



Meeting Minutes City Commission

Tuesday, May 4, 2021

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Mayor Bill Ganz at 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

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

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

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Ganz announced that Doug Kennedy, former Woodlands HOA President, passed away over the weekend. He asked that everyone keep him in their thoughts and prayers. Thereafter was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - April 6, 2021

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

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

African American Heritage Board Meeting Minutes - December 8, 2020, December 22, 2020, January 12, 2021, February 11, 2021, March 17, 2021

Community Redevelopment Agency Meeting Minutes - March 10, 2021

Community Appearance Board Meeting Minutes - March 24, 2021

ACKNOWLEDGEMENT OF CITY BOARD MINUTES - CONTINUED

Code Compliance Meeting Minutes - February 9, 2021 & March 9, 2021

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

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

May 4, 2021

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

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

Nays: 0

AWARDS & RECOGNITION**1. Certificate of Recognition presented to Gerald Behan for over 20 years of service as the President of the Friends of the Arboretum.**

Mayor Ganz presented a certificate of recognition to Mr. Behan who donated trees for the development of the Arboretum in 1998. He was a self-taught landscaper and spent more than a third of his life as a volunteer for the Arboretum. His role as the President of the Deerfield Beach Arboretum allowed him to cultivate and grow the volunteer program. His contributions and vision led to the collaborative project the Rain Forest, which took over 5 years to complete. Visitors come from all over the United States and beyond to view the ever-changing magnificent Arboretum. Mr. Behan's work as a volunteer has touched many lives and helped create the Arboretum as we know it today. After 23 years, he is stepping down from the President role, but will remain an active board member and volunteer.

Mr. Behan thanked everyone for the recognition and could not have accomplished anything in the Arboretum without the City's participation. He said the Arboretum is a labor of love and welcomed everyone to go out and enjoy it.

2. Certificate of Recognition presented to the Learning Experience for their dedication to the City of Deerfield Beach for conducting a community cleanup to celebrate Earth Day.

Mayor Ganz said on April 22, 2021, Earth Day, City Manager David Santucci noticed a group of pedestrians walking along Hillsboro Blvd. with trash bags cleaning up the swales on the side of the road. He inquired to find out that this was a group of employees from the World Headquarters of the Learning Experience located at 210 Hillsboro Technology Drive. This group set out to conduct a community cleanup from their Headquarters all the way to the Beach to celebrate Earth Day and to provide this community with a great service. Mayor Ganz thanked them for their great example of community service with this certificate that recognizes their great work.

Brad Wahl, Senior Vice President of Brand, said the team had a great time volunteering in the community on Earth Day. They were especially moved by all the local residents that blew their horns in support as well as those who pulled over to personally thank them. They are already planning their next community activity as their brand mission is to have a positive impact on their students and the community.

AWARDS & RECOGNITION - CONTINUED

3. Proclamation presented to Deerfield Beach Employees in recognition of Public Service Week.

Mayor Ganz presented a proclamation for Public Service Week, which has been celebrated during the first full week in May, since 1985. Public Service Recognition Week (PSRW) is a time set aside to honor the men and women who serve our nation as federal, state, county and local government employees. The goal of Public Service Recognition Week is for public employees to educate citizens about the work they do and why they have chosen public service careers. At the heart of Public Service Recognition Week is the opportunity to invigorate government workers by offering them the thanks they richly deserve but seldom receive. In closing, Mayor Ganz recognized the week of May 2 – May 8, 2021 as PSRW.

4. Proclamation presented to Samantha Gillyard, City Clerk, in recognition of Municipal Clerk's Week.

Mayor Ganz presented a proclamation in recognition of Municipal Clerk's Week. The Office of the Municipal Clerk is a time honored and vital part of local government that exists throughout the world. The Office of the Municipal Clerk is the oldest among public servants and provides the professional link between the citizens, the local governing bodies and agencies of government at other levels. Municipal clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all. The municipal clerk serves as the information center on functions of local government and community. Municipal clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops and the annual meetings of their state, provincial, county and international professional organizations. In closing, Mayor Ganz recognized the week of May 2 – 8, 2021 as Municipal Clerk's Week.

QUASI-JUDICIAL PUBLIC HEARINGS

5. P.H. 2021-057: APPLICATION NO. 02-I2-12 Rev. 2 (J&A Waste Corporation)

Applicant: **A&J Storage, Inc./J&A Holding Group, Inc. represented by represented by Fred Stacer and Gustavo Carbonell**

Proposal: Major site plan application seeking approval to expand the existing waste collection and recycling facility and construct accessory offices.

Location: The property is generally described as several parcels of land on PARCEL A YORK CHASE RONTO INDUSTRIAL PLAT PB123, PG 5 more particularly described in the file, and located at **1810 SW 42nd Way.**

Fred Stacer, 2501 SE 9th Street, Pompano Beach, said he is the general contractor for the applicant; he also introduced Gus Carbonell, architect, and John Porter, owner. Mr. Stacer said Mr. Porter is a business owner and resident in Deerfield Beach. Thereafter, he advised that he waives the quasi-judicial procedure. Mr. Stacer provided a brief background of the work Mr. Porter has done both in and outside of Deerfield Beach. Mr. Stacer explained the process for the application; whereby, concrete was chosen over asphalt as it is safer. He also commented on the reduction of dust and debris, the use of a conveyor system that is typically used in a recycling process which reduces the amount of materials going to the landfill and moves materials in and out quicker. Their process also improves the screening of the facility. From the right of way, there will be improved landscaping and screening with 8-foot walls. The building itself is more enclosed and does not allow people to look inside.

Gus Carbonell, 1457 NE 4th Avenue, Fort Lauderdale, said the project has increased in size, but improves the traffic flow as some streets are dead ends and the trucks come in one way and go out onto the street. There is one existing right-of-way and that should improve flow. Mr. Carbonell said the new industrial building towards the far end of the right-of-way is improved. Additionally, there is an area where material is being dumped onto a large conveyor belt; however, there is one main existing building that will store materials after separation. Furthermore, there is not a scale on site, but two (2) will be added; one for inbound and the other for outbound to determine the exact amount of waste material disposed.

QUASI-JUDICIAL PUBLIC HEARINGS

Continuing, Mr. Carbonell explained that most clients are long-term and are aware of the weight of the trucks. There will also be an area for smaller pickup trucks and though they take a longer time, they will not disrupt the flow of recycling. Further, the walls will be 8-foot precast along the right-of-way. There is a large swale between the sidewalk and street without street trees and a long two-story office building along the front, which should also screen some of the activities.

Commissioner Parness asked how many new employees will the project generate.

Mr. Carbonell replied between 10 to 15 employees; there are currently 30 employees.

Commissioner Hudak asked what type materials will be recycled and whether a conceptual picture of the buildings is available.

Mr. Carbonell provided a brief PowerPoint outlining the project which included an aerial view showing the site location, the proposed site plan; whereas, the large circle is a cul-de-sac to slow the traffic. On the lower left of the diagram is the area designated for smaller pickup trucks. Mr. Carbonell explained the process for when a driver knows the truck's weight, but if not, they have to go to the other scale. Additionally, staff is present directing traffic to ensure they are going the right way. Material is recycled within the building and on the perimeter, there will be bins for the separated material. The traffic flow and office buildings were shown; the first floor will not be very visible due to the wall. The roof will be metal and the second floor will be truncated exposed masonry that will simplify maintenance. A view of the potential site was shown, along with trees along the right-of-way. Behind the recycling facility, blue roof, there is an existing facility. Thereafter, Mr. Carbonell provided elevations of the facility.

Commissioner Hudak asked where the employees would park.

Mr. Carbonell said most employees do not drive or they carpool. Notwithstanding, parking would be along the southern portion.

Mr. Stacer said there is another yard for employee parking as well.

Commissioner Drosky asked about the areas of recommendation submitted by staff and asked if the applicant agreed to the conditions.

Mr. Stacer replied yes, they have been reviewed and agree with the recommendations.

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

Commissioner Drosky said his district has seen an increase of projects and since they meet all the conditions, especially suppression of dust, he is in support.

MOTION was made by Commissioner Drosky, seconded by Commissioner Parness, to approve Item 5, adopted Resolution 2021/063. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Sylvia Poitier, 233 SE 1st Terrace, Deerfield Beach, said the *New Pelican* provided an article regarding the Dixie Highway corridor. She commented on the history regarding development of Dixie Highway and offered to serve as a volunteer. Ms. Poitier said a community organization was done in the 1950s; however, she is volunteering as an individual because it is necessary to have everyone on the same page. Ms. Poitier said she wanted to let everyone know that she wants to organize and take care of Dixie Highway. She said

PUBLIC COMMENT - CONTINUED

if the Commission is in support, she would like a formal letter expressing such.

Eddie Mae Dorsey, 613 NW 3rd Way, Deerfield Beach, said her neighborhood has had problems with sinkholes and drainage for about two (2) years and although she has been calling, nothing has been resolved. She asked when the problem will be completely repaired.

Naomi Gayle, 643 NW 3rd Way, Deerfield Beach, commented on sinkholes as well. She said she does not believe anything is being done and the sinkholes are appearing around the neighborhood and along the corridor between Hillsboro Boulevard and the Hillsboro Canal, where the golf course once was. There is a water drain within the vicinity that has not been maintained and now sinkholes are appearing in residents' backyards because when the trees were removed, she believes they had intruded on the pipes and were not repaired. Ms. Gayle said a company came out and used cameras to look inside the pipes, but nothing was done and that was before sinkholes started. In closing, Ms. Gayle asked that the issue be addressed with the City's commitment.

Richard Rosenzweig, 97 Farnham E, Deerfield Beach, said the month of May is National American Jewish Heritage Month. He commented on how the Jewish have been involved in many wars and other fights they have endured. He also spoke on the Country uniting as one. Mr. Rosenzweig said the Jewish War Veterans have been fighting for freedom since the founding of the Country; thereafter, he provided a history of financial contributions made to the Country.

David Santucci, City Manager, advised that a contractor is in the process of cleaning the drain lines; once that is done, deficiencies will be identified and addressed then.

Mayor Ganz asked Ms. Gayle to continue with her comments.

Ms. Gayle said this has been an ongoing process for the last two (2) years and wants the problem to be fixed, which requires more than just cleaning the drains.

Mayor Ganz said regarding Dixie Highway corridor, he does not believe there is an official board, but would love Ms. Poitier to work with him as a community liaison to gather an understanding of what the community wants.

BOARD APPOINTMENTS

Mayor Ganz opened the public hearing for Items 6 - 11; however, there were none to speak and the public hearing was closed.

There was no discussion amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Items 6 - 11 in concert. Voice Vote:

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

Nays: 0

- 6. Resolution 2021/064 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Harry Belton and Jack Hugentugler II as regular members to the Community Appearance Board; and providing for an effective date.**
- 7. Resolution 2021/065 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Joseph Mendes and Karen Shelly as regular members to the Deerfield Beach Education Advisory Board; and providing for an effective date.**

BOARD APPOINTMENTS - CONTINUED

8. Resolution 2021/066 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Clem "Butch" Santy and Sally Ling to the Historic Preservation Board; and providing for an effective date.
9. Resolution 2021/067 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Katherine Hendrickson and Melvin Nass as regular members and Chauncey Chapman as an alternate member to the Deerfield Beach Marine Advisory Board; and providing for an effective date.
10. Resolution 2021/068 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Ashley Santy as a member of the Public Art Program Committee; and providing for an effective date.
11. Resolution 2021/069 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, confirming the Election results for members to the Board of Trustees of the Municipal Firefighter's Pension Trust Fund; providing an effective date.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

12. Resolution 2021/070 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, extending the State of Local Emergency regarding COVID-19 until June 17, 2021; authorizing the City Manager to take appropriate actions; providing an effective date.

The Resolution was read by title only.

Commissioner Parness said since the Governor has removed all the restrictions related to COVID, is it necessary to retain the emergency status.

Anthony Soroka, City Attorney, said the Governor extended the state of emergency last week for Florida and the orders issued last night do not end that state of emergency; the extension is through June 27, 2021. Therefore, he recommended extending the local state of emergency for FEMA reimbursement purposes and other emergency related purposes.

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

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 12, adopted Resolution 2021/070. Voice Vote:

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

Nays: 0

13. Resolution 2021/071 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a piggyback agreement with Government Services Group, Inc. for American Rescue Plan Act Assistance Services utilizing the State of Florida, Department of Management Services State Term Contract #80101500-20-1 in an amount not to exceed \$49,000 for Phase 1 of the services; providing for execution and an effective date. (*Funds from Account #001-0600-513-32-99 - Other Contractual Services & Account #001-0000-369-90-00 - Other Miscellaneous Revenue*)

The Resolution was read by title only.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - 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 Parness, seconded by Vice Mayor Preston, to approve Item 13, adopted Resolution 2021/071. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

14. Resolution 2021/072 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the design for an Arboretum Wall Mural; providing for conflicts and an effective date.

The Resolution was read by title only.

Adele Trizzino, Parks & Recreation Manager II, provided a brief PowerPoint presentation displaying the wall mural. She advised that she is working with the Deerfield Beach Friends of the Arboretum who are proposing that Gabriela Gamperl paint a mural on the west wall facing Hillsboro Boulevard on the back side of the Arboretum. The design will be paint by numbers and filled in by the afterschool and camp kids. Upon completion, thorny plants will be installed to prevent graffiti and the full cost will be covered by the Friends of the Arboretum without any cost to the City. A photo rendering of the wall was displayed as well as an aerial of the location.

Commissioner Drosky said previously, the Commission discussed the inability of seeing the word arboretum on the wall which has since been changed. He asked if there are any other substantive changes.

Ms. Trizzino replied that was the only change and the purpose was the art installation at the rear of the Arboretum; whereby, the green lot is called the Florida Greenfield which will be developed as part of the Arboretum and not a parking lot.

Mayor Ganz opened the public hearing.

Jerry Behan, 7360 NW 51st Terrace, Coconut Creek, said they first thought about doing this as Art in the Public, but wanted kids to participate. This project will incorporate the children's names and once they are done painting, the artist will touch it up and paint an anti-graffiti transparent layer over the wall so if there are any issues, it can be washed off. He said this will make the children feel like they are participating in the Arboretum and will remember when they did it.

Mayor Ganz closed the public hearing.

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to approve Item 14, adopted Resolution 2021/072. Voice Vote:

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

Nays: 0

DEPARTMENTAL BUSINESS - CONTINUED**15. Resolution 2021/073 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the amended Building Permit Fee Schedule attached as Exhibit "A"; providing for an effective date.**

The Resolution was read by title only.

Eric Power, Director of Planning & Development Services, provided a brief PowerPoint regarding the fee schedule. He advised that the building fee schedule was last amended in early 2018 due to its complexity, which consisted of various disciplines and formulas. Thereafter, he outlined the changes: zoning fee for a sign review of \$35 which is not currently in the building fee schedule; adding a scanning fee for electronic plan review allowing the applicant to upload their documents for review. Furthermore, he advised that any paper applications will be scanned and will carry a nominal fee. The last change adds a new category for single family residential high velocity installation for windows and doors. This change incentivizes single family homeowners who wish to improve their home for wind mitigation and will be charged the lowest available percentage of 1.5% or a minimum of \$75.

There was no discussion amongst the City Commission.

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

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 15 adopted Resolution 2021/073. Roll Call:

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

Nays: 0

16. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REPEALING ARTICLE IV, "PROCUREMENT CODE" AND ARTICLE V "PROCEDURES FOR SALE OR LEASE OF CITY-OWNED PROPERTY" OF CHAPTER 38 "FINANCE AND TAXATION" OF THE CITY CODE, AND ENACTING A NEW ARTICLE IV, "ACQUISITION OF GOODS AND SERVICES AND DISPOSAL OF CITY PROPERTY"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

David Santucci, City Manager, thanked the Purchasing Manager and City Attorney for their work on the proposed ordinance as it has taken approximately one (1) year to complete.

Ivelsa Guzman, Purchasing Manager, provided a presentation regarding changes to the procurement code. Ms. Guzman also thanked City Attorney Soroka for his assistance with this project.

Agenda - Ms. Guzman said the presentation will cover the purpose of the update, a summary of some of the revisions of the code and lastly, recommendations.

Purpose - Ms. Guzman said the procurement code is being revised in an effort to better define the requirements, reorganize the structure, abide by changes in state laws, implement best practices based on feedback received from auditors, and finally, enhance organization and readability in an effort to increase efficiencies.

DEPARTMENTAL BUSINESS - CONTINUED

Summary of Revisions - Ms. Guzman outlined various changes in the code, starting from Section 38-115 – 38-119 and Section 38-124. Some of the key changes outlined were specific to Section 38-116 (2) which allows the departments to initiate acquisitions between \$10,000 to less than \$20,000 to make a purchase that is not included in the budget, but must use a bonded contract. Additionally, Section 38-116 (3)b-xii references job order contracting which is a firm fixed price, multi-year, multi-party collaborative construction contract that has been formally competitively advertised. These contracts are mainly used for small construction, minor renovation and repairs. This type of acquisition will require a budgeted line item. Continuing, Ms. Guzman advised that thresholds beyond \$30,000 will require a contract term as well as commission approval for multiple acquisitions from the same person/entity such as a partnership or corporation for a total of \$30,000 per fiscal year. Lastly, Section 38-124 pertains to the addition of debarment/suspension procedures for city contracts, with the purchasing agent making a recommendation to the City Manager and appeals of the City Manager's decision going to the City Commission.

Continuing, Ms. Guzman outlined changes to sections 38-130(11), 38-134(2), 38-142 and 38-143. Respectively, the procurement code will be amended as follows: requirement that city use best efforts to include small, minority and women owned businesses, city required to obtain at least one quote from small disadvantaged business enterprises for acquisitions less than \$10,000; formal codification of the threshold for requiring bonds for construction projects; contractor verification of employment through E-Verify in accordance with Section 448.095, Florida Statutes; and the addition of the section regarding the procurement of services for beach nourishment for consistency with the city's settlement agreement with the Town of Hillsboro Beach.

Recommendation - Ms. Guzman said staff seeks approval of the proposed procurement code update.

Mayor Ganz applauded the changes; thereafter, he opened the public hearing.

Felicia Poitier, 140 NE 5th Street, Deerfield Beach, asked for clarification on the removal of Article IV and Article V.

Ms. Guzman replied that they are not being removed, but combined under a new title.

Mr. Soroka said the revisions have not been lost, but will no longer be in two (2) separate articles and are in one chapter along with the other provisions. He also replied that city owned land is treated differently as there are procedures to follow.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked if she can receive a list of city-owned properties once the proposed ordinance is adopted.

Mayor Ganz replied that the list is available as a public records request, but is not part of the Code.

Mr. Santucci advised that the request would be subject to the property disposition ordinance previously adopted; nevertheless, a surplus of city-owned property can be provided to her.

Mayor Ganz closed the public hearing.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 16 on first reading. Voice Vote:

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

Nays: 0

DEPARTMENTAL BUSINESS – CONTINUED**17. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING A SEVENTH AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF DEERFIELD BEACH AND THE FLORIDA ATLANTIC RESEARCH AND DEVELOPMENT AUTHORITY; AUTHORIZING AN EXTENSION OF TIME FOR THE DEVELOPMENT OF FOUR ACRES OF THE FLORIDA ATLANTIC RESEARCH & DEVELOPMENT AUTHORITY PROJECT IN THE CITY OF DEERFIELD BEACH; RATIFYING THE SIXTH AMENDMENT TO THE LEASE AGREEMENT; PROVIDING FOR EXECUTION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Dennis Mele, 200 E. Broward Boulevard, Fort Lauderdale, provided a presentation on behalf of the applicant.

Location - Mr. Mele provided an aerial view displaying the boundaries of the FAU Research Park and varying businesses in the area. The project is bounded by 11th Way, 10th Street and the I-95 ramp; the property was referred to as the additional property in the lease extension. On slide 3, Mr. Mele advised that the area outlined in red is private property which is to be developed. The area outside the boundary is the public right-of-way.

Concept Site Plan 4 - Mr. Mele advised that this is the conceptual site plan. The property has been platted by the City and Broward County and is recorded. The driveway locations are consistent with the driveway locations on the recorded plat. The parking structure is outlined in gray, white is surface parking and the orange depicts the building footprint. Furthermore, the ground floor is flex space, an open floor plan to allow accommodations of tenants; the office tower is above the ground floor.

Concept Site Plan 5 - Mr. Mele commented on the rendering which displayed the footprint of the proposed building. The plan is to have more parking than required by Code to assure there is not a shortage.

West View from Off Ramp - Mr. Mele said with the lease extension and assignment, the DRP Finance Group has a deadline to obtain a building permit to start a building and be finished later this month, which they will not comply. Therefore, the applicant has requested acquisition of their sublease interest in the property; whereby, his client is asking the City for an extension of time. The extension is only if the new subtenant, is the People's Trust entity that would take the lease, GS Deerfield LLC; George Schaeffer is the head of People's Trust. People's Trust will be taking the financial responsibility of building the building and carrying the mortgage and will seek tenants. He advised that People's Trust will occupy about 25% of the building for the RRT use and the other 75% will be available for other businesses that qualify under the FAU Research Park statute as being collaborative with education.

Continuing, he advised that this view shows the view of the building from the I-95 ramp looking toward the east. The main part of the building to the left has offices above the flex space on the ground floor and off to the right is the parking garage.

Northwest View - Mr. Mele said this is the view from the corner of I-95 ramp and 10th Street. The parking garage is off to the right and the one-story flex area is to the left.

Northeast View - Mr. Mele said this is the view from the corner of 11th Way and 10th Street; with the one-story flex space on the floor and the office tower to the right.

Final Slide - Mr. Mele said when the sixth amendment to the lease was on the agenda, the City was concerned that the project had went on so long without any progress. The schedule shows the steps taken thus far on their own accord. He advised that they have started working on the building, at their own risk, and if approved on first and second reading, they will start immediately on a very aggressive schedule to have the building permit by March 2021. The extension also provides for a maximum of up to 18 months to finish construction.

DEPARTMENTAL BUSINESS - CONTINUED

Continuing, Mr. Mele said although there has been some frustration with the property, his client would be the subtenant and take the place of DRP who has been the tenant for many years. Also, since the building construction and permanent financing will be financed, they will seek tenants to bring to FARDA. Every tenant will have to be approved by the FARDA Authority and their board. Additionally, the extension has been approved by the FARDA board. If the lease is not extended, it will expire later this month; if that happens, the property can be used in different ways, City may use for municipal purposes or develop it. If the latter is chosen, a referendum would be required as it would be a new use and the earliest possible date may be November 2022. Mr. Mele reiterated the steps they are ready to take and outlined how the People's Trust has been a good neighbor. Furthermore, he said a similar scenario just occurred in Bradenton, wherein, the RRT Group of People's Trust occupied a small percentage of the building for themselves and leased out the remainder to other businesses which they are confident can be done in Deerfield Beach.

Mr. Mele advised that improvements will be made to 11th Way as well as the property, to make sure traffic flows well. They are also interested in having two (2) sets of internships associated with the project; one at this building focused on construction trades and one at the People's Trust headquarters building focused on the legal department for People's Trust. In addition to the seventh extension to the lease, there is also a side letter that provides the payment of a lease extension fee of \$200,000 to the City into the General Fund to be used as desired. Mr. Mele advised that \$100,000 will be paid five (5) days after execution of the seventh amendment and the remaining portion paid upon issuance of the building permit. It is believed that the project will create over 200 jobs based on various square footages and business types. The RRT Group will take about 20% of the building.

Additionally, Mr. Mele advised that there will not be outdoor storage or any materials as they want to make the property aesthetically pleasing. Although it has taken a long time for something to happen on the property, he is hopeful that the Commission will support the effort for People's Trust to continue their corporate responsibilities in the City.

Vice Mayor Preston said this is a good opportunity and expressed satisfaction with the internship opportunities. Vice Mayor Preston said the funds could be used for Mayo Howard Park, which is directly across from the proposed building. He explained that Mayo Howard was the first Black police officer who came to the City; however, it is not well maintained and prefers using the funds to improve the area as it would also improve the aesthetics. There is not much parking for the park and would like the first \$100,000 used to increase parking there and the remaining funds for park improvements.

Commissioner Parness said he understands that if nothing is done with the property now, nothing will happen for another five (5) years. Thereafter, he provided positive comments as to why the property is good for the City.

Commissioner Hudak applauded the project and asked how interns would be found as a previous internship opportunity was not successful.

Mr. Mele said they will start with Deerfield Beach High School as they want to reach the young people who are local.

Mayor Ganz opened the public hearing.

Dave Mirantz, 10 Fairway Drive, Deerfield Beach, Executive Director of the Deerfield Beach Economic Development Council, said the EDC Board of Directors supports the matter and outlined those reasons.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked how traffic will be dealt with as the corridor, 11th Way and 10th Street are very dangerous.

Mr. Mele replied that on the site plan, there are two (2) driveways which are both on 11th Way; therefore, there is no direct access from the I-95 ramp or 10th Street. He explained that the driveway to the property, from 10th Street, takes a while to come up on 11th Way. Also, there will be turn lanes at the driveway so people are able to get out of the regular traffic lane and into the turn lane. A sidewalk will also be installed

DEPARTMENTAL BUSINESS - CONTINUED

on 11th Way as part of the development. Finally, when the property was originally reviewed for traffic and approved, it was limited to approximately 100,000 square feet, but the proposed building will be around 86,000 square feet.

Mayor Ganz closed the public hearing. Thereafter, he provided comments on the history of the project and the partnership developed with FAU. Furthermore, he said he does not believe the partnership with FAU has been a good match and doubts it will be in the future since nothing has been done with the property. Mayor Ganz continued to express his views as a 12-year commissioner and although there has not been any progress, he is hopeful with what has been presented tonight. Mayor Ganz recommended another name instead of Innovation Park of Deerfield (IPOD). Additionally, regarding the internships, those should be filled with Deerfield Beach residents as some of the students at Deerfield Beach High do not reside within the City and other students are boundaried outside the City.

Continuing, Mayor Ganz said he does not agree with committing the entire \$200,000 to Mayo Howard Park as the park is very small, but should go within the corridor and toward the park for improvements. If approved, he said there must be additional policing as there are typically snipe signs, flower vendors, and panhandling. In closing, Mayor Ganz said he supports this project as it is aesthetically pleasing and believes it is in the best interest of the City.

Commissioner Drosky said he has struggled with this particular item and for him, his decision lies in determining what is the City's vision for this property. Thereafter, he commented on his re-election speech on the goals he would like to pursue, i.e. P3 options. He explained how P3 opportunities relate to the parcel; whereby, the City could be giving up a property that may be highly desirable. He said the Commission must decide whether they want to give the parcel up or move forward with what is being presented. Commissioner Drosky also applauded People's Trust for their commitment to the City and for being a great corporate citizen. The strongest argument for the project is that they are willing and ready to move forward now; opposing the proposed extension, will delay development for many years.

Additionally, Commissioner Drosky said since there will be a construction loan for the property, it will have to be paid, likely through renting the space; thus, People's Trust has a self-interest of placing tenants in the building as soon as possible to pay the mortgage. His concern is the type and quality of tenants and although he has spoken with various agencies about the project, there has not been a written commitment. Notwithstanding, he said Mr. Mirantz, Economic Development Council, has agreed to support the project by finding tenants; whereas, the City also has an Economic Development Department that can assist. The Fort Lauderdale Alliance will also be involved, as well as the possibility of involvement by Broward Health. Commissioner Drosky said this is an 80-year commitment being made tonight and that his vote could change at the second hearing. Furthermore, he disagreed with \$200,000 being committed to Mayo Howard Park and opined that Mr. Mele's client needs to chip in as tenants will utilize the park also.

Commissioner Hudak said the Commission has an opportunity to decide and see that vision come to reality as there is no guarantee that any member's vision will be the majority decision. Though this is a tough decision, the Commission has the option of leaving it as is or developing. Therefore, he supports approval.

Vice Mayor Preston said it is right to improve the park with the \$200,000 instead of placing it in the General Fund. He outlined the issues with the park and said if nothing is done, the residents are being pushed aside and the business is coming in without any commitment to the residents. Thereafter, he commented on his experience with Mr. Gould and how 15th Street was beautified. He said Mayo Howard Park is a tribute to the first Black police officer and needs major improvements; whereas, Sullivan Park is in immaculate condition.

Mayor Ganz said regardless of whom Mayo Howard Park is named after, it is a passive park and comparing it to Sullivan Park is an absurd argument. He said more lighting is needed in the area which could lead to the park. The park is so small that adding parking will reduce green space to place parking along a winding road does not make sense to him; however, he does believe a large portion should go in there. He said he could agree to landscaping, a sidewalk and lighting but is not influenced by who the park is named after. Furthermore, Mayor Ganz said he does not want to handcuff the City to improvements to the park where there are spatial constraints. Regardless of what happens in the area, the money should remain in the area

DEPARTMENTAL BUSINESS - CONTINUED

and wishes to see the project move forward.

Vice Mayor Preston said the park is frequently used and parking is terrible; thus, he recommended having the City Manager review the viability of creating better parking for the patrons. He said it is important to consider that when a park is renamed, it is in recognition of a person who has contributed and served. There should be a responsibility and commitment to do what is right when a facility or park is named after someone, as there is prestige that goes along with that and although it may not have weight with Mayor Ganz, it does with him. Vice Mayor Preston said the right image must be presented for the City and currently, it does not, but agreed with additional lighting. The green space is a concern, but there should be consideration to make it an attractive park.

Mayor Ganz brought attention back to the proposed project and suggested debating use of the funds later.

Commissioner Parness commented on not having any parks in District 3 as the Marty Popelsky Park is not truly a park, it is a vacant field and it is not open. The consideration is to determine the proposed ordinance; thereafter, he motioned approval.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 17 on first reading. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION & LEGAL**CITY MANAGER****18. Discussion and potential action regarding the use of Pioneer Park baseball facilities by the City of Lighthouse Point.**

David Santucci, City Manager, advised that the City of Lighthouse Point is renovating their baseball field and has asked for temporary use of Pioneer Park with a fee waiver of \$500. He asked for the Commission's consideration and advised that it does not interfere with any of the City's public programs.

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

Commissioner Parness spoke in support.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve the use of field and waiver of fees. Voice Vote:

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

Nays: 0

CITY ATTORNEY

Governor Executive Order - Anthony Soroka, City Attorney, advised that yesterday afternoon, Governor DeSantis issued EO 21-102 providing that all COVID-19 restrictions and mandates on individuals and businesses are suspended. The order also eliminates and supersedes any existing emergency order or ordinance issued by a county or municipality that imposes restrictions or mandates upon businesses or individuals due to the COVID-19 emergency.

COMMENTS BY ADMINISTRATION & LEGAL - CONTINUED

Additionally, everything in the County order that the city has been following and most recent update with respect to restriction on businesses and individuals effectively goes away as far as the emergency order is concerned. For example, the 50% capacity limitation in effect for places like retail and restaurants will go away as well as a number of other restrictions, such as masks in businesses. Keep in mind that businesses and HOAs still have the right to impose their own policy and procedure; whereby, many have commented that they will not be changing their policy. Lastly, he advised that it does not affect things like vaccinations.

CITY COMMISSION BUSINESS**19. Discussion regarding the Solid Waste Working Group.**

Commissioner Drosky recommended tabling this item until the May 18th meeting as he has a guest speaker, Mayor Greg Ross, Cooper City, who could not be present tonight due to a last-minute conflict.

MOTION was made by Commissioner Drosky, seconded by Commissioner Parness, to table Item 19 until May 18, 2021. Voice Vote:

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

Nays: 0

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

Saturday Office Hours - Commissioner Hudak said office hours will be held this Saturday from 10 am - 12 p.m. via Zoom. Appointments can be made through the City Manager's Office.

FP&L Lights - Commissioner Hudak advised that his residents have complained that the new LED lights being installed are so bright that it illuminates the inside of their homes. He asked that staff reach out to Florida Power & Lights to see if there is a neighborhood light instead of a highway light that can be installed.

David Santucci, City Manager, said he will look into it.

Happy Mother's Day - Commissioner Hudak wished all the moms a Happy Mother's Day.

VICE MAYOR PRESTON**DISTRICT 2**

National Day of Prayer - Vice Mayor Preston said National Day of Prayer will be held on Thursday at 7:00 p.m. at Pioneer Park.

Juneteenth Celebration - Vice Mayor Preston said although COVID initially put a damper on allowed festivities, the event will be hybrid and as things begin opening, some events could be possible. Additionally, he advised that Maverick Entertainment created a 12-minute film regarding Juneteenth.

Packer Rattler Registration - Vice Mayor Preston said he is pleased with the registration and believes there will be many kids participating this year in the new league which will be a wonderful opportunity.

4 Paul Foundation Scholarship Opportunity - Vice Mayor Preston said he is having someone reach out to the individual who brought this scholarship opportunity to the City's attention and to see if it is available.

Happy Mother's Day - Vice Mayor Preston wished all the moms a Happy Mother's Day, Sunday, May 9th.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED**COMMISSIONER PARNESS****DISTRICT 3**

District 3 Meeting - Commissioner Preston said there will be a district meeting via Zoom on May 24, 2021 at 1:00 p.m.; the City Manager's Office may be contacted to receive the link.

BSO Police - Commissioner Parness commented on the blitz's conducted by the police resulting in myriad arrests and citations. They are taking traffic seriously and commended them for their actions. He said there are too many people being injured and killed in the City.

District 3 - Commissioner Parness commented on the increase in homebuying in his district. He also commented on the upgrades to the sidewalks in Crystal Lake; the residents are very grateful that the City has taken an interest in their community.

Happy Mother's Day - Commissioner Parness wished everyone a Happy Mother's Day.

COMMISSIONER DROSKY**DISTRICT 4**

Florida Department of Transportation - Commissioner Drosky said beginning May 12th, FDOT will begin a road lighting improvement project on Powerline Road, from Hillsboro Boulevard to the County line. He advised that 27 light poles will be replaced and retrofitting seven (7) existing and installing new LED lights. The tradeoff is that there may be periodic lane closures, Monday through Friday from 8:30 a.m. till possibly 7:30 p.m. The project completion is anticipated for the fall.

Education Advisory Board - Commissioner Drosky advised that he needs to replace a former member on the board and asked that anyone interested to please reach out to him.

MAYOR BILL GANZ

Governor's Executive Order - Mayor Ganz expressed dissatisfaction of changing the rules without everything being vetted and stated that the communication could have been handled better. He continued to express frustrations with poor communication, as these orders affect everyone, and recommended people exercise patience and good judgement when interacting with businesses and city staff.

Urban Land Institute - Mayor Ganz thanked Vice Mayor Preston for handling the ULI workshop. He said the workshop was meant to provide visioning as solutions are needed, but should be resident driven.

National Day of Prayer - Mayor Ganz said he will not be in town for the event, but Vice Mayor Preston will be available.

SW 10th Street Project - Mayor Ganz said FDOT is moving forward with their recommendation. It may likely come before the Broward Metropolitan Planning Organization; nevertheless, he was thankful that everyone's voices were heard. Lastly, he thanked those who participated along the way.

Homeowner's Insurance - Mayor Ganz advised that people's homeowner insurance is being cancelled and hopes options are available.

Storm Water Fund - Mayor Ganz said there is a storm water fee and would like to start using the funds to address infrastructure needs.

Happy Mother's Day - Mayor Ganz wished the moms a Happy Mother's Day as well as the mother of his children.

Haitian Flag Day - Mayor Ganz said Haitian Flag Day is on May 18th and wants to recognize it as it should not be forgotten.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

Traffic Issues - Mayor Ganz agreed with Commissioner Parness that BSO is addressing the traffic issues; however, he has witnessed people traveling 50 to 60 miles per hour in a residential area. He commented on many of those activities happening throughout the weekend and asked that more manpower be considered in the City's budget as deputies cannot be everywhere. Mayor Ganz said it is time to make the City and all the neighborhoods safer.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to adjourn the meeting at 9:30 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk