



Meeting Minutes City Commission

Tuesday, October 15, 2024

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 Michael Hudak
Commissioner Bernie Parness - *via Zoom*
Commissioner Ben Preston
Vice Mayor Todd Drosky
Mayor Bill Ganz

Also Present:

Interim City Manager Horace McHugh
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 - September 23 & October 1, 2024

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

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Appearance Board Meeting Minutes - August 15 & 29, 2024
African American Heritage Board Meeting Minutes - July 11, 2024

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

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

October 15, 2024

APPROVAL OF CITY COMMISSION AGENDA - CONTINUED

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

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

AWARDS & RECOGNITION**1. Presentation by the Jim & Jan Moran Boys and Girls Club regarding the 25th Annual Lights on Afterschool Event.**

Nicole Carter, Director, Jessica Nicholas, Program Manager, and Daniel Ramirez, Youth Development Coordinator, introduced themselves. Thereafter, Ms. Carter provided a brief overview of the Annual Lights on Afterschool event, which will take place on October 24th.

Ms. Nicolas provided a brief overview of the Jim & Jan Moran Boys and Girls Club. Thereafter, she outlined the details of the Lights on Afterschool event.

Mr. Ramirez provided a brief overview of his background, and stated that it's his mission to give back to the Country that provided him with so many opportunities.

Mayor Ganz thanked the Jim & Jan Moran Boys and Girls Club for everything they do and have done for the community.

2. Proclamation presented to the Department of Information Technology in recognition of Cybersecurity Awareness Month.

Mayor Ganz presented a proclamation to Ron McKenzie, Director of Information Technology, and Ashley Brown, IT Security Analyst, in recognition of Cybersecurity Awareness Month.

PRESENTATIONS**3. Presentation on the status of the FY2024 initiatives and considerations.**

Horace McHugh, Interim City Manager, provided a brief overview of the FY24 initiatives and considerations.

Commissioner Hudak said there are many projects that are underway, and all too often many of them see unforeseen delays and/or go over budget, which must be addressed. Thereafter, he recommended that the Deerfield Beach leaders read 'How Big Things Get Done' and have bi-weekly meetings regarding what they have learned from the book. Commissioner Hudak said there must be more oversight and diligence on these projects and the experience of the contractors must be looked at in the same way as the cost.

In response to Mayor Ganz's question, Greg Warner, Director of Parks & Recreation, replied that staff wants to add one additional directional bore to the median project on the west end of west Hillsboro Boulevard, so irrigation can be ran to that area; nevertheless, he will have staff clean it up and maintain the area while the City is awaiting the permit to complete the work.

4. Presentation regarding the Downtown Deerfield Redevelopment Masterplan.

Kris Mory, Director of Economic Development, highlighted a PowerPoint presentation. She outlined various projects and plans that are currently being implemented to Downtown Deerfield, i.e. Pioneer Park dock replacement, Pioneer Grove water line improvement, etc., as well as the strategic vision for the area, i.e. downtown walkability and connectivity, increase greenspace and activate waterfront, create a destination and distinct district, create an active community gathering space, etc. Thereafter, a map of Downtown Deerfield was displayed outlining private projects, public projects, commuter rail, and connectivity.

Continuing, Ms. Mory outlined the steps that staff has taken thus far. Further, she said the recommendations that came from the Urban Land Institute and Technical Assistance Panel Study consisted of engaging the

PRESENTATIONS - CONTINUED

community; continuing with the infrastructure improvements; focusing on restaurants, entertainment, housing, and recreation; identifying sites for private development; establishing an EFP process; and engaging a master planner. Step 1 will consist of engaging the community on December 7th during the Ocean Way Holiday event, hosting a community meeting in November, providing online survey and questionnaires, and providing regular project updates to the Commission. Step 2 will consist of establishing criteria and Step 3 would involve selecting an evaluation committee, which would consist of staff and outside/third party experts. Lastly, she said if the Commission desires to move forward with a master planning process, staff has a well thought out, step by step process.

Due to technical difficulties, the beginning portion of Commissioner Hudak's comments were inaudible.

Commissioner Hudak stated that it's extremely important to attract organizations that share the City's values, i.e. JM Family, Bezos Academy, etc. Further, he said we, as a community, must think of ways we can beat the competition and how Deerfield's roadmap should be.

Commissioner Parness temporarily left the meeting at 7:35 p.m. and returned at 7:42 p.m.

PUBLIC HEARINGS - FIRST READING

- 5. P.H. 2025-001: ORDINANCE 2024/ - 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.

Eric Power, Director of Planning & Development Services, explained that the CIE does not change the budget, only updates the five-year comprehensive plan amendment.

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

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 5 on first reading. Roll Call:

Yeas: 4 - Commissioner Hudak, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz
Nays: 0

Commissioner Parness was not available for the vote.

PUBLIC HEARINGS - SECOND READING

- 6. P.H. 2024-002: ORDINANCE 2024/016 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE II "BOARDS, COMMITTEES, COMMISSIONS," TO CREATE DIVISION 4 "CHARTER REVIEW BOARD;" ESTABLISHING THE CHARTER REVIEW BOARD MEMBERSHIP, POWERS, AND DUTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Anthony Soroka, City Attorney, explained that the Ordinance reflects the two changes that were approved during the first reading.

Commissioner Hudak said the last charter review was done in 2006, whereby, it's important for cities to stay relevant and for residents to see that the City is moving in a direction they want.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, commented on previous comments made regarding the establishment of a Charter Review Board.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, spoke in support of the Item.

Mayor Ganz closed the public hearing.

Commissioner Parness spoke in support of establishing a Charter Review Board.

Commissioner Preston said the Constitution has been amended a number of times; therefore, he spoke in support of establishing a Charter Review Board. Further, he agreed with each elected official appointing a regular member and alternate. Lastly, he said any recommended changes must go to the voters, who ultimately have the final say.

Vice Mayor Drosky said the Constitution is not changed every 10, 20, or 50 years, it's changed whenever needed. The City Commission has the ability, at any time, to request a change to the Charter, which has been done in the past. Furthermore, the Board will make recommendations to the Commission, and the Commission will decide what goes on the ballot. Vice Mayor Drosky said although he supports the makeup of the Board, he does not see the reasoning behind the establishment at this time, so he cannot support it.

Mayor Ganz said he is not opposed to the changes made, but expressed concerns with adding the item to an agenda every 10 years, as this commission will not be around to ensure it's done. Thereafter, he provided a brief history of the last Charter Review Board.

In response to Mayor Ganz's question, Mr. Soroka replied that the City cannot spend money or resources advocating on referendum items, whereas, the City can only educate.

Mayor Ganz said regardless of why something is placed on the ballot, the voters will have the final say, and although he fears the misinformation surrounding the ballot questions, he reiterated that ultimately, the voters will have the final say; therefore, he supports the item, as it's important to get the residents involved.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 6 adopted Ordinance 2024/016. Roll Call:

Yeas: 4 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, and Mayor Ganz
Nays: 1 - Vice Mayor Drosky

- 7. P.H. 2024-114: ORDINANCE 2024/017 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY OF DEERFIELD BEACH LAND USE PLAN DESIGNATION FOR THE CITY-OWNED PARCEL CONSISTING OF APPROXIMATELY 1.52 GROSS ACRES LOCATED AT 555 SW 3RD AVENUE FROM CITY CONSERVATION TO RESIDENTIAL MEDIUM 16 DWELLING UNITS PER ACRE (LUPA #66A); PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN ACCORDINGLY; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE. (First Reading - May 21, 2024)**

The Ordinance was read by title only.

Eric Power, Director of Planning & Development Services, provided a brief overview of the Item.

In response to Commissioner Hudak's question, Mr. Power replied that whoever submits an application to purchase the property must also submit an appraisal, whereby, the City conducts its own independent appraisal to ensure prices are similar.

Mayor Ganz opened the public hearing.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, what will the City do with the money from the proceeds of the sale.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked what property value must be put out for referendum.

Mayor Ganz closed the public hearing. Further, he said \$750,000.

Mr. Power stated that staff anticipates this property will be less than the \$750,000.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 7 adopted Ordinance 2024/017. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Sandra Jackson, 386 SW 35th Avenue, Deerfield Beach, asked for clarification on a code violation she received on her rental property.

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

John Slattery, 1445 SE 5th Place, Deerfield Beach, said the bridge on NE 15th Avenue is currently closed, and asked that directional signage be temporarily installed.

Keith Williams, 129 NE 6th Court, Deerfield Beach, expressed concerns with his water being shut off, as the bill was not due until October 17th. Thereafter, he commented on the length of time it took for his water to be turned back on, and asked if the City could adjust the timeframes or notify property owners prior to the water being shut off.

Thereafter, Mayor Ganz, Commissioner Preston, and Horace McHugh, Interim City Manager, entertained questions/comments/concerns posed by the public.

CONSENT - BOARD APPOINTMENTS

Mayor Ganz opened the public hearing.

Vice Mayor Drosky requested that Items 13 & 14 be pulled.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, commented on Items 12, 13, & 15. He suggested providing the Historical Society with \$300,000, not \$200,000. Further, he disagreed with the language outlined in Item 13's agreement, whereby, employees who are topped out should receive a COLA. Lastly, he asked if the vendor for Item 15 has been fully vetted.

Mayor Ganz closed the public hearing. Thereafter, he briefly commented on previous comments Mr. Herz made regarding the Historical Society. Further, he said Item 13 is a ratification of an agreement that was approved by the union.

In response to Mayor Ganz's question, Horace McHugh, Interim City Manager, replied that this contractor has been vetted and approved by staff, whereby, they oversaw the drainage projects for the aquatic center and 13th Avenue Bridge.

CONSENT - BOARD APPOINTMENTS - CONTINUED

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Items 8 - 12 & 15 - 16 in concert. Roll Call:

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

- 8. Resolution 2024/158 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Valerie Hackett to the City of Deerfield Beach Non-Uniformed Municipal Employee Retirement Committee; providing for an effective date.**

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

- 9. Resolution 2024/159 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the settlement of all claims against the City from Elenita De Oliveira; authorizing execution of documents necessary to effectuate the settlement; providing for an effective date. (*Funds from Account #606-0900-519-37-70 - General Liability*)**
- 10. Resolution 2024/160 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of an application to the U.S. Department of Environmental Protection Agency for 2024 Region 4 Sustainable Materials Management Grant Program funding in the amount of \$100,000.00 to be utilized for the North Broward Recycling Drop Off Expansion Program at the City's Recycling Drop-Off Center; authorizing the execution of a grant agreement, if the grant is awarded to the City; and providing for an effective date.**
- 11. Resolution 2024/161 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Memorandum of Understanding among the Broward Sheriff's Office and the participating agencies for the administration of the 2021 Edward Byrne Justice Assistance Grant by the Broward Sheriff's Office; authorizing execution of the Memorandum of Understanding; and providing for an effective date.**
- 12. Resolution 2024/162 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Butler House Funding Agreement with the Deerfield Beach Historical Society, Inc. in the amount of \$200,000.00 for rehabilitation of the Butler House; ratifying execution of the funding agreement; providing for implementation and an effective date. (*Funds from Account #001-1702-569-8094 - Other Community Contributions*)**
- 13. Resolution 2024/163 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, ratifying the Collective Bargaining Agreement between the City of Deerfield Beach and the Local 1010/District Council 78 of the International Union of Painters and Allied Trades, AFL-CIO in effect from October 1, 2024 through September 30, 2027; authorizing the Interim City Manager to execute the Collective Bargaining Agreement; providing for implementation and an effective date.**
- 14. Resolution 2024/164 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, ratifying the Collective Bargaining Agreement between the City of Deerfield Beach and the Professional Managers and Supervisors Association in effect from October 1, 2024 through September 30, 2027; authorizing the Interim City Manager to execute the Collective Bargaining Agreement; providing for implementation and an effective date.**

Item 13 & 14 were discussed simultaneously but voted on separately. Thereafter, both resolutions were read by title only.

Vice Mayor Drosky said these items are always difficult because we want to ensure our employees are properly compensated and we remain competitive, but asking the taxpayers to fund these increases is difficult, as they may not receive a COLA; nonetheless, these are negotiated collective bargaining agreements, so he supports them both. Thereafter, he thanked the union for their efforts.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

Commissioner Preston agreed, as it is never easy when you're spending the people's money; however, properly compensating our employees is essentially saving the City money.

Mayor Ganz thanked all involved for their efforts. Thereafter, he opened the public hearing; however, there were none to speak and the public hearing was closed.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 13, adopted Resolution 2024/163. Roll Call:

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

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 14, adopted Resolution 2024/164. Roll Call:

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

15. Resolution 2024/165 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of ITBC #24-31-PC for the West Deerfield Drainage Improvement Project to FG Construction, LLC; authorizing execution of a contract with FG Construction, LLC, the lowest priced responsive and responsible bidder, in an amount not to exceed \$5,725,753.74; and providing an effective date. (Funds from Account #462-300-360-3800-000-53800-506530 - Stormwater Capital/CIP Infrastructure)

16. Resolution 2024/166 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a work authorization with Thompson & Associates, Inc. to provide professional engineering construction support services for the West Deerfield Drainage Improvement Project in an amount not to exceed \$365,481.35; providing for execution and an effective date. (Funds from Account #462-300-360-3800-000-53800-506530 - Stormwater Capital Fund/CIP - Infrastructure & #460-300-360-3800-000-53800-503099 - Stormwater Division/Professional Services)

DEPARTMENTAL BUSINESS

17. Resolution 2024/167 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting the Sustainability Roadmap encompassing a comprehensive initiative to serve as a framework for the City's Sustainability Program relating to resiliency, sustainability and a low-carbon future within the City; and providing for an effective date.

The Resolution was read by title.

Hillary Silverstone, Sustainability Coordinator, highlighted a brief PowerPoint presentation, which outlined the Sustainability Roadmap.

Mayor Ganz opened the public hearing.

Joe Miller, 248 SE 18th Avenue, Deerfield Beach, said many times he sees a city vehicle running without anyone inside, and suggested that they be shut off when not in use.

Mayor Ganz closed the public hearing. Further, he stated that suggestion is something we are looking to change.

There was no discussion amongst the Commission.

DEPARTMENTAL BUSINESS - CONTINUED

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 17, adopted Resolution 2024/167. Voice Vote:

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

Nays: 0

18. Resolution 2024/168 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a change order with BCI Construction, Inc. in the amount of \$892,600.80 due to unforeseen conditions requiring changes to the design, and compliance with code and jurisdictional agency requirements related to the International Fishing Pier Renovation Project; providing for execution, implementation, and an effective date. (Funds from Account #399-100-360-1901-000-51900-506530 - General Capital/CIP Infrastructure)

The Resolution was read by title only.

Horace McHugh, Interim City Manager, highlighted a brief PowerPoint presentation, which outlined the background of the project, as well as the proposed additional costs. Further, he stated that the approved contract amount was \$4,677,875. The additional scope costs are \$892,600.80, and includes new cable line for cameras and PA system - \$8,842.45; concrete pile repairs - \$211,348; additional fire line for code compliance - \$245,071.06; fish cleaning residue grinding/disposal system - \$316,377; replacement of additional deck boards - \$10,961.59; and contingency - \$100,000; for a revised contract total of \$5,584,196.48. Thereafter, the tentative timeline was displayed, as well as the next steps, whereby, the anticipated pier opening would be August 2025.

In response to Mayor Ganz's question, Mr. McHugh replied that he believes the fish stations will be an electric garbage disposal.

Mayor Ganz expressed concerns with some of the items being unforeseen, as he does not see that being the case.

In response to Mayor Ganz's question, Priscilla Cygielnik, Director of Environmental Services, replied that the original intent was to keep the existing underwater conduit and fiber optic cable in its current configuration; however, the addition of the pavilion enhancements changed the run and length of the pipe and splicing fiber optic cable would diminish the image quality.

Mayor Ganz agreed with the concrete pile repairs being an unforeseen condition, as its something that could not be anticipated; however, he expressed concerns with the additional fire line for code compliance, as staff knew about the additional pavilion.

Ms. Cygielnik said the current fire line runs to the bait shop and because we are doing an alteration, new building codes have been triggered, which she outlined.

In response to Mayor Ganz's questions, Ms. Cygielnik said as she understands it, the water pipe has to run to the end of the pier, which they were unaware of. When staff first approached the Fire Chief about the fire line, it was with regard to the base bid only, and consisted of putting back what was there, which would fall under the original building code; however, because of the alteration, she reiterated that it triggered new building codes. Further, she said that PVC cannot be used for a 6-inch fire main.

Mayor Ganz said staff should have anticipated this cost, as it is not unforeseen, but comes from a lack of planning. Thereafter, he expressed concerns with the fish cleaning residue grinding/disposal system, not only because of the absurd cost, but he believes they will be a maintenance nightmare.

In response to Mayor Ganz's comment, Ms. Cygielnik stated that staff contracted to do a 60/40 mix on the replacement and reuse of the deck boards; however, the ratio came in a little higher than anticipated.

Commissioner Hudak left the meeting temporarily at 9:38 p.m. and returned at 9:41 p.m.

DEPARTMENTAL BUSINESS - CONTINUED

Mayor Ganz expressed frustration with the oversight, as he believes the enhancements should have been considered when the estimates were brought forward to the Commission. Further, he recommended eliminating the fish cleaning stations and additional pavilion, as it will bring the cost down.

In response to Mayor Ganz's question, Ms. Cygielnik replied that staff has already contracted for the enhancements and begun work on them.

Mr. McHugh said staff will continue to work with the contractor on reducing the costs.

Mayor Ganz continued to express frustration with the overall project, and stated that the majority of this project is a project management and understanding failure.

Commissioner Hudak completely agreed with Mayor Ganz, as the planning of this project is completely lacking. He said Deerfield Beach is in competition with other cities, i.e. Pompano Beach, so we must keep up. Further, he said the contractors are the subject matter experts and when changes arise, they should be able to anticipate what the cost increases will be. He said this project is a complete failure, and city staff is to blame as it is their job to vet the contractor, project, etc.

Commissioner Preston agreed with both his colleagues, as he does not see how some of these items were not anticipated; nonetheless, he asked that the cleaning stations be reconsidered because of the mess and future potential costs down the road. Further, he agreed with Commissioner Hudak, as Deerfield Beach is in competition with other cities and needs to be a staple. Lastly, he reiterated the need for the fish cleaning stations and briefly commented on the NFPA.

Vice Mayor Drosky understands the challenge with this item, as these are not inexpensive changes. This commission voted in support of the enhancements because we wanted the best pier possible, and it should have been foreseen at that time that these particular changes were going to be made. Thereafter, he briefly outlined the timeline thus far, and stated that the contractor is not to blame, as they are building what is told to them. Furthermore, city staff should have known in March 2024 that these contingencies were possible and not unforeseen if vetted, with the exception of the concrete pile repairs, which could have transpired from the shift of the sand from the storms. Vice Mayor Drosky asked if the City is stuck with the numbers or can the enhancements be reduced, which he is opposed to.

Mr. McHugh said the Commission can either approve as is, not approve the NFPA requirement and fish macerator, which would not allow for the enhancements, or see if materials can be switched, i.e. HDPE pipe. Further, he suggested decreasing the number of fish stations, as well as other value engineering options.

Vice Mayor Drosky suggested that city staff sit down with the contractor to weigh out all potential options, and then come back to the Commission.

Mr. McHugh stated that the project is still in permitting, so city staff may receive other information regarding the requirements.

In response to Mayor Ganz's question, Ms. Cygielnik replied that if alterations were not made and the current fish cleaning stations were kept, a permit would not be needed. Furthermore, the existing pavilion would have just been repair and rehabilitation.

Mayor Ganz said city staff should have known that alterations would require new rules and regulations.

Commissioner Preston agreed with Vice Mayor Drosky, as city staff must weigh out all options and bring it back to the Commission, as this commission wants the best for our constituency.

In response to Commissioner Preston's question, Ms. Cygielnik replied that if this is put off too long, it will affect the permitting and timeline.

Thereafter, discussion continued regarding the additional contract scope.

DEPARTMENTAL BUSINESS - CONTINUED

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, said this is a huge contract, and should be re-evaluated. Thereafter, he commented on the closure of the pier parking lot.

Mayor Ganz closed the public hearing.

In response to Mayor Ganz's question, Anthony Soroka, City Attorney, replied that the City executed a change order for this work; however, there are mechanisms within the contract that allow the City to work with the contractor.

In response to Mayor Ganz's question, Mr. McHugh replied that per Vice Mayor Drosky's request, options were provided; nonetheless, if the Commission decides to disapprove the item, the enhancements would not be accomplished. Furthermore, staff will continue working with the contractor on reducing the costs.

Commissioner Hudak made a motion to approve Item 18.

Prior to a second and the vote, Vice Mayor Drosky asked if the item could be tabled until the next meeting to allow staff to renegotiate the numbers.

Thereafter, discussion ensued regarding tabling the item.

Martin Kenealy, Senior Project Manager/Vice President, provided a brief overview of the company's background. Thereafter, he provided a breakdown of the change order, and advised that there could be a cost savings on some of the items.

In response to Mayor's Ganz's comment, Ms. Cygielnik clarified that the cost savings mentioned by Mr. Kenealy will reduce enhancements, i.e. reduction of fish cleaning stations from five to three.

Mayor Ganz said if the motion on the table stands, he wants the project manager for this project to be replaced.

Mr. Soroka suggested that the motion include a not to exceed amount of \$892,600.80.

Commissioner Hudak amended his motion to include the not to exceed amount.

In response to Commissioner Preston's comment, Mr. Soroka suggested that the motion be to approve in an amount not to exceed \$892,600.80.

In response to Commissioner Preston's question, Ms. Cygielnik replied that the current costs were presented as worse case scenarios, whereby, staff will not know the exact amount until advised by the Army Corp.

Vice Mayor Drosky expressed concerns with approving the item with the full amount, since it was stated that savings could occur.

Thereafter, there was a brief discussion regarding the potential savings.

Commissioner Hudak withdrew his motion.

After a brief discussion, the Commission requested that the options be itemized, so there is a clear understanding as to what enhancements will be eliminated from the cost savings.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to defer Item 18 to November 6, 2024. Voice Vote:

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

COMMENTS BY ADMINISTRATION & LEGAL**CITY ATTORNEY**

Monarch Hill Landfill - Anthony Soroka, City Attorney, said Broward County will be considering the zoning ordinance to increase the height on October 22, 2024, with the final public hearing on November 12, 2024.

In response to Mayor Ganz's question, Mr. Soroka replied that he is unsure of how the first hearing will be handled, but November 12th will be the public hearing.

CITY MANAGER

Hurricane Milton - Horace McHugh, Interim City Manager, said although there were no significant impacts, emergency management ensured that the City was properly prepared.

CITY COMMISSION BUSINESS**19. Discussion regarding artificial turf.**

Commissioner Hudak temporarily left the meeting at 10:08 p.m. and returned at 10:10 p.m.

Eric Power, Director of Planning & Development Services, highlighted a brief PowerPoint presentation regarding the City's rules and regulations for artificial turf, as outlined in our Land Development Code. Further, he said Hillsboro Beach and Lighthouse Point are the only two cities in the County that allow artificial turf in the front yard with a permit. The minimum landscaped area allowed in Deerfield Beach is 15%, which is the least amount in Broward County. Lastly, he stated that artificial turf serves no purpose other than an aesthetic element that is not fit for the entirety of all housing types throughout the City and it does not last forever, as it must constantly be maintained.

In response to Commissioner Hudak's comment, Mr. Power provided clarification on the areas where artificial turf is allowed.

Commissioner Hudak stated that he does not consider artificial turf as landscape and does not want to change the Code.

Thereafter, discussion ensued between Commissioner Hudak and Mr. Power regarding the areas where artificial turf is allowed.

Commissioner Hudak said he understands that the 15% minimum landscape area must be maintained, and stated that he would be amendable to changing it to 25%; nevertheless, he understands the definition for artificial turf, as it's treated like a paver and is allowed in the front yard, but said clarification must be given to the residents.

Vice Mayor Drosky agreed with providing clarification to the residents, so they are better informed. Thereafter, he provided a brief overview as to why this code was enacted. Furthermore, he said the technology surrounding artificial turf has changed, but he has not researched the science behind it, so he would have to research prior to making a decision; nonetheless, the City's requirements are very liberal from the other cities.

Commissioner Hudak said he would like the residents to be provided with clarification on the installation of artificial turf, as well as guidelines to ensure the products will last 10 years.

Mayor Ganz agreed that the technology has changed, and if a revision is made, it should provide common sense flexibility, i.e. 25% in lieu of 15%, and standards should be given.

COMMENTS BY MAYOR & CITY COMMISSION

COMMISSIONER HUDAK (DISTRICT 1) - No comments.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED**COMMISSIONER PRESTON****DISTRICT 2**

Hurricane Milton - Commissioner Preston thanked Horace McHugh, Interim City Manager, and Rodney Brimlow, Director of Public Safety for their communication and efforts.

COMMISSIONER PARNES**DISTRICT 3**

Voter Registration - Commissioner Parnes thanked staff for the use of City Hall.

VICE MAYOR DROSKY**DISTRICT 4**

Monarch Hill - Vice Mayor Drosky requested that staff provide transportation to the hearing on November 12, 2024.

SE 8th Avenue Workshop - Vice Mayor Drosky wants to ensure that the comments made during the workshop be addressed.

MAYOR GANZ

Monarch Hill - Mayor Ganz asked that staff be prepared for the item.

Freebee - Mayor Ganz suggested shortening the contract and expanding the hours. Thereafter, he commented on his ride with Freebee over the weekend, whereby, the driver advised that his main drop off location was Publix, and the majority of people he picks up come from Century Village and Dixie Highway.

Projects - Mayor Ganz said project management is lagging on projects and stated that staff must be proactive. Further, he stated that the pier item should have been pulled and brought back when it was ready. Mayor Ganz asked that projects come before the Commission when they are ready.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Commissioner Preston, seconded by Commissioner Hudak, to adjourn the meeting at 10:43 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Heather Montemayor, CMC, City Clerk