



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

**Tuesday
November 15, 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: October 18, 2022

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Appearance Board Meeting Minutes

Attachment: August 24, 2022, October 12, 2022

Hillsboro Inlet District Meeting Minutes

Attachment: September 12, 2022 (Budget - First Hearing), September 19, 2022 (Budget - Final Hearing), September 19, 2022 (Regular)

Code Compliance Meeting Minutes

Attachment: September 7, 2022 , September 21, 2022 , October 3, 2022

APPROVAL OF THE AGENDA

November 15, 2022

ZOOM MEETING

Join Zoom Meeting by clicking the below link:

<https://deerfield-beach.zoom.us/j/89986869375?pwd=L2s5MVVwUUZDWY2ejZtWmk3eUc4dz09>

Join Zoom Meeting via telephone by dialing:

Call-in Number: (301) 715-8592

Meeting ID: 899 8686 9375#

Participant ID: #

Passcode: 684370#

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 Family Court Awareness Month Committee (FCAMC) in recognition of Family Court Awareness Month.

Sponsor: Commissioner Todd Drosky

2. Certificate of Recognition presented to Barbara Allen for winning the 2023 Poster Contest for the 42nd Annual Festival of the Arts.

Sponsor: Department of Parks & Recreation

3. Certificate of Recognition presented to Orisseau Cherilus for 28 years of service to the City of Deerfield Beach.

Sponsor: Department of Sustainable Management

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

Sponsor: BSO - Law Enforcement

QUASI-JUDICIAL PUBLIC HEARINGS

5. P.H. 2023-005: APPLICATION 21-B1-209 (PROJECT NAME: 3311 W HILLSBORO BLVD. JV LLC)

Applicant: **3311 W HILLSBORO BOULEVARD JV LLC**

Proposal: Major site plan application seeking to demolish an existing bank and construct a 7,484 square foot restaurant/retail building.

Location: The property is generally described as DEER CREEK BANK 108-14 B PT OF PAR A DESC AS COMM AT NW COR OF PAR B, SLY 343, ELY 150 TO POB, CONT ELY 200, NELY 42.43, NLY 110 TO P/C, NELY 103.41, WLY 180.29, SWLY 115.47, SLY 143 TO POB AKA: PARCEL 1 (OR 14117 PG 174), **and located at 3311 W Hillsboro Blvd.**

Suggested Action: Commission to vote on Resolution

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

Sponsor: Department of Planning & Development Services

Attachment: Application 21-B1-209

6. P.H. 2023-006: APPLICATION 15-B1-201 REV. 1 (PROJECT NAME: MIAMI GRILL)

Applicant: **K&S HILLSBORO LLC**

Proposal: Major site plan application seeking approval to construct a 1,129 square foot drive-thru restaurant and associated site improvements.

Location: The property is generally described as LOT 1, LESS THE E 25 FT. THEREOF FOR ROAD R-O-W, LOTS 3 & 4, BLOCK 1, "GROVE INDUSTRIAL CENTER," PLAT BOOK 59-47 OF THE PUBLIC RECORDS OF BROWARD COUNTY LESS THE S 7 FT FOR R-O-W, **and located at 259, 263, 273 W Hillsboro Blvd.**

Suggested Action: Commission to vote on Resolution

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

Sponsor: Department of Planning & Development Services

Attachment: K&S Hillsboro LLC

PUBLIC HEARINGS – FIRST READING

7. **ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REZONING APPROXIMATELY 2.97 GROSS ACRES LOCATED AT 2001 WEST SAMPLE ROAD FROM INTENSE MANUFACTURING & INDUSTRIAL (M-3C) TO HIGHWAY BUSINESS DISTRICT (B-2) (APPLICATION 22-R-197); PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE. (*Departmental Business*)**

Suggested Action: Commission to vote on Ordinance and set public hearing for December 6, 2022

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

Sponsor: Department of Planning & Development Services

Attachment: Rezoning Application

8. **P.H. 2023-007: ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE UPDATED FIVE YEAR SCHEDULE OF CAPITAL IMPROVEMENTS SET FORTH IN TABLE 10.3 IN ORDER TO UPDATE THE CAPITAL IMPROVEMENTS ELEMENT ("CIE") IN CONFORMANCE WITH SECTION 163.3177, FLORIDA STATUTES, AS MORE SPECIFICALLY SET FORTH IN EXHIBIT "A"; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance and set second public hearing for December 6, 2022

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

Sponsor: Department of Planning & Development Services

Attachment: Capital Improvements Element

PUBLIC HEARINGS – SECOND READING

- 9. P.H. 2023-008: ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY'S COMPREHENSIVE PLAN BY ADOPTING THE EVALUATION AND APPRAISAL BASED COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR THE ADOPTION AND TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENTS PURSUANT TO SECTION 163.3184, FLORIDA STATUTES; PROVIDING FOR INCLUSION IN THE CITY OF DEERFIELD BEACH COMPREHENSIVE PLAN; PROVIDING FOR CONFLICTS, SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (*First Reading - April 19, 2022*)**

Suggested Action: Commission to vote on Ordinance

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

Sponsor: Department of Planning & Development Services

Attachment: Evaluation and Appraisal Report

- 10. P.H. 2023-009: 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.**

Suggested Action: Commission to vote on Ordinance

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

Sponsor: Department of Financial Services

Attachment: Budget Amendment

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

- 11. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Barri McMillion, Lawanna Strowbridge, Diane Chisholm, Annette Mitchell, and Sandra Jackson to the African American Heritage Committee; and 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: City Commission

Attachment: African American Heritage Committee Appointments

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

- 12. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving and authorizing execution of the Municipal Election Agreement with the Broward County Supervisor of Elections in an amount not to exceed \$150,000.00 for the March 14, 2023 Municipal Election and Referendum Election regarding the sale of city property; providing for implementation and an effective date. (*Funds from Account #001-0308-513-32-99 - Other Contractual Services*)**

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: SOE Agreement

- 13. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the settlement of all claims against the City in the litigation styled**

Dajauii Gardner vs. City of Deerfield Beach; authorizing execution of documents necessary to effectuate the settlement; providing for an effective date. (*Funds from Account #606-0900-519-37-70 - General Liability Legal*)

Suggested Action: Commission to vote on Resolution

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

Sponsor: Office of the City Attorney

Attachment: Gardner Settlement Agreement

- 14. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting the Investment Policy and Internal Controls Certification from the City's Chief Financial Officer for the Fiscal Year ending September 30, 2022; 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 Financial Services

Attachment: Investment Policy and Internal Controls Certification

- 15. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a request by the Florida Department of Transportation for a waiver of fees to use the Hillsboro Community Center building for a public meeting on February 9, 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: Department of Parks & Recreation

Attachment: FDOT Public Meeting

- 16. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with Deerfield Beach Family Empowerment, Inc. for administration of community development programs; providing for execution 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: Deerfield Beach Family Empowerment, Inc.

- 17. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing acceptance of grant funds in the amount of \$600,000.00 and approving the Grant Agreement with the Florida Department of Environmental Protection for the Aquatics Center Parking Lot Stormwater Project; providing for execution, implementation and an effective date. (*Funds from Account #399-7035-572-65-30 - Capital Project - Recreation/CIP Infrastructure*)**

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: Aquatics Center Parking Lot Stormwater Project

- 18. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of an application to the Florida Department of Emergency Management for State and Local Cybersecurity Grant Program funding in the estimated amount of \$406,800.00 to upgrade the City's cybersecurity infrastructure; authorizing the City expenditure of 10% matching funds and execution of a grant agreement, if the grant is awarded to the City; and providing for an effective date. (*Funds from Account #399-1400-513-65-30 - Capital Project - Information Technology/CIP Infrastructure*)**

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: Cybersecurity Grant Program

- 19. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a Memorandum of Understanding and Construction Agreement ("MOU") with Florida Power and Light ("FPL") for the City to grant an easement to FPL for the construction of overhead and underground transmission lines and for FPL to construct a shared-use sidewalk for the City on S.E. 10th Street; authorizing execution of the Agreement and Easement; 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 Environmental Services

Attachment: Florida Power and Light MOU

- 20. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving and authorizing execution of a Reclaimed Water Supply Agreement with Broward County for the City's purchase of reclaimed water from the County; 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 Environmental Services

Attachment: Reclaimed Water Supply

- 21. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the execution of the attached second amendment to the Work Authorization with Walters Zackria Associates, PLLC, to provide additional supplemental services for construction document review and construction administration related to the new Bezos Academy child care facility in an additional amount not to exceed \$111,340.00 and extending the original project schedule for an additional eight months; providing for implementation and an effective date. *(Funds from Account #358-5060-569-61-08 - 2018 Revenue Bond Fund/Architect & Engineering)***

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: Walters Zackria Associates, PLLC

- 22. Resolution 2022/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the issuance of a purchase order to Integrity Municipal Systems, LLC, to furnish and supply a Series A-758 Lime Slaker System in an amount not to exceed \$159,250.00 at the City's Water Treatment Plant in accordance with Section 38-116(3)(c) of the City's Procurement Code ("Sole Source"); providing for implementation and an effective date. *(Funds from Account #413-5020-533-60-31 - Capital Project - Water***

Plant/Improvements 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 Environmental Services

Attachment: Integrity Municipal Systems, LLC

COMMENTS BY ADMINISTRATION & LEGAL

CITY COMMISSION BUSINESS

23. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE II "BOARDS, COMMITTEES, COMMISSIONS," DIVISION 10 "CULTURAL COMMITTEE," SECTION 2-167 "MEMBERSHIP" OF THE CITY CODE OF ORDINANCES TO REVISE THE MEMBERSHIP COMPOSITION OF THE DEERFIELD BEACH CULTURAL COMMITTEE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance and set public hearing for December 6, 2022

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

Sponsor: Commissioner Todd Drosky

Attachment: Cultural Committee

COMMENTS BY MAYOR & CITY COMMISSION
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ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Regular City Commission Meeting - Tuesday, December 6, 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.