



Meeting Minutes City Commission

Tuesday, May 16, 2023

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Mayor Bill Ganz at 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

Present:

Commissioner Todd Drosky
Commissioner Michael Hudak
Commissioner Ben Preston
Vice Mayor Bernie Parness
Mayor Bill Ganz

Also Present:

City Manager David Santucci
City Attorney Anthony Soroka
City Clerk Heather Montemayor

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - April 25, 2023

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

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Cultural Committee Meeting Minutes - August 15, September 19 & November 21, 2022

Planning & Zoning Board Meeting Minutes - March 2, 2023

Community Appearance Board Meeting Minutes - April 12, 2023

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to acknowledge the board minutes. Voice Vote:

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

May 16, 2023

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

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

Nays: 0

AWARDS & RECOGNITION**1. Presentation by Senator Jason W.B. Pizzo, District 37, regarding the legislative session.**

Mayor Ganz advised that Senator Jason W.B. Pizzo, District 37, was running late; therefore, he will make his presentation upon arrival.

2. Certificate of Recognition presented to Nick's Pizza in honor of their 20th Anniversary.

Mayor Ganz presented a Certificate of Recognition to Nick's Pizza in honor of their 20th Anniversary.

3. Proclamation in recognition of Haitian Flag Day on May 18, 2023.

Mayor Ganz read a proclamation in honor of Haitian Flag Day on May 18, 2023.

4. Proclamation presented to NAMI Broward Advocacy Group in recognition of "Mental Health Awareness Month."

Mayor Ganz presented a proclamation to Donna Linn, NAMI Broward's Advocacy Chair, in recognition of Mental Health Awareness Month.

5. Proclamation presented to Moms Demand Action for Gun Sense in American in recognition of National Gun Violence Awareness Day.

Mayor Ganz presented a proclamation to Marguerite Hummel, Moms Demand Action for Gun Sense, in recognition of National Gun Violence Awareness Day.

6. Proclamation presented to U.S. Coast Guard Auxiliary Flotilla 37 in recognition of National Safe Boating Week.

Mayor Ganz presented a proclamation to Commander Gail Edelman, Flotilla 37 FC; FSO PE, in recognition of National Safe Boating Week.

7. Certificate of Recognition presented to the Financial Services Department for receiving the Government Finance Officers Association's (GFOA) Certificate of Achievement for Excellence in Financial Reporting and the Distinguished Budget Presentation Award.

Mayor Ganz presented a Certificate of Recognition to Stephanie Tinsley, Chief Financial Officer, for receiving the GFOA Certificate of Achievement for Excellence in Financial Reporting and the Distinguished Budget Presentation Award.

1. Presentation by Senator Jason W.B. Pizzo, District 37, regarding the legislative session.

Senator Jason W.B. Pizzo, District 37, provided a brief overview of the legislative session; thereafter, he provided his contact information and urged all to reach out to him should they need assistance.

8. Presentation by Captain Hofstein to Retired Deputy Christopher Anderson.

Captain Hofstein congratulated retired Deputy Christopher Anderson. Thereafter, he provided a brief overview of his careers and reiterated his congratulations.

AWARDS & RECOGNITION - CONTINUED**9. Presentation by Lee Gotlieb from the South Florida Audubon Society regarding dune restoration in Deerfield Beach.**

Lee Gotlieb, South Florida Audubon Society, provided a brief PowerPoint presentation. He stated that sand dunes stabilize the beach, protect beachfront property from storm surge, and provide habitat for several animal species. Thereafter, he provided a brief history of Deerfield beach's dune projects; whereby, the dunes reduced sand intrusion on the street and walkway, reduced the need for sand fencing and beach erosion, and provided habitat for nesting sea turtles and shorebirds. Further, he suggested that the City create a Dune Master Plan, which will provide the City with guidance on maintenance, as well as a long and short-term plan that considers resiliency and sustainability, as beach renourishment is becoming costly. Lastly, Mr. Gotlieb said another initiative created is "Adopt-A-Dune," which is volunteer-based. The goal for this initiative is to build a continuous dune from Miami-Dade to Palm Beach County, and it's crucial for Deerfield Beach to be a part of this project.

Commissioner Hudak stated that the dunes have not impeded anyone's view of the ocean and assist with sand not coming onto A1A. Thereafter, he commented on the current beach renourishment project with the Town of Hillsboro Beach and City of Boca Raton, which would have been over \$20 million had Boca not been involved. Commissioner Hudak said the sand fence is an eyesore; therefore, he spoke in support of the sand dunes and creation of a Dune Master Plan.

In response to Mayor Ganz's questions, Mr. Gotlieb replied that some of the plants on Deerfield's beach were destroyed due to a hurricane because they were planted too close to the ocean; nevertheless, it's a good example of what not to do. Further, he said the sea oats from one of the pilot projects are still standing, and the ones that were washed away have been replaced in the proper location.

PUBLIC HEARINGS - SECOND READING**10. P.H. 2023-068: ORDINANCE 2023/004 - 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, 2023; APPROVING SUPPLEMENTAL APPROPRIATIONS AND BUDGET TRANSFERS TO VARIOUS CITY FUNDS, AND REDUCING APPROPRIATIONS TO THE INSURANCE SERVICES FUND BY \$487,681, AS SET FORTH IN THE ATTACHED EXHIBIT "A"; APPROVING AMENDMENTS TO THE EMPLOYMENT POSITION TITLES AND GRADE SYSTEM, AND POSITION PAY RANGES, AS SET FORTH IN THE ATTACHED EXHIBITS "B" AND "C"; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

David Santucci, City Manager, stated that the requested changes made during first reading approval were done.

There was no discussion amongst the Commission.

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

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Item 10, adopted Ordinance 2023/004. Roll Call:

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

Nays: 0

PUBLIC HEARINGS - SECOND READING - CONTINUED

11. P.H. 2023-069: ORDINANCE 2023/005 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE II "BOARDS, COMMITTEES, COMMISSIONS," DIVISION 11, "YOUTH COUNCIL" OF THE CITY'S CODE OF ORDINANCES TO REVISE THE YOUTH COUNCIL COMPOSITION AND QUALIFICATIONS FOR MEMBERSHIP; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

After a brief discussion, it was decided that each elected official have two seats, one regular member and one alternate.

Mayor Ganz opened the public hearing.

Peggy Noland, 325 SE 3rd Terrace, Deerfield Beach, stated that the City use to have a student government day. Thereafter, she provided a brief overview of the event.

Mayor Ganz stated that the City still hosts student government day. Thereafter, he closed the public hearing.

Anthony Soroka, City Attorney, stated that the current language does not include alternates; therefore, if the Commission desires to include alternates it will have to be part of the motion.

MOTION was made by Commissioner Preston, seconded by Commissioner Hudak, to approve Item 11 as amended, adopted Ordinance 2023/005. Roll Call:

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

Nays: 1 - Vice Mayor Parness

PUBLIC COMMENT

Daniel Piazza, 1261 SE 3rd Court, Deerfield Beach, said cars are blocking his driveway, which is causing his garbage not to be picked up and him not being able to get out of his driveway. He also said the cars blocking the road towards the Cove are impeding the traffic for municipal trucks and fire trucks.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, commented on previous comments made by the public regarding the new lifeguard towers. He stated that Deerfield's beach is a huge attraction and component to the City's economy; therefore, these lifeguard towers are needed and thanked the Commission for their approval. Thereafter, he provided a brief overview of what the lifeguard towers will entail.

Michael Lubin, 16 Little Harbor Way, Deerfield Beach, said the Deerfield Beach High School senior awards took place on Thursday, May 11th, whereby, numerous awards were provided to include the City's awards. Thereafter, he urged the Elected Officials to attend next year and hopes that the City can provide more scholarship monies in the future.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said CPR training will be held at the Women's Club on May 24th from 1:00 p.m. to 2:00 p.m. Further, various local charitable organizations are hosting Christmas in July, which is an event geared toward providing homeless children with back to school items, i.e. clear backpacks, uniforms, etc. and asked if collection boxes can be added to city facilities. Thereafter, she commented on upcoming city events.

Martha Henry, 441 NW 1st Terrace, Deerfield Beach, commented on the upgrades to Johnnie McKeithen Park, which have negatively impacted the area, i.e. more traffic, increase in drugs, etc. Thereafter, she commented on the fence being removed, the water being turned off, and presence of toilet paper. Further, she commented on the flooding and said the retention pond that was installed will not help but will make matters worse.

PUBLIC COMMENT - CONTINUED

Willie Graham-Bracy, 501 NW 1st Terrace, Deerfield Beach, provided a brief overview of fence materials used at Johnnie McKeithen Park throughout the years, whereby, the chain linked fence lasted the longest. Thereafter, she commented on the presence of toilet paper in her yard and the water being off but the restrooms being opened. She said grass was installed but was never water, so city workers had to remove it. Lastly, she asked if sandbags can be delivered to Johnnie McKeithen Park, so they are easier for the senior citizens near the park to access.

Mayor Ganz answered questions/concerns/comments posed by the public. He asked that staff investigate the parking issue on 3rd Court. Further, he said unfortunately, the Commission was unaware of the senior awards, and asked that they be properly notified in the future. Mayor Ganz stated that he does not have an issue with donation boxes being placed at city facilities, as the new mandate regarding clear backpacks will affect everyone; therefore, he asked that staff coordinate. Lastly, he said he will work with staff on finding solutions for Johnnie McKeithen Park, whereby, input can be provided during the upcoming community meetings.

Commissioner Preston said he has received multiple calls from neighboring residents of Johnnie McKeithen Park, and they are all requesting that the fence be re-installed.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

After a brief discussion, it was the consensus of the Commission to discuss Items 17 and 22 out of order.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to amend the agenda. Voice Vote:

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

Nays: 0

17. Resolution 2023/086 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement between the City of Deerfield Beach and Kiwanis Club of Deerfield Beach, Inc., regarding bus benches and shelters for a five year term, with two optional five year renewal periods; providing for execution, severability, and an effective date.

The Resolution was made by title only.

David Santucci, City Manager, explained that the previous agreement was five-years with two five-year renewals, which has come to an end; nevertheless, the Kiwanis Club has requested a continuation of the bus bench agreement. He stated that the last renewal revised some of the regulations for ADA compliancy, so all bus benches are now in compliance.

Mayor Ganz opened the public hearing.

Timothy Sullivan, 937 SE 12th Way, Deerfield Beach, representing the Kiwanis Club, provided a brief overview of who they are and the impact they have on the Deerfield Beach community.

In response to Mayor Ganz's questions, Mr. Sullivan replied that after expenses the revenue from the bus benches goes to the Kiwanis Club. Further, he explained that the Kiwanis Club has a vendor who manages the benches, i.e. sells and manages the advertising, ensures compliancy, etc. Mr. Sullivan said the bus benches is Kiwanis' largest revenue source, which is put back into the City.

In response to Vice Mayor Parness' questions, Mr. Sullivan replied that the City writes the contract and Kiwanis administers it. Further, he said liquor stores, massage parlors, candidate information, etc. are not to be advertised on the bus benches.

Commissioner Preston commended the Kiwanis Club for their assistance throughout the community and spoke in support of the contract.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

Maria LoRicco, 1551 SE 12th Street, Deerfield Beach, asked for clarification on the costs for the bus benches and costs to maintain them, as she wants assurance that the Kiwanis Club is being given the proper funding for the benches.

Jan Muenzenmaier, 1089 SW 25th Avenue, Deerfield Beach, commented on her time as a city employee and Kiwanis Club member. Thereafter, she commented on a student she helped while being a city employee, whom she still has contact with. She said the Kiwanis Club provides a wide variety of programs and encouraged approval of the contract.

Patricia Link, 252 Ventnor R, Deerfield Beach, asked for clarification on the agreement.

Mayor Ganz closed the public hearing.

Anthony Soroka, City Attorney, stated that this agreement was prepared by his office; however, they do not prepare the agreement between Kiwanis and their advertising vendor. Further, the agreement between Kiwanis and the City does specify that there shall be no liquor or tobacco advertising, no political matter of any nature, no massage parlors, no adult book stores, no adult theaters, nor any advertising/messaging displaying obscene expressions, adult escort services or similar services. He stated that Kiwanis is responsible for constructing and maintaining the benches and ensuring that the advertisements are adhered too.

Mr. Santucci stated that the bus bench design is outlined in the backup, which was updated in 2018; nevertheless, they can be changed, if so desired. Further, he reiterated that the agreement is with Kiwanis, not with the bus bench providers or advertisers.

Mayor Ganz stated that the City does not receive any funding from the advertisements, whereas, the revenue received is a part of Kiwanis' fundraising. Further, the contract between the City and Kiwanis provides the City with the ability to prevent certain advertisements, request maintenance changes, and approve/disapprove designs.

Commissioner Drosky thanked the Kiwanis Club for showing up this evening and although they are very involved in the community and put money back into the community, he cannot support the terms of the contract, which is five-years with two five-year renewal options. Further, he spoke in support of allowing Kiwanis to change vendors but reiterated his opposition to the two five-year renewals and suggested approving the contract for five-years only. Commissioner Drosky said this has nothing to do with Kiwanis as they are extremely valued in the City, but he must be fair to all and no other vendor has ever been given a 15-year contract.

Commissioner Hudak commended the Kiwanis Club for all they do for the community. Thereafter, he asked for clarification on the termination and indemnity clauses.

Mr. Soroka stated that per the agreement, Kiwanis does indemnify the City for acts of omissions, negligence, personal injury claims, etc., which is backed by insurance. Further, he explained that the agreement can be terminated for convenience upon a years' notice. Further, he said its Kiwanis' responsibility to ensure that the bus benches and shelters are constructed and maintained in accordance with applicable law.

Vice Mayor Parness spoke in opposition to the advertisement requirements, whereas, liquor stores and political signage should be allowed. Thereafter, he provided various examples of what should be allowed.

Mr. Soroka said the language within the agreement was moved over from the prior agreement; nevertheless, he stated that the language regulates the content of the messaging, i.e. the Wyndham can advertise, they just cannot advertise for liquor sales on the bench. Further, he advised that the language can be changed, if desired by the Commission.

Mr. Santucci stated that these restrictions are for companies, i.e. Bacardi, Bud Light, Miller Light, Marlboro, massage parlors, etc.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

Vice Mayor Parness continued to speak in opposition of the restrictions and asked how it can be changed.

Mayor Ganz stated that it's a policy decision and can be suggested as part of a motion.

In response to Vice Mayor Parness' comment, Mr. Santucci stated that the bus benches are located within the City's rights-of-way, and per city policy, campaign signs are not allowed within the City's rights-of-way; therefore, allowing political advertisements on the bus benches would be going against current policy.

In response to Mayor Ganz's question, Vice Mayor Parness replied that he supports the five-year agreement with the two five-year renewals; however, does not support the advertisement restrictions.

Commissioner Preston said restrictions are put into place to ensure rules are followed. Further, he spoke in support on the 15-years, as it is the same proposal as before.

Mayor Ganz agreed that 15-years is a long time and had discussed three years with Mr. Sullivan but was advised that it takes them about three years to collect revenue to make changes to the benches/shelters; therefore, he agreed with the five-year renewal but suggested removing the two renewals. Further, he said advertisement restrictions are needed, whereas, not everything that is profitable is of social value and not everything of social value is profitable. Mayor Ganz reiterated that restrictions are needed, as they help protect the Kiwanis Club and City, and the ones that are in place will not limit Kiwanis from making a profit.

In response to Mayor Ganz's question, Mr. Sullivan replied that the restrictions are fair and not too restrictive, whereby, the Kiwanis Club is about supporting children; therefore, they do not want their name on anything that may be construed as being out of the norm.

MOTION was made by Commissioner Preston, seconded by Commissioner Hudak, to approve Item 17, adopted Resolution 2023/086. Roll Call:

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

Nays: 2 - Commissioner Drosky and Vice Mayor Parness

DEPARTMENTAL BUSINESS

22. Resolution 2023/091 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the First Amendment to the Revocable License Agreement with 1500 SE 3rd Ct, LLC for public outdoor seating and public space adjacent to the property located at 1500 SE 3rd Court, Deerfield Beach, Florida; authorizing execution of the First Amendment; providing for an effective date.

Commissioner Drosky left the meeting temporarily at 8:59 p.m. and returned at 9:01 p.m.

Scott Backman, representing the applicant, provided a PowerPoint presentation. Thereafter, an aerial photograph of the property was displayed, and a brief history of the project was given. In 2021, the site plan was modified, which included modifications to the building façade and elevations, removal of the second floor to accommodate brewery equipment, which was added to the rear of the property, and reconfiguration of public space along SE 3rd Court, which resulted in a decrease of 486 square feet. Thereafter, the 2021 approved elevations were displayed. Mr. Backman explained that the 2021 modifications provided a reduction in useable building area, which resulted in a reduction of 33 parking spaces. Thereafter, a photograph of the current proposal was displayed; whereby, the applicant is requesting additional public space, which is an increase of 19 square feet for public space. Mr. Backman stated that the open space areas will not have any restrictions, i.e. gates.

Continuing, Mr. Backman said the 2021 modifications caused the brewery to move forward causing the four parallel parking spaces on the south side not to fit; however, there are openings to allow for employee parking, which is consistent with other establishments within the Cove. Thereafter, photographs of the project were displayed, which is about 95% complete.

DEPARTMENTAL BUSINESS - CONTINUED

Vice Mayor Parness left the meeting temporarily at 9:10 p.m. and returned at 9:13 p.m.

In response to Commissioner Preston's question, Mr. Backman replied that he and his clients have been very proactive in answering questions posed by the public.

Commissioner Hudak left the meeting temporarily at 9:10 p.m. and returned at 9:13 p.m.

Commissioner Drosky said he toured the facility, whereby, the space in question is extremely small, so the modification makes sense; nonetheless, the westside is the gateway into the Cove, so he suggested adding a public art piece to enhance not only the Cove but brewery as well.

Mr. Backman said they have been in contact with the City's public art vendor to implement a public art piece in that area, should this be approved.

In response to Commissioner Drosky's questions, Mr. Backman replied that all other restrictions previously outlined in the license agreement will be adhered to, i.e. outdoor games will cease at 8:00 p.m.

Commissioner Drosky reiterated his support for the modification and said the project will be a great addition to the City.

Commissioner Preston spoke in support of the project as it will be a great addition to the City.

Commissioner Hudak said he toured the facility and was amazed at the size of the brewery equipment and how much the project improved the area. Further, residents have voiced their concerns to him regarding the four parking spaces in the back, but after touring the facility he agreed that those should be utilized for employees. Commissioner Hudak spoke in support of the project, as it will be a great asset to the area.

Mayor Ganz opened the public hearing.

Roger Freitag, 418 SE 2nd Street, Deerfield Beach, toured the facility and believes it will be a fantastic addition to the City; however, he spoke in opposition to giving them parking spaces and CRA money. Further, he spoke in support of the modification as it will be utilized for public space and will be maintained by the brewery.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, spoke in opposition of the project, as it will set a precedent that businesses can expand their business into the parking lot and take over parking spaces to allow for additional seating. Thereafter, she commented on an interaction she had with the developer, whereby, he advised that information was purposely left off the plans.

Jordan King, 531 SE 3rd Place, Deerfield Beach, spoke in support of the project, as it gives light to the Cove.

Patricia Link, 252 Ventnor R, Deerfield Beach, asked who pays the taxes for the portion of land the applicant is requesting and if someone falls who is liable for the area.

Ms. Blatch, 425 NW 1st Terrace, Deerfield Beach, asked if the owner is the tenant.

Mayor Ganz replied that they are the owner and tenant for this particular property.

Lisa Lee, 1616 SE 4th Court, Deerfield Beach, thanked the Mr. Backman for the presentation. Further, she spoke in support of the modification, as it will make the pathway into the Cove safer.

Curtis Hightower, 901 SE 15th Street, Deerfield Beach, spoke in support of the Cove Brewery and said the modification will allow them to have more open space for people to sit.

Mayor Ganz closed the public hearing.

DEPARTMENTAL BUSINESS - CONTINUED

Anthony Soroka, City Attorney, stated that the licensee, owner, is responsible for the area, which is outlined in the agreement.

Commissioner Preston said although this will be a great addition to the City, he does not agree with the developer deceiving the City.

John Whelchel stated that he is the developer and owner of the brewery and advised that Ms. Freitag's comments were incorrect, whereby, everything has been by the books.

In response to Mayor Ganz's question, Mr. Backman replied that the agreement states if requested by the City, those spaces will be provided. The initial representation was to show that those spaces could be accommodated, not that those spaces were necessarily provided or built. Further, he said the four spaces in the back will allow parking for employees, in lieu of taking up the cove parking spaces.

Commissioner Drosky stated that those spaces in the back are not convenient for public usage, so allowing employees to park there makes sense.

Mayor Ganz said he unfortunately did not tour the facility. Further, when this project was first proposed, there were noise concerns, so although the proposal looks much better and he is in support of it, he is concerned that the neighborhood will have issues with the closer proximity; nevertheless, he reiterated his support for project and agreed that it will be a great asset the area and city. Mayor Ganz said although the spaces are on their property and will be utilized by their staff, he spoke in opposition to the four parking spaces, as it reduced public parking.

Vice Mayor Parness said should there be issues with the noise, it can be addressed at that time. Further, he spoke in support of the revitalization of the Cove.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 22, adopted Resolution 2023/091. Roll Call:

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

Nays: 1 - Mayor Ganz

CONSENT - BOARD APPOINTMENT

12. Resolution 2023/081 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Brian Bennett as a regular member to the Planning and Zoning Board; and providing for an effective date.

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 Hudak, to approve Item 12, adopted Resolution 2023/081. Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

Mayor Ganz opened the public hearing for Items 13 - 15, 20 & 21; however, there were none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Items 13 - 15 & 21. Roll Call:

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

Nays: 0

- 13. Resolution 2023/082 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a work authorization with Stantec Consulting Services, Inc. to provide professional engineering services related to the Florida East Coast Railroad Fence Line Project in an amount not to exceed \$145,127.00; providing for execution and an effective date. (Fund from Account #399-1702-564-60-31 Improvements Other Than Buildings)**
- 14. Resolution 2023/083 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, ratifying an amendment to the 2021-2024 Collective Bargaining Agreement between the City of Deerfield Beach and Local 1010/District Council 78 of the International Union of Painters and Allied Trades (IUPAT) to provide for cost of living increases, effective April 1, 2023, and October 1, 2023; authorizing the City Manager to take all actions necessary to implement the Amendment; and providing for an effective date.**
- 15. Resolution 2023/084 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Fair Share Contribution to the Areawide Council on Aging of Broward County, Inc. in the amount of \$61,600; providing for implementation and an effective date. (Funds from Account #001-1702-564-80-16 - Grants/Area Agency on Aging)**
- 16. Resolution 2023/085 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of Invitation to Bid #23-10-VP for the purchase of trash receptacles with aluminum tops to Wausau Tile, Inc.; authorizing execution of a purchase order with Wausau Tile, Inc., in an amount not to exceed \$127,898.32; providing for implementation and an effective date. (Funds from Account #399-7035-572-65-30 - Material for Miscellaneous Products)**

The Resolution was read by title only.

Commissioner Drosky said this item was pulled due to the cost and urged the public to voice their concerns, if any, now; whereby, he does not want this to be a similar issue as the lifeguard towers. Further, he stated that he researched the item, and this is the fair and market price.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked why the lowest bidder was disqualified, whereas, the proposed bidder was 35% higher.

Mayor Ganz closed the public hearing.

David Santucci, City Manager, replied that the lowest bidder could not provide the specifications as required and did not bid on all the line items.

In response to Mayor Ganz's question, Mr. Santucci replied that all receptacles will be uniform and consistent with the City's standards.

In response to Vice Mayor Parness' question, Mr. Santucci replied that they are pure concrete, 730 pounds/each, 36" in height, and have a diameter of just under 30 inches.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

MOTION was made by Commissioner Drosky, seconded by Vice Mayor Parness, to approve Item 16, adopted Resolution 2023/085. Roll Call:

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

Nays: 0

18. Resolution 2023/087 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a license agreement with Cellco Partnership d/b/a Verizon Wireless for approximately 246 square feet of ground space for the placement of communications equipment in Ecidar Park located at 1901 SW 15th Street; authorizing execution of the License Agreement; and providing for an effective date.

Items 18 - 20 were discussed together but voted on separately; thereafter, each resolution was read by title only.

Commissioner Drosky asked if additional research was done to ensure that each item aligned with the market rate.

Horace McHugh, Deputy City Manager, replied that there are a few variables to determine the market rate, i.e. location of site, site radius, etc.; therefore, an individual analysis would need to be performed on each. Further, the Commission previously agreed to the lease rate and specs for Items 19 & 20, but a \$5,000 signing bonus was recommended, as well as a 3% escalator on an annual basis to the monthly rate. Item 18 is in a fenced area and has a dedicated function; therefore, staff does not have the ability or basis to make comparisons without performing additional analysis.

In response to Commissioner Drosky's question, David Santucci, City Manager, replied that in his experience the costs outlined in the agreements are reasonable.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked if the aesthetics for Item 20 will match the Pioneer Grove standards.

Mayor Ganz closed the public hearing.

Mr. Santucci replied that Item 20 follows the existing terms of the master contract, so if modifications are needed the City will have to work with the master lessee.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 18, adopted Resolution 2023/087. Roll Call:

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

Nays: 0

19. Resolution 2023/088 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Third Amendment to the Tower License Agreement with NCWPCS MPL 28-Year Sites Tower Holdings, LLC for the tower site located at 200 Goolsby Boulevard; authorizing execution of the Third Amendment; and providing for an effective date.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 19, adopted Resolution 2023/088. Roll Call:

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

Nays: 0

- 20. Resolution 2023/089 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Fourth Amendment to the Tower License Agreement with NCWPCS MPL 25-Year Sites Tower Holdings, LLC for the tower site located at 300 NE 2nd Street; authorizing execution of the Fourth Amendment; and providing for an effective date.**

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 20, adopted Resolution 2023/089. Roll Call:

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

Nays: 0

ADDENDUM

- 21. Resolution 2023/090 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, ratifying an amendment to the 2021-2024 Collective Bargaining Agreement between the City of Deerfield Beach and the Professional Managers and Supervisors Association (PMSA) to provide for cost of living increases, effective April 1, 2023, and October 1, 2023; authorizing the City Manager to take all actions necessary to implement the Amendment; and providing for an effective date.**

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY - None.

CITY MANAGER - None.

CITY COMMISSION BUSINESS

- 23. Consideration to approve voting delegates to the 2023-2024 Board of Directors for Broward League of Cities.**

There was a brief discussion to select Commissioner Drosky as the voting delegate, Mayor Ganz as the alternate and Commissioner Hudak as the second alternate.

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

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Commissioner Drosky as the voting delegate, Mayor Ganz as the alternate and Commissioner Hudak as the second alternate. Voice Vote:

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

Nays: 0

CITY COMMISSION BUSINESS - CONTINUED**24. Resolution 2023/092 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the City Manager performance evaluation criteria and form; providing for an effective date.**

The Resolution was read by title only.

Anthony Soroka, City Attorney, provided a brief overview of the item, and stated that this revision is based on comments previously made by the City Commission and the base document was the International City/County Manager's Association.

Commissioner Hudak said the revised form easier is to evaluate and spoke in support of the revision.

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

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item 24, adopted Resolution 2023/092. Voice Vote:

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

Nays: 0

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

Seaweed - Commissioner Hudak stated that he met with Ashbritt, who is currently working with the City in preparation of the large amount of seaweed that may affect our beach.

Aquatics Center - Commissioner Hudak asked a status update.

Terrence Glunt, 1456 SE 6th Street, Deerfield Beach, is the architect for the project. He explained that there was a variance meeting with last week, but unfortunately it did not pass; nevertheless, there is an appeal process with the Department of Health, which he explained.

In response to Commissioner Hudak's question, Mr. Glunt replied that the pool is not leaking. Further, he said a detailed summary was provided to staff.

Dune Restoration Master Plan - Commissioner Hudak asked if direction is needed in order to move forward with the plan.

Mayor Ganz said he has concerns with the plan but will address them with the City Manager. Thereafter, he commented on a previous restoration workshop that took place, which received mixed reviews. He stated that this was the first time seeing the presentation, so he would like time to review.

City Events - Commissioner Hudak said Ocean Brew & Blues is this weekend.

COMMISSIONER PRESTON**DISTRICT 2**

Johnie McKeithen Park - Commissioner Preston commented on the dead grass being replaced that was just installed and advised staff to stay abreast with these type projects. Further, he said something must be done with reoccurring issues.

National Day of Prayer - Commissioner Preston thanked staff for the event.

Resident Concerns - Commissioner Preston stated that he received numerous phone calls regarding a resident intimidating others, making them feel uneasy and thanked the City Manger for his due diligence.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

Community Meeting - Commissioner Preston stated that he is looking forward to the meeting, as he hopes the resident's concerns, especially those regarding Johnie McKeithen Park, can be addressed.

Accolades - Commissioner Preston thanked BSO - Law Enforcement for all their support.

Upcoming City Events - Commissioner Preston stated that Juneteenth events are forthcoming.

VICE MAYOR PARNESS**DISTRICT 3**

Registering to Vote - Vice Mayor Parness said a non-partisan table will be set up in the lobby at City Hall every Friday from 9 a.m. to noon to assist people with registering to vote.

COMMISSIONER DROSKY**DISTRICT 4**

Pompano Pelican - Commissioner Drosky commented on an article regarding the City of Pompano Beach, who is spending tens of millions of dollars to create a new downtown area; thereafter, he commented on the importance of the recently passed referendum.

Metered Parking - Commissioner Drosky said the surface parking at Royal Palm in Mizner Park is metered.

Solid Waste Working Group - Commissioner Drosky said a revised ILA was distributed, but unfortunately, he has not had a chance to review; nevertheless, one of the changes are substantive, and a re-vote will be required.

Dune Restoration - Commissioner Drosky stated that he would be willing to consider but asked that it be added to an agenda.

Office Hours - Commissioner Drosky said his office hours will take place on Saturday, June 3rd from 10:00 a.m. to noon; appointments can be made by contacting him or the City Manager's Office.

Commission Calendar - Commissioner Drosky asked that all events be added to the Commissioners calendar.

Follow Up - Commissioner Drosky commented on a software that was previously discussed, which would allow the Commissioners to have a centralized place for their concerns to be addressed and asked that it be discussed during the budget.

MAYOR GANZ

Seaweed - Mayor Ganz said the seaweed is going to be extremely overwhelming and the beach rakes will not be able to be utilized due to turtle season. He explained that the seaweed will affect all coastal communities, so the remedies must be a collaborative effort; thereafter, he thanked County Mayor Lamar Fisher for keeping everyone informed.

Senator Jason W.B. Pizzo, District 37 - Mayor Ganz commented on his interactions with the Senator and praised him for being attentive.

Clear Backpacks - Mayor Ganz said this change will impact many of the residents; therefore, he asked that staff look into clear backpacks for giveaways.

Muddy Waters - Mayor Ganz asked staff to investigate the potholes in the alleyways.

Water Tower - Mayor Ganz stated that a resident advised that there are interference issues with the City's water tower.

Follow Up - Mayor Ganz said when he has issues, he calls the City Manager or Deputy City Manager as by Charter that is the only person he can give direction too; nevertheless, he agreed with some type of

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

tracking system. Thereafter, he thanked the City Manager for being responsive.

Fatality - Mayor Ganz commented on motorcycle and vehicular accidents and fatalities and stated that something must be done, as BSO has their hands full.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to adjourn the meeting at 10:47 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Heather Montemayor, CMC, City Clerk