



Regular City Commission Meeting Agenda

150 NE 2nd Avenue | Deerfield Beach, FL, 33441 | 954-480-4200

Mayor Bill Ganz

Vice Mayor Bernie Parness

District 1 Commissioner Michael Hudak

District 2 Commissioner Ben Preston

District 4 Commissioner Todd Drosky

Tuesday
January 9, 2024
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: November 14, 2023

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Code Compliance Meeting Minutes

Attachment: September 27, 2023, November 17, 2023

Community Redevelopment Agency Meeting Minutes

Attachment: October 17, 2023

Planning & Zoning Board Meeting Minutes

Attachment: November 2, 2023

Cultural Committee Meeting Minutes

Attachment: November 20, 2023

Community Appearance Board Meeting Minutes

Attachment: November 30, 2023

APPROVAL OF THE AGENDA

January 9, 2024

ZOOM INFORMATION

Join Zoom Meeting by clicking the below link:

<https://deerfield-beach.zoom.us/j/89963988577?pwd=MTZ4SGFwd0dTbkNmQ3BxVkxsSjRyQT09>

Join Zoom Meeting via telephone by dialing:

Call-in Number: (301) 715-8592

Meeting ID: 899 6398 8577#

Participant ID: #

Passcode: 697190#

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

PRESENTATIONS

1. Presentation regarding the Live Local Act.

Sponsor: Department of Planning & Development Services

Attachment: Live Local Act

2. Presentation regarding the cart replacement program.

Sponsor: Department of Sustainable Management

Attachment: Cart Replacement Program

QUASI-JUDICIAL PUBLIC HEARINGS

3. P.H. 2024-032: APPLICATION 23-RM25-49

Applicant: NY DEERFIELD BEACH HOLDINGS, LLC, REPRESENTED BY S.H. BRANDT AND ASSOCIATES

Proposal: Major site plan application seeking approval to construct a 13-unit apartment building.

Location: The properties are generally described as OCEAN VUE 3-34 B LOT 3, 4 & 5 BLK 9 and located at 1974 & 1980 NE 5th Street.

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 23-RM25-49

PUBLIC HEARINGS

4. P.H. 2024-035: Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the City's purchase of the privately owned beach lot located southeast of the main beach parking lot, and legally described as Deerfield Beach 4-4 B Lots 1 thru 3 BLK 13, for \$913,000.00; providing for the settlement of all claims of the property owner regarding the property for 5 annual payments of \$65,000.00 conditioned upon receipt of a full release; authorizing execution of documents necessary to effectuate the purchase and settlement; providing for implementation and an effective date. (*Funds from Account #399-0200-513-60-11 - Property Acquisition*)

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: Beach Lot Purchase

PUBLIC HEARINGS – SECOND READING

5. P.H. 2024-033: ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE I "IN GENERAL" OF

**CHAPTER 66 "TRAFFIC AND VEHICLES" OF THE CITY CODE OF ORDINANCES TO
CREATE SECTION 66-2 "SPEED DETECTION SYSTEMS FOR ENFORCEMENT OF SCHOOL
ZONE SPEED LIMITS" TO AUTHORIZE THE PLACEMENT AND INSTALLATION OF SPEED
DETECTION SYSTEMS ON ROADWAYS MAINTAINED AS SCHOOL ZONES; PROVIDING
FOR CODIFICATION, SEVERABILITY, CONFLICTS, 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 Public Safety

Attachment: Enforcement of School Zone Speed Limits

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 APPOINTMENT

- 6. Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Shane Cutler as a regular member on the Marine Advisory Board; 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: Commissioner Ben Preston

Attachment: MAB Appointment

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

7. **Resolution 2024/ - 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 *Carolyn McNamara 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 - Risk Management/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: McNamara Settlement Agreement

8. **Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an updated Security Program Plan for the Community Shuttle Program with Broward County; providing for implementation and an effective date. (Deferred from December 12, 2023)**

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: Security Program Plan

9. **Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an updated System Safety Program Plan for the Community Shuttle Program with Broward County; providing for implementation and an effective date. (Deferred from December 12, 2023)**

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: System Safety Program Plan

DEPARTMENTAL BUSINESS

- 10. Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Proposals No. #24-02-BA for the SE 8th Avenue Area Stormwater Capital Improvement Project; authorizing the City Manager to execute an agreement with the top ranked, responsive and responsible proposer, Emerald Construction Corporation d/b/a Neucor Construction in an amount not to exceed \$2,731,792.79; providing for implementation and an effective date. (*Funds from Account #462-5070-538-65-30 - Stormwater Capital Fund*)**

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: Emerald Construction Corporation

- 11. Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Ferraro Law Firm, P.A. to serve as outside counsel representing the City in litigation related to Per- and Polyfluoroalkyl Substances (PFAS) at the direction of the City Attorney; approving and authorizing execution of an agreement for retention of outside counsel on a contingent fee basis; 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: Office of the City Attorney

Attachment: Ferraro Law Firm, P.A.

COMMENTS BY ADMINISTRATION & LEGAL

CITY COMMISSION BUSINESS

- 12. ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE II "BOARDS, COMMITTEES, COMMISSIONS" OF CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF ORDINANCES TO CREATE SECTION 2-26 "CRIMINAL HISTORY BACKGROUND CHECKS"**

FOR CERTAIN ADVISORY BOARDS AND COMMITTEES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance and set public hearing for January 23, 2024

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

Sponsor: Commissioner Todd Drosky

Attachment: Background Checks

13. Discussion regarding the 2022/2023 Deerfield Beach public school grades.

Sponsor: Commissioner Todd Drosky

COMMENTS BY MAYOR & CITY COMMISSION
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ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Regular City Commission Meeting - Tuesday, January 23, 2024

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.