



Meeting Minutes City Commission

Tuesday, November 15, 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 7:04 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

Mayor Ganz expressed condolences for the passing of Charlie Parness, brother of Commissioner Bernie Parness, and Sylvia Poitier, former Mayor and City Commissioner for Deerfield Beach, as well as Broward County Commission Mayor. Thereafter was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes – October 18, 2022

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

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Appearance Board Meeting Minutes - August 24 & October 12, 2022

Hillsboro Inlet District Meeting Minutes - September 12, 2022 (Budget - First Hearing), September 19, 2022 (Budget - Final Hearing), & September 19, 2022 (Regular)

Code Compliance Meeting Minutes - September 7, September 21, & October 3, 2022

ACKNOWLEDGEMENT OF CITY BOARD MINUTES – CONTINUED

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

November 15, 2022

MOTION was made by Commissioner Parness, seconded by Vice Mayor Hudak, 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 Family Court Awareness Month Committee (FCAMC) in recognition of Family Court Awareness Month.**

Mayor Ganz presented and read a proclamation in recognition of Family Court Awareness Month (FCAMC). The mission of the FCAMC is to increase awareness of the importance of a family court system that prioritizes child safety and acts in the best interest of children. The committee is fueled by the desire to create awareness and change in the family court system for the conservatively estimated, 58,000 children a year ordered into unsupervised contact with physically or sexually abusive parents while honoring the hundreds of children who have been reported as murdered during visitation with a dangerous parent. FCAMC strives to increase awareness of the importance of using scientifically valid, evidence-based, treatment programs and services that are proven in terms of safety, effectiveness, and therapeutic value.

Bailey Smith, Family Court Awareness Committee, commented on a crime that occurred when a woman was sent back to Italy to her abusive husband. Ms. Smith thanked the City Commission for recognizing Family Court Awareness Month and read a letter written by the victim, posthumously.

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

Mayor Ganz said every year, the Cultural Committee does a call for Artists for the poster contest, and this year, they received over 20 posters to select from. The winning poster was selected at the October Cultural Committee meeting. Barbara Allen, the contest winner, is a photographer and digital artist living in Pompano Beach, Florida. She spends her time photographing the beauty of her local area with surrounding beaches and new architecture. Thereafter, he presented a certificate to Ms. Allen for her achievement and unveiled her painting.

Ms. Allen thanked everyone who voted for her poster and said she will have a tent at the Festival of the Arts.

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

Mayor Ganz said Mr. Cherilus started working for the City on August 8, 1994, as a Driver Collector for the Department of Sustainable Management. He has been a hard-working employee that always had the residents and his team's best interests at heart. He always dedicated himself to training on all the various

AWARDS & RECOGNITION – CONTINUED

types of equipment used in the department to improve his performance, to support his team, and to provide outstanding service to our residents. Mayor Ganz wished Mr. Cherilus the best on his retirement and future endeavors.

Mr. Cherilus thanked Chad Grecsek, Director of Sustainable Management, and the City for the opportunity to work in Deerfield Beach for over 20 years. He also thanked his wife for her continuous support.

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

Captain Hofstein presented certificates of recognition to various deputies for their handling of volatile cases. First, a woman was in a resident's backyard, possibly armed and when the deputies arrived on the scene, the woman claimed she was armed and wanted to die by the hands of the officers; however, the situation was fortunately handled by the deputies without incident. Thereafter, Captain Hofstein recognized the three deputies as Deputy of the Month.

Continuing, Captain Hofstein recognized Deputy Walker for his actions on October 30, 2022 for saving a suicidal teenager. Captain Hofstein thoroughly described the scene and movements taken by the officers, including how Deputy Walker was able to save the teen from taking his life.

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.**

Anthony Soroka, City Attorney, explained the quasi-judicial process and asked whether the applicant will proceed or waive.

Mike Troxell, Thomas Engineering, 6300 NW 31st Avenue, Fort Lauderdale, waived the quasi-judicial proceedings. Thereafter, a brief presentation was provided. There is an existing vacant bank building with three drive-thru's with a paved parking lot surrounding it. The site is located at the northwest corner of Hillsboro Boulevard and Country Club Boulevard. Mr. Thomas explained that the application consists of a 7,484 square foot building with 400 square feet for outdoor seating located at the southeast and southwest corners of the building. There is a proposed pickup window for the restaurant located on the west end; there will not be an ordering area or ordering board at that location, whereas, clients will have to pre-order to use the pickup window. On the east end, is a sit-down restaurant and between the two restaurants, there is a proposed medical use facility. Additionally, the proposed site provides 66 parking spaces; whereby, 63 are required by Code. All setbacks are met and green space is increased by 6% of the site area and meets or exceed all applicable Code requirements.

Continuing, Mr. Troxell outlined the proposed north elevation which is the back of the building and the south elevation, facing Hillsboro Boulevard; followed by the east and west elevations, as well as a rendering of the proposed building. Lastly, Mr. Troxell advised that other professionals are present to answer any questions.

In response to Commissioner Parness' question, Mr. Troxell replied that the restaurants will be Panda Express and Chipotle with a medical facility in the center.

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

In response to Commissioner Preston's question, Mr. Troxell replied that it does not appear that any technical deviations will be required as all Codes have been met.

In response to Vice Mayor Hudak's question, Mr. Troxell replied that the dumpsters are located on the northeast corner of the property.

Commissioner Drosky asked for the vote outcome from the Planning & Zoning Board.

Eric Power, Director of Planning & Development Services, replied that the Planning & Zoning Board unanimously approved the item at the October 16th meeting and this type information will be provided in the backup in the future.

Mayor Ganz asked about the ingress to the property.

Mr. Troxell explained that people can turn into the property at the rear of the site and traffic going west on Hillsboro Boulevard, the turn would occur at the shared entrance with the medical building. Eastbound traffic would turn left into the rear entry which is a little further north of the property.

Mayor Ganz opened the public hearing.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked how many handicapped spaces are on the site.

Mr. Power replied three (3) which is required per Code.

Mayor Ganz closed the public hearing.

MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to approve Item 5, adopted Resolution 2022/178. Roll Call:

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

Nays: 0

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.**

Anthony Soroka, City Attorney, asked whether the applicant will proceed or waive the formal quasi-judicial proceedings.

Kristin DiPierro, Thomas Engineering, 6300 NW 31st Avenue, Fort Lauderdale, waived the quasi-judicial proceedings. Thereafter, Ms. DiPierro outlined the application; whereas, the site is located at 259, 263, and 273 West Hillsboro Boulevard. The application proposes a Miami Grill Restaurant, approximately 1100 square feet, which will be drive-thru only, with two lanes. The overall circulation of the approved plan will remain the same, with the drive-thru on the north side. The vacant lot will be modified for the improvement; furthermore, they will work with staff to align the access into Dunkin Donuts with the proposed entry and exit for the Miami Grill drive-thru to improve stacking on Hillsboro Boulevard and circulation throughout the site.

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

Continuing, Ms. DiPierro provided a detailed rendering of the site plan and explained the proposed circulation, which allows for entry from Hillsboro Boulevard or 2nd Terrace. Upon entry into the drive-thru, it will open into two drive-thru lanes, with two menu boards and go around to the north side of the building which is where the pickup window is located. There is also a walkup window on the west side of the building for customers to come and place orders; whereby, there is no indoor seating, but an outdoor seating area is proposed at the southwest corner of the building. Ms. DiPierro advised that they have worked closely with staff to ensure architectural design requirements were met, and no waivers or variances were requested. The landscaping will follow Code requirements to ensure the existing trees remain and any that have died will be replaced. Renderings of the elevations were displayed: west elevation – walkup window; south – entry door for restrooms; north – pickup window. Ms. DiPierro continued to display renderings of the proposed building.

Commissioner Preston offered his assistance to Ms. DiPierro for any issues should they arise.

Commissioner Drosky asked if there could be an issue with shared entrances for the Dunkin' Donuts and Miami Grill at peak times.

Ms. DiPierro replied that Dunkin' Donuts peak hours are usually in the morning and Miami Grill during lunch. Also, their traffic engineer studied the Dunkin' location here and elsewhere to understand peak stacking requirements and the times where customers come to both locations. She explained that the drive aisle was realigned going into Dunkin' because previously, it was only 25 feet from Hillsboro Boulevard and staff expressed concerns with stacking on Hillsboro Boulevard and people trying to slow down to turn into the Dunkin' site. The realignment allows for more stacking onto the site.

Commissioner Parness spoke in support of the application.

Vice Mayor Hudak commented on stacking onto Hillsboro Boulevard, but staff advised of the change which will help alleviate the situation.

Mayor Ganz also said stacking is a concern; however, he will support it since Commissioner Preston is advocating for it. Thereafter, he opened the public hearing.

William Lane, 11 Tilford A, Deerfield Beach, asked for the hours of operation.

Mayor Ganz closed the public hearing.

Ms. DiPierro replied that the intended hours of operation for Miami Grill are 10 a.m. till 2 a.m.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 6, adopted Resolution 2022/179. Roll Call:

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

Nays: 0

PUBLIC HEARING – 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)**

The Ordinance was read by title only.

PUBLIC HEARING – FIRST READING – CONTINUED

Robert Sherman, MBA Development, representing the applicant, explained that the rezoning is being requested, so it is consistent with B-2 highway zoning along Powerline Road. This rezoning project is important for the purpose of allowing many uses that are not currently allowed in the industrial zoning the City has. He advised that the plan is to bring medical doctors, one of which is a current doctor, who has offices in Deerfield Beach. Mr. Sherman provided renderings of the site, including the zoning districts, land use categories, and flex unit allocations.

Commissioner Preston asked if resident impact for the area has been determined.

Mr. Sherman replied that there are no residents abutting these properties, as it is purely commercial and the rezoning will make it consistent with the current zoning.

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

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Parness, to approve Item 7 on first reading. Roll Call:

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

Nays: 0

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.

The Ordinance was read by title only.

Eric Power, Director of Planning & Development Services, provided a brief PowerPoint presentation and explained the Capital Improvement Element (CIE); whereby, State Statute requires that the City annually incorporate the approved fiscal year budget into the five-year CIE and submit it to the State.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Hudak, to approve Item 8 on first reading. Roll Call:

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

Nays: 0

PUBLIC HEARING – SECOND READING

9. **P.H. 2023-008: ORDINANCE 2022/025 - 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)**

The Ordinance was read by title only.

Eric Power, Director of Planning & Development Services, provided a PowerPoint presentation on the Evaluation and Appraisal Report and adoption of the Comprehensive Plan. Mr. Power outlined the timeframe these reports were submitted to the Commission and the State. The Department of Economic Opportunity asked that a revision be made to the Coastal Management Element regarding flood resistance to ensure flood requirements, insurance and other measures are met for redevelopment. This information was in the first draft, but was not outlined in the section desired; nevertheless, the change has been made.

Additionally, Mr. Power said Broward County Planning had multiple recommendations, wherein, they wanted to ensure the City was consistent with their language, penalties, and timelines. The changes have been completed and Commission consideration is necessary before it goes back to the State for review. Lastly, he advised that the next cycle will be 2028.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 9, adopted Ordinance 2022/025. Voice Vote:

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

Nays: 0

10. **P.H. 2023-009: ORDINANCE 2022/026 - 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 the proposed budget amendment provides compliance with the year end changes which is required within 90 days of the end of the fiscal year. The amendment cleans up various accounts and transfers to ensure the General Fund and various appropriations in the Tree Preservation Trust Fund are properly reflected in the budget.

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

PUBLIC HEARING – SECOND READING – CONTINUED

There was no discussion amongst the Commission.

MOTION was made by Vice Mayor Hudak, seconded by Commissioner Parness, to approve Item 10, adopted Ordinance 2022/026. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, applauded Commissioner Parness for his effective representation of the City at the Broward County Planning Council regarding Waste Management. He advised that Waste Management wanted to rezone the area on Wiles and Powerline Road from electrical generator zoning to business industrial.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said the Cultural Committee is having their second Jazz in the Park event Thursday night; the next will be held in December. Additionally, Ms. Freitag commented on term limits being defeated on the ballot and on the importance of having term limits.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said there are vacancies on the Education Advisory Board and asked that any Commissioner with a vacancy start appointing people.

CONSENT – BOARD APPOINTMENTS

11. Resolution 2022/180 - 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.

The Resolution was read by title only.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 11, adopted Resolution 2022/180. Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In response to Commissioner Drosky's question regarding Item 14, Anthony Soroka, City Attorney, replied that the Commission is only accepting the certification; whereas, it is the Chief Financial Officer's annual responsibility to provide the certification to the Commission.

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 12 - 22 of the Consent Agenda. Roll Call:

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

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

Nays: 0

- 12. Resolution 2022/181 - 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*)**
- 13. Resolution 2022/182 - 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*)**
- 14. Resolution 2022/183 - 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.**
- 15. Resolution 2022/184 - 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.**
- 16. Resolution 2022/185 - 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.**
- 17. Resolution 2022/186 - 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*)**
- 18. Resolution 2022/187 - 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*)**

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

19. Resolution 2022/188 - 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.
20. Resolution 2022/189 - 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.
21. Resolution 2022/190 - 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)*
22. Resolution 2022/191 - 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)*

COMMENTS BY ADMINISTRATION & LEGAL**CITY MANAGER**

Referendum Election - David Santucci, City Manager, advised that the election costs for the referendum of the four-acre parcel is going through the procurement process; whereby, the evaluation committee has elected to bring the top four ranked firms back for presentations. This allows the committee the opportunity to further vet the rate proposal, and give the public an opportunity to see and comment on these presentations. Since this an official procurement process of the City, the evaluation committee is obligated to evaluate and rank independently based on the evaluation criterion and content of the presentations. If approved by the City Commission, it will go before the voters for referendum, so staff wants to ensure there is opportunity for public participation throughout. Thus, this will be the first opportunity for public comment and the second will be at a future City Commission meeting. It will be held on November 16th starting at 8:30 a.m., with public comment at noon. On December 6th, there will be an item presented to the Commission authorizing negotiations of a contract with the number one ranked proposer and then a negotiation of a contract. He said he is hopeful that a contract will be negotiated that contains the contractual terms needed to provide within the referendum and allow staff to continue through the process to final draft for review.

Accolades – Mr. Santucci thanked Teresa Rynard, Director of Parks and Recreation, and Rodney Brimlow, Director of Public Safety, for their supporting efforts in Ms. Sylvia Poitier's funeral. There will be nominal costs ranging below \$2,000, but tents, chairs, traffic control and parking will be arranged at the funeral on Thursday and the viewing Wednesday, November 16th.

COMMENTS BY ADMINISTRATION & LEGAL – CONTINUED

Pier Repairs – Mr. Santucci said the City's pier was damaged by the hurricane last week and occurred around 4 p.m. the eve of the hurricane and by 8:45 p.m., all contact with the pier was lost. He thanked all the staff who responded and were prepared to respond during the hurricane, Parks & Recreation and Facilities Management. He said the very next day, Facilities Management was already making repairs to the pier; whereas, internal repairs will be made up to the gazebo. Furthermore, there was electrical damage to the pier, and once those repairs are completed, only a portion of the pier will be opened. The long-term repairs will take much longer, and it will be several months before a complete assessment of the pier engineering and construction has been budgeted.

CITY ATTORNEY

MPO Transportation Surtax Dollars – Anthony Soroka, City Attorney, advised that cities in Broward County previously submitted requests to the Metropolitan Planning Organization for transportation surtax dollars for standalone, non-vehicular mobility projects, i.e. sidewalks. The County had taken the position that they did not believe surtax funds could be used in this matter, but has since agreed to submit a request for an Attorney General Opinion. The City has joined that request for an opinion and if favorable, there could be a potential opportunity for future funding cycles for sidewalk and non-vehicular mobility projects

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.**

The Ordinance was read by title only.

Commissioner Drosky said he previously requested restructuring the Cultural Committee for consistency with other boards to have 5 regular and 5 alternate members, as the maximum now is 15 members. He said if the Commission currently has two (2) appointments to the Cultural Committee, it is recommended to decide which member will serve as a regular and alternate as the ordinance will go into effect immediately upon adoption, which is anticipated for December 6th.

Mayor Ganz opened the public hearing.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, said he is a member on the Cultural Committee and is open to positive changes that will streamline and regulate the Committee to making it more effective. Thereafter, he commented on the achievements this year and applauded City staff for their assistance with various events.

Mayor Ganz closed the public hearing.

MOTION was made by Commissioner Drosky, seconded by Commissioner Preston, to approve Item 23 on first reading. Voice Vote:

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

Nays: 0

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

Happy Thanksgiving – Vice Mayor Hudak wished everyone a Happy Thanksgiving.

Pier Damage – Vice Mayor Hudak advised that the City experienced tropical storm forced winds, not a hurricane; therefore, he asked that when the pier is evaluated, that there be a consideration to upgrade it and make it as hurricane safe as possible. He also commented on sections of the Lauderdale-by-the-Sea's pier bring in the Atlantic Ocean. Now is an opportunity to strengthen the pier and reiterated his support to enhance and reinforce the pier as construction costs are escalating and will only cost more later.

COMMISSIONER PRESTON**DISTRICT 2**

Sylvia Poitier – Commissioner Preston said he knows many are saddened by Ms. Poitier's passing; thereafter, he commented on her devotion to the City and love for the community. She provided a voice for people who needed a voice; whereby, the City grew and improved because of her service. Commissioner Preston said she will be missed in many ways. He also commented on the Jazz in the Park event conflicting with her funeral on Thursday.

Packer Rattlers – Commissioner Preston said the football season is over. He commented on the 6u's winning the Superbowl four (4) years ago and now, they are 9u's and were one game away from the Superbowl. He also applauded the cheerleaders for their efforts. Lastly, he thanked staff for their support of the Packer Rattlers, and Broward Sheriff's Office for their presence at the games and the inspiration they provide for many of the kids.

Laptop Chargers – Commissioner Preston reminded staff that backup chargers are needed on the dais and asked that an update be provided.

Braithwaite Center for Active Aging – Commissioner Preston thanked the Commission for their support and commented on how the community feels united and thankful for the action. He expressed how important it is to do what is right for the City and how their service to the community has a lasting impact.

Happy Thanksgiving – Commissioner Preston wished everyone a Happy Thanksgiving.

David Santucci, City Manager, advised that laptop chargers are available and if any commissioner needs it, to advise him or IT staff.

Storm Update – Commissioner Preston applauded the City Manager and staff for the precautions taken before the storm.

COMMISSIONER PARNES**DISTRICT 3**

City Events – Commissioner Parnes commented on the many events he attends, his personal funding of Little League teams, as well as his service on various governmental boards, such as the Planning Council and others. He advised that he was able to persuade the Broward County Planning Council to unanimously reject the Waste Management proposal. Furthermore, he advised that he is the first District 3 commissioner to set up meetings inside Century Village, so people do not have to drive to City Hall. Thereafter, he commented on the changes to term limits over the years.

Charlie Parnes – Commissioner Parnes said his older brother, who passed 10 days ago would have been 88 in May 2023. He served as a president of the condo associations for many years and he was community oriented.

Service as a Commissioner – Commissioner Parnes commented on his service as a commissioner and how he serves the County as well as the City. He said when his term is over, he will remember his service as one of the most important contributions in his life as he has contributed in some way to the citizens.

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

Broward Planning Council – Commissioner Drosky thanked Commissioner Parness for his representation of the City on the Council and how he played an integral role at the meeting, whereas, he was prepared and properly advocated for the City. He also explained how much is involved in serving the City as a commissioner.

Sidewalk Damage – Commissioner Drosky asked that the following locations be examined for possible sidewalk projects: 301 SW 35th Street and SW 2nd Court in Deer Run.

Happy Thanksgiving – Commissioner Drosky wished everyone a Happy Thanksgiving and reminded everyone that there is a lot to be thankful for.

MAYOR BILL GANZ

Storm Preparation – Mayor Ganz applauded the City Manager and staff for their efforts in preparing for the hurricane. Additionally, he asked that staff communicate right away when something occurs and that an emergency shutoff valve be installed at the pier to reduce possible damage. Mayor Ganz also commented on the damage and how lower level storms, i.e. category 1, are often viewed as minimal; nevertheless, staff did not take it lightly and was prepared.

Speeding in the City – Mayor Ganz asked that there be more police presence on Hillsboro and other areas as speeding is out of control. He commented on some of the dangerous driving he witnessed this evening and passionately explained how increased enforcement is needed to stop someone else from being killed. Mayor Ganz asked that the City Attorney investigate fines that will curtail illegal activity on the roads.

Comments – Mayor Ganz said he does not have a problem with people expressing their opinions, but he also has opinions and is not afraid to speak up; nonetheless, he does not think it should be taken personally.

Broward County Planning Council - Mayor Ganz applauded Commissioner Parness for his representation at the Council meeting. He said that is a difficult board to achieve a unanimous decision and he appreciates his work in this matter.

Braithwaite Center for Active Aging – Mayor Ganz said he is thankful for the name change and the Braithwaite name being memorialized. Additionally, the expansion for the Bezos Academy was brilliant and applauded Commissioner Preston for his work in the community.

Sylvia Poitier – Mayor Ganz said he and Sylvia Poitier voted on opposing sides on a matter which led to a criminal infraction; notwithstanding, she cannot be judged solely on one action because she did a lot for the City and in the end, she had great character and more love for the City than most. He said a nice friendship was forged between them toward the end of her life and how she still wanted what was best for the community; she will be sorely missed.

ADJOURNMENT

MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to adjourn the meeting at 8:54 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