Meeting Minutes
City Commission

Monday, September 14, 2020 | **7:00 PM** | **Virtual Meeting**

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Mayor Bill Ganz at 7:00 p.m., via virtual meeting technology.

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Hudak.

APPROVAL OF CITY COMMISSION MEETING MINUTES

Regular City Commission Meeting Minutes – August 17, 2020

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

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Appearance Board Meeting Minutes – July 22, 2020

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

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

September 14, 2020

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve the agenda as amended, omitting Item #1. Voice Vote:

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

Nays: 0

AWARDS & RECOGNITION

1. Certificates of Appreciation presented to FishAngler and Pelagic for their sponsorship and volunteer assistance at the 2020 Jr. Angler's Day Event.

Due to inclement weather, the event was postponed.

BUDGET & MILLAGE PUBLIC HEARINGS

2. ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE MILLAGE RATE TO BE LEVIED BY THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; STATING THE PERCENTAGE CHANGE BY WHICH THE MILLAGE RATE EXCEEDS THE ROLLED-BACK RATE AS COMPUTED PURSUANT TO SECTION 200.065, FLORIDA STATUTES; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

The Ordinance was read in its entirety.

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

Commissioner Drosky applauded staff for completing the budget especially due to these unprecedented times and continued changes to revenue projections. Also, he said in discussion with other Broward County elected officials, Deerfield Beach is one of the most diligent and transparent cities around as there is a lot included in the agenda. Further, the budget is constantly discussed as well as interactive meetings with the City Manager; Commissioner Drosky also commented on the budget workshops held to discuss the budget.

David Santucci, City Manager, thanked Commissioner Drosky for his comments as staff does its best to ensure a transparent budget process. Furthermore, if the proposed millage rate for Fiscal Year 2021 is adopted, it remains unchanged even with significant revenue losses in non-ad valorem revenue streams.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item #2, adopted Ordinance 2020/020. Roll Call:

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

Nays: 0

3. ORDINANCE 2020/021 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

BUDGET & MILLAGE PUBLIC HEARINGS – CONTINUED

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve Item #3, adopted Ordinance 2020/021. Roll Call:

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

Nays: 0

4. ORDINANCE 2020/022 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE BUDGET FOR THE DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR FUNDING THROUGH TAX INCREMENT FINANCING AS PROVIDED FOR IN PART III, CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item #4, adopted Ordinance 2020/022. Roll Call:

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

Nays: 0

QUASI-JUDICIAL PUBLIC HEARINGS

5. P.H. 2020-082: APPLICATION NO. 20-P-226

Applicant: **Bethesda Christian Center, Inc., represented by Pulice Land Surveyors, Inc.**

Proposal: Request to replat a 3.0095-acre site to be restricted to 24,000 square feet of place of worship and one single-family dwelling unit, and to be known as the "Bethesda Christian Center" Plat.

Location: The property is generally described as PLAT OF SEC'S 13,24,25&26,T48 R42 S & E 1-8 PB,TRANSCRIBED AS 1-26 B POR TR 22 DESC AS BEG 840 E OF NW COR TR 22,E 295,S 295.33,W 295,N 295.33,TOG/W TALLMAN PINES, more particularly described in the file, and located at **641 NE 40th St.**

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

Eric Power, Director of Planning & Development Services, outlined the application. He advised that the property will have to be rezoned and a site plan application will be provided at a later date. Staff has met with the applicant on their redevelopment plans, whereas, there should not be any issues moving forward. Platting with the County takes longer than the City's process for rezoning and site plan; thus, the application is being presented now so the applicant can move forward with the County. In the next couple of months, the item should be presented to the Commission for a site plan.

There was no additional discussion.

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve Item #5, adopted Resolution 2020/117. Roll Call:

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

Nays: 0

6. P.H. 2020-083: APPLICATION NO. 18-PID-2Z

Applicant: **Richard & Rice Construction CO., INC., represented by Dunay, Miskel & Backman**

Proposal: Major site plan application seeking approval to construct an 8,779 square foot office/warehouse building on approximately .9711 acres in the Newport Center PID.

Location: The property is described as NEWPORT CENTER 115-13 B LOT 57 more particularly described in the file and is located at **1219 W Newport Center Drive.**

Christina Bilenki, Dunay, Miskel & Backman, waived the quasi-judicial procedures; thereafter, she outlined the background of Richard & Rice Construction Company and presented a PowerPoint presentation on the project.

Project Location – Ms. Bilenki said the proposed project is located within Newport Center, south of SW 10th Street and west of I-95. This is the last vacant parcel in the Center and is currently a wooded parcel.

Existing Site Conditions – Ms. Bilenki said the property is essentially used for parking right now. The applicant recently purchased this property and submitted the site plan application to construct their headquarters with corresponding office space for approximately 15 to 20 employees.

Site Plan – Ms. Bilenki outlined the site plan being proposed; an 8,779 square-foot building with mostly offices and a small storage component for tools and office products. She advised that the heavier construction equipment is stored in another location. Parking is adequate and the application complies with all the land development regulations as well as adequate circulation for emergency vehicles and trucks entering the property.

Elevations – Ms. Bilenki provided renderings of the west, south, east and north elevations which were unanimously approved by the Community Appearance Board approximately one (1) year ago.

Landscape Area – Ms. Bilenki said about 40% of the land will be green space and pervious area which is substantial in an industrial district. The applicant has taken an extra step and secured stormwater drainage permit approval with Broward County.

Landscape Plan – Ms. Bilenki provided a rendering of the landscape. The site plan complies with the City Code, no variances are requested and all staff comments have been resolved. Thereafter, Ms. Bilenki entertained questions of the City Commission.

Samantha Gillyard, City Clerk, outlined the campaign contributions made within the last four (4) years to sitting commissioners: Mayor Bill Ganz – January 2017 ($1,000); Vice Mayor Parness – January 2017 ($1,000) & August 2020 ($1,000); Commissioner Todd Drosky – January 2017 ($1,000); all from the law firm of Dunay, Miskel & Backman.

Commissioner Drosky said he met with Scott Backman who reviewed the application with him; therefore, he supports the application.

In response to Commissioner Preston's question, Ms. Bilenki replied that there will be approximately 15 to 20 employees at the building. Most of the employees will be existing, as the company currently rents office space elsewhere in the City and the employees will be relocated upon completion of the new building.

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

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve Item #6, adopted Resolution 2020/118. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Faye Bailey, 3228 W State Road 426, Oviedo, said she is seeking a release of a reverter on a property that she and her husband purchased back in 2002/2003 and during that time, they were in the process of building a school. Unfortunately, her husband became ill and subsequently passed. Since his passing, the project was on hold, although it had been approved by the City; nevertheless, she continued to pay the taxes on the property. Ms. Bailey said she was unable to develop the property since there was no support from the City. Now, a developer wishes to build on the property, but it is being held up due to the reverter. She asked that there be compassion for her keeping the property and paying taxes for many years.

Paul Webb, 2736 NE 10th Street, Pompano Beach, said he is the realtor that represents Ms. Bailey; thereafter, he commented on her desire to develop the property. Further, the clause in the deed indicates that the City provided three (3) years to develop or it reverts back to the City which was 13 years ago. They are trying to close on the property as there is a developer who wishes to purchase it. Mr. Webb advised that the land is small and was left over after the Dixie Highway widening and was given to Deerfield Beach. If the City takes the property back, there is nothing that can be built there. He asked that the Commission help Ms. Bailey, as the property is worthless to the City. Further, he explained that Ms. Bailey owns the four (4) adjacent lots and those are half the block; the portion that the City can take back is directly on Dixie Highway without a road cut. The value comes from it being joined to the other lots.

Mayor Ganz asked if the parcel is imperative for development.

Mr. Webb replied yes, the developer needs it for the entire site.

David Santucci, City Manager, said this is the first he is hearing of this and will have to take a closer look to determine what is happening and get back with the Commission.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

Items 11 and 17 were pulled for discussion.

Mayor Ganz opened the public hearing on items 7 – 10 and 12 - 16; however, there were none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Items 7-10 and 12-16 of the Consent Agenda. Roll Call:

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

Nays: 0

7. Resolution 2020/119 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the CARES Act Contract #JCA20-06-2021 with the Areawide Council on Aging of Broward County, Inc. for Center for Active Aging Services in the amount of $38,202.26; authorizing execution of the Agreement; providing an effective date. *(Fiscal Impact: Increased funding)*

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

8. **Resolution 2020/120 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with Deerfield Beach Family Empowerment, Inc. for administration of Community Development Programs; providing for execution; and providing for an effective date.**

9. **Resolution 2020/121 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the filing of the Local Government Funding Request for Fiscal Year 2021/2022 with the Florida Department of Environmental Protection for projects to mitigate beach erosion in Deerfield Beach; supporting projects for which funding is requested; confirming the City's ability to serve as a local sponsor; confirming the City's ability to fund the appropriate local share of projects; identifying City's funding source; providing an effective date.**

10. **Resolution 2020/122 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Proposals #20-36-IG for fire assessment fee consulting services to Government Services Group, Inc.; authorizing execution of an agreement with Government Services Group, Inc. for an initial three year term in an annual amount not to exceed $23,350; providing for severability and an effective date.** *(Funds from Account #001-06-0600-513-3223 - Other Contractual Services)*

11. **ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, APPROVING THE AWARD OF INVITATION TO BID #20-50-IG FOR CAPITAL EQUIPMENT FINANCING TO JP MORGAN CHASE BANK, N.A.; AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JP MORGAN CHASE BANK, N.A.; 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.

There was no discussion amongst the Commission.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item #11 on first reading. Voice Vote:

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

Nays: 0

12. **Resolution 2020/123 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of Invitation to Bid #20-42-JW for Wastewater Lift Station 25 to Southern Underground Industries, Inc.; authorizing execution of an agreement with Southern Underground Industries, Inc. in an amount not to exceed $412,000; providing for severability and an effective date.** *(Funds from Account #413-5000-536-60-31 - Improvement other than Buildings)*

13. **Resolution 2020/124 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of Invitation to Bid #20-49-JW for East Water Treatment Improvement Phase II to Demcon Group, LLC; authorizing execution of an agreement with Demcon Group, LLC in an amount not to exceed $529,718; providing for severability and an effective date.** *(Funds from Account #413-5000-536-60-31 - Improvement other than Buildings)*

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

14. Resolution 2020/125 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to the Agreement with the Broward Sheriff's Office for Police Services to provide for a six month extension of the existing term; providing for execution and an effective date.

15. Resolution 2020/126 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to the Agreement with the Broward Sheriff's Office for fire rescue and emergency medical services to provide for a six month extension of the existing term; providing for execution and effective date.

16. Resolution 2020/127 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Interlocal Agreement with the Town of Hillsboro Beach for fire and emergency medical services; authorizing the City Manager to execute the Interlocal Agreement; providing for severability and an effective date.

17. Resolution 2020/128 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Interlocal Agreement with Broward County for Coronavirus Aid, Relief, and Economic Security ("CARES") Act Funding; authorizing the Mayor and City Manager to execute the Interlocal Agreement; providing for severability and an effective date.

The Resolution was read by title only.

Commissioner Drosky said he wants everyone to understand the importance of the agreement; thereafter, he provided a brief history of how this funding came to fruition. Commissioner Drosky outlined the counties who met the 500,000 population threshold as many did not share the funding with municipalities. Dade County provided a small amount, but in Broward County, the Broward League of Cities implemented a task force to lobby the County Commission. Broward County received $340 million from the Federal Government as its CARES Act allotment and through the task force, the County set aside $102 million to share. Commissioner Drosky thanked the other members of the task force for working toward this allocation. Additionally, the City’s allotment is approximately $4 million and is a monumental achievement. He again thanked the Elected Officials throughout Broward County for making such an effort in this matter.

David Santucci, City Manager, advised that the draft agreement is substantially in its final form, but there may be additional tweaks over the next few days. Mr. Santucci said that the $4.2 million allocated to the City is not money in the coffers, but is the total reimbursable allocation the City may receive. There are categories that the City can be reimbursed and if funding is needed for one category over another, that is allowed. He reiterated that the funds will not go into the City’s coffers, but are for expenses related to COVID, expenses incurred during the timeframe of March 1st through December 10th and were not previously budgeted in fiscal year 2021. Staff will do whatever possible to ensure all COVID related expenses are reimbursed which include things like public safety payroll expenses, PPE expenses, additional cleanings in public facilities, and costs associated with food distribution sites. It is clear in the agreement and Federal Government legislation that the funds cannot be used to make up revenue deficits.

Commissioner Hudak echoed his appreciation to Commissioner Drosky and all the other task force members. He commented on how Commissioner Drosky has made relationships and brought Deerfield Beach to the forefront, along with other commissioners. He said the residents do not see the amount of hours elected officials put in to develop relationships and make sure the City is well represented at all levels. Commissioner Hudak continued to outlined various contributions commissioners have made to the city.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. He also thanked Commissioner Drosky for his hard work and representing the City.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

MOTION was made by Vice Mayor Parness, seconded by Commissioner Drosky, to approve Item #17, adopted Resolution 2020/128. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

18. Presentation by Sustainable Management providing update on Siemens project progress.

Chad Grecsek, Director of Sustainable Management, provided a brief history on the approval of the contract with Siemens to make a variety of performance measure enhancements to various facilities. Staff and Siemens representatives are available for questions after the presentation.

Presentation Overview – Hillary Silverstone, Sustainability Coordinator, outlined the details of the presentation; project highlights, timeline, improvement measure status, current savings and next steps.

Progress Highlights – Ms. Silverstone provided a brief video highlighting achievements to date. She then advised that most of the improvement measure installations have been completed with only a few outstanding items. Currently, the projects are on budget and there have been material cost reductions, as well as unexpected costs which have been absorbed or covered by Siemens. Also, there have been some delays in the projects, Siemens will not be charging any additional general management costs.

Project Timeline – Ms. Silverstone outlined the process, starting with procurement in 2017 and ending with an expected completion of October 2020.

Project Progress – Ms. Silverstone provided a bar graph illustrating the percentage completion of various projects.

In-Progress Facility Improvement Measures – Ms. Silverstone advised that controls/building automation project and A/C installations have been delayed, but will be completed within the next month or so. She said the controls project has been completed in all except one (1) building; only three (3) A/C units are remaining and will be installed over the next couple of weeks.

Delayed Facility Improvement Measures – Ms. Silverstone said two (2) projects that are significantly delayed are the solar project and CNG fueling station, due to the pandemic, utility coordination with TECO and FP&L, weather, and permitting. Targeted completion on the solar array at fire station 102 is November 2020 and the filling station, December 2020.

Impacts of COVID-19 – Ms. Silverstone outlined impacts due to COVID-19; stop work order to Siemens when pandemic first declared which lasted about one (1) month; limited staff availability for the City and Siemens; state travel restrictions due to workers not being able to travel into Florida; and equipment availability. Continuing, Ms. Silverstone advised that staff tried to mitigate the impacts of the pandemic by allowing outdoor work, work in unoccupied buildings and others. Siemens also declared a force majeure which means any delay related costs either party incurs would be absorbed. For the City, that would include any staff project management time, and for Siemens, any project management costs. As work continues, there is an impact on employees, area access, air conditioning, etc. which are fairly limited. On the bright side, the City has accrued additional construction savings on top of the savings guarantee.

Project Electricity Savings To-Date – Ms. Silverstone provided a table outlining the total usage and cost of electricity from October through August of each fiscal year for the facilities impacted by the Siemens project. In comparing this year to last year, there has been a drop of approximately $120,000 from electricity only. The chart does not take into account any capital, water or operational savings from the project during the construction phase. Furthermore, the trend for electricity costs was demonstrated on a line graph from the beginning of installation. Also, the dip in May is partially due to the rate discount from FP&L due to COVID and a decrease in fuel costs.

DEPARTMENTAL BUSINESS – CONTINUED

Next Steps – Ms. Silverstone said staff is hopeful that construction will be completed in December 2020 as well as the Siemens performance verification required for the savings guarantee; the guarantee period will begin in January 2021 barring any unforeseen circumstances, then continuing forward there will be a measurement and verification process for 17 years through the guarantee period. Thereafter, she entertained questions by the Commission.

Commissioner Hudak asked if the FP&L rate drop was a one-month discount as it went up the following month.

Ms. Silverstone replied yes. Typically, FP&L will stretch their fuel cost reductions over a period of a year, but because of the hardships, they decided to apply all in one (1) month.

Commissioner Preston asked about the setbacks and whether staff is satisfied with the project's progress.

Ms. Silverstone replied that there have been some setbacks, but have been mitigated. Ultimately, staff has been satisfied with the process and is ready to see the full benefits of the project.

Mr. Grecsek applauded the project and Siemens for their stellar work.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. Thereafter, he thanked staff for the accomplishment as the benefits are already seen.

19. Resolution 2020/129 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting the City Commission regular meeting schedule for FY 2020/2021; 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 a brief discussion regarding the fiscal year 2021 meeting schedule; whereby, the November meeting will be held on November 10th.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item #19 as amended, adopted Resolution 2020/129. Voice Vote:

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

Nays: 0

20. Resolution 2020/130 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting the amended parks and recreation schedule of fees and charges; providing for an effective date.

The Resolution was read by title only.

David Santucci, City Manager, said staff has analyzed the fees and rate structures for parks and recreation which was initiated by discussions during the budget workshops regarding increasing pier entry fees for non-residents to $2. Additionally, the rate structures have been compared to other cities and analyzing performance since the last rate change. In some cases, the City is slightly off with supply and demand. During the presentation, the Commission will see adjustments that benefit the residents and city. One change on the rate schedule includes limited pier rental as requested by the Commission.

Amended Parks and Recreation Fee Schedule – Cassi Waren, Assistant Director of Parks & Recreation, provided a PowerPoint outlining the amended fee schedule.

DEPARTMENTAL BUSINESS – CONTINUED

Purpose – Ms. Waren outlined the purpose of the proposed resolution and highlighted changes to be discussed in detail: International Fishing Pier Fees; special event application fees; Showmobile fees; athletic fields and others.

International Fishing Pier – Ms. Waren outlined the changes to the fee schedule: daily sightseers' rate increase for non-residents from $1 to $2. While there are annual, six-month and monthly sightseer rates, there is a problem with the badge system so these rates should be updated by November when a new system is implemented. Nevertheless, staff recommended reducing the annual sightseer fee from $200 to $75 for residents as Pompano Beach has an annual pass for their residents which is lower than Deerfield Beach. Also, the new schedule proposes elimination of both the six-month and monthly rate plan for residents, but keep for non-residents.

Special Event Application Fees – Ms. Waren said staff receives many applications, but most are received too late; thus, they are rushed for approvals. To combat this, the fee for residents from $100 to $75 if the application is submitted 30 to 59 days prior to an event; less than 30 days, reduced from $150 to $100. Additionally, if the application is received 8 to 14 days before the event, a new fee of $125 is being proposed. If the application is received 1 to 7 days before the event, the proposed fee is $150. Non-resident rates remain unchanged; a small non-profit fee is proposed to encourage timely receipt of an application.

Showmobile Rental Fees – Ms. Waren outlined the proposed fee reduction for non-profit from $500/day to $250/day. The Showmobile is only rented three (3) to four (4) times annually for events and are typically from non-profits who traditionally request a fee waiver.

Trolley Rental – Ms. Waren advised that this schedule will be removed as the City no longer has the trolley.

Special Event Equipment Rental – Ms. Waren provided a list of equipment owned by the City that applicants request to use. The proposed fee is based on a comparison of what rental facilities charge. Portable bleacher rentals have been added since they are often requested, as well as an equipment refundable deposit fee to cover any damages that have occurred. Moreover, the fees for the bleachers are normally requested as a fee waiver which is why an established rental fee is needed to provide a monetary amount to the Commission.

Facility Rentals – Oveta McKeithen Recreational Complex - Ms. Waren outlined changes for the Complex; reduced rental rate from $250 to $200 (residents) and $500 to $400 (non-residents). This was the most expensive community center and Hillsboro Community Center was priced at $200 and $400. The non-profit rate remains the same at $25/hour; however, they are now allowed to rent on weekends, which was previously not done. She also advised that the resident and non-resident rate is a four-hour block. Also added is a weekday meeting/training rental per hour line item for the complex. It existed at Hillsboro and Highlands, but not Constitution Park or Oveta; whereby, all community centers will have the same options. The weekday HOA is new and for residents only at $20/hour. Lastly, the use of the medium and small pavilions for the day are being utilized by the community residents; therefore, the proposed resident fee would be reduced to $0. The non-resident would remain the same at $200 and non-profit remains complimentary. Nevertheless, a facility rental waiver is required for all users.

Facility Rentals – Constitution Park – Ms. Waren outlined proposed changes: weekend rentals decreased for both residents ($200) and non-residents ($400). When the rates were increased, there was a reduction in use, whereas, this will hopefully spur use. New rates include weekday meeting/training rentals ($25/hour – residents and $50/hour – non-residents) and weekday HOA (resident only $20/hour). The small pavilion has not been used often and only had three (3) uses in the fiscal year which is likely due to the Arboretum having shaded areas around the park not requiring rentals. The proposed fee for the small pavilion is $75/residents, $150/non-residents and $75/non-profit. Lastly, the Arboretum is used a lot for weddings; however, it was realized that when the fee for beach weddings increased from $300 to $600 for non-residents in 2017, there was a marked decrease in those rentals. Therefore, staff is proposing that both beach and Arboretum weddings be decreased from $600 to $450.

Facility Rentals – West Deerfield Community Center – Ms. Waren outlined proposed changes: weekend rental reduction for residents ($150) and non-residents ($300). The community centers have been tiered based on highest and lowest use; whereas, this center is not fully renovated and functioning for the community and is therefore the lowest rental.

DEPARTMENTAL BUSINESS – CONTINUED

Facility Rentals – Highlands Community Center – Ms. Waren outlined proposed changes: weekend rental will remain the same for residents ($200) and non-residents ($400). She also advised of the change to all centers for $25/hour on weekends and weekdays. The HOA rental is resident only ($20/hour) and the small pavilion at Highlands is much like Oveta McKeithen, whereby, it is primarily used by the community and no fee will be charged, but still must be reserved.

Facility Rentals – Hillsboro Community Center – Ms. Waren advised that this center is the most used and therefore, a price increase is recommended for residents ($250) and non-residents ($500); staff is recommending that non-profit pay the resident rate with the four-hour block. An increase to the hourly rate for weekday meeting/training rental is recommended for residents ($50) and non-residents ($75). She said a large number of businesses use Hillsboro for this specific purpose and the DoubleTree, which is close by Hillsboro, charges much more. The only change to the weekday HOA rate is that it would be a resident only offering.

Facility Rentals – Johnnie McKeithen Park – Ms. Waren said both pavilions are used quite frequently, but the rentals are not always on the books; therefore, staff and the rangers will monitor usage. Notwithstanding, a rate reduction is being proposed for the day to encourage use.

Facility Rentals – Sullivan Park – Ms. Waren said this park currently allows complimentary use on a first come, first serve or reservation. Staff is recommending a charge for the pavilion on a 4-hour basis: residents ($150) and non-residents ($300) and no non-profit rate is available. Most pavilions are rented for the entire day; however, due to popularity, the 4-hour block will allow service to many individuals. Ms. Waren advised that last year, there were 104 resident rentals, which would equate to $15,500, and 123 non-resident rentals, $36,900, if these rates had been implemented. Staff is also recommending that the deposit for this location be $250 across the board due to extensive use and the amenities.

Facility Rentals – Pioneer Park – Ms. Waren said this park is a lower rental location and therefore a rate reduction for the small pavilion is recommended for both residents ($75) and non-residents ($150).

Facility Rentals – Beach Weddings – Ms. Waren said when the non-resident fee was increased in 2017, it went from $300 to $600 and use decreased. Therefore, staff recommends a decrease for non-residents ($450) and resident rate will remain the same ($300).

Facility Rentals – Observation Deck – Ms. Waren advised that for consistency, a security deposit be increased to $250 for both residents and non-residents.

Facility Rentals – Kirk Cottrell Pavilion – Ms. Waren said this would be a new item. Once construction is complete, staff believes it will be a sought after pavilion; therefore, rental rates are proposed for residents ($250) and non-residents ($500). It is beachfront property, so it is being treated like the observation deck and 4-hour block is also being recommended due to the likelihood of popularity. Lastly, a security deposit of $250 is proposed.

Facility Rentals – International Fishing Pier – Ms. Waren said she reached out to the Wyndham staff for their perspective on pricing as they have performed a number of weddings on the beach. She also analyzed the loss of revenue, staffing fees, janitorial costs and other miscellaneous costs resulting in a proposed fee of $10,000. The pier revenue loss from 6 a.m. to 11 p.m. is approximately $3,000; for staff needed, approximately $1,000; janitorial for restrooms to be cleaned throughout the day, approximately $500 and a $500 miscellaneous fee for the unknown. The total is about $5,000 in loss revenue and staffing costs. The security deposit would be one-quarter of the rental amount at $2500. Ms. Waren asked that the Commission decide on usage.

Facility Rentals – Security Deposits – Ms. Waren recommended an increase from $150 to $250 across the board which is based on damages previously incurred at facilities, but hopes this will cause renters to better care for the facility for a refund.

Athletic Fields (reserved play) – Ms. Waren said the 2-hour window for all fields is being eliminated and changed to an hourly pay fee. The new rates are as follows: multipurpose field which can be used for football, soccer and lacrosse – 1 hour no lights for residents ($25) and non-residents ($35); 1 hour with lights $40 and $50 respectively.

DEPARTMENTAL BUSINESS – CONTINUED

Athletic Fields – Field Lining (reserved play) – Ms. Waren said staff is recommending a reduction for baseball and softball fields to be consistent with what other cities in Broward are charging.

Athletic Fields – Sand Volleyball (reserved play) – Ms. Waren said for volleyball tournaments or similar, a decrease for both residents ($10) and non-residents ($15) is recommended.

Ms. Waren entertained questions from the Commission.

Commissioner Hudak commented on the sightseer program and the charge for special event applications based on the time frame of submission. He also recommended $7500 for resident pier weddings instead of $10,000.

Commissioner Drosky asked for clarification on the HOA rate.

Ms. Waren replied that there is an HOA fee for each community center, which is the same across the board

Commissioner Drosky expressed concern as it has been at least a year or more that his HOAs have waited to use the West Deerfield Community Center to conduct meetings. If they are going to be charged, many have not budgeted the expense; therefore, he recommended a grace period so that the HOAs are aware. Additionally, he agreed with the $10,000 fee for the pier weddings. Also, he said he does not believe the pier should be used more than monthly for pier weddings.

Commissioner Preston suggested getting the trolley back and incorporating it into a theme for the City. Furthermore, he commented on the fishing pier being an attraction but also used to fish; whereas, extensive use for other activities will take away recreation time for others.

Mr. Santucci said the trolley has not been operational for quite some time and the change in fee reflects that. In terms of the fishing pier rental, he suggested quarterly or six (6) times annually for pier weddings. He advised that renting the pier is a tremendous opportunity, but staff initially wanted to limit pier rental which is a full day event.

Vice Mayor Parness spoke in support of the pier wedding fee. He commented on the City's need for revenue, a reduction in fees and the financial constraints people are facing because of the pandemic.

Commissioner Hudak agreed with limiting the number of times the pier is rented, as it should not be rented for consecutive months, but spaced out; four (4) to six (6) times annually should be the max and residents should have a discount. Commissioner Hudak proposed starting with four (4) as the optimal wedding months are April through September and doubts there will be many weddings during the other months.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. Mayor Ganz said Patriot's Day was held on 9/11 and the City has a policy that waives the fee for service members and veterans to use the pier; therefore, he suggested that first responders be included on Patriot's Day. Mayor Ganz also asked that HOA rental fees be removed from all facilities. Additional recommendations included: reduction of the Sullivan Park resident rate from $150 to $100; quarterly use of pier for weddings at $10,000/resident and $12,500/non-resident; and possible reintroduction of the trolley.

Commissioner Hudak recommended the residential rate for all first responders and veterans, if it can be proven, regardless of residency for pier visits.

Vice Mayor Parness recommended tabling and adding the suggestions outlined.

Anthony Soroka, City Attorney, advised that the Commission can add the changes as long as they are clear for the record.

Mayor Ganz and Commissioner Hudak reiterated their recommendations.

Commissioner Preston recommended a reduced resident rate for pier weddings.

DEPARTMENTAL BUSINESS – CONTINUED

Mr. Santucci advised that the non-resident rate increase to $2 on the pier was factored in for revenues this year; therefore, he asked if the first responder and veterans rate is for Patriot's Day or at all times.

Commissioner Hudak replied all times. Additionally, he advised that $10,000 is the right amount for resident pier rentals as it will only be rented four (4) times annually. He also supported $12,500 for non-residents.

Commissioner Preston suggested $9,000 for residents.

There was a brief discussion regarding the rates and fees.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item #20 as amended, allowing quarterly pier wedding rentals for residents ($9,000) and non-residents ($12,500); waiver of HOA rental fees, Sullivan Park resident rate $100 for pavilions; first responders and veterans receive resident sightseeing fee of $1; adopted Resolution 2020/130. Roll Call:

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

Nays: 0

21. 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 #20-34-PC for Design-Build Construction for Center for Active Aging (Rebid); 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.

David Santucci, City Manager, said the proposed resolution authorizes award and negotiations with the first ranked firm for the design-build construction for the Center for Active Aging to Seawood Builders, LLC. This is a re-bid and the first time in the process, the bids were rejected and the City Commission directed staff to resolicit. He explained that the first bid was a two-step process, RFQ and RFP; this time it was only an RFP process. The difference is because the design-build criteria package was fully completed and rather than wait and hold up the procurement process, staff moved forward with the request for qualifications first. When an RFP is solicited, there are many unknowns, bidders, the number of bidders, etc.; nevertheless, three (3) qualified firms submitted. Once the prequalification was done and came before the City Commission with the recommendation to move all three (3) forward with the request for proposal process, which speaks more toward the proposer's ability to complete the project as well as the cost factor. The request for qualification process looks more toward the qualifications and experience of the firm, its principals and those assigned to the work.

Continuing, Mr. Santucci said after the RFP process, the Commission rejected the bids. Now staff has the complete design criteria package and the process used for this particular solicitation was the RFP; therefore, staff had to look at the criteria used both through the RFQ and RFP process. After review, a lot was merged together and consolidated into the evaluation criteria which is included in the RFP tonight. Some of the criteria ranking were amended because it is no longer a two-step process; having a one-step process caused staff to even out or place more emphasis on the experience and qualification factors which were not as important during the RFP process of the first solicitation. He further explained that when the prequalification first went through, there was an assumption that questions were worked out and in the RFP price is the focus. Having merged those processes together is the reason for a slight modification to the evaluation criteria on the proposal.

Mr. Santucci said recently brought to the City's attention and after the evaluation committee had concluded, the first ranked proposer has had an issue with the County that is being reviewed and resolved. He said this information came out the same day this agenda was released publicly. Since staff was not privy to this information, it should be considered during discussions.

Mayor Ganz opened the public hearing.

DEPARTMENTAL BUSINESS – CONTINUED

Samantha Gillyard, City Clerk, outlined the following individuals (e-mail submitted) in opposition to awarding the contract to the first ranked firm, Seawood Builders, LLC:

Wolfgang Fischer
Tracy Fischer
Micki Fertic
Carl Johnson
Sara Moran
Ann Sico
Katrina Robison, 1017 SE 5th Street, Deerfield Beach

John Grassi, 1001 SE 12th Terrace, Deerfield Beach, provided an e-mail that listed several objections to reasons the contract should not be awarded to Seawood Builders, conflict of interest with the Chamber of Commerce and Mayor Bill Ganz. Mr. Grassi also provided commentary on the change of criteria for the evaluation committee as well as Seawood Builders being $1.5 million more for the same facility. Lastly, Mr. Grassi advised that if the contract is awarded to Seawood Builders, he will proceed to the Attorney General for a full investigation on corruption.

Bill Spruce, Seawood Builders General Counsel, Deerfield Beach, provided an e-mail advising of their knowledge of those seeking to denigrate the City Commission, Mayor and Seawood Builders. The claim filed by Broward County naming Catalfumo Construction dba Seawood Builders regarding repairs at the Edgar Mills Center which was completed in 2010 has been portrayed by the same group of people that Seawood Builders is somehow incompetent and the claim is more of an issue than it is really is. Mr. Spruce provided a brief history on the Edgar Mills Center which was constructed and completed on October 8, 2010. There have not been any complaints of the facility's construction in 10 years; nevertheless, he opined that the County had the facility reviewed in advance of the statute end date which is 10 years from completed construction. Seawood Builders has been in constant communication with the County and conducted an onsite field meeting on September 8, 2020 with the County, shell contractor. In closing, Seawood Builders still maintains an excellent relationship with Broward County Construction Management Division and some of the individuals involved when the facility was first built are still involved today.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, provided an e-mail outlining his opposition to awarding the contract to Seawood Builders; whereas, awarding the contract to another bidder will result in a savings of more than $1 million. The evaluation process is a mystery to most citizens and depends on the City Commission to ask questions of the committee; thereafter, questions regarding the bid were provided to the Commission. Mr. Herz expressed concern as to why the evaluation criteria changed to downplay the guaranteed maximum price, especially when saving taxpayer dollars was the reason the Commission rejected negotiations with West Construction or DiPompeo during the first bid process. Additionally, he commented on the Edgar Mills Center and the problem with Broward County. He opined that the City Commission has the discretion to go against the evaluation committee's recommendations and if Seawood is chosen, the citizens are owed an explanation.

Glenn Sullivan, 2377 Deer Creek Trail, Deerfield Beach, provided an e-mail outlining the first bid process, whereby, Commissioner Preston suggested negotiation with the second and third bidders. Subsequently, all bids were rejected by the Commission due to cost. West Construction was the third ranked bidder and was less than $40,000 higher than Seawood. Even though there may have been a 100 point difference in ranking, City staff found all three (3) bidders capable of the work. Mr. Sullivan further commented on how the point system changed and the lecturing about cost has evaporated. The weight for cost was reduced by 25%, but the City Manager will rightfully state that since there were new bidders, the bids had to include additional design criteria. However, the new criteria lowering the importance for cost, included highly redundant and irrelevant inquiries. Mr. Sullivan advised that the City has already paid a contractor to develop over 80% of the design and asked if the final 20% or less deserve reducing the importance of cost. He continued to outline the changes in criteria; thereafter, comments regarding the Edgar Mills Center were read.

Rod Feiner, Coker & Feiner, 1404 S. Andrews Avenue, Fort Lauderdale, said he represents Shiff Construction who are partners and part of the design build for Synalovski, Romanik & Saye. Mr. Feiner asked that the contract be awarded to Synalovski, Romanik & Saye because of the process and amount of deference in the ranking criteria in the original RFP and the subsequent. If the original criteria was used, then Synalovski would have been the winning RFP responder. Once the criteria was amended the first time, if that criteria were used they would have been awarded

DEPARTMENTAL BUSINESS – CONTINUED

the contract. Instead, after the RFP was issued, the City issued a second amendment even further clarifying that the price was not to be such a knee jerk consideration and diluting the effect of price on the overall RFP process. As such, it caused Shiff and Synalovski to become #2. The Synalovski proposal was $1.1 million less than Seawood. Additionally, he referred back to the April meeting, wherein, the City Commission outlined the importance of the finances.

In response to Mayor Ganz's question, Mr. Feiner replied that Synalovski did not bid the first time. Continuing, he commented on the criteria used by the evaluation committee and the differences in points. He said there was an abnormality with one reviewer who ranked Seawood at 110, then every other person who submitted a response in the 70s, 50s and 30s, whereby, the scores were about 40 points lower. This is not reflected in the other four (4) reviewers' criteria which is important because if that outlier is taken out, and the existing criteria issued, Synalovski ends up being ranked number one. Mr. Feiner also pointed out that Shiff Construction and Development were called in by the County to shore up the first floor of the parking garage because it was in danger of eminent collapse. He reiterated a pricing difference of $1.1 million and an outlier of one member on the evaluation committee. Lastly, he asked that City Commission award the contract to Synalovski.

Betty Masi, 1617 SE 6th Street, Deerfield Beach, said she is a partner and CFO at Seawood Builders and said the conversation regarding the Edgar Mills project is inaccurate. There was a conversation with the County today and the repairs will be about $30,000 to $50,000, but are not emergency repairs nor hazardous. She advised that the shoring was not required, as engineers are on record documenting this and the County has agreed to move forward with minor repairs on a 10-year old building. She stated that the building has faced two (2) hurricanes, and there have been no complaints made in the 10 years on quality. Thereafter, Ms. Masi provided a brief history on her business and commented on individuals who have sought to besmirch her and her family as well as paint a picture of favoritism with Mayor Ganz. As such, she will assess the filing of a defamation lawsuit against the perpetrators. Ms. Masi commented on the process and an oversight during the first bid. The Commission chose to start over and during the second round, 10 companies bid; whereby, Seawood was ranked first again. Furthermore, Ms. Masi advised that the second bid had different criteria and price was no longer the main factor, which she listed. In closing, Ms. Masi asked that the Commission accept the evaluation committee's recommendation to award the contract to Seawood Builders based on a fair and transparent process.

Natalie Palma, 556 SE 15th Avenue, Deerfield Beach, provided a chat due to technical difficulties, whereby, she opposed awarding the bid to Seawood Builders.

Mayor Ganz closed the public hearing.

Commissioner Preston commented on the process the first time and though the Commission did not accept his recommendation to consider the second and third bidders, the pricing difference of $500,000 was unaffordable. Now, there is a difference of $1.5 million. He said after it went back to staff, after the top three (3), oral presentations should have been made to the City Commission but it did not. He said staff did not have the new information when the ranking was done; therefore, he suggested going back to staff and starting the process again.

Vice Mayor Parness provided a brief history of his professional background as a bid broker and explained how bids were handled in New York. Furthermore, the evaluation committee ranks the firm's ability to perform the service, on time and within budget. Vice Mayor Parness advised that the evaluation committee is an individual group who decided that Seawood should be awarded the contract. Thereafter, he continued to explain how contracts were awarded in New York during his career. Additionally, Vice Mayor Parness said the original bid was thrown out due to a technicality; however, it was without intent as Seawood Builders reported one (1) of the contributions, but left out a second. Thus, he still supports Seawood Builders.

Mr. Santucci provided three (3) options the City Commission may consider in the decision making process: 1) award as recommended by evaluation committee; 2) send the bids back to the evaluation committee for further consideration; or 3) if the City Commission wanted to do their own evaluation, they could with a 4/5 vote and therefore becomes the evaluation committee, subject to all proposals and processes. The Commission would have to read through all the proposals, technical proposals, complete evaluation sheets independently and go back as the Commission for the final exercise.

DEPARTMENTAL BUSINESS – CONTINUED

Continuing, Mr. Santucci said he believes it would be acceptable for the firms to present to the Commission, but since that it is not a valid option, he suggested sending the process back to the evaluation committee to allow them to hear oral presentations of the top three (3) firms.

Commissioner Preston said he believes the top three (3) firms should have provided an oral presentation to the Commission for the original solicitation.

Mr. Santucci said that is not a valid option as the City's Code does not allow such. If the oral presentations were conducted, they would be public meetings.

Anthony Soroka, City Attorney, said there is a fourth option and that is to object all responses for a stated reason. Both the code and solicitation for this item contemplates presentations before the evaluation committee and the Commission has the ability to ask questions of the firms should they attend a City Commission meeting prior to a motion being made.

Mayor Ganz asked Mr. Soroka to outline the options that were available to the Commission during the first solicitation.

Mr. Soroka outlined the options previously listed by him and Mr. Santucci. Additionally, while many cities allow the option in their code to re-rank at the commission meeting, Deerfield Beach does not. Based on Deerfield Beach code, it is suggested to go back to the evaluation committee or the Commission could re-rank as the evaluation committee.

Commissioner Drosky said that is not included in the Code because it removes the politics from awarding a contract. Additionally, he said having sat on one of these committees, it is long and laborious and the material is voluminous. Commissioner Drosky said attacking the evaluation committee is very unfair as they are city employees and are only evaluating the material. As a city commissioner, he has to do what he believes is right and judge the situation fairly for all stakeholders. Further, he expressed concern that the information from the County regarding Chapter 558 was not provided beforehand. Although the committee was unable to evaluate the letter, he believes it weighs heavily on the decision the Commission is about to make. He also said it was a mistake of the evaluation committee to turn down oral presentations and thinks the list of candidates be shortlisted to three (3) companies and have them provide presentations to the ranking committee. Also, he suggested that all three (3) firms disclose their litigation history to include filed lawsuits and legal disputes with any entity. This will give the committee full information to make a decision.

Commissioner Hudak concurred with Commissioner Drosky. Also, he said he listened to the committee's minutes and said the individuals are qualified for the job. Moreover, there was one (1) member that recommended oral presentations which was rejected; he believes that was a mistake. Commissioner Hudak said with the information from the County, it warrants a review of the information, with only the top three (3) firms, Seawood Builders, Synalovski, Romanik & Saye, and Golf, providing an oral presentation. The points are close, but the dollar amount difference is over $1 million and the Commission said in April that cost is important. If Seawood is selected as the top firm, the Commission must be able to justify to the voting members spending an additional $1 million. He advised that Seawood Builders did contribute $1,000 to his campaign and he was also part of the Chamber of Commerce. Commissioner Hudak reiterated his desire to allow oral presentations of the top three (3) firms to the evaluation committee and have them make a final decision as the Commission should not be an evaluation committee. Lastly, City staff are experts in the area; whereby, the Commission has to rely and trust their judgement and integrity.

Mayor Ganz closed the public hearing. Thereafter, he responded to various comments made by the public regarding impropriety and pay back. He also commented on price not being a consideration by the public in the initial selection and reflected on what happened in April; whereby, the Commission did not have the option to negotiate with the second or third ranked firm. All the bids were thrown out and the solicitation restarted. Mayor Ganz outlined the number of firms bidding the project from the first round, three (3), but had a separation among the top two; however, with the prices being so far off, it was in the best interest to start again.

Continuing, Mayor Ganz said having the City Commission sit as the evaluation committee would be the worse decision as it would be easy to say there is impropriety. He agreed with Commissioner Drosky that it is not fair to say that one (1) person did not know what he/she was doing. Mayor Ganz said he does not want to reject the bids as he does not see things changing that much, but believes it is prudent to send it back to the evaluation committee as there are

DEPARTMENTAL BUSINESS – CONTINUED

concerns that the committee should review and consider. Lastly, oral presentations should be allowed and a decision should not be made tonight.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to send the bid back to the evaluation committee to allow for oral presentations by the top three (3) shortlisted firms and additional legal vetting of the firms. Roll Call:

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

Nays: 0

22. Resolution 2020/132 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, extending the State of Local Emergency regarding COVID-19 until October 17, 2020; authorizing the City Manager to take appropriate actions; providing an effective date.

The Resolution was read by title only.

Anthony Soroka, City Attorney, advised that after the agenda was published, the Governor issued a further extension for the State's state of emergency till November 4th.

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

There was a brief discussion regarding the ability to extend the local state of emergency; whereby, the City only has the option to extend for 30 days.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston to approve Item 22, adopted Resolution 2020/132. Voice Vote:

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

Nays: 0

23. Resolution 2020/133 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Agreement with CALE America, Inc. for parking revenue collection services; waiving the City's competitive selection requirements to authorize the City to enter into an Agreement with CALE America, Inc. for parking revenue collection services for a three-year term with two one-year renewals in an annual amount not to exceed $46,248.00; providing for an effective date. *(Funds from Account #001-3008-545-3106 - Service to Maintenance Equipment & Account #001-3008-545-3412 - Web Hosting)*

The Resolution was read by title only.

David Santucci, City Manager, outlined Item 23; it is a new contract with an existing service provider, CALE America, Inc. It was competitively bid previously and the contract is due to expire in January. Staff has negotiated a new contract, as no additional renewals are available. He spoke in favor of the contract for various reasons: CALE has been a good partner with the City on its parking revenue system; for the term of the current contract, costs were negotiated to reduce prices in the new term; CALE represents a significant cost savings to the City by not going with a new vendor as there would be infrastructure and software costs; and there is familiarity with the system by the end users and staff.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. Mayor Ganz said with the equipment, it should have been figured that the City would have a longstanding relationship with CALE.

DEPARTMENTAL BUSINESS – CONTINUED

Commissioner Hudak expressed concern that if CALE ever decides to increase their price, the City would not have a choice as the market may be limited. He also asked what type of company CALE is, their solvency and ability to service the City's needs.

Mr. Santucci said CALE is a worldwide company with parking systems throughout. The City does own the meters and if a different system were selected, the City would have to purchase new meters at a cost of $7,500 to $10,000 each. There would also be costs associated with implementing new software; whereas, those costs are avoided by remaining with CALE. Additionally, he reiterated that the relationship with them has been very good and if it were not, staff would have gone out for bid. Further, CALE provides excellent customer service and the system has been working well. Therefore, he recommended moving forward with another contract.

Harvey Figueroa, Parking Supervisor, said CALE stepped up and for the next five (5) years, Deerfield Beach will save $98,700 which is about $20,000 yearly. There are other manufacturers, but the cost to implement and replace is approximately $400,000. Thereafter, Mr. Figueroa outlined the benefits to working with CALE and the ease of use with the equipment.

Commissioner Preston said Commissioner Hudak has legitimate concerns. Although the City has a good working relationship with CALE, the Commission should keep an awareness of how things are going and whether there is a monopoly.

In response to Mayor Ganz's question, Anthony Soroka, City Attorney, replied that there is a 60-day notice to terminate for convenience.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness to approve Item 23, adopted Resolution 2020/133. Roll Call:

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

Nays: 0

24. ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING DIVISION 1 "GENERALLY" OF ARTICLE II "STOPPING, STANDING, PARKING" OF CHAPTER 66 "TRAFFIC AND VEHICLES" SECTION 66-41 "PARKING CITATIONS AND PENALTIES" OF THE CITY CODE TO PROVIDE FOR THE ESTABLISHMENT OF ENHANCED PARKING ENFORCEMENT AND COLLECTION PROGRAMS; 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.

There was no discussion amongst the Commission.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item 24 on first reading. Voice Vote:

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

Nays: 0

25. ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING DIVISION 1 "GENERALLY" OF ARTICLE VI "CODE ENFORCEMENT" OF CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE BY CREATING SECTION 2-347 "NEIGHBORHOOD IMPROVEMENT PROGRAM" TO ESTABLISH A NEIGHBORHOOD IMPROVEMENT PROGRAM TO ASSIST QUALIFIED RESIDENTIAL HOMEOWNERS THAT HAVE

DEPARTMENTAL BUSINESS – CONTINUED

BEEN CITED BY CODE COMPLIANCE IN MAKING REPAIRS TO THEIR HOMES; 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.

There was no discussion amongst the Commission.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item 25 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 ATTORNEY – No Report.

CITY MANAGER

CARES Act Funding – David Santucci, City Manager, advised that the City will receive a second round of CDBG Cares funding in the amount of $580,000. Those funds will likely be used for the similar assistance programs as the first round; consideration will be forthcoming.

COVID-19 Phase 2 – Mr. Santucci advised that the Governor is allowing Miami-Dade and Broward counties to enter into phase 2; however, Broward County has not changed any of the regulations at this point. Though he believes that could change in the coming weeks, there is no definitive knowledge at this time.

CITY COMMISSION BUSINESS

26. Resolution 2020/134 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging and requesting the United States Congress to continue to fund the Federal portion of Unemployment Assistance Programs; providing conflicts and for an effective date.

The Resolution was read by title only.

Commissioner Hudak said individuals on unemployment receive $275 weekly from the State; whereby, a family of four (4) makes too much money for food stamp assistance which is not practical. He said it is vital that the federal government needs to step up and continue to supplement Florida's unemployment rate. There are not a lot of opportunities making the proposed resolution important in helping individuals get the help they need.

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

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Item #26, adopted Resolution 2020/134. Voice Vote:

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

Nays: 0

COMMENTS BY MAYOR AND CITY COMMISSIONERS

COMMISSIONER HUDAK DISTRICT 1

Kindness Rock – Commissioner Hudak thanked various individuals for their assistance with the kindness rock project through the kindness window at the CRA building. He explained that selfies can be posted, as Monday, September 21st is the National Day of Peace. Also, a kindness rock garden was created and he encouraged everyone to participate.

September 11th Terrorist Attacks – Commissioner Hudak commented on the terrorist attacks that occurred in 2001 which was the deadliest attack, killing 2,977 civilians in the United States of America. Commissioner Hudak provided a brief history of how his father who was a retired firefighter participated in the recovery effort. Since the attacks, over 110 firefighters have reportedly died from 9/11 exposure and deaths continue. Those exposures of the World Trade Center dust were likely to cause other complications. Commissioner Hudak asked that there be continued prayer for those who have lost loved ones in the attacks. Lastly, Commissioner Hudak commented on the Country uniting and respecting people with different opinions which should be shared in a peaceful manner.

COMMISSIONER PRESTON DISTRICT 2

Injustice – Commissioner Preston said when George Floyd died, it brought an awareness to the Country and while many people prompted praying, there is also another side. He said two (2) police officers were ambushed while doing their job; they were shot in the line of duty. He said there should be just as much disgust as it was with George Floyd as the intention was murder. Commissioner Preston said injustice is injustice and it must be seen as such from all angles. He asked for prayer for the police officers and families just as in any other situation.

Employee Morale – Commissioner Preston asked that a survey be done for both administrative and general employees as he was asked what methods the City Manager had used to increase morale. Since that is unknown, an anonymous survey would be helpful in helping the City Manager deal effectively with morale.

VICE MAYOR PARNESS DISTRICT 3

Century Village Turn Lane – Vice Mayor Parness said there is a lot more traffic on Military Trail and Century Village needs a right turn lane from SW 10th Street on Military Trail. Plans have been created and presented to the County; however, it has to be approved by the State. Vice Mayor Parness asked that the Commission support him in sending a letter of support for the turn lane; whereas, there will not be any cost to the City.

David Santucci, City Manager, advised that the portion on Military Trail from SW 10th Street is an FDOT right-of-way and reiterated the conditions as outlined by Vice Mayor Parness.

The Commission spoke in support of the turn lane.

COVID-19 Cases – Vice Mayor Parness said today, there are 2,050 cases in the City. The cases have slowed since a few weeks ago from 20 to 30 daily compared with 50 to 70 daily; nevertheless, he urged people to wear masks.

COMMISSIONER DROSKY DISTRICT 4

Hurricane Sally – Commissioner Drosky advised that Sally has increased to a category 2 storm with over 100 mile per hour winds, storm surges from 6 to 11 feet are expected for the impacted areas as well as 10 to 20 inches of rain. The storm does not move very much from Tuesday through Friday; thus, there will be huge impacts on the gulf coasts of Alabama, Louisiana, Mississippi and Florida.

Office Hours – Commissioner Drosky said he will hold Saturday office hours on October 3rd; for those interested in appointments, contact him or the City Manager’s Office.

Newsletter – Commissioner Drosky said every week he sends out information for his district and last week, he announced that Florida Atlantic University is conducting a study of the Powerline Road and Hillsboro Boulevard intersection at no cost to the City. The FAU Urban Master’s Program is preparing a study on the northwest area of

COMMENTS BY MAYOR AND CITY COMMISSIONERS – CONTINUED

the City, specifically surrounding the areas mentioned. He outlined the criteria included in the study: resident and business owner comments related to traffic, commercial uses, housing needs, parks and infrastructure. Florida Atlantic University would like stakeholders in the area to attend a web based town hall meeting to offer feedback on October 5th at 7:00 p.m. For registration, please contact web.planning@dfb.city to register.

International Day of Peace – Commissioner Drosky thanked Commissioner Hudak for recognizing the day of peace scheduled for September 21st. The department is trying to set up an opportunity for the Commission to participate; more details are yet to come. He asked that all the Commissioners attend if possible.

Phase 2 – Commissioner Drosky said many business owners have questions regarding phase 2 as nothing has been done in Broward County. He said more cooperation and coordination is needed in the County; whereas, many businesses are asking for clarification as to what phase 2 will entail. Also, buffet restaurants in District 4 are asking for the model of how their restaurants are affected. Further, some businesses are willing to give written plans to the County on how they will operate under COVID safely.

Broward County – Commissioner Drosky thanked the County for sharing the CARES funding with other cities at 30% which was a good step with the cities working cooperatively with the County. There is another issue on the horizon as the County has decided to place a charter amendment on the November ballot, which allows them to exempt themselves from surtax dollar projects and how those projects are developed. He explained that if there is County owned land in Deerfield Beach, they could exempt themselves from the City's land development regulations; another grab for Home Rule. The Broward League of Cities is gearing up on an informational campaign which cities should support as it provides greater information for educating the residents.

Mayor Ganz agreed with Commissioner Drosky as the City has worked hard to implement measures for notifying residents and all the procedures are meant to protect the residents. While he understands what the County is trying to accomplish, it is the wrong way and hopes that the general public will see it that way.

MAYOR BILL GANZ

Fiscal Year 2021 Budget – Mayor Ganz said these are unprecedented times and have gotten this far with delivering a budget that maintains the status quo for taxes is a huge accomplishment. He said he is very proud of staff and the employees, as well as the sacrifices everyone has made.

City Reserves – Mayor Ganz commented on reducing the reserves when it was not necessary and with only $7 to $8 million in the reserves. If funds were used back then, the City would not have the ability to reach into the rainy day account to sustain the City during the pandemic.

Property Values/Taxes – Mayor Ganz commented on an increase of taxes being due to increased property values. Also, Deerfield Beach is far behind the rest of the County on home valuations and is happy values are increasing which is an overall benefit to the City.

Speeding – Mayor Ganz said he saw someone on a motorcycle doing a wheelie heading west on Hillsboro Boulevard. There have been complaints and the speeding traffic is due to there not being many people on the streets; it is out of control and it needs to be addressed. BSO Law Enforcement are addressing it, but it must be quickly addressed as it is a dangerous situation. Mayor Ganz said he does not want another person to die because people were out of control.

Lastly, Mayor Ganz thanked staff for their service tonight and patience during these times.

ADJOURNMENT

There was no further business to discuss.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to adjourn the meeting at 10:50 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