Deerfield Beach
Florida

Regular City Commission Meeting Agenda

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

Mayor Bill Ganz	
Vice Mayor Bernie Parness	
District 1 Commissioner Michael Hudak	Tuesday
District 2 Commissioner Ben Preston	May 5, 2020
District 4 Commissioner Todd Drosky	7:00 PM

CALL TO ORDER & ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes

Attachment: April 21, 2020

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Redevelopment Agency Meeting Minutes

Attachment: December 10, 2019

APPROVAL OF THE AGENDA

May 5, 2020

ZOOM MEETING

Join Zoom Meeting by clicking the below link:

https://us02web.zoom.us/j/88429922442?pwd=dGNLYU8rOEVsdGlaRm5ZMjRMcGY4Zz09

Join Zoom Meeting via telephone by dialing:

Call-in Number: 1-253-215-8782

Meeting ID: 884 2992 2442

Passcode: 793517

For complete instructions on joining and/or participating during Public Comment, please download the agenda packet.

Attachment: Zoom Instructions

PUBLIC HEARINGS – SECOND READING

1. **P.H. 2020-047: ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING ARTICLE X "LOBBYIST REGISTRATION REQUIREMENTS" OF CHAPTER 2 "ADMINISTRATION"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

   Suggested Action: Commission to vote on Ordinance

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

   Sponsor: Office of the City Clerk

   Attachment: Lobbyist Registration Requirements

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 - AGREEMENTS & EXPENDITURE REQUESTS

2. **Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of ITB #20-12-JW for laptops and associated products to TSI Aviation, Inc.; authorizing the purchase of laptops and associated products from TSI Aviation, Inc. in an amount not to exceed $111,142.20; and providing for an effective date.** ***(Funds from Account #001-0500-513-3965 - Central Services Computer Replacement)***

   Suggested Action: Commission to vote on Resolution

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

   Sponsor: Department of Information Technology

   Attachment: TSI Aviation, Inc

3. **Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the 2020 Amendment to the Interlocal Agreement with Broward County for distribution of the proceeds of the Three-Cent Additional Local Option Gas Tax on Motor Fuel; authorizing execution of the 2020 Amendment; providing for severability and 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 Financial Services

   Attachment: Three-Cent Gas Tax

4. **Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the 2020 Amendment to the Interlocal Agreement with Broward County for distribution of the proceeds of the Fifth-Cent Additional Local Option Gas Tax on Motor Fuel; authorizing execution of the 2020 Amendment; providing for severability and 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 Financial Services

   Attachment: Fifth-Cent Gas Tax

DEPARTMENTAL BUSINESS

5. **Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of applications to the Broward County Mobility Advancement Program for Transportation Surtax Funds to provide funding for the SE 13th Avenue and SE 15th Avenue Bridges Rehabilitation Projects; 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: Department of Environmental Services

   Attachment: Mobility Advancement Program

COMMENTS BY ADMINISTRATION & LEGAL

COMMENTS BY MAYOR & CITY COMMISSION

ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Tuesday, May 19, 2020

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, April 21, 2020 | **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 7:04 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

Present: 5 – Commissioner Todd Drosky
Commissioner Michael Hudak
Commissioner Ben Preston
Vice Mayor Bernie Parness
Mayor Bill Ganz

Also Present: 3 – City Manager David Santucci
City Attorney Anthony Soroka
City Clerk Samantha Gillyard

Commissioner Preston was present during roll call, but couldn't respond due to technical difficulties.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Parness.

APPROVAL OF CITY COMMISSION MEETING MINUTES

Regular City Commission Meeting Minutes – April 7, 2020

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

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

Nays: 0

Commissioner Preston did not have audio and was not included in the vote.

APPROVAL OF CITY COMMISSION AGENDA

April 21, 2020

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

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

Nays: 0

Commissioner Preston did not have audio and was not included in the vote.

PUBLIC COMMENT

There were no comments from the public.

CONSENT – BOARD APPOINTMENTS

1. Resolution 2020/046 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Sally Ling to the Historic Preservation Board; and providing for an effective date.

The Resolution was read by title only.

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

Commissioner Drosky said he has multiple residents in his district with a rich history, whereas, Ms. Ling is a noted author and wrote a book about the City's history; therefore, he fully supports her as per his nomination.

Commissioner Preston activated audio shortly before the vote on Item 1.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 1, adopted Resolution 2020/046. Roll Call:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

2. Resolution 2020/047 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a Grant Agreement with the State Division of Emergency Management for the City's receipt of grant funds related to Hurricane Irma disaster debris removal and other disaster related emergency measures in the amount of $2,249,910.97; authorizing execution of the Grant Agreement; and providing for an effective date.

The Resolution was read by title only.

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

There was no discussion amongst the Commission.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 2, adopted Resolution 2020/047. Roll Call:

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

Nays: 0

3. Resolution 2020/048 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the purchase of a license plate reader camera system, software and related equipment from Vetted Security Solutions, LLC, in the amount of $277,170.00 utilizing Law Enforcement Trust Funds; providing for execution, severability and an effective date.

The Resolution was read by title only.

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

Commissioner Drosky spoke in support of the item and explained that the equipment is not supplied universally; therefore, costs are more than expected. Further, the equipment has to be compatible with existing equipment; as it is in use 24/7 and is commercial grade.

In response to Commissioner Hudak's question, David Santucci, City Manager, replied yes, the new system is compatible with the existing system.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 3, adopted Resolution 2020/048. Roll Call:

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

Nays: 0

4. Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Evaluation Committee's ranking of proposals pursuant to Request for Proposals #20-02-PC for Design-Build Construction Services for the Center of Active Aging; authorizing the City Manager to commence contract negotiations with Seawood Builders, LLC, the top ranked firm; providing for severability and an effective date.

The Resolution was read by title only.

Anthony Soroka, City Attorney, said last Monday, he received a letter alleging the campaign contribution disclosure form submitted by the top ranked proposer was insufficient and after review, he issued a memo which is included in the backup. Also, he spoke with the Elected Officials individually about their options based on the City's Code. Furthermore, he received a memo from counsel of Seawood Builders in response to his memo, which was provided to the Clerk today.

Samantha Gillyard, City Clerk, advised that the memo was being e-mailed at Mr. Soroka's request.

Mr. Soroka said there was a cone of silence in effect, thus, staff had to wait to send the information to the Commission. Seawood's counsel is on the line and would like to present their position; notwithstanding, the memo will be made a part of the record of the agenda item.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

Mayor Ganz opened the public hearing.

Ms. Gillyard provided an overview of the e-mails received in connection with Item 4.

Alice Taylor, CEO Broward Health North, supporting Ed and Betty Masi, as well as the project.

Richard Hopper, 409 Goolsby Boulevard, Deerfield Beach, supporting Seawood Builders and the project. He further advised that an oversight of campaign contributions should not have any bearing on the proposal.

Dave Noderer, no address provided, supporting Betty Masi and Seawood Builders.

Adam Corin, 1500 E. Hillsboro Boulevard, Suite 206, Deerfield Beach, supporting Betty Masi and Seawood Builders; he also recognized her integrity and character.

Rick Jorden, 111 Jim Moran Boulevard, Deerfield Beach, supporting Seawood Builders for the project and outlined his experiences with Ed and Betty Masi.

Jeff Anderson, Stor-All, 141 SE 1st Street, Deerfield Beach, supporting Seawood Builders for the project and Betty Masi. He also asked that there not be any backlash for not listing the political contribution.

Audra Durham, Director of Sales & Marketing, Wyndham, 2096 NE 2nd Street, Deerfield Beach, supporting Betty for the project, as well as her dedication and passion for the City.

Glenn Sullivan, 2377 Deer Creek Trail, Deerfield Beach, asked that the bid be rejected for insufficiency in the bid response. He made several suggestions: approve the second bidder, reject all bids and restart, City Commission to re-rank the second and third bidders or send ranking back to the evaluation committee.

Lastly, Ms. Gillyard advised that the campaign contributions are outlined in the agenda backup.

Scott Backman, 14 SE 4th Street, Boca Raton, representing Seawood Builders, provided an overview of the bid process for the design-build contract for the Center for Active Aging, whereas, Seawood responded last March and the submittal included a list of several campaign contributions which was required in the RFP application, as well as the City's Code. Upon the initial submittal package, the evaluation committee selected Seawood as one of three responsive bidders that moved into the second phase of the RFP process. Seawood is the top responding and qualified bidder, as the backup reflects, by more than 100 points and over half a million dollars lower than the second ranked qualified response. Mr. Backman commented on allegations submitted last week and Betty Masi receiving a call from the New Pelican regarding this issue, that a single contribution was left off. After checking the files, the clerical error was discovered and although three (3) contributions were noted, one (1) was left off. He said there were contributions from Ed and Betty Masi individually and a contribution from Seawood both to a commissioner's campaign. One was disclosed, but one was not.

Continuing, Mr. Backman said there was nothing done intentionally as it relates to the backup associated with the issue. The Commission is faced with deciding whether this clerical oversight of one (1) out of four (4) campaign contributions is what the Code calls a minor irregularity versus something egregious in a finding that Seawood attempted to improperly influence the outcome of the RFP process. Giving those things, it is instrumental in the decision that will be made this evening. Thereafter, he explained what a minor irregularity refers to; a variation from the competitive solicitation which does not affect the proposed price or give the offeror an advantage or benefit not enjoyed by other offerors or does not adversely affect the fundamental fairness of the competitive solicitation process. This is the definition in the City's Code and based on the facts presented, none of the circumstances exist. Mr. Backman continued to outline various aspects of the Code related to conflicts of interest, impropriety in the procurement process, kickbacks and others that would influence the outcome of the procurement; none of those circumstances exist. He advised that the campaign contributions are provided through the campaign treasurer's report and is a matter of public record and can be found in the Clerk's Office. He said it is their position that the missing information can only be viewed as a minor irregularity as defined by the City's Code, and according to Section 138-130 [s/b 38-130] giving the City Commission full discretion to waive minor irregularities. Lastly, Mr. Backman provided a brief history of Ed & Betty Masi's contributions and time in the City and that with all their years in the City,

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

they have never been selected as a general contractor on a City contract.

Betty Masi, 1617 SE 6th Street, Deerfield Beach, said she and her husband have lived and worked in the City for 35 years and their company, Seawood Builders, has been here for about the same amount of time. She said this was supposed to be a simple consent agenda item; wherein, little to no discussion was presumed. Nevertheless, Seawood was ranked #1 by over 100 points and offered a bid $550,000 less than the #2 ranked firm. There would not have been much to discuss except the Center for Active Aging being a great project for the City with a highly regarded local contractor doing the work. She said she never imagined that a single search on her accounting database, which provided the wrong answer, would have led to a discussion about her, her husband and their company's moral character. It is unfathomable that their company may be disqualified because of a clerical error; it would be a harsh disproportionate punishment for an error. While Seawood disclosed campaign contributions, they failed to list one (1) due to oversight; however, there was no unfair advantage over the offerors. Had the additional $500 campaign contribution been listed, it would not have changed the outcome. Ms. Masi explained that there was no reason to hide a single contribution, but the disruption is celebrated by very few who would like to destroy this opportunity. In closing, she said they are here for the long haul, always working to make the community they live, work and play the best it can be.

Mayor Ganz closed the public hearing.

Vice Mayor Parness said he did not receive a contribution from Betty Masi or Seawood Builders and his comments have no reflection on anyone who did. He outlined the possible decisions the Commission could make based on a mistake; however, he does not want to send a message that the Commission are sticklers and unfriendly to businesses that have been in the City for years, as it may discourage other businesses from working with the City. This is not a major violation or attempt to deceive the City, but a clerical error. Therefore, he suggested awarding the contract to Seawood, as it will save half a million dollars and because they were 100 points higher than the other bidders.

Commissioner Preston said this is a tough situation, but the Commission must consider what is right. Although there is no nefarious act, there is a process in place and with this bid, there are three (3) bidders, whereby, the Commission can consider the other bidders in an effort to move forward. Thereafter, he commented on various measures the Commission may take; awarding the contract, start the process over or award the next bidder. Nevertheless, the Commission must think about the residents.

Commissioner Hudak said he has thoroughly researched this topic and if the contract is awarded to the second bidder, it will cost the taxpayers $500,000; therefore, that is not the proper course of action. He said he was informed that the other applicants [bidders] had not responded that they were not given a fair opportunity and asked if that were still accurate.

David Santucci, City Manager, replied that to the best of his knowledge, no correspondence has been received from the other bidders.

Commissioner Hudak said they are the most adversely affected in this situation and did not see fit to bring forth any claims. Commissioner Hudak said he does not believe Seawood Builders received an unfair advantage by not disclosing a campaign contribution. He said he does not know of any corporation that would intentionally hide a $500 campaign contribution to lose a potential $11.5 million bid. He commented on the memo received from the City Attorney and asked that it be discussed to determine why mechanisms were implemented and whether the error falls under an ethical violation or a clerical error.

Commissioner Drosky said the City Attorney's memo outlines four (4) options; however, there is not an option for the City Manager to negotiate with the second bidder to take the first bidder's price as it is not an option per the City's Code. Thereafter, he listed the options: 1) approve the recommendation of the evaluation committee; 2) reject all bids; 3) City Commission re-rank proposals; or 4) send back to evaluation committee for further review. Commissioner Drosky said he does not favor approving the recommendation because of the City's Code of Ethics which is the strongest in Broward County. He said he cannot overlook the error even though it was minimal and unintentional in his view. Additionally, he objected to option 3 because he sat on the audit committee when the City auditor was being selected and the amount of information involved in these selections is extremely voluminous. Whereas, re-ranking

CONSENT – AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

without having reviewed the information in detail is not fair to any of the applicants and is an injustice to the process. Option 4 would not accomplish much as the committee is not in tune with myriad concerns ethically or politically and would most likely to the point system stick. Though option 2 is not high on his list, he is not in favor of spending an additional half million to prove a point.

Continuing, Commissioner Drosky said if the bids are redone, there is no guarantee that the number one applicant would be first again. Additionally, there may be more applicants than the three (3); whereby, the bid for the Tigner Center closed in March and there were six (6) bidders. Moreover, with the economy, private firms may potentially want to bid as it is hard to find work in the private sector. In closing, Commissioner Drosky asked that options 2 and 4 be further discussed.

Mr. Soroka provided excerpts from the City's Code regarding procurement practices and ethics. He said after reviewing the documents outlined in his memo, he did not find any evidence of deceit or intentional misconduct by anyone. As such, the direction he is providing abides by the City Code. The campaign disclosure requirement in Section 2-505(a) requires that any applicant submit a disclosure listing campaign contributions to all sitting commissioners from the past four (4) years as well as contributions of any individual members of an LLC. It is his opinion based on the evidence, that for a particular contribution to the Mayor, two (2) payments should have been disclosed instead of one (1) and it was acknowledged that it was a clerical error. Section f states that failure to disclose shall be a violation of the ethics code and shall be grounds for the City Commission to void or rescind any approval or contract.

Continuing, Mr. Soroka said regardless of whether it was intentional or not, there is no distinction in the Code between intention or gravity and Section f indicates it is a violation of the Code. If voiding or rescinding were the only provision in the Code to address a violation, he would agree it is grounds, but there are additional provisions which he outlined. Section 38-141(2) states that the City shall not execute a contract if there has been a violation of this section, any ethics provision of a procurement solicitation, or any local, state or federal law, including but not limited to a number of stipulations. Further, Mr. Soroka said he agrees with Mr. Backman that the violation is not outlined in 38-141(2) a-f (see attached) and may not rise to that level or be egregious; however, he is limited to what is in the Code and the reasonable interpretation. Whereby, it states the City shall not execute a contract if there has been a violation of any ethics provision for procurement solicitation for any local law. He advised that the four (4) options provided to the Commission are derived from Section 38-127(4)(e); option 4, though not numbered, is the last line of the section which reads "the City Commission reserves the right to re-rank in accordance with Section 38-130". In closing, Mr. Soroka reiterated the options for the Commission and said if the Commission determines there has been a violation of 2-505, that the contract should not be entered into. Thereafter, he entertained questions of the Commission.

After a brief Q&A with Vice Mayor Parness, Vice Mayor Parness recommended starting the process from scratch as he does not think it's appropriate to remove a bidder and not provide an opportunity to correct the mistake which would be accomplished by a new bid and save a half million dollars over the next bidder. Thereafter, he motioned to reject all bids.

Commissioner Hudak referenced the excerpts provided by Mr. Soroka, specifically Section 2-505(2)(f) which states "failure to disclose in compliance with this section shall be a violation of the ethics code and shall be grounds for the City Commission to void or rescind any approval or contract".

Mr. Soroka explained his understanding of Commissioner Hudak's stance; however, in Section 38-141(2), the Code outlines any violation of local law, ethics or procurement solicitation, the City shall not execute a contract. In Mr. Backman's opinion, they don't believe 38-141 is not applicable.

Commissioner Hudak asked if the vote by the Commission should be based on their belief that it is an ethical violation.

Mr. Soroka said that is not the only option, and if the Commission feels the proposer violated 2a, it is his opinion that a contract should not be entered into based on the provision he outlined.

Mayor Ganz said the omission was a campaign contribution to him. Thereafter, he commented on Deerfield Beach officials being removed from office by the Governor in 2008/2009, which is when there were ethical issues. He explained that the attack is not about ethics or morals but is political. Nevertheless, Mayor Ganz said a mistake was

CONSENT – AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

made and believes it to be honest based on the Masi's character; however, it is a violation of the ethics code. There were situations in the past where the ethics in the City were a joke and many things were going on which is why he supported the ethics code. Though this was a technical error, and not unethical, it's still a violation. He said he would have a hard time moving forward and just rejecting; nevertheless, with the options provided, he cannot agree with approving it. Mayor Ganz said the rules are written to do what is in the best interest of the residents and taxpayers; therefore, throwing out almost $550,000 on a legality is not practical.

Continuing, Mayor Ganz said three (3) firms came forward in good faith and while one firm has been attacked it is only because the firm supports him and others on the Board. Mayor Ganz said he does not believe re-ranking will make a difference, as the second firm would likely be selected, but they are a half million dollars higher than the first ranked. In light of these conditions, Mayor Ganz said the bid process should be restarted. Mayor Ganz said the attacks against the Masi's must stop as people have asked why local firms do not bid on projects and provisions were added to encourage participation. He commented on the character assassination on the Masi's contributions to the City as well as the belief that there is something nefarious happening with him and the Masi's. The contributions provided by the Masi's is outlined in the campaign treasurer's reports which are online, whereby, they are not trying to hide anything but made a clerical error. Mayor Ganz recommended going back out to bid as it would be in the best interest of the residents. Lastly, he explained how important the Center for Active Aging is as it provides care for 200 people and is in need of renovations.

Prior to the vote, Commissioner Drosky asked if all the bids are rejected, would others be allowed to bid.

Mr. Soroka said if no condition is being added, it would be a new open solicitation.

Vice Mayor Parness said the more people that bid the better chance at saving money for the City.

There was a brief discussion clarifying the motion and whether a new proposal would be open to all or the only three (3) original bidders.

Vice Mayor Parness clarified that his motion was meant to start a new process and open bids for all.

Commissioner Preston expressed concern with restarting the process as there are other bidders who did their due diligence and it does not appear that those bidders are being considered in the process. Nevertheless, he understands the consideration due to the price of the bid.

Mayor Ganz said over $500,000 and 100 points separates the first and second bidder and if they were asked to get their price closer, it is a lot to ask as it is likely they would have cut it when the bid was submitted. Further, negotiating down the line would be unfortunate for everyone and he would rather inconvenience those involved in the process instead of shortchanging the public.

Mr. Santucci said there is an option to just go back out for the RFP and not both the RFQ and RFP. He explained that the original RFQ was done first because at the time of releasing the RFQ, staff did not have the complete design criteria package and saved time during that process by getting the prequalifications completed while the design criteria package was being finalized. When the RFQ was being approved by Commission, the RFP was ready to go out at that time. It would be feasible to be quicker in the RFP process if the Commission chooses that direction.

Commissioner Preston agreed with Mayor Ganz that the residents should not be shortchanged; nevertheless, there is a process in place and no one knows what will happen if the project is rebid. He asked if the City has any leverage in regard to the other remaining companies.

Mr. Soroka clarified that the question is finding out if the second bidder can close the gap on the $500,000. He replied that there is no way of knowing if the second bidder will reduce their price. If the motion passes, the second bidder could resubmit and possibly lower their price then.

Mayor Ganz responded to questions and comments posed by Commissioner Preston; however, he does not agree with leveraging someone to cut their price. Also, he said the best solution to the problem presented is to restart the process as competition is always a good thing.

CONSENT – AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

Commissioner Drosky said while he understands Commissioner Preston's comments and sympathizes with the other bidders. He asked Commissioner Preston what he recommends, as there are four (4) distinct options and trying to ask the bidder to reduce their price was not included. Due to the strong ethics ordinance, that option was left out to uphold the Commission's ethics which would be disrupted if it were allowed to skip the first ranked and go to the second for any reason.

Commissioner Preston opined that the remaining bidders should be a part of the conversation and moving forward pushes them aside and takes them out of the process. However, if the process starts over, there will be a ranking system and if something happens, they will not be a part of the conversation.

Vice Mayor Parness said the Code does not outline what Commissioner Preston suggested. Though it provides options, it outlines what is best for the residents. Thereafter, Vice Mayor Parness asked to call the question.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to reject all proposals and direct staff to issue a new solicitation. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

5. ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING ARTICLE X "LOBBYIST REGISTRATION REQUIREMENTS" OF CHAPTER 2 "ADMINISTRATION"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

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

Anthony Soroka, City Attorney, said the Ordinance was prepared to update the City's code to reflect consistency with the County's ethics and lobbyist registration requirements and the City's use of the electronic lobbying contact log system which has been used for a number of years, and is operational through software.

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

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

Nays: 0

COMMENTS BY ADMINISTRATION AND LEGAL

CITY MANAGER

COVID-19 – David Santucci, City Manager, said it appears that people are becoming eager with getting things back to the new norm. The federal government has come out with a Reopen America phased approach which gives each state a lot of leeway on how to accomplish reopening, as every state has unique conditions. The Governor has put together a task force to talk about how to reopen and what it looks like while the COVID virus is ongoing, but still functioning as an economy and community. Locally, those plans are underway, so what is being referred to as the quad-counties, Monroe, Miami-Dade, Broward and Palm Beach Counties, are all communicating to devise a phased plan and what it will look like.

COMMENTS BY ADMINISTRATION AND LEGAL – CONTINUED

Continuing, Mr. Santucci said the beaches in Jacksonville have reopened, but Deerfield Beach is vastly different than Duval County as their cases are at 901 and Broward County has over 4,000 cases at this point. Therefore, what is in the best interest of this area is being considered along with close coordination with other counties so there is a unified regional approach as to what is reopened and when. There will be nuances in the City to address, but will be done in unison with neighbors and coordination with other city administrators, as well as the departments. The planning process in underway, but expectations should be managed as this will not occur within a week or two as there is no time table. Reopening is not based on time, but on the number of cases and what the curve looks like as it must be downward in order to move forward through phasing.

Additionally, Mr. Santucci said if there is abuse or people not paying attention to the restrictions throughout the phases, and numbers begin to escalate, the City will revert back. It is a cautious approach and is not based on what is an essential business, but is viewed from a perspective of risk. Businesses as it relates to social distancing and what COVID means has different sets of risks and circumstances that must be addressed to open and under different circumstances as it was prior to the virus.

CITY ATTORNEY – No Report.

COMMENTS BY MAYOR AND CITY COMMISSIONERS

COMMISSIONER HUDAK DISTRICT 1

COVID-19 – Commissioner Hudak said two weeks ago the University of Washington projected that the State of Florida would have over 1,000 deaths from the virus and as of this morning there are 839. Commissioner Hudak continued to outline the number of deaths resulting from the virus, the previous case totals and increase of current cases since the last City Commission Meeting: 556 deaths; the State has over 27,000 cases an increase of 12,991; Miami-Dade - 909,840, an increase of 4,843; Broward County - 4,149 cases, an increase of almost 2,000; Palm Beach County - 2,296, an increase of 1,160; Duval County, had a total of 901 cases with over 957,000 residents. Other data included Fort Lauderdale: 922 cases with a population of 182,000 people. He explained that Deerfield Beach is different than Duval and while he understands the residents want to open the beach, patience is needed. He also commented on Deerfield Beach having 86 cases, an increase of 51 since the last meeting. Nevertheless, it is lower than Boca Raton, Delray Beach and Pompano Beach. He thanked the residents as their actions are working, but asked that they continue to be patient.

Business Assistance - Commissioner Hudak thanked Ace Hardware, Winn Dixie and Publix for helping the first responders as they have done special things for them.

Candle of Hope – Commissioner Hudak said the *Candle of Hope* is by Hillsboro and Federal Highway, which was presented by a local artist Tony Vilavoca to support the first responders. He said the first responders are doing a tremendous job and thanked them for keeping everyone safe. Lastly, he encouraged everyone to remain strong.

COMMISSIONER PRESTON DISTRICT 2

Online Church Services – Commissioner Preston thanked the district churches for having online services, including bible study. He thanked them for following the rules and encouraged everyone to follow the social distancing guidelines.

COVID-19 – Commissioner Preston said there is still a lot that is being unveiled, but said there will be a new normal. He then commented on two (2) parents serving as first responders who lost their 5-year old daughter due to the virus. He said it is very serious and at some point, there will be a new normal. Further, the City is doing a good job dealing with the virus. He also asked that everyone support City staff as they are doing as much as possible, as well as the local businesses because of their loyalty and the difficulties they face. In closing, Commissioner Preston said everyone will get through this difficult period and thanked his colleagues, City Manager, and City Clerk as they are doing a great job.

COMMENTS BY MAYOR AND CITY COMMISSIONERS – CONTINUED

VICE MAYOR PARNESS DISTRICT 3

Compliance Issues – Vice Mayor Parness said certain businesses are allowing people to enter without masks, whereas, larger businesses are enforcing face coverings as no one knows who is or is not sick. The law needs to be enforced as people who do not believe they are sick could possibly endanger others.

COVID-19 Testing – Vice Mayor Parness said testing is available by appointment at the Festival Flea Market; the average waiting time is only 20 minutes per car. It is important that if someone is not feeling well or someone you know to get tested. He discouraged going to an emergency room as it is possible to get sicker there than staying home.

COMMISSIONER DROSKY DISTRICT 4

CDC Guidelines – Commissioner Drosky thanked every resident for following the orders to stay at home and using face coverings.

Local Businesses – Commissioner Drosky also encouraged the support of local businesses and though it is a sacrifice, it doesn't go unnoticed.

Thank You – Commissioner Drosky thanked the first responders and those who are serving during this challenging time. He also thanked the Commission for being studious and contributing to the topics discussed this evening.

Saturday Office Hours – Commissioner Drosky said he is accepting phone or Zoom appointments on Saturday, May 2, 2020; he provided his e-mail for contact, tdrosky@deerfield-beach.com.

Local Bridge Work – Commissioner Drosky said there are five (5) bridges in the City being repaired, starting today with the Deer Creek Country Club Boulevard bridge that includes painting, recoating, cleaning, rebar, sidewalk repair. There may be minor traffic disruptions in the area, but the work will start in District 4 then other parts of the City. Lastly, Commissioner Drosky encouraged the public to stay safe and strong.

MAYOR BILL GANZ

Current Conditions – Mayor Ganz said he is impressed with frontline staff, but people have been impatient with social distancing. Also, though everyone is concerned with the local economy, he agreed that the local businesses should be supported, but it is disappointing that people wish for others to lose their jobs.

COVID-19 – Mayor Ganz agreed that the number of cases need to be watched and thanked Vice Mayor Parness for helping secure the Festival Flea Market as a testing site. Furthermore, he commended Commissioners Preston and Hudak for their assistance with the food giveaway. He thanked the entire Commission for their efforts and expressed his gratitude for serving with them. Additionally, Mayor Ganz warned that people are trying to exploit the citizens by claiming to sell masks as well as price gouging and asked that it be brought to the City's attention if it occurs.

Local Changes – Mayor Ganz said the City is tied with the Governor's Orders as well as the surrounding counties, but Commissioner Lamar Fisher has been trying to work on separating from Miami-Dade and Palm Beach counties as Broward starts to slowly rollout policy changes which will be based on cases. Mayor Ganz said he would much rather save a life and look out for the citizens, whereas, no one should sacrifice their health because money can be replaced, but not a life. He said he hopes this can be overcome.

Mayoral Meetings – Mayor Ganz said he has been meeting with mayors in northeast Broward County and making decisions in unison. He thanked Mayors Chris Benson, Glenn Troast, and Rex Hardin for their communication and keeping each other informed. Thereafter, he commented on Tiara East being terrorized by over 50 motorcycles riding down A1A and destroying their property, and although they were in Boca and Delray, it was not communicated to Deerfield Beach. Additionally, in speaking with Boca Raton's Mayor, they had a meeting tonight to discuss opening their boat ramp for commercial fishermen; nonetheless, communication will help roll out a plan that will make sense for everyone.

COMMENTS BY MAYOR AND CITY COMMISSIONERS – CONTINUED

Potential Considerations – Mayor Ganz asked that everyone start thinking about how the 4th of July event will be handled. He also commented on possible changes to the pay plan that will be fair to the taxpayers, but also takes care of the employees. There has also been concern about parking revenue when the main concern is closing the beach and protecting residents. Those decisions are being made now and staff is working toward the changes. In closing, Mayor Ganz encouraged everyone to be safe and kind to others.

ADJOURNMENT

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to adjourn the meeting at 9:11 p.m. Voice Vote:

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

Nays: 0

____
BILL GANZ, MAYOR

____
Samantha Gillyard, CMC, City Clerk

CITY CODE EXCERPTS

Sec. 2-505. - Disclosure and behavior requirements of applicants and person/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"):

(1) Shall not induce, attempt to induce, offer, solicit or knowingly assist any person in violating the ethics code.

(2) Shall with their application, proposal or bid:

a. Include a listing of all campaign contributions to sitting city commissioners in the past four years as well as contributions of all officers, directors, shareholders of a corporation if the applicant is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

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

c. Disclose any action that is a violation of this ethics code by a regulated officer (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).

d. 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.

e. An applicant has a continuing duty to report any violation of this ethics code related to their application.

f. 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.

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

Sec. 38-127. - Competitive solicitations.
****

(4) Evaluation committee procedures.

***

(e) The ranking and the evaluation committee's recommendation shall be reported to the city commission. The city commission, by majority vote, has the option to either (1) approve the evaluation committee's ranking/evaluation and recommendation; (2) recommend rejection of all submittals based upon a stated reason; or (3) send the ranking/evaluation back to the evaluation committee to conduct further evaluations consistent with the requirements of the RFP or RFQ and the evaluation committee may either ratify the ranking/evaluation or re-rank the firms. The city commission reserves the right to re-rank in accordance with section 38-130.

Sec. 38-141. - Ethics in procurement.

(1) Any attempt by city employees to realize personal gain by conduct inconsistent with proper discharge of their duties is a breach of public trust. Any effort to influence any public employee to breach the standards of ethical conduct set forth in this division is also a breach of ethical standards. The provisions of city ordinances, county ordinances and state statutes shall be strictly enforced to preserve the public trust.

(2) The city shall not execute a contract if there has been a violation of this section, **any ethics provision of a procurement solicitation, or any local**, state, or federal **law, including but not limited to**:

(a) Conflicts of interest;

(b) Kickbacks;

(c) Solicitation of procurement by payment of a gratuity or offer of employment;

(d) Acceptance of a gratuity or offer of employment resulting from solicitation of procurement;

(e) Violations of the cone of silence;

(f) Any other improper or unlawful attempt to influence the outcome of a procurement.

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Deerfield Beach
Florida

Meeting Minutes
Community Redevelopment Agency

Tuesday, December 10, 2019	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 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

Present: 5 - Mr. Michael Hudak
Mr. Bernie Parness
Mr. Ben Preston
Vice Chair Todd Drosky
Chair Bill Ganz

Also Present: 3 - City Manager David Santucci
City Attorney Anthony Soroka
Assistant 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 MINUTES

Community Redevelopment Agency Meeting Minutes

MOTION was made by Mr. Hudak, seconded by Mr. Parness, to approve the October 8, 2019 minutes as submitted. Voice Vote:

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

December 10, 2019

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

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

Nays: 0

GENERAL ITEMS

1. Presentation by Carnahan, Proctor & Cross (CPC) regarding the S-Curve Utility Undergrounding and Lighting Preliminary Feasibility Report.

Kris Mory, Director of Economic Development, provided a brief overview of the item. Thereafter, she introduced Bill Barbaro, P.E., Carnahan, Proctor & Cross.

Mr. Barbaro stated that the study began with the underground utilities and lights associated with the poles; whereas, streetscape improvements were also evaluated. Thereafter, a PowerPoint presentation was displayed. The project location will be from NE 1st Street and extend north through the S-Curve, along A1A to NE 4th Court. CPC identified an area of limits for the undergrounding of the overhead utilities, whereby, each of the utilities were able to stay within the same corridor, which helps with the cost. However, FP&L will make the final decision as to where connections are made. Additionally, the boundary for the streetscape and lighting improvements will begin on the southern property of Wings. Further, he reiterated that the scope of services was undergrounding the overhead utilities but also allows for streetscape improvements and improvements to the lighting to match what is being proposed for the Kirk Cottrell Pavilion. Thereafter, Mr. Barbaro displayed photographs of the current location.

Continuing, Mr. Barbaro said the streetscape improvements will repair what is disturbed with the addition of pavers and improve the experience through the corridor from the parking garage to the Pier, and around through the S-Curve to the north. The intent is to install Type F curbing on the turns so there are no drive-way entrances, which would increase pedestrian safety and protection. There are also areas that will be upgraded with better landscaping. The proposed lighting improvements include the installation of decorative lighting through the S-Curve and pedestrian bollard lighting; photographs of the proposed bollard lighting were displayed. Further, he said CPC identified the utilities that are included on the pole, besides FP&L, and contacted Comcast, AT&T and Crown Castle Fiber which is a private fiber optic provider. CPC worked with each utility to determine the feasibility of undergrounding it and associated costs. It was determined that most of the commercial and residential developments are fed from the back of the buildings, which will limit the disturbance for reconnection and requirements to do service.

Moreover, Mr. Barbaro said a contingency is included in the report, whereas, the costs would either be reduced or utilized for unforeseen elements. Further, the budget for restoration includes any sidewalk/roadway damage, should it occur, while the utility is installed. Thereafter, he displayed photographs of the street lighting. He explained that there is a line item for each of the lights that were designed; whereas, a photometric design was done to meet FDOT lighting requirements. He advised that the area requiring turtle friendly lighting consists of additional poles, which is why the cost is higher. The associated costs are for the load center, FP&L service and contingency. Mr. Barbaro said CPC worked with a manufacturer to do a photometric design and layout for the bollards. The cost for the bollards includes load center and services, as well as a Pangea light controller to control them.

Lastly, Mr. Barbaro said the overall budget summary for the scope of work in the feasibility report was $1.3 million, whereby, the addition of the alternative lighting and site improvements would increase the overall cost to $1.7 million. Further, once CPC receives a notice to proceed, FP&L and the other utilities will be notified to begin design work for their undergrounding, which can take up to three (3) months. At the same time, CPC will begin drafting up designs for the streetscape improvements. Once all the plans are permitted and ready, execution will commence. Mr. Barbaro said throughout the process the schedule will be updated and provided to the CRA staff.

In response to Mr. Hudak's questions, Mr. Barbaro replied that CPC is an approved contractor and sub-consultant for FP&L and has performed services associated with private developments in Palm Beach, Cooper City, etc.

In response to Mr. Hudak's questions, Mark DiMascio, CRA Project Manager, replied that staff has been working with the supplier for the company that manufacturers bollard lighting, which distributes nationwide. Further, he said the bollards have not been approved; however, staff is working with Florida Fish and Wildlife Conservation (FWC) to do so. He said the designs have been given to FWC and feedback was provided; nevertheless, staff is hoping for approval so they can be included in the project.

In response to Chair Ganz's question, Mr. DiMascio replied that FWC is not completely in favor of the color changing bollards, but they are not completely against them either; nevertheless, the proposed bollards are color changing and will be controlled by an astrological timer that may help with FWC's decision. Also, there are only seven (7)

GENERAL ITEMS - CONTINUED

bollards at the Kirk Cottrell Pavilion; therefore, staff is hoping to use these type bollards as a pilot before installing them elsewhere.

Mr. Barbaro clarified that the timer and bollards were included in the overall budget.

In response to Mr. Hudak's question, Mr. DiMascio replied that the timer does add to the cost of each bollard but is necessary in order to get approval from FWC.

In response to Vice Chair Drosky's question, Mr. Barbaro replied that the purple on the map of the S-Curve additional site improvements represents proposed curbing, the green represents proposed landscaping and the orange represents the proposed pavers.

Chair Ganz asked that the additional curbing not take away parking from the businesses.

Mr. Barbaro said the curbing, as well as the light pole placement will not affect any parking. Further, should the project be done to the full extent it will remain within budget.

In response to Vice Chair Drosky's question, Mr. Barbaro replied that sea level rise is a concern but many of the transformers that serve these businesses are already pole or pad mounted on side streets; therefore, this project would not be affected.

Chair Ganz opened the public hearing.

Mark Dreyer, 884 SE 19th Avenue, Deerfield Beach, spoke in favor of the project and asked how much light will be provided when it is not turtle season and how many lights will be added to Ocean Way.

Ms. Mory replied that there are seven (7) bollards associated with the Kirk Cottrell Pavilion, 237 overall on Ocean Way and 90 associated with this project; therefore, it will be much brighter. She said if approved, the lights will be darker during turtle season and changed to white during the offseason. Furthermore, staff ordered a prototype of the bollard and will notify everyone accordingly. Additionally, this project only includes the bollards on the S-Curve.

Elizabeth Harrington, 1631 Riverview Road, Deerfield Beach, spoke in favor of the project. She asked for the project's timeframe and for clarification on how the wires and transformers would be stored, i.e. in waterproof containers.

Mark Seward, 1627 Riverview Road, Deerfield Beach, suggested dimming the lights at night as it not only disrupts the turtles but people living on the beach.

In response to a public comment, Chair Ganz clarified that this project consists of putting the overhead utilities underground, whereby, the proposed bollards on the S-Curve have been included into the scope should they be approved by FWC. Thereafter, a map was displayed outlining the proposed project. Thereafter, Chair Ganz closed the public hearing.

Mr. Parness spoke in favor of the proposed project.

Mr. Barbaro stated that the project will take six (6) months to complete. Further, he reiterated that the transformers points of connection are already at ground level and will be in waterproof casing; therefore, waterproofing is not an issue.

> **MOTION was made by Mr. Parness, seconded by Mr. Hudak, to approve the S-Curve Utility Undergrounding and Lighting Preliminary Feasibility Report.**

Prior to the vote, Ms. Mory explained that the Board has two (2) projects before them; whereby, both cannot be completed at the same time. She suggested that the Board make a motion supporting the direction of this project and after the second presentation, the Board can vote on which project they wish to move forward with first.

There were no objections.

GENERAL ITEMS - CONTINUED

2. Presentation by Bermello Ajamil regarding Phase II of the Sullivan Park Expansion Project.

Kris Mory, Director of Economic Development, provided a brief overview of the project. She stated that over the course of four (4) weekends, staff administered in person interviews at Sullivan Park, as well as online surveys. To further assist with redevelopment options, staff hired Bermello Ajamil, who planned and designed Phase I of Sullivan Park, to create a series of design options. Further, she said there were 411 participants who completed the survey in the park and the overall results were as follows: community facility – 47%; green space – 19%; free space & public art – 8%; and other ideas – 26%. She explained that the survey was broken down further, to outline residents and nonresidents, whereby, 47% of residents want a community center; and 35% want open space. Thereafter, she introduced Kirk Olney, Landscape Architect, Bermello Ajamil.

Mr. Olney provided a brief overview of his knowledge of Sullivan Park. Thereafter, he displayed video design options and advised that there are also snap shots of each option.

In response to Mr. Hudak's question, Ms. Mory replied that the goal is for the Board to provide direction on which option they wish to pursue. Once decided, staff will move forward with a feasibility study to provide the Board with a cost estimate.

Thereafter, Ms. Mory displayed photographs and provided a brief overview of the pros and cons of each option. The pros for Option 1: expanding the park into more greenspace, which would be low cost and low maintenance to the landscaping. The cons: los of CRA offices, meeting space, 20 parking spaces, as well as the vision of the site. The pros for Option 2: aesthetic improvement; continued activation of current site; provide space for CRA staff who could pay for ongoing maintenance; public meeting and activity space; and programming partnership. The cons: loss of at least seven (7) parking spaces and no additional greenspace. The pros for Option 3 are the same as Option 2 plus an elevated building would provide additional parking. The cons for Option 3 include an incrementally larger construction budget than Option 2 and additional maintenance. The pros for Option 4 are the same as Option 2 and 3 plus it would activate the site more because it would be built over the existing parking lot and would provide greenspace at the entrance. She explained that Option 4 would be the most difficult to design due to it being over the existing parking lot.

In response to Mr. Hudak's question, Ms. Mory replied that the lease with FDOT allows us to use their parking spaces for special events only.

Mr. Preston said if the CRA offices are not housed within the new building, staff would have to rent out a facility, which would be costly.

Chair Ganz opened the public hearing.

Joseph Castoro, 1631 Riverview Road, Deerfield Beach, said the cost to maintain the new building, as well as the cost for utilities would be comparable to the CRA offices renting a different facility. He understands a lot of money went into purchasing the building; therefore, he is in favor of Option 2 as it is one-story. It would be the least expensive to construct, could house the CRA and would provide a community center. Lastly, he advised that he has a petition signed by over 300 residents who are in favor of a one-story building.

Peggy Ross, 103 NE 19th Avenue, Deerfield Beach, asked that the plans include expanding movement between the Cove and Sullivan Park. She spoke in favor of having an educational center for children and stated that a two-story building would not be any higher than the bridge; therefore, she supports Option 2 or 3.

Nancy Rinderman, 1631 Riverview Road, Deerfield Beach, thanked staff for all their efforts. Thereafter, she spoke in favor of Option 2.

Noa Gordon Lerner, 1631 Riverview Road, Deerfield Beach, spoke in favor of Option 2, and requested that the facility include a children's museum. Further, she said Sullivan Park is a wonderful addition, but it needs to be patrolled better at night.

GENERAL ITEMS - CONTINUED

Elizabeth Harrington, 1631 Riverview Road, Deerfield Beach, said there are parking issues at Sullivan Park during events and commented on the increase in vandalism, i.e. slashed tires. Thereafter, she commented on how people use their parking spaces. She spoke in opposition to Option 4, as residents do not want a building further east because it will cause more traffic and parking issues. Ms. Harrington spoke in favor to Option 2 and requested that the S-Curve project be completed prior to this project. Lastly, she asked for clarification on the use of the community center.

Dean Simpson, 1629 Riverview Road, Deerfield Beach, asked that something be done to the sidewalk on the Hillsboro bridge, as the area is unsafe, and this project will increase pedestrian traffic.

Mark Dreyer, 884 SE 19th Avenue, Deerfield Beach, spoke in favor of a facility, as additional green space may create more issues, i.e. crime, security, etc.; thereafter, he spoke in favor of Option 2.

Mark Seward, 1627 Riverview Road, Deerfield Beach, said money will need to be spent no matter where the CRA offices are housed. Thereafter, he commented on the pros and cons for each option. He said the City has enough buildings but does not have enough parks; therefore, he spoke in favor of Option 1.

Kevin Kolinsky, 1754 SE 3rd Court, Deerfield Beach, spoke in favor of Option 4, as it provides greenspace and a facility.

Nancy Rinderman, 1631 Riverview Road, Deerfield Beach, asked if a traffic survey has been completed for Hillsboro and Riverview Road.

Chair Ganz closed the public hearing.

Ms. Mory replied that a traffic study was not done, whereas, these are conceptual designs that are not fully vetted.

Chair Ganz said this facility will not be a money maker for the City, as that is not the intent for any of the community facilities. Also, alcohol is not permitted at city facilities unless there is a special event within the park itself. Further, he said the City has much more control as to what can and cannot be done in city owned buildings.

David Santucci, City Manager, reiterated that alcohol is not allowed at city facilities. Thereafter, he provided examples of how the facilities are used, i.e. birthday parties, baby showers, classes, etc. He said the Hillsboro Technology Center closes at 10:00 p.m. and consists of hurricane proof windows, which will be required for this facility.

Mr. Parness said the facility should consist of a community center and CRA offices; therefore, he spoke in favor of Option 4.

Mr. Hudak spoke in opposition to alcohol being served even during special events, as it could create issues and asked that staff investigate. Further, he spoke in favor of a children’s interactive learning center to tie into Deerfield Island Park, Sullivan Park and the underwater camera. Mr. Hudak said Option 4 provides greenspace and housing an interactive center for children would tie into Sullivan Park more; however, if a children’s learning center is not included in the plans, then Options 2 & 3 would work. Nevertheless, he spoke in favor of having some type of facility.

Mr. Preston said the first priority should be the people that live in that area, as we don’t want to make them uncomfortable; therefore, he spoke in favor of Option 2.

Vice Chair Drosky spoke in opposition to Option 1 and agreed with the addition of a community center and learning center. He said there have been discussions about entering into a partnership to install some type of nautical destination, i.e. Deerfield Beach Island. Further, he spoke in favor of the location of Option 2 & 3, whereas, it encourages walkability. Lastly, Vice Chair Drosky said he is unsure how large of a facility would be needed to incorporate the ideas suggested; therefore, he spoke in support of Option 2, as long it can house a community center and learning center.

GENERAL ITEMS - CONTINUED

Chair Ganz said he is not concerned with where the CRA offices are located and disagreed with the statement that the City has enough facilities; however, he agreed that there isn't enough greenspace either. He said there isn't a community facility in District 1, nor east of Federal Highway; whereby, this would be the only location for a community center that is feasible. Further, he said Option 4 is better than expected, but does not work. Chair Ganz said pushing the facility further east would be easier to tie into the park, would create a better entranceway and would be further away from Hillsboro Boulevard. He spoke in opposition to Option 1, as the City is already aware of the building footprint and how the traffic works. He spoke in favor of Option 2, as it provides a community center and has the same footprint as the current facility. He spoke in opposition to Option 3, as it would be costly because an elevator would be needed for the second floor and may impair the residents view in the future. He said if Option 4 was built during Phase I it may have worked, but unfortunately it doesn't at this point.

It was the consensus of the Board to move forward with Option 2.

In response to Vice Chair Drosky's question, Ms. Mory replied that the estimate for the Utility Undergrounding Project is $1.7 million, whereby, the Board budgeted $1,700,050 in this fiscal year. Further, she said if Option 2 is decided for the Sullivan Park Phase II Project, the building would be around 4,000 square feet and at a maximum, around $300 per square feet. Nevertheless, both projects are comparable in terms of the CRA budget.

In response to Chair Ganz's question, Ms. Mory replied that there is $100,000 in the Commercial Façade budget.

Chair Ganz said the prioritization of each project would be determined by the timing of each project.

Ms. Mory said the Board can move forward with both projects and decide later depending on which is more complete.

Chair Ganz thanked the public for their input throughout this process.

3. CRA Resolution 2019/014 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving Commercial Façade funding to CSHJ Lots, LLC (dba Two Georges at the Cove Restaurant) in an amount not to exceed $11,111.50; and providing for an effective date. *(Funds from Account #190-8000-552-32-59 – Commercial Façade Improvement)*

The Resolution was read by title only.

Kris Mory, Director of Economic Development, explained that CSHJ was awarded a commercial façade grant in 2018 for $58,467; however, during the project, unforeseen circumstances arose that led to an opportunity to replace their monument sign located at the top of the building. The applicant is requesting supplemental funding to cover the cost of the new monument sign on the roof in an amount of $11,111.50, for a total cost of $22,223.00.

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

MOTION was made by Mr. Hudak, seconded by Mr. Parness, to approve Item 3, adopted CRA Resolution 2019/014. Roll Call:

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

Nays: 0

BOARD/ADMINISTRATION COMMENTS

MR. HUDAK

No report.

BOARD/ADMINISTRATION COMMENTS - CONTINUED

MR. PRESTON

No report.

MR. PARNESS

No report.

VICE CHAIR DROSKY

No report.

CHAIR GANZ

No report.

Kris Mory, Director of Economic Development, provided a brief update on various projects. The Kirk Cottrell project is ahead of schedule. She reiterated that she will notify the Board and public when the bollard prototype arrives at the CRA offices. The porthole project is complete and has been very well received. Staff will be installing a sign next to the porthole explaining what the feed consists of. The A1A crosswalk project has also been completed and staff is receiving positive feedback. She reminded the Board that additional crosswalks were approved for NE 7th Street and SE 2nd Street and are currently in permitting. Lastly, Ms. Mory said the Pompano Beach Chamber of Commerce requested the City's support for the boat parade; therefore, she authorized discretionary spending from the Special Events budget for additional deputy detail to assist with the road closure. The boat parade is on Friday, December 13th from 7:30 p.m. to 10:00 p.m., and will go past Two Georges, underneath the Hillsboro Bridge, so people at Sullivan Park will have a view.

In response to Chair Ganz's question, Ms. Mory replied that the Town of Hillsboro will be notified of the bridge closure.

PUBLIC COMMENT

There were no comments from the public.

ADJOURNMENT

MOTION was made by Mr. Preston, seconded by Mr. Parness, to adjourn the meeting at 8:54 p.m. Voice Vote:

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

Nays: 0

BILL GANZ, CHAIR

Samantha Gillyard, CMC, City Clerk

Deerfield Beach
Florida

Virtual City Commission Meeting – May 5, 2020

DEERFIELD BEACH – YOU ARE HEREBY NOTIFIED that the **Regular City Commission** meeting will be held on **Tuesday, May 5, 2020, at 7:00 PM utilizing communications media technology** with elected officials and City staff participating through video conferencing.

On March 20, 2020, Governor DeSantis issued Executive Order 20-69, suspending any Florida Statute that requires a quorum to be present in person or requires a local government body to meet at a specific public place. The Order further allows for local government bodies to utilize communications media technology, such as telephonic and video conferencing.

A copy of the agenda for the May 5, 2020 meeting can be accessed at http://www.deerfield-beach.com/1554/Meetings-Agendas. To ensure compliance with the City's Safer at Home Emergency Order 2020-03 and the latest CDC recommendations and government orders, the May 5, 2020, regular City Commission meeting will proceed utilizing communications media technology.

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. **Zoom**

   a. **Via Zoom Online** - Access to the meeting will begin at 6:45 PM on May 5, 2020.
      i. Use the following link below to access the meeting via Zoom:
https://us02web.zoom.us/j/88429922442?pwd=dGNLYU8rOEVsdGlaRm5ZMjRMcGY4Zz09
      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.
      i. Call-in Number: 253-215-8782, Meeting ID: 884 2992 2442, Passcode: 793517

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

2. **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 earlier than 6:45 PM on May 5, 2020, 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. **Via Email** - Public comments and documents may be submitted via email to web.clerk@dfb.city. Public comments will be read aloud during the meeting and added to the record. Emails can be submitted prior to the meeting or until the public hearing session is closed.

2. **Live Zoom Video Participation** - If attending via Zoom online, at the appropriate public comment period, click "raise hand" on the bottom of the "participants" 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

Face Sheet

File Number: I.D. 2020-277

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

Agenda Date: 5/5/2020

Status: PUBLIC HEARINGS – SECOND READING

In Control: City Commission

Title

P.H. 2020-047: ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING ARTICLE X "LOBBYIST REGISTRATION REQUIREMENTS" OF CHAPTER 2 "ADMINISTRATION"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, 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

In 2009, the City Commission adopted Ordinance 2009/010, creating a requirement for lobbyist registration. Subsequently, the City Commission adopted Ordinance 2011/053, revising the definitions to be consistent with the Broward County Ethics Code and requiring the completion of a contact log for meetings between lobbyists and their principals or employers, and City Commissioners. Due to changes in the Broward County lobbying requirements, the City secured services for the creation of an electronic contact log, whereby, all lobbyists can log all activities, regardless of location of the meeting.

Current Activity

The City is updating the Lobbyist Registration Ordinance for consistency with the applicable County regulations and current City practice.

Recommendation

Staff recommends approval of the Ordinance on first reading.

ORDINANCE NO. 2020/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING ARTICLE X "LOBBYIST REGISTRATION REQUIREMENTS" OF CHAPTER 2 "ADMINISTRATION"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

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

Section 1. The above "WHEREAS" clauses are true and correct and are incorporated herein.

Section 2. Chapter 2 "Administration," Article X "Lobbyist Registration Requirements" is hereby amended to read as follows:[1]

Chapter 2 – ADMINISTRATION

***

ARTICLE X – LOBBYIST REGISTRATION REQUIREMENTS

Sec. 2-532. Definitions

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

***

Person means any individual, business, corporation, association, firm, partnership, nonprofit organization or other organization or group.

<u>*Principal* means the person or entity, on whose behalf the lobbyist engages in the lobbying activity.</u>

Sec. 2-533. - Lobbying registration and statements.

(a) *Registration required.* Prior to engaging in lobbying activities, every lobbyist shall file with the city clerk and provide under oath the following information:

(1) The lobbyist's full name, business address and name and nature of business, occupation or profession.

[1] Additions to existing City Code text are shown in <u>underline</u>. Deletions to existing City Code text are shown in ~~strikethrough.~~

(2) The name, business address and name and nature of the business, occupation or profession of each of the lobbyists' principals.

(3) The general and specific subject matters that the lobbyist seeks to influence.

(4) The extent of any direct business association by the lobbyist with any current or elected or appointed official or employee of the City of Deerfield Beach. For the purposes of this article, the term "direct business association" shall mean any mutual endeavor undertaken for profit or compensation.

(5) A lobbyist representing a person shall provide an original lobbyist registration form prior to engaging in lobbying, providing for ~~receive appropriate~~ written authorization from said person to lobby on that person's behalf upon a particular subject matter. A copy of the applicable documentation, including but not limited to letters, agreements, minutes, motions or other evidence of action authorizing the lobbyist to lobby on behalf of the person shall be provided with the information required by this article.

(6) Prior to engaging in lobbying, a lobbyist must submit a lobbyist registration form, the disclosure statement, pay the registration fee, and register through the City's online electronic contact log.

(b) *Disclosure Statement Required.* ~~Beginning July 1, 2009, and continuing annually thereafter, a~~ On or before July 15 of each year, each ~~registered~~ lobbyist shall submit to the city clerk's office a signed statement under oath, listing all lobbying expenditures, contingency fees, and the sources from which funds for making such expenditures and paying such contingency fees have come related to the City of Deerfield Beach lobbying activities incurred in the past twelve (12) months ~~and the sources of funds for such expenditures~~. ~~The statement of expenditures for the period from July 1 to June 30, shall be filed no later than July 15 of each year.~~ Lobbying expenditures shall not include the lobbyist's own personal expenses for lodging, meals and travel. Said statements shall be rendered in the form provided by the city clerk. A statement shall ~~only~~ be filed even if there have been no expenditures during a reported period. Discontinuance of lobbying activities during a year shall not relieve the lobbyist from the requirement of filing the statement required by this subsection for that portion of the year during which the lobbyist was engaged in lobbying activities.

(c) Completed registration forms and statements of lobbying expenditures shall be public records and open to public inspection.

(d) A lobbyist is required to amend any filed registration forms or statements of lobbying expenditures if any information in the registration or statement changes, within 30 days from the date of said change.

(~~d~~e) Each person who withdraws as a lobbyist for a particular person shall file with the city clerk notice of withdrawal as a lobbyist for that person. If a lobbyist withdraws at any point, no refund of the registration fee will be issued.

(~~e~~f) *List of current lobbyists.* The city clerk's office shall maintain a current list of registered lobbyists and all documentation required under this article.

(~~f~~g) *List of principals.* A lobbyist shall file a separate statement for each principal on whose behalf he or she lobbies.

(~~g~~h) *Registration fee.* An annual lobbyist registration fee may be established by resolution adopted by the city commission. The initial fee shall be $150.00 per principal/lobbyist. Such fee shall be for the purpose of providing funding to the city to offset the cost of recording, transcription, administration or any other costs incurred in compiling and maintaining these records and making them available to the public.

(~~h~~i) *Disclosure of Donations.* On or before January 15, April 15, July 15 and October 15 of each year, any lobbyist who was solicited by a member of the city commission for a donation and any lobbyist who gave a donation to, or at the request of, a member of the city commission for any third party during the preceding quarter shall submit to the office of professional standards of a signed statement under oath describing any such solicitation and any such donation.

(j) Registration statements are effective from July 1 of a given year through June 30 of the following year. Registration fees paid under (h) above cover lobbying activities during the effective period of the registration statement. A new registration statement shall be filed, and all required fees shall be paid, prior to engaging in any lobbying activities after expiration of a previously-filed registration statement.

Sec. 2-533A. - Contact Log.

~~(a) All lobbyists and their principals or employers who intend to meet with or otherwise communicate with a city commissioner at any city facility shall complete a contact log, on a form created by the city, which lists the name of the commissioner, the lobbyist's name, the entity by which the lobbyist is employed or for whom he or she is lobbying, the date and time of the meeting and the specific purpose and subject of the meeting. The log shall be completed contemporarily with the meeting and the log shall be filed daily with the city clerk and be available for public inspection.~~

~~(b) For any meetings with lobbyists, or their principals or employers outside of a city facility where lobbying occurs, the city commissioner shall, disclose the name of the lobbyist, the entity by whom the lobbyist is employed or for whom they are lobbying, the commissioner's name, the date, time and location of the meeting, and the specific purpose and subject matter of the meeting. The disclosure shall be in writing and filed with the city clerk within ten days of the meeting or prior to the vote on the subject of the lobbying activity, whichever occurs first. The disclosures shall be available for public inspection.~~

(a) To promote full and complete transparency, lobbyists who lobby a City Commissioner must, contemporaneously with the lobbying activity or as soon thereafter as is practicable (but in any event within three (3) business days after the lobbying activity occurs), complete the online electronic contact log, which requires the Lobbyist to provide the following information:

(1) Lobbyist name;
(2) The name of the entity by which the lobbyist is employed;;
(3) The name of the person or entity for whom or which the lobbyist is lobbying;
(4) The name of each City Commissioner lobbied by the lobbyist;
(5) The name of each person attending or participating in any portion of the meeting or communication during which the lobbying activity occurred;
(6) The date and time of the meeting or other communication during which the lobbying activity occurred;
(7) The location of the meeting and mode of communication, as applicable, e.g. in person, by telephone, or by email exchange; and
(8) The specific topics discussed in such meeting or communication.

(b) The obligation to complete the online contact log referenced in paragraph (b) above applies regardless of the location of the lobbying activity and applies whether the activity occurs in person, by telephone, electronic communication or in writing. The online contact log is available for public inspection.

***

Sec. 2-537. - Penalties.

Violation of any provision of this article shall be punishable by a fine of $500.00 and the violator shall be subject to a Resolution of censure by the City Commission and shall be prohibited from lobbying the City of Deerfield Beach for a period of two years.

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.

<u>Section 6.</u> That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED 1ST READING ON THIS ______ DAY OF ___________, 2020.

PASSED 2ND READING ON THIS _____ DAY OF ____________, 2020.

____
BILL GANZ, MAYOR

ATTEST:

____
SAMANTHA L. GILLYARD, CMC, CITY CLERK

CITY OF DEERFIELD BEACH, FLORIDA
NOTICE OF PUBLIC HEARING

YOU ARE HEREBY NOTIFIED that a public hearing will be before the City Commission on **Tuesday, May 5, 2020** at 7:00 p.m. via virtual meeting, to consider the following:

P.H. 2020-047: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING ARTICLE X "LOBBYIST REGISTRATION REQUIREMENTS" OF CHAPTER 2 "ADMINISTRATION"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Copies of the Ordinances are available for public inspection in the City Clerk's Office, 150 N.E. 2nd Avenue, Deerfield Beach, Florida 33441. All interested persons are urged to virtually attend the Public Hearing(s), send a representative or express their views by letter.

You may either be present virtually at the Public Hearing(s), represented by counsel or letter. All interested persons take due notice of the time and place of the Public Hearing and govern yourselves accordingly.

Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting would need a record of the proceedings. And for such purpose, may need to ensure that verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Any person requiring auxiliary aids and services at this meeting 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.

BY: SAMANTHA GILLYARD, CMC, CITY CLERK

Publish: Sun-Sentinel
Friday, April 24, 2020

City of Deerfield Beach

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

Face Sheet

File Number: I.D. 2020-362

Agenda Date: 5/5/2020

Status: CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of ITB #20-12-JW for laptops and associated products to TSI Aviation, Inc.; authorizing the purchase of laptops and associated products from TSI Aviation, Inc. in an amount not to exceed $111,142.20; and providing for an effective date. *(Funds from Account #001-0500-513-3965 - Central Services Computer Replacement)*

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Fiscal Impact

Costs: $111,142.20
Account Name: Central Services Computer Replacement
Account Number:001-0500-513-3965

Background/History

The City of Deerfield has established a routine four (4) year cycle for replacement City laptops. This keeps users up to date with equipment and technology, and assures the workforce can continue to perform at maximum capacity with updates and applications and security settings. This item is for the replacement of sixty (60) laptops. It also addresses increasing mobility for the workforce.

Current Activity

The City issued Invitation to Bid #20-12-JW for Laptops and Associated Products (the "ITB"). On March 27, 2020 at 3:00 p.m., the ITB due date and time, the Purchasing and Contract Administration Division (the "Division") unsealed six bids that were timely received, and reviewed the bids to ensure they met the ITB requirements. TSI Aviation, Inc. was the lowest bidder and met all of the ITB requirements.

Recommendation

Staff recommends the award of the ITB to TSI Aviation, Inc. for the purchase of sixty (60) laptops and associated products for an amount not to exceed $111,142.20.

RESOLUTION NO. 2020/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE AWARD OF ITB #20-12-JW FOR LAPTOPS AND ASSOCIATED PRODUCTS TO TSI AVIATION, INC.; AUTHORIZING THE PURCHASE OF LAPTOPS AND ASSOCIATED PRODUCTS FROM TSI AVIATION, INC. IN AN AMOUNT NOT TO EXCEED $111,142.20; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach desires to purchase sixty laptops and associated products to update the City's technology and increase workforce mobility; and

WHEREAS, the City issued Invitation to Bid #20-12-JW for Laptops and Associated Products (the "ITB"); and

WHEREAS, the ITB was advertised in the legal notices section of the Sun-Sentinel on February 24, 2020, and the notice was also sent to sixty-one prospective Offerors via the e-Procurement Marketplace; and

WHEREAS, twelve vendors viewed the ITB documents; and

WHEREAS, on March 27, 2020 at 3:00 p.m., the ITB due date and time, the Purchasing and Contract Administration Division (the "Division") unsealed six bids that were timely received, and reviewed the bids to ensure they met the ITB requirements; and

WHEREAS, the Division met with the Chief Information Officer to review and discuss the bids and concluded that TSI Aviation, Inc. ("TSI") was the lowest bidder and met all of the ITB requirements; and

WHEREAS, the Division recommends that the City Commission approve the award of the ITB to TSI, the lowest responsive and responsible bidder to the ITB, and authorize the purchase of sixty laptops and associated products from TSI in an amount not to exceed $111,142.20 (the "Laptops Purchase").

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 hereof.

Section 2. The City Commission hereby approves the award of the ITB to TSI.

Section 3. The Laptop Purchase is hereby approved. The City Manager is authorized to purchase the sixty laptops and associated products from TSI in an amount not to exceed $111,142.20, consistent with the terms of the ITB.

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

Section 5. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF __________________, 2020.

CITY OF DEERFIELD BEACH

____
BILL GANZ, MAYOR

ATTEST:

____
SAMANTHA GILLYARD, CMC, CITY CLERK

Deerfield Beach
Florida

Memorandum

TO: Ron Mckenzie, Chief Information Officer

FROM: Jeremin Worlds, Senior Buyer

THRU: Ivelsa Guzman, Purchasing Manager

DATE: April 14, 2020

SUBJECT: **Laptops and Associated Products, ITB 20-12-JW**

The Purchasing and Contract Administration Division issued an Invitation to Bid for Laptops and Associated Products, ITB 20-12-JW. This formal competitive solicitation process complies with the City of Deerfield Beach procurement requirements. Details of the competitive solicitation process are as follows:

- The ITB was advertised in the legal notices section of the Sun-Sentinel on February 24, 2020. The notice was sent to sixty-one (61) prospective Offerors via the e-Procurement Marketplace.
- Twelve (12) vendors viewed the documents of the ITB.
- On March 27, 2020 at 3:00 p.m. EST, the Purchasing and Contract Administration Division closed and unsealed six (6) responses. The responses were reviewed by the Purchasing and Contract Administration Division to ensure the response met the ITB requirements.
- The apparent low Offeror, TSI Aviation, Inc., response met the ITB requirements.
- The Purchasing and Contract Administration Division reviewed the response and discussed it with the Chief Informational Officer and concluded that TSI Aviation, Inc., meet all the requirements of the ITB.
- The Information Technology Services Staff recommends awarding the contract to TSI Aviation, Inc.
- Reference checks were conducted on TSI Aviation, Inc., and revealed positive ratings.
- Due diligent was done by comparing the State of Florida Contract price with the bid response received. It was discovered to be in the City’s best interest to move forward with the bid response received from TSI Aviation, Inc., due to the bid response pricing submitted was lower than the State of Florida Contract price. The Pricing Comparison Sheet attached.

In summary, TSI Aviation, Inc., is the lowest, responsive and responsible Offeror able to meet the ITB requirements; therefore, the award recommendation of this contract is to TSI Aviation, Inc.

Please use this memorandum and all attachments as your backup documents to the City Manager for the next available City Commission meeting.

Att. Tabulation Sheets, Tab Summary, Bid Summary, Price Comparison Sheet, Recommended Offerors Submittals, Vendor Reference – Check List and Performance Reference Surveys, Technical Specifications

Event Number	20-12-JW Addendum 1	**Organization**	City of Deerfield Beach
Event Title	Laptops and Associated Products	**Workgroup**	Purchasing Dept.
Event Description	The City of Deerfield Beach (City) is solicitin	**Event Owner**	Jeremin Worlds
Event Type	ITB (Commodity)	**Email**	jworlds@deerfield-beach.com
Issue Date	2/24/2020 03:24:45 PM (ET)	**Phone**	(954) 480-4415
Close Date	3/27/2020 03:00:00 PM (ET)	**Fax**	(954) 480-4388

Responding Supplier	City	State	Response Submitted	Lines Responded	Response Total
TSI AVIATION, INC.	WESTON	FL	3/25/2020 04:55:37 PM (ET)	5	$111,142.20
Hypertec Direct (Hypertec USA,	Tempe	AZ	3/26/2020 01:02:29 PM (ET)	5	$111,491.40
B & H Foto & Electronics Corp.	New York	NY	3/27/2020 02:12:11 PM (ET)	5	$115,093.80
BLEU STREAM CORP	POMPANO BEACH	FL	3/24/2020 10:51:17 AM (ET)	5	$116,979.60
HOWARD TECHNOLOGY SOLUTI	Ellisville	MS	3/27/2020 12:47:09 PM (ET)	5	$125,100.00
Malor Company Inc	New York	NY	3/26/2020 11:46:33 PM (ET)	5	$160,918.80

Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.

City of Deerfield Beach

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

Face Sheet

File Number: I.D. 2020-376

Agenda Date: 5/5/2020

Status: CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the 2020 Amendment to the Interlocal Agreement with Broward County for distribution of the proceeds of the Three-Cent Additional Local Option Gas Tax on Motor Fuel; authorizing execution of the 2020 Amendment; providing for severability and an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The attached resolution provides for approval of a 2020 Amendment to the Interlocal Agreement with Broward County for distribution of the proceeds from the County three-cent local option gas tax. Annual amendments are required to adjust the City's percentage of County gas tax collections, which are based on the City's population. Broward County, through its Local Option Gas Tax Ordinance, levies a tax of 3 cents per gallon on motor fuel. Broward County retains 48.73% of total taxes collected, while the remaining 51.27% is allocated amongst the various municipalities within the County, based on population figures that are published annually by the University of Florida Bureau of Economics and Business Research. The attached interlocal agreement with Broward County is required to provide for the Local Option Gas Tax distributions.

Current Activity

The funds received from the City's share of the three cent additional local option gas tax will be used to support the operations of the City's Road & Bridge Fund.

FY2020 (Projected Pre-COVID19) - $853,286
FY2019 Actual - $610,534
FY2018 Actual - $589,007

Recommendation

Staff recommends that the City Commission approve the 2020 Amendment to the Interlocal Agreement with Broward County for distribution of the proceeds of the three cent local option gas tax and authorize execution of the 2020 Amendment.

RESOLUTION NO. 2020/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE 2020 AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR DISTRIBUTION OF THE PROCEEDS OF THE THREE CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL; AUTHORIZING EXECUTION OF THE 2020 AMENDMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes Broward County (the "County") to extend the levy of the additional local option gas tax upon every gallon of motor fuel sold in the County for a period not to exceed thirty (30) years on a majority vote of the governing body of the County; and

WHEREAS, pursuant to Section 336.025(1)(b), Florida Statutes, the Board of County Commissioners enacted Section 31½-38, Broward County Code of Ordinances, (the "Ordinance") effective January 1, 1994, through December 31, 2024, imposing the levy of a three-cent local option gas tax (the "Gas Tax") for thirty years and providing for a method of distribution of the proceeds of the Gas Tax; and

WHEREAS, in accordance with the Ordinance, the County entered into an Interlocal Agreement with the Broward municipalities that establishes a distribution formula for dividing the proceeds from the Gas Tax among the County and all eligible municipalities within the County based on population (the "Interlocal Agreement"); and

WHEREAS, paragraph 3 of the Interlocal Agreement requires annual adjustment of the population of the individual municipalities and unincorporated Broward County in accordance with the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida ("BEBR"); and

WHEREAS, the County has prepared the proposed 2020 Amendment to the Interlocal Agreement, attached as Exhibit "1," which amends the Gas Tax distribution figures and incorporates the latest population figures from BEBR (the "2020 Amendment"); and

WHEREAS, the 2020 Amendment provides for the County to receive 48.73% of the total Gas Tax proceeds and for the municipalities in Broward County, including the City, to receive the remaining 51.27% of the total Gas Tax proceeds; and

WHEREAS, City staff recommends that the City Commission approve the 2020 Amendment, attached as Exhibit "1".

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 hereof.

Section 2. The City Commission hereby approves the 2020 Amendment, attached as Exhibit "1," and authorizes the appropriate City officials to execute the 2020 Amendment, 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 3. Should any section, provision or word of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

Section 4. The Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF __________________, 2020.

CITY OF DEERFIELD BEACH

____

BILL GANZ, MAYOR

ATTEST:

____

SAMANTHA GILLYARD, CMC, CITY CLERK

EXHIBIT 1

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

This 2020 Amendment to Interlocal Agreement (the "2020 Amendment") is entered into by and between Broward County, a political subdivision of the State of Florida (the "County"), and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (collectively the "Municipalities") (the County and Municipalities are collectively referred to as the "Parties").

RECITALS

A. Section 336.025(1)(b), Florida Statutes, authorizes the County to extend the levy of the additional three-cent local option gas tax upon every gallon of motor fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the County.

B. The Broward County Board of County Commissioners enacted Section 31½-38, Broward County Code of Ordinances, effective January 1, 1994, through December 31, 2024, pursuant to Section 336.025(1)(b), Florida Statutes, imposing the levy of the three-cent ($.03) local option fuel tax for thirty (30) years and providing for a method of distribution of the proceeds of the tax.

C. The method for distribution of the proceeds is established by an Interlocal Agreement with Municipalities representing a majority of the population of the incorporated area within the County.

D. Paragraph 3 of the Interlocal Agreement requires annual adjustment of the division and distribution of the proceeds based upon the population of the individual Municipalities and unincorporated Broward County in accordance with the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida.

NOW, THEREFORE, for good and valuable consideration, and pursuant to the authorization of Section 336.025(1)(b)2., Florida Statutes, the County and Municipalities agree as follows:

1. Paragraph 2 of the Interlocal Agreement, as previously amended, is hereby amended to read:

> 2. Forty-eight and Seventy-three One-hundredths percent (48.73%) of the total proceeds from the additional three-cent local option fuel tax shall be divided and distributed to the County, and the remaining Fifty-one and Twenty-seven One-hundredths percent (51.27%) of the total proceeds from the additional three-cent local option fuel tax shall be divided among and distributed to the

Municipalities within the County as follows:

$$\frac{\text{Population of Individual Municipality}}{\text{Total Incorporated Area Population}} \times 51.27\% =$$

Recipient	FY21 Percent Share of Proceeds
Coconut Creek	1.581494%
Cooper City	0.915130%
Coral Springs	3.474834%
Dania Beach	0.855281%
Davie	2.806666%
Deerfield Beach	2.140275%
Fort Lauderdale	5.013548%
Hallandale Beach	1.072439%
Hillsboro Beach	0.052203%
Hollywood	4.062045%
Lauderdale-by-the-Sea	0.167890%
Lauderdale Lakes	0.988440%
Lauderhill	1.949474%
Lazy Lake	0.000699%
Lighthouse Point	0.285031%
Margate	1.591563%
Miramar	3.737869%
North Lauderdale	1.217095%
Oakland Park	1.227030%
Parkland	0.918307%
Pembroke Park	0.172521%
Pembroke Pines	4.523635%
Plantation	2.432575%
Pompano Beach	3.016905%
Sea Ranch Lakes	0.018523%
Southwest Ranches	0.207413%
Sunrise	2.513639%
Tamarac	1.760126%
Weston	1.812276%
West Park	0.409144%
Wilton Manors	0.345930%
Total Incorporated	**51.270000%**

2. Paragraph 3 of the Interlocal Agreement, as previously amended, is hereby

amended to read:

3. The population figures set out herein are based on the figures contained in the document referred to as the "Florida Estimates of Population," published on an annual basis by the Bureau of Economics and Business Research, Population Division, University of Florida. The population figures to be utilized in the formula described in Paragraph 2 of this Interlocal Agreement for the division and distribution of the proceeds from the additional three-cent local option fuel tax shall be adjusted annually based on the then-current "Florida Estimates of Population."

For the purpose of this Agreement, the population figures are as follows:

Recipient	**BEBR Population 4/1/19**
Coconut Creek	58,742
Cooper City	33,991
Coral Springs	129,067
Dania Beach	31,768
Davie	104,249
Deerfield Beach	79,497
Fort Lauderdale	186,220
Hallandale Beach	39,834
Hillsboro Beach	1,939
Hollywood	150,878
Lauderdale-by-the-Sea	6,236
Lauderdale Lakes	36,714
Lauderhill	72,410
Lazy Lake	26
Lighthouse Point	10,587
Margate	59,116
Miramar	138,837
North Lauderdale	45,207
Oakland Park	45,576
Parkland	34,109
Pembroke Park	6,408
Pembroke Pines	168,023
Plantation	90,354
Pompano Beach	112,058
Sea Ranch Lakes	688
Southwest Ranches	7,704
Sunrise	93,365

Recipient	BEBR Population 4/1/19
Tamarac	65,377
Weston	67,314
West Park	15,197
Wilton Manors	12,849
Total Incorporated	**1,904,340**
Unincorporated Area	**15,304**
Total County	**1,919,644**

3. This 2020 Amendment shall be effective as of the date it is executed by the County after having previously been executed by Municipalities cumulatively representing a majority of the incorporated area population of the County; the amended population figures and share of proceeds shall take effect as provided by applicable law.

4. In the event any provision within this 2020 Amendment is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate the Interlocal Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

5. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2020 Amendment and the Interlocal Agreement, as previously amended, the Parties acknowledge that this 2020 Amendment shall control.

6. This 2020 Amendment may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the Parties have made and executed this 2020 Amendment to the Interlocal Agreement on the respective dates under each signature: Broward County through its Board of County Commissioners, signing by and through its County Administrator, authorized to execute same by Board action on April 7th, 2020, and each Municipality, signing by and through the official indicated on each signature page, duly authorized to execute same.

COUNTY

WITNESSES:

____

Print Name: ______________________

____

Print Name: ______________________

Broward County, by and through its County Administrator

By____________________________
Bertha Henry
County Administrator

_____ day of ______________, 20___

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By____________________________
Scott Andron (Date)
Assistant County Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: COCONUT CREEK

____

By ________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: COOPER CITY

____

By ________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: CORAL SPRINGS

____

By _________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: DANIA BEACH

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES: Municipality: DAVIE

______________________________ By ______________________________
Mayor-Commissioner

______________________________ ____ day of ________________, 20___

ATTEST:

By ______________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES: Municipality: DEERFIELD BEACH

_________________________ By _____________________________
Mayor-Commissioner

_________________________ ____ day of _______________, 20___

ATTEST:

By _____________________ _______________________________
Municipal Clerk Municipal Manager

____ day of _______________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _____________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: FORT LAUDERDALE

____

By ________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES: Municipality: HALLANDALE BEACH

___________________________ By ________________________________
Mayor-Commissioner

___________________________ ____ day of ________________, 20___

ATTEST:

By ________________________ ___________________________________
Municipal Clerk Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: HILLSBORO BEACH

____

By ________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: HOLLYWOOD

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By _______________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES: Municipality: LAUDERDALE-BY-THE-SEA

____________________________ By ________________________________
Mayor-Commissioner

____________________________ ____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: LAUDERDALE LAKES

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ______________________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:	Municipality: LAUDERHILL
____________________________	By ______________________________ Mayor-Commissioner
____________________________	____ day of ________________, 20___
ATTEST:	
By _______________________ Municipal Clerk	________________________________ Municipal Manager
	____ day of ________________, 20___
(CORPORATE SEAL)	APPROVED AS TO FORM:
	By ______________________________ Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: LAZY LAKE

____

By ________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

____

____

Municipality: LIGHTHOUSE POINT

By ________________________________
Mayor-Commissioner

____ day of _________________, 20___

ATTEST:

By _________________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of _________________, 20___

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: MARGATE

____

By ________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES: Municipality: MIRAMAR

______________________________ By ______________________________
Mayor-Commissioner

______________________________ ____ day of ________________, 20___

ATTEST:

By ______________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: NORTH LAUDERDALE

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: OAKLAND PARK

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By _______________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: PARKLAND

____

By ________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: PEMBROKE PARK

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ______________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: PEMBROKE PINES

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ______________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:	Municipality: PLANTATION
____________________________	By ________________________________ Mayor-Commissioner
____________________________	____ day of ________________, 20___
ATTEST:	
By ________________________ Municipal Clerk	________________________________ Municipal Manager
	____ day of ________________, 20___
(CORPORATE SEAL)	APPROVED AS TO FORM:
	By ________________________________ Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: POMPANO BEACH

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By _______________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: SEA RANCH LAKES

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By _______________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: SOUTHWEST RANCHES

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By _______________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:	Municipality: SUNRISE
______________________________	By ______________________________ Mayor-Commissioner
______________________________	____ day of ________________, 20___
ATTEST:	
By ______________________ Municipal Clerk	______________________________ Municipal Manager
	____ day of ________________, 20___
(CORPORATE SEAL)	APPROVED AS TO FORM:
	By ______________________________ Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: TAMARAC

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By _______________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: WESTON

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES:

Municipality: WEST PARK

____

By _______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

By ________________________
Municipal Clerk

(CORPORATE SEAL)

____
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL

MUNICIPALITY

WITNESSES: Municipality: WILTON MANORS

______________________________ By ______________________________
Mayor-Commissioner

______________________________ ____ day of ________________, 20___

ATTEST:

By ______________________________
Municipal Clerk

____
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

City of Deerfield Beach

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

Face Sheet

File Number: I.D. 2020-375

Agenda Date: 5/5/2020

Status: CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the 2020 Amendment to the Interlocal Agreement with Broward County for distribution of the proceeds of the Fifth-Cent Additional Local Option Gas Tax on Motor Fuel; authorizing execution of the 2020 Amendment; providing for severability and an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The attached resolution approves an amendment to the Interlocal Agreement with Broward County for the distribution of the proceeds from the County additional fifth cent local option gas tax. Annual amendments are required to adjust the City's percentage of county gas tax collections, which are based on the City's population. Broward County, through its Local Option Gas Tax Ordinance, levies a tax of 5 cents per gallon on motor fuel. Broward County retains 74% of total taxes collected, while the remaining 26% is allocated amongst the various municipalities within the county, based on population figures that are published annually by the University of Florida Bureau of Economics and Business Research. The attached amendment to the interlocal agreement with Broward County is required in order to provide for the fifth cent Local Option Gas Tax distributions.

Approval of the amendment by the City Commission will provide for the local option gas tax revenue for the Fiscal Year 2021 budget. The amount included in the City's budget will be determined by the State of Florida and be available in June 2020. This funding is restricted for the operation and maintenance of the City's streets and roadways.

The distribution is based upon a formula whereby the City's population is divided by the total incorporated area's population and then multiplied by a relevant percentage. The relevant percentage that the City will be receiving (1.085374%) is set forth in the Amendment.

Current Activity

The funds received from the City's share of the fifth cent additional local option gas tax will be used to support the operations of the City's Road & Bridge Fund.

FY2020 (Projected Pre-COVID19) - $853,286

FY2019 Actual - $610,534
FY2020 Actual - $589,007

Recommendation

Staff recommends that the City Commission approve the 2020 Amendment to the Interlocal Agreement with Broward County for distribution of the proceeds of the fifth cent additional local option gas tax and authorize execution of the 2020 Amendment.

RESOLUTION NO. 2020/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE 2020 AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY FOR DISTRIBUTION OF THE PROCEEDS OF THE FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL; AUTHORIZING EXECUTION OF THE 2020 AMENDMENT; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, Section 336.025(1)(b), Florida Statutes, authorizes Broward County (the "County") to extend the levy of the additional local option gas tax upon every gallon of motor fuel sold in the County for a period not to exceed thirty (30) years on a majority vote of the governing body of the County; and

WHEREAS, pursuant to Section 336.025(1)(b), Florida Statutes, on June 13, 2000, the Board of County Commissioners enacted Ordinance No. 2000-25 (the "Ordinance"), effective January 1, 2001 through December 31, 2031, extending the levy of the additional fifth-cent local option gas tax (the "Gas Tax") for thirty years and providing for a method of distribution of the proceeds of the Gas Tax; and

WHEREAS, in accordance with the Ordinance, the County entered into an Interlocal Agreement with the Broward municipalities that establishes a distribution formula for dividing the proceeds from the Gas Tax among the County and all eligible municipalities within the County based on population (the "Interlocal Agreement"); and

WHEREAS, paragraph 4 of the Interlocal Agreement requires annual adjustment of the population of the individual municipalities and unincorporated Broward County in accordance with the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida ("BEBR"); and

WHEREAS, the County has prepared the proposed 2020 Amendment to the Interlocal Agreement, attached as Exhibit "2," which amends the Gas Tax distribution figures and incorporates the latest population figures from BEBR (the "2020 Amendment"); and

WHEREAS, the 2020 Amendment provides for the County to receive 74% of the Gas Tax proceeds and for the municipalities in Broward County, including the City, to receive the remaining 26% of the total Gas Tax proceeds; and

WHEREAS, City staff recommends that the City Commission approve the 2020 Amendment, attached as Exhibit "2".

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 hereof.

Section 2. The City Commission hereby approves the 2020 Amendment, attached as Exhibit "2," and authorizes the appropriate City officials to execute the 2020 Amendment, 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 3. Should any section, provision or word of this Resolution be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof other than the part declared to be invalid.

Section 4. The Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF __________________, 2020.

CITY OF DEERFIELD BEACH

____
BILL GANZ, MAYOR

ATTEST:

____
SAMANTHA GILLYARD, CMC, CITY CLERK

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

This 2020 Amendment to Interlocal Agreement (the "2020 Amendment") is entered into by and between Broward County, a political subdivision of the State of Florida (the "County"), and the municipalities executing a signature page bearing the above legend, each of which is a municipal corporation existing under the laws of the State of Florida (the "Municipalities") (the County and Municipalities are collectively referred to as the "Parties").

RECITALS

A. Section 336.025(1)(b), Florida Statutes, authorizes the counties to extend the levy of the additional fifth-cent local option gas tax upon every gallon of motor fuel sold in Broward County for a period not to exceed thirty (30) years on a majority vote of the governing body of the County.

B. On June 13, 2000, the Broward County Board of County Commissioners enacted Ordinance No. 2000-25, effective January 1, 2001, through December 31, 2031, pursuant to Section 336.025(1)(b), Florida Statutes, extending the levy of the additional fifth-cent local option gas tax for thirty (30) years and providing for a method of distribution of the proceeds of the tax.

C. The method for distribution of the proceeds is established by an Interlocal Agreement with Municipalities representing a majority of the population of the incorporated area within the County.

D. Paragraph 4 of the Interlocal Agreement requires annual adjustment of the division and distribution of the proceeds based upon the population of the individual Municipalities and unincorporated Broward County utilizing the population figures set forth in the most current edition of "Florida Estimates of Population," published by the Bureau of Economics and Business Research, Population Division, University of Florida.

NOW, THEREFORE, for good and valuable consideration, and pursuant to Section 336.025(1)(b), Florida Statutes, the County and Municipalities agree as follows:

1. Section 2.1 of the Interlocal Agreement, as previously amended, is hereby amended to read as follows:

> 2.1 Seventy-four percent (74%) of the total proceeds from the additional fifth-cent local option gas tax shall be distributed to the County. The remaining twenty-six percent (26%) shall be distributed to the Municipalities as follows:

$$\frac{\text{Population of Individual Municipality}}{\text{Total Incorporated Area Population}} \quad X \quad 26.0000\%$$

Recipient	BEBR Population 4/1/19	FY21 Percent Share of Proceeds
Coconut Creek	58,742	0.802006%
Cooper City	33,991	0.464080%
Coral Springs	129,067	1.762155%
Dania Beach	31,768	0.433729%
Davie	104,249	1.423314%
Deerfield Beach	79,497	1.085374%
Fort Lauderdale	186,220	2.542466%
Hallandale Beach	39,834	0.543855%
Hillsboro Beach	1,939	0.026473%
Hollywood	150,878	2.059941%
Lauderdale-by-the-Sea	6,236	0.085140%
Lauderdale Lakes	36,714	0.501257%
Lauderhill	72,410	0.988615%
Lazy Lake	26	0.000355%
Lighthouse Point	10,587	0.144545%
Margate	59,116	0.807112%
Miramar	138,837	1.895545%
North Lauderdale	45,207	0.617212%
Oakland Park	45,576	0.622250%
Parkland	34,109	0.465691%
Pembroke Park	6,408	0.087489%
Pembroke Pines	168,023	2.294022%
Plantation	90,354	1.233605%
Pompano Beach	112,058	1.529931%
Sea Ranch Lakes	688	0.009393%
Southwest Ranches	7,704	0.105183%
Sunrise	93,365	1.274715%
Tamarac	65,377	0.892594%
Weston	67,314	0.919040%
West Park	15,197	0.207485%
Wilton Manors	12,849	0.175428%
Total Incorporated	**1,904,340**	**26.000000%**
Unincorporated Area	**15,304**	

Recipient	BEBR Population 4/1/19	FY21 Percent Share of Proceeds
Total County	**1,919,644**	

The population figures set forth above are based on the figures contained in the document referred to as the "Florida Estimates of Population," published on an annual basis by the Bureau of Economic and Business Research, Population Division, of the University of Florida. The population figures to be utilized in the formula described in this section for the distribution of the additional fifth-cent local option gas tax shall be adjusted annually based on the current Florida Estimates of Population.

2. This 2020 Amendment shall be effective as of the date it is executed by the County after having previously been executed by the Municipalities cumulatively representing a majority of the incorporated area population of the County; the amended population figures and share of proceeds shall take effect as provided by applicable law.

3. In the event any provision within this 2020 Amendment is found by a court of competent jurisdiction to be invalid, the remaining provisions shall continue to be effective unless the County or any executing Municipality necessary to maintain the cumulative majority referenced in the preceding paragraph elects to terminate the Interlocal Agreement. The election to terminate pursuant to this provision must be made within seven (7) days after such court ruling; provided, however, that if a timely notice appealing the court ruling is filed, the election shall be held in abeyance until the appeal is determined or dismissed.

4. Except to the extent amended, the Interlocal Agreement shall remain in full force and effect. In the event of any conflict between the terms of this 2020 Amendment and the Interlocal Agreement, as previously amended, the Parties acknowledge that this 2020 Amendment shall control.

5. This 2020 Amendment may be executed in several counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute one and the same instrument.

[THE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

IN WITNESS WHEREOF, the Parties hereto have made and executed this 2020 Amendment to the Interlocal Agreement on the respective dates under each signature: Broward County through its Board of County Commissioners, signing by and through its County Administrator, authorized to execute same by Board action on April 7th, 2020, and each Municipality, signing by and through the official indicated on each signature page, duly authorized to execute same.

COUNTY

WITNESSES:

____

Print Name: ______________________

____

Print Name: ______________________

Broward County, by and through its County Administrator

By____________________________
Bertha Henry
County Administrator

_____ day of ______________, 20___

Approved as to form by
Andrew J. Meyers
Broward County Attorney
Governmental Center, Suite 423
115 South Andrews Avenue
Fort Lauderdale, Florida 33301
Telephone: (954) 357-7600
Telecopier: (954) 357-7641

By____________________________
Scott Andron (Date)
Assistant County Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: COCONUT CREEK

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: COOPER CITY

____

By ______________________________
Mayor-Commissioner

____

____ day of ______________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ______________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: CORAL SPRINGS

____

By _______________________________
Mayor-Commissioner

____

_____ day of _________________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

_____ day of _________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

<u>MUNICIPALITY</u>

WITNESSES:

Municipality: DANIA BEACH

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: DAVIE

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: DEERFIELD BEACH

____

By _______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: FORT LAUDERDALE

____

By ______________________________
Mayor-Commissioner

____

_____ day of _________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

_____ day of _________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: HALLANDALE BEACH

____

By ______________________________
Mayor-Commissioner

____

_____ day of __________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

_____ day of __________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: HILLSBORO BEACH

____

By _______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: HOLLYWOOD

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES: Municipality: LAUDERDALE-BY-THE-SEA

_______________________________ By _______________________________
Mayor-Commissioner

_______________________________ ____ day of ________________, 20___

ATTEST:

_______________________________ By _______________________________
Municipal Clerk Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: LAUDERDALE LAKES

____

By _______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: LAUDERHILL

____

By _______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: LAZY LAKE

____

By _______________________________
Mayor-Commissioner

____

____ day of _______________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

____ day of _______________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:	Municipality: LIGHTHOUSE POINT
________________________________	By ______________________________ Mayor-Commissioner
________________________________	____ day of _______________, 20___
ATTEST:	
________________________________ Municipal Clerk	By ______________________________ Municipal Manager
	____ day of _______________, 20___
(CORPORATE SEAL)	APPROVED AS TO FORM:
	By ______________________________ Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: MARGATE

____

By ________________________________
Mayor-Commissioner

____

_____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ________________________________
Municipal Manager

_____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: MIRAMAR

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: NORTH LAUDERDALE

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: OAKLAND PARK

____

By _______________________________
Mayor-Commissioner

____

____ day of _______________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

____ day of _______________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:	Municipality: PARKLAND
______________________________	By ______________________________ Mayor-Commissioner
______________________________	____ day of ________________, 20___
ATTEST:	
______________________________ Municipal Clerk	By ______________________________ Municipal Manager
	____ day of ________________, 20___
(CORPORATE SEAL)	APPROVED AS TO FORM:
	By ______________________________ Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: PEMBROKE PARK

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: PEMBROKE PINES

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: PLANTATION

____

By _______________________________
Mayor-Commissioner

____

____ day of _______________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

____ day of _______________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: POMPANO BEACH

____

By ________________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ________________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: SEA RANCH LAKES

____

By ________________________________
Mayor-Commissioner

____

____ day of _________________, 20___

ATTEST:

____
Municipal Clerk

By ________________________________
Municipal Manager

____ day of _________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ________________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: SOUTHWEST RANCHES

____

By _______________________________
Mayor-Commissioner

____

____ day of _______________, 20___

ATTEST:

____
Municipal Clerk

By _______________________________
Municipal Manager

____ day of _______________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By _______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES: Municipality: SUNRISE

______________________________ By ______________________________
Mayor-Commissioner

______________________________ ____ day of ______________, 20___

ATTEST:

______________________________ By ______________________________
Municipal Clerk Municipal Manager

____ day of ______________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

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____

ATTEST:

____
Municipal Clerk

(CORPORATE SEAL)

Municipality: TAMARAC

By ______________________________
Mayor-Commissioner

____ day of ________________, 20___

By ______________________________
Municipal Manager

____ day of ________________, 20___

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:	Municipality: WESTON
______________________________	By ______________________________ Mayor-Commissioner
______________________________	____ day of _______________, 20___
ATTEST:	
______________________________ Municipal Clerk	By ______________________________ Municipal Manager
	____ day of _______________, 20___
(CORPORATE SEAL)	APPROVED AS TO FORM:
	By ______________________________ Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:	Municipality: WEST PARK
_______________________________	By _______________________________ Mayor-Commissioner
_______________________________	____ day of _______________, 20___
ATTEST:	
_______________________________ Municipal Clerk	By _______________________________ Municipal Manager
	____ day of _______________, 20___
(CORPORATE SEAL)	APPROVED AS TO FORM:
	By _______________________________ Municipal Attorney

2020 AMENDMENT TO INTERLOCAL AGREEMENT PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL FIFTH-CENT LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT

MUNICIPALITY

WITNESSES:

Municipality: WILTON MANORS

____

By ______________________________
Mayor-Commissioner

____

____ day of ________________, 20___

ATTEST:

____
Municipal Clerk

By ______________________________
Municipal Manager

____ day of ________________, 20___

(CORPORATE SEAL)

APPROVED AS TO FORM:

By ______________________________
Municipal Attorney

Deerfield Beach Florida

City of Deerfield Beach

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

Face Sheet

File Number: I.D. 2020-381

Agenda Date: 5/5/2020 **Status:** DEPARTMENTAL BUSINESS

In Control: City Commission

Title

Resolution 2020/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of applications to the Broward County Mobility Advancement Program for Transportation Surtax Funds to provide funding for the SE 13th Avenue and SE 15th Avenue Bridges Rehabilitation Projects; 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

Broward County voters approved a 30-year, one percent surtax for transportation in November 2018. The sales surtax took effect on January 1, 2019. County staff is in the process of drafting a 5-year Plan due to the Independent Transportation Surtax Oversight Board and the Broward County Board of County Commissioners for approval on July 1, 2020. The Oversight Board determines if a project is permitted under Florida Statute Section 212.055(1)(d).

The current project based Transportation Surtax Plan, approved by voters in 2018, includes funding up to $122.7 million in FY 2020 municipal capital, rehabilitation and maintenance projects, and Community shuttles. The funding allocation for municipal rehabilitation and maintenance projects is dependent on the balance remaining after the approval of municipal-requested capital projects and Community Shuttles. The County recently finalized evaluation criteria, prioritized based on need and equity, for more than 200 rehabilitation and maintenance municipal-requested projects included in the current plan. The evaluation criteria includes condition of existing facilities, project readiness, socioeconomic and roadway needs, and funds received for municipal capital projects.

Current Activity

The application to assess and prioritize cycle one municipal rehabilitation and maintenance projects opened on April 1, 2020. Based on the aforementioned evaluation criteria, the City has two eligible projects, bridge rehabilitation at SE 13th and SE 15th Avenues, from the current Transportation Surtax Plan. Both projects have a documented condition assessment and demonstrated need via the Bridge Inspection Reports prepared by FDOT. The bridges at SE 13th and SE 15th Avenues have been deemed structurally deficient and functionally obsolete, respectively. The City prepared preliminary cost estimates for the repairs identified in the Bridge Inspection Reports supporting project readiness. The projects are included in the current plan for up to $1 million in repairs that will improve the bridges' safety and integrity. The deadline to submit an application for consideration is May 16, 2020.

Recommendation
It is recommended that the City Commission authorize submission of two applications, $500,000 each, to the Surtax Mobility Advancement Program, Municipal Rehabilitation and Maintenance Projects, for the proposed bridge rehabilitation projects at SE 13th and SE 15th Avenues.

RESOLUTION NO. 2020/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE SUBMISSION OF APPLICATIONS TO THE BROWARD COUNTY MOBILITY ADVANCEMENT PROGRAM FOR TRANSPORTATION SURTAX FUNDS TO PROVIDE FUNDING FOR THE SE 13TH AVENUE AND SE 15TH AVENUE BRIDGES REHABILITATION PROJECTS; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Broward County (the "County") voters approved a 30-year, one percent transportation surtax in November 2018 (the "Surtax"); and

WHEREAS, County staff is currently working on a 5-year plan for municipal-requested capital projects, due July 1, 2020 to the Independent Transportation Surtax Oversight Board and the Broward County Board of County Commissioners for approval; and

WHEREAS, the County recently finalized evaluation criteria for another 200+ rehabilitation and maintenance municipal-requested projects also contained in the original plan to be funded with the Municipal Surtax Capital Program funds (the "Surtax Funds"); and

WHEREAS, the evaluation criteria consists of the condition of existing facilities, project readiness, socioeconomic and roadway needs, and funds received for municipal capital projects; and

WHEREAS, the online Rehabilitation and Maintenance Portal opened on April 1, 2020 and is taking applications through May 16, 2020; and

WHEREAS, the application requires that the City provide documentation of existing facilities for evaluation, based on the Proposed Municipal Maintenance Projects Prioritization Process; and

WHEREAS, in accordance with this prioritization process, the candidate projects best positioned in the City for project readiness and need are the bridge rehabilitation projects at SE 13th Avenue and SE 15th Avenue; and

WHEREAS, the SE 13th Avenue and SE 15th Avenue bridges are in the plan for up to $1 million in bridge repairs; and

WHEREAS, the City Commission supports and authorizes the submission of two applications to the Mobility Advancement Program for Municipal Rehabilitation and Maintenance Projects for the SE 13th Avenue and SE 15th Avenue Bridges Rehabilitation Projects (the "Applications").

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 hereof.

Section 2. The City Commission hereby approves the submission of the Applications to the County for the Surtax Funds to provide funding for the SE 13th Avenue and SE 15th Avenue Bridges Rehabilitation Projects. The City Manager or his designee is authorized to sign and submit the Applications.

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

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

PASSED AND ADOPTED THIS ____ DAY OF __________________, 2020.

CITY OF DEERFIELD BEACH

____
BILL GANZ, MAYOR

ATTEST:

____
SAMANTHA GILLYARD, CMC, CITY CLERK

R&M Project Application Process

MAP Team will *not* score applications

Municipalities → Broward County

Start

Municipalities
- Access Broward registration
- Portal access request

MAP
- Review requests
- Provide access
- Track access and users

Applying & Revising
(Document uploads and submission requirements review)

Municipalities
- Documents: conditions, plans, ROW, estimates, schedules, visuals (pics, vids), etc.
- Project Manager information
- Submit completed application

MAP Validation
- Document uploads meet requirements
- Application completeness
- Request additional information

Score
(Technical evaluation)

Subjective project-specific factors=80%
- ➢ Facility condition
- ➢ Multiple R&M
- ➢ Readiness
- ➢ Multimodal
- ➢ Sustainability

Objective applicant-specific factors=20%
- ➢ Capital funding received through MPO process
- ➢ Socioeconomic factors and roadway needs

Complete
(MAP Admin)

- One-on-ones with municipalities
- Prepare ***capital projects*** recommendations for Oversight Board, anticipated late-May
- County Commission action on ***capital projects***, anticipated meeting on mid-June, dependent upon COVID-19 variables

TBD

The **Oversight Board** and then the **County Commission** *must* act on Capital Projects before R&M final scoring and funding recommendation can occur.

MAP = Mobility Advancement Program, Broward County Surtax Administration

Portal Opens: 04/02 — Submission and technical assistance by MAP+

Portal Closes: 05/16 — Evaluation, scoring and recommendation

TBD