidewalks in his district. He also commented on another State grant for installation of sidewalks on Crystal Lake Drive and 45th Avenue, so children could exit the bus safely.

COMMISSIONER DROSKY**DISTRICT 4**

Planning Council Meeting – Commissioner Drosky asked that the City Manager direct staff to provide the Commission with information for the October 27th meeting, so they can choose to participate and share the information with residents.

Cultural Committee – Commissioner Drosky said he would like the Commission to consider revising the committee's structure, so it resembles other boards, with five regular and five alternate members. He asked that the City Attorney draft an ordinance for a future meeting.

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

Traffic Enforcement – Mayor Ganz expressed concern with speeding and racing throughout the City and asked that BSO Police concentrate on heavy enforcement. He also said he witnessed someone riding a dirt bike without tags driving on the main road.

Pedaling – Mayor Ganz encouraged residents to contact him or the proper authority when they notice people are selling flowers in the roadways as it is not allowed in the City. He explained that it presents a safety hazard and can be a distraction to drivers.

Charter Amendment – Mayor Ganz encouraged everyone to vote in the upcoming election on term limits. He said if defeated, which he believes, it will put the issue to rest for another 15 to 20 years; however, if it passes, it will show him that he misread the public and would have been incorrect in not allowing it to go on the ballot. Additionally, he said he is disappointed on the shadow campaign; whereas, people do not speak out and own their stance, including political action committees. He said if the referendum passes, he will not run again as he has had 16 years in office. The only way he would consider running again is if the right opportunity presented itself.

ADJOURNMENT

MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to adjourn the meeting at 9:20 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