



Regular City Commission Meeting Agenda

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

Mayor Bill Ganz

Vice Mayor Todd Drosky

District 1 Commissioner Michael Hudak

District 2 Commissioner Ben Preston

District 3 Commissioner Bernie Parness

Tuesday
April 2, 2024
7:00 PM

CALL TO ORDER & ROLL CALL

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes

Attachment: March 19, 2024

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Code Compliance Meeting Minutes

Attachment: January 26, 2024 , February 13, 2024

African Amercian Heritage Comittee Meeting Minutes

Attachment: February 7, 2024

Education Advisory Board Meeting Minutes

Attachment: February 7, 2024

Community Redevelopment Agency Meeting Minutes

Attachment: February 13, 2024

Community Appearance Board Meeting Minutes

Attachment: February 28, 2024

APPROVAL OF THE AGENDA

April 2, 2024

ZOOM INFORMATION

Join Zoom Meeting by clicking the below link:

<https://deerfield-beach.zoom.us/j/89866647947?pwd=OXdtalJlJWmVpYXh4by9icUNuVVpOUT09>

Join Zoom Meeting via telephone by dialing:

Call-in Number: (301) 715-8592

Meeting ID: 898 6664 7947#

Participant ID: #

Passcode: 504670#

For complete instructions on joining and/or participating during Public Comment, please click the following link or attend in person in the City Commission Chambers:

Attachment: Zoom Instructions

AWARDS & RECOGNITION

1. Proclamation presented to Children's Services Council of Broward County in recognition of National Child Abuse Prevention Month.

Sponsor: Commissioner Michael Hudak & Vice Mayor Todd Drosky

2. Proclamation presented to the Climate Reality Project in recognition of Food Waste Prevention Week.

Sponsor: Department of Sustainable Management

3. **Proclamation presented to HOPE, Inc. in recognition of National Fair Housing Month.**

Sponsor: Department of Community Services

4. **Proclamation in recognition of National Community Development Week.**

Sponsor: Department of Community Services

PUBLIC HEARINGS – SECOND READING

5. **P.H. 2024-053: ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING A PORTION OF A TWENTY-FOOT UTILITY EASEMENT AND A THIRTY-FOOT WIDE ROAD RIGHT-OF-WAY LOCATED IN THE VICINTY OF 409, 412-418, 424, 430, 446, 450 AND 458 NORTH RIVER DRIVE (VISTA CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance

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

Sponsor: Department of Planning & Development Services

Attachment: Vista Clara Easements

6. **P.H. 2024-054: ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE I "IN GENERAL" OF CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF ORDINANCES TO AMEND SEC. 2-1 "CITY SEAL AND CITY LOGO" TO UPDATE THE AUTHORIZED USES AND PROHIBITED USES RELATING TO THE CITY'S LOGO; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance

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

Sponsor: Department of Public Affairs & Marketing

Attachment: City Seal and City Logo

PUBLIC COMMENT

Persons addressing the Commission shall state his/her name and address and may speak for three (3) minutes unless extended for one (1) additional minute by the Mayor. All remarks made by the public at a Commission meeting on an agenda item shall be addressed to the Commission as a body and limited to the subject matter before the Commission at that particular time. No comments shall be made related to the personal life or personal qualities of any person and no language which would offend persons of ordinary sensibilities shall be permitted. The public shall be given an opportunity to speak on any substantive agenda item, subject to the aforementioned restrictions, prior to a vote on the matter by the City Commission. The Commission shall determine the appropriate time, prior to the vote, for the public to speak. For consent agenda items, the public shall be given an opportunity to speak prior to the approval of the consent agenda. The Commission may, by majority vote, determine that public input on an agenda item be tabled to a future meeting so long as the vote on the agenda item take place at the future meeting and that the public input take place prior to the Commission making any decision.

CONSENT - BOARD APPOINTMENTS

- 7. Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Tavares Hill as an alternate member to the African American Heritage Committee; and providing for an effective date.**

Suggested Action: Commission to vote on Resolution

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

Sponsor: Commissioner Ben Preston

Attachment: AAHC Appointment

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

- 8. Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a professional services agreement with Marcum, LLP to provide surtax**

compliance auditing services for fiscal years 2023 and 2024 surtax projects; authorizing execution of the Agreement in an amount not to exceed \$40,000.00; providing for an effective date. (*Funds from Account #108-5050-541-30-16 - Infrastructure - Accounting Services*)

Suggested Action: Commission to vote on Resolution

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

Sponsor: Department of Financial Services

Attachment: Marcum, LLP

- 9. Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by Lighthouse Capital Partners, Inc. dba Dixie Divers for the Annual DX Divers Deerfield Beach Underwater Pier Clean-up event taking place at 200 NE 21st Avenue on June 15, 2024 from 8:00 am to 11:00 am; approving the closure of the International Fishing Pier from 6:00 am to 12:00 pm; approving a waiver of fees; and providing for an effective date. (*Funds from Account 001-7015-579-35-74 - Special Events*)**

Suggested Action: Commission to vote on Resolution

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

Sponsor: Department of Parks & Recreation

Attachment: Dixie Divers

- 10. Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by Floating Frog, LLC dba Mindtravel Foundation for a silent piano concert on Deerfield Beach north of the international fishing pier on April 23, 2024, from 6:00 pm to 9:00 pm; providing for an effective date.**

Suggested Action: Commission to vote on Resolution

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

Sponsor: Department of Parks & Recreation

Attachment: Mindtravel Foundation

DEPARTMENTAL BUSINESS

11. ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 66, "TRAFFIC AND VEHICLES," SECTION 66-88 "PARKING RESTRICTIONS FOR COVE PARKING LOT; PENALTY" OF THE CITY CODE OF ORDINANCES TO EXPAND THE EXISTING TWO-HOUR CONTINUOUS PARKING RESTRICTION FOR THE COVE SHOPPING CENTER PARKING LOT TO INCLUDE SUNDAYS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance and set public hearing for April 16, 2024

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

Sponsor: Community Redevelopment Agency & Department of Economic Development

Attachment: Parking Restrictions

COMMENTS BY ADMINISTRATION & LEGAL

CITY COMMISSION BUSINESS

12. Discussion regarding establishing an expense allowance for the Mayor and City Commissioners.

Suggested Action: Motion on decision of Commission

Sponsor: Commissioner Bernie Parness

COMMENTS BY MAYOR & CITY COMMISSION

ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Lunchtime Workshop - Friday, April 5, 2024

Regular City Commission Meeting - Tuesday, April 16, 2024

Any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meetings or hearings will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and the evidence upon which the appeal is made. The above notice is required by State Law (F.S. 286.0105). Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the presence of a certified court reporter at the hearing.



Meeting Minutes City Commission

Tuesday, March 19, 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 Todd Drosky
Commissioner Michael Hudak
Commissioner Ben Preston
Vice Mayor Bernie Parness
Mayor Bill Ganz

Also Present:

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

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - February 20 & March 5, 2024
Lunchtime Working Meeting Minutes - February 23, 2024

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

Firefighters Pension Fund Meeting Minutes - September 11 (AMENDED) & November 6, 2023
Planning & Zoning Board Meeting Minutes - January 4, 2024
Code Compliance Meeting Minutes - January 8, 2024
Cultural Committee Meeting Minutes - January 22, 2024
Hillsboro Inlet District Meeting Minutes - February 12, 2024
Community Appearance Board Meeting Minutes - February 14, 2024

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

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

Nays: 0

INSTALLATION CEREMONY

1. Induction of 2024 Vice Mayor - Commissioner Todd Drosky

Vice Mayor Drosky read an excerpt from the Bible. Further, he said it is a great time to be living in the City of Deerfield Beach, and is proud to be serving with his colleagues. He said this commission is moving the City forward quicker than people realize. Vice Mayor Drosky said the meetings are not packed, unless there is a controversial item, which speaks volumes of this commission and the work we all do for this city. Thereafter, he outlined various accomplishments that have been made since he's been in office, as well as projects that are forthcoming. He stated that he has been proud to serve the residents, and with this being his last year in office, he wants to make it great. Lastly, he thanked his family and friends for their support.

Commissioner Parness said it's been a pleasure serving as Vice Mayor, and looks forward to moving the City forward during his last year in office.

APPROVAL OF CITY COMMISSION AGENDA

March 19, 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 to Alice Chattman.

Commissioner Parness presented a Certificate of Recognition to Alice Chattman for her many years of devoted service to the City of Deerfield Beach.

Ms. Chattman thanked the City Commission for the recognition.

2. 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 and accomplishments that were outlined in a comprehensive work analysis that was conducted by the Broward Sheriff's Office.

3. Presentation regarding repurposing the current fountain at Fire Station 102 to a fallen firefighter memorial.

Chief Samantha Whitehorne, District Fire Chief, said currently, the fountain serves no purpose, is broken, and fixing it is costly. Thereafter, she highlighted a brief presentation, which outlined various renderings of the proposed fallen firefighter memorial and provided a brief history of Battalion Chief Terryson Jackson. Chief Whitehorne explained that the memorial is not dedicated to Battalion Chief Jackson, as it will be used to memorialize all firefighters who would have lost their lives while serving this community. The statute represents Terryson Jackson; displayed will be the firefighter's prayer; the columns will consist of the City's logo and Sheriff's Office logo; and the lanterns will always be lit, so his light never goes out. Chief Whitehorne said the estimated cost is \$450,000, which will hopefully be fully funded through charitable donations.

Steve Bertuccio, Union President, said the union, as well as the Broward Firefighters Benevolent have a 501c3 account, so the funds can be held there until used.

Commissioner Preston spoke in support of the fallen firefighter memorial.

AWARDS & RECOGNITION - CONTINUED

In response to Commissioner Preston's question, Chief Whitehorne replied that they are requesting the Commission's support to repurpose the fountain, and to begin collecting the funds. Further, she said the collection of funds will begin immediately and continue until the August 28, 2024 golf tournament; thereafter, she will come back with an update.

Commissioner Hudak spoke in support of the fallen firefighter memorial. Further, he said he would like to eventually find a spot in the City to represent all first responders who have lost their lives in the line of duty. Thereafter, he suggested that the City donate \$25,000 to this memorial.

Mayor Ganz spoke in support of the memorial, as the representation for Battalion Chief Jackson is something special to everyone.

There was a brief recess from 7:35 p.m. to 7:39 p.m.

PUBLIC HEARINGS - FIRST READING

4. ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING A PORTION OF A TWENTY-FOOT UTILITY EASEMENT AND A THIRTY-FOOT WIDE ROAD RIGHT-OF-WAY LOCATED IN THE VICINITY OF 409, 412-418, 424, 430, 446, 450 AND 458 NORTH RIVER DRIVE (VISTA CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

David Santucci, City Manager, provided a brief overview of the item, whereby, at one point a roadway ran along the river, which was discovered to have easements attached to it; therefore, it must be abandoned in order for the project to move forward.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked why the City is not charging the builder for taking over the space.

Mayor Ganz closed the public hearing.

Eric Power, Director of Planning & Development Services, said these are not city easements; nevertheless, there is a processing fee for ordinances, but the City cannot charge for the release of an easement.

Joshua Horning, 1615 S. Congress Avenue, Delray Beach, highlighted a brief presentation. He explained that the applicant previously came before the Commission requesting the abandonment of easements; however, due to title work mishaps, the survey did not capture them all. Thereafter, the project location, as well as the existing easements to be abandoned were displayed.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 4 on first reading. Roll Call:

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

PUBLIC HEARINGS - SECOND READING

5. **P.H. 2024-052: ORDINANCE 2024/004 - 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 \$14,500,000, TO PROVIDE FUNDS, TOGETHER WITH OTHER AVAILABLE MONEYS, TO PAY THE COST OF CERTAIN MUNICIPAL CAPITAL IMPROVEMENTS AND TO PAY COSTS OF ISSUANCE OF THE OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS SHALL BE SECURED BY AND PAYABLE FROM MONEYS DEPOSITED IN THE DEBT SERVICE FUND ESTABLISHED FOR THE OBLIGATIONS DERIVED FROM THE CITY'S COVENANT TO BUDGET AND APPROPRIATE NON-AD VALOREM REVENUES, 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.

6. **Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing a loan in the aggregate principal amount of not exceeding \$14,500,000 to provide financing for certain municipal capital improvements and related costs; authorizing the issuance of a Special Obligation Non-Ad Valorem Revenue Bond, Series 2024, to evidence such loan; making findings and determinations as to the loan and the Series 2024 Bond; accepting the lender's proposal to provide the loan and purchase the Series 2024 Bond; providing that the City's obligations under the loan and the Series 2024 Bond shall be secured and payable from pledged funds consisting primarily of the legally available non-ad valorem revenues of the City; approving the form of a loan agreement with the lender and authorizing the execution and delivery of the Loan Agreement and the Series 2024 Bond; authorizing other required actions in connection therewith; providing that inconsistent resolutions shall be inapplicable; and providing an effective date. (Departmental Business)**

The Resolution was read by title only.

Items 5 & 6 were discussed simultaneously, but voted on separately.

David Santucci, City Manager, provided a brief overview of the items, which were discussed at the March 5, 2024 Commission Meeting.

In response to Mayor Ganz's question, Ted Cole, Davenport & Company, replied that the rate has not yet been locked, but is currently at 4.45%.

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

Maria LoRizzo, 1551 SE 12th Street, Deerfield Beach, provided a brief overview of her background in funding. Further, she asked that the Commission re-evaluate this borrowing, as she believes the City could obtain a lower rate with a more local bank, i.e. Paradise Bank. Thereafter, she continued to express concerns with the current process and thanked Mr. Cole for his honesty at the last commission meeting.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, said the amount of discount provided by the Davidson (s/b Davenport) Group should be a part of the approval process, as it is the honorable thing to do.

Bob DiChristopher, 517 NE 6th Avenue, Deerfield Beach, asked if it will be a single draw or will it be drawn down overtime.

Mayor Ganz closed the public hearing.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Mr. Santucci said this loan has nothing to do with the utility bond that was recently approved, whereas, this borrowing is for General Fund projects. Further, at this time, there is no plan to refund this particular loan. He stated that the fees do not all go to the Davenport Group, whereas, legal, bond counsel, etc. play into the total fee. Thereafter, Mr. Santucci provided a brief overview of the RFP process, whereby, the City received responses from six different banks.

Mr. Cole said the covenant to budget and appropriate loan is a 20-year financing, with no plan to refinance or take it out in a year. Thereafter, he listed the six banks that provided responses. Further, he explained that the City does have the ability to refund or pay it down early after the first three years, which would only be done if there was an opportunity to reduce the rate and create savings. Mr. Cole said it is a single draw, as the money will go to the City at closing; whereby, at this time the funds will be invested at a rate higher than the borrowing rate, so while the money is being spent on projects, there will be an ability to earn interest that is greater than the interest rate the City is paying.

Mayor Ganz clarified that the money the City is borrowing can be reinvested and will be interest neutral and if not, may be even profitable. Further, he said the negotiation of the second loan and fees are not applicable.

Mr. Cole said both statements are correct.

In response to Commissioner Preston's question, Mr. Cole replied that if approved, the City would move forward with the financing; however, if there is a desire to discuss the professional fees it could be done.

Mr. Santucci said the fees associated with the borrowing are not exclusive to Davenport.

Mr. Cole explained that the total cost of issuance is summed at \$95,000, and inclusive of a financial advisory fee for Davenport, fee for bond counsel, the bank representation, and an origination fee. Further, he said those dollars will be paid for from the loan amount, which is capped at \$14.5 million.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 5, adopted Ordinance 2024/004. Roll Call:

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

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 6, adopted Resolution 2024/040. Roll Call:

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

PUBLIC COMMENT

Bob DiChristopher, 517 NE 6th Avenue, Deerfield Beach, asked that questions be allowed during the City Attorney's explanation of the Live Local Act amendment.

Irene Stekert-Parker, 106 Congressional Way, Deerfield Beach, commented on a flyer she received regarding the Asphalt Plant being built on Powerline Road. Thereafter, she commented on a discussion she had with a real estate attorney who advised that she needs to move. Further, she outlined other areas where property values decreased and health issues increased due to asphalt plants being built.

Don Parker, 106 Congressional Way, Deerfield Beach, commented on the Asphalt Plant and the negative impacts it has on people's health.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, Deerfield Beach, suggested that a workshop be held regarding what the Commission sees as the future for Deerfield Beach.

PUBLIC COMMENT - CONTINUED

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, commented on misstatements that were made during previous commission meetings.

Joe Hines, 559 NW 47th Terrace, Deerfield Beach, said the City can continually monitor the output from the Asphalt Plant, which would maintain proper clean air for the residents.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, provided a brief history of the Asphalt Plant, as well as the current status of the plant.

Carrie Armus, 802 Freedom Court, Deerfield Beach, said she is downwind from the landfill, the SW 10th Street Project will be going on in front of her development, and now there is an asphalt plant being built near her home. Thereafter, she asked is it confirmed that the Asphalt Plant and equipment will be added to the area, and if not, what other industry is allowed there.

Willie Rosetta Graham-Bracy, 501 NW 1st Terrace, Deerfield Beach, asked when the District 2 meeting will take place.

Commissioner Preston replied that his District 2 meeting will be held on April 4, 2024.

Mayor Ganz closed the public hearing.

Mayor Ganz explained that the Asphalt Plant has been there for decades, whereby, the industrial area and dump were there prior to the housing developments.

In response to Mayor Ganz's comment, Anthony Soroka, City Attorney, replied that it's staffs understanding that the plant has been operating since the 70's.

Mayor Ganz said the Asphalt Plant is moving forward, as they are allowed to go in that area; nonetheless, he reiterated that one has been in operation since the 1970's. He stated that the plant has not had any affect on property values in the last 30 years; whereas, he's been in office for 16 years, and has never received a complaint. Mayor Ganz said upgrades are being done to the property, which should help address many of the concerns; and although he agreed that it should be monitored, he believes that it is already a highly monitored industry. Furthermore, he asked where this is all of a sudden coming from, whereas, prior to this campaign being started, no one ever came to the City to ask for clarification. Lastly, he reiterated that the Asphalt Plant has been operating since the 1970's, but is going to be improved which is a better situation for the community.

In response to Mayor Ganz's comment, Mr. Soroka stated that the location of the plant is zoned industrial, which allows for manufacturing uses. In 1996, a variance was granted for the Hardrives facility because it was not in a fully enclosed structure.

In response to Mayor Ganz's question, Eric Power, Director of Planning & Development Services, said the structure itself has never been enclosed; whereby, the new facility will be in the exact same location as the old one and in the exact same formation. Further, there are no enclosed structures on the property.

Mayor Ganz said numerous workshops are held throughout the year. Further, he said these meetings are business meetings and three minutes is the allowed time to speak; however, he advised that he does allow for the additional minute, so individuals may get their point across.

Commissioner Parness said he has received e-mails from people stating that the City is sneaking an asphalt plant in that area, which is completely false. Thereafter, he briefly commented on the rezoning process. He said he has never received a complaint regarding the plant, and advised that he has driven by the plant, and never smelt any of the fumes.

Commissioner Preston said when the plant was originally built in the 70's there were times you could smell it; nevertheless, the concerns from the public help this commission ensure the residents are protected. Further, he agreed with monitoring the site to ensure it's safe.

PUBLIC COMMENT - CONTINUED

Vice Mayor Drosky said the Asphalt Plant is in his district and has his full attention; whereby, he is working to schedule a meeting with Independence Bay, as there is a lot of misinformation floating around. He said he is fully invested in this situation and the residents' concerns are not being disregarded; whereby, any question or concern that is brought up will be addressed.

Commissioner Hudak said this situation is concerning because people are being told that they need to sell their properties below what they purchased it. Further, he reiterated that the plant has been operational since the 70's and would like to know who and how this misinformation started.

Mayor Ganz said it's disingenuous to scare people with these types of tactics; nevertheless, the City will continue to monitor the area. Further, he said the industrial area was there first and the issues on 10th Street were put into place by the County when it was annexed land, whereas, they allowed residential to be built in that area. He said the City has made changes over the years, limiting the type of heavy industrial, which is good.

CONSENT - BOARD APPOINTMENTS

Mayor Ganz opened the public hearing for Items 7 - 10.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, spoke in support of Item 7.

Joe Hines, 559 NW 47th Terrace, Deerfield Beach, spoke in support of Item 7.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, briefly commented on Item 9, whereby, the Siemen's funds should have been used to purchase the beach lot and garbage trucks, as the General Reserves should be used for emergencies only.

Mayor Ganz closed the public hearing. Thereafter, he advised that he's never attended a Firemen's Pension Board meeting, whereby, the City has very little control over the pension investments. Furthermore, in 2010, Mr. Herz wanted the City to pull out \$3.7 million from the reserves, which would have brought the total down to \$6.7 million; nevertheless, mixing and matching city funds and expenses cannot be done.

David Santucci, City Manager, said it was mentioned during the reinvestment strategy presentation that staff would be looking to purchase additional CNG vehicles. Further, he said reserve balances are important, whereby, expenditures out of reserves should be reserved for emergencies and one-time capital purchases when afforded. Thereafter, he briefly highlighted a presentation. He said the benefits of CNG are lower and less volatile costs than diesel; 20 - 30% less harmful emissions; domestic rather than foreign resource; reduced maintenance costs; vehicles are quieter and safer; and renewable options available.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Items 7 - 10 in concert. Roll Call:

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

Nays: 0

- 7. Resolution 2024/041 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Robert Weech as the Fifth Member to the Board of Trustees of the Municipal Firefighters' Pension Trust Fund; providing for an effective date.**

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

8. **Resolution 2024/042 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving three amendments to the Landscape Inclusive Maintenance Memorandums of Agreement with the Florida Department of Transportation to include additional median landscape improvements located on Federal Highway/US 1 at two locations and one location along Hillsboro Boulevard; authorizing execution of the Amendments; providing for implementation and an effective date.**
9. **Resolution 2024/043 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the issuance of a purchase order to Peterbilt Store South Florida, LLC, utilizing the Florida Sheriff's Association Cooperative Purchasing Program Contract No. FSA23-VEH21.0, for the purchase of five compressed natural gas solid waste collection trucks in the amount of \$1,786,536.00; providing for execution and an effective date. (Funds from Account #453-4558-534-32-99 - Other Contractual Services, Account #452-4551-534-60-41 - Solid Waste Capital Fund/Automotive Equipment & Account #450-0000-369-98-00 - Solid Waste Fund Litigation Proceeds)**
10. **Resolution 2024/044 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of a grant application to the Florida Inland Navigation District (FIND) for the marine science welcome center component of the Sawgrass to Seagrass Center at Sullivan Park Project; providing for an effective date.**

DEPARTMENTAL BUSINESS

11. **Resolution 2024/036 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Policy for Commemorative Naming and Renaming of city-owned spaces, facilities, and the honoring of large donations; providing for implementation, conflicts, and an effective date. (Deferred from March 5, 2024)**

The Resolution was read by title only.

Horace McHugh, Deputy City Manager, highlighted a brief presentation. He said during the March 5th commission meeting, the Commission asked that the following be included in the policy, significant contributions made by elected officials and staff; honorees should not be restricted to being deceased; application fees should accommodate administrative errors; requirements for 10 years of volunteer services within the community; and accommodation of deaths in the line of duty.

Mayor Ganz opened the public hearing.

Karen Shelly, 190 Durham D, Deerfield Beach, spoke in opposition to individuals being honored while they are still living and suggested that staff look into what other cities are allowing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, Deerfield Beach, spoke in opposition to individuals being honored while they are still living.

Mayor Ganz closed the public hearing. Further, he stated that he previously had been opposed to honoring individuals who are living, but has since changed his viewpoint. Thereafter, he outlined various cities who have facilities, streets, etc. renamed after individuals who are still living. Mayor Ganz said people should be honored while they are still alive, i.e. Bernard Adams, so they can enjoy it; therefore, he supports this change, as well as the others.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 11, adopted Resolution 2024/036. Roll Call:

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

DEPARTMENTAL BUSINESS - CONTINUED**12. ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE I "IN GENERAL" OF CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF ORDINANCES TO AMEND SEC. 2-1 "CITY SEAL AND CITY LOGO" TO UPDATE THE AUTHORIZED USES AND PROHIBITED USES RELATING TO THE CITY'S LOGO; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Anthony Soroka, City Attorney, said there is a state law that protects the City Seal; however, there is no such statutory provision for the City's logo. The City has trademarked the buck head logo, which from time to time is used by the public; nevertheless, the County recently had similar issues, so they took action through an ordinance, which provides additional enforcement options when it comes to the unauthorized use of the City's logo.

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, asked who the individuals are that are using the City's logo.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, said last year one of the candidates used the City's logo in their campaign literature; therefore, he spoke in support of the Ordinance.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, Deerfield Beach, asked if there is anything in the Ordinance stipulating that the Elected Officials are not allowed to use the logo outside of their position.

Mayor Ganz closed the public hearing.

David Santucci, City Manager, said there have been candidates in the past that have used the City's logo in their campaign. Additionally, commercial enterprises and non-profits have also used it without the City's authorization; nevertheless, the creation of this ordinance has nothing to do with one specific incident.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 12 on first reading. Voice Vote:

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

COMMENTS BY ADMINISTRATION & LEGAL**CITY ATTORNEY**

Legislative Updates - Anthony Soroka, City Attorney, said during the 2023 legislative session, the legislature took action to address the affordable housing crisis, whereby, Senate Bill 102 (Live Local Act) was passed and became effective July 1, 2023. Thereafter, he provided a brief overview of the Live Local Act. During the 2024 legislative session, the legislature passed Senate Bill 328 (Live Local Act II or Glitch Bill), which will become effective once signed by the Governor. SB 328 added floor area ratio, whereby, the local government cannot restrict below 150% of the highest currently allowed floor area ratio on any land in the City where development is allowed under the land development regulations. Mr. Soroka said for the floor area ratio provisions, it makes it clear that buildings that receive a bonus, variance, or a special exception cannot be included. Additionally, SB 328 clarified that the highest allowed density refers to the highest currently allowed density, and it makes it clear that buildings that receive a bonus, variance, or a special exception cannot be included. Furthermore, height is now defined as the highest currently allowed height within the one-mile radius and does not include other Live Local Act projects or the height of a building that received a bonus, variance, or other special exception for height provided in the City's land development regulations.

COMMENTS BY ADMINISTRATION & LEGAL - CONTINUED

Continuing, Mr. Soroka said if the proposed development is adjacent to, on two or more sides, a parcel zoned for single family residential use that is in a development with at least 25 continuous single-family homes, the City may restrict the height to 150% of the tallest building on any property adjacent to the development, the highest currently allowed height for the property in the land development regulations, or three stories, whichever is higher. Additionally, SB 328 provides that the City must reduce parking requirements by at least 20% for one of these proposed qualifying developments if the proposed development is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe pedestrian friendly means and has available parking within 600 feet of the proposed development. Furthermore, the local government must eliminate the parking requirement for a mixed-use development that qualifies under the law that's within an area recognized by the City as a transit-oriented development. Lastly, the Live Local Act project must be treated as a conforming use going forward unless the project violates the affordability period and fails to cure it after notice.

In response to Mayor Ganz's comments, Mr. Soroka stated that with respect to properties that are zoned for commercial or mixed use on the barrier island, the City would be limited on how height, density, and floor area ratio could be applied; however, all other land development regulations could be enforced, i.e. setbacks, lot coverage, etc. Additionally, projects must be consistent with the City's Comprehensive Plan.

Mayor Ganz stated that this could have an impact to the barrier island and preempt some things that are currently in place; nevertheless, the City still has other protections in place.

Mr. Soroka replied correct.

Commissioner Hudak thanked the City Attorney for the update, and asked that research be done to see where challenges may occur to ensure the City is ahead of the issues when they are brought forward by developers.

Mayor Ganz suggested having a Live Local Act workshop, so the public has a better understanding of what is going on.

There were no objections.

Mr. Soroka said a bill preempting the City's ability to regulate electric vehicle charging stations is forthcoming. Furthermore, the processes for vacation rentals may be amended, whereby, the City can now require an applicant to pay all existing co-liens on the property as a precondition. Additionally, it provides a process for suspending a vacation rental, and potentially terminating it, if there are certain violations from the City's code provisions.

Thereafter, discussion ensued regarding the vacation rental amendment.

CITY MANAGER

School Board Meeting - David Santucci, City Manager, stated that the meeting will take place on March 20, 2024 regarding redefining the schools.

CITY COMMISSION BUSINESS**13. Consideration to approve voting delegates to the 2024-2025 Board of Directors for Broward League of Cities.**

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

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

CITY COMMISSION BUSINESS - CONTINUED

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

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

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

SE 8th Street Stormwater Project - In response to Commissioner Hudak's question, David Santucci, City Manager, replied that the project is in pre-construction, whereby, the contractor has been going door to door advising residents of the project. Unfortunately, he is unsure when construction will begin, but will be a yearlong process.

Events - Commissioner Hudak said the egg hunt will take place at Pioneer Park on Saturday, March 23, 2024. Thereafter, he wished everyone a Happy Easter.

March 2019 Election - Commissioner Hudak outlined comments that were made by his 2019 opponent.

COMMISSIONER PRESTON**DISTRICT 2**

District 2 Meeting - Commissioner Preston said the meeting will take place at the Hillsboro Technology Center on April 4th at 7:00 p.m.

Freebee - Commissioner Preston stated that the program will service the entire city, not just District 1. Thereafter, he provided a brief overview of the program. Further, he said the ribbon cutting was a success and will benefit the community.

Memorial Policy for City Streets - Commissioner Preston asked that the City Manager gather information for memorial polices. Thereafter, he commented on a death that occurred on Military Trail, whereby, the portion of roadway is a city street.

Mr. Santucci said he will look into a policy, similar to that of the State, and bring it back to the Commission for approval.

COMMISSIONER PARNESS**DISTRICT 3**

District 3 Meeting - Commissioner Parness said a date is forthcoming, but the meeting will be held at the West Community Center.

Development - Commissioner Parness commented on people's right to develop their land the way they see fit.

VICE MAYOR DROSKY**DISTRICT 4**

Resident Complaint - Vice Mayor Drosky said he received a complaint regarding a driver, which he will address with the City Manager.

MAYOR GANZ

Accolades - Mayor Ganz thanked Commissioner Parness for his service as Vice Mayor. Thereafter, he congratulated Vice Mayor Drosky.

Dale Carnegie Business Workshop - Mayor Ganz said the event will take place on Saturday, March 23, 2024 at the Hillsboro Technology Center.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

BSO - Law Enforcement - Mayor Ganz said although speeding is still an issue, he sees the police presence, which is appreciated.

Freebee - Mayor Ganz said Beach Rides is a service that is only offered for District 1; nevertheless, the entire point of Freebee is to service the entire city and is paid for by the Community Redevelopment Agency. Thereafter, he provided a brief overview of how the service can be used.

Asphalt Plant - Mayor Ganz said this situation is extremely unusual but staff and this commission will continue to monitor it; nevertheless, he doesn't understand why more individuals are not questioning who is behind it. Further, he said the number being provided to individuals is his city cell phone number, which he does not mind as he is able to correct the misinformation.

Developers - Mayor Ganz said developers do not always get what they want in Deerfield Beach, whereby, projects have been denied.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to adjourn the meeting at 10:02 p.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

CODE COMPLIANCE OF DEERFIELD BEACH

MINUTES OF A CODE COMPLIANCE HEARING

January 26, 2024

Special Magistrate Douglas Gonzalez, City Commission Room called the meeting to order at 9:30 AM.

PRESENT: Roy Davis, Code Compliance Manger
Patesha Johnson, Senior Code Compliance Inspector
Victor Padilla, Code Compliance Inspector
Thomas Braga, Code Compliance Inspector
Katherine Delva, Code Compliance Inspector
Caleb Gomez, Code Compliance Inspector
Dominique Ash, Code Compliance Inspector
Tiffany Fortune, Code Compliance Inspector
Maritza Martinez, Special Magistrate Clerk
Erica Strauss, Administrative Assistant

For the record Winlett Jordan-Banton, Special Magistrate Clerk swore the attendees.

<u>Tab#</u>	<u>Case Nr.</u>	<u>Owner Name</u>	<u>Property Address</u>	<u>Violation</u>	<u>Disposition</u>
2	23090012	BATMASIAN,JAMES H	1160 SW 1 WAY, UNIT A,DEERFIELD BEACH, FL 33441 A	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(e) - Minimum standards for yard and landscape areas. Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES ARTICLE IV. - JUNKED VEHICLES AND ABANDONED PROPERTY- Section 34-160 -Parking or storage for over 72 hours restricted.	RESPONDENT WAS PRESENT - DONALD ANDERSON CONTINUED 2-13-2024
3	23080047	OZINGA SOUTH FLORIDA INC	2030 NW 40 CT, DEERFIELD BEACH, FL 33064	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-81(d)(1) - Tree preservation. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(K)(13) - Landscape Requirements.	RESPONDENT NOT PRESENT CONTINUED TO 3-1-2024
4	23080122	LEGUNN,LINDA	40 FAIRWAY DR, DEERFIELD BEACH, FL 33441	Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required.	RESPONDENT NOT PRESENT CONTINUED TO 3-1-2024

5	23060070	TRAIL PLAZA LLC	1801 W HILLSBORO BLVD, DEERFIELD BEACH, FL 33442	Chapter 102 - SIGNS Section 102-5.(a) – Permits Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT - DONALD ANDERSON EXTENDED TO 2-9-2204
9	23120010	FMO OF BOCA RATON LLC	325 NE 20 AVE, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 58 - SOLID WASTE ARTICLE I. - IN GENERAL Section 58-3. - Maintenance of area. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE II. - DEERFIELD BEACH LAND DEVELOPMENT CODE Section 98-16 - Maintenance of development. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-88.(b) - Off-street parking and loading. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 2-23-2024 \$175 PER DAY \$80 PROSECUTION COST

				ENFORCEMENT Section 98-113(a) Building permits	
11	23120020	CARRIAGE HOUSE RESORT	250 SE 20 AVE, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 2-23-2024 \$150 PER DAY \$80 PROSECUTION COST
12	23120089	DEERFIELD APARTMENTS LLC	110 NE 19 AVE, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-8 (i) (1) - Minimum standards for interior of structures.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY 2-5-2024 \$250 PER DAY \$80 PROSECUTION COST
13	23120022	VIZCAINO,PALMIRA OLIVEIRA	351 NW 46 ST, DEERFIELD BEACH, FL 33064	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(K)(14)(b) - Landscape Requirements.	RESPONDENT NOT PRESENT CASE ADDED TO THE 2-13-2024 HEARING FOR AN ORDER
14	23120023	ZAGAROLO,STEPHANIE M ZAGAROLO FAM REV TR	1005 SE 11 AVE, DEERFIELD BEACH, FL 33441	Chapter 66 - TRAFFIC AND VEHICLES ARTICLE II. BSO ENFORCED- STOPPING, STANDING, PARKING; DIVISION 3. - REGULATIONS, GENERALLY Section 66-59.(b) - Parking on residentially zoned lots.	RESPONDENT NOT PRESENT CONTINUED TO 3-1-2024
19	23110035	RODRIGUES,ARTHUR MOURA RODRIGUES,RACHEL BRITO	4 HELWIG TER, DEERFIELD BEACH, FL 33064	Chapter 102 - SIGNS Sec. 102- 10(a)(1-8) - Temporary signs. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section	RESPONDENT WAS PRESENT- ARTHUR RODRIGUES FINAL ORDER ISSUED COMPLY BY 2-23-2024 \$150 PER DAY PER VIOLATION

				14-106(b) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98 -88(j)(1) Off-street parking and loading Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-81(d)(1) - Tree preservation. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(C)(3) - Landscape Requirements. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(E)(11) - Landscape Requirements. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND	\$80 PROSECUTION COST
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				ENFORCEMENT Section 98-113(a) Building permits	
23	23120096	JOHNSON,RAYMOND L JOHNSON,RAYMOND A	250 NW 43 CT, DEERFIELD BEACH, FL 33064	Chapter 58 - SOLID WASTE DIVISION 3. - RESIDENTIAL COLLECTION Section 58-70. (c)- Preparation of bulky yard and vegetative wastes. Chapter 58 - SOLID WASTE DIVISION 3. - RESIDENTIAL COLLECTION Section 58-70.(f) - Preparation of bulky yard and vegetative wastes. Chapter 58 - SOLID WASTE Section 58-70.(a) - PREPARATION OF BULKY YARD AND VEGETATIVE WASTES.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 2-2-2024 \$250 PER DAY PER VIOLATION \$80 PROSECUTION COST
27	23110049/post	DENHOLTZ DEERFIELD LLC %DENHOLTZ PROPERTIES	602 S MILITARY TRL, DEERFIELD BEACH, FL 33442	Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IX. - CERTIFICATES OF USE Section 98-167 - Penalty provisions.	RESPONDENT NOT PRESENT CONTINUED TO 3-1-2024
28	23110050	WMG DEERFIELD SMALL BAY OWNER LLC	4500 N POWERLINE RD, DEERFIELD BEACH, FL 33073	Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required.	RESPONDENT NOT PRESENT CONTINUED TO 4-26-2024

				Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IX. - CERTIFICATES OF USE Section 98-167 - Penalty provisions.	
31	23110017	ALVAREZ,EDWARD & GINGER D	4700 NE 1 TER, DEERFIELD BEACH, FL 33064	Chapter 66 - TRAFFIC AND VEHICLES Section 66-117.(b) - Parking prohibitions; enforcement.	RESPONDENT WAS PRESENT- EDWARD ALVAREZ CONTINUED TO 3-1-2024
33	23110003	CHR POMPANO BEACH LLC % OMEGA HEALTHCARE INVESTORS	51 W SAMPLE RD, DEERFIELD BEACH, FL 33064	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENTS WERE PRESENT- ATTORNEY KAREN RICH JOE AUSTIN FINAL ORDER ISSUED COMPLY BY 2-23-2024 \$250 PER DAY \$80 PROSECUTION COST
34	23100062	ARCHDIOCESE OF MIAMI ST AMBROSE CHURCH	380 S FEDERAL HWY, DEERFIELD BEACH, FL 33441	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT NOT PRESENT CONTINUED TO 3-1-2024
35	23090019	YING,SEM PO % RAE FRANKS PA	164 SW 3 CT, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT CONTINUED TO 3-1-2024
36	23100064/# 36-44	FIGUEIREDO,SUSAN FANNY	600 SE 2 AVE, UNIT K1,DEERFIELD BEACH, FL 33441 K1	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT NOT PRESENT DISMISSED ORDER ISSUED

45	23060406/#45-95	KARKER,HAROLD	941 CRYSTAL LAKE DR, UNIT 107,DEERFIELD BEACH, FL 33064 107	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENTS WERE PRESENT- HAROLD KARKER CARL FORBES FINAL ORDER ISSUED COMPLY BY 2-23-2024 \$250 PER DAY \$80 PROSECUTION COST
97	23120005	SUNRIDER BEACH RESORT LLC ATTN: AUDREY	100 NE 20 TER, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(1) - Exterior building and structure standards. Chapter 58 - SOLID WASTE DIVISION 4. - COMMERCIAL REFUSE COLLECTION Section 58-83.(b)(1-4) - Refuse containers, contents and collection schedule	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 2-23-2024 \$250 PER DAY PER VIOLATION \$80 PROSECUTION COST
98	23120006	ROSS,RALPH	141 SW 2 ST, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS ARTICLE IV. - PROPERTY EXTERIOR MAINTENANCE CODE; Section 14-105(8) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(1) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 2-23-2024 \$135 PER DAY PER VIOLATION \$80 PROSECUTION COST

				14-105(4) - Exterior building and structure standards Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-88.(b) - Off-street parking and loading.	
99	23110039	NELSON, AMANDA	1325 SE 7 CT, DEERFIELD BEACH, FL 33441	Chapter 46 – OFFENSES Section 46-14. - Same—Encroaching on property of others. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-88.(b) - Off-street parking and loading. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IX. - CERTIFICATES OF USE Section 98-161(b) - Certificate of use permit requirements. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS	RESPONDENTS WERE PRESENT- ATTORNEY AMANDA JEFFERY LYNEE NELSON CONTINUED TO 3-1-2024

				ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	
100	23110040	NELSON, AMANDA	1325 SE 7 CT, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE I. - DEFINITIONS AND TERMS, Sec. 98-1. - Rules for construction or language. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE I. - DEFINITIONS AND TERMS, Sec. 98-3. - Definitions, Family Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE III. - ZONING DISTRICT REGULATIONS RS-5 residence, single-family Section 98-45(b)(1-6 Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE III. - ZONING DISTRICT REGULATIONS Section 98-44(5) - Scope and application.	RESPONDENTS WERE PRESENT- ATTORNEY AMANDA JEFFERY LYNEE NELSON CASE TO BE RESET FOR A SPECIAL HEARING
102	23100015	MARK MANAGEMENT GROUP LLC	85 NE 5 AVE, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-88.(b) - Off-street parking and loading.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 2-23-2024 \$135 PER DAY \$80 PROSECUTION COST

104	23080107	BLANTON,DANA	474 NE 9 AVE, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS Article IV Supplementary Regulations Sec. 98-87(d)(4) - Docking and mooring facilities Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-87(d) (1) - Docking and mooring facilities. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-87(d) (3) - Docking and mooring facilities. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-87. (5) - Docking and mooring facilities.	RESPONDENT NOT PRESENT CONTINUED TO 3-29-2024
105	23110024	RST SPORTS LLC	3650 SW 10 ST, DEERFIELD BEACH, FL 33442	Chapter 102 - SIGNS Section 102-7. (4)- Certain sign or sign structures prohibited. Chapter 18 – BUSINESSES ARTICLE VI. - VALET PARKING Section 18-228 Prohibited parking on public property	RESPONDENT NOT PRESENT CONTINUED TO 3-1-2024

				Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required. Chapter 66 - TRAFFIC AND VEHICLES ARTICLE II. BSO ENFORCED- STOPPING, STANDING, PARKING; DIVISION 3. - REGULATIONS, GENERALLY · Section 66-56(1) (L). - Prohibitions relative to stopping, standing or parking in specific places. Chapter 66 - TRAFFIC AND VEHICLES ARTICLE II. BSO ENFORCED- STOPPING, STANDING, PARKING; DIVISION 3. - REGULATIONS, GENERALLY · Section 66-56. (k) - Prohibitions relative to stopping, standing or parking in specific places. Chapter 66 - TRAFFIC AND VEHICLES DIVISION 3. BSO ENFORCED - REGULATIONS, GENERALLY Section 66-56(3). - Prohibitions relative to stopping, standing or parking in specific places.	
107	23110037	MOFFITT,JANET DO	1040 BERKSHIRE B, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 2-23-2024

				ENFORCEMENT Section 98-113(a) Building permits	\$150 PER DAY \$80 PROSECUTION COST
109	23080094	KARIA GLOBAL LLC	845 S FEDERAL HWY, DEERFIEL BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE II. - DEERFIELD BEACH LAND DEVELOPMENT CODE Section 98-16 - Maintenance of development.	RESPONDENT NOT PRESENT CONTINUED TO 3-10-2024
110	23100001	WCS REALTY 1, LLC	1307 S FEDERAL HWY, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(e) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT FINES IMPOSED AS OF 1-23-2024 FOR \$200 PER DAY
111	23110053	MEAT & BRICK LLC	4334 NW 9 AVE #7- 1F, DEERFIELD BEACH, FL 33064	Chapter 94 MIN HOUSECHAPTER 94 HOUSING; Sec. 94-10 (3) (b) - General interior maintenance requirements.	RESPONDENT NOT PRESENT CERTIFIED WITH \$80 PROSECUTION COST
A	23010254	FL SUNSHINE STATE HOLDINGS LLC	1451 SW 5 AVE, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT NO MITIGATION
B	22070023	US BANK TRUST NA TRSTEE	367 SW 32 TER, DEERFIELD BEACH, FL 33442	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-74 - Display of street numbers on buildings.	RESPONDENT WAS PRESENT- BRIAN HAGGARTY DENIED MITIGATION OF FINES

				Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS; Sec 98-106 (d) (1) Vacation Rental Registration Requirement Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	
C	22030256	US BANK TRUST NA TRSTEE	367 SW 32 TER, DEERFIELD BEACH, FL 33442	Chapter 66 - TRAFFIC AND VEHICLES DIVISION 6. - PARKING OF BOATS, BUSES, TRAILERS, RECREATIONAL VEHICLES, MOTOR HOMES AND SIMILAR VEHICLES; Sec. 66-120(2). - Permissive parking Chapter 66 - TRAFFIC AND VEHICLES DIVISION 6. - PARKING OF BOATS, BUSES, TRAILERS, RECREATIONAL VEHICLES, MOTOR HOMES AND SIMILAR VEHICLES; Sec. 66-120(2). - Permissive parking Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS	RESPONDENT WAS PRESENT- BRIAN HAGGARTY DENIED MITIGATION OF FINES

				ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-88.(b) - Off-street parking and loading	
D	18020027	US BANK TRUST NA TRSTEE	367 SW 32 TER, DEERFIELD BEACH, FL 33442	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(1) - Exterior building and structure standards. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits.	RESPONDENT WAS PRESENT- BRIAN HAGGARTY DENIED MITIGATION OF FINES
E	17100033	US BANK TRUST NA TRSTEE	367 SW 32 TER, DEERFIELD BEACH, FL 33442	Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES ARTICLE VII. - ABANDONED REAL PROPERTY Section 34-144 - Maintenance requirements.	RESPONDENT WAS PRESENT- BRIAN HAGGARTY DENIED MITIGATION OF FINES
F	23080019	JASPER PROPERTY SERVICES LLC / DALE MANSON	230 N FEDERAL HWY, UNIT 302, DEERFIELD BEACH, FL 33441 302	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-10 (3) (b) - General interior maintenance requirements. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- DALE MASON FINES REDUCED TO \$6,000 TO BE PAID BY 3-1-2024
G	20020083	PHD DEVELOPMENT LLC	911 SE 11 ST, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT WAS PRESENT- LISA LAIRD

					FINES REDUCED TO \$20,000 TO BE PAID BY 4-26-2024
H	22070205	PHD DEVELOPMENT LLC	911 SE 11 ST, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Sec. 98-88.(b) - Off- street parking and loading.	RESPONDENT WAS PRESENT- LISA LAIRD FINES REDUCED TO \$1,500 TO BE PAID BY 4-26-2024
I	22120061	RUDNICK,JASON H/E RUDNICK,MICHAEL	4009 NW 1 PL, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENTS WERE PRESENT- JASON COLIN BRYAN RUDNICK FINES REDUCED TO \$8,000 TO BE PAID BY 31-2024
J	20070012	RUDNICK,JASON H/E RUDNICK,MICHAEL	4009 NW 1 PL, DEERFIELD BEACH, FL 33442	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-81(d)(1) - Tree preservation	RESPONDENTS WERE PRESENT- JASON COLIN BRYAN RUDNICK FINES REDUCED TO \$8,000 TO BE PAID BY 31-2024

K	20030057	RUDNICK,JASON H/E RUDNICK,MICHAEL	4009 NW 1 PL, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(C)(3) - Landscape Requirements.	RESPONDENTS WERE PRESENT- JASON COLIN BRYAN RUDNICK FINES REDUCED TO \$8,000 TO BE PAID BY 31-2024
N	23060019	ALTAVISTA ENTERPRISE LLC AND 15 OTHER UNITS/40 YR	555 SE 8 ST#156, DEERFIELD BEACH, FL 33441	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT WAS PRESENT- GENE CINCOLA FINES REDUCED TO 3-1-2024 TO BE PAID BY 3-1-2024
O	23060020 TO 23060034	BROOKFIELD GARDENS CONDO	555 SE 8 ST DEERFIELD BEACH, FL 33441	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT WAS PRESENT- GENE CINCOLA FINES REDUCED TO 3-1-2024 TO BE PAID BY 3-1-2024
P	23080027	SULLIVAN,BARBARA HUGHES HUGHES,PAULA J	49 PRESCOTT C, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT EXTENDED TO 4-5-2024

SPECIAL MAGISTRATE MINUTES
CITY OF DEERFIELD BEACH, FLORIDA

Douglas Gonzales, Special Magistrate

Date

:

CODE COMPLIANCE OF DEERFIELD BEACH

MINUTES OF A CODE COMPLIANCE HEARING

February 13, 2024

Special Magistrate Andrew Dunkiel, City Commission Room called the meeting to order at 10:00 AM.

PRESENT: Roy Davis, Code Compliance Manger
Bernard Pita, Code Compliance Director
Patesha Johnson, Code Compliance Inspector
Victor Padilla, Code Compliance Inspector
Thomas Braga, Code Compliance Inspector
Katherine Delva, Code Compliance Inspector
Caleb Gomez, Code Compliance Inspector
Dominique Ash, Code Compliance Inspector
Tiffany Fortune, Code Compliance Inspector
Winlett Jordan-Banton, Special Magistrate Clerk

For the record Maritza Martinez, Special Magistrate Clerk swore the attendees.

<u>Tab#</u>	<u>Case Nr.</u>	<u>Owner Name</u>	<u>Property Address</u>	<u>Violation</u>	<u>Disposition</u>
1	23060014	1098 HILLSBORO LLC	1098 E HILLSBORO BLVD, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE II. - DEERFIELD BEACH LAND DEVELOPMENT CODE Section 98-16 - Maintenance of development.	RESPONDENT NOT PRESENT CONTINUED TO 4/9/2024
2	22100011	WEARCHECK LUBRICATION SERVICES LLC	637 JIM MORAN BLVD, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE II. - DEERFIELD BEACH LAND DEVELOPMENT CODE Section 98-16 - Maintenance of development.	RESPONDENT WAS PRESENT -GINGER HOLLIDAY EXTENDED TO 3/8/2024
7	24010001	SR WATER SPORTS LLC	NE 9 AVE, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(7) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT – DEPUTY BUDNEY FINAL ORDER ISSUED COMPLY BY 2/19/2024 \$500 PER DAY \$80 PROSECUTION COST SECOND FINAL ORDER ISSUED COMPLY BY 3/8/2024 \$125 PER DAY PER VIOLATION

8	24010002	BLANTON,DANA	474 NE 9 AVE, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(7) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT NOT PRESENT CONTINUED TO 3/12/2024
14	23120093	RETAMAR,SUSAN D & RICHARD E	685 E HILLSBORO BLVD, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-81(L)(1)(a- g) - Tree preservation.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 3/8/2024 \$100 PER DAY \$80 PROSECUTION COST
16	23120095	MILLER & FENG REAL ESTATE LLC	421 SE 15 AVE, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(7) - Exterior building and structure standards. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 3/8/2024 \$125 PER DAY \$150 PER DAY \$80 PROSECUTION COST
18	23120089	DEERFIELD APARTMENTS LLC	110 NE 19 AVE, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-8 (i) (1) - Minimum standards for interior of structures.	RESPONDENT WAS PRESENT- DENISE RAMERO EXTENDED TO 3/8/2024

19	23110054	HARRIMAN,GARY DON	3500 SW NATURA BLVD, UNIT 301,DEERFIELD BEACH, FL 33441 301	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-11 (a) - Exterior doors.	RESPONDENT NOT PRESENT CONTINUED TO 3/12/2024
26	24010085	DE AMORIM NUNES,BERNADETH DE ANDRADE NUNES,CLEBER	4620 NW 12 DR, DEERFIELD BEACH, FL 33064	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS ARTICLE IV. - PROPERTY EXTERIOR MAINTENANCE CODE; Section 14-105(8) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 66 - TRAFFIC AND VEHICLES DIVISION 3. BSO ENFORCED - REGULATIONS, GENERALLY Section 66-59. (c)(1)(b)- Parking on residentially zoned lots. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98 -88(j)(1) Off-street parking and loading. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS	RESPONDENT WAS PRESENT-CELBER NUNES FINAL ORDER ISSUED COMPLY BY 3/8/2024 \$125 PER DAY PER VIOLATION \$250 PER DAY \$80 PROSECUTION COST

				ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	
28	24010087	FL SUNSHINE STATE HOLDINGS LLC	1451 SW 5 AVE, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas.	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 3/8/2024 \$150 PER DAY \$80 PROSECUTION COST
30	24010033	MENEZES PORTES,DIONEI PORTE,TATIANE FIK KIL	614 SE 7 AVE, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-81(L)(1)(a-g) - Tree preservation.	RESPONDENT NOT PRESENT CONTINUED 4/9/2024
31	23070055	URBAN HOLDINGS GROUP 1 INC	357 SW 1 TER, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT – HARRY ROLLE CONTINUED TO 3/12/2024
36	23070020	MORGAN,ELISE MORA LE ELISE MORA MORGAN LIV TR	1445 SE 6 ST, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENTS WERE PRESENT- ELISE & DIANE MORGAN EXTENDED TO 3/8/2024
38	23120014	OM SAI DEERFIELD LLC	351 W HILLSBORO BLVD, DEERFIELD BEACH, FL 33441	Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-12 (a) - Porches, balconies, decks, exterior stairs, walkways and appurtenances. Chapter 94 MIN HOUSE	RESPONDENT WAS PRESENT – SERGIO EXTENDED TO 3/8/2024

				CHAPTER 94 HOUSING; Sec. 94-12 (b) - Porches, balconies, decks, exterior stairs, walkways and appurtenances.	
43	23100003	DORIS T TSIANTAR LLC ZOPHRES,THEOCHARIS G ETAL	2060 NE 2 ST, DEERFIELD BEACH, FL 33441	Chapter 78 - COMMUNITY APPEARANCE BOARD Section 78-5. - Submission of plans and specifications. Community Appearance Board Requirement	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 2/22/2024 \$150 PER DAY \$80 PROSECUTION COST
45	24010095	ROYAL CREEK PROPERTIES LLC	2950 DEER CREEK COUNTRY CLUB BLVD, DEERFIELD BEACH, FL 33442	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS ARTICLE IV. - PROPERTY EXTERIOR MAINTENANCE CODE; Section 14-105(8) - Exterior building and structure standards.	RESPONDENT WAS PRESENT- BORIS GORBAN CONTINUED TO 4/9/2024
47	24010111	GEORGES, SAINT J H/E GEORGES, ROSE J	1274 SW 28 AVE, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 3/8/2024 \$135 PER DAY \$80 PROSECUTION COST
50	24010003	CARICOR LLC	900 E HILLSBORO BLVD, DEERFIELD BEACH, FL 33441	Chapter 18 – BUSINESSES ARTICLE I. - IN GENERAL Section 18-4.(a-c) - Regulation of roadside sales. Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES	RESPONDENT WAS PRESENT- ROSANA CURBELO FINDING OF FACT ORDER \$80 PROSECUTION COST

				ARTICLE VI. - NUISANCE ABATEMENT PROPERTY CODE DIVISION 1. - GENERALLY Section 34-121 - Declaration of nuisance. Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES ARTICLE IV. - JUNKED VEHICLES AND ABANDONED PROPERTY- Section 34-160 -Parking or storage for over 72 hours restricted. Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required. Chapter 66 - TRAFFIC AND VEHICLES ARTICLE II. BSO ENFORCED- STOPPING, STANDING, PARKING; DIVISION 3. - REGULATIONS, GENERALLY · Section 66-56(1)(L). - Prohibitions relative to stopping, standing or parking in specific places. Chapter 66 - TRAFFIC AND VEHICLES DIVISION 3. BSO ENFORCED- REGULATIONS, GENERALLY Section 66-68. (a)- Parking of a vehicle, trailer, boat or boat trailer offered for sale.	
51	23110023	RST SPORTS LLC	3650 SW 10 ST, DEERFIELD BEACH, FL 33442	Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES ARTICLE VI. - NUISANCE ABATEMENT PROPERTY CODE	RESPONDENT WAS PRESENT – ATTORNEY ROD FEINER

				DIVISION 1. - GENERALLY Section 34-121 - Declaration of nuisance. Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES ARTICLE VI. - NUISANCE ABATEMENT PROPERTY CODE; DIVISION 1. - GENERALLY Sec. 34-121. - Declaration of nuisance.	CONTINUED TO 3/12/2024
52	24010004	SR WATER SPORTS LLC	NE 9 AVE, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS Article IV Supplementary Regulations Sec. 98-87(d)(2) - Docking and mooring facilities Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS Article IV Supplementary Regulations Sec. 98-87(d)(4) - Docking and mooring facilities Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-87(d)(3)- Docking and mooring facilities. Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. - SUPPLEMENTARY REGULATIONS Section 98-87.(5) - Docking and mooring facilities.	RESPONDENT WAS PRESENT- DEPUTY BUDNEY FINAL ORDER ISSUED COMPLY BY 2/27/2024 \$150 PER DAY PER VIOLATION \$500 PER DAY \$80 PROSECUTION COST

53 THRU 109	24010009	DA SILVA,EDSON DOREA JR CHASE,EMANUELA	1101 CRYSTAL LAKE DR, UNIT 101,DEERFIELD BEACH, FL 33064	40-50 Year Section 110.15 BUILDING SAFETY INSPECTIONS Sec 110.15 (B)(1) Building Safety Inspection 40 Year	RESPONDENT WAS PRESENT- ALEXSON VIANA FINAL ORDER ISSUED COMPLY BY 3/8/2024 \$250 PER DAY \$80 PROSECUTION COST
110	23110042	TRUSTED HOMES & MANAGEMENT ML LLC	4400 NW 12 DR, DEERFIELD BEACH, FL 33064	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT CONTINUED TO 4/9/2024
111	23090060	MDSA INVESTMENTS LLC	165 NW 41 WAY, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT FINAL ORDER ISSUED COMPLY BY 4/5/2024 \$150 PER DAY \$80 PROSECUTION COST
156	24010177	294 SW 9TH ST DEERFIELD BEACH INC	294 SW 9 ST, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT WAS PRESENT- BORIS GORBAN FINAL ORDER ISSUED COMPLY BY 2/20/2024 \$250 PER DAY \$80 PROSECUTION COST.
157	24010114	BAYLISS,JOHN M/Nuisance	1558 SE 10 ST, DEERFIELD BEACH, FL 33441	Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES ARTICLE VII. - ABANDONED REAL PROPERTY Section 34-144 - Maintenance requirements.	RESPONDENT NOT PRESENT

					FINES IMPOSED AS OF 2/19/2024 FOR \$1,000 PER DAY \$80 PROSECUTION COST
158	24010209	HEUMANN,MICHAEL S HEUMANN,TERI	2005 NEWPORT G, DEERFIELD BEACH, FL 33442	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT CONTINUED TO 4/9/2024
159	23120022	VIZCAINO,PALMIRA OLIVEIRA	351 NW 46 ST, DEERFIELD BEACH, FL 33064	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE IV. SUPPLEMENTARY REGULATIONS Sec. 98-80(K)(14)(b) - Landscape Requirements.	RESPONDENT NOT PRESENT CONTINUED TO 3/12/2024
A	21080105	FEBRUARY AH LLC	178 SW 6 ST, UNIT 1-2, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(4) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-10 (4) (a) - General interior maintenance requirements. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-8 (i) (1) - Minimum standards for interior of structures.	RESPONDENTS WERE PRESENT- FRANKLIN GAITAN AND ATTORNEY ROD FEINER FINES WERE MITIGATED FOR \$35,800 FOR BOTH CASES TO BE PAID BY 4/9/2024

				Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-11 (a) - Exterior doors. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-7. (f)- Minimum standards for maintenance of premises Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	
B	22080003	FEBRUARY AH LLC	178 SW 6 ST, UNIT 1-2, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(1) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-105(2) - Exterior building and structure standards. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-10 (1) - General interior maintenance requirements. Chapter 94 MIN HOUSE CHAPTER 94 HOUSING; Sec. 94-11 (a) - Exterior doors.	RESPONDENTS WERE PRESENT- FRANKLIN GAITAN AND ATTORNEY ROD FEINER FINES WERE MITIGATED FOR \$35,800 FOR BOTH CASES TO BE PAID BY 4/9/2024

C	21040070	BATMASIAN,JAMES H	1300 E HILLSBORO BLVD, DEERFIELD BEACH, FL 33441	Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required. Chapter 38 - FINANCE AND TAXATION Section 38-263. - Local business tax receipt required.	RESPONDENT NOT PRESENT FINES WERE REDUCED TO \$5,000 BETWEEN ATTORNEYS TO BE PAID BY 3/12/2024
D	21050138	BUSMAN BUILDERS LLC	143 NE 7 CT, DEERFIELD BEACH, FL 33441	Chapter 98 - LAND DEVELOPMENT REGULATIONS - ARTICLE IV. - SUPPLEMENTARY REGULATIONS ARTICLE V. - ADMINISTRATION AND ENFORCEMENT Section 98-113(a) Building permits	RESPONDENT NOT PRESENT CONTINUED TO 3/1/2024
E	22040031	BUSMAN BUILDERS LLC	143 NE 7 CT, DEERFIELD BEACH, FL 33441	Chapter 14 - BUILDINGS AND BUILDING REGULATIONS ARTICLE IV. - PROPERTY EXTERIOR MAINTENANCE CODE; Section 14-105(8) - Exterior building and structure standards. Chapter 14 - BUILDINGS AND BUILDING REGULATIONS Section 14-106(b) - Minimum standards for yard and landscape areas. Chapter 34 - ENVIRONMENT - ARTICLE III. – NUISANCES ARTICLE IV. - JUNKED VEHICLES AND ABANDONED PROPERTY- Section 34-160 -Parking or storage for over 72 hours restricted.	RESPONDENT NOT PRESENT CONTINUED TO 3/1/2024

SPECIAL MAGISTRATE MINUTES
CITY OF DEERFIELD BEACH, FLORIDA

Andrew Dunkiel, Special Magistrate

Date



**City of Deerfield Beach
African American Heritage Committee Meeting Minutes
Thursday, February 7, 2024
Hillsboro Technology Center | 50 Hillsboro Technology Drive**

CALL TO ORDER/ROLL CALL

Chair Strowbridge called the meeting to order on the above date at 6:31 PM.

Present: Chair Strowbridge
Vice Chair Jackson
Diane Chisholm - *arrived at 7:58 p.m.*
Barri McMillon
Annette Mitchell

Also Present: Greg Warner, Director of Parks and Recreation
Lauren Goas, Administrator of Special Events & Athletics
Adele Trizzino, Manager II Community Events
Milton Collins, City Attorney's Office (via phone)
Jessica King, Manager I Community Events
Carolyn Marshall Manager I Community Events
Bernard Jones, Redevelopment Project Coordinator

Approval of January 11, 2024 Minutes

MOTION was made by Ms. McMillon, seconded by Ms. Mitchell to approve the minutes as submitted. The motion PASSED unanimously.

BLACK HERITAGE BANQUET UPDATES

Adele Trizzino, Manager II of Community Events, said the event is sold out and has a waitlist. She said the number of tickers increased from 200 to 250 and the menu was changed to a Caribbean fare, per the Board's request.

The Board expressed concerns with the chosen vendors, the budget worksheet that was presented, as well as the cost for the Black Heritage Banquet.

Ms. Jackson suggested that Carolyn Brooks be used as a decorator for future events.

Lauren Goas, Administrator of Special Events & Athletics, reminded the Board that their recommendations came after the deadlines; nevertheless, staff did attempt to incorporate some of the recommendations that were provided.

Ms. McMillon commented on the cancellation of the keynote speaker, and asked that city management allow the Board to have twenty-four hours to find another speaker before moving forward with their choice.

Carolyn Marshall, Manager I Community Events, suggested that the Board follow deadlines and present information and multiple options in a timely manner.

The Board agreed that moving forward timelines must be adhered to and proposals should be provided via email and in person.

JUNETEENTH

After a brief discussion regarding the Juneteenth plans, which include improvements from last year and whether it will be indoor, outdoor, or a hybrid celebration, staff advised that the following considerations would be taken into consideration, 1) educational components; 2) less carnival type activities; and 3) having a more family centered event.

Staff encouraged the Board to bring additional ideas and proposals to the next meeting.

The Board tabled the structure of the event and layout, vendors, and activity ideas until March 7, 2024.

Staff encouraged the Board to provide their suggestions, theme ideas and performers, as well as recommendations for performers to the next board meeting.

MOTION was made by Ms. Jackson, seconded by Ms. McMillon to have the Juneteenth celebration on Saturday, June 15, 2024. The motion PASSED unanimously.

CLOSING COMMENTS

Ms. McMillon and Ms. Jackson reiterated their disapproval of the new background check policy that was implemented by the City Commission.

Ms. Jackson stated that the Elected Officials should be required to have background checks. Thereafter, she asked if background checks are required for city staff, volunteers, and vendors.

Ms. McMillon said although people make mistakes, people do change and should not be punished their entire lives; nonetheless, people deserve a second chance, and a background check could prevent them from receiving one.

The Board thanked city staff for a job well done with the MLK event, as it was well received from the community.

COMMENTS FROM THE PUBLIC

None.

COMMENTS FROM THE ATTORNEY

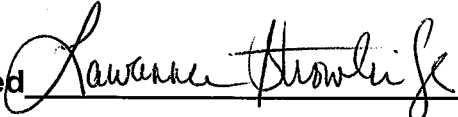
None.

NEXT MEETING

March 11, 2024

ADJOURNMENT

MOTION was made by Ms. McMillon, seconded by Ms. Jackson to adjourn the meeting at 7:58 P.M. The motion PASSED unanimously.

Minutes Approved  Date 03/14/2024

Education Advisory Board (EAB)
Meeting Minutes
Wednesday, February 7, 2024
7:00 pm
Hillsboro Community Center

Call to Order and Roll Call

Chair Lubin called the meeting to order at 7:03 pm.

Members Present: Chair Michael Lubin, District 1
 Dottie Plaut, Mayor
 Karen Shelly, District 3

Also Present: Jonathan Salas, City of Deerfield Beach
 Vennillia Wyatt, City of Deerfield Beach

Approval of Minutes

MOTION was made by Ms. Plaut and seconded by Ms. Shelly to approve the December 6, 2023, meeting minutes. The MOTION was carried unanimously.

Board Discussion

A. EAB Relationship with Commission

Mr. Salas advised that board members should be in constant communication with their respective Commissioner.

No comments from the board.

B. EAB Direction to Commission

Mr. Salas advised the board that they can and should get direction from their respective Commissioners regarding EAB matters.

Ms. Shelly stated the below.

- She would like to know more about know more about the role EAB should play in schools.
- She encouraged EAB members to make recommendations to their respective Commissioners.

Mr. Salas stated that in the last Commission meeting, the City was disappointed in the current school grades for Deerfield Beach Schools. Commission Drosky asked that EAB Members contact the school and see what the board can do to assist.

Chair Lubin stated the below regarding the school grades.

- School grades are from last year and don't reflect the current state of the school.
- We have to keep in mind that Deerfield Beach schools have language issues and, a transient population, and that doesn't reflect in the school grades.
- Many BCPS teachers don't speak other languages so its difficult to assist those students who don't speak English.
- Public schools have to take in all students and non-public schools don't have to do that. Non-public and charter schools also have a selection and testing process.
- Mayor and Commissioners need to know the criterion that takes place and also need to know the state of the schools from the schools.

Chair Lubin opened up the floor for public comment.

Alice Chapman, a city resident, stated that in the schools she visits the student population is very high and it's also hard to get help from parents or the public.

Mr. Salas urged the board to see what EAB can do to assist our schools and reach out to their respective schools.

Chair Lubin stated that maybe EAB can ask Dr. Fleming to get English classes at Deerfield Beach High again.

Ms. Shelly is a Century Village and many of her neighbors are retired educators and retirees. She would like to create a flyer to post in her community so she can try and get volunteers for the schools.

Mr. Salas suggested that Ms. Shelly ask Vice-Mayor Parness to see if she can add an item to his agenda.

Chair Lubin opened up the floor for public comment.

Joel Smith, a city resident, stated at a Principal Meeting he attended; that all Principals asked for volunteers to come read to students.

Jan Muenzenmaier, a city resident, stated that reading with the students is paramount for them.

C. Deerfield Beach School Grades

Mr. Salas stated that the school grades are attached to their packets.

Deerfield Beach High School – C
Deerfield Beach Elementary – C
Deerfield Beach Middle School – C
Deerfield Park Elementary – D
Park Ridge Elementary – D
Quiet Waters Elementary – B
Tedder Elementary - C

D. Schools Closures

Mr. Salas stated that due to the Sun-Sentinel article about school closures rumors were going around about Deerfield Beach Schools so he wanted to address it.

Mr. Salas stated that he hasn't heard any of Deerfield Beach Schools will be closed.

Mr. Lubin opened the floor for public comment.

Denise Bogner, a city resident, there was an article in the paper that stated that the schools that are planned to be re-purposed would be used for affordable housing for teachers.

E. High School Scholarship

Mr. Salas stated the High School Scholarship application period has closed. There was a total of eight (8) applications.

Mr. Salas will take the High School Scholarship winners to the City Commission on Tuesday, April 17.

F. Additional Scholarship

Chair Lubin stated that he would like to have five (5) more scholarships instead of just two (2). He would like the City to support three (3) more scholarships but isn't sure if the City will agree. He would like the board to see if non-profits and city businesses will partner with them to increase scholarships.

Ms. Plaut stated that she is disappointed that there are only eight (8) high school scholarship applications. She asked why should we increase when the board only gets a minimal number of applicants.

Ms. Shelly likes the presence that the board has with the high school scholarships. She would like to provide the elementary schools with some awards or something tangible like dinner or show tickets.

Chair Lubin opened the floor for public comment.

Joel Smith, a city resident, stated that the schools need more incentives, for teachers and students.

Jan Muenzenmaier, a city resident, stated that EAB discussed helping schools with incentives last year. She has been to the awards ceremonies and finds that students who applied for the high school scholarship are getting numerous others. She would like to see the board helping the less fortunate kids who need the help.

Presentation

Chair Lubin introduced Mr. Greg Warner, Director of Parks & Recreation.

Mr. Warner presented to the EAB a grant opportunity for Mayo Howard Park. The grant is an Outdoor Recreation Legacy Partnership Program Grant through the Land & Water Conservation Fund and is a Federal Grant, see presentation attached.

Joel Smith, a city resident, would like to provide a letter of support for the grants.

Jan Muenzenmaier, a city resident, likes the idea and will support the grant.

MOTION was made by Karen Shelly and seconded by Dottie Plaut to support the Mayo Howard Park grant opportunity. The MOTION was carried unanimously.

Staff Updates

Mr. Salas provided the below updates.

- A resolution was passed by the City Commission to send a letter to the Superintendent regarding the school's grades and the City's concerns.
- Mr. Salas attended a meeting that was orchestrated by a city resident with the Broward County School Board. Mr. Salas stated that the school principals explained how learning gains are being made and that the "C" schools should be "B" schools. They asked for help from the community such as gifts and incentives for staff and students.
- Many teachers were promoted at school so they faced a lot of challenges his year.
- Background checks are required for all board members of the Education Advisory Board.
- Change the date of the Back to School Block Party and Backpack Giveaway due to the Broward County School Board changing the first day of school to August 12, 2024. Mr. Salas suggested that the Back to School Party and Backpack Giveaway will have to be moved to sometime in July.
- Purchase Assistance and Home Rehabilitation Programs are now open and we are accepting applications.

Board Updates

Deerfield Park Elementary - Ms. Isen was absent – no current updates.

Park Ridge Elementary - Ms. Isen was absent – no updates at this time.

Quiet Waters Elementary - Ms. Plaut spoke with Principal Henning and stated the school is doing good and they didn't need anything at this time.

Deerfield Beach Elementary - VACANT

Deerfield Beach Middle - Chair Lubin attending the SAC meeting and they are on the way to increasing learning gains. They have a large ESOL population and they are increasing enrollment. Students enrolled 1168 and Teachers 69. 8th graders will be attending JA BizTown. 8 SVE will attend the Busch Gardens field trip.

Deerfield Beach High School – Jonathan advised they are working on plans to increase their school grade.

Tedder Elementary - Ms. Wyatt spoke to Ms. Lawrence and she advised that she was very appreciative of the gift cards they received. Ms. Lawrence advised that they need candy and some incentives for students.

Comments from the Public

Chair Lubin opened the floor for public comment.

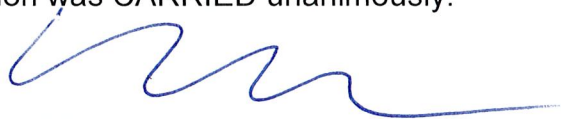
Jan Muenzenmaier, a city resident, gave an update on the Kiwanis Club. They will be at Deerfield Beach Elementary for the BUG Awards. They will be doing BUG Awards for all the area elementary schools. They will be buying shirts for the Deerfield Beach Middle School Marching Band. They are collecting instruments for Deerfield Beach Middle School. Ms. Muenzenmaier advised that they will be buying gift cards for the teachers and non-instructional staff.

Joel Smith, a city resident, said they had a successful toy drive but they still have some toys away. He would like to give the toy to anyone who might need them. Tedder has a Debate Club and he said they won a debate. On January 24, 2024, he collaborated with Nora Rupert's office for a Town Hall Meeting. It was a great turnout and he got some great feedback and would like to do it again. He asked Jonathan if we can do another Town Hall at the Back to School Block Party and Backpack Giveaway.

Adjournment

MOTION was made by Dottie Plaut and seconded by Karen Shelly to adjourn the meeting at 8:28 pm. The motion was CARRIED unanimously.

Minutes approved _____



Date 01-13-2024



Meeting Minutes

Community Redevelopment Agency

Tuesday, February 13, 2024

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Chair Bill Ganz at 7:15 p.m., in the City Commission Chambers, 150 NE 2nd Avenue, Deerfield Beach, Florida.

Present:

Mr. Todd Drosky
Mr. Michael Hudak
Mr. Ben Preston
Vice Chair Bernie Parness
Chair Bill Ganz

Also Present:

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

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Community Redevelopment Agency Meeting Minutes - January 10, 2024

MOTION was made by Mr. Preston, seconded by Mr. Hudak, to approve the January 10, 2024 minutes as submitted.
Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness, and Chair Ganz

Nays: 0

APPROVAL OF AGENDA

February 13, 2024

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

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness, and Chair Ganz

Nays: 0

GENERAL ITEMS

1. Retail attraction strategy update.

Kris Mory, Director of Economic Development, displayed previous and current photographs of east Hillsboro Boulevard. Thereafter, she outlined the scope of services for the S-Curve Utility Undergrounding and Streetscape Improvements Project and displayed a rendering of what it will look like once completed. She stated that staff has installed a sign within the construction area to notify the public that reconstruction and beautification is underway. Further, she said staff has been collaborating with restaurant and retail brokers regarding bringing new restaurants into the CRA District. Additionally, staff met with the CRA District property owners last Friday to discuss a retail attraction strategy, which included discussions regarding what they would want to see and what the CRA and city could do to help support their businesses. She explained that staff invited all property owners with a vacancy in the CRA District, and although not everyone showed up, staff received a very good source of guidance and input on what the CRA should be doing; nevertheless, additional outreach will be done.

Moreover, Ms. Mory said all attendees expressed an interest in the Rideshare Program, which will be launched on March 11th. She stated that the attendees advised that they prefer to do their own advertising without assistance from the City or CRA; however, many may participate in Freebee's advertising. Ms. Mory said staff has been working on new policies and trying to develop a new program for innovative use of the Rideshare Program, whereby, using rideshare in lieu of parking in the CRA District and introducing some type of pilot project. Currently, the City has a parking deviation ordinance, which allows businesses to pay into a parking fund in lieu of physical parking. Thereafter, she briefly commented on Aventura's model. Further, she stated that the rideshare program could potentially be used as a possible community benefit for future Planned Development District (PDD) developments.

Continuing, Ms. Mory said as part of the Micro-Façade Program, CRA staff has been working with Eric Power, Director of Planning & Development Services, on a pilot project to allow property owners within the CRA District to add temporary window wraps to their vacant establishments, which would require Community Appearance Board approval. Thereafter, various photographs of windows wraps were displayed. She explained that under the new Micro-Façade Program, a new business could come in and receive \$25,000, whereby, \$3,000 of that could be from the property owner to be used for the temporary window wraps, and the balance could go directly to the tenant to offset lighting, signage, etc. Further, she stated the wayfinding signage will continue to be a component to ensure the S-Curve looks and operates better. Thereafter, she displayed a photograph of BSO's temporary trailer on the S-Curve, which could be replaced with a pedestrian level signage, as it's more esthetically pleasing and the messages could be relayed in a friendly manner. Lastly, Ms. Mory said the CRA District is also marketed, on the city-side, through the Convention and Visitors Bureau.

Mr. Hudak asked what objections have been identified through the various meetings that have occurred and what is staff doing to overcome those objections with regard to why businesses are not coming to the City.

Ms. Mory replied that the group staff met with had no objections. Further, she said there is a reason behind every vacancy; nonetheless, the area is small enough so staff can meet with each property owner and come up with strategies that will address their particular situation.

Mr. Hudak said besides restaurant industries, what other industries is staff researching.

Ms. Mory replied that It'Sugar is forthcoming, and years' ago there were more retail/souvenir shops, so that is something staff can look into; nevertheless, the interest in the S-Curve is largely restaurants.

In response to Mr. Hudak's question, Ms. Mory replied that the Broward Alliance does not typically focus on retailers; nonetheless, she reiterated that staff works with the Convention and Visitors Bureau to market the destination.

Chair Ganz thanked Ms. Mory for the forthcoming approaches, whereas, the CRA must stay proactive. Further, he said it's disappointing to see those businesses that were invited to the meeting, and only four attended; nonetheless, this is why staff should be pursuing those who are expanding and successful in other cities, and not the property owners. Thereafter, he spoke in support of the Micro-Façade and Temporary Window Wrap Program. Chair Ganz spoke in opposition to BSO's temporary trailer and is happy staff is looking into something more creative. He also said police presence will ensure individuals are obeying the rules.

Chair Ganz opened the public hearing.

GENERAL ITEMS - CONTINUED

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, said the parking issues could be solved overnight, if the employees of the Cove parked across the street at Sullivan Park, and the two-hour parking was enforced. Further, he said he has spoken to existing property owners along the S-Curve who advised that their patrons do not feel safe. Lastly, he said Deerfield Beach is reactive instead of proactive when attracting businesses to the City.

Chair Ganz closed the public hearing.

- 2. CRA Resolution 2024/001 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), adopting the Commercial Micro-Facade Grant Program; approving a budget transfer of \$100,000.00 from the Infrastructure and Capital Improvement Sullivan Park Facility account to the Commercial Facade Loan Program account to fund the Micro-Facade Grant Program; providing for implementation and an effective date.**

The Resolution was read by title only.

Kris Mory, Director of Economic Development, said this allows for the implementation of the Micro-Façade Grant Program, whereby, the initial budget, \$100,000, is being recommended, as it would fund up to four grant applications if full funding was requested.

Mr. Hudak asked if the budget transfer will adversely affect the Sullivan Park Facility Project.

Mr. Mory reminded the Board that staff is working on the submission of a grant, which would offset the costs. Additionally, if necessary, the CRA would borrow, short-term, from the City, and then replenish the funds with next fiscal years tax increment revenue.

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

MOTION was made by Vice Chair Parness, seconded by Mr. Hudak, to approve Item 2, adopted CRA Resolution 2024/001. Roll Call:

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness, and Chair Ganz

Nays: 0

- 3. CRA Resolution 2024/002 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving and authorizing execution of a contract with Cale America, Inc. d/b/a Flowbird to purchase and install parking kiosks within the Cove Shopping Center in an amount not to exceed \$115,000.00; waiving the competitive selection requirements for the purchase of the parking kiosks; approving and authorizing execution of a contract with Weekley Asphalt Paving, Inc. for thermoplastic striping of the Cove Parking Lot utilizing the terms of Broward County Contract No. PNC2124420B1 in an amount not to exceed \$65,000.00; amending the Fiscal Year 2024 Budget to create a "Cove Shopping Center Parking Improvements" Project line item and approving a budget transfer of \$180,000.00 from the Sullivan Park Facility Project line item to the Cove Shopping Center Parking Improvements line item within the Infrastructure and Capital Improvement account; providing for implementation and an effective date.**

The Resolution was read by title only.

Kris Mory, Director of Economic Development, said the current parking ordinance has not been enforced for quite some time due to enforcement difficulties; therefore, implementing kiosks will assist with enforcing the two-hour parking. Thereafter, she displayed a photograph of Cove parking lot, which outlined the two-hour parking, as well as the non-regulated parking. She said in addition to the kiosks, striping will be added to the two-hour parking spaces, as well as informational signage. Further, she said the revision of the two-hour parking ordinance, which will include the addition of Sunday's will be added to an upcoming commission meeting, whereby, if desired the hours can also be amended.

In response to Vice Chair Parness' questions, Ms. Mory replied that the current enforcement is from 9:00 a.m. to 6:00 p.m., Monday - Saturday. Further, she reiterated that there are parking spaces within the Cove that are not enforced.

GENERAL ITEMS - CONTINUED

Mr. Drosky said at the last meeting he spoke in support of expanding the hours; however, he has since learned that the 6:00 p.m. cutoff was a request from the Cove businesses, so he asked that staff reach out to the businesses to see if that is still something they want. Thereafter, he spoke in support of the Item.

In response to Mr. Preston's question, Ms. Mory replied that this is a piggyback off a current city contract.

Chair Ganz said two-hour parking is sufficient. Thereafter, he provided a brief history of the Cove parking lot, whereby, various suggestions have been made, i.e. a sticker program for cove employees. Further, he said moving employees to the Sullivan Park parking lot creates other issues; nonetheless, this item is a step in the right direction. Thereafter, he opened the public hearing; however, there were none to speak and the public hearing was closed.

MOTION was made by Vice Chair Parness, seconded by Mr. Hudak, to approve Item 3, adopted CRA Resolution 2024/002. Roll Call:

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness, and Chair Ganz

Nays: 0

Chair Ganz agreed with polling the Cove business owners to see how they feel about extending the timeframe for the two-hour parking.

ADMINISTRATION COMMENTS

None.

BOARD COMMENTS

Tree Removal - Mayor Ganz asked if the trees near the Cove Restaurant were allowed to be removed.

Kris Mory, Director of Economic Development, replied yes.

There were no other board comments.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

MOTION was made by Mr. Hudak, seconded by Mr. Preston, to adjourn the meeting at 8:02 p.m. Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness and Chair Ganz

Nays: 0

BILL GANZ, CHAIR

Heather Montemayor, City Clerk

**COMMUNITY APPEARANCE BOARD
MEETING MINUTES
CITY OF DEERFIELD BEACH, FLORIDA
February 28, 2024**

A regular meeting of the Community Appearance Board of the City of Deerfield Beach, a municipal corporation of Florida, was called to order on the above date at 7:07 p.m. in the City Commission Chambers, Deerfield Beach, by Chair Belton.

Roll Call:

Present: Tinka Ellington
Jack Hugentugler
Janelle Richards, Alternate
Joseph Cummings, Vice Chair
Harry Belton, Chair

Also Present: Daniel Mantell, Planning and Zoning Manager
Anthony Soroka, City Attorney
Samantha Charlemont, Assistant City Clerk

APPROVAL OF MINUTES OF PREVIOUS MEETING

Motion was made by Vice Chair Cummings, seconded by Mr. Hugentugler to approve the February 14, 2024 meeting minutes as submitted. The motion CARRIED by unanimous vote.

NEW & DEFERRED ITEMS

**#7119 Fat Tuesday
2060 NE 2nd Street
Paint Change**

Chair Belton said the applicant is not in attendance, but the application can still be discussed and voted on.

Daniel Mantell, Planning and Zoning Manager, displayed images captured via Google maps.

Thereafter, there was a brief discussion regarding the current color of the property and the proposed color change.

Mr. Mantell stated that the item was tabled due to the color purple not meeting the Coastal Community Code standards. The current proposed color is a quench blue, which adheres to the code.

Ms. Ellington made a motion, seconded by Mr. Hugentugler to approve Item #7119 as submitted. The motion CARRIED by unanimous vote.

Comments by Deerfield Beach City Attorney

Anthony Soroka, City Attorney, welcomed Janelle Richards to the board.

Comments by Deerfield Beach Planning and Development Services Department

New Member - Daniel Mantell, Planning and Zoning Manager, welcomed Janelle Richards to the board.

Next Meeting - Mr. Mantell said there will be a meeting on March 13, 2024.

ADJOURNMENT

Vice Chair Cummings made a motion, seconded by Mr. Hugentugler to adjourn the meeting at 7:14 p.m.
The motion CARRIED by unanimous vote.

Harry Belton, Chair
Community Appearance Board



Regular City Commission Meeting - April 2, 2024

DEERFIELD BEACH - YOU ARE HEREBY NOTIFIED that the **Regular City Commission** meeting will be held on **Tuesday, April 2, 2024, at 7:00 PM in the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, Florida.** A quorum of the City Commission will be physically present at the meeting and the City will be utilizing communications media technology with most City staff participating through video conferencing.

The April 2, 2024, Regular City Commission meeting will proceed utilizing communications media technology; **however, the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, will be open to the public as an additional method** for speakers wishing to speak on items. A copy of the agenda for the April 2, 2024 meeting will be available at <http://www.deerfield-beach.com/1554/Meetings-Agendas>.

Attending and Viewing the City Commission Meeting:

This meeting will be broadcast live for members of the public. There are several options available to the public to attend/view the meeting:

- 1. In Person Attendance.** Attend in person in the City Commission Chambers.
- 2. Zoom**
 - a. Via Zoom Online** - Access to the meeting will begin at 6:45 PM on April 2, 2024.
 - i. Use the following link below to access the meeting via Zoom:
<https://deerfield-beach.zoom.us/j/89866647947?pwd=OXdtalJlWmVpYXh4by9icUNuVVpOUT09>
 - ii. The video camera display feature is disabled for public use.
 - b. Via Zoom Telephone** - Join the meeting via telephone (audio only) using the Call-in number below, followed by the Meeting ID when prompted. No computer or access code is required.

Call-in Number: (301) 715-8592, Meeting ID: 898 6664 7947#, Participant ID: #, Passcode: 504670#

For more information on using Zoom, please visit Zoom Support at the following link:
<https://support.zoom.us/hc/en-us>.

3. YouTube

The meeting will also be available to the public via YouTube for audio and video access; however, public participation, i.e. comments are not possible. The link to watch the meeting via YouTube will be active no later than 6:45 PM on April 2, 2024, and can be found by clicking the camera icon in the Media column at <http://www.deerfield-beach.com/1554/Meetings-Agendas>.

Providing Public Comment:

Public participation is strongly encouraged. Your comments will be limited to three minutes per person. To participate, please choose the option best for you and remember to include your name and address for the record.

1. **In person** - Public comment may be given in the Commission Chambers during the applicable public comment portion of the meeting.
2. **Live Zoom Video Participation** - If attending via Zoom online, at the appropriate public comment period, click “raise hand” which is located at the bottom of the screen under the “reactions” tab, and your audio will be unmuted when you are recognized.
3. **Live Zoom Telephone Participation** - If attending via Zoom by telephone, at the appropriate public comment period, press *9 to “raise your hand” and your audio will be unmuted when you are recognized.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK NO LATER THAN 3 DAYS PRIOR TO THE MEETING AT (954) 480-4213 FOR ASSISTANCE.

Should you have any questions, please feel free to contact the City Clerk’s Office at 954.480.4213. For additional information on the agenda items for the Commission meeting, please visit www.dfb.city.



City of Deerfield Beach

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

Face Sheet File Number: I.D. 2024-151

Agenda Date: 4/2/2024

Status: PUBLIC HEARINGS –
SECOND READING

In Control: City Commission

Title

P.H. 2024-053: ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING A PORTION OF A TWENTY-FOOT UTILITY EASEMENT AND A THIRTY-FOOT WIDE ROAD RIGHT-OF-WAY LOCATED IN THE VICINTY OF 409, 412-418, 424, 430, 446, 450 AND 458 NORTH RIVER DRIVE (VISTA CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

Abandonment Application No. 24-A-201 is a request to abandon an easement and a right-of-way on the subject parcels. Upon a recent title search conducted by the property owner, two additional easements were discovered that are required to be abandoned prior to development of the parcel.

The following existing platted easement and ROW conflict with the proposed site plan and are included as part of the abandonment request.

Instrument	Existing Easement/ROW included in Abandonment
1. Plat Book 6, Page 9	30 foot wide road right-of-way
2. ORB 5631 PG 857	A portion of a 20 foot wide utility easement

Copies of the sketch and legal for the easement, right of way and proposed site plan (showing the location of the proposed abandonments) are attached for reference.

On August 4, 2020, the City Commission voted to approve multiple items related to the Vista Clara apartment complex. Among those, was application 19-A-195, which abandoned seven easements that would not be needed with the new proposed development.

On April 25, 2023, the City Commission voted to approve two utility easements and one road and maintenance easement for the Vista Clara apartment complex (22-A-199).

City Code Section 98-12(6) requires that the City Commission approve all vacations and abandonments of public lands or utility and other platted easements.

ORDINANCE NO. 2024/

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING A
PORTION OF A TWENTY-FOOT UTILITY EASEMENT AND A THIRTY-
FOOT WIDE ROAD RIGHT-OF-WAY LOCATED IN THE VICINITY OF
409, 412-418, 424, 430, 446, 450 AND 458 NORTH RIVER DRIVE (VISTA
CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN
EFFECTIVE DATE**

WHEREAS, the City of Deerfield Beach received an application (Application 24-A-201) (the “Application”) from Deerfield Development Resources, LLC, (the “Applicant”) to vacate and abandon a portion of a 20-foot wide utility easement (recorded in O.R.B. 5631, PG 856) (the “Easement”) and a 30-foot wide right-of-way (recorded in Plat Book 6, PG. 9) (the “Right-of-Way”) located in Deerfield Beach, Florida, as more particularly described on Exhibit “A”; and

WHEREAS, on August 4, 2020, the City approved the rezoning of twelve parcels, the site plan, plat and abandonment of seven easements related to the Vista Clara multi-family residential planned development, which is located at 414, 430, 454 & 480 N.E. 1st Avenue, 240 N.E. 5th Street, 412, 424, 430, 446, 450 & 458 N. River Drive and 409 N. River Avenue (the “Development”); and

WHEREAS, on April 25, 2023, the City approved the abandonment of two utility easements and one 15-foot road and maintenance easement related to the Development; and

WHEREAS, subsequent to the Development approvals and the abandonment of the easements approved on August 4, 2020 and April 25, 2023, a new title search was completed and the Applicant discovered the existence of an additional Easement and the existing road Right-of-Way that requires abandonment; and

WHEREAS, the Application has been submitted to enable the Development of the twelve parcels, and the following existing utility easement and right-of-way, as more particularly described in Exhibit “A”, conflict with the site plan approved on August 4, 2020 for the Development and are included in the Applicant’s abandonment request:

1. Plat Book 6, Page 9 - 30-foot-wide road right-of-way
2. ORB 5631, PG 857 - A portion of a 20-foot-wide utility easement; and

WHEREAS, the Application submittal includes a letter of no objection from all affected franchise utilities as part of the Application to the City; and

WHEREAS, Staff’s review of the Application has found that the proposed abandonment of the utility easement and the Right-of-Way is consistent with the Future Land Use Element of the Comprehensive Plan, the City’s Official Zoning Map and the Land Development Code; and

WHEREAS, City staff finds that there is no public purpose and use in retaining the Easement or the Right-of-Way.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part hereof.

Section 2. The legal descriptions of the Easement and Right-of-Way to be abandoned are as set forth on the attached Exhibit “A”.

Section 3. The City Commission hereby finds that there is no public purpose and use in retaining the portion of Easement as a utility easement and hereby find that the Easement as set forth on Exhibit “A” should be vacated and abandoned. The Easement is hereby vacated and abandoned.

Section 4. The City Commission hereby finds that there is no public purpose and use in retaining the road Right-of-Way and hereby find that the Right-of-Way, as set forth on Exhibit “A” should be vacated and abandoned. The Right-of-Way is hereby vacated and abandoned.

Section 5. This Ordinance was noticed and adopted in accordance with State law.

Section 6. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 7. This Ordinance shall take effect immediately upon adoption on Second Reading.

PASSED 1ST READING ON THIS ____ DAY OF _____, 2024.

PASSED 2ND READING ON THIS ____ DAY OF _____, 2024.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

HEATHER MONTEMAYOR, CITY CLERK

Copyright Reserved
The Contractor shall verify and be responsible for all dimensions. DO NOT scale the drawing - any errors or omissions shall be reported to Stantec without delay. The Copyrights to all designs and drawings are the property of Stantec. Reproduction or use for any purpose other than that authorized by Stantec is forbidden.

Kimley»Horn

1615 S CONGRESS AVE, SUITE 201
DELRAY BEACH, FL 33445
PHONE: 561-330-2345 FAX: 561-863-8175
WWW.KIMLEY-HORN.COM CA 0000696
© 2023 KIMLEY-HORN AND ASSOCIATES, INC.

Stantec Architecture Inc - AA26000733
Elvira Freire-Santamaria Lic. # AR95213

[illegible]

CITY
ABANDONMENT
EXHIBIT

VISTA CLARA
PREPARED FOR
DEERFIELD DEVELOPMENT
RESOURCES, LLC

DEERFIELD BEACH FL
Title

AS SHOWN NOV. 2023

Project No.

140403001

Revision _____ Drawing No. _____

EX

Page 71 of 162



EXISTING EASEMENTS TO BE ABANDONED

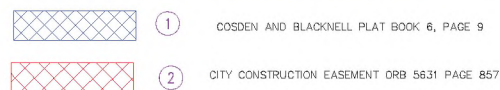


EXHIBIT A

VERTICAL DATUM
ELEVATIONS SHOWN HEREON ARE BASED ON THE
NORTH AMERICAN VERTICAL DATUM OF 1988.
NAVD '88 ELEV. + 1.57' = NGVD '29 ELEVATION

THE PRESENCE OF GROUNDWATER SHOULD BE ANTICIPATED. CONTRACTOR'S BID SHALL INCLUDE CONSIDERATION FOR ADDRESSING THIS ISSUE AND OBTAINING ALL NECESSARY PERMITS.

CALL 2 WORKING DAYS
BEFORE YOU DIG

IT'S THE LAW!
DIAL 811

Know what's below.
Call before you dig.

SUNSHINE STATE ONE CALL OF FLORIDA, INC.

DESCRIPTION:

BEING A PORTION OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 12, COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 9 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF NORTH RIVER AVENUE, AS SHOWN ON SAID PLAT, N35°59'30"E, A DISTANCE OF 161.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N35°59'30"E, A DISTANCE OF 30.45 FEET; THENCE N44°07'51"W, A DISTANCE OF 30.47 FEET; THENCE N15°58'10"W, A DISTANCE OF 81.50 FEET; THENCE N29°19'23"W, A DISTANCE OF 96.43 FEET; THENCE N40°27'55"W, A DISTANCE OF 9.82 FEET; THENCE N26°16'19"W, A DISTANCE OF 33.28 FEET; THENCE N33°01'41"W, A DISTANCE OF 42.36 FEET; THENCE N02°28'03"E, A DISTANCE OF 41.04 FEET; THENCE N14°07'30"E, A DISTANCE OF 213.40 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT 7, RIVERVIEW TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 59, PAGE 34 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF LOT 6, BLOCK 1, RIVERVIEW TERRACE REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 60, PAGE 40 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, S88°36'10"W, A DISTANCE OF 31.14 FEET; THENCE S14°07'30"W, A DISTANCE OF 208.13 FEET; THENCE S02°28'03"W, A DISTANCE OF 53.71 FEET; THENCE S33°01'41"E, A DISTANCE OF 50.20 FEET; THENCE S26°16'19"E, A DISTANCE OF 35.25 FEET; THENCE S40°27'55"E, A DISTANCE OF 10.63 FEET; THENCE S29°19'23"E, A DISTANCE OF 89.99 FEET; THENCE S15°58'10"E, A DISTANCE OF 85.51 FEET; THENCE S44°07'51"E, A DISTANCE OF 43.22 FEET TO THE POINT OF BEGINNING.

CONTAINING 16,874 SQUARE FEET OR 0.3874 ACRES, MORE OR LESS.

SURVEYOR'S NOTES:

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF N00°42'14"W, ALONG THE WEST LINE OF COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 9 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).
5. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
7. INSTRUMENTS OF RECORD SHOWN HEREON ARE RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, UNLESS OTHERWISE SHOWN.

CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON DECEMBER 08, 2023. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

THIS IS NOT A SURVEY

SHEET 1 OF 3



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452



Digitally signed by
David Lindley
Date: 2023.12.08
12:31:11 -0500
Adobe Acrobat
version: 2017.011.30142

DAVID P. LINDLEY
REGISTERED LAND
SURVEYOR NO. 5005
STATE OF FLORIDA
LB 3591

DATE 12-08-2023

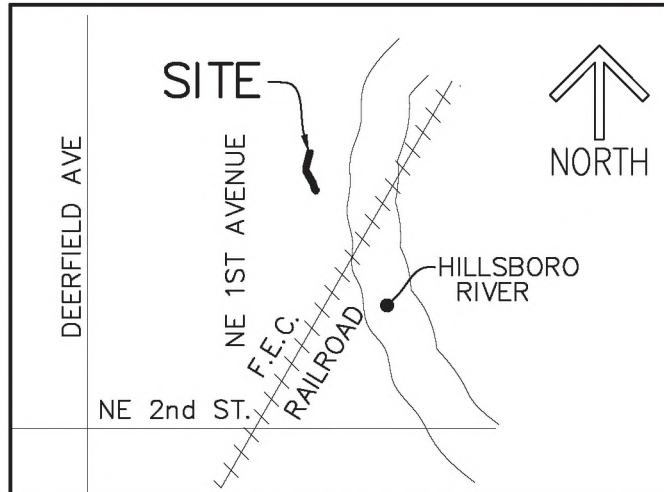
DRAWN BY SAS

F.B./ PG. N/A

SCALE NONE

JOB NO.7954-RW Abon

**COSDEN AND BRACKNELL,
RIGHT-OF-WAY ABANDONMENT
SKETCH & DESCRIPTION**



LOCATION MAP
(NOT TO SCALE)

LEGEND/ABBREVIATIONS:

- P.O.B. – POINT OF BEGINNING
- P.O.C. – POINT OF COMMENCEMENT
- P.B. – PLAT BOOK
- PG(S). – PAGES
- R/W – RIGHT-OF-WAY
- O.R.B. – OFFICIAL RECORDS BOOK
- LB – LICENSES BUSINESS
- F.E.C. – FLORIDA EAST COAST
- ST. – STREET
- AVE. – AVENUE
- BCR – BROWARD COUNTY RECORDS
- PBCR – PALM BEACH COUNTY RECORDS

THIS IS NOT A SURVEY

SHEET 2 OF 3

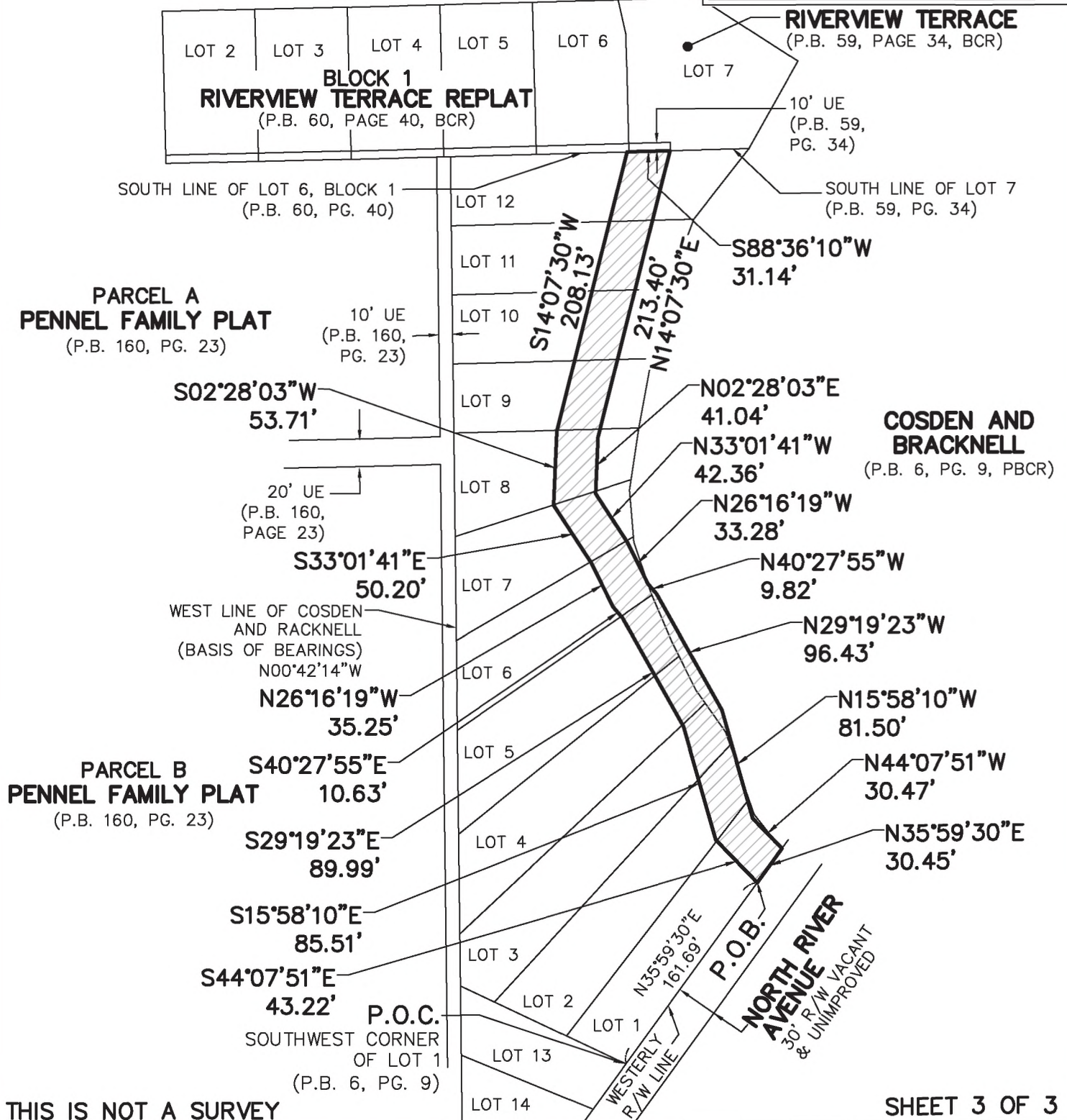


CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

**COSDEN AND BRACKNELL,
RIGHT-OF-WAY ABANDONMENT
SKETCH & DESCRIPTION**

DATE	12-08-2023
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	7954-RW Aban



THIS IS NOT A SURVEY

SHEET 3 OF 3



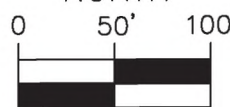
CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE – SURVEYING
7900 GLADES ROAD – SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)–392–1991 / FAX (561)–750–1452

**COSDEN AND BRACKNELL,
RIGHT-OF-WAY ABANDONMENT
SKETCH & DESCRIPTION**



NORTH



1 INCH = 100 FEET

DATE 12-08-2023

DRAWN BY SAS

F.B./ PG. N/A

SCALE 1"=100'

JOB NO.7954-RW Aban

OPINION OF TITLE

Broward County Land Development Code - Section 5-189(c)(3)
Florida Statutes Chapter 177

To: Broward County Board of County Commissioners

With the understanding that this Opinion of Title is furnished to Broward County Board of County Commissioners, as inducement for acceptance of a proposed vacation easement covering the real property, hereinafter described, it is hereby certified that the following report reflects a comprehensive search of the Public Records affecting the below described property covering the period from the beginning to the 11th day of January, 2024, at the hour of 8:00 A.M., inclusive, of the following described property:

BEING A PORTION OF LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 AND 12, COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 9 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE ALONG THE WESTERLY RIGHT-OF-WAY LINE OF NORTH RIVER AVENUE, AS SHOWN ON SAID PLAT, N35 DEGREES 59'30"E, A DISTANCE OF 161.69 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, N35 DEGREES 59'30"E, A DISTANCE OF 30.45 FEET; THENCE N44 DEGREES 07'51"W, A DISTANCE OF 30.47 FEET; THENCE N15 DEGREES 58'10" W, A DISTANCE OF 81.50 FEET; THENCE N29 DEGREES 19'23"W, A DISTANCE OF 96.43 FEET; THENCE N40 DEGREES 27'55"W, A DISTANCE OF 9.82 FEET; THENCE N26 DEGREES 16'19" W, A DISTANCE OF 33.28 FEET; THENCE N33 DEGREES 01' 41 " W, A DISTANCE OF 42.36 FEET; THENCE N02 DEGREES 28' 03" E, A DISTANCE OF 41.04 FEET; THENCE N14 DEGREES 07'30"E, A DISTANCE OF 213.40 FEET TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF LOT 7, RIVERVIEW TERRACE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 59, PAGE 34 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE ALONG SAID SOUTH LINE AND ALONG THE SOUTH LINE OF LOT 6, BLOCK 1, RIVERVIEW TERRACE REPLAT, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 60, PAGE 40 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, S88 DEGREES 36 '10"W, A DISTANCE OF 31.14 FEET; THENCE S14 DEGREES 07'30"W, A DISTANCE OF 208.13 FEET; THENCE S02 DEGREES 28'03"W, A DISTANCE OF 53.71 FEET; THENCE S33 DEGREES 01'41"E, A DISTANCE OF 50.20 FEET; THENCE S26 DEGREES 16'19"E, A DISTANCE OF 35.25 FEET; THENCE S40 DEGREES 27'55"E, A DISTANCE OF 10.63 FEET; THENCE S29 DEGREES 19'23"E, A DISTANCE OF 89.99 FEET; THENCE S15 DEGREES 58'10"E, A DISTANCE OF 85.51 FEET; THENCE S44 DEGREES 07'51"E, A DISTANCE OF 43.22 FEET TO THE POINT OF BEGINNING..

Said lands situate, lying and being in the City of Deerfield Beach, Broward County, Florida.

Legal Description (*must match plat legal description*)

Include reference to and copy(ies) of original deeds vesting title to current owner(s)

I am of the opinion that on the last mentioned dated, the fee simple title to the above-described real property was vested in:

Names of all Owner(s) of Record:

Deerfield Development Resources, LLC, a Florida limited liability company, as to Fee Simple Interest by virtue of Special Warranty Deed recorded at Instrument No. 116951777 and 116951778.

NOTE: If any property owner is a partnership or trust, please include the names of all partner(s) or trustee(s) who are required to execute the plat dedication.

Subject to the following:

Mortgage(s) of Record (*if none, state none*): See the following instruments recorded in the Public Records of Broward County, Florida

(If any mortgage holder is a partnership or trust, please include the names of all partner(s) or trustee(s) who are required to join in or approve the easement vacation.

Mortgage in favor of Amerant Bank, N.A. Instrument No. 116951779

Assignment of Leases and Rents in favor of Amerant Bank, N.A. Instrument No. 116951780

UCC Financing Statement in favor of Amerant Bank, N.A. Instrument No. 116951781

Encumbrances of Record:

Please note the following recorded in the Public Records of Broward County, Florida:

List of easements and Rights-of-Way lying within the plat boundaries (*if none, state none*). (Attach copies of all recorded document(s) [excluding recorded plats].

See the following documents recorded in the Public Records of Broward County, Florida.

<u>Type of Instrument</u>	<u>O.R. Book/Instrument No.</u>	<u>Page</u>
Resolution No. 2020/098	Instrument No.	117188774
Covenant	Instrument No.	117188775
Permit	Instrument No.	119043709

I HEREBY CERTIFY that the foregoing report reflects a comprehensive search of the Public Records of Broward County, Florida, affecting the above described property. I further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 18th day of January, 2024.

GREENSPOON MARDER LLP



Name: Thomas F. Coyle, Jr., Esq., for the firm
Florida Bar No. 0298920

DESCRIPTION:

A PORTION OR LOTS 1, 2, AND 3 OF THE COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THOSE PORTIONS OF LOTS 1, 2, AND 3 LYING WITHIN 20 FEET AND MEASURED PERPENDICULAR TO THE FOLLOWING DESCRIBED LINE TO WIT:

A LINE COMMENCING AT A POINT 15 FEET SOUTHERLY FROM THE NORTHEAST CORNER AND ALONG THE EASTERLY BOUNDARY OF LOT 13 OF THE COSDEN AND BRACKNELL ADDITION TO DEERFIELD AND CONTINUING IN A NORTHWESTERLY DIRECTION THROUGH THE NORTHWEST CORNER OF LOT 13.

ALSO KNOWN AS:

BEING ALL OF THAT CERTAIN ROAD AND MAINTENANCE EASEMENT, AS DESCRIBED IN OFFICIAL RECORDS BOOK 5631, PAGE 857 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN LOT 13, COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 9 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13; THENCE ALONG THE EAST LINE OF SAID LOT 13, S35°59'30"W, A DISTANCE OF 15.00 FEET; THENCE N58°11'44"W, A DISTANCE OF 130.64 FEET TO THE NORTHWEST CORNER OF SAID LOT 13; THENCE ALONG THE NORTH LINE OF SAID LOT 13, S64°40'28"E, A DISTANCE OF 132.58 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES:

1. SURVEY MAPS OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND ORIGINAL SEAL, OR THE AUTHENTICATED ELECTRONIC SIGNATURE AND SEAL, OF A FLORIDA LICENSED PROFESSIONAL LAND SURVEYOR AND MAPPER.
2. ADDITIONS OR DELETIONS TO SURVEY MAPS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
3. LANDS SHOWN HEREON WERE NOT ABSTRACTED, BY THE SURVEYOR, FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
4. BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF S39°59'30"W, ALONG THE EAST LINE OF LOT 13, COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 9 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, TRANSVERSE MERCATOR PROJECTION, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).
5. THE LAND DESCRIPTION SHOWN HEREON WAS PREPARED BY THE SURVEYOR.
6. DATA SHOWN HEREON WAS COMPILED FROM THE INSTRUMENTS OF RECORD RECORDED IN THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND DOES NOT CONSTITUTE A FIELD SURVEY AS SUCH.
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CERTIFICATE:

I HEREBY CERTIFY THAT THE ATTACHED SKETCH AND DESCRIPTION OF THE HEREON DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AS PREPARED UNDER MY DIRECTION ON DECEMBER 06, 2023. I FURTHER CERTIFY THAT THIS SKETCH AND DESCRIPTION MEETS THE STANDARDS OF PRACTICE SET FORTH IN RULE 5J-17, FLORIDA ADMINISTRATIVE CODE, ADOPTED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS PURSUANT TO FLORIDA STATUTES CHAPTER 472.027.

THIS IS NOT A SURVEY

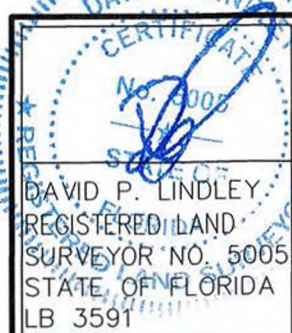
SHEET 1 OF 2



CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

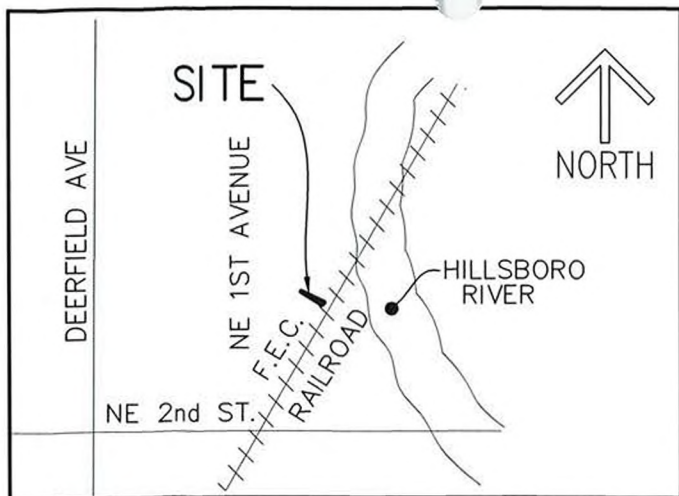
**LOT 13, COSDEN AND BRACKNELL, UTILITY EASEMENT ABANDONMENT
(OFFICIAL RECORDS BOOK 5631, PAGE 857)
SKETCH & DESCRIPTION**



DATE	12-06-2023
DRAWN BY	SAS
F.B./ PG.	N/A
SCALE	NONE
JOB NO.	7954-UE8

FEB - 1 2024

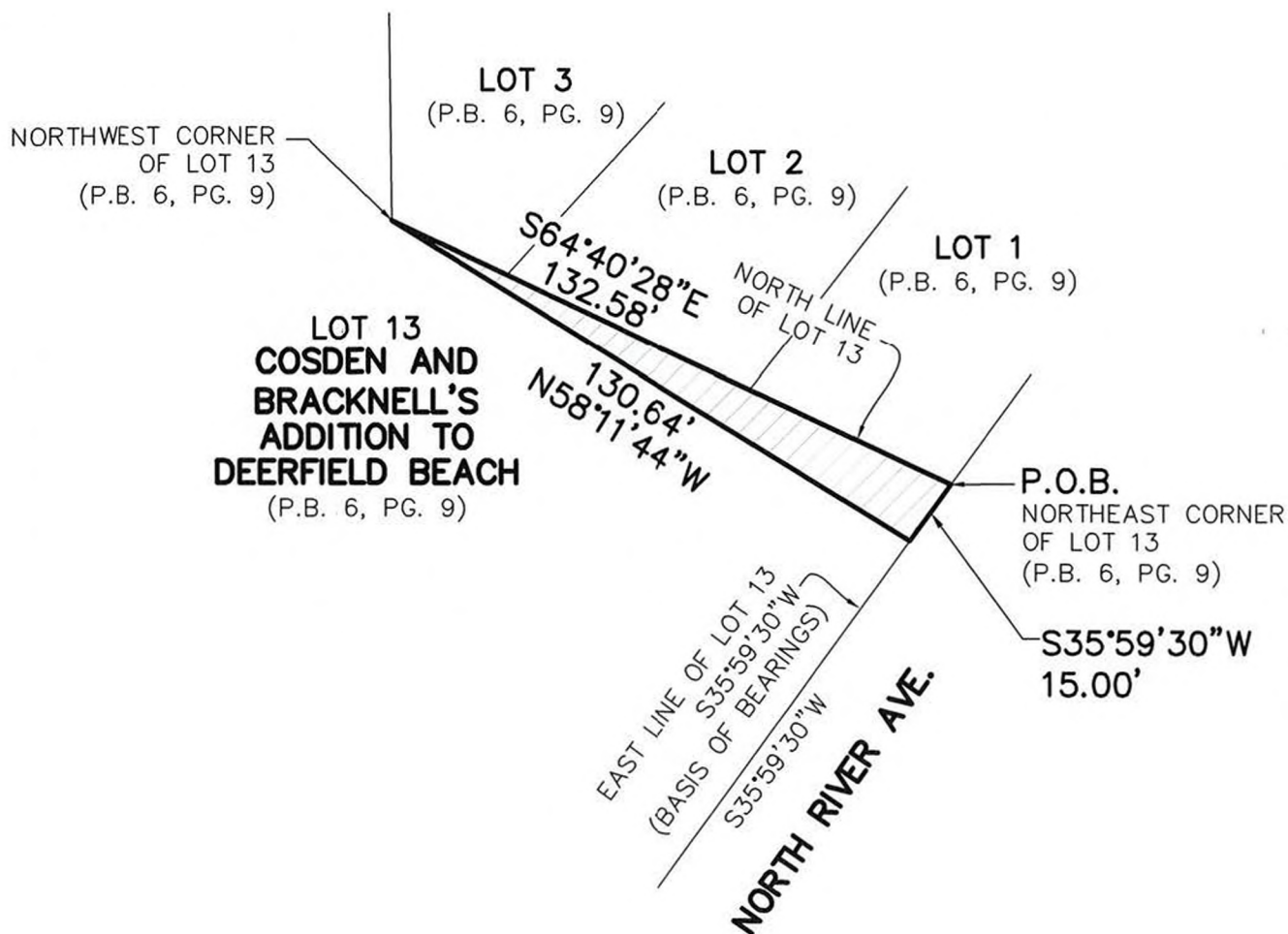
Received
Planning & Dev. Svcs.



LOCATION MAP
(NOT TO SCALE)

LEGEND/ABBREVIATIONS:

- P.O.B. - POINT OF BEGINNING
- P.O.C. - POINT OF COMMENCEMENT
- P.B. - PLAT BOOK
- PG(S). - PAGES
- R/W - RIGHT-OF-WAY
- O.R.B. - OFFICIAL RECORDS BOOK
- LB - LICENSES BUSINESS
- AVE. - AVENUE
- F.E.C. - FLORIDA EAST COAST
- ST. - STREET



THIS IS NOT A SURVEY

SHEET 2 OF 2



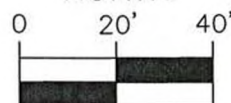
CAULFIELD & WHEELER, INC.

CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

LOT 13, COSDEN AND BRACKNELL, UTILITY EASEMENT ABANDONMENT
(OFFICIAL RECORDS BOOK 5631, PAGE 857)
SKETCH & DESCRIPTION



NORTH



1 INCH = 40 FEET

DATE 12-06-2023

DRAWN BY SAS

F.B./ PG. N/A

SCALE 1"=40'

JOB NO. 7954-UE8

OPINION OF TITLE

Broward County Land Development Code - Section 5-189(c)(3)
Florida Statutes Chapter 177

To: Broward County Board of County Commissioners

With the understanding that this Opinion of Title is furnished to Broward County Board of County Commissioners, as inducement for acceptance of a proposed vacation easement covering the real property, hereinafter described, it is hereby certified that the following report reflects a comprehensive search of the Public Records affecting the below described property covering the period from the beginning to the 11th day of January, 2024, at the hour of 8:00 A.M., inclusive, of the following described property:

A PORTION OR LOTS 1, 2, AND 3 OF THE COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ALL OF THOSE PORTIONS OF LOTS 1, 2, AND 3 LYING WITHIN 20 FEET AND MEASURED PERPENDICULAR TO THE FOLLOWING DESCRIBED LINE TO WIT:
A LINE COMMENCING AT A POINT 15 FEET SOUTHERLY FROM THE NORTHEAST CORNER AND ALONG THE EASTERLY BOUNDARY OF LOT 13 OF THE COSDEN AND BRACKNELL ADDITION TO DEERFIELD AND CONTINUING IN A NORTHWESTERLY DIRECTION THROUGH THE NORTHWEST CORNER OF LOT 13.

ALSO KNOWN AS:

BEING ALL OF THAT CERTAIN ROAD AND MAINTENANCE EASEMENT, AS DESCRIBED IN OFFICIAL RECORDS BOOK 5631, PAGE 857 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING IN LOT 13, COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 9 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 13; THENCE ALONG THE EAST LINE OF SAID LOT 13, S35 DEGREES 9'30"W, A DISTANCE OF 15.00 FEET; THENCE N58 DEGREES 11' 44"W, A DISTANCE OF 130.64 FEET TO THE NORTHWEST CORNER OF SAID LOT 13; THENCE ALONG THE NORTH LINE OF SAID LOT 13, S64 DEGREES 40'28"E, A DISTANCE OF 132.58 FEET TO THE POINT OF BEGINNING.

Said lands situate, lying and being in the City of Deerfield Beach, Broward County, Florida.

Legal Description *(must match plat legal description)*

Include reference to and copy(ies) of original deeds vesting title to current owner(s)

I am of the opinion that on the last mentioned dated, the fee simple title to the above-described real property was vested in:

Names of all Owner(s) of Record:

Deerfield Development Resources, LLC, a Florida limited liability company, as to Fee Simple Interest by virtue of Special Warranty Deed recorded at Instrument No. 116951777 and 116951778.

City of Deerfield Beach, a municipal corporation of Florida, as to Easement interest, by virtue of Easement Deed recorded in Official Records Book 5631, Page 857.

NOTE: If any property owner is a partnership or trust, please include the names of all partner(s) or trustee(s) who are required to execute the plat dedication.

Subject to the following:

Mortgage(s) of Record (*if none, state none*): See the following instruments recorded in the Public Records of Broward County, Florida

(If any mortgage holder is a partnership or trust, please include the names of all partner(s) or trustee(s) who are required to join in or approve the easement vacation.

Mortgage in favor of Amerant Bank, N.A. Instrument No. 116951779

Assignment of Leases and Rents in favor of Amerant Bank, N.A. Instrument No. 116951780

UCC Financing Statement in favor of Amerant Bank, N.A. Instrument No. 116951781

Encumbrances of Record:

Please note the following recorded in the Public Records of Broward County, Florida:

List of easements and Rights-of-Way lying within the plat boundaries (*if none, state none*). (Attach copies of all recorded document(s) [excluding recorded plats].

See the following documents recorded in the Public Records of Broward County, Florida.

<u>Type of Instrument</u>	<u>O.R. Book</u>	<u>Page</u>
Resolution No. 2020/098	Instrument No.	117188774
Covenant	Instrument No.	117188775

I HEREBY CERTIFY that the foregoing report reflects a comprehensive search of the Public Records of Broward County, Florida, affecting the above described property. I further certify that I am an attorney-at-law duly admitted to practice in the State of Florida and a member in good standing of the Florida Bar.

Respectfully submitted this 18th day of January, 2024.

GREENSPOON MARDER LLP



Name: Thomas F. Coyle, Jr., Esq., for the firm
Florida Bar No. 0298920



PUBLIC HEARING NOTICE

March 19, 2024

Dear Property Owner:

This is to notify you that the CITY COMMISSION of the City of Deerfield Beach, a municipal corporation of Florida, shall hear an application for:

P.H. 2024-053: ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING A PORTION OF A TWENTY-FOOT UTILITY EASEMENT AND A THIRTY-FOOT WIDE ROAD RIGHT-OF-WAY LOCATED IN THE VICINTY OF 409, 412-418, 424, 430, 446, 450 AND 458 NORTH RIVER DRIVE (VISTA CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

A public hearing will be held on **TUESDAY, APRIL 2, 2024 at 7:00 p.m.** in the City Commission Chambers, City Hall, 150 NE 2nd Avenue, Deerfield Beach, Florida, and/or utilizing communications media technology with some elected officials and City staff participating through video conferencing via Zoom (virtual meeting). All interested parties may appear in person to offer evidence in support of or against the proposal. Further information may be obtained at www.deerfield-beach.com/agendas on March 22, 2024 or from the Planning and Development Services Department during business hours in City Hall, 150 N.E. 2nd Avenue, Deerfield Beach, FL 33441, phone: (954) 480-4206.

At said meeting interested persons may appear and be heard with respect to the public hearing. Any person who decides to appeal any decision made by the City Commission with respect to any matter considered at this hearing would need a record of the proceedings. And for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The above notice is required by State Law (FS 286.0105). **Any person desiring a verbatim transcript shall have the responsibility, at his own expense, to arrange for the presence at the hearing of a certified court reporter.** A full transcript of the proceedings will be needed to appeal any decision of the City Commission.

Any person requiring auxiliary aids and services at this hearing may contact the City Clerk's Office at (954) 480-4213 at least 24 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 or 1-800-955-8771.

Heather Montemayor, CMC, City Clerk



Development Review Committee Summary Report Development Plan Application Review

General Information

Application No.	24-A-201
Project Name:	Vista Clara Deerfield Beach
Applicant:	Deerfield Development Resources, LLC
Agent:	Christopher Partridge/Joshua Horning of Kimley-Horn
Requested Action/Description:	Abandonment application seeking approval to abandon an easement and a right-of-way not originally abandoned by applications 22- A-199 and 19-A-195.
Location:	409, 412-418, 424, 430, 446, 450, and 458 N. River Dr.
Legal Description:	Generally described as several parcels of land in SECTION 31, TOWNSHIP 47 SOUTH, RANGE 43 EAST, BROWARD COUNTY
Size:	+/- 8.4 acres (gross)
Existing Zoning:	PDD (Planned Development District)
Existing Land Use:	Residential Irregular (39 du / ac)
Surrounding Land Use and Zoning:	
<u>Existing Land Use</u>	<u>Zoning</u>
North: Single Family Residential	RS-5 (Residence, Single Family)
East: Waterbody	N/A
South: Warehouse / Storage	B-3 (Business, General)
West: Multi-Family Residential, Duplex, Single Family Residential, Vacant	RS-5 (Residence, Single Family)
Applicable Regulations:	City of Deerfield Beach Land Development Code

Department Comments & Requirements

REQUEST:

Abandonment Application No. 24-A-201 is a request to abandon an easement and a right-of-way on the subject parcels. Upon a recent title search conducted by the property owner, two additional easements were discovered which are required to be abandoned prior to development of the parcel.

Instrument	Existing Easement included in Abandonment
1. Plat Book 6, Page 9	30 foot wide road right-of-way
2. ORB 5631 PG 857	A portion of a 20 foot wide utility easement

Copies of the sketch and legal for the easements and proposed site plan (showing the location of the proposed abandonments) are attached for reference.

BACKGROUND:

On April 7, 2020 the City Commission voted to approve multiple items related to the Vista Clara apartment complex. Among those, was application 19-A-195, which abandoned seven easements that would not be needed with the new proposed development.

Upon a new title search, the applicant has discovered three additional easements which are required to be abandoned prior to development of the parcel. On April 25, 2023, the City Commission voted to approve the abandonment of three additional easements.

Section 98-12(6) requires that the City Commission approve all vacations and abandonments of public lands or utility and other platted easements.

The Planning and Zoning Division is unaware of any historical significance of the property or prior historical activities associated with the site.

PLANNING CONSIDERATIONS:

None

ENVIRONMENTAL SERVICES COMMENTS:

None

This report contains the requirements of the Deerfield Beach Development Review Committee members relative to this site development plan application. If there are any questions or issues regarding compliance with any of the requirements in this report, the respective department should be contacted directly.

Development Plan Application Comments



DEVELOPMENT REVIEW COMMITTEE

Project Name:	Vista Clara Abandonment	Application No.:	24-A-201
Reviewer Name:	Christopher Suneson	Project Address:	409, 412-418, 424, 430, 446, 450, and 458 N. River Dr
Department / Division:	Planning & Zoning		
Position:	Asst. Director		
Date of Review:	02/23/24		
Submittal No.:	1		

A. APPLICATION / GENERAL COMMENTS:

1.	The Project coordinator, Christopher Suneson, shall be the primary point of contact between the applicant and the City during the DRC process. The applicant shall not contact a City consultant without first contacting the project coordinator. Furthermore, the applicant must notify or copy via email any conversation or contact the applicant has with a separate division or department of the City.
2.	Per Sec. 98-35 All applications proceeding to City Commission shall comply with requirements for public notice, including payment of all required public notification fees, submittal of all documents and labels for notice to property owners, on-site signage, and newspaper publishing. Applicants are only permitted to begin the public notification process upon determination by Planning & Zoning staff that the item has been scheduled for an upcoming public hearing. The Public Notice Checklist can be accessed at http://www.deerfield-beach.com/DocumentCenter/View/12586/Public-Notice-Checklist .
3.	For items being heard by City Commission, a cost recovery fee shall be paid by check to the City of Deerfield Beach for electronic document remediation of the application in order to comply with Title III of the Americans with Disabilities Act. The fee will be payable by the Applicant once the City receives the invoice.
4.	Per Section 98-14(f) An application for development plan shall be deemed to have been abandoned becoming null and void after six months of inactivity. If an application has no activity within this time frame, then a new application for development plan along with all applicable fees shall be submitted should the applicant wish to proceed with the project.
5.	All approved Abandonments shall be recorded with Broward County Official records and copies provided to the City.



DEVELOPMENT REVIEW COMMITTEE

Project Name:	Vista Clara -Pennell 418 Abandonment	Application No.:	24-A-201
Reviewer Name:	Alfonso Orellana		
Department / Division:	Environmental Services		
Position:	Plans Reviewer		
Date of Review:	02-26-24		
Submittal No.:	1		

A. EASEMENT VACATION:

1.	NO OBJECTION TO PROCCED WITH EASEMENT VACATION
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DEVELOPMENT PLAN APPLICATION

PROVIDE IN FULL THE FOLLOWING INFORMATION (TYPE OR PRINT LEGIBLY)

One application may be submitted for multiple requests. Unless otherwise directed by staff, the following items with associated attachments are required for staff to determine the application is complete for processing by the City.

PROJECT INFORMATION:

TYPE OF REQUEST (check all that apply)

☐ New Site Plan / Site Plan Modification (See Attachment A)	☐ Plat or Plat Note Amendment (See Attachment F)
☐ Community Appearance Board (See Attachment B)	☐ Conditional Use (See Attachment G)
☐ Variance (See Attachment C)	☒ Vacation & Abandonment (See Attachment H)
☐ Technical Deviation (See Attachment D)	☐ ROW Variance (See Attachment I)
☐ Rezoning (See Attachment E)	☐ Sign Variance (See Attachment J)

Project Name: Vista Clara Deerfield Beach

Property Owner: Christopher Partridge on behalf of Deerfield Development Resources, LLC.

Applicant (if different from Owner): _____

Agent (if different from Owner/Applicant): Joshua Horning

Address of Property: Please refer to attachment below.

Legal Description of Property (lot, block, tract, subdivision): _____

Please refer to attachment below.

Description of Project: Applicant is seeking to abandon dedicated easements that were missed during original abandonment.
Cosden and Bracknell Plat Book 6 page 9, and City Construction Easement ORB 5631 PG 857

New Development (Y/N): Yes

Zoning District: RS5, RM10, B3

Existing Use: Marina, Vacant

Lot Area (acres): +/- 8.4

Sq. Ft. of Structure (existing): _____

Modification to Existing Development (Y/N): No

Future Land Use Category: _____

Proposed Use: _____

Number of Dwelling Units (proposed): _____

Sq. Ft. of Structure (proposed): _____

Residential Irregular

Multi-Family

326

Agent Signature: _____

Name Printed: Joshua Horning

Address: 1615 South Congress Avenue, Suite 201, Delray Beach, FL 33445

Telephone: 561.404.7240

Email: josh.horning@kimley-horn.com

Owner Signature: _____

Name Printed: Christopher Partridge

Address: 1769 NE 33rd Street, Pompano Beach, FL 33064

Telephone: 954.906.9621

Email: chp@PartridgeEquities.com

City of Deerfield Beach
FEB - 7 2024
Received
Planning & Dev. Svcs.



For Office Use Only
Application No. 24-A-201
Submittal Date: _____

ATTACHMENT H

APPLICATION FOR ABANDONMENT & VACATION

Pursuant to Code Section 98-13(k).- Vacation Or Abandonment Of Property, Etc. Applications.

COMPLETE ALL SECTIONS OF APPLICATION LEGIBLY.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

Check applicable box:

- ☒ Dedicated or Platted Easement ☐ Dedicated Street, Alley or Right-of-Way

REQUIRED SUBMITTALS

All of the following must be submitted to be deemed a complete application (documentation may be provided with the development plan application requirements in Attachment A):

- ☐ **Complete Application** (Including Development Application Form)
- ☐ **Application Processing Fee** (See fee schedule)
- ☐ **Certificate of Title** listing all adjacent owners and persons with recorded mortgages thereon.
- ☒ **Disclosure Affidavit** for all owners, representatives, and applicants for the project that will be speaking on behalf of the application.
- ☒ **Agent Authorization Letter** if applicable, authorizing the applicant/agent to act on all property owners' behalf.
- ☒ **(5) 24" x 36" and (1) 11" x 17" copies of a Current Survey** (12 months or less) ^{✓ January 29th 2020} signed and sealed by a Florida registered surveyor of the subject property, containing the information required by Code Section 98-13(b)(8)(b).
- ☒ **(5) 24" x 36" and (1) 11" x 17" copies of a Signed and Sealed Survey** (12 months or less) of the area to be abandoned, including all property adjacent thereto, and the certified legal description of the area to be abandoned/ vacated.
- ☒ **One (1) Digital CD** of required submittals listed above must be provided.
- ☐ **Other Information** may be required as determined by staff (e.g. architectural elevations, floor plans, site plan etc.).

Public Notice and Advertising Requirements

Pursuant to Code Section 98-35(1), prior to any public hearing of the city commission for a development permit as described in section 98-12 of this Code, the applicant shall provide proper notification to the public in compliance with this section and all applicable county, state and federal law.



A. VACATION AND ABANDONMENT INFORMATION

The undersigned desires the vacation and abandonment of the following portion of a dedicated or platted easement, to wit:

Cosden and Blacknell Plat Book 6 Page 9.

City Construction Easement ORB 5631 Page 857.

Reason for vacation and abandonment:

The existing easements are in conflict with what is proposed on site.

The abandonments are being requested to complete the previously requested abandonments on site. Updated Title work had indicated two (2) additional easements that were not originally abandoned by Application 19-A-195 (Vista Clara Apartments Abandonment) AKA Resolution 2020-097.

B. APPLICANT INFORMATION (Name and legal description of all abutting property owners. Please be aware that approval must be obtained from all abutting property owners with signatures provided herewith. Use additional pages if necessary.)

PROPERTY OWNER:

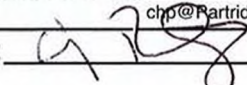
Name (Print): Christopher Partridge on behalf of Deerfield Development Resources, LLC

Property Address: 1769 NE 33rd Street, Pompano Beach, FL 33064

Legal Description of Property: See attached warranty deed.

Home/Mobile Phone: 954.906.9621

Email: chp@PartridgeEquities.com

Signature: 

PROPERTY OWNER:

Name (Print):

Property Address:

Legal Description of Property:

Home/Mobile Phone:

Email:

Signature:

PROPERTY OWNER:

Name (Print):

Property Address:

Legal Description of Property:

Home/Mobile Phone:

Email:

Signature:

Agent Authorization for Vista Clara

To Whom It May Concern:

This is to certify that I, Christopher Partridge, Managing Member for Deerfield Development Resources, LLC, hereby authorize Joshua D. Horning, P.E. of Kimley-Horn and Associates, Inc. as an agent of Deerfield Development Resources, LLC to present any and all pertinent information to the appropriate authorities on my behalf in an effort to obtain approvals as required.

Please feel free to call me at (954) 906-9621, if you need to contact me personally.

Sincerely yours,


Christopher Partridge
Managing Member
Deerfield Development Resources, LLC
1769 NE 33rd Street
Pompano Beach, FL 33064

STATE OF FLORIDA
COUNTY OF

The foregoing instrument was acknowledged before me this 17th day of June 2022,
by Christopher Partridge He/She is personally known to me or has produced
Driver's License as identification.



Notary Public, State of Florida

My Commission Expires:





DISCLOSURE AFFIDAVIT

The City of Deerfield Beach requires all applicants, and persons and/or entities doing business with the City, to disclose any potential for or conflict of interest as stated below. Per Ordinance No. 2009/006 of the City of Deerfield Beach, the adopted Ethics Code contains the following:

Section 5. Disclosure and Behavior Requirements of Applicants and Persons/Entity seeking a City contract or currently doing business with the City.

Any applicant for a land use change or development permit requiring approval of the City Commission, or any person/entity seeking a City contract through a request for proposal, request for qualification, or sealed bid process (all referred to as applicant):

- A. Shall not induce, attempt to offer, solicit or knowing assist any person in violating the Ethics Code.
- B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

- 1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

- 2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

- 3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.
5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.
6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Christopher Partridge, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

[Signature]
Signature

11/28/2023
Date

SWORN TO AND SUBSCRIBED Before me by means of ☒ physical presence or ☐ online notarization, this 28th day of November, 2023 by

Christopher Partridge (Affiant), who is personally known to me or has produced Florida Driver License identification.

My commission expires: Nov 16th 2026

Commission No.: HH332890



GENNARO BALLERO, JR.
Commission # HH 332890
Expires November 16, 2026

[Signature]
(Signature of Notary Public - State of Florida)

Gennaro Ballero Jr.
(Print, Type, or Stamp Commissioned Name of Notary Public)



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(Attach additional sheets as needed for each item.)

1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.
5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.
6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Joshua Horning, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

Signature

Date

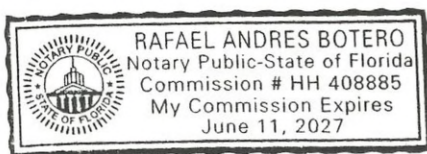
SWORN TO AND SUBSCRIBED Before me by means of ☒ physical presence or ☐ online

notarization, this 22nd day of November, 2023 by

Joshua Horning (Affiant), who is personally
known to me or has produced _____ identification.

My commission expires: 6/11/27

Commission No.: HH 408885



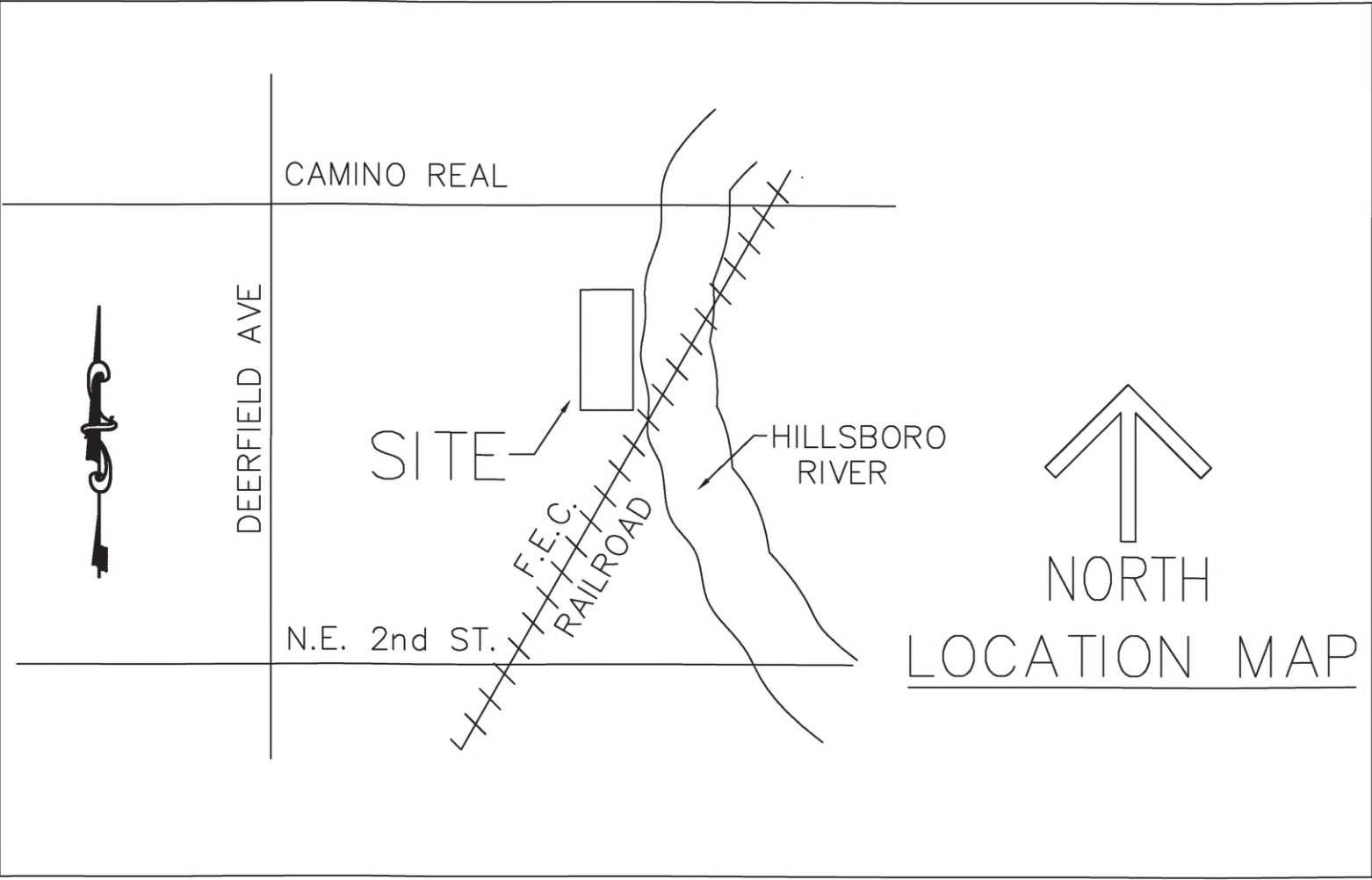
(Signature of Notary Public - State of Florida)

(Print, Type, or Stamp Commissioned Name of Notary Public)



DEERFIELD BEACH, FL

ALTA/ACSM BOUNDARY AND TOPOGRAPHIC SURVEY



DESCRIPTION:

PARCEL 1:
LOTS 1, 2, 3, 4, 5, 7, 8, 9, AND 10 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN SAID LOTS, ALL OF SAID LOTS NOW LYING AND BEING IN BROWARD COUNTY, FLORIDA;

AND
PARCELS A AND B OF PENNELL FAMILY PLAT, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 160, PAGE 23 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;

AND
LOT 7, BLOCK 1, OF RIVERVIEW TERRACE, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59, PAGE 34 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

PARCEL 2:
LOTS 11 AND 12 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN SAID LOTS, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

PARCEL 3:
LOT 6 OF MAP OF COSDEN & BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF AS FILED FOR RECORD IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, TOGETHER WITH THAT PART OF VACATED COSDEN STREET LYING WITHIN LOT 6, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

LOTS 13, 14 AND 15, OF COSDEN AND BRACKNELL ADDITION TO DEERFIELD, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, SAID LANDS NOW SITUATE, LYING AND BEING IN BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

ALL THAT CERTAIN SUBDIVISION KNOWN AS ANTIBES DEVELOPMENT PLAT, RECORDED IN PLAT BOOK 150, PAGE 11, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; AND ALL THAT CERTAIN SUBDIVISION KNOWN AS ANTIBES DEVELOPMENT PLAT II, RECORDED IN PLAT BOOK 150, PAGE 26, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH:

THE NORTH 66 FEET OF THE EAST ONE-HALF (E 1/2) OF THE NORTHEAST ONE-QUARTER (NE 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF THE SOUTHWEST ONE-QUARTER (SW 1/4) OF SECTION 31, TOWNSHIP 47 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA; LESS THE EAST 136 FEET THEREOF AND LESS AND EXCEPT THE WEST 25 FEET THEREOF FOR N.E. 1ST AVENUE.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF ANTIBES DEVELOPMENT PLAT AS RECORDED IN PLAT BOOK 150, PAGE 11 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA;
THENCE, ALONG THE WEST LINE OF SAID ANTIBES DEVELOPMENT PLAT, ANTIBES DEVELOPMENT PLAT AS RECORDED IN PLAT BOOK 150, PAGE 26, PENNELL FAMILY PLAT, PARCEL "A" AND PARCEL "B" AS RECORDED IN PLAT BOOK 160, PAGE 23 ALL OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, SAID LINE ALSO BEING THE EAST RIGHT-OF-WAY LINE OF NORTHEAST 1ST AVENUE, NORTH 00°47'14" WEST, A DISTANCE OF 666.68 FEET, THENCE, DEPARTING SAID WEST PLAT LINE AND EASE RIGHT-OF-WAY LINE, NORTH 88°36'10" EAST, ALONG THE WESTERLY EXTENSION OF AND THE SOUTH LINE THEREOF OF RIVERVIEW TERRACE REPLAT, BLOCK 1, AS RECORDED IN PLAT BOOK 60, PAGE 40 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, A DISTANCE OF 436.23 FEET TO THE SOUTHWEST CORNER OF LOT 7, RIVERVIEW TERRACE, PLAT BOOK 59, PAGE 34, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, THENCE, ALONG THE WEST, NORTH AND EAST LINES OF SAID LOT 7 THE FOLLOWING FIVE (5) COURSES; NORTH 01°23'50" WEST, A DISTANCE OF 86.01 FEET; THENCE NORTH 12°42'26" WEST, A DISTANCE OF 25.50 FEET; THENCE NORTH 88°36'10" EAST, A DISTANCE OF 20.00 FEET; THENCE NORTH 24°51'10" EAST, A DISTANCE OF 21.88 FEET; THENCE SOUTH 57°10'50" EAST, A DISTANCE OF 117.01 FEET TO A POINT OF INTERSECTION WITH THE APPROXIMATE EDGE OF WATER OF THE HILLSBORO RIVER; THENCE, ALONG SAID APPROXIMATE EDGE OF WATER THE FOLLOWING SIXTEEN (16) COURSES; SOUTH 30°02'28" WEST, A DISTANCE OF 188.11 FEET; THENCE SOUTH 09°41'03" WEST, A DISTANCE OF 99.81 FEET; THENCE SOUTH 09°41'03" WEST, A DISTANCE OF 11.10 FEET; THENCE SOUTH 07°00'26" WEST, A DISTANCE OF 18.86 FEET; THENCE SOUTH 15°50'49" WEST, A DISTANCE OF 32.10 FEET; THENCE SOUTH 15°19'51" EAST, A DISTANCE OF 63.92 FEET; THENCE SOUTH 29°07'20" EAST, A DISTANCE OF 34.14 FEET; THENCE SOUTH 19°18'52" EAST, A DISTANCE OF 45.80 FEET; THENCE SOUTH 38°41'20" EAST, A DISTANCE OF 14.65 FEET; THENCE SOUTH 52°36'26" EAST, A DISTANCE OF 12.21 FEET; THENCE SOUTH 21°27'01" EAST, A DISTANCE OF 34.30 FEET; THENCE SOUTH 29°18'20" EAST, A DISTANCE OF 11.69 FEET; THENCE SOUTH 25°02'19" EAST, A DISTANCE OF 10.03 FEET; THENCE SOUTH 14°56'30" EAST, A DISTANCE OF 20.93 FEET; THENCE SOUTH 22°09'06" EAST, A DISTANCE OF 11.63 FEET; THENCE SOUTH 78°54'42" EAST, A DISTANCE OF 18.95 FEET; THENCE SOUTH 11°22'50" EAST, A DISTANCE OF 4.72 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF NORTH RIVER AVENUE; THENCE, ALONG SAID WESTERLY LINE SOUTH 35°59'30" WEST, A DISTANCE OF 399.36 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF J R HORNES SUB AS RECORDED IN PLAT BOOK 5, PAGE 30 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA; THENCE, ALONG THE EAST LINE OF SAID LOT 1 NORTH 00°42'14" WEST, A DISTANCE OF 149.23 FEET TO THE NORTH EAST CORNER OF SAID LOT 1; THENCE, ALONG THE NORTH LINES OF LOTS 1 THROUGH 7 OF SAID J R HORNES SUB, SOUTH 88°59'53" WEST, A DISTANCE OF 305.85 FEET TO THE POINT OF BEGINNING.

SAID LANDS LYING SECTION 31, TOWNSHIP 47 SOUTH, RANGE 43 EAST, BROWARD COUNTY, FLORIDA.

ABOVE DESCRIBED EASEMENT CONTAINING A TOTAL OF 334,972 SQUARE FEET OR 7.6899 ACRES MORE OR LESS.

GROSS AREA AS HATCHED IS 8.3674 ACRES, MORE OR LESS

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF RECORD.

SCHEDULE BII EXCEPTIONS OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT NUMBER 48079.0008 EFFECTIVE DATE SEPTEMBER 4, 2017

7. WATER LINE OF HILLSBORO RIVER AND ALL OTHER MATTERS SHOWN ON THE MAP OF COSDEN AND BRACKNELL ADDITION TO DEERFIELD, AS RECORDED IN PLAT BOOK 6, PAGE 9, PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, AND AS RECORDED IN PLAT BOOK 1, PAGE 25 OF THE PALM BEACH COUNTY TRANSCRIPT OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. APPROXIMATE WATER LINE SHOWN. NO SPECIFIC EASEMENTS.

8. RESTRICTIONS, DEDICATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF PENNELL FAMILY PLAT, AS RECORDED IN PLAT BOOK 160, PAGE 23, AS AFFECTED BY RESTRICTIONS SET FORTH IN AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT RECORDED IN O.R. BOOK 31395, PAGE 1329, AND AS AFFECTED BY AGENT OF RECORD FOR NOTICE OF EXPIRATION OF FINDINGS OF ADEQUACY RECORDED IN O.R. BOOK 31395, PAGE 1336, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. PLOTTED HEREON.

9. BUILDING SET-BACK LINE, DEDICATIONS, EASEMENTS, WATER LINE OF HILLSBORO RIVER AND OTHER MATTERS SHOWN ON THE FILE NO.: 17076330 PLAT OF RIVERVIEW TERRACE, AS RECORDED IN PLAT BOOK 59, PAGE 34, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. PLOTTED HEREON.

10. EASEMENTS FOR UTILITIES AND DRAINAGE GRANTED TO THE CITY OF DEERFIELD BEACH BY EASEMENT DEEDS RECORDED IN O.R. BOOK 5631, PAGE 857, O.R. BOOK 7255, PAGE 70, O.R. BOOK 7255, PAGE 71, O.R. BOOK 7255, PAGE 72, AND O.R. BOOK 7255, PAGE 73, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. PLOTTED HEREON.

11. EASEMENTS FOR UTILITIES AND DRAINAGE GRANTED TO THE CITY OF DEERFIELD BEACH BY EASEMENT DEEDS RECORDED IN O.R. BOOK 7684, PAGES 155 AND 156. DOES AFFECT. PLOTTED HEREON.

12. 20 FOOT WIDE ACCESS AND UTILITY EASEMENT GRANTED TO CITY OF DEERFIELD BEACH AS DESCRIBED IN EASEMENT DEED RECORDED IN O.R. BOOK 27771, PAGE 73, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. PLOTTED HEREON.

13. TERMS, CONDITIONS, RESTRICTIONS, COVENANTS AND LIMITATIONS SET FORTH IN DECLARATION OF UNITY OF TITLE RECORDED ON 4/15/1996 IN O.R. BOOK 24743, PAGE 119, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. NOT PLOTTED.

14. TERMS, CONDITIONS, RESTRICTIONS AND OBLIGATIONS SET FORTH IN SOUTH FLORIDA WATER MANAGEMENT DISTRICT PERMIT NO. 10810, ISSUED 3/12/1998, AND IN NOTICE OF PERMIT RECORDED ON 3/24/1998 IN O.R. BOOK 27919, PAGE 884, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. NOT PLOTTED.

15. BROWARD COUNTY ORDINANCE NO. 2002-61 RECORDED IN O.R. BOOK 34145, PAGE 1891. DOES AFFECT. NOT PLOTTED.

16. TERMS, CONDITIONS, COVENANTS, RESTRICTIONS, LIMITATIONS AND OBLIGATIONS SET FORTH IN THAT SOVEREIGNTY SUBMERGED LANDS LEASE NO. 060028456, GIVEN BY THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA, RECORDED IN O.R. BOOK 30754, PAGE 1764 AND SOVEREIGNTY SUBMERGED LANDS LEASE RENEWAL RECORDED ON O.R. BOOK 47476, PAGE 498, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. PLOTTED HEREON.

17. EASEMENTS SET FORTH IN AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION RECORDED IN O.R. BOOK 49510, PAGE 562 (SEE PAGE 596), O.R. BOOK 49885, PAGE 466 (SEE PAGE 490), O.R. BOOK 50264, PAGE 1803 (SEE DOCUMENT PAGE 30), AND O.R. BOOK 50355, PAGE 1901, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. PLOTTED HEREON.

18. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2987, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 228 AND CORRECTIVE DEED, DATED JUNE 28, 1955, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED IN O.R. BOOK 419, PAGE 68, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN O.R. BOOK 6006, PAGE 241 AND IN O.R. BOOK 6067, PAGE 527, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. NOT PLOTTED.

19. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2954, DATED JUNE 24, 1946, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 187, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN O.R. BOOK 6006, PAGE 242, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. NOT PLOTTED.

20. RESERVATIONS IN FAVOR OF THE STATE OF FLORIDA, AS SET FORTH IN THE DEED NO. 2970, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, RECORDED AUGUST 5, 1946 IN DEED BOOK 549, PAGE 208, AND CORRECTIVE DEED, DATED OCTOBER 22, 1946, FROM THE TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA, HOWEVER, THE RIGHT OF ENTRY AND EXPLORATION ASSOCIATED WITH THE OIL AND MINERAL RESERVATIONS HAS BEEN RELEASED PURSUANT TO SEC. 270.11, F.S., AND EXCEPT AS RELEASED BY QUIT CLAIM DEED RECORDED IN O.R. BOOK 6006, PAGE 243, PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. NOT PLOTTED.

21. TERMS, COVENANTS, CONDITIONS AND OTHER MATTERS CONTAINED IN ANY UNRECORDED LEASE(S) AND ALL RIGHTS THEREUNDER OF THE LESSEE(S) AND OF ANY PARTY CLAIMING BY, THROUGH OR UNDER THE LESSEE(S). DOES AFFECT. NOT PLOTTED.

SCHEDULE BII EXCEPTIONS OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT NUMBER 48079.0008 EFFECTIVE DATE SEPTEMBER 4, 3017

7. - REVERTER (DELETING THEREFROM ANY RESTRICTIONS INDICATING ANY PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN), CONTAINED ON THE PLAT OF COSDEN AND BRACKNELL ADDITION TO DEERFIELD, AS RECORDED IN PLAT BOOK 6, PAGE 9, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA. DOES AFFECT. NO SPECIFIC EASEMENTS. NOT PLOTTED.

8. - EASEMENT DEED IN FAVOR OF CITY OF DEERFIELD BEACH, RECORDED IN OFFICIAL RECORDS BOOK 5631, PAGE 855, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. PLOTTER HEREON.

9. - AMENDED EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION IN FAVOR OF SPRINT COMMUNICATIONS COMPANY, L.P., QWEST COMMUNICATIONS COMPANY, LLC, LEVEL 3 COMMUNICATIONS, LLC AND WITEL COMMUNICATIONS, INC., AND THEIR SUCCESSORS, ASSIGNS AND LICENSEES, RECORDED IN OFFICIAL RECORDS BOOK 49510, PAGE 562 AND OFFICIAL RECORDS BOOK 49885, PAGE 466 (OFFICIAL RECORDS BOOK 49885, PAGE 466 CORRECTED IN OFFICIAL RECORDS BOOK 50264, PAGE 1803), AS AFFECTED BY NOTICE OF SUBSTITUTION OF EASEMENT DEED BY COURT ORDER IN SETTLEMENT OF LANDOWNER ACTION RECORDED IN OFFICIAL RECORDS BOOK 50355, PAGE 1901, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA. DOES AFFECT. PLOTTED HEREON.

Flag ID	Species	Trunk Diameter (in)	Approx. Height (ft)	Notes
WMG 1-32	White mangrove/Red mangrove	0.5	7	Cluster of 32 mangroves, average diameter & average height of clus
Cluster of 24	White mangrove	0.33	6	Cluster of 24 mangroves, average diameter & average height of clus
WMG-34	White mangrove	0.53	10	
WMG-35	White mangrove	0.82	10	
WMG-36	White mangrove	1.07	12	
WMG-37	White mangrove	0.63	8	
WMG-38	White mangrove	0.68	8	
WMG-39	White mangrove	0.62	7	
WMG-40	White mangrove	0.94	12	
WMG-41	White mangrove	0.95	12	
WMG-42	White mangrove	1.03	12	
WMG-43	White mangrove	1.01	12	
WMG-44	White mangrove	1.1	12	
WMG-45	White mangrove	1.18	12	unable to access, approximate diameter
WLMG-1	White mangrove	1.18	20	unable to access, approximate diameter
WLMG-2	White mangrove	2.76	20	unable to access, approximate diameter

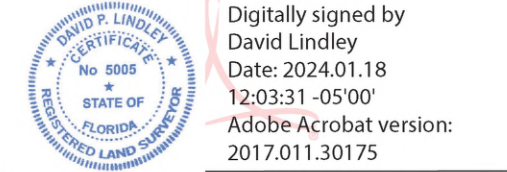
SURVEYOR'S NOTES:

- REPRODUCTIONS OF THIS SKETCH ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED SURVEYOR'S SEAL.
- BEARINGS SHOWN HEREON ARE RELATIVE TO A GRID BEARING OF NORTH 00°47'14" WEST ALONG THE WEST LINE OF THE PLAT OF ANTIBES DEVELOPMENT PLAT, AS RECORDED IN PLAT BOOK 150, PAGES 11 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, RELATIVE TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT).
- ALL FIELD MEASURED ANGLES AND DISTANCES ARE CONSISTENT WITH THE INSTRUMENTS OF RECORD.
- THE SURVEYOR HAS REVIEWED OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT FILE NUMBER 170763330 , WITH AN EFFECTIVE DATE OF JULY 25, 2017 AND OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY TITLE COMMITMENT FILE NUMBER 17110029 , WITH AN EFFECTIVE DATE OF SEPTEMBER 4, 2017 AND ALL EASEMENTS CONTAINED THEREIN ARE PLOTTED HEREON.
- ELEVATIONS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 AND ARE BASED ON BENCHMARK "PIONEER" WITH A PUBLISHED ELEVATION OF 9.26.
- FLOOD ZONE: "X"-(X(0.2%) "AE" (ELEV. 7), "AE" (ELEV. 5.5); FIRM PANEL NO. 12099C1178F; COMMUNITY NO. 12011C0178H; DATE: AUGUST 18, 2014; LOMR: FEMA CASE # 18-04-4897P; EFFECTIVE DATE: MARCH 19, 2019.

SURVEY CERTIFICATION:

I HEREBY CERTIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE "2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS", JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 2, 3, 4, 5, 8, 9, AND 20(\$1,000,000) OF TABLE A THEREOF. FIELD SURVEY DATE JANUARY 29, 2020.

DATE OF MAP: 1/29/19



DAVID P. LINDLEY, P.L.S.
REG. LAND SURVEYOR #5005
STATE OF FLORIDA - LB #3591

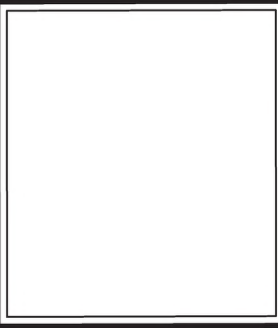
UPDATE SURVEY 1/29/20

CORRECTED PARCEL 2, LEGAL TYPO	8/1/19	TKM
UPDATE SURVEY	7/17/19	TMS
UPDATE SURVEY	6/28/19	TMS
REVISED GROSS ACREAGE	12/26/17	ACE
ADDED FLOOD ZONE INFORMATION	12/13/17	ACE
REVISIONS	DATE	BY
FILE NAME	7954_Survey.dgn	4

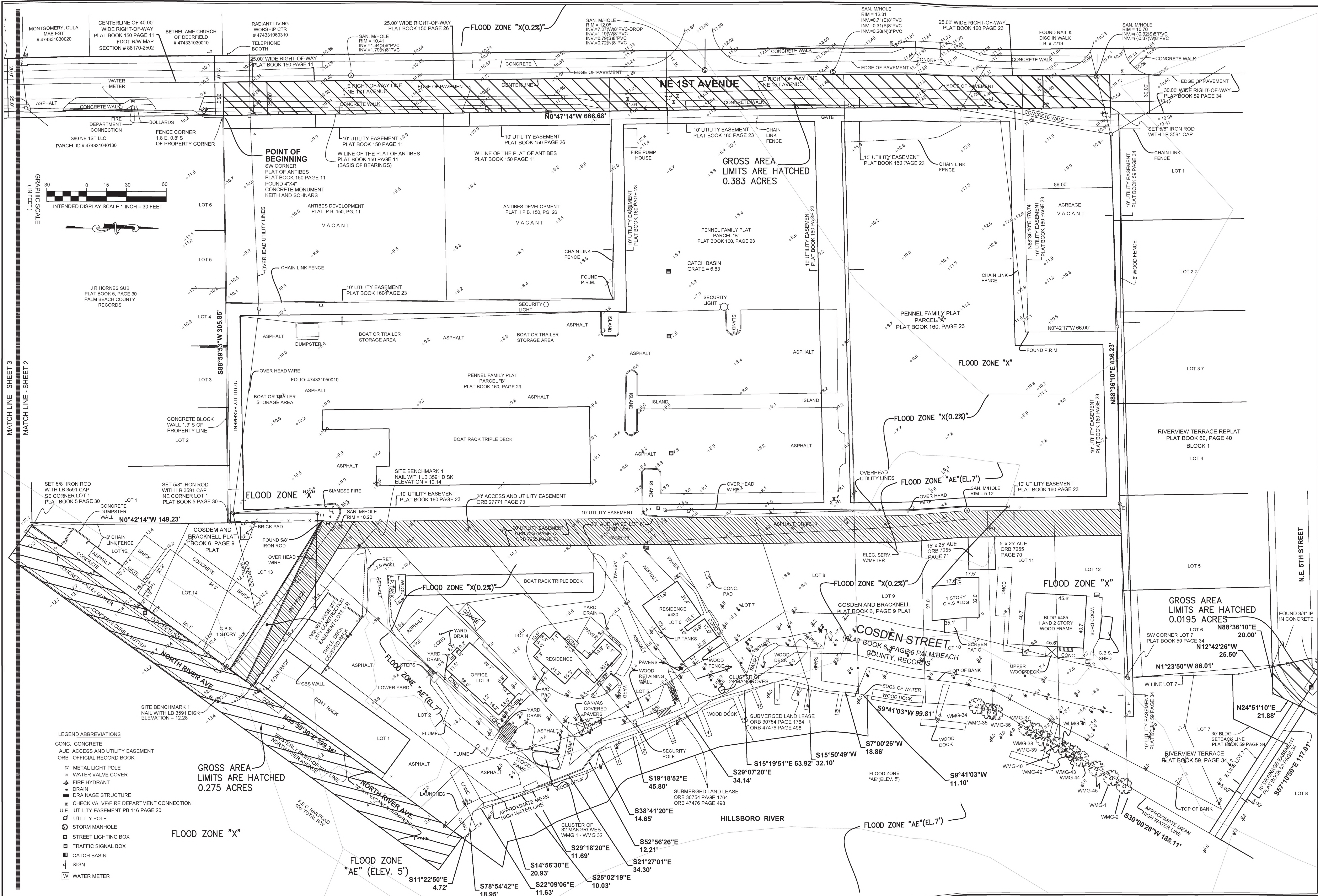
CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
LANDSCAPE ARCHITECTURE - SURVEYING
7900 GLADES ROAD - SUITE 100
BOCA RATON, FLORIDA 33434
PHONE (561)-392-1991 / FAX (561)-750-1452

BOUNDARY AND TOPOGRAPHIC SURVEY
PENNELL MARINA DEERFIELD BEACH, FL

DATE	1/29/20
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	1"=30'



JOB # 7954
SHT.NO.
1
OF 3 SHEETS



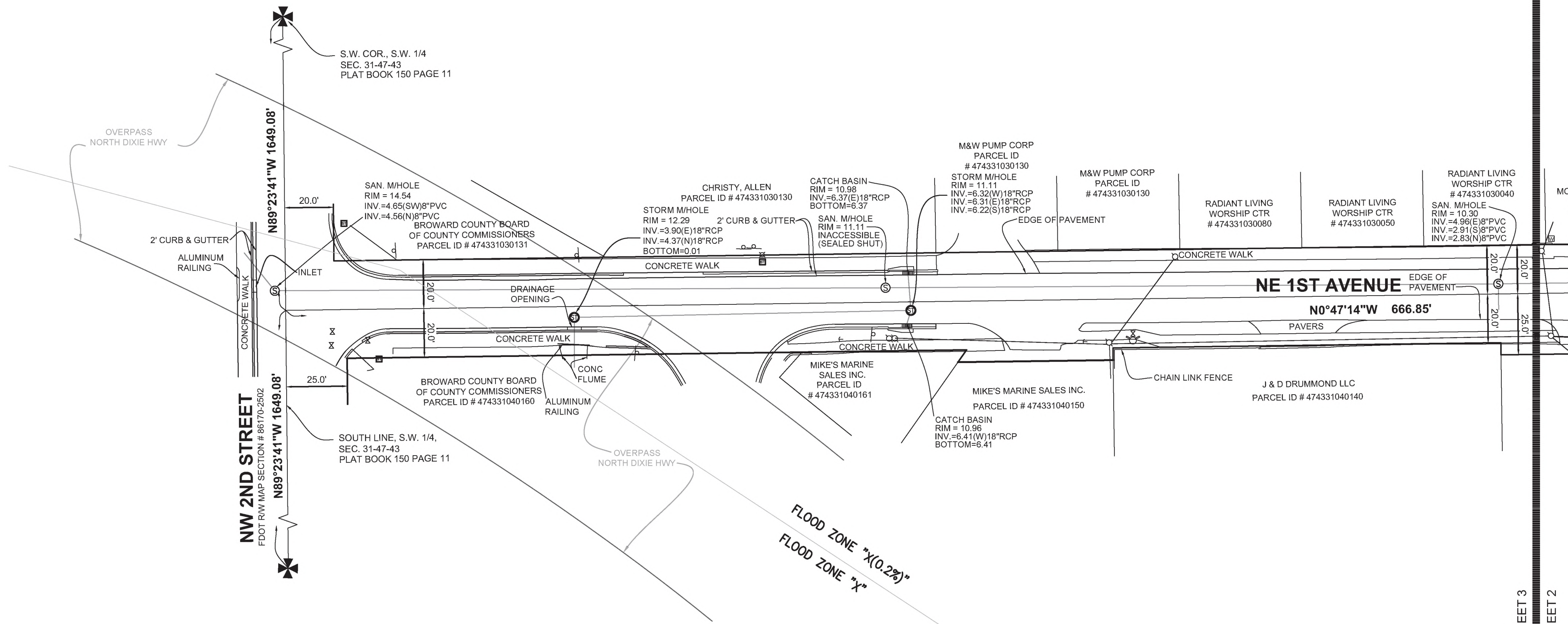
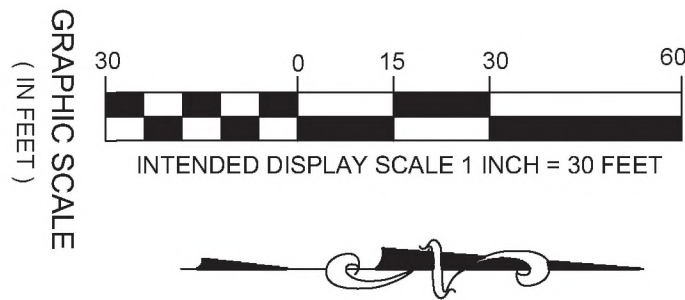
TKM	7/17/19	DATE
TMS	6/28/19	
REVISIONS	12/26/17	AGE
ADDED FLOOD ZONE INFORMATION	12/13/17	AGE
BY		

CAULFIELD & WHEELER, INC.
CIVIL ENGINEERING
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BOUNDARY AND TOPOGRAPHIC SURVEY
PENNEL MARINA DEERFIELD BEACH, FL

DATE	1/29/20
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	1"=30'

JOB # 7954
SHT.NO.
2
OF 3 SHEETS



LEGEND ABBREVIATIONS

CONC. CONCRETE
AUE ACCESS AND UTILITY EASEMENT
ORB OFFICIAL RECORD BOOK

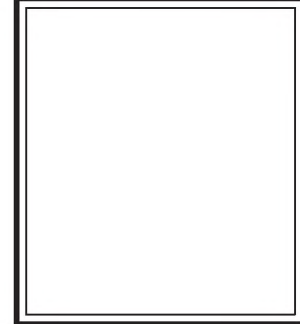
- ⊠ METAL LIGHT POLE
- ⊗ WATER VALVE COVER
- ⊕ FIRE HYDRANT
- ⊖ DRAIN
- DRAINAGE STRUCTURE
- ⊠ CHECK VALVE/FIRE DEPARTMENT CONNECTION
- U.E. UTILITY EASEMENT PB 116 PAGE 20
- ⊙ UTILITY POLE
- ⊙ STORM MANHOLE
- STREET LIGHTING BOX
- TRAFFIC SIGNAL BOX
- CATCH BASIN
- ⊠ SIGN
- ⊠ WATER METER

UPDATE SURVEY	7/17/19	TMS
UPDATE SURVEY	6/28/19	TMS
REVISED GROSS ACREAGE	12/26/17	AGE
ADDED FLOOD ZONE INFORMATION	12/13/17	AGE
REVISIONS	DATE	BY
FILE NAME 7954 SURVEY	updt 4	

CAULFIELD & WHEELER, INC.
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BOUNDARY AND TOPOGRAPHIC SURVEY
PENNEL MARINA DEERFIELD BEACH, FL

DATE	1/29/20
DRAWN BY	TMS
F.B./ PG.	N/A
SCALE	1"=30'



JOB # 7954
SHT.NO.
3
OF 3 SHEETS



City of Deerfield Beach

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

Face Sheet File Number: I.D. 2024-152

Agenda Date: 4/2/2024

Status: PUBLIC HEARINGS –
SECOND READING

In Control: City Commission

Title

P.H. 2024-054: ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE I "IN GENERAL" OF CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF ORDINANCES TO AMEND SEC. 2-1 "CITY SEAL AND CITY LOGO" TO UPDATE THE AUTHORIZED USES AND PROHIBITED USES RELATING TO THE CITY'S LOGO; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

On October 3, 2022, the City Commission adopted Ordinance 2022/024, which amended City Code Section 2-1(b) to reflect the updated City Seal. Additionally, Subsection (c) was added to include the updated City Logo, and renamed the Section to "City Seal and City Logo." Pursuant to the current code provision, the misuse of the City's seal is considered a violation under Section 165.043, Florida Statutes, however, this statutory provision does not specifically address the misuse of the City's Logo.

Current Activity

The enclosed Ordinance expressly prohibits the misuse of the City's logo and establishes that such misuse will be processed as a Code violation, for which civil penalties may be assessed. The attached Ordinance is modeled after an Ordinance recently adopted by the County for protection of their logo. The new provisions will protect the public from deception by misuse of the City's logo.

Recommendation

Approval is recommended.

ORDINANCE NO. 2024/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE I “IN GENERAL” OF CHAPTER 2 “ADMINISTRATION” OF THE CITY CODE OF ORDINANCES TO AMEND SEC. 2-1 “CITY SEAL AND CITY LOGO” TO UPDATE THE AUTHORIZED USES AND PROHIBITED USES RELATING TO THE CITY’S LOGO; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE

WHEREAS, on October 3, 2022 the City Commission adopted Ordinance No. 2002/024 amending and renaming Section 2-1 “City Seal” of Chapter 2 “Administration” of the City Code of Ordinances to include the City’s current official seal and logo; and

WHEREAS, certain individuals and entities have utilized the City’s seal and/or logo without the City’s permission and in such a manner that is misleading and implies a City affiliation with or endorsement of the entity; and

WHEREAS, misuse of the City’s seal and/or logo diminishes the goodwill of the City and harms the public; and

WHEREAS, the current code sets forth misuse of the City seal is a violation of Section 165.043, Florida Statutes, however, this statute does not specifically address the misuse of the City’s logo; and

WHEREAS, it has been determined that the City Code needs to be clarified to expressly prohibit the misuse of the City’s logo, and establish that such misuse will be processed as a Code violation, in an effort to protect the public from deception by misuse of the City’s logo.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AS FOLLOWS:

Section 1. The above “WHEREAS” clauses are true and correct and are made a part of this Ordinance.

Section 2. Section 2-1 “City Seal and City Logo” of Chapter 2 “Administration” of the City Code of Ordinances is hereby amended to read as follows¹:

Chapter 2 ADMINISTRATION

* * *

ARTICLE I. – IN GENERAL

¹ Additions to existing City Code text are shown in underline. Deletions to existing City Code text are shown in ~~strikethrough~~.

Sec. 2-1. City seal and city logo.

* * *

- (c) *Official logo.* The city logo, as depicted below, is hereby designated by the City of Deerfield Beach as the official logo of the City of Deerfield Beach. The City logo as used in this subsection, means the official logo shown below, along with any derivatives thereof that include a portion of the City logo or that are so similar to the City logo that there is a suggestion of an affiliation with or endorsement of the City of Deerfield Beach.



(1) No person or entity shall knowingly display any printed or other likeness of the City logo, or a copy thereof, in, or in connection with, any advertisement, poster, circular, book, pamphlet, flyer, menu, website, or other publication, public meeting, play, motion picture, telecast, or other production, or on any building, monument, or stationary, for the purpose of conveying, or in a manner reasonably calculated to convey, a false impression of sponsorship, approval, or endorsement by, or affiliation with, the City of Deerfield Beach, Florida or by any department, agency, or instrumentality of the City of Deerfield Beach.

(2) Except as permitted herein or otherwise authorized by the City Commission or the City Manager or designee, no person or entity shall knowingly use, manufacture, reproduce, sell or purchase for resale, either separately or affixed to any article manufactured or sold, any likeness of the City's logo or any substantial part thereof.

(3) Notwithstanding any other provision in this section, the use of the City's logo for criticism, parody, comment, news reporting, teaching, research, or other exercise of First Amendment rights protected by the United States Constitution or any rights under the Declaration of Rights of the Florida Constitution is not a violation of this Section. In addition, any use of the City logo that is expressly authorized by the City Commission or in writing by the City Manager or designee is not a violation of this Section.

(4) Violations.

(a) Unfair, Deceptive Act or Practice. Any violation of Section 2-1(c) constitutes an unfair, deceptive, or unconscionable act or practice under the Florida Deceptive Unfair Trade Practices Act, Section 501.201, et seq., Florida Statutes.

(b) Civil Enforcement. Any violation of Section 2-1(c) may be enforced in accordance with Division 3 "Civil Citations", Section 2-377 of the City's Code of Ordinances, and is subject to the civil fines stated therein. A violation of Section 2-1(c) may also be enforced through a civil action for damages and/or an injunction; and such suit or action may be instituted and maintained in the name of the City of Deerfield Beach by the City Attorney, who is authorized to institute such suit or action. Nothing contained herein is construed to preempt the imposition of higher penalties imposed or authorized under state or federal law.

(c) Criminal Enforcement. In addition to Section 2-1(c)(4)(b) above, the City may enforce any violation of Section 2-1(c) pursuant to Sec. 1-15 "General penalty; continuing violations" of the Code of Ordinances.

(d) Separate violations. Each distinct instance of misuse in violation of Section 2-1(c) is a separate violation. For purposes of this section, misuse of the City logo one or more times in one publication or edition of a circular or pamphlet, regardless of the number of those circulars or pamphlets that are printed or distributed, would constitute a single violation; misuse in a different circular or pamphlet, or a different publication or edition of same, would constitute a separate violation. For continuous instances of misuse, such as display on a website, ongoing misuse of the City's logo for one or more days within each rolling thirty (30) day period after the first use constitutes a separate violation.

Section 3. Section 2-378 "Schedule of civil penalties" of Chapter 2 "Administration" of the City Code of Ordinances is hereby amended to read as follows:

Chapter 2 ADMINISTRATION

* * *

ARTICLE VI. – CODE ENFORCEMENT

* * *

DIVISION 3. – CIVIL CITATIONS

* * *

Sec. 2-378. – Schedule of civil penalties.

- (a) The following City Code provisions are enforceable pursuant to the procedures described in this division and violators of such provisions shall be subject to the following penalties when enforced pursuant to this division:

Section	Description	Penalty
<u>Sec. 2-1(c)</u>	<u>City seal and city logo</u>	<u>\$250.00 1st violation</u> <u>\$500.00 2nd violation</u>

* * *

Section 3. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. The provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 5. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 6. That this Ordinance shall take effect immediately upon adoption on second reading.

PASSED 1ST READING ON THIS ____ DAY OF _____, 2024.

PASSED 2ND READING ON THIS ____ DAY OF _____, 2024.

BILL GANZ, MAYOR

ATTEST:

HEATHER MONTEMAYOR, CITY CLERK

BUSINESS IMPACT ESTIMATE¹

Meeting Date: April 16, 2024

Agenda Item No. 6

Summary of Proposed Ordinance and Statement of Public Purpose to be Served:

The Proposed Ordinance amends the City Code relating to the City's Seal and Logo to update the authorized uses and prohibited uses relating to the City's logo. This amendment serves the public purpose of preventing the unauthorized use of the City's logo. There have been instances where certain individuals and entities have utilized the City's seal and/or logo without the City's permission and in such a manner that is misleading and implies a City affiliation with or endorsement of the individual and/or entity.

This Ordinance prohibits the misuse of the City's logo, and establishes that any misuse of the City's logo will be processed as a code violation through citations and code enforcement mechanisms, which will permit the City to prescribe when and how the City's logo may be used.

I

Estimate of Direct Economic Impact on Private/For Profit Businesses

- a. **Estimate of Direct Business Compliance Costs:** There is no direct economic impact of the proposed Ordinance on businesses that use the City's logo with permission. Businesses that choose to use the logo without permission can be assessed civil or criminal penalties for violating the ordinance.
- b. **New Charges/Fees on Businesses Impacted:** There are no new charges or fees included in this ordinance. However, the proposed ordinance authorizes civil penalties of \$250 for a first violation and \$500.00 for a 2nd violation. Further, the proposed ordinance authorizes criminal enforcement for a violation pursuant to Sec. 1-15 "General penalty' continuing violations" of the Code of Ordinances.
- c. **Estimate of Regulatory Costs.** The City's estimated regulatory costs are minimal and can be absorbed within the City's existing budget and staff levels. The Proposed Ordinance authorizes civil penalties of \$250.00 for a first violation and \$500.00 for a 2nd violation, as well as the general penalty of a fine not to exceed \$500.00 or by imprisonment for a term not to exceed 60 days or by both for criminal enforcement of such violations. An estimate of revenues from those penalties is dependent upon the total number of future violations, which is indeterminate.

Good Faith Estimate of Number of Businesses Likely Impacted: The estimated number of businesses likely to be impacted by this ordinance cannot be quantified at this time because the number of businesses likely to be impacted by the proposed changes will depend on whether a business misuses the City's seal or logo.

Any Additional Information:

¹ Business Impact Estimate does not apply to the following:

1. Ordinances required for compliance with federal or state law or regulation;
2. Ordinances related to the issuance or refinancing of debt;
3. Ordinances relating to the adoption of budgets or budget amendments, including revenue sources necessary to fund the budget;
4. Ordinances required to implement a contract/agreement;
5. Emergency ordinances;
6. Ordinances relating to procurement;
7. Ordinances enacted to implement the following:
 - a. Part II of Chapter 163, F.S.;
 - b. Sec. 190.005, F.S. and Sec. 190.046, F.S.;
 - c. Sec. 553.73, F.S. (Fla. Building Code);
 - d. Sec. 633.202, F.S. (Fla. Fire Prevention Code).



City of Deerfield Beach

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

Face Sheet File Number: I.D. 2024-155

Agenda Date: 4/2/2024

Status: CONSENT - BOARD
APPOINTMENTS

In Control: City Commission

Title

Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Tavares Hill as an alternate member to the African American Heritage Committee; and providing for an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

On October 20, 2020, the City Commission adopted Resolution No. 2020/146, (the "Resolution") which created the African American Heritage Board (the "Board") in accordance with Section 3.12(2) of the City Charter. The Board was established as a special purpose limited time advisory board, with the purpose of providing recommendations to the City for events to celebrate and promote African American history. The Board was scheduled to sunset on September 30, 2022.

At the September 14, 2022 Commission Meeting, the City Commission unanimously voted to adopt an Ordinance establishing the African American Heritage Committee as an advisory committee to the Commission. Pursuant to the Ordinance, the Committee shall be composed of no more than 10 members, with up to five regular members and five alternate members. The Mayor and each Commissioner may appoint one (1) regular member and one (1) alternate member. All appointments shall be subject to approval by a majority of the City Commission. Committee members shall be residents of the City and shall serve two-year terms. A majority of the Committee members appointed shall constitute a quorum.

Tavares Hill has expressed an interest in serving on the Committee and has been nominated by Commissioner Preston to serve as an alternate member. Mr. Hill has also passed the required Level II background check.

Current Activity

Upon approval of the appointment, the Committee will have a total of five regular members with no vacancies and one alternate member with four vacancies.

Recommendation

Approval is recommended.

RESOLUTION NO. 2024/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPOINTING TAVARES HILL AS AN ALTERNATE MEMBER TO THE AFRICAN AMERICAN HERITAGE COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, on September 14, 2022, the City Commission approved Ordinance 2022/021, creating the African American Heritage Committee (“Committee”) in accordance with Section 3.12(1) of the City Charter; and

WHEREAS, the Committee is empowered to provide recommendations and input to the City for events recognizing and celebrating African American history relating to Martin Luther King Jr. Day, Juneteenth, and Black History Month; and

WHEREAS, the Committee shall be composed of no more than ten members, including up to five regular members and five alternate members, appointed by and serving at the pleasure of the City Commission for two-year terms; and

WHEREAS, Tavares Hill has been nominated by Commissioner Preston to serve as an alternate member to the Committee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. Tavares Hill is hereby appointed to serve as an alternate member to the Committee for a two-year term ending on April 2, 2026.

Section 3. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

BILL GANZ, MAYOR

ATTEST:

HEATHER MONTEMAYOR, CITY CLERK



Nominating Form

Application for Appointment to Board or Committee

Date: February 13, 2024

The attached application from Tavares Hill for the African American Heritage Board has been received.

The board's liaison has verified that the applicant is qualified and that all prerequisites have been met.

- ☐ Regular Member
☒ Alternate Member

Please place this application on an upcoming agenda for consideration for appointment.

 2-13-24

Signature:

Date:

Appointing
Elected Official:

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

Please return to City Administration for processing.



City of Deerfield Beach
Application for Advisory Board or Committee

Advisory Board or Committee you are applying for: COMMUNITY APPEARANCE BOARD, *African American*

Are you willing to be considered for an alternate Board or Committee? Yes ☒ No ☐

Name Tavares Hill

Address 133 sw 2nd street

City deerfield beach

State

Zip 33441

I reside in District # (can be found on back of your Voter Registration Card) 2

Year-Round Resident? Yes ☒ No ☐

If No, how many months are you away?

**CITY OF DEERFIELD BEACH
RECEIVED**

Home Phone (954) 821-1902

Work/Mobile Phone

FEB 6 2024

E-mail THILL@FAU.EDU

CITY CLERK'S OFFICE

Employer Florida Atlantic University

Address 777 glades road

Occupation (if retired, please indicate and list former occupation) Property Manager

Please list any governmental Advisory Boards or Committees on which you currently serve:

Complete the following. Please describe those facets of your background/experience which you feel may be useful for membership on this Board/Committee.

Academic: Degrees, Diplomas

I have a A.A. , right now i am finishing my Bachelor.

Professional: Certification(s)

Knowledge: Training, interest or experience

training in many areas; i have been a property manager at FAU FOR OVER 20 YEARS . mY KNOWLEDGE IS very good. im iterested in the community moves, ideas and growth .

Community Involvement: List organizations/positions

DHNG GROUP vice President; St. Mary's Episcopal Church Vestry;

Organizations: Memberships

I understand that in accordance with the Florida Sunshine Law, this information may be made public. I understand that the appointment is for voluntary, uncompensated service. If appointed, I agree to faithfully and fully perform the duties of my office, will make every endeavor to serve my full term, and will comply with all laws and ordinances of the City, County and State of Florida, particularly those pertaining to the conduct of public officials and the financial disclosure requirements, if applicable to my position.

Signature:



Date: 01/31/20

Print Name: Tavares Hill

Return completed application to:

City Clerk's Office

150 NE 2nd Avenue, Deerfield Beach, FL 33441

Phone: 954-480-4213

Website: www.deerfield-beach.com

Fax: 954-480-4323

E-mail: web.clerk@deerfield-beach.com

PLEASE NOTE: Resumes/Additional information may be included; however, the application MUST be completed.



City of Deerfield Beach

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

Face Sheet File Number: I.D. 2024-138

Agenda Date: 4/2/2024

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a professional services agreement with Marcum, LLP to provide surtax compliance auditing services for fiscal years 2023 and 2024 surtax projects; authorizing execution of the Agreement in an amount not to exceed \$40,000.00; providing for an effective date. (Funds from Account #108-5050-541-30-16 - Infrastructure - Accounting Services)

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Fiscal Impact

Costs: \$40,000 for Years 2023 and 2024

Account Name: Instructure - Accounting Services

Account Number: 108-5050-541-30-16

Background/History

The City has received funding from Broward County for FY23 and FY24 pursuant to the Surtax Program and based upon various Interlocal Agreements for each surtax project. The terms of the surtax funding agreement call for the City to provide to the County an annual financial report for all the surtax funded projects. The reports are to be audited and certified by an independent CPA, at the municipality's expense. The City engaged the current external auditors Marcum LLP to perform the FY2022 Surtax Audit. Marcum has been the City's external auditor for the past seven years and is very familiar with the city's operations. The company is also experienced in performing similar work.

Current Activity

The City desires to have Marcum provide Surtax compliance Audit Services for Fiscal Years 2023 and 2024. Marcum has agreed to provide the auditing services for a maximum not-to-exceed compensation amount of \$40,000. Marcum agrees that this amount would constitute a limitation upon the City's obligation to compensate them for its services related to this Agreement. The City agrees to pay all proper invoices in accordance with the Local Government Prompt Payment Act in Chapter 218, Florida.

Recommendation

Staff recommends approval of this Resolution

RESOLUTION NO. 2024/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH MARCUM, LLP TO PROVIDE SURTAX COMPLIANCE AUDITING SERVICES FOR FISCAL YEARS 2023 AND 2024 SURTAX PROJECTS; AUTHORIZING EXECUTION OF THE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$40,000.00; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach (the “City”) has received funding from Broward County (the “County”) for projects that qualified under the Transportation Surtax Program pursuant to Interlocal Agreements with the County; and

WHEREAS, the Interlocal Agreements require that the City provide annual financial reports for the respective surtax projects, which reports are to be audited and certified by an independent CPA; and

WHEREAS, the City retained Marcum, LLP (“Marcum”) to perform the required surtax compliance audit services report for Fiscal Year 2022; and

WHEREAS, Marcum has been the City’s external auditor for the past seven years and has extensive knowledge regarding the City’s operation as well as performing such audits; and

WHEREAS, the City desires to retain Marcum to provide the required Surtax Compliance Audit Services for Fiscal Years 2023 and 2024 (the “Surtax Audit Services”), as more specifically set forth in the Professional Services Agreement attached as Exhibit “1”; and

WHEREAS, Marcum provided the City with a proposal to provide the Surtax Audit Services to comply with the Surtax Interlocal Agreement requirements in a total amount not to exceed \$40,000.00; and

WHEREAS, Section 38-116(3) c.1 of the City Code allows for the direct acquisition of professional services such as those to be provided by Marcum to be made without utilizing a sealed competitive method or written quotations method with City Commission approval; and

WHEREAS, City staff recommends approving and authorizing execution of the agreement with Marcum, attached as Exhibit “1,” for the Services in an amount not to exceed \$40,000.00 (the “Agreement”); and

WHEREAS, due to their experience in the area of providing the Services and the need to comply with the County’s ILA auditing requirements in a timely fashion, the City Commission finds it to be in the best interest of the City to approve and authorize execution of the Agreement with Marcum, attached as Exhibit “1,” for the Surtax Audit Services in a total amount not to exceed \$40,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the Agreement with Marcum, attached as Exhibit “1,” for the Surtax Audit Services in a total annual amount not to exceed \$40,000.00.

Section 3. The City Commission hereby authorizes the City Manager to execute the Agreement with Marcum, attached as Exhibit “1,” together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

HEATHER MONTEMAYOR, CITY CLERK

PROFESSIONAL SERVICES AGREEMENT

This Professional Services Agreement (“Agreement”) is made this _____ day of _____, 2024 (the “Effective Date”) between the City of Deerfield Beach, Florida, a Florida municipality (“City”) and Marcum, LLP, a corporation authorized to business in the State of Florida (“Consultant”), with each being referred to herein as a Party or collectively as the “Parties.”

Recitals:

WHEREAS, Consultant has been providing Financial Auditing Services for Fiscal Years 2020-2024 based upon Request for Proposal #20-01-IG (the “Services”); and

WHEREAS, City has received funding from Broward County pursuant to the Surtax Program and based upon various Interlocal Agreements for each surtax project (the “ILA”); and

WHEREAS, the ILA requires annual financial reports for all surtax funded projects, which must be certified by an independent CPA; and

WHEREAS, Consultant provided the Surtax Compliance Audit Services for Fiscal Year 2022; and

WHEREAS, the City desires to have the Consultant provide such Surtax Compliance Audit Services for Fiscal Years 2023 and 2024 (the “Surtax Audit Services”; and

WHEREAS, Consultant is willing to provide those Surtax Audit Services; and

WHEREAS, Section 38-116(3)c.1 allows for the City to enter into this Agreement with Consultant for such Services.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Consultant hereby agree as follows:

1. **TERM.** This Agreement shall commence on the Effective Date and shall continue until September 30, 202____ and this Agreement may be earlier terminated with or without cause, by either Party in accordance with the provisions of this Agreement.
2. **SERVICES.** During the term of this Agreement, Consultant shall serve as an independent Consultant to City and shall provide the required Surtax Audit Services as set forth in the attached Exhibit “A,” and Consultant’s proposal attached as Exhibit “B” (collectively, the “Surtax Audit Services”). The Surtax Audit Services shall be the only services provided by Consultant unless altered with the mutual written consent of both Parties to this Agreement.

This is a non-exclusive Agreement, and the City may, in its sole and absolute discretion, utilize other parties to provide any of the services, or any aspect of the services, if the City deems it to be in the best interest of the City.

3. **COMPENSATION.** In consideration of Consultant's actions on behalf of City and the Services rendered hereunder, City shall compensate Consultant in an amount not to exceed \$40,000.00, which amount shall be accepted by Consultant as full compensation for all such Services. It is acknowledged and agreed by Consultant that this amount is the maximum payable and constitutes a limitation upon the City's obligation to compensate Consultant for its Services related to this Agreement. All Services performed shall be invoiced to City at the end of each calendar month for services provided during that month. City is obligated to pay all proper invoices in accordance with the Local Government Prompt Payment Act in Chapter 218, Florida Statutes.
4. **INDEPENDENT CONSULTANT.** During the term of this Agreement, Consultant shall be an independent Consultant and not an employee of the City. Consultant is not an agent of, or authorized to transact business, enter into agreements, or otherwise make commitments on behalf of the City, unless expressly authorized in writing by the City Manager or his designee. Consultant shall perform the Services at the request of the City Manager or his designee. Nothing set forth in this Agreement shall be construed to create the relationship of employer and employee or principal and agent between the City and Consultant. Unless expressly provided for otherwise in this Agreement, Consultant shall not act or attempt to act or represent itself, directly or indirectly or by implication, as an employee of the City or in any manner assume or create, or attempt to assume or create, any obligation on behalf of or in the name of the City. Accordingly, Consultant shall not attain, nor be entitled to, any rights or benefits of the City, nor any rights generally afforded City employees. Consultant further understands that Florida Worker's Compensation benefits available to employees of the City are not available to Consultant or to any employee or agent of the Consultant. Consultant shall be responsible for complying with Florida's Worker's Compensation laws, as described in section (8), below. All employees and subconsultants of the Consultant shall be considered to be, at all times, the sole employees or Consultants of the Consultant, under its sole direction and not an employee, Consultant or agent of the City. Consultant is responsible for the payment of all required payroll taxes, whether federal, state, or local in nature, including, but not limited to income taxes, Social Security taxes, Federal Unemployment Compensation taxes, and any other fees, charges, licenses, or payments required by law.
5. **CONSULTANT REPRESENTATIONS.** Consultant is properly authorized to do business in the State of Florida; the execution, delivery and performance of this Agreement by Consultant have been duly authorized; this Agreement is binding on Consultant and enforceable against Consultant in accordance with its terms; and no consent of any other person or entity to such execution, delivery and performance is required.

6. TERMINATION.

a. This Agreement may be terminated for convenience by the City. Termination for convenience by the City shall be effective on the termination date stated in the written notice provided by City, which termination date shall not be less than thirty (30) days after the date of such written notice. This Agreement may also be terminated by the City Manager upon such notice as the City Manager deems appropriate under the circumstances in the event the City Manager determines that termination is necessary to protect the public health or safety. The parties agree that if the City erroneously, improperly or unjustifiably terminates for cause, such termination shall be deemed a termination for convenience, which shall be effective thirty (30) days after such notice of termination for cause is provided.

b. This Agreement may be terminated for cause for reasons including, but not limited to Consultant's repeated (whether negligent or intentional) submission for payment of false or incorrect bills or invoices, failure to suitably perform the work; or failure to continuously perform the work in a manner calculated to meet or accomplish the objectives as set forth in this Agreement and outlined in Exhibits "A and B."

c. In the event that this Agreement is terminated for convenience, Consultant shall be paid for any Services properly performed under the Agreement through the termination date specified in the written notice of termination. Consultant acknowledges and agrees that it has received good, valuable and sufficient consideration from City, the receipt and adequacy of which are, hereby acknowledged by Consultant, for City's right to terminate this Agreement for convenience.

d. In the event that this Agreement is terminated for any reason, any amounts due Consultant shall be withheld by City until all documents are provided to City.

e. Should at any time during the term of this Agreement, the Consultant is in violation of any of the terms and conditions of this Agreement, the City shall have the right to suspend the Consultant until the violation is resolved to the satisfaction of the City. If the violation is not promptly resolved or is of such serious nature that the City determines that suspension is not adequate, the City reserves the right to terminate for cause.

In the event that the Consultant is terminated, the City may assign the Agreement to another Consultant, or seek a new Consultant, until the Consultant is re-let, or until the end of the agreement term then in effect, at its sole option and shall reserve all legal remedies for damages and other relief.

7. MISCELLANEOUS.

a) **Notices.** All notices hereunder shall be given in writing by registered or certified mail, return receipt requested, postage prepaid, addressed to the Parties at the following respective addresses, or at such other address as may be designated in writing by either Party to the other, and shall be deemed delivered for all purposes hereunder upon deposit of same into the United States mail:

To City: David Santucci, City Manager
The City of Deerfield Beach
150 NE 2nd Avenue
Deerfield Beach, FL 33441

To Consultant: Marcum, LLP
201 East Las Olas Blvd., 21st Floor
Fort Lauderdale, FL 33301
Attn: Moises D. Ariza, Partner

- b) **Compliance with Laws.** Consultant agrees to comply with all laws, ordinances, rules, and regulations that are now or may become applicable to the Services covered by this Agreement, regardless of the applicable jurisdiction. Consultant shall make its services available to City residents without regard to race, color, religion or sex, or as otherwise provided by law.
- c) **Severability.** The Parties to this Agreement expressly agree that it is not their intention to violate any public policy, statutory or common law rules, regulations, or decisions of any governmental or regulatory body. If any provision of this Agreement is judicially or administratively interpreted or construed as being in violation of any such policy, rule, regulation, or decision, the provision, sections, sentence, word, clause, or combination thereof causing such violation will be inoperative (and in lieu thereof there will be inserted such provision, section, sentence, word, clause, or combination thereof as may be valid and consistent with the intent of the Parties under this Agreement) and the remainder of this Agreement, as amended, will remain binding upon the Parties, unless the inoperative provision would cause enforcement of the remainder of this Agreement to be inequitable under the circumstances.
- d) **Successors and Assigns.** This Agreement shall be binding upon the Parties and their respective successors, heirs and assigns. The Parties agree that nothing contained herein shall authorize the assignment of this Agreement or the delegation of any duties hereunder by either Party, unless previously set out in this Agreement, without the prior written consent of the other party.
- e) **Headings.** The sections headings used in this Agreement are for reference and convenience only and shall not enter into the interpretation hereof.
- f) **Survival of Terms.** Termination or expiration of this Agreement for any reason shall not release either Party from any liabilities or obligations set forth in this Agreement which (a) the Parties have expressly agreed shall survive any such termination, or (b) remain to be performed and by their nature would be intended to be applicable following any such termination or expiration. Any liabilities which have accrued prior to termination pursuant to the insurance and/or indemnification obligations set forth below shall survive the termination of this Agreement.

- g) **Waiver.** No delay or omission by either Party hereto, in the exercise of any right or remedy hereunder, shall impair such right or remedy or be construed to be a waiver thereof. Any waiver of any such right or remedy by any Party must be in writing and signed by the Party against which such waiver is sought. A waiver by either of the Parties hereto of any of the covenants to be performed by the other or any breach thereof shall not be construed to be a waiver of any succeeding breach thereof or any other covenant herein contained. All remedies provided for in this Agreement shall be cumulative and in addition to and not in lieu of any other remedies available to either Party at law, in equity or otherwise.
- h) **Force Majeure.** Non-performance of Consultant or City shall be excused to the extent that performance is rendered impossible or delayed by strike, fire, hurricane, flood, terrorism, governmental acts or orders or restrictions, or other similar reason where failure to ("Force Majeure"), provided that the non-conforming Party gives prompt notice of such conditions to the other Party and makes all reasonable efforts to perform.
- i) **Governing Laws.** This Agreement shall be governed by and construed in accordance with, the laws of the State of Florida. The exclusive venue for any dispute arising from this Agreement shall be the Circuit Court of Broward County, Florida. The Parties voluntarily waive any right to trial by jury in the event of litigation between the Parties, which in any way arises out of this Agreement or the Services.
- j) **Entire Agreement.** This Agreement, including any Exhibits referenced herein, constitutes the entire agreement of the Parties with respect to the subject matter hereof and supersedes all previous written, and all previous or contemporaneous oral, negotiations, understandings, arrangements, and agreements. Unless expressly provided for otherwise in this Agreement, this Agreement may be amended only by a written amendment signed by both Parties hereto.
- k) **Indemnification.** To the extent permitted by law, Consultant agrees to indemnify, defend, and hold harmless the City and its directors, officers and employees from and against any and all liability, suits, actions, damages, costs, losses and expenses, including attorneys' fees, demands and claims for personal injury, bodily injury, sickness, diseases or death or damage or destruction of tangible property or loss of use resulting therefrom, arising out of any errors, omissions, misconduct or negligent acts of Consultant, its respective officials, agents, employees or subconsultants in the Consultant's performance of Services pursuant to this Agreement. Nothing in this Agreement shall be deemed or treated as a waiver by the City of any immunity to which it is entitled by law, including but not limited to the City's sovereign immunity as set forth in Section 768.28, Florida Statutes.
- l) **No Contingent Fees.** The Consultant warrants that it has not employed or retained any company or person, other than a bona fide employee working solely for the Consultant, to solicit or secure this Agreement, and that it has not paid or agreed to pay any person(s), company, corporation, individual or firm, other than a bona fide employee working solely for the Consultant any fee, commission, percentage, gift,

or any other consideration, contingent upon or resulting from the award or making of this Agreement

- m) **Access to Records and Audit Clause.** Consultant shall maintain the records, books, documents and papers associated with this Agreement in accordance with the “Public Records Act,” and in accordance with the Florida Statutes, as further described in Section (9) below.
- n) **Scrutinized Companies.**
 - A. Consultant certifies that it and its subconsultants are not on the Scrutinized Companies that Boycott Israel List. Pursuant to Section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Consultant or its subconsultants are found to have submitted a false certification; or if the Consultant, or its subconsultants are placed on the Scrutinized Companies that Boycott Israel List or is engaged in the boycott of Israel during the term of the Agreement.
 - B. If this Agreement is for more than one million dollars, the Consultant certifies that it and its subconsultants are also not on the Scrutinized Companies with Activities in Sudan, Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria as identified in Section 287.135, F.S. Pursuant to Section 287.135, F.S., the City may immediately terminate this Agreement at its sole option if the Consultant , its affiliates, or its subconsultants are found to have submitted a false certification; or if the Consultant, its affiliates, or its subconsultants are placed on the Scrutinized Companies with Activities in Sudan List, or Scrutinized Companies with Activities in the Iran Petroleum Energy Sector List, or engaged with business operations in Cuba or Syria during the term of the Agreement.
 - C. The Consultant agrees to observe the above requirements for applicable sub-agreements entered into for the performance of work under this Agreement.
 - D. As provided in Subsection 287.135(8), F.S., if federal law ceases to authorize the above-stated Agreement prohibitions then they shall become inoperative.

8. INSURANCE.

Consultant shall provide the City of Deerfield Beach with a certificate of insurance naming the City of Deerfield Beach, its employees, directors, officers, agents, independent Consultants, successor or assigns, and other authorized representatives as additional insured, except on the Workers’ Compensation, with the following limits, criteria and limits of liability:

a. **Workers' Compensation Insurance** – - Workers' Compensation insurance to apply for all employees in compliance with Chapter 440, Florida Statutes, as may be amended from time to time, the "Workers' Compensation Law" of the State of Florida, and all applicable Federal laws. In addition, the policy(ies) must include employers' liability with a limit of One Million Dollars (\$1,000,000.00) each accident, One Million Dollars (\$1,000,000.00) aggregate limit by disease and One Million Dollars (\$1,000,000.00) each employee by disease. Additionally, if there will be operations undertaken on or about navigable waters, a coverage endorsement must be included for the U.S. Longshoremen & Harbor Workers Act and Jones Act. If exempt for Worker's Compensation, proper documentation shall be provided.

b. **Commercial Liability Insurance** - A Commercial Liability Insurance Policy shall be provided which shall contain limits of no less than One Million Dollars (\$1,000,000.00) per occurrence for bodily injury liability, personal injury liability and property damage liability on a per project basis and shall contain limits of no less than a Two Million Dollars (\$2,000,000.00) aggregate.

Coverage must be afforded on a form no more restrictive than CG 20 10 10 01 and CG 20 37 10 01 Commercial Liability Policy, without restrictive endorsements, as filed by the Insurance Services Office and must include: premises and operations, independent Consultants, products and/or completed operations for Agreements, broad form contractual coverage applicable to this specific Agreement including any hold harmless and/or indemnification Agreement, personal injury coverage with employee and contractual exclusions removed and policy limits shall be applied on a primary and non-contributory basis. The City shall be included as an additional insured on the commercial liability policy.

c. **Business Automobile Liability** - Business Automobile Liability shall be provided with minimum limits of One Million Dollars (\$1,000,000.00) per occurrence or combined single limit for Bodily Injury Liability and Property Damage Liability. Coverage must be afforded on a form no more restrictive than the latest edition of the Business Automobile Liability policy, without restrictive endorsements, as filed by the Insurance Services Office, and must at a minimum include liability coverage symbols: 2 (owned vehicles), 8 (hired vehicles) and 9 (non-owned vehicles).

Certificates of Insurance along with the Additional Insured and Waiver of subrogation endorsements must be submitted for review and approval. All insurers must have an AM Best rating of A-VI or better by the A.M. Best rating company and agree to provide the City with 30 days' advanced written notice in the event of cancellation, or modification which materially restricts coverage or terms on all policies.

d. **Professional Liability (Errors & Omissions) Insurance.** Professional Liability shall be provided with limits of liability provided by such policy for each claim and on a claim made basis or on an occurrence basis to be no less than One Million Dollars (\$1,000,000.00) per occurrence with a limit of no less than Two Million Dollars (\$2,000,000.00) aggregate with a deductible per claim not to exceed 10% of the limit of liability. Consultant shall notify the CITY in writing

within 30 days of any claim filed or made against its Professional Liability Insurance Policy. Consultant acknowledges that the CITY is relying on the competence of the Consultant to perform the audits required in accordance with Broward County's requirements and state law.

9. PUBLIC RECORDS

Consultant shall comply with Section 119.0710, Florida Statutes as follows:

- a) Keep and maintain public records that ordinarily and necessarily would be required by the public agency in order to perform the service.
- b) Upon request from the City's custodian of records, provide the public with access to public records on the same terms and conditions that the public agency would provide the records and at a cost that does not exceed the cost provided in Chapter 119 or as otherwise provided by law.
- c) Ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law.
- d) Meet all requirements for retaining public records and transfer, at no cost, to the public agency all public records in possession of the CONTRACTOR upon termination of the CONTRACT and destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. All records stored electronically must be provided to the public agency in a format that is compatible with the information technology systems of the public agency. If CONTRACTOR does not comply with this section, the CITY shall enforce the CONTRACT provisions in accordance with the CONTRACT and may unilaterally cancel this CONTRACT in accordance with state law.

IF CONSULTANT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO PRIMARY CONTRACTOR'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE CUSTODIAN OF PUBLIC RECORDS.

CITY CUSTODIAN OF PUBLIC RECORDS:
HEATHER MONTEMAYOR, CMC, CITY
CLERK 150 N.E. 2ND AVE.,
DEERFIELD BEACH, FL 33441
954-480-4213
WEB.CLERK@DEERFIELD-BEACH.COM

10. OWNERSHIP OF DOCUMENTS

The final audit report issued and released to the City shall become the property of the City. The City may withhold payments due to Consultant until Consultant complies with the provisions of this section.

PROFESSIONAL SERVICES AGREEMENT

IN WITNESS WHEREOF, Consultant has signed and delivered this Agreement, and the City has caused this Agreement to be signed and delivered by its duly authorized officer or representative, all as of the date first set forth above.

City of Deerfield Beach, a
municipal corporation of the
State of Florida

Marcum, LLP

By: _____
David Santucci
City Manager

By:  _____
Signature
Print Name: Moises D. Ariza, CPA
Title: Partner
Date: March 18, 2024

Date: _____

Attest: _____
Heather Montemayor, CMC
City Clerk

Approved as to form and legal sufficiency
for the use of and reliance by the City of
Deerfield Beach only:

By: _____
Anthony C. Soroka
City Attorney

EXHIBIT A – SCOPE OF WORK

Professional Standards – Audit Scope

Marcum LLP (“Marcum,” the “Firm,” “we,” “us” or “our”) is proposing to provide services to cover the requirements stipulated in the Interlocal Agreement Between Broward County and the City of Deerfield Beach (the “City” or the “Client”) for Surtax-Funded Municipal Transportation Project; Rehabilitation and Repair of the SE 13th Avenue Bridge over the Tern Waterway (BC-DFBEACH-FY2020-00001) (the “Interlocal Agreement”).

We will audit the Schedule of Contract Expenses (the “Schedule”) of the City of Deerfield Beach, Florida for the years ended September 30, 2023 and 2024.

The objectives of our audit are to obtain reasonable assurance as to whether the Schedule is free from material misstatement, whether due to fraud or error, and issue an auditor’s report that includes our opinion about whether your Schedule is fairly presented, in all material respects, in conformity with accounting principles generally accepted in the United States of America. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment of a reasonable user made based on the Schedule.

Auditors’ Responsibilities

We will conduct our audit in accordance with GAAS and will include tests of your accounting records and other procedures we consider necessary to enable us to express such an opinion. As part of an audit in accordance with GAAS, we exercise professional judgment and maintain professional skepticism throughout the audit.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is an unavoidable risk that some material misstatements may not be detected by us, even though the audit is properly planned and performed in accordance with GAAS. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the Schedule. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

An audit is not designed to provide assurance on internal control or to identify deficiencies in internal control. Accordingly, we will express no such opinion. However, during the audit, we

will communicate to you and those charged with governance internal control related matters that are required to be communicated under professional standards. We have identified the following significant risk of material misstatement as part of our audit planning; Management override of controls.

We will also conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the entity's ability to continue as a going concern for a reasonable period of time.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts and may include direct confirmation of receivables and certain other assets and liabilities by correspondence with selected customers, creditors, and financial institutions. We may request written representations from your attorneys as part of the engagement.

Our audit of the financial statements does not relieve you of your responsibilities.

Non-Attest Services

We will perform the services in accordance with applicable professional standards. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities. If we are to perform a non-attest service, you agree to assume all management responsibilities for the non-attest service; oversee the services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of the services; and accept responsibility for them.

Significant Risks

AU-C Section 260, prescribed by the American Institute of Certified Public Accountants, is a comprehensive guide for the auditor's communication with those charged with governance. AU-C Section 260 points out that communicating significant risks, including fraud risks, helps those charged with governance understand those matters and better allows them to perform their oversight duties with regard to the financial reporting process. We have identified the following significant risk of material misstatement as part of our audit planning, and are available to discuss these with you during the course of our audit; Management override of internal controls.

Responsibilities of Management for the Schedule

Our audit will be conducted on the basis that you acknowledge and understand your responsibility for designing, implementing, and maintaining internal controls relevant to the preparation and fair presentation of the Schedule that is free from material misstatement, whether due to fraud or error, including monitoring ongoing activities; for the selection and application of accounting principles; and for the preparation and fair presentation of the Schedule in conformity with U.S GAAP. You are also responsible for making drafts of the Schedule, all financial records, and related information available to us and for the accuracy and completeness of that information (including information from

outside of the general and subsidiary ledgers). You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the Schedule, such as records, documentation, identification of all related parties and all related-party relationships and transactions, and other matters; (2) additional information that we may request for the purpose of the audit; and (3) unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence. At the conclusion of our audit, we will require certain written representations from you about the Schedule and related matters.

Your responsibilities include adjusting the Schedule to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the Schedule.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the entity involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the Schedule. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the City received in communications from employees, former employees, regulators, or others. In addition, you are responsible for identifying and ensuring that the City complies with applicable laws and regulations.

Audit Reporting

We will issue a written report upon completion of our audit of the City of Deerfield Beach's Schedule. Our report will be addressed to Honorable Mayor, City Commission and City Manager of the City of Deerfield Beach, Florida. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinion, add a separate section, or add an emphasis-of-matter or other-matter paragraph to our auditor's report, or if necessary, withdraw from this engagement. If our opinion is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed an opinion, we may decline to express an opinion or withdraw from this engagement.

Assistance By Your Personnel

We will ask that your personnel, to the extent possible, prepare required schedules and analyses, and make selected invoices and other required documents available to our staff. This assistance by your personnel will serve to facilitate the progress of our work and minimize our time requirements.

You agree to inform us as soon as possible, but no later than the effective date of change, of any changes to the organization structure as a result of a sale, merger, acquisition transfer or other disposition, reorganization or transaction, and any changes to individuals in directors, officers and financial reporting oversight roles. Note that in order to ensure Marcum maintains independence with respect any new entities or individuals associated

with the Client, you should provide information of the upcoming change as early as possible in the process.

You acknowledge that the Client's confidential information may be transmitted to us through an information portal or delivery system established by us or on our behalf. You shall notify us in writing of your employees, representatives, or other agents to be provided access to such portal or system; upon the termination of such status, you shall immediately notify us in writing.

Team Lead

Moises D. Ariza, CPA is the Engagement Partner and is responsible for supervising the engagement and signing the report or authorizing another individual to sign it.

Professional Standards – Examination

We will examine the City's compliance with the provisions stipulated in the Interlocal Agreement for the fiscal year ended September 30, 2023 and 2024. The objectives of our examination are to obtain reasonable assurance about whether the City complied with all material compliance requirements and provisions of the Interlocal Agreement; and to express an opinion as to whether the City is in compliance, in all material respects, with the Interlocal Agreement.

Our examination will be conducted in accordance with attestation standards established by the AICPA. Accordingly, it will include examining, on a test basis, your records and other procedures to obtain evidence necessary to enable us to express our opinion. We will issue a written report upon completion of our examination. Our report will be addressed to the Honorable Mayor, City Commission and City Manager of the City of Deerfield Beach, Florida. We cannot provide assurance that an unmodified opinion will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion. If our opinion is other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the examination or are unable to form or have not formed an opinion, we may decline to express an opinion or may withdraw from this engagement.

Because of the inherent limitations of an examination engagement, together with the inherent limitations of internal control, an unavoidable risk exists that some material misstatements may not be detected, even though the examination is properly planned and performed in accordance with the attestation standards.

We will plan and perform the examination to obtain reasonable assurance about whether the City complied with the Interlocal Agreement. Our engagement will not include a detailed inspection of every transaction and cannot be relied on to disclose all material errors, or known and suspected fraud or noncompliance with laws or regulations, or internal control deficiencies, that may exist. However, we will inform you of any known and suspected fraud and noncompliance with laws or regulations, internal control deficiencies identified during the engagement, and uncorrected misstatements that come to our attention unless clearly trivial.

We understand that you will provide us with the information required for our examination and that you are responsible for the accuracy and completeness of that information. We may advise you about appropriate criteria, but the responsibility for the subject matter remains with you. You, as management, accepts responsibility for the City's compliance with specified requirements stipulated in the Interlocal Agreement and the City's internal control over compliance. You, as management, understand your responsibility to evaluate the City's compliance with specified requirements.

You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the measurement, evaluation, or disclosure of the subject matter; (2) additional information that we may request for the purpose of the examination; and (3) unrestricted access to persons within the entity from whom we determine it necessary to obtain evidence.

At the conclusion of the engagement, you agree to provide us with certain written representations in the form of a representation letter.

General

The working papers prepared in conjunction with our engagement are the property of Marcum LLP and constitute confidential information. These working papers will be retained by us in accordance with applicable laws and with our firm's policies and procedures. However, we may be required, by law or regulation, to make certain working papers available to regulatory authorities for their review, and upon request, we may be required to provide such authorities with photocopies of selected working papers.

Marcum is periodically required to undergo inspection processes in accordance with legal, regulatory, professional and/or administrative bodies or authorities. During the course of these processes, selected working papers and financial reports, on a sample basis, will be inspected by an outside party on a confidential basis. Consequently, the accounting work we performed for you may be selected. Your signature below represents your acknowledgement and permission to allow such access should your engagement be selected for review. The Client acknowledges and agrees that Marcum may disclose confidential information consistent with applicable law, rule, regulation, professional standards or guidelines or in connection with or to respond to its professional obligations. You authorize Marcum to participate in discussions with and to disclose your information to your agents, representatives, administrators or professional advisors (including accountants, attorneys, financial and other professional advisors), their respective officers, directors or employees, and other parties as you may direct.

**EXHIBIT “B”
CONSULTANT’S PROPOSAL**

CITY OF DEERFIELD BEACH SURTAX COMPLIANCE AUDIT

January 8, 2024



Moises D. Ariza, Partner
201 East Las Olas Blvd., 21st Floor | Ft. Lauderdale, FL 33301
Phone: 954.320.8000
Moises.ariza@marcumllp.com



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FIRM OVERVIEW



MARCUM LLP (a Limited Liability Partnership) is a **national** accounting and advisory services firm dedicated to helping clients like the City achieve their goals. **Since 1951**, clients have chosen Marcum for our deep expertise and insightful guidance in helping them forge pathways to success, whatever challenges they're facing.

Marcum offers a complete spectrum of tax, assurance, and advisory services, as well as an extensive portfolio of industry-focused practices with specialized expertise for the public sector including local government entities. As part of the Marcum Group, the Firm also provides a full complement of technology, wealth management, executive search and staffing, and strategic marketing services.

Headquartered in New York City, Marcum has 50 offices in major business markets across the U.S. and select international locations.

The Florida Region of Marcum includes offices in **Fort Lauderdale**, Miami, West Palm Beach, and Tampa. The audit will be performed and staffed from our Fort Lauderdale office located at **201 East Las Olas Blvd, 21st Floor, Ft. Lauderdale, FL 33301**. All audit team members are **full-time employees**. We have a complete government service team of 46 locally based individuals and more than 4,100 associates nationwide.

The size of our Florida team is as follows:

Personnel	Total	CPA	Government Specialist
Partners	35	35	3
Directors	31	11	2
Senior Managers	33	17	2
Managers	34	16	3
Supervisors	42	14	3
Seniors	64	21	11
Staff Accountants	69	9	20
Operations	42	0	2
TOTAL	350	120	46



CLIENT-DRIVEN

Understanding the governmental sector and helping clients identify their needs and meet their challenges and uncovering opportunities that propel them towards success is Marcum's mission. Our own success is based on our commitment to building meaningful, trusted relationships with our clients, creating positive service experiences, and delivering unexpected value wherever and whenever we can, while maintaining our professional independence and objectivity.

Our assurance professionals, most who have been focused in the government arena throughout their entire careers, have an in-depth understanding of the complex economic and political environment in which these entities operate. Their knowledge and experience allow us to provide the highest level of professional service to our government clients.



COMMITMENT TO EXCELLENCE

From the way we service clients to the training and development of our professionals, Marcum is committed to excellence in every aspect of our operation.

Our focus on client success compels us to look beyond the numbers to see the opportunities, challenges, and solutions in every engagement. Innovation, proactivity, teamwork, and open communication are the hallmarks of our approach.

EXPERIENCE SERVING THE PUBLIC SECTOR

GOVERNMENT SERVICES

For over 70 years, Marcum has successfully provided professional auditing, accounting, financial reporting, and management advisory/consulting services to a broad spectrum of government entities, including preparing government financial statements, and performing Federal and Florida Single Audits. Annually we perform more than 300 government entity audits, 400 employee benefit plan audits, and 200 Single Audit engagements.

The assurance services we provide to government entities includes single audits, pension audits, compliance audits, forensic audits, IT audits, internal audits, GASB implementation, financial statement audits, aiding in obtaining the Certificate of Achievement for the ACFR, and Annual Financial Report preparation and assistance, performance or operational reviews and a wide range of consulting services for local governments.

In addition, the partner and quality control director on the proposed engagement team have been instrumental in assisting clients with the implementation of new pronouncements. Most recently, to note significant GASB pronouncements, the team assisted our clients with the implementation of GASB Statement No. 87, *Leases* and GASB Statement No. 84, *Fiduciary Activities*.

COMPLIANCE AUDITS

We have conducted hundreds of federal, state, local Single Audits, program-specific audits, and are knowledgeable of all requirements under OMB Uniform Guidance and the State of Florida Single Audit Act. To stay on top of changing audit requirements, our firm participates in various AICPA trainings and our team receives annual single audit training that involves all aspects of a single audit, including internal controls, compliance, financial reporting, the Data Collection Form, Yellow Book, and audit effectiveness. A significant portion of this training also includes discussion about single audit quality and current topics discussed in the AICPA Audit Guides and Audit Risk Alerts.

We leverage our training and experiences across the Firm to benefit our clients through improved audit methodology and work programs. Furthermore, we proactively ensure all of our affected clients understand the impact of any new regulations on their organization. Since we perform a substantial amount of single audits annually, our single audit working papers are routinely reviewed by federal and state agencies as well as peer reviewers. We have not had any findings regarding substandard work and, in fact, have had many positive comments about the excellent quality of our audit files.

With this experience, we are able to provide a robust amount of knowledge as it relates to the City and your engagement team has the necessary expertise to assist you with Federal and Florida single audits.

PROPOSED FEES

Surtax Compliance Audit	
Fiscal Year	Fee
September 30, 2023	\$20,000
September 30, 2024	\$20,000

We made the following assumptions in arriving at our estimated fees:

- ▶ Client resources that we need to perform our work will be made available to us in a timely fashion. Specifically, suitable workspace for our staff and equipment, adequate access to your computer systems, internet access for our staff to receive and send email, access to the building, etc.
- ▶ All document requests and other information required by us will be delivered to our team members within timetables determined during the planning phase of our engagement or on a timely basis if requested during the course our audit.
- ▶ Information that we receive to perform our work will be accurate and complete.
- ▶ There are no unforeseen circumstances that will prohibit us from working efficiently.
- ▶ There are no disagreements concerning possible audit adjustments that cannot be resolved satisfactorily in a timely matter.



APPENDIX A

ENGAGEMENT TEAM RESUMES

CITY OF DEERFIELD BEACH SURTAX COMPLIANCE

MOISES D. ARIZA, CPA, CGMA

PARTNER ► **ASSURANCE SERVICES**

► moises.ariza@marcumllp.com

Moises D. Ariza is a partner in the Firm's Assurance Division. He has more than fourteen years of experience in the accounting profession providing accounting, assurance, and advisory services to a wide range of clients. Much of his client base includes nonprofit organizations, local governments, employee benefit plans, manufacturing companies and retail entities.

In addition, Mr. Ariza has significant expertise in performing Federal and Florida Single Audits in accordance with OMB Uniform Guidance and the Florida Single Audit Act, as well as program-specific compliance audits.

Mr. Ariza is involved in all phases of the audit process, from planning and initial risk assessment to ensuring compliance with all State and Federal laws, and the preparation and review of financial statements. He is a qualified peer reviewer and regularly performs peer reviews under the AICPA Peer Review Program.

Within the firm, Mr. Ariza develops in-house training seminars for the Firm's professional staff as well as continuing education programs for various outside organizations. Moises is an active team leader in the Firm's Employee Benefit Plan Group, Nonprofit Sector and Government Services Group.

Professional & Civic Affiliations

Chartered Global Management Accountant (CGMA)
American Institute of Certified Public Accountants (AICPA)
Florida Institute of Certified Public Accountants (FICPA)
Government Finance Officers Association (GFOA)
GFOA Special Review Committee, Active Member
Association of Latin Professionals in Finance and Accounting, Member (ALPFA)
Miami-Dade, Broward and Palm Beach County League of Cities, Associate Member
South Florida Government Finance Officers Association, Associate Member
Florida Government Finance Officer Association, Member (FGFOA)
YMCA of South Florida, Finance Committee Member

Awards & Accolades

Top 20 Professionals Under 40, Brickell Magazine, 2021
Young Horizons Award, Florida Institute of CPAs, 2021

Articles, Seminars & Presentations

Navigating through GASB No. 68, Published Article
The Importance of Governmental Financials, FGFOA Conference
GASB Statement No. 68, 2015 Marcum Governmental Symposium Government Auditing Standards and OMB Uniform Guidelines, Internal Training
Risk Assessment and Audit Approach, Internal Training
Related Party Transactions, Internal Training
Employee Benefit Plans, Internal Training

CPE Hours (three years)

Government	145
Ethics	8
Other (Accounting, Auditing, Technical and Behavioral)	60
Total	<u>213</u>



PRACTICE FOCUS

Financial Audits
Federal & Florida Single Audits
Financial Reporting
Program-Specific Compliance Audits

INDUSTRY FOCUS

Local Governments
Government Pension Plans
ERISA Pension Plans
Special Districts
Nonprofits
Wholesale & Retail Distributors
Manufacturers

EDUCATION

Bachelor of Accounting –
Florida International University

Master of Accounting –
St. Thomas University

CITY OF DEERFIELD BEACH SURTAX COMPLIANCE

BRANDEN A. LOPEZ, CPA

DIRECTOR ► ASSURANCE SERVICES

► branden.lopez@marcumllp.com

Branden A. Lopez is a Director in the Firm's Assurance Division. He has more than 13 years of experience in the accounting profession providing accounting, and auditing, for local nonprofits and private enterprises across a variety of industries, both domestically and internationally. He provides services to a wide range of clients within the aforementioned industries, these include: manufacturing, nonprofit (museums, charter schools, etc.), telecommunication, and employee benefit plans. In addition, Mr. Lopez has significant expertise in performing Federal and Florida Single Audits in accordance with OMB Uniform Guidance and the Florida Single Audit Act, as well as program-specific compliance audits.

Mr. Lopez is involved in all phases of the audit process, from planning and initial risk assessment to ensuring compliance with all State and Federal laws, and the preparation and review of financial statements. He is client service driven and is always willing to assist clients with accounting, auditing and financial reporting issues, including but not limited to, implementation of new accounting pronouncements.

Professional & Civic Affiliations

American Institute of Certified Public Accountants (AICPA)
Miami-Dade, Broward and Palm Beach County League of Cities, Associate Member
South Florida Government Finance Officers Association, Associate Member
Florida Government Finance Officer Association, Member (FGFOA)
YMCA Young Professionals, Board Member

CPE Hours (three years)

Government	128
Other (Accounting, Auditing, Technical and Behavioral)	<u>30</u>
Total	<u>158</u>



PRACTICE FOCUS

Financial Audits
Federal Single Audits
Florida Single Audits
Internal Audits
Program-Specific Compliance Audits
Retirement Plan Audits

INDUSTRY FOCUS

Nonprofit Organizations
Local Governments
Government Pension Plans
Special Districts
Public Utilities
Wholesale & Retail Distributors

EDUCATION

Bachelor of Accounting –
Florida State University



City of Deerfield Beach

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

Face Sheet File Number: I.D. 2024-134

Agenda Date: 4/2/2024

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by Lighthouse Capital Partners, Inc. dba Dixie Divers for the Annual DX Divers Deerfield Beach Underwater Pier Clean-up event taking place at 200 NE 21st Avenue on June 15, 2024 from 8:00 am to 11:00 am; approving the closure of the International Fishing Pier from 6:00 am to 12:00 pm; approving a waiver of fees; and providing for an effective date. (Funds from Account 001-7015-579-35-74 - Special Events)

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Fiscal Impact

Costs: \$2,993.25

Account Name: Special Events

Account Number: 001-7015-579-35-74

Background/History

Lighthouse Capital Partners, Inc. d/b/a Dixie Divers (the "Applicant") is requesting to bring back the Annual DX Divers Deerfield Beach Underwater Pier Cleanup for two days in June. The cleanup serves as a way to promote safe diving and environmental consciousness through preservation.

Current Activity

Parks and Recreation staff received a special event application from the Applicant to host their annual Underwater Pier Cleanup at 200 NE 21st Avenue, on Saturday, June 15, 2024, from 8:00 a.m. to 11:00 a.m. The Application is expecting 300+ attendees. As part of the application, the Applicant is requesting that the City waive parking fees in the Main Beach Parking Lot, along Ocean Way, and in the Pier Parking Lot on Saturday, June 15, 2024, for 85 parking spaces, for a total of \$1,419.50 (collectively, the "Parking Fees"). The International Fishing Pier will also need to be closed until noon for the event. The potential estimated loss in revenue due to the closure for the event totals \$1,573.75 for the period of pier closure on 6/15/2024; 6:00 am-12:00 pm.

Note: It is likely that the pier parking lot and pier will already be closed due to pier renovation and construction activity, in which case the request for fee abatement for these facilities may be mute.

Recommendation

Staff recommends approval of the June 15th event, and a waiver of the associated parking fees and loss of revenue for pier closure. All other fees associated with the event will be the applicant's responsibility. (The June 15th night event was denied by staff and is not included in the Commission's

approval request).

RESOLUTION NO. 2024/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY LIGHTHOUSE CAPITAL PARTNERS, INC. DBA DIXIE DIVERS FOR THE ANNUAL DX DIVERS DEERFIELD BEACH UNDERWATER PIER CLEAN-UP EVENT TAKING PLACE AT 200 NE 21ST AVENUE ON JUNE 15, 2024 FROM 8:00 AM TO 11:00 AM; APPROVING THE CLOSURE OF THE INTERNATIONAL FISHING PIER FROM 6:00 AM TO 12:00 PM; APPROVING A WAIVER OF FEES; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Lighthouse Capital Partners, Inc. d/b/a Dixie Divers (the “Applicant”) intends to hold the annual DX Dixie Divers Deerfield Beach Underwater Pier Clean-Up Event on June 15, 2024 from 8:00 a.m. to 11:00 a.m. at 200 NE 21st Avenue (the “Event”) in the City of Deerfield Beach (the “City”); and

WHEREAS, according to the Special Event Permit Application submitted by the Applicant (the “Application”), approximately 300 individuals will be participating in the Event, which will require the International Fishing Pier (the “Pier”) to be closed from 6:00 a.m. to 12:00 p.m. on the day of the Event; and

WHEREAS, the Applicant is requesting a waiver of fees for a total of approximately 85 parking spaces located in the Main Beach Parking Lot, and along Ocean Way, and in the Pier Parking Lot on June 15, 2024, for a total parking fee waiver amount of \$1,419.50 (collectively, the “Parking Fees”), with the potential estimated loss of revenue due to the Pier closure during the Event at \$1,573.75; and

WHEREAS, the City Commission finds that it is in the best interest of the City to approve the Application, including the waiver of the Parking Fees, subject to the Applicant complying with all applicable federal, state, and local laws in connection with the Event.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission of the City of Deerfield Beach hereby approves the Event Application, including the waiver of the Parking Fees and closure of the Pier, subject to the Applicant’s compliance with all applicable federal, state, and local laws, including compliance with the City’s special event regulations and submission of the required proof of insurance and agreement to indemnify, defend, and hold the City harmless from claims related to the Event.

Section 3. The appropriate City Officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 4. This Resolution shall take effect immediately upon its passage and adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2024.

BILL GANZ, MAYOR

ATTEST:

HEATHER MONTEMAYOR, CITY CLERK



SPECIAL EVENT APPLICATION

Application Information

Organization Name:	Lighthouse Capital Partners (DBA: Dixie Divers)			Today's Date:	1/9/24
Contact Name:	Dixie Divers (Michelle Day)		Email Address:	michelle@dixiedivers.com	
Contact Phone (Home):	954 420-0009		Contact Phone (Cell):	954 540-2999	
Address:	455 South Federal Highway			Fax:	
City:	Deerfield Beach	State:	Florida	Zip Code:	33441
Is this Organization ☒ For Profit ☐ Nonprofit*					
*If Nonprofit, please include a copy of the IRS 501(c) tax exemption letter.					

Event Information

Name of Event:	Annual DX Divers Deerfield Beach Underwater Pier Cleanup			Event Date:	June 15, 2024
Event Address:	Deerfield Beach International Pier, 200 NE 21st Ave.			City:	Deerfield Beach
State:	Florida	Zip Code:	33441	Event Category:	N/A
Purpose of Event:	Promote safe diving and environmental consciousness through preservation. Getting the community involved in a cleanup action, by removing old lead and Mono-filament under the pier left by fishermen. Promoting a fun and healthy activity involving different aged participation in a single community action.				
Description of Event:	Saturday 8:00AM - 11:00 AM diving under the pier for the cleanup with volunteers diving, snorkeling and also helping on top of the pier, cleaning and collecting buckets of trash from divers. Check-in will star at 7:30am and event will end by 12:00pm noon on Sat				
	Date	Day	Start Time	End Time	Anticipated Attendance
Setup	June 15 2024	Saturday	5:00 AM	7:20 AM	25+
Event Day 1	June 15 2024	Saturday	5:00 AM	12:30	300+
Event Day 2					
Event Day 3					
Break Down					
# of years event has been in existence?	16-20	Past Attendance:	756		
Previous Location(s):	Deerfield Beach International Pier				
Property Owner's Permission					
I, the undersigned as owner of the property where the event will be located, do hereby grant permission for use of my property for the event described above. City property exempt (no signature necessary).					
Signature of Property Owner:		Date:		Phone:	

Printed name of Property Owner:

Event Information (Continued from page 1)	Will you require the use of a City park? If yes, please select park. N/A														
	Will your event require the use of the beach? ☒ Yes ☐ No														
	Nolf yes, please make sure to follow the Special Events Permit Conditions for Marine Turtle Guidelines. Will your event need additional sanitation supplies? ☐ Yes ☒ No														
	Will you require the use of additional City staff/equipment? ☐ Yes ☒ No														
Additional BSO/Building Requirements	Will you require parking spaces in Main Beach Parking Lot? ☒ Yes ☐ No														
	If yes, how many spaces are you requesting? 75														
	Will you require parking spaces along Ocean Way? ☒ Yes ☐ No														
	If yes, how many spaces are you requesting? 5														
	Will you require parking spaces at the Pier Parking Lot? ☒ Yes ☐ No														
	If yes, how many space are you requesting? 5														
	Will your event require use of the City Showmobile?* ☐ Yes ☒ No														
	*A Showmobile Application must be filled out & submitted if using the City Showmobile.														
	Are you requesting any of the above fees to be waived by the city? ☒ Yes ☐ No														
	If yes, what fees are you requesting waived? Parking Fees														
All waiver of fee requests below must be approved by the City Commission.															
Vendor Information	Will your event be serving food? ☐ Yes ☒ No Number of Food Vendors: N/A														
	Where will the food be prepared? Method used for cooking: 														
	Vendor list provided to the City? ☐ Yes ☐ No														
Additional BSO/Building Requirements	Food vendors have all permits/licenses required? ☐ Yes ☐ No														
	Number of other vendors: 20 Vendor list provided to the City? ☒ Yes ☐ No														
	Will there be alcohol at this event? (Must be approved by City Commission) ☐ Yes ☐ No														
	If yes, has liquor license been issued? ☐ Yes ☐ No														
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Will your event require electricity? ☐ Yes ☒ No															
Type of electrical power to be used 															
Will a generator be used? ☐ Yes ☒ No Size of Generator: 															
***A generator over 5KW/5000 Watts will require an additional permit.															
Will gas equipment be used? ☐ Yes ☒ No															
Type of fuel source: 															

Additional BSO/Building Requirements (Continued from page 2)	Will cooking equipment be used? ☐ Yes ☐ No													
	Type of cooking equipment (check all that apply): ☐ Charcoal Grills ☐ Food Trucks ☐ Fryers ☐ Propane Grills ☐ Warmers/Sternos													
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	Company Name: 		Contact Person: 											
Contact Number: 		Will safety equipment be used? ☐ Yes ☐ No												
Promotion Materials	Is your event listed on the web? ☒ Yes ☐ No													
	URL: dxdivers.com/pages/annual-dxdivers-deerfield-beach-underwater-pier-clean-up													
	How do you plan on marketing your event? (select all that apply)													
	☒ Outdoor Banners ☐ Radio Ads ☐ Mailings ☒ Outdoor Signs ☐ TV Ads ☒ Flyers ☒ Newspaper Ads ☒ Other													
	Promotional Signs/Banners:													
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	Will musical entertainment be used? ☐ Yes ☒ No													
Please describe any type of entertainment and sound equipment below:														
Miscellaneous	Are you charging a fee for the event? ☒ Yes ☐ No													
	How are the proceeds being used? For participant raffle prizes and event shirt costs													
	Name of benefiting organization: 													
	Contact Person: Michelle C. Day	Contact Phone Number: 954 540-2999												



HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Lighthouse Capital Partners (DBA: Dixie Divers) (insert official name of vendor), hereinafter referred to as 'Vendor', agrees through the signing of this document by an authorized party, intending to be legally bound for themselves and their heirs, executors and administrators, covenants and agrees to Indemnify and Hold Harmless and defend the City of Deerfield Beach, the elected and appointed officials of the City of Deerfield Beach, the City Manager, department heads, division heads, supervisors and employees of the foregoing, and their heirs, representatives, successors, executors, administrators and assigns from and against any and all suits and actions including attorneys fees and all costs of litigation and judgments, claims for damages or injuries, including death, to persons or property of whatever kind or character, whether real, personal or mixed, asserted or occurring from every name and description arising out of or incidental to the Vendor's activity at the City of Deerfield Beach, Florida, (describe activity) whether or not due to or caused by the negligence of the City of Deerfield Beach, excluding only the sole negligence of the City of Deerfield Beach. This provision shall also pertain to any claims against the City of Deerfield Beach by any employee of Vendor or anyone directly or indirectly employed by Vendor.

This 9 day of January, 2024



Applicant Signature

Michelle C. Day

Print Name

CEO

Title

Witnesses



Signature

William A. Russell

Print Name

1/9/24

Date

Please submit completed application to the Community Events and Outreach Division located at the City of Deerfield Beach, 401A SW 4th St., Deerfield Beach, FL 33441 or fax to 954-480-4393.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/30/2023

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER DAN Services Inc 6 W Colony Place Durham, NC, 27705	CONTACT NAME: Rochelle Wright	FAX (A/C, No): 919-490-2935	
	PHONE (A/C, No, Ext): 919-490-2934	E-MAIL ADDRESS: liabilityinsurance@dan.org	
INSURED Lighthouse Capital Partners 455 S FEDERAL HWY DEERFIELD BEACH, FL 33441 US	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: DAN Risk Retention Group		15928
	INSURER B:		
	INSURER C:		
	INSURER D:		
INSURER E:			
INSURER F:			

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

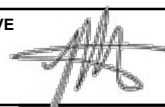
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	COMMERCIAL GENERAL LIABILITY						
	☐ CLAIMS-MADE ☒ OCCUR	Y		GL110-121207	06/30/2023	06/30/2024	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 1,000,000
	AUTOMOBILE LIABILITY						
	☐ ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ OWNED AUTOS ONLY						BODILY INJURY (Per person) \$
	☐ HIRED AUTOS ONLY						BODILY INJURY (Per accident) \$
	☐ SCHEDULED AUTOS NON-OWNED AUTOS ONLY						PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB						EACH OCCURRENCE \$
	EXCESS LIAB						AGGREGATE \$
	☐ OCCUR						
	☐ CLAIMS-MADE						
	DED						
	RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y / N					PER STATUTE
	If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				OTH-ER
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

City of Deerfield Beach Deerfield Beach, FL 33441 United States	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
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City of Deerfield Beach Parks and Recreation

401A SW 4th Street
Deerfield Beach, FL 33441

954-480-4433
registration@deerfield-beach.com
www.dfb.city

Registration/Payment Receipt 64237340

01/10/2024 10:26 AM

Account Information
Dixie Divers LLC
Michelle Day
455 South Federal Highway
Deerfield Beach, FL 33441

Payment
Credit/Debit \$50.00
Ending in 0346
Merchant Code
3e971237-ad7f-448f-b6e2-c8ba2ee23dce

Item	Amount Paid
Resident Application (60)	\$50.00
FOR BALANCE DUE BY: 01/11/2024	
Subtotal	\$50.00
Total Payment	\$50.00
Change in Balance	(\$50.00)
Account Balance	\$0.00
(As of 01/10/2024 10:26 AM)	

Prompt(s)

Organizations Name Dixie Diver
Check Date () 06/15/2024





INVOICE

Please remit to:
Parking Enforcement
City of Deerfield Beach
150 NE 2 Avenue
Deerfield Beach, FL 33441
(954) 248-4499

INVOICE #2403

Bill To:
Lighthouse Capital Partners (DBA: Dixie Divers)
455 S. Federal Highway
Deerfield Beach, FL 33441

Invoice Date: 2/26/2024	Due Date: 06/05/2024
-------------------------	----------------------

Event Date	Description	Line Total
01/15/2024	85 spaces- billed at \$1.67/hr for 10 hours	\$1,419.50
Total		\$1,419.50

CITY OF DEERFIELD BEACH



City of Deerfield Beach

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

Face Sheet File Number: I.D. 2024-158

Agenda Date: 4/2/2024

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by Floating Frog, LLC dba Mindtravel Foundation for a silent piano concert on Deerfield Beach north of the international fishing pier on April 23, 2024, from 6:00 pm to 9:00 pm; providing for an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

Floating Frog, LLC dba Mindtravel Foundation (the "Applicant") is requesting to hold a silent piano concert on the beach just north of the Pier on Tuesday, April 23, 2024, from 6:00 pm to 9:00 pm (the "Event"). This Event is ticketed, with ticket sales ranging from \$15/youth to \$50/adult, and the Applicant anticipates approximately 250 participants will attend the Event. The Applicant is not requesting any fee waivers but does need approval because of the ticket sales. The piano is lightweight, and designed as a faux piano around a keyboard. Due to the event's timing during turtle season, approval was sought from the Florida Fish and Wildlife Conservation Commission (FWC), which has been granted after review.

Current Activity

Mindtravel offers an immersive musical experience known as the "Silent Piano Concert," curated by composer and pianist Murray Hidary. Held in iconic theaters and scenic outdoor venues, Mindtravel's live performances take audiences on transformative journeys. With over 400 nationwide performances, local venues include Miami Beach Botanical Gardens, Fort Lauderdale Beach, Doheny State Beach, Playa Largo Resort & Spa, and Siesta Beach in Sarasota.

Recommendation

The Parks and Recreation Department recommends approval for a single event on Tuesday, April 23, 2024, from 6:00 pm to 9:00 pm.

RESOLUTION NO. 2024/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE SPECIAL EVENT PERMIT APPLICATION SUBMITTED BY FLOATING FROG, LLC DBA MINDTRAVEL FOUNDATION FOR A SILENT PIANO CONCERT ON DEERFIELD BEACH NORTH OF THE INTERNATIONAL FISHING PIER ON APRIL 23, 2024, FROM 6:00 PM TO 9:00 PM; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Floating Frog, LLC, dba Mindtravel Foundation (the “Applicant”) intends to hold a silent piano concert event on April 23, 2024 from 6:00 p.m. to 9:00 p.m. just north of the International Fishing Pier on the beach (the “Event”) in the City of Deerfield Beach (the “City”); and

WHEREAS, according to the Special Event Permit Application submitted by the Applicant (the “Application”), approximately 250 individuals will be participating in the Event, and the Applicant will be selling tickets ranging from \$15 for youths to \$50 for adults; and

WHEREAS, as the Event is during turtle nesting season, the Applicant has obtained approval from Florida Fish and Wildlife Conservation Commission to place the piano on the beach sand for the Event; and

WHEREAS, the City Commission finds that it is in the best interest of the City to approve the Application, including the Applicant’s ticket sales for the Event, subject to the Applicant’s compliance with all applicable federal, state, and local laws in connection with the Event.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the Event Application, subject to the Applicant’s compliance with all applicable federal, state, and local laws, including compliance with the City’s special event regulations and submission of the required proof of insurance and agreement to indemnify, defend and hold the City harmless from claims related to the Event.

Section 3. The appropriate City Officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2024.

BILL GANZ, MAYOR

ATTEST:

HEATHER MONTEMAYOR, CITY CLERK



SPECIAL EVENT APPLICATION

Application Information	Organization Name:	MindTravel Foundation	Today's Date:	02/09/2024																																					
	Contact Name:	Andrea Mejia	Email Address:	eventandream@gmail.com																																					
	Contact Phone (Home):		Contact Phone (Cell):	7864500715																																					
	Address:	303 South Broadway Suite 105	Fax:																																						
	City:	Tarrytown	State:	NY																																					
	Zip Code:	10591																																							
	Is this Organization ☐ For Profit ☒ Nonprofit* *If Nonprofit, please include a copy of the IRS 501(c) tax exemption letter.																																								
Event Information	Name of Event:	MindTravel Live To Headphones Silent Piano Experience	Event Date:	04/23/2024																																					
	Event Address:	240 N Ocean Dr	City:	Deerfield Beach																																					
	State:	FL	Zip Code:	33441																																					
	Event Category:	N/A																																							
	Purpose of Event:	We are looking foward to create a space where the community can connect thr ough music , nature and mindfuness																																							
	Description of Event:	It's a Silent concert Piano Meditation. People listen through Headphones th ere is no amplified sound																																							
	<table border="1"><thead><tr><th></th><th>Date</th><th>Day</th><th>Start Time</th><th>End Time</th><th>Anticipated Attendance</th></tr></thead><tbody><tr><td>Setup</td><td>04/23/24</td><td>Tuesday</td><td>12:30</td><td>06:00</td><td>6</td></tr><tr><td>Event Day 1</td><td>04/23/24</td><td>Tuesday</td><td>07:00</td><td>09:00</td><td>250</td></tr><tr><td>Event Day 2</td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Event Day 3</td><td></td><td></td><td></td><td></td><td></td></tr><tr><td>Break Down</td><td>04/23/24</td><td>Tuesday</td><td>09:00</td><td>11:00</td><td>6</td></tr></tbody></table>						Date	Day	Start Time	End Time	Anticipated Attendance	Setup	04/23/24	Tuesday	12:30	06:00	6	Event Day 1	04/23/24	Tuesday	07:00	09:00	250	Event Day 2						Event Day 3						Break Down	04/23/24	Tuesday	09:00	11:00	6
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# of years event has been in existence?	4	Past Attendance:	300																																						
Previous Location(s):	Miami Beach, Santa Monica, St Pete, Ft Lauderdale																																								
Property Owner's Permission I, the undersigned as owner of the property where the event will be located, do hereby grant permission for use of my property for the event described above. City property exempt (no signature necessary).																																									
Signature of Property Owner:		Date:		Phone:																																					
Printed name of Property Owner:																																									

Event Information
(Continued from page 1)

Will you require the use of a City park? If yes, please select park.

Will your event require the use of the beach? ☒ Yes ☐ No
If yes, please make sure to follow the Special Events Permit Conditions for Marine Turtle Guidelines.

Will your event need additional sanitation supplies? ☐ Yes ☒ No

Will you require the use of additional City staff/equipment? ☐ Yes ☒ No

Will you require parking spaces in Main Beach Parking Lot? ☐ Yes ☒ No
If yes, how many spaces are you requesting?

Will you require parking spaces along Ocean Way? ☐ Yes ☒ No
If yes, how many spaces are you requesting?

Will you require parking spaces at the Pier Parking Lot? ☐ Yes ☒ No
If yes, how many space are you requesting?

Will your event require use of the City Showmobile?* ☐ Yes ☒ No
*A Showmobile Application must be filled out & submitted if using the City Showmobile.

Are you requesting any of the above fees to be waived by the city? ☐ Yes ☒ No
If yes, what fees are you requesting waived?

All waiver of fee requests below must be approved by the City Commission.

Vendor Information

Will your event be serving food? ☐ Yes ☒ No Number of Food Vendors:

Where will the food be prepared? Method used for cooking:

Vendor list provided to the City? ☐ Yes ☐ No

Food vendors have all permits/licenses required? ☐ Yes ☐ No

Number of other vendors: Vendor list provided to the City? ☐ Yes ☐ No

Additional BSO/Building Requirements

Will there be alcohol at this event? (Must be approved by City Commission) ☐ Yes ☒ No
If yes, has liquor license been issued? ☐ Yes ☐ No

If you answer yes to any of the below questions, a permit may be required

Will you be using any tents for your event? ☒ Yes ☐ No

Tent Size	# of Tents	Tent Location
10X 10	2	See site plan check in and audio area

Please note: If using tents on City property, the tents must be weighted. Stakes are prohibited

Will you be using a stage for your event? ☐ Yes ☒ No

Will your event require electricity? ☐ Yes ☒ No

Type of electrical power to be used:

Will a generator be used? ☐ Yes ☒ No Size of Generator:
***A generator over 5KW/5000 Watts will require an additional permit.

Will gas equipment be used? ☐ Yes ☒ No

Type of fuel source:

Additional BSO/Building Requirements (Continued from page 2)	Will cooking equipment be used? ☐ Yes ☒ No												
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	Will you be using a licensed professional security company to provide security services for your event? ☐ Yes ☒ No												
Company Name: Contact Person: 													
Contact Number: Will safety equipment be used? ☐ Yes ☐ No													
Promotion Materials	Is your event listed on the web? ☒ Yes ☐ No Provide URL address: www.mindtravel.com												
	How do you plan on marketing your event? (select all that apply)												
	☐ Outdoor Banners ☐ Radio Ads ☐ Mailings ☐ Newspaper Ads ☐ Outdoor Signs ☐ TV Ads ☒ Flyers ☐ Other												
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Event Entertainment	Will the event have entertainment? ☐ Yes ☒ No												
	Will amplified sound equipment be used? ☐ Yes ☒ No Will musical entertainment be used? ☒ Yes ☐ No Please describe any type of entertainment and sound equipment below: Its a silent concert meditation (we are non profit organization) and a live concert broadcast to silent headphones (no amplified sound) as this is a meditative and wellness-focused experience												
Miscellaneous	Are you charging a fee for the event? ☒ Yes ☐ No												
	How are the proceeds being used? 												
	Name of benefiting organization: MindTravel Foundation												
	Contact Person: Murray H idary	Contact Phone Number: 											



HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Foundation MindTravel (insert official name of vendor), hereinafter referred to as 'Vendor', agrees through the signing of this document by an authorized party, intending to be legally bound for themselves and their heirs, executors and administrators, covenants and agrees to Indemnify and Hold Harmless and defend the City of Deerfield Beach, the elected and appointed officials of the City of Deerfield Beach, the City Manager, department heads, division heads, supervisors and employees of the foregoing, and their heirs, representatives, successors, executors, administrators and assigns from and against any and all suits and actions including attorneys fees and all costs of litigation and judgments, claims for damages or injuries, including death, to persons or property of whatever kind or character, whether real, personal or mixed, asserted or occurring from every name and description arising out of or incidental to the Vendor's activity at the City of Deerfield Beach, Florida, (describe activity) whether or not due to or caused by the negligence of the City of Deerfield Beach, excluding only the sole negligence of the City of Deerfield Beach. This provision shall also pertain to any claims against the City of Deerfield Beach by any employee of Vendor or anyone directly or indirectly employed by Vendor.

This 9 day of January, of 2023

Andrea Mejia

Applicant Signature

Andrea Mejia

Print Name

Production Manager

Title

Witnesses

Gabriela Torres

Signature

Gabriela Torres

Print Name

01/09/2024

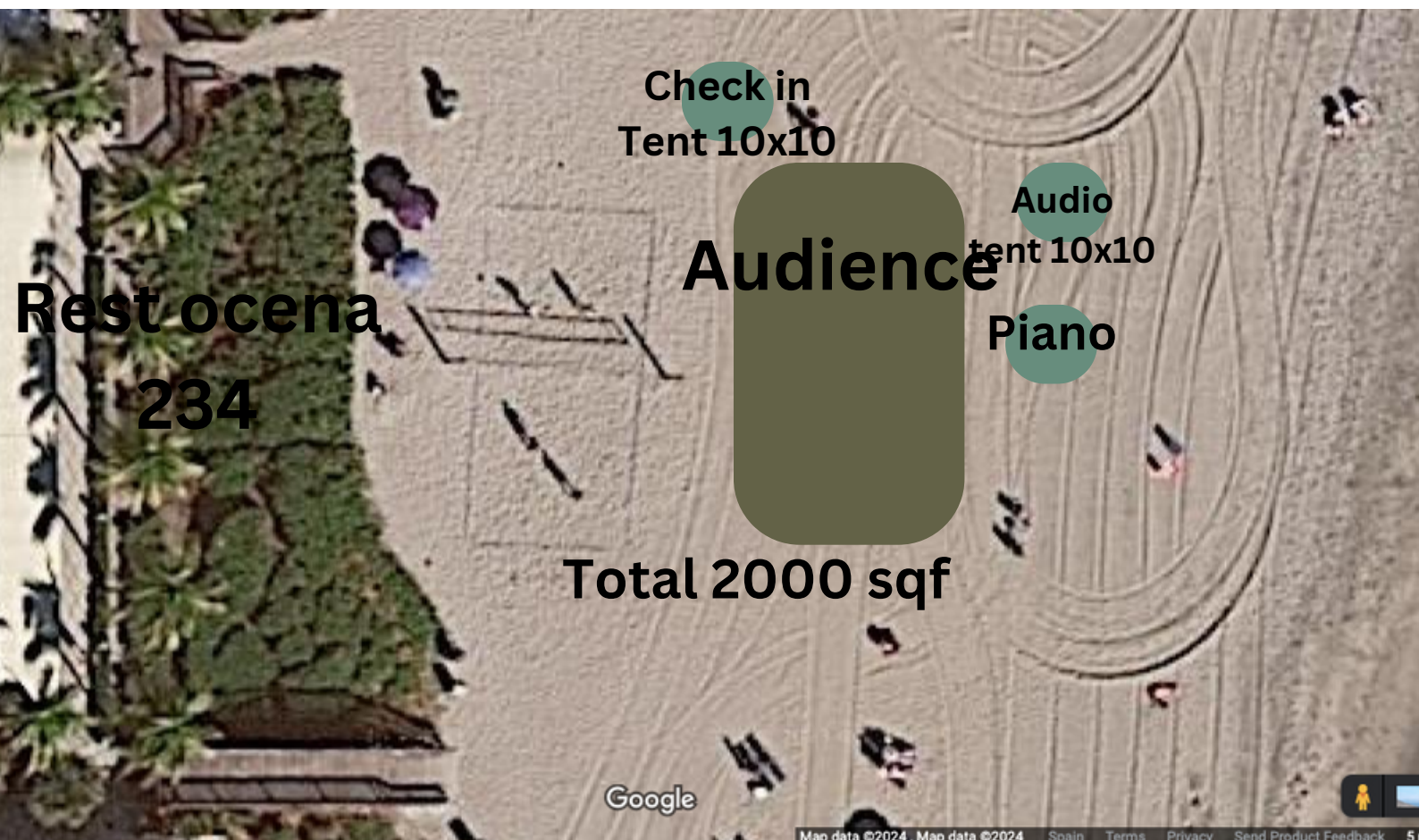
Date

Please submit completed application to the Community Events and Outreach Division located at the City of Deerfield Beach, 401A SW 4th St., Deerfield Beach, FL 33441 or email dfbspecialevents@deerfield-beach.com.



Siteplan MindTravel experience

240 N Ocean Dr, Deerfield Beach, FL 33441, USA



**CERTIFICATE OF LIABILITY INSURANCE**

DATE (MM/DD/YYYY)

03/26/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Mauser & Tobin Co., Inc. 1325 Franklin Avenue Garden City, NY 11530 Mauser & Tobin Co., Inc.		516-747-0171		CONTACT NAME: Mauser & Tobin Co., Inc.	
				PHONE (A/C, No, Ext): 516-747-0171	FAX (A/C, No): 516-747-0313
				E-MAIL ADDRESS: tim@mausertobin.com	
				INSURER(S) AFFORDING COVERAGE	
				INSURER A: Philadelphia Insurance Company	
				NAIC # 18058	
				INSURER B:	
				INSURER C:	
				INSURER D:	
				INSURER E:	
				INSURER F:	

INSURED
FLOATING FROG LLC
MIND TRAVEL FOUNDATION
303 SOUTH BROADWAY 105
TARRYTOWN, NY 10591

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY						
	☐ CLAIMS-MADE ☒ OCCUR						
		X		PHPK2393319	04/18/2024	04/18/2025	EACH OCCURRENCE \$ 2,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 50,000
							MED EXP (Any one person) \$ 5,000
							PERSONAL & ADV INJURY \$ 4,000,000
							GENERAL AGGREGATE \$ 4,000,000
							PRODUCTS - COMP/OP AGG \$ 4,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						
	☐ POLICY ☐ PRO-JECT ☐ LOC						
	OTHER:						
	AUTOMOBILE LIABILITY						
	☐ ANY AUTO						COMBINED SINGLE LIMIT (Ea accident) \$
	☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS						BODILY INJURY (Per person) \$
	☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR						EACH OCCURRENCE \$
	EXCESS LIAB ☐ CLAIMS-MADE						AGGREGATE \$
	DED ☐ RETENTION \$						
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N ☒ N / A						PER STATUTE ☐ OTH-ER ☐
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$
A	Commercial Applica			PHPK2393319	04/18/2024	04/18/2025	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Certificate holder added as additional insured with respects to General Liability . Date of the event April 23,2024.

CERTIFICATE HOLDER**CANCELLATION**

City of Deerfield Beach
150 NE 2nd Ave
Deerfield Beach, FL 33441

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



City of Deerfield Beach

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

Face Sheet File Number: I.D. 2024-102

Agenda Date: 4/2/2024

Status: DEPARTMENTAL BUSINESS

In Control: City Commission

Title

ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 66, "TRAFFIC AND VEHICLES," SECTION 66-88 "PARKING RESTRICTIONS FOR COVE PARKING LOT; PENALTY" OF THE CITY CODE OF ORDINANCES TO EXPAND THE EXISTING TWO-HOUR CONTINUOUS PARKING RESTRICTION FOR THE COVE SHOPPING CENTER PARKING LOT TO INCLUDE SUNDAYS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set public hearing for April 16, 2024

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

A 2-hour parking time limitation for perimeter parking spaces in the Cove Shopping Center was enacted by the City of Deerfield Beach in 1992. The parking ordinance was revised in 2012 after the redevelopment of the parking lot to reflect the new parking space layout in the lot. Two (2) hour parking time limitations are in effect from 9am-6pm Monday-Saturday.

Current Activity

At recent Deerfield Beach Community Redevelopment Agency (DBCRA) meetings, the Board requested staff survey the businesses in the Cove Shopping Plaza about extending the existing hours of enforcement and/or including Sundays. The majority of the feedback received and reported to the board was to maintain the hours, and include Sundays.

Recommendation

Staff recommends approval to amend the Cove Shopping Center 2-hour parking limitation ordinance to include Sundays.

ORDINANCE NO. 2024/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 66, “TRAFFIC AND VEHICLES,” SECTION 66-88 “PARKING RESTRICTIONS FOR COVE PARKING LOT; PENALTY” OF THE CITY CODE OF ORDINANCES TO EXPAND THE EXISTING TWO-HOUR CONTINUOUS PARKING RESTRICTION FOR THE COVE SHOPPING CENTER PARKING LOT TO INCLUDE SUNDAYS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, a two-hour parking time restriction for perimeter parking spaces in the Cove Shopping Center parking lot was enacted by the City of Deerfield Beach in 1992; and

WHEREAS, the Cove Parking Ordinance was amended in 2012 after the redevelopment of the parking lot to reflect the new parking space layout in the lot; and

WHEREAS, Section 66-88 of the City Code of Ordinances currently provides that no person may park at any of the parking spaces in the referenced areas of the Cove Shopping Center Parking Lot for a continuous period of more than two hours during the hours of 9:00 a.m. through 6:00 p.m. every day, except Sunday; and

WHEREAS, City staff and Deerfield Beach CRA staff received input from Cove Shopping Center business owners indicating a desire to expand the existing two-hour parking limitation to include Sundays; and

WHEREAS, the City Commission finds it to be in the best interest of the residents, businesses, and visitors of the City of Deerfield Beach to enact this Ordinance expanding the two hour parking restriction for the Cove Shopping Center Parking Lot to include Sundays.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AS FOLLOWS:

Section 1. The above “WHEREAS” clauses are true and correct and are made a part of this Ordinance.

Section 2. Section 66-88 “Parking restrictions for the Cove parking lot; penalty” of Chapter 66 “Traffic and Vehicles” of the City Code of Ordinances is hereby amended to read as follows¹:

Chapter 66 TRAFFIC AND VEHICLES

*** * ***

ARTICLE II. – STOPPING, STANDING, PARKING

¹ Additions to existing City Code text are shown in underline. Deletions to existing City Code text are shown in ~~strikethrough~~.

Sec. 66-88. Parking restrictions for the Cove parking lot; penalty.

(a) During the hours of 9:00 a.m. through 6:00 p.m., parking of motor vehicles at the spaces in the Cove parking lot described on Exhibit A, which is on file with the city clerk, shall be limited to two continuous hours. No person may park at any parking space in such parking lot for a continuous period of more than two hours during the hours of 9:00 a.m. through 6:00 p.m. These restrictions shall be in effect every day, including Sundays ~~except Sunday~~.

(b) Any person parking a motor vehicle in the Cove parking lot shall park the vehicle so that the entire vehicle is within a designated parking space. Parking spaces shall be designated by striping on the pavement. Any area marked with yellow striping shall be designated as a no parking zone.

* * *

Section 3. All Sections or parts of Sections of the City Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. The provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 5. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 6. That this Ordinance shall take effect immediately upon adoption on second reading.

PASSED 1ST READING ON THIS ____ DAY OF _____, 2024.

PASSED 2ND READING ON THIS ____ DAY OF _____, 2024.

BILL GANZ, MAYOR

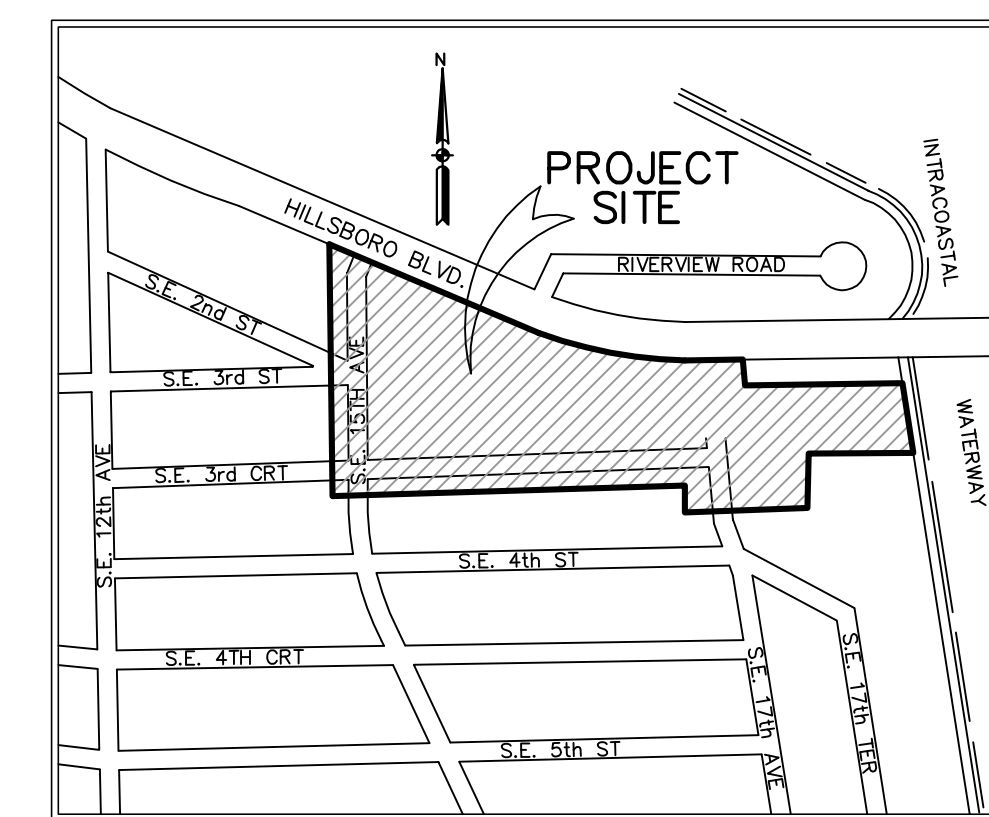
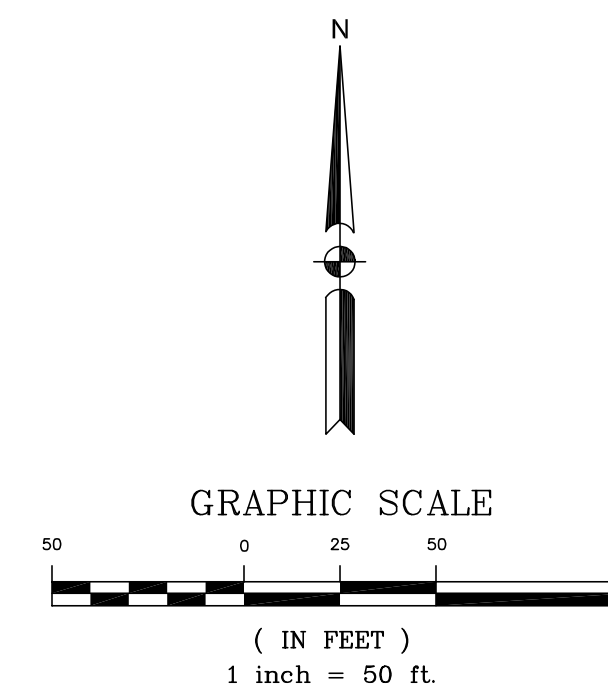
ATTEST:

HEATHER MONTEMAYOR, CITY CLERK

X 2-HOUR PARKING

PORTIONS OF BLOCKS 1, 2, 3, PARCELS A, B, C, D, AND THE COVE CENTER, THE COVE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 32, PAGE 48, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

TOGETHER WITH A PORTION OF KESTER BOULEVARD (PUBLIC RIGHT-OF-WAY), AND HILLSBORO BOULEVARD (STATE ROAD 810)(PUBLIC RIGHT-OF-WAY).



VICINITY MAP
(NOT TO SCALE)

DATE	REVISION
DEC. 4, 2009	CITY / PERMIT AGENCY COMMENTS
MISC. REV. BLDG. DEPT. COMMENTS	
APR. 6, 2011	

DATE: _____ FEBRUARY 2009
SCALE: _____ 1" = 50'
DRAWN BY: _____ L.B.
DESIGN BY: _____ L.B.
CHECKED BY: _____ M.C.

JAMES A. THIELE, P.E.
FLORIDA REG. NO. 33256
(FOR THE FIRM)



301 EAST ATLANTIC BOULEVARD
OMPAHO BEACH, FLORIDA 33060-6643
(954) 788-3400 FAX (954) 788-3500
STATE OF FLORIDA CERTIFICATE OF
AUTHORIZATION NUMBER - 7928

THE COVE SHOPPING CENTER PHASE I PARKING LOT IMPROVEMENTS SITE PLAN

CITY OF DEERFIELD BEACH
BROWARD COUNTY, FLORIDA

SHEET NO. SP-1

PROJECT NO. 04065.23

