



Meeting Minutes City Commission

Wednesday, November 6, 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 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

Present:

Commissioner Michael Hudak
Commissioner Bernie Parness
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 - October 15, 2024

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak 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

Education Advisory Board Meeting Minutes - April 3, 2024
Planning & Zoning Board Meeting Minutes - August 1, 2024
Community Redevelopment Agency Meeting Minutes - August 27, 2024
Code Compliance Meeting Minutes - August 30 & September 10, 2024
African American Heritage Board Meeting Minutes - September 12, 2024
Hillsboro Inlet District Meeting Minutes - September 16, (Regular Meeting Minutes), September 16 (First Reading Budget/Millage), & September 23, 2024 (Final Reading Budget/Millage)

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, 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

November 6, 2024

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

Captain Hofstein recognized various law enforcement staff for their ongoing efforts with keeping the community safe.

PUBLIC HEARINGS - FIRST READING**2. ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REZONING APPROXIMATELY 1.36 GROSS ACRES LOCATED AT 555 SW 3RD AVENUE FROM OPEN SPACE (S) TO RESIDENTIAL MULTI-FAMILY (RM-15) (APPLICATION 24-R-201); PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Eric Power, Director of Planning & Development Services, provided a brief overview of the Item. He explained that all units will be townhomes or villas and must meet Broward County's affordable housing requirements. Lastly, upon state and county certification, the property will be available for property disposition.

Mayor Ganz opened the public hearing.

Bob DiChristopher, 517 NE 6th Avenue, Deerfield Beach, asked why open space is being rezoned too residential.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said there is a good amount of open space near the proposed property, so she can see why the request is being made; however, she expressed concerns with a school being across the street from the proposed property, and there not being enough parking. Lastly, she asked that the City receive the best possible financial outcome during the property disposition process.

Mayor Ganz closed the public hearing.

Mr. Power provided a brief explanation as to why the change is being requested.

There was no discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 2 on first reading. Roll Call:

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

Nays: 0

3. ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REZONING APPROXIMATELY 4.28 NET ACRES LOCATED AT 201, 221, 231 & 299 FEDERAL HIGHWAY, AND 226-228 NE 9TH AVENUE FROM HIGHWAY BUSINESS DISTRICT (B-2) AND RM-10 RESIDENCE, MULTIFAMILY TO PLANNED DEVELOPMENT DISTRICT (PDD) (APPLICATION 24-R-200); PROVIDING FOR A MAXIMUM OF 237 DWELLING UNITS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

PUBLIC HEARINGS - FIRST READING - CONTINUED

The Ordinance was read by title only.

Anthony Soroka, City Attorney, stated that Deerfield Beach rezoning applications are required to be done by ordinance. The first reading will be heard this evening, whereby, the primary purpose is to hear the application and move it forward to second reading, where a quasi-judicial proceeding can occur. Thereafter, he advised that the public may speak this evening, but encouraged them to also speak during the second reading where the quasi-judicial proceeding will take place.

Dennis Mele, 200 E. Broward Boulevard, Fort Lauderdale, representing the applicant, highlighted a brief PowerPoint presentation. Thereafter, he displayed the location map. Further, he said upon denial of the 277-unit PDD plan, the applicant filed an application for a 248-unit Live Local Plan, which will be withdrawn should the revised 237-unit PDD plan be approved. He said the revised, 237-unit plan has the same footprint as the 277-unit plan, but there is a reduction to the building height. Furthermore, all the improvements, i.e. road, sidewalk, contributions, etc. are still being recommended in the revised plan. Thereafter, the elevations were displayed, whereby, the center was reduced by approximately 10 feet, and the east and west elevations were also reduced. Mr. Mele displayed the public benefits for the PDD plan, whereby, if denied, the only applicable public benefit for the Live Local Plan would be the affordable housing contribution.

Continuing, Mr. Mele said various community meetings have occurred, as well as public hearings. Thereafter, various photographs of the public benefits were displayed. The public art has not yet been decided, but there will be three public art plaza locations; streetscape improvements on NE 2nd Street/Eller Street; undergrounding of utility lines; and traffic calming options, if requested. Further, the residents expressed concerns with the traffic analysis, so the applicant redid one in October 2022, whereby, the traffic was significantly lower than originally projected. Mr. Mele stated that the trip generation summary showed fewer daily trips for the mid-rise apartments than that of a shopping plaza. Lastly, various photographs of the proposed property were displayed.

Heather Montemayor, City Clerk, outlined the campaign contributions pursuant to City Ordinance 2009/006.

Robert Sweetapple, 4800 N. Federal Highway, Boca Raton, is representing Richard George, who lives at 203 NE 8th Terrace, Deerfield Beach. Thereafter, he outlined various issues with the proposed application.

In response to various statements made by Mr. Sweetapple, Mr. Soroka, stated that the disclosure read by the City Clerk was not part of the quasi-judicial hearing ex parte disclosure, but pursuant to the City's ethics ordinance. Further, he stated that the quasi-judicial proceeding will be properly noticed, and instruction will be given regarding ex parte communication and the Commission will make the appropriate disclosures at that quasi-judicial public hearing. Mr. Soroka reiterated that tonight is not the quasi-judicial proceeding, whereby, if the item is moved forward, the proceeding will be scheduled for December 3, 2024.

Mayor Ganz opened the public hearing.

The following individuals spoke in opposition to Item 3:

- **Roger Freitag, 418 SE 2nd Street, Deerfield Beach.**
- **Christina DiChristopher, 517 NE 6th Avenue, Deerfield Beach.**
- **Rick George, 203 NE 8th Terrace, Deerfield Beach.**
- **Dan Herz, 330 NE 19th Avenue, Deerfield Beach.**
- **April Bolowich, 899 NE 4th Street, Deerfield Beach.**
- **Lucia Delgenio, 707 N. Shore Drive, Deerfield Beach.**
- **Bob DiChristopher, 517 NE 6th Avenue, Deerfield Beach.**
- **Sean Cronin, 869 NE 4th Street, Deerfield Beach.**
- **Chauncey Chapman, 191 NW 47th Avenue, Deerfield Beach.**
- **Katy Freitag, 418 SE 2nd Street, Deerfield Beach.**
- **Wilbur Smith, 227 NE 8th Terrace, Deerfield Beach.**

Mayor Ganz closed the public hearing. Thereafter, he thanked the community for coming out and

PUBLIC HEARINGS - FIRST READING - CONTINUED

encouraged everyone to come back on December 3rd.

Commissioner Parness said although many are opposed, building and bringing tax base to the City is extremely important. Thereafter, he asked everyone to bring their arguments forward on December 3rd, so the Commission can make their decision.

Commissioner Preston said this commission is here to serve and do what is right; nonetheless, this process unfolds, there will be a multiplicity of information that will be brought forward and aid in the decision making. Further, he spoke in opposition to the applicant coming forward, as he has already provided a thorough presentation; nevertheless, if Mr. Mele comes forward, Mr. Sweetapple should be given time as well. Lastly, he asked that the public have faith in their government.

Commissioner Hudak thanked the community for coming out. Further, he said this commission is going to do what's right for the community and city as a whole, whereas, these decisions are not always easy. Commissioner Hudak encouraged everyone to come out on December 3rd.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 3 on first reading. Roll Call:

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

There was a brief recess from 8:38 p.m. to 8:45 p.m.

PUBLIC HEARINGS - SECOND READING

- 4. P.H. 2025-004: ORDINANCE 2024/018 - 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.

Horace McHugh, Interim City Manager, provided a brief overview of the Item.

In response to Commissioner Preston's question, Mr. McHugh said there have been no changes since the first reading.

Mayor Ganz opened the public hearing.

Roger Freitag, 418 SE 2nd Street, Deerfield Beach, asked what capital improvements the money will be utilized for.

Mayor Ganz closed the public hearing. Further, he advised Mr. Freitag that the list is outlined online.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 4 adopted Ordinance 2024/018. Roll Call:

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

PUBLIC COMMENT

Roger Freitag, 418 SE 2nd Street, Deerfield Beach, asked that the barricades at the Pier be relocated during the December event. Further, he asked for an update regarding Case #2614.

PUBLIC COMMENT - CONTINUED

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, commented on the Veteran services being provided at Century Village.

Peggy Ross, 103 19th Avenue, Deerfield Beach, said the bushes near the Cove Beach Club need to be trimmed as they are growing over the lights.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, commented on what he will do during his campaign.

Philip Bradley, 4330 NW 12th Avenue, Deerfield Beach, commented on previous comments made during various commission meetings.

Willie Rosetta Graham Bracy, 501 NW 1st Terrace, Deerfield Beach, expressed concerns with the number of vehicles in driveways in Alwood Homes, and fences being installed without permits.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said the parking code does not fit with the times, and asked that it be reevaluated. Further, she expressed frustration with a code violation her friend received.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, expressed concerns with the number of rats in the neighborhood and asked that it be investigated.

Thereafter, Mayor Ganz entertained questions/comments/concerns posed by the public.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

5. Resolution 2024/168 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving and authorizing execution of a first amendment to the Contract with Landscape Service Professionals, LLC for citywide landscaping and irrigation maintenance services to revise the scope of work and include additional services and locations for an increase in annual cost of \$122,313.04 and contingency costs of \$18,347.00 for a total annual contract price not to exceed \$1,242,592.04; providing for implementation and an effective date. (Funds from Account #001-7020-539-32-16 - Parks Maintenance/Landscaping Services)

The Resolution was read by title only.

Mayor Ganz opened the public hearing on Items 5 & 6.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked if this should be bid back out due to the additional scope of services.

Mayor Ganz closed the public hearing.

Anthony Soroka, City Attorney, said the original bid included the potential for additional services, whereby, the unit pricing that was bid was the basis for the additional services being proposed.

There was no discussion amongst the Commission.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 5, adopted Resolution 2024/168. Roll Call:

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

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

6. **Resolution 2024/169 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the sale of surplus old water meters in the amount of \$55,075.00 through the auction process utilized by Bidera, LLC, the City's contracted auction firm; authorizing the City's Procurement Division to administer the disposal of additional non-real surplus property for various departments within the City utilizing the auction process and coordinating such auctions with Bidera, LLC; providing for implementation and an effective date. (Fiscal Impact: Revenue)**

The Resolution was read by title only.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 6, adopted Resolution 2024/169. Roll Call:

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

DEPARTMENTAL BUSINESS**7. Discussion and possible action regarding disposition of City-owned property.**

Eric Power, Director of Planning & Development Services, highlighted a brief PowerPoint presentation. Thereafter, he briefly defined property disposition. Per State Statute, the City has an affordable housing public land list, outlining the vacant land owned by the City, which is available on the City's website. The list consists of county deeded properties and remainder or donated lands; whereby, the list excludes city parks, city facilities, and city owned vacant land deemed necessary for other reasons, i.e. wells, lift stations, water access, etc. Mr. Power stated that many of the lots have particular and distinct issues that hinders their ability for development and explained that not all properties on the affordable housing vacant land list are designated residential or have an affordable requirement. Mr. Power said Broward County deeded the City over 10 properties several years ago, whereby, seven became Habitat for Humanity homes that were developed in the past 18 months.

Continuing, Mr. Power said the discussion items include 438 & 448 NW 4th Avenue, NW 4th Street Right-of-Way, 163 & 166 SE 2nd Court, and DBR Lots. Thereafter, he displayed the locations for each. Mr. Power said 438 & 448 NW 4th Avenue is zoned S Open Space, and there is no access due to the right-of-way not being completed; therefore, the cost to the City to install a new road, sidewalk, underground utilities would be upwards of \$200,000. The City has been approached by two separate developers to use a portion of the right-of-way to build three lots on the property and in return the developers would build the road, sidewalk, and underground utilities. The City paid to have the property appraised as three lots, which came back as \$199,500. The properties have had issues with illegal dumping, illegal activities, etc.; therefore, staff proposes donating the lots in lieu of the developer building the access.

In response to Mayor Ganz's comment, Mr. Power stated that these would be single-family homes built to code. Further, they would be consistent to the surrounding homes in the neighborhood.

Mr. Power said the obstacle with the NW 4th Street Right-of-Way is it's not a fee simple lot, and has always been right-of-way. Further, he said the City would have to pay for a survey, register the lot with the Broward County Property Appraiser's Office, and bring it forward to determine if there are any existing easements on the property. Mr. Power said there are also issues with illegal dumping on this lot, so having a single-family home would benefit this community. Mr. Power said there is an affordable housing requirement for 163 & 166 SE 2nd Court because they came from Broward County with the sole purpose of them being affordable housing lots. Further, the City's Code is looking for density, i.e. multifamily, in this neighborhood to meet the density requirements of Pioneer Grove. He stated that one developer made a request for a

DEPARTMENTAL BUSINESS - CONTINUED

duplex on 163 SE 2nd Court and another developer made a request for a triplex at 163 SE 2nd Court and at 166 SE 2nd Court. Lastly, it is very difficult to do anything with the DBR Lots unless there is land assembly along the parcel; however, the area has been widely successful, with uses including residential, laundry mat, storage, gas station, restaurant.

Commissioner Preston spoke in support of having developers incur the costs, but asked that the developers be local. Further, he said single-family homes are needed, especially in District 2.

Commissioner Hudak said this is an ideal opportunity to partner with the community to see what the residents would like in the area, especially along Dixie Highway and SW 10th Street. Further, he commented on a previous right-of-way issue, and asked that staff ensure the road is the first thing that is built.

Mr. Power said those requirements would be part of the agreement.

In response to Vice Mayor Drosky's questions, Mr. Power replied that due to the limited visibility from the roadway, 438 & 448 NW 4th Avenue would not be appropriate for a park. Further, he said without a survey NW 4th Street Right-of-Way cannot be appraised for sale. Mr. Power said based on the surrounding homes, triplexes could be built at 163 & 166 SE 2nd Court; however, triplexes require a service water license, so they would fall into the new 100-year flood map, which would reduce the ability to develop per the City's code.

Vice Mayor Drosky said the ULI mentioned the intersection at SW 10th Street and Dixie Highway as a node; therefore, he wants to ensure that the best and highest use is put there.

Commissioner Parness said these properties have been vacant for a long time, so he suggested that they be given to the developers.

Mayor Ganz provided a brief history of the development of Dixie Highway. Further, he suggested holding on to the properties along Dixie Highway; nevertheless, he spoke in opposition to a dry cleaner. Mayor Ganz expressed concerns with a developer bringing forward NW 4th Street Right-of-Way, and asked that staff stay abreast of city property; nonetheless, he spoke in support of a single-family home or pocket park. He spoke in support of donating the properties at 438 & 448 NW 4th Avenue to get it on the tax roll. Thereafter, he provided a brief history of properties that have been developed over the years, and asked that staff remain vigilant when it comes to city-owned property.

Commissioner Preston agreed with Mayor Ganz. Further, he said the properties located at Dixie Highway and SW 10th Street are difficult because they are owned by multiple property owners; nonetheless, this commission must work with the community on a vision.

Mayor Ganz said he would not support giving up small slivers along Pioneer Grove to add what's already there, whereas, the entire point of Pioneer Grove is to revitalize that area and add something different.

- 8. ORDINANCE 2024/ - 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, 2024; APPROVING SUPPLEMENTAL APPROPRIATIONS TO THE GENERAL FUND IN THE AMOUNT OF \$342,470, THE NUISANCE ABATEMENT ASSESSMENT FUND IN THE AMOUNT OF \$8,380, AND THE PAL DONATIONS FUND IN THE AMOUNT OF \$15,000, AND A BUDGET TRANSFER FROM THE GENERAL FUND TO THE 2024 NON-AD VALOREM REVENUE BOND FUND IN THE AMOUNT OF \$332,470, AS SET FORTH IN EXHIBIT "A"; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

The Ordinance was read by title.

Horace McHugh, Interim City Manager, provided a brief overview of the item.

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

DEPARTMENTAL BUSINESS - CONTINUED

There was no discussion amongst the Commission.

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

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

- 9. Resolution 2024/170 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving and authorizing execution of a grant agreement with the Florida Inland Navigation District for the Sawgrass to Seagrass Center at Sullivan Park; authorizing acceptance of the grant in an amount not to exceed 35% of the total project costs; acknowledging the availability of matching funds in the amount of 50% of the total project cost; and providing for an effective date.**

The Resolution was read by title only.

Kris Mory, Director of Economic Development, provided a brief overview of the Item.

Mayor Ganz thanked Ms. Mory for her efforts. Thereafter, he opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, asked what the money will go towards.

Mayor Ganz closed the public hearing.

Commissioner Preston thanked Ms. Mory for her efforts.

In response to Mayor Ganz's questions, Ms. Mory replied that vertical construction has not begun, so matching fund opportunities have not been lost. Further, she said the money will go to 50% of the main floor, which is the museum portion that FIND is interested in.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 9, adopted Resolution 2024/170. Roll Call:

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

- 10. Resolution 2024/171 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a change order with BCI, Construction, Inc. in an amount not to exceed \$450,157.80 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.

Priscilla Cygielnik, Director of Environmental Services, provided a brief background of the Item. Thereafter, she outlined the three options: Option A consists of what was provided on October 15th, which totaled \$892,600.80, and the revising the contract total to \$5,570,475.80; Option B consists of HDPE piping, reduction of fish cleaning stations from five to three, adding 8" fish cleaning tube, eliminating fish cleaning grinding/disposal and possibly the canopy, eliminating the public art from fish bait stations, and eliminating the welcome signage and wayfinding, totaling \$450,157.80 and revising the contract total to \$5,128,032.80; and Option C consists of Option B, with the addition of eliminating the louver system from pavilions and providing manufactured benches in lieu of lpe, totaling \$323,117.80 and revising the contract total to \$5,000,992.80. Thereafter, she outlined the schedule, as well as the next steps, whereby, staff anticipates opening the pier no later than August 2025. Lastly, she stated that staff recommends Option B.

DEPARTMENTAL BUSINESS - CONTINUED

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, spoke in opposition to the cost overrun.

Roger Freitag, 418 SE 2nd Street, Deerfield Beach, spoke in opposition to the cost increase. Thereafter, he expressed concerns with hurricanes and the potential of having to redo the pier.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, spoke on previous projects and the lack of accountability. Thereafter, she expressed concerns with the cost increase.

Mayor Ganz closed the public hearing.

In response to Mayor Ganz's question, Anthony Soroka, City Attorney, replied that the City is not contractually obligated to move forward with the enhancements, whereby, the City has the ability to terminate the agreement for convenience as well.

Mayor Ganz expressed concerns with the process, as there are many things that were foreseeable.

In response to Mayor Ganz's question, Horace McHugh, Interim City Manager, replied that staff works with the architect and engineer on concepts, which are then submitted to the various agencies for their approval. Unfortunately, staff was unaware of the expectations until the responses were received back from the agencies.

In response to Mayor Ganz's questions, Ms. Cygielnik replied that in her initial conversations with the Fire Chief it was stated that the fire line would not need to be extended; however, once the second structure was discovered, it was then indicated that it would need to be extended. Further, the project was originally a repair and rehabilitation project; whereby, when the enhancements were approved, the contractor advised staff that the laws recently changed.

Thereafter, discussion ensued regarding the pier enhancements.

Mayor Ganz asked that the fish stations remain, but eliminate the grinding mechanism. Additionally, he asked that the louvers, benches, and signage remain.

Commissioner Preston said the pier has been inoperable for quite some time due to damages incurred by a tropical storm. Thereafter, he agreed with the Mayor, as eliminating the enhancements is a disservice to the residents. Further, he said spoke in support of the Mayor's recommendations.

Commissioner Hudak said the pier attracts many people, whereby, the closure is not only affecting them, but the surrounding businesses. Thereafter, he agreed with keeping the louvers, and eliminating the grinding mechanism as it is not needed. Further, he expressed concerns with staff not being proactive, whereas, part of their job is to prepare for unforeseen circumstances. Lastly, Commissioner Hudak agreed with changing the pipe to HDPE and eliminating the grinding aspect.

Vice Mayor Drosky expressed concerns with eliminating the enhancements, as it's what the residents and this commission wanted. Further, he spoke in support of the signage and public art, and agreed with keeping the fishing stations, as that's what was promised to the residents.

Commissioner Parness agreed with eliminating the grinding mechanism, and moving forward with the remaining enhancements.

After a brief discussion, it was the consensus of the Commission to eliminate the fish grinding mechanism and use HDPE piping, for an anticipated change order cost of an amount not to exceed \$556,223.80.

DEPARTMENTAL BUSINESS - CONTINUED

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 10, as amended, adopted Resolution 2024/171. Roll Call:

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

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY - *None*

CITY MANAGER**11. Veterans Programs and Services Update.**

Horace McHugh, Interim City Manager, outlined Veterans Programs and Services that are provided or will be provided by the City.

12. Update regarding the Town of Hillsboro Beach's beach renourishment plan.

Horace McHugh, Interim City Manager, said the Town of Hillsboro Beach requested access to SE 10th Street for a beach renourishment project, which will take place from January 2025 to March or April 2025. Further, he said they would need to access through 9th Street, along Ocean Way; nevertheless, staff is working with the consultant to ensure the impact to the City is mitigated.

Villages of Hillsboro - Mr. McHugh said the playground installation will occur in two weeks in lieu of February 2025.

Mayor Ganz asked that staff reach out to the pavilion rentals to ensure they are not being affected.

In response to Mayor Ganz's question, Mr. McHugh replied that the Town of Hillsboro is proposing 100 trips/day. Further, he stated that staff did advise that Hillsboro Boulevard would not be viable.

Mayor Ganz stated that he does not want them coming down Hillsboro Boulevard or A1A. Although, he is willing to work with them, he expressed concerns with the timing of the project, as well as the number of trucks coming in and out of the City in one day.

CITY COMMISSION BUSINESS**13. Discussion and potential action regarding the City Manager position.**

Mayor Ganz stated that there are many projects going on within the City, and there are issues surrounding the City, i.e. Monarch Hill expansion, that this city must be proactive on, and has not been. Thereafter, he commented on various projects, i.e. pier, drainage projects, etc., as well as comments made by staff to residents, and the lack of information being disseminated to the Elected Officials in a timely manner. Further, Mayor Ganz said he followed the chain of command, whereby, he agreed, at the time to put the Deputy City Manager in the Interim position; however, due to the current state of the City, he recommended appointing another Interim City Manager and recommended Rodney Brimlow, Director of Public Safety, as Assistant City Manager (s/b City Manager) in the interim, while continuing the nationwide search. Lastly, he said Mr. McHugh is an outstanding individual, but this city must get on track and be proactive, which is why he is making this recommendation.

Commissioner Preston said he initially wanted to vet internal staff, whereas, this city needs stability in management, guidance for staff, and an increase in employee morale. Further, he said Mr. McHugh has been able to provide him with what he's needed and answer his questions, as has Mr. Brimlow, who he believes would be able to perform the interim duties. Commissioner Preston said both candidates are good choices, and although he believes Mr. Brimlow can do the job, he is unsure if Mr. McHugh has been given enough time in the position; nonetheless, he said this decision should not be made without discussion.

CITY COMMISSION BUSINESS - CONTINUED

Vice Mayor Drosky said the Mayor's concerns are valid; however, he is concerned with changing leadership midstream, whereby, the City is in a national search for a city manager, and he does not want to scare any potential applicants away from applying for the position.

Commissioner Parness said he initially voted for Mr. Brimlow as Interim City Manager, as he is a man of action, takes charge, and is prepared for anything. Thereafter, he provided various examples of his interactions with Mr. Brimlow. Lastly, he recommended appointing Mr. Brimlow as Interim City Manager, effective immediately.

Commissioner Hudak said you don't know how someone will succeed in a position until they are in it. Further, he said if a national candidate looks at one commission meeting and decides they don't want to be in Deerfield Beach, then he does not want them as the City Manager. He does not believe switching city manager's is detrimental, whereas, it is not something that occurs often. Thereafter, he outlined both Mr. McHugh and Mr. Brimlow's experience and stated that he has a lot of respect for them both; however, this commission must look at what is needed now, which is more proactivity. Although he agreed with broadening the search and continuing to look nationwide, a consideration in making a change is needed, whereas, it will give them both a chance to showcase their skills.

Commissioner Preston stated that regardless of who is chosen internally as interim, he does not want the position to be taken away from them; therefore, he spoke in opposition to continuing the external search.

Mayor Ganz stated that he has nothing against Mr. McHugh and hopes that he stays with the organization; nonetheless, this city needs an immediate change in leadership style.

Commissioner Parness left the meeting temporarily at 11:29 p.m. and returned at 11:30 p.m.

Mr. McHugh thanked the Commission for their comments. Thereafter, he provided a brief overview of what he's done during his time as interim city manager, and reminded the Commission that he does not have a deputy city manager, so he's overseeing both positions. Lastly, he said making a change in such a short period of time sends the wrong message to staff, applicants, etc., and suggested that the City Commission take a more proactive approach on recruiting a permanent city manager.

Thereafter, discussion ensued regarding the Interim City Manager position.

In response to Anthony Soroka's, City Attorney, question, Commissioner Hudak stated that the motion would be to replace Mr. McHugh with Mr. Brimlow as the Interim City Manager, effective immediately, and have Mr. McHugh return to his position as Deputy City Manager pursuant to his contract.

Mr. Soroka stated that if the motion prevails, a contract for Mr. Brimlow would be brought back to the Commission for consideration.

Mayor Ganz opened the public hearing.

The following individuals spoke in opposition of the change, as Mr. McHugh has not been given enough time:

- ***Dan Herz, 330 SE 19th Avenue, Deerfield Beach.***
- ***Katy Freitag, 418 SE 2nd Street, Deerfield Beach.***
- ***Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach,***

Mayor Ganz closed the public hearing. Further, he stated that he understands the public's comments; however, they do not see what he sees, and reiterated that a change in leadership style is needed due to various things that have occurred over the past few weeks.

Commissioner Preston said the City Manager represents the entire city, so he suggested tabling the item to allow more public involvement.

CITY COMMISSION BUSINESS - CONTINUED

Mayor Ganz spoke in opposition to that suggestion, as the item was on the agenda, and if the public wanted to be involved, they should have attended. Further, he said there is one person this commission gives orders too, which is the City Manager; whereby, the public is making suggestions that employees be fired, which is something this commission cannot do. Mayor Ganz said if the support for the change is there, then so be it, and if it's not, then this commission will make due until there is a permanent selection. Lastly, this is not something he wants to do, but unfortunately a change in leadership style is needed.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to appoint Rodney Brimlow as Interim City Manager, effective immediately. Roll Call:

Yeas: 3 - Commissioner Hudak, Commissioner Parness, and Mayor Ganz
Nays: 2 - Commissioner Preston and Vice Mayor Drosky

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

Accolades - Commissioner Hudak congratulated Ed Dietrich and David Clancy on receiving an award for their work on the Butler House and Pioneer Cottage. Further, he congratulated Xavier Restrepo, former Deerfield Beach Highschool student, on setting the University of Miami's all-time receiving record.

Ryan Owens Memorial Run - Commissioner Hudak urged everyone to come out to the event.

COMMISSIONER PRESTON**DISTRICT 2**

Tigner Center - Commissioner Preston said he continues to receive compliments about the center, and the possible programs that can come from it. Thereafter, he thanked everyone for their efforts.

COMMISSIONER PARNESS**DISTRICT 3**

Signage - Commissioner Parness commented on the improper posting of signage at Century Village during the election.

VICE MAYOR DROSKY**DISTRICT 4**

Monarch Hill - Vice Mayor Drosky stated that the item will go before the County Commission on November 12, 2024 at 1:30 p.m. He asked that it be added to their calendar. Thereafter, he urged all to attend, as the City is offering transportation.

MAYOR GANZ

Monarch Hill - Mayor Ganz provided a brief overview of the item going before the County Commission. Thereafter, he asked that staff be prepared for the item. Thereafter, he urged everyone to attend and express their opinions.

Out of Town - Mayor Ganz said he will unfortunately be out of town for the Veteran's Day event.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Commissioner Preston, seconded by Commissioner Hudak, to adjourn the meeting at 12:00 a.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Heather Montemayor, CMC, City Clerk