



Meeting Minutes City Commission

Tuesday, November 14, 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 7:01 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

Mayor Ganz said Bill Harris, former Dania Beach City Commissioner, passed this week, and he asked that everyone keep him in their thoughts and prayers. Thereafter, there was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - October 3, 2023
Special City Commission Meeting Minutes - November 1, 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

Hillsboro Inlet District Meeting Minutes - August 28, September 11, September 11 (First Budget Hearing), & September 18, 2023 (Regular)
Code Compliance Meeting Minutes - September 11 & October 9, 2023
Community Appearance Board Meeting Minutes - September 27 & October 11, 2023
Planning & Zoning Board Meeting Minutes - October 5, 2023
Marine Advisory Board Meeting Minutes - September 21, 2023

ACKNOWLEDGEMENT OF CITY BOARD MINUTES - CONTINUED

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

November 14, 2023

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

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

Nays: 0

AWARDS & RECOGNITION

- 1. Proclamation presented to Doris "Dory" Tarlow, City Volunteer, in honor of her 100th Birthday Celebration.**

Mayor Ganz presented a proclamation to Dory in honor of her birthday; however, she was not in attendance.

- 2. Certificate of Recognition presented to Ronald Durham for his 23 years of service to the City of Deerfield.**

Mayor Ganz presented a certificate of recognition to Ronald Durham for his years of service as a Deerfield Beach employee; however, he was not in attendance.

- 3. Proclamation presented to the United States Small Business Association and Women Impacting Public Policy (WIPP) in support and recognition of Small Business Saturday®.**

Mayor Ganz presented a proclamation to Kris Mory, Director of Economic Development, in recognition of Small Business Saturday.

- 4. Presentation regarding the Florida Redevelopment Association "Out of the Box" award for the Deerfield Beach Central City Redevelopment Plan.**

Kaitlyn Collier, Redevelopment Project Coordinator, presented the "Out of Box" award to the City Commission for the Deerfield Beach Central City Redevelopment Plan.

- 5. Certificate of Recognition presented by Captain Hofstein to BSO Law Enforcement staff.**

Captain Hofstein, BSO District X, presented certificates of recognition to deputies for their efforts with an event that occurred on October 8th.

ADDENDUM - CITY COMMISSION BUSINESS

- 21. Resolution 2023/193 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging the Broward County School Board to proceed with the renovations for Deerfield Beach Elementary School, including preserving and renovating Building 1 (Old School Building); and providing for an effective date.**

The Resolution was read by title only.

Commissioner Hudak stated that construction costs have skyrocketed, whereby, it has become easier to tear down and rebuild than to refurbish; however, he does not want to see School House 1 torn down, as it

ADDENDUM - CITY COMMISSION BUSINESS - CONTINUED

is a part of Deerfield's history. Further, on December 5th, the School Board will have an item on their agenda to determine the fate of the building, so he urged the School Board to not destroy the building and deed the building, along with the \$6 million earmarked for repairs, to the city.

Noel Hyatt, Broward County Public Schools, thanked Commissioner Hudak for his comments and expressed appreciation for the relationship the city has with the School Board. Further, he said a workshop will be held on January 30, 2024 to discuss the School House, as well as the funding earmarked for Deerfield Beach Elementary School. Mr. Hyatt stated that the legislative team urges the Commission, as well as city staff to attend the meeting and provide input and/or set up meetings prior to the workshop.

Mayor Ganz expressed frustration with the partnership the city has with the School Board, as he and the City Manager have been reaching out for months to discuss the situation; nonetheless, a meeting was finally formalized for December 6th, which is the day after the School House discussion. Further, he expressed concerns with the fact that the School Board has allowed the historical building to continue to become dilapidated to the point where costs for repairs exceed the \$8 million. Thereafter, Mayor Ganz continued to express concerns with the way this situation was handled, and spoke in opposition to the Resolution, as presented. Although, he wants to see the building preserved, he believes the School Board needs to step up and do the right thing, and not pass the buck onto the taxpayers of Deerfield Beach, as children from all cities attend the school. Thereafter, he opened the public hearing.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, agreed that the building must be preserved. In 1990, Deerfield Beach Elementary School and auditorium were made a historical landmark. Thereafter, he provided a brief history of the auditorium, and what it can be used as in the future.

Enrique Palacios, Deerfield Beach Historical Society, spoke in support of preserving the auditorium, as well as other historical city facilities; therefore, he urged the city to work with the School Board to seek other options, so the building can not only be preserved, but provide a high-quality learning facility.

Judith Stanich, 2257 Deer Creek Alba Way, Deerfield Beach, stated that the Historical Society will be presenting fliers to the School Board, so she urged all to fill one out. Further, she was under the impression the December 5th meeting was a workshop, whereby, items will be discussed, but no action will be taken.

Danielle Dunfee, 61 NE 5th Avenue Deerfield Beach, spoke in support of preserving the historical building. Thereafter, she expressed confusion with the meeting dates, and asked for clarification. Further, she said the estimate provided in June 2023, stated that the building is unlikely to withstand hurricane winds, which is concerning. Ms. Dunfee said the school continues to grow, whereby, one class is in a portable, so there is a need for more classrooms.

Karen Shelly, 190 Durham D, Deerfield Beach, spoke in support of the School Board restoring the Old School Building, as it was their commitment. Thereafter, she commented on the importance of preserving the facility, as she knows many generations that have attended.

April Bolowich, 899 NE 4th Street, Deerfield Beach, agreed that the facility is a multi-generational building. Thereafter, she briefly highlighted her experiences with the school.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, commented on the history of the facility. Further, she said it is time for the School Board, under new leadership, to step up to the plate and do what has been promised, and get the building back in shape; whereby, it should not fall on the city. She reiterated that it is time for this building to be renovated and brought back into a useable condition.

Mayor Ganz closed the public hearing.

Commissioner Preston agreed that as taxpayers we expect governmental entities to do what is needed and unfortunately that has not been the case with the School Board, and now there is a possibility that history will be lost. Further, he stated that the School Board must make this right, and although the city should be involved in the process, he agreed that the costs should not fall on the City. Thereafter, he

ADDENDUM - CITY COMMISSION BUSINESS - CONTINUED

provided a brief explanation of the importance of history, whereby, once it is gone, it cannot be brought back.

Commissioner Hudak clarified that the Resolution doesn't include deeding the property to the city, nor the earmarked funds; whereby, the Resolution is urging the School Board to proceed with the renovations. He stated that his previous comments were made because he no longer trusts the School Board and is concerned that they will just tear it down, and the city will not have any recourse.

Mayor Ganz spoke in support of urging the School Board to proceed with the renovations. Thereafter, he continued to express frustration with the School Board allowing the building to become so dilapidated and expecting the city to assist with covering the costs.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 21, adopted Resolution 2023/193. Roll Call:

Yeas: 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Preston, Vice Mayor Parness, and Mayor Ganz
Nays: 0

QUASI-JUDICIAL PUBLIC HEARINGS**6. P.H. 2024-015: APPLICATION 22-B2-133 (Tabled from July 18, 2023)**

Applicant: Airline HWY JPMC LLC, represented by Bowman Consulting

Proposal: Seeking major site plan modification to demolish an existing bank building and redevelop with a Chick-Fil-A fast food restaurant with associated drive-throughs and site improvements, on a 1.37-acre site.

Location: The property is generally described as ATLANTIC BANK PLAT 103-21 B TRACT A, more particularly described in the file, and located at **101 N Federal Highway**.

The Resolution was read by title only.

Janna Lhota, representing the applicant, waived the quasi-judicial proceeding. Thereafter, she provided a brief PowerPoint presentation, which was presented at the July 8, 2023 Regular City Commission Meeting. Further, she said during the first hearing, there were questions/concerns regarding traffic. She explained that a traffic impact analysis was conducted and reviewed by the city's traffic consultant, which concluded that the proposed site plan and redevelopment will not adversely impact adjacent roadways or affect current levels of service. The analysis also concluded that given the triple drive-thru and operational efficiencies, onsite stacking is sufficient to support peak operations with no spillage on adjacent properties or public rights-of-way. Additionally, real time traffic data was conducted during Chick-Fil-A peak hours (noon to mid-afternoon) on southbound Federal Highway, which was reviewed and approved by the city's traffic consultant.

Continuing, Ms. Lhota said the peak hours for Chick-Fil-A are different than Dunkin Donuts; nonetheless, the traffic study anticipates that there will be 18 trips to Chick-Fil-A during the morning hours via the back-alley way. Additionally, field trip observations were also conducted on the back-alley, whereby, the traffic for the Dunkin Donuts queues very quickly. Further, she said if the back-alley way is blocked, staff will ensure that it is handled and signage will be added. Ms. Lhota said the applicant had two community meetings, and the application was recommended for approval by the Community Appearance Board and Planning & Zoning Board. Thereafter, a video of the real time traffic data was displayed.

In response to comments made from the audience, Andres Mizrahi, P.E., Bowman Consulting, stated that the gas station traffic was included in the traffic data.

In response to Vice Mayor Parness' question, Efraim Silva, owner/operator of Chick-Fil-A in Pompano Beach, 2250 N. Federal Highway, replied that 150-180 cars are serviced during peak hours.

Ms. Lhota clarified that the Pompano Beach location is a full-service restaurant.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

Mr. Silva also stated that the Pompano Beach location has two drive-thru lanes that convert into one, whereby, the proposal is three to one. Further, he reiterated that the restaurant is located on North Federal Highway, whereby, improvements were recently made to the facility to alleviate congestion. Thereafter, he continued answering questions posed by Vice Mayor Parness.

In response to Commissioner Drosky's questions, Ms. Lhota replied that the wall will be six feet, but an additional two-foot element, i.e. aluminum railing, can be added to the top. Further, she said there is a deed restriction on the property, whereby, it cannot be used as another bank; therefore, the owner has relayed that the highest and best use for the property has been identified as a quick serve restaurant. Ms. Lhota stated that this site has been designed to address issues that occur at other sites, and building more sites will help alleviate issues at other sites.

Mayor Ganz opened the public hearing.

The following individuals spoke in opposition to the site plan application:

Roger Freitag, 418 SE 2nd Street, Deerfield Beach.
Peggy Ross, 103 19th Avenue, Deerfield Beach.
Bob DiChristopher, 517 NE 6th Avenue, Deerfield Beach.
April Bolowich, 899 NE 4th Street, Deerfield Beach.
Jerry West, 514 NE 8th Avenue, Deerfield Beach.
Stephen Bolowich, 899 NE 4th Street, Deerfield Beach.
Dan Herz, 330 SE 19th Avenue, Deerfield Beach.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked for clarification regarding payment outside of the facility.

Thereafter, the following individuals spoke in opposition to the site plan:

Katy Freitag, 418 SE 2nd Street, Deerfield Beach.
Christina DiChristopher, 517 NE 6th Avenue, Deerfield Beach.
Janice Fulmore-Tigner, 1090 SW 4th Terrace, Deerfield Beach.

Mayor Ganz closed the public hearing.

Commissioner Hudak spoke in opposition to the application due to City Code Section 98-17, which he read into the record.

Commissioner Drosky said his decision regarding this application is based upon facts, whereby, a traffic study was reviewed by the City's traffic consultant, who stated that the queueing problems discussed are not an issue. He stated that the parcel has been vacant since 2021, whereby, the tax base must be diversified, and putting a commercial property on Federal Highway will do just that. He said the drop off location for Deerfield Beach Elementary is now at the front entrance of the school, which alleviated the Eller Street traffic. Thereafter, he commented on the Burger King that was previously near this location. Although, he is sympathetic to the residents, he spoke in support of the application.

Commissioner Preston said no matter what the traffic is going to intensify because more and more people are moving to Florida, and driving. Further, he said there is traffic congestion at the Pompano Beach location but it has improved since the upgrades, and although a traffic analysis was performed and approved for this application, there will still be traffic issues at times; nonetheless, he is unsure about what they can do.

Ms. Lhota answered questions/comments/concerns posed by the public. Thereafter, the site plan was displayed. She said the application took so long to come back before the Commission because the applicant was addressing questions raised by the City's traffic consultant. The drive-thru queueing is 31 cars but the site has additional queueing capacity. The Pompano Beach facility is located much closer to the intersection. Further, the application presented in Boca Raton was initially approved but was denied after modifications were brought forward. Mr. Silva will be the operator of this proposed location. Ms. Lhota stated

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

that everything will be done electronically, so no cash will be on hand. Thereafter, she outlined the traffic circulation from three drive-thru lanes into one exit lane. The applicant held two community meetings, which were properly noticed; however, no residents attended, Commissioner Hudak attended the first meeting and Commissioner Drosky attended the second. There will be a 30-foot landscape buffer to the residents to the west, and Chick-Fil-A only operates six days a week, as they are closed Sundays. Ms. Lhota stated that all noise mitigation measures proposed by the city's noise consultant were incorporated into the site plan. Lastly, she said Federal Highway will be the main entrance, anyone who will be picking up or ordering take out will park in the center parking, whereby, parking along the perimeter will be for employees.

In response to Mayor Ganz's question, **Ron Adzima, 530 River Oak Lane, Deerfield Beach**, replied that he does not believe the proposed location will be a good fit for a Chick-Fil-A.

Commissioner Hudak said although he agrees with Commissioner Drosky's position, smart development must be accomplished. Further, he said the applicant has not made any changes to the application since the first reading, expect for the traffic data analysis; nevertheless, after everything the applicant has done, the development still does not fit at this location. Although he agreed that the area does need to be developed, and this development would be a great asset, he reiterated that it does not fit this location.

Commissioner Preston said the applicant performed an independent traffic study, which was completed and approved by the City's consultant; nevertheless, he does believe that there will be some measure of traffic congestion, but he does not think it will be as bad as its being perceived. Further, he said this application should not be based on potential development, i.e. housing on Eller Street.

Mayor Ganz agreed with Commissioner Preston that there will be increased traffic because you are going from nothing to something. The site was previously a bank, which housed drive-thru's, so noise should not be an issue, and the proposed development will be closed on Sunday's. Further, he disagreed with asking the property owner to move the location to a different part of the city; however, should this be approved, he spoke in support of a third Chick-Fil-A on Dixie Highway. Thereafter, he commented on the quality of the restaurant, which is what the City needs, and the changes Chick-Fil-A has made to ensure they are viable to cities. Mayor Ganz said there are limitations on the property that are problematic, but not as problematic as retro fitted old stores. He agreed that drivers are not nice but it cannot be applied to projects, whereby, the study provided by the consultant are the facts and that is what decisions must be based on. Additionally, he said if the traffic worsens, traffic control and changes will need to be made by Chick-Fil-A, which he believes they will address; therefore, he spoke in support of the project.

Vice Mayor Parness spoke in opposition to the project, as it will create an overabundance of traffic.

Thereafter, discussion ensued regarding the use of traffic control on other developments, i.e. Popeyes, Chick-Fil-A (District 4).

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to deny Item 6 based on Section 98-17, Subsection 2 and 3. Roll Call:

Yeas: 2 - Commissioner Hudak and Vice Mayor Parness

Nays: 3 - Commissioner Drosky, Commissioner Preston, and Mayor Ganz

Motion failed by a 2-3 vote.

MOTION was made by Commissioner Drosky, seconded by Commissioner Preston, to approve Item 6 as amended, adopted Resolution 2023/181. Roll Call:

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

Nays: 2 - Commissioner Hudak and Vice Mayor Parness

PUBLIC HEARINGS

- 7. P.H. 2024-018: Resolution 2023/182 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to the Development Agreement with the Developer and Homeowners Association of the Peninsula Plat Development located at NE 9th Avenue/River Oak Lane; authorizing execution of the Amendment; providing for conflicts and an effective date.**

The Resolution was read by title only.

Anthony Soroka, City Attorney, said the City entered into a Development Agreement with both the Peninsula Plat Homeowners Association (HOA), and the developer, Privcap Peninsula Holding, LLC. Thereafter, a map of the location was displayed. He explained that two of the properties, north of the affected property, have been developed, built, and occupied for years; whereby, when the city entered into the development agreement, it was understood that Lots 1 and 2 had been purchased from that developer. Further, the owners of Lots 1 and 2 sought building permits for their homes, and as part of the development review process it was determined by staff that there was a need to reconstruct River Oak Lane. Additionally, there are 5 or 6 lots that exist within the HOA; whereby, at the time the City entered into the development agreement, the HOA had entered into an agreement with the developer to oversee the construction of the roadway but unfortunately a dispute arose between the HOA and developer. Currently, under the development agreement, it states that a Certificate of Occupancy (CO) shall not be issued for any of the lots until the road is completed. The owner of Lot 2, Brandon Hollenberg, qualifies for a CO and is requesting some relief, so him and his family can move into the home.

Continuing, Mr. Soroka said since the October 17th commission meeting, he has been working with the HOA's attorney, and has sent a letter to the developer's attorney outlining the City's expectations, which is that they work it out. Additionally, he said not only has the road not been built, but a permit has not been pulled to start the road; however, within the last couple weeks, the HOA has been diligently working to pursue the permit, and as of today, payment for the engineering permit is pending in order for the permit to be issued. Further, the amendment states that the road must be completed prior to the issuance of a CO for Lot 1, which will allow the Lot 2 owner to get into their home, whereby, the Lot 1 owner has about six to eight months to construct their home.

David Santucci, City Manager, commended Mr. Soroka for his efforts during such a small timeframe. Further, he explained that withholding the issuance of the CO on the first property was conditioned upon completion of the road, so if the amendment is approved, then the private road completion requirement will fall onto the next property. The HOA has done a great job with trying to obtain the permit but reiterated that payment of the permit is still pending.

Mayor Ganz opened the public hearing.

Adam Leoffler, 560 River Oak Lane, Deerfield Beach, HOA president, spoke in support of allowing the owner of Lot 2, to obtain his CO, so Mr. Hollenberg and his family can move into their home. Further, he explained that the HOA is working to get the roadway completed, but unfortunately there is a disagreement with the developer; nevertheless, they are trying to obtain the funds in order to move forward with the permit.

Cutler Alrier, 550 River Oak Lane, Deerfield Beach, spoke in support of allowing the owner of Lot 2, to obtain his CO, as Mr. Hollenberg and his family deserve to move into their home. Further, he said building costs are skyrocketing, and the owner of Lot 2 fell victim to that and his property took longer than anticipated. Lastly, he said the HOA is trying to rectify the situation with the previous developer and hold him accountable for the agreement he proposed.

Ron Adzima, 530 River Oak Lane, Deerfield Beach, said he purchased his property from a second party, who advised that it was a project that could be developed. Thereafter, he commented on his permit fees, as well as issues he encountered with the developer. He encouraged the Commission to allow Mr. Hollenberg and his family to move into their home. Lastly, he said these developments are being built to beautify the neighborhood, and he would like the road to be developed, as he is Lot 1.

PUBLIC HEARINGS - CONTINUED

Brandon Hollenberg, 540 River Oak Lane, Deerfield Beach, said he has done everything required and is asking the Commission to amend the development agreement. Further, he stated that he should not have to write a \$20,000 check in order to receive the permit, whereby, the permit has been approved. Thereafter, he outlined the amount of money he has spent on Airbnb's and attorney fees, and reiterated his request for the Commission to approve the amendment. If the Commission approves the amendment, with the stipulation that the \$20,000 would need to be paid, he will find a way to do it. Lastly, he outlined the issues that have transpired with the developer, as well as the promises they made.

Kent Stern, 889 NE 5th Street, Deerfield Beach, said this has been an ongoing issue for 18 years, which he has continued to bring to the City's attention. He said his property is heavily impacted, whereby, the public right-of-way that adjoins his property is being taken for this road. Further, he said the property owners knew what they were buying and getting into when they purchased their properties; therefore, he asked that the agreement remain as is. Mr. Stern said the properties being built are million-dollar homes, so he expressed dissatisfaction with money being an issue. Although he feels for the homeowners, everyone knew what had to be done when this agreement was signed, and there is nothing stopping the road from being built in a year. Lastly, he urged the Commission to stand by the Developer's Agreement, which is only one year old.

Mayor Ganz closed the public hearing. Thereafter, he stated that the City allows development, but there are requirements, i.e. building of a road, prior to the issuance of a CO.

Mr. Soroka agreed. Further, he said there was a plea to have the building permits issued, so home construction could begin without building the road.

Mayor Ganz expressed frustration with the comments regarding the \$20,000 permit fee, as he does not think the residents should have to pick up the tab for a road that was agreed to be developed. Thereafter, he expressed concerns with approving the amendment, as it will now fall onto Lot 1, who will eventually come before the Commission to ask for leniency. Although he feels for the homeowners, he agreed that the agreement was signed and put into place for a reason. He reiterated that the development of the road should not fall on the taxpayers.

In response to Mayor Ganz's questions, Mr. Santucci replied that the road must be developed so they are accessible to public safety and solid waste vehicles. Further, Lot 2 would not have been developed if the City stuck to the original plan of the road being built.

Mayor Ganz said as long as the City receives a signed check for the permit and there is an understanding that the road is working toward development, he is okay with approving the amendment.

Commissioner Preston said the item has been brought forward because this commission asked staff to look into the situation to see what can be done; therefore, he expressed dissatisfaction with comments being made that this commission does not care.

Commissioner Hudak clarified that he asked that this item be brought forward. Thereafter, he thanked Mr. Soroka, as well as Mr. Santucci for their efforts. Further, he agreed that payment should be made.

In response to Commissioner Hudak's question, Mr. Santucci replied that approval of the amendment as is does not give the City any assurance of the road being built, whereby, the fees for the permit have not been received, the requirement to build the roadway is being moved to the next Lot, and permits expire after a certain amount of time; nevertheless, he understands the predicament the Lot 2 owner is in.

In response to Commissioner Hudak's question, Mr. Soroka replied that whether the amendment is approved or not, there are enforcement rights within the original development agreement.

Mr. Alrier stated that he owns the Lot where the road starts, so his property will be the one impacted, not Mr. Stern's. Further, him and Mr. Leoffler have owned their homes for six years, whereby, there has never been a request for the City, nor taxpayers to chip in. He stated that there was not a problem until the other lots were sold; nevertheless, they agreed to chip in \$10,000 per lot to get the road completed, which they

PUBLIC HEARINGS - CONTINUED

did in good faith.

Mr. Leoffler stated that the HOA was under the assumption that the developer was responsible for getting the road completed, whereby, Lots 1 and 2 were both going to contribute \$20,000 each, him and Mr. Alrier were contributing \$10,000 each, and the developer would contribute the remaining, for a total of \$80,000.

Mr. Alrier clarified that the development agreement is more than a year old.

Mr. Hollenberg stated that no one is expecting the City, nor taxpayers to pay for the road. Thereafter, he commented on the letter of credit, which should have been completed by the develop, but wasn't. Further, he said money can be taken out of the escrow to cover the \$20,000 permit fee.

In response to Mayor Ganz's question, Mr. Soroka replied that if the roadway is not developed and an issue occurs, he would defend the City and claim an indemnification.

Mr. Adzima said building permit fees should not have been issued on a building that cannot obtain a CO; nevertheless, if the \$20,000 is what the City needs, he will pay it himself.

Mr. Santucci said he recommends to allow the HOA to determine how the payment will be made, and suggested that approval be contingent on the payment.

In response to Mr. Adzima's comments, Mr. Soroka stated that this agreement was recorded in the Broward County records.

Commissioner Hudak temporarily left the meeting at 9:44 p.m. and returned at 9:45 p.m.

Commissioner Drosky stated that although he has empathy for the homeowner, everyone knew the rules, which were outlined and recorded in the Development Agreement. Further, he agreed that the permit fee must be paid; however, he asked where the money will come from to construct the road, which is estimated at \$250,000 to \$400,000. Commissioner Drosky stated that what if the owner of Lot 1 decides not to build or what if the permit expires, the City will be in the same exact situation, which he agreed, is not fair to the citizens. Lastly, once the \$20,000 permit fee is paid, he again asked how payment will be made for the construction of the road.

Commissioner Hudak reiterated that the permit must be paid, as well as a timeframe must be provided for the completion of the road.

In response to Commissioner Hudak's question, Mr. Santucci replied that the contractor would have to answer questions pertaining to the timeline of the construction.

Thereafter, discussion ensued regarding amending the Development Agreement.

Commissioner Drosky suggested tabling the item to the next meeting to allow the HOA, Mr. Hollenberg, and Mr. Adzima to figure out how the road will be paid for. Although he feels for Mr. Hollenberg and his family, the commission must protect the City. Further, he reiterated that the commission must know how the road is being paid for.

In response to Mayor Ganz's question, Mr. Soroka replied that it would move to Lot 1, as they are the next owner in line that pulled a building permit.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 7 as amended, adopted Resolution 2023/182. Roll Call:

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

Nays: 1 - Mayor Ganz

PUBLIC HEARINGS - FIRST READING

8. **P.H. 2024-016: ORDINANCE 2023/ - 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 TABLES 10.2 AND 10.4 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.

There was a brief recess from 9:58 p.m. to 10:01 p.m.

David Santucci, City Manager, explained that the CIE is a requirement of the Comprehensive Plan and per Florida Statutes the City is required to update the CIE annually to reflect the approved budget.

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 Hudak, to approve Item 8 on first reading. Roll Call:

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

Nays: 0

PUBLIC HEARINGS - SECOND READING

9. **P.H. 2024-017: ORDINANCE 2023/015 - 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 VARIOUS DEPARTMENTAL BUDGET TRANSFERS WITHIN THE GENERAL FUND, AS SET FORTH IN EXHIBIT "A"; APPROVING SUPPLEMENTAL APPROPRIATIONS TO THE BUILDING SERVICES FUND IN THE AMOUNT OF \$411,384, THE HOME INVESTMENT PARTNERSHIP PROGRAM FUND IN THE AMOUNT OF \$140,540, AND THE STATE HOUSING INITIATIVE PROGRAM FUND IN THE AMOUNT OF \$230,559, AND REDUCING APPROPRIATIONS TO THE COMMUNITY DEVELOPMENT BLOCK GRANT FUND BY \$116,199, AS SET FORTH IN EXHIBIT "A"; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

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 Hudak, to approve Item 9, adopted Ordinance 2023/015. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Kristin Taylor, 1328 SE 7th Court, Deerfield Beach, expressed concerns with a three-bedroom residential home directly across from her property being turned into an eight-bedroom sober living home. Thereafter, she commented on the amount of money the owner of the sober living home will receive in a year, the services that will be provided, etc. Further, Ms. Taylor stated that the owner of Mandy's House has not obtained a FAR certificate, which she believes may be a requirement. Although she has sympathy for those who need assistance, she expressed concerns with people having the ability to turn residential properties into rehabilitation facility.

PUBLIC COMMENT - CONTINUED

Richard Forester, 1328 SE 7th Court, Deerfield Beach, also expressed concerns with the home being turned into a rehabilitation facility. Thereafter, he provided a brief overview of what has transpired thus far. Lastly, he agreed with what was said by Ms. Taylor.

Willie Graham-Bracy, 501 NW 1st Terrace, Deerfield Beach, thanked the Commission and City staff for the installation of the fence at Johnie McKeithen Park, as it has made the area safer.

Dan Lundy, 917 SE 17th Street, Deerfield Beach, stated that he has been working with Parks & Recreation on the Skate Park Project, whereby, the project is further behind than when it was first approached to staff; therefore, he requested that it be added to the next agenda. Further, he said grants have been put into place for the design and construction of the skate park, as well as money set aside by Jamie Foy, local professional skateboarder and resident.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, spoke in support of adding school speed zone cameras to the Deerfield Beach schools. Thereafter, he commented on the importance of the cameras and suggested adding traffic calming devices to Hillsboro Boulevard.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, commented on the pier restaurant lease.

Maureen Kenny, 615 SE 7th Avenue, Deerfield Beach, stated that she has not spoken to anyone associated with the Class Act Restaurant Group, LLC. Further, she invited all to attend her 2nd Annual Pub Crawl.

Janice Fulmore-Tigner, 1090 SW 4th Terrace, Deerfield Beach, asked if a solicitation policy has been put into place. Further, she commented on the medians not being kept up by the Wawa gas station. Lastly, she stated that she was under the impression that anything affected from the sidewalk project would be addressed by the city, whereby, the sidewalk near the Church of the Living God was damaged.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked what the Commission's vision of the City is, whereby, builders and developers are taking advantage of the City. Further, she asked for the status of the Eller building project.

Mayor Ganz answered questions/comments/concerns posed by the public. Further, he said sober homes in residential neighborhoods are protected by the Federal government, which is an issue the City has been dealing with for quite some time.

Anthony Soroka, City Attorney, said the Americans with Disabilities Act (ADA) does provide certain protections but there is a process; nevertheless, he is unaware of this property but will look into it with staff.

In response to Mayor Ganz's comment, Mr. Soroka stated that he would recommend against disparaging any property owners but certainly those that may be ADA protected; nonetheless, the City has codes in place, but there are times staff receives requests for a reasonable accommodation under the Federal Law to deviate from those codes. Further, he reiterated that he will work with staff, so additional information can be sought.

Mr. Ganz said he is not looking to add the skatepark project to the next agenda, but he will work with staff. Thereafter, he stated that traffic calming devices cannot be added to state roads.

David Santucci, City Manager, stated that there were six responses received in 2012 for the pier lease. Further, he never instructed the Purchasing Division to only use the e-procurement marketplace; nevertheless, it's the City's official bid system and all bids are released through the site, there are times other avenues are utilized.

Mayor Ganz stated that due to the litigation, other comments regarding the pier restaurant lease cannot be addressed.

PUBLIC COMMENT - CONTINUED

Vice Mayor Parness stated that he voted for LM Restaurants twice, whereby, his vote never changed.

Mayor Ganz stated that door to door solicitation is allowed as long as they have permit; otherwise, they are in violation and the police or code enforcement can be notified.

Mr. Santucci said staff will look into the sidewalk issue at the church. Further, the medians mentioned are privately maintained by Home Depot; nevertheless, the City is trying to regain control of the medians.

CONSENT - BOARD APPOINTMENT**10. Resolution 2023/183 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Daniel Shanetzky as an alternate member of the Planning and Zoning Board; and providing for an effective date.**

The Resolution was read by title only.

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, spoke in support of the appointment.

Mayor Ganz closed the public hearing.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Item 10, adopted Resolution 2023/183. Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

Mayor Ganz opened the public hearing for Items 11 and 13 - 16; 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 Preston, to approve Items 11 and 13 - 16 in concert. Roll Call:

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

Nays: 0

11. Resolution 2023/184 - 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, 2023; providing for an effective date.**12. Resolution 2023/185 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the special event permit application submitted by the Deerfield Beach Historical Society for the "Art Stroll" Special Event taking place on 21st Avenue from 2nd to 4th Street on February 17, 2024 from 10:00 a.m. to 10:00 p.m. and February 18, 2024 from 10:00 a.m. to 6:00 p.m.; approving a waiver of fees; and providing for an effective date. (Funds from Account #001-7015-579-35-99 - Pioneer Days)**

The Resolution was read by title only.

Mayor Ganz opened the public hearing.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, asked for clarification on the admittance fee. Further, he asked if this is the first the City is being asked to pay taxpayer dollars to an organization for them to run a business venture.

Deborah Sullivan, 937 SE 12th Way, Deerfield Beach, stated that she is part of the Cultural Committee, Kiwanis Club, and Historical Society. Thereafter, she spoke in support of the Historical Society's assistance with the event.

Thelema Lamar, 660 NW 2nd Terrace, Deerfield Beach, stated that she is part of the Cultural Committee, and spoke in support of sharing the responsibility of the event, but spoke in opposition to the Historical Society taking the event over. She asked that the item be tabled, so the Cultural Committee can come back with a counter offer.

Judith Stanich, 2257 Deer Creek Alba Way, Deerfield Beach, said she is on the Historical Society and was instrumental in bringing forth the proposition of sponsoring the Art Festival. She stated that the Historical Society is excited about taking the lead, as the event deserves to be successful.

Karen Shelly, 190 Durham D, Deerfield Beach, spoke in support of the Resolution. Thereafter, she commented on events she has attended that have been hosted by the Historical Society.

Enrique Palacios, 355 SE 1st Way, Deerfield Beach, stated that he is a member of the Historical Society. Further, he said the event is free, so there will be no admittance fee; nevertheless, fees will be accessed to vendors.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, stated that the Cultural Committee has put their heart and soul into the event in years past, but spoke in support of the Resolution, as the event must be maximized. Thereafter, he commented on other events hosted by the Historical Society. Further, the Cultural Committee will still be a part of Pioneer Days.

Vice Mayor Parness temporarily left the meeting at 10:46 p.m. and returned at 10:48 p.m.

Ashley Gombs, 1331 SW 10th Terrace, Deerfield Beach, stated that she is a part of the Cultural Committee. Further, she spoke in support of the Historical Society stepping in since the event is nearing; however, the committee was blindsided about them completely taking it over. Thereafter, she commented on the history of the event and the importance of the Cultural Committee maintaining the event, i.e. revenue generation.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked if other 501(c)(3) organizations will be allowed to have bars for the event.

Maureen Kenny, 615 SE 7th Avenue, Deerfield Beach, said she is a part of the Historical Society, and knows how hard they work; therefore, she supports the Resolution.

Mayor Ganz closed the public hearing.

In response to Mayor Ganz's questions, David Santucci, City Manager, replied that the Cultural Committee is comprised of five regular members and five alternates; however, there are currently three members on the Committee, making it difficult to meet quorum. Thereafter, he outlined their duties and responsibilities.

Commissioner Preston agreed with the Historical Society taking over since the event is nearing; however, he spoke in opposition to the possibility of eliminating the Cultural Committee. Further, he wants assurance that the committee will be given the opportunity to display its function as a cultural committee. Lastly, he expressed concerns with the lack of communication given to the committee.

Commissioner Hudak agreed that the communication may have not been ideal but the event is nearing, and his representative advised that planning has not commenced. Further, he said with there only being three members, a quorum is hard to accomplish; nevertheless, the Committee has seemed to lose their

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

identity, but it's imperative that they find a way to get it back. Thereafter, he spoke in support of the Resolution. Commissioner Hudak spoke in support of other 501(c)(3) organizations having the opportunity to put up tents for liquor sales.

Mr. Santucci said it is his understanding that temporary liquor sale permits are allowed three times a year but it has changed. Further, he said there will be multiple 501(c)(3) organizations providing liquor sales; nevertheless, staff is looking to see how the City can become equitable while still finding structure as well.

Mayor Ganz said when there is a three-person board and one person does not advise that they are attending, meetings get cancelled. Further, he stated that the Cultural Committee is an advisory board to the Commission; nevertheless, no one is looking to strip them of their power. Mayor Ganz commended the Historical Society for taking initiative and working with other 501(c)(3) organizations; whereby, there is a history of outside groups overseeing events, i.e. Mango Festival. Thereafter, he spoke in support of the item.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 12, adopted Resolution 2023/185. Roll Call:

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

Nays: 0

- 13. Resolution 2023/186 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the issuance of a purchase order to AWC Louisiana, Inc. to furnish and supply programmable logic control devices in an amount not to exceed \$33,645.68 for the City's West Water Treatment Plant in accordance with Section 38-116(3)(c)(2) of the City's Procurement Code for sole source purchases; providing for implementation and an effective date. (Funds from Account #413-5020-533-65-30 - CIP - Infrastructure)**
- 14. Resolution 2023/187 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the issuance of a purchase order to Blackburn Controls, Inc. d/b/a BCI Technologies to furnish General Electric Wireless Communication Hardware in the amount of \$59,668.15 for the City's West Water Treatment Plant in accordance with Section 38-116(3)(c)(2) of the City's Procurement Code for sole source purchases; providing for implementation and an effective date. (Funds from Account #413-5020-533-65-30 - CIP Infrastructure)**
- 15. Resolution 2023/188 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the City of Deerfield Beach Public Transportation Agency Safety Plan; authorizing execution of the Plan; and providing for an effective date.**
- 16. Resolution 2023/189 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with Gladstone & Associates, LLC for consulting services for the Community Services Department for a one-year term in an amount not to exceed \$45,175.00, with one, one-year renewal option; waiving the requirements for competitive solicitations pursuant to Section 38-116(3)(e) of the Code of Ordinances; authorizing execution of the Agreement; providing for an effective date. (Funds from Account #001-1703-564-32-99 - Other Contractual Services)**

DEPARTMENTAL BUSINESS

- 17. Resolution 2023/190 - A Resolution of the City of Deerfield Beach, Florida, declaring the City's intent to use the Uniform Method for Collection of Special Assessments to be levied upon all properties within the City, as more specifically described in Exhibit "A", to fund the installation of a stormwater management system and related improvements; stating a need for such levy; providing for transmittal of the Resolution; providing for an effective date.**

The Resolution was read by title only.

DEPARTMENTAL BUSINESS - CONTINUED

David Santucci, City Manager, provided a brief overview of the stormwater program. Further, he clarified that this item is not an increase to the fees, nor a new fee; whereby, staff is recommending to change the billing methodology. Thereafter, he outlined the stormwater billing method impacts to the City and customers.

In response to Mayor Ganz's question, Mr. Santucci replied that through the enforcement mechanism of the water and sewer bill, the City cannot foreclose the property if it is homesteaded.

Mr. Santucci outlined the billing comparisons for utility billing versus non-ad valorem. Further, he said there is a net annual saving to the City of \$113,800 should the fee be added to the tax bill. Mr. Santucci said the non-ad valorem billing methodology aligns the billing method with benefited party; offers discounts to property owners for early payment; increased equity in billing; increased collection rate; etc. Lastly, he reiterated that staff's recommendation is to migrate the stormwater billing from water/sewer bills to non-ad valorem assessment, effective October 2024.

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, asked if this is the same stormwater fee that had a 20% increase. Thereafter, he asked for clarification on the delinquency rate. Further, he asked what if a property is not homesteaded.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, asked how much this will increase his annual tax bill, as he had an increase this year.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked where will the savings go.

Mayor Ganz closed the public hearing.

Mr. Santucci said the stormwater fee is the same fee currently outlined on the water/sewer bill; whereby, the rate structure approved by the Commission is not being changed. Further, the tax delinquency rate is statutorily 5%, but staff also budgets for the previous year's delinquencies received. He stated that moving the fee to the tax bill will provide an increase; however, the water/sewer bill will be decreased. Lastly, the savings will allow the City to obtain additional drainage, or be absorbed within the existing program to support the projects.

Commissioner Hudak spoke in support of the Resolution.

Mayor Ganz spoke in support of the Resolution.

Commissioner Drosky said this should have been implemented at the time of adoption in 2017, whereby, this is going to be a surprise to the residents, which he disagreed with. Thereafter, he provided various examples as to why the change makes sense.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item 17, adopted Resolution 2023/190. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS - CONTINUED

18. ORDINANCE 2023/ - AN ORDINANCE OF THE CITY OF DEERFIELD BEACH, FLORIDA, AUTHORIZING THE ISSUANCE OF DEBT OBLIGATIONS OF THE CITY ("OBLIGATIONS"), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$16,500,000, TO PROVIDE FUNDS, TOGETHER WITH OTHER AVAILABLE MONEYS, TO PAY THE COST OF CERTAIN CAPITAL IMPROVEMENTS TO THE CITY'S WATER AND SEWER SYSTEM AND TO PAY COSTS OF ISSUANCE OF THE OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS SHALL BE SECURED BY AND PAYABLE FROM CERTAIN PLEDGED REVENUES CONSISTING PRIMARILY OF THE NET REVENUES OF THE WATER AND SEWER SYSTEM, AS SHALL BE SET FORTH OR PROVIDED FOR IN A SUPPLEMENTAL RESOLUTION TO BE ADOPTED BY THE CITY COMMISSION PRIOR TO THE ISSUANCE OF THE OBLIGATIONS; PROVIDING THAT, SUBJECT TO THE LIMITATIONS HEREIN CONTAINED, THE TERMS OF SUCH OBLIGATIONS SHALL BE ESTABLISHED OR PROVIDED FOR AND THE OBLIGATIONS SHALL BE SOLD AS PROVIDED IN THE SUPPLEMENTAL RESOLUTION; AUTHORIZING THE TAKING OF OTHER ACTIONS RELATING TO THE OBLIGATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

Stephanie Tinsley, Chief Financial Officer, provided a brief overview of the item. Further, she advised that the City will be taking out a Bond Anticipation Note (BAN), which allows staff to begin to design and engineer projects. She advised that the Resolution will be forthcoming upon adoption on second reading.

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, asked questions pertaining to the consultant hired by the City. Further, he asked why a consultant was needed.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked if the stormwater payments will be used to payback this loan.

Mayor Ganz closed the public hearing.

Ms. Santucci said the consultants fee structures are outlined in their contract. Thereafter, he provided a brief overview of their role. Further, he stated that stormwater funds will not be used to payback this loan.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item 18 on first reading. Roll Call:

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

Nays: 0

19. Resolution 2023/191 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Proposals #23-18-BA for construction phase services for the Pioneer Grove Local Activity Center Drainage Improvements Project; authorizing execution of an agreement with the top ranked, responsive and responsible proposer, Heavy Civil, Inc., for the services in an amount not to exceed \$1,055,540.38; providing for implementation and an effective date. (Funds from Account #462-5070-538-65-30 - Stormwater Capital Fund & Account #358-5060-519-61-12 - FY24 City Hall Renovations CIP Project)

The Resolution was read by title only.

Priscilla Cygielnik, Director of Environmental Services, is part of the Hazard Mitigation Grant Program, whereby, the City was awarded around \$1.5 million, which is inclusive to improvements to the exterior hardening and drainage of City Hall. Further, the two contracts were contracted separately because one is for a heavy civil contractor who does underground work, and the other, which is forthcoming, will be for a general contractor to perform the exterior envelope of the building. He said this item includes the drainage

DEPARTMENTAL BUSINESS - CONTINUED

improvements, as well as a trunk line that will handle the drainage basin for the entire Local Activity Center (Pioneer Grove).

David Santucci, City Manager, said this item will allow for future development of the area.

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 19, adopted Resolution 2023/191. Roll Call:

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

Nays: 0

20. Resolution 2023/192 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with Tyler Technologies, Inc., for an Enterprise Resource Planning Software System in an amount not to exceed \$3,507,859.00; authorizing execution of the Agreement; providing for implementation and an effective date. (Funds from Account #399-0600-513-64-10 - General Capital Project - Finance/Machinery)

The Resolution was read by title only.

David Santucci, City Manager, provided a brief overview of the item. Although the process took time, it was necessary to ensure the City was getting what is needed from the system.

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach outlined the projected cost of the Enterprise Resource Planning Software (ERP) System in the 2021 CIP. Further, he asked how much has been spent on the ERP system thus far; what insurance does the City have to ensure the system will work; what rights will the City have to lost data; will intrusion into the system allow for City funds to be transferred; what is the secured path, i.e. encrypted lines or T1; and shouldn't the agreement be renewed annually, rather than guaranteed over the next five years.

Mayor Ganz closed the public hearing.

Mr. Santucci said the total cost of the ERP is outlined in the backup, but there are additional consulting service costs. Further, he said the \$4.5 million is budgeted and meant to be financed overtime. The ERP is not directly attached to City funds, it only holds the transaction data. The reoccurring maintenance costs are consistent with what is being paid today.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 20, adopted Resolution 2023/192. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY - None.

CITY MANAGER

School Board - David Santucci, City Manager, said he is working with the School Advisory Council to set up a meeting prior to their December 5th meeting. Once finalized, he will advise accordingly.

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

Agenda Items - Commissioner Drosky said there was a sign variance approved for Chick-Fil-A, which he supported; whereby, he reiterated his request to update the Code. Further, he reiterated his request to have background checks for certain boards.

Veteran's Day Event - Commissioner Drosky commended Parks & Recreation for the event. Thereafter, he thanked Mr. Santucci, Vice Mayor Parness, and Commissioner Hudak for their service.

Happy Thanksgiving - Commissioner Drosky wished everyone a Happy Thanksgiving.

VICE MAYOR PARNESS**DISTRICT 3**

Veteran's Day - Vice Mayor Parness said serving this Country was an honor.

COMMISSIONER PRESTON**DISTRICT 2**

Happy Thanksgiving - Commissioner Preston wished everyone a Happy Thanksgiving. He said if you are able to, help out a family.

Developments - Commissioner Preston urged everyone to drive by the Johnny Tigner Center and Braithwaite Center for Active Aging. Thereafter, he commented on the history that he has learned regarding Braithwaite, which he will be bringing forward at a later date.

COMMISSIONER HUDAK**DISTRICT 1**

Veteran's Day Event - Commissioner Hudak said the event was small and intimate but suggested that it be expanded, i.e. provide different services at the event to help Veterans transition into society, etc.

Happy Thanksgiving - Commissioner Hudak wished everyone a Happy Thanksgiving.

MAYOR GANZ

S-Curve Issues - Mayor Ganz asked for stronger enforcement on the S-Curve, whereby, people are not stopping when individuals are in the crosswalk.

Happy Thanksgiving - Mayor Ganz wished everyone a Happy Thanksgiving.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to adjourn the meeting at 11:59 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