Deerfield Beach
Florida

Regular City Commission Meeting Agenda

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

Mayor Bill Ganz
Vice Mayor Ben Preston
District 1 Commissioner Michael Hudak
District 3 Commissioner Bernie Parness
District 4 Commissioner Todd Drosky

Friday
September 3, 2021
7:00 PM

CALL TO ORDER & ROLL CALL

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes

Attachment: July 20, 2021, August 3, 2021

Budget Workshop Meeting Minutes

Attachment: August 10, 2021

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Redevelopment Agency Meeting Minutes

Attachment: June 8, 2021

Community Appearance Board Meeting Minutes

Attachment: July 14, 2021

Marine Advisory Board Meeting Minutes

Attachment: May 20, 2021, June 17, 2021

Hillsboro Inlet District Meeting Minutes

Attachment: August 16, 2021

APPROVAL OF THE AGENDA

September 3, 2021

ZOOM MEETING

Join Zoom Meeting by clicking the below link:

https://deerfield-beach.zoom.us/j/83238023314?pwd=aS9zZGU0SndmVGs0aE9XN29pcVprUT09

Join Zoom Meeting via telephone by dialing:
Call-in Number: (301) 715-8592
Meeting ID: 832 3802 3314#
Participant ID: #
Passcode: 694841#

For complete instructions on joining and/or participating during Public Comment, please click the following link or attend in person in the City Commission Chambers adhering to social distancing protocols, temperature checks and face covering recommendations:

Attachment: Zoom Instructions

AWARDS & RECOGNITION

1. **Proclamation presented to Broward Mental Health Summit Organizers recognizing September 9, 2021 as Broward Mental Health Summit Day.**

Sponsor: Commissioner Michael Hudak

BUDGET & MILLAGE PUBLIC HEARINGS

2. **ORDINANCE 2021/ - 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, 2021 AND ENDING SEPTEMBER 30, 2022; 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.**

   Suggested Action: Commission to vote on Ordinance and set second public hearing for September 13, 2021

   Voting Requirement: Adoption requires a 4/5 vote of the City Commission

   Sponsor: Department of Financial Services & Office of the City Manager

   Attachment: FY22 Millage Rate

3. **ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

   Suggested Action: Commission to vote on Ordinance and set second public hearing for September 13, 2021

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

   Sponsor: Department of Financial Services & Office of the City Manager

   Attachment: FY22 Budget

4. **ORDINANCE 2021/ - 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, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR FUNDING THROUGH TAX INCREMENT FINANCING AS PROVIDED FOR IN PART III, CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

   Suggested Action: Commission to vote on Ordinance and set second public hearing for

September 13, 2021

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

Sponsor: Department of Financial Services & Community Redevelopment Agency

Attachment: FY22 CRA Budget

PUBLIC COMMENT

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

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

5. **Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Interlocal Agreement between the City of Deerfield Beach and the Deerfield Beach Community Redevelopment Agency for administrative support services for the CRA; authorizing execution of the Interlocal Agreement; providing for conflicts and an effective date.**

   Suggested Action: Commission to vote on Resolution

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

   Sponsor: Community Redevelopment Agency and Department of Economic Development

   Attachment: CRA Interlocal Agreement

COMMENTS BY ADMINISTRATION & LEGAL

CITY COMMISSION BUSINESS

6. **Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, recognizing September 11, 2021 as the 20th Anniversary of the terrorist attacks on the United States; designating September 11th as the City of Deerfield Beach First Responders Day; providing for implementation and an effective date.**

   Suggested Action: Commission to vote on Resolution

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

   Sponsor: Commissioner Michael Hudak

   Attachment: September 11th Recognition

COMMENTS BY MAYOR & CITY COMMISSION

ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Special City Commission Meeting - Monday, September 13, 2021

Regular City Commission Meeting - Monday, September 13, 2021

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

Meeting Minutes
City Commission

Tuesday, July 20, 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 7:02 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

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

Also Present: 3 – City Manager David Santucci
City Attorney Anthony Soroka
Assistant City Clerk Heather Montemayor

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - June 1 & June 15, 2021

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, 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

Community Redevelopment Agency Meeting Minutes - April 13, 2021

Marine Advisory Board Meeting Minutes - October 15, 2020

Education Advisory Board Meeting Minutes - May 5, 2021

Code Compliance Meeting Minutes - April 13, 2021

Hillsboro Inlet District Meeting Minutes - May 17, 2021

ACKNOWLEDGEMENT OF CITY BOARD MINUTES - CONTINUED

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, 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

July 20, 2021

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, 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. Proclamation presented to the City of Fort Lauderdale for its 2021 Resolution to recognize and memorialize Rubin Stacy by bringing awareness and education to the injustice and negative impacts surrounding acts of lynching, racial injustice, and social inequality by designating the segment of Davie Boulevard (State Road 736) between Interstate 95 ("I-95") and U.S. Highway 441 ("US-441"), also known as State Road 7, with the secondary street name of "Rubin Stacy Memorial Boulevard".

Mayor Ganz read the proclamation which provided details of the lynching of Rubin Stacy. According to records maintained by the National Association for the Advancement of Colored People (NAACP), between 1882 and 1968, approximately 4,743 people, mostly black Americans, were lynched in the United States of America, and of these, 282 were known to have occurred in the State of Florida. The records further reveal that Mr. Stacy, a 29-year-old black American male, a husband, father, laborer, and resident of Broward County, was lynched in Fort Lauderdale, Florida on July 19, 1935. There are various reports with conflicting accounts as to the allegations by a white woman who lived on Old Davie Road, now known as Davie Boulevard, which led to Mr. Stacy's arrest and ultimate lynching. Mr. Stacy was killed near the accuser's home, was left hanging from a tree while nearly 1,000 people went to see his mutilated body, and his death certificate lists "lynching by mob" as a contributing cause of death.

Continuing, Mayor Ganz, according to the proclamation, said it is evident from all accounts Mr. Stacy was denied justice and the record that Mr. Stacy was never given an opportunity to have legal counsel nor was he given a trial. On July 19, 2020, Broward County presented a proclamation designating that day as Rubin Stacy Remembrance Day in Broward County. The City of Deerfield Beach City Commission is grateful to the City of Fort Lauderdale City Commission for its 2021 Resolution to recognize and memorialize Rubin Stacy by bringing awareness and education to the injustice and negative impacts surrounding acts of lynching, racial injustice, and social inequality by renaming a portion of Davie Boulevard (between I-95 and US-441) as the "Rubin Stacy Memorial Boulevard". Thereafter, he introduced Commissioner Robert McKenzie, via Zoom, from the City of Fort Lauderdale.

Commissioner McKenzie thanked the City for joining Fort Lauderdale for this embarrassing state of affairs, which is a smear on the current city. Today is being recognized as Rubin Stacy Day and thanked the Commission for moving the needle forward for equity, equality and keeping the citizens first.

AWARDS & RECOGNITION - CONTINUED

2. Certificate of Recognition presented to Emily Lilly for her years of dedication and service as President of the Deerfield Beach Historical Society.

Mayor Ganz recognized Ms. Emily Lilly, who has served the Deerfield Beach community as a member of the Deerfield Beach Historical Society for the last six years, the last five as the President of the organization. Thereafter, he outlined her contributions to the Historical Society, increasing public exposure to the Society, online presence, bringing famed restoration architect Richard Heisenbottle of Miami to renovate the Butler House, restoration of the Old Caboose on City Hall property, published the book on Deerfield Beach History, and for helping to expand the organization with the recent addition of the Cultural Center property, across from the Butler House.

Ms. Lilly said there are many others that should have been included on the certificate as her job was simple with the support from the community, sponsors, volunteers and the Board of Directors. Ms. Lilly said the Board made her job wonderful and exciting. Thereafter, she outlined how each member of the board assisted her as well as their contributions. Lastly, Ms. Lilly encouraged people to serve as a member or volunteer.

3. Certificate of Appreciation presented to the Advocates for Clean & Clear Waterways and their volunteers for conducting a community cleanup at Trailhead Park on June 27, 2021.

Mayor Ganz presented a certificate of appreciation for the community cleanup. On June 27, 2021, Caleb Merendino and Ben Swanson of Advocates for Clean and Clear Waterways organized a community cleanup at Trailhead Linear Park. Armed with sustainable bags and grabbers, 20 volunteers collected trash along the water's edge and throughout the park. After a waste characterization study, the group collected 264 pounds of garbage and recyclables, which are then brought to the City's Recycling Drop-off Center located at Central City Campus. Mayor Ganz thanked them for their great example of community service; whereby, this certificate recognizes the great work of Advocates for Clean and Clear Waterways and their volunteers.

4. Certificate of Recognition presented to city staff for their hard work during the Juneteenth event.

Mayor Ganz presented certificates recognizing the hard work of those who contributed to the City of Deerfield Beach Juneteenth City-Wide Holiday. He thanked the Parks & Recreation Department along with the African American Heritage Board, who hosted the Inaugural Juneteenth Celebration event on Friday, June 18th and Saturday, June 19th, to educate our community about this annual holiday that is commemorating the end of slavery in the United States. For many in our community this year was the first time they had heard of Juneteenth. Mayor Ganz also thanked the Broward Sheriff's Office, volunteers and JM Family Enterprises Inc. for their support of this year's Juneteenth Celebration event. Lastly, Mayor Ganz presented certificates to various City staff for their contributions.

5. Certificate of Recognition presented to Carlos Escamilla and Gael Garcia for their life saving efforts.

Mayor Ganz recognized Carlos Escamilla and Gael Garcia who, on June 4, 2021, noticed that a patron was chocking and quickly initiated assistance. Carlos and Gael performed abdominal thrust (a maneuver used to dislodge a foreign body from the airway), which successfully dislodged the obstruction. Upon fire rescue's arrival, the patient was awake, alert and breathing without distress. The patient reported that while eating, a piece of food completely obstructed their airway causing them to not be able to speak nor breathe. Lastly, he thanked them for their heroic efforts in saving a life.

AWARDS & RECOGNITION - CONTINUED

6. Presentation regarding the Tigner Center Public Workshop.

David Santucci, City Manager, said a community workshop was recently held regarding the design of the Tigner Center and will outline the design based on the Commission's feedback and residents' input.

Priscilla Cygielnik, City Engineer, said a workshop was held at the end of June at the Oveta McKeithen Recreational Gymnasium and the input from that workshop will be outlined by the design builder. She said it is very early in the design process and in the first few months, two construction documents will be secured, the building permit drawing and the building permit to begin construction.

Project Organizational Chart - Mike Boss, MBR Construction, outlined the team working on the project, Abbas Zackria, lead architect design, MBR Construction as general contractor, Calvin Giordano for landscape architecture, and others.

Existing Conditions Site Plan - Mr. Abbas outlined the current community center, 6,000 square feet, and gymnasium, 11,000 square feet. There are currently 165 parking spaces with 10 being ADA.

Proposed Design Site Plan - Mr. Abbas provided the proposed site plan that was presented with the RFP and the new community center will be two-stories, 20,275 square feet; the gymnasium will be renovated. There will be a plaza on the front and back; covered entries and connections that bring the buildings together. For parking 112 regular and 5 ADA spaces are required; whereby, 168 spaces will be provided.

Proposed Design Original RFP Program List - Mr. Abbas said the list entails some of the elements that the design was based.

Proposed Design Potential City Programs in the new Building - Mr. Abbas outlined some of the recreational programs that will be covered within the building; afterschool programs, summer programs, Winter Tea and others.

Proposed Design First Floor Plan - Mr. Abbas provided the proposed floor plan presented with the RFP; however, after public input, an updated plan was provided for consideration. Within the plan, there is a drop-off area with a covered arcade and other features. Mr. Abbas outlined other features for the first floor: security point; banquet facility currently allows up to 250 individuals; meeting space and other areas.

Proposed Design Second Floor Plan - Mr. Abbas outlined the location of staff offices on the second floor, TV lounge, classrooms, multipurpose room, restrooms, etc.

Proposed Design - Design Inspirations - Mr. Abbas explained how the design was determined, existing center design like Hillsboro Community Center (HCC) and adding Pioneer Grove design elements which have been done. He explained that the site is not intended to serve as a hurricane shelter, but can be used post hurricane as a distribution site due to the materials being easy to maintain and use of an emergency generator. Also, there are large overhangs for rain and sun protection or a drop-off area.

Design Inspirations - Original Design - Mr. Abbas provided photos of the HCC and Highlands Community Center which were used to design the building. The buildings on the left are original, on the right, are the proposed designs as in the original RFP.

Design Inspirations - Pioneer Grove Design - Mr. Abbas said staff suggested incorporating more Pioneer Grove standards which are shown on the left; on the right, is the updated design incorporating those standards. The interior has not changed; however, the façade treatment incorporates more brick, metal, glass, and wood canopies.

Proposed Design - Exterior Views - Mr. Abbas provided photos of the original design and the new Pioneer Grove design.

Proposed Design - Interior Views - Same for both Designs - Mr. Abbas said the main focal point will include a lobby and information desk where staff will be located. On the right, is a rendering of a banquet room.

AWARDS & RECOGNITION - CONTINUED

Proposed Design - Service & Delivery Considerations - Mr. Abbas said the site plan shows the separation between the public and service area. On the left of the site, the generator, dumpster and kitchen will be housed and away from the public.

Proposed Design - Design features allowing multiple activity use and occupant comfort - Mr. Abbas highlighted some of the features on the first and second floor. Additionally, a bonus space was proposed and includes an exterior space behind the banquet hall to allow events to flow to the outside. All functions are off the main lobby; the second floor also has seating at the lobby, interior windows throughout or daylighting and activity monitoring, as well as others.

Proposed Design - Summary - June 29th Public Forum Q&As - Mr. Abbas said the design was presented to the public and include varying comments. One major comment was the request for a larger banquet facility; the addition of an amphitheater which is not part of the existing program. Mr. Abbas continued to outline various comments received by the public. Additionally, he said although the building is not a hurricane shelter, but it is hurricane rated and will meet all building code requirements. The consensus was in favor of the Pioneer Grove design; thereafter, he asked the Commission for feedback on keeping the original design or using the Pioneer Grove design.

Proposed Design - Expanded Banquet Hall Plan (12 feet added to building) - Mr. Abbas said if a larger facility were provided, it would be 12 feet past the existing edge at a cost of $450,000 with a capacity of 350.

Proposed Design - Expanded 2nd Floor Plan (12 feet added to building) - Mr. Abbas said the outside wall is a bearing wall; therefore, if the first floor is expanded, the second floor must as well or columns would have to be brought into the space which would be a detriment as it would block the views. Thus, both floors would expand approximately 1,000 square feet each and the budget on the second floor is $450,000.

Proposed Design - Expanded Warming Kitchen Plan - Mr. Abbas recommended an expansion of the kitchen and storage, only if the banquet room/multipurpose room were expanded. This would provide additional storage space for rental items, catering equipment, etc. at a cost of $163,000. All three options would total $1,063,000.

Proposed Design - Proposed Project Schedule - Mr. Abbas asked for input by the Commission on the exterior building design and banquet expansion. Thereafter, they will proceed with the design and secure construction documents/permitting.

Vice Mayor Preston said the input provided by the community is a great benefit because once the center is done, the demand will increase. As such, he would like the Commission to strongly consider the expansion to prepare for the future.

Commissioner Parness asked if sliding panels would be incorporated into the design to minimize the space when the entire area is not being used.

Mr. Abbas replied yes, there is a partition as designed and will remain.

Commissioner Hudak thanked the presenter for incorporating public comments. Also, he said the gymnasium could be considered for overflow, especially considering the added cost. He spoke in support of the one-point entry/exit design for safety precautions and the Pioneer Grove façade.

Commissioner Drosky spoke in support of the Pioneer Grove standard design. He commented on the participation at the June workshop; whereas, it was not largely attended, but input was provided. He therefore asked that the need for more space be justified especially considering the added expense; as he is hesitant.

Mayor Ganz asked how many events are held that meet or exceed 250 people.

Mr. Santucci replied that there are none at that particular location, but commented on the African-American Heritage Banquet being held in the gymnasium at capacity.

AWARDS & RECOGNITION - CONTINUED

Mayor Ganz asked that figures be provided based on the cost and increase in size; whereas, it would be more than 3 times larger than the current structure. Furthermore, Mayor Ganz said there are not a lot of community centers in the City and cannot look at it from a narrow viewpoint, but must consider 5 to 10 years into the future. Additionally, the Tigner Center has been operational for more than 15 years which is why it is important to consider more than what is being done now. As the City grows, the City has limited space to build community centers and since it is centrally located, there might be a need for expansion, but he does not see the need right now. Lastly, he asked for additional statistics to justify an additional $1 million, since the budget is already $10 million.

Ms. Cygielnik said $10.4 million was appropriated and $950,000 has been expended.

Mr. Santucci said from a financial perspective, adding $1 million to this project may impact another project. He mentioned the City Hall renovation which is still undergoing the design phase. Further, this renovation may have the most uncertainty because it is a redesign of an existing facility and some sacrifices maybe warranted.

Commissioner Parness said the City is still growing and questioned the cost of adding space 10 years from now. He said there are not any places, besides private hotels, in the City that can accommodate 350 people and asked that the expansion be considered due to a growing population.

Vice Mayor Preston commented on other cities and their ability to accommodate a large event and although $1 million sounds like a lot, it maybe more cost effective to add it now rather than later as it could become cost prohibitive. If it could be considered in the design phase, it would be cost effective for the cost as well as the public.

Mayor Ganz said the property is already being increased and does not agree with spending money for events that do not exist and not get the use. Mayor Ganz again asked for additional information as he does not want to be shortsighted. Lastly, he reiterated the increase in size and applauded some of the events held in the gym; notwithstanding, he is not confident that the added expense is warranted.

Commissioner Hudak said it seems the Commission is still open minded to possibly expanding; nevertheless, during the workshop, residents said they no longer wish to go to Pompano Beach for their events of more than 250 people. He reiterated the use of the gym to accommodate a larger event. He explained that he is not aware of a function for over 250, but the City has other needs. Since the facility will triple in size, and he is not inclined to spend an additional $1 million especially with its impact to the City Hall renovation. Thereafter, he commented on other projects and infrastructure that also need repairs.

Mayor Ganz said another public workshop would be helpful since costs have been provided.

7. **Resolution 2021/092 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting and adopting the Comprehensive Annual Financial Report for the fiscal year ending September 30, 2020; providing for implementation and an effective date.** *(Tabled from June 1, 2021)*

The Resolution was read by title only.

Stephanie Tinsley, Chief Financial Officer, advised that the presentation will outline the audit details for the report (ACFR).

Agenda - Ms. Tinsley outlined the agenda: completion process for ACFR and financial audit; status of net position and fund balance; fund balance compliance and others.

Completion Process - Requirements - Ms. Tinsley said the City must comply with Florida Statutes and the audit must be completed and sent to the Florida Department of Financial Services no later than 9 months after the end of the fiscal year. There is a new requirement to produce an annual report of the Community Redevelopment Agency (CRA), referenced in F.S. 163. Additionally, the Florida Government did not

AWARDS & RECOGNITION - CONTINUED

provide any extensions; however, at the federal level for bonds, various extensions were provided due to the impact of COVID.

Summary of Net Position to Governmental Activities (page 17) - Ms. Tinsley outlined the total net position which is in a positive state. In comparison from FY 2019 to FY 2020, the net position has grown by approximately $3 million. That trend is primarily due to improvements to the overall pension and OPEB (other post-employment benefits) position and other cost containment measures taken during FY 2020 and reduction of expenditures at the onset of COVID.

Summary of General Fund - Fund Balances (FY19 & FY20 - page 41) (FY18 - page 40) - Ms. Tinsley advised that the emergency reserve remains steady at approximately $3.5 million. She advised that the remaining fund balances, are strong. Moreover, the fund balance policy compliance requirement was met as it relates to the fund balance.

General Fund - Summary of Financial Results (page 82) - Ms. Tinsley outlined the financial results for various funds: total revenues – recognized $1.3 million funding from CARES Act and the remaining will be recognized in FY 21; total expenditures – under budget; excess/(deficiency) – excess of $5.92 million; overall, the net change in fund balance was expected to be a deficit, but was able to contribute $1.92 million to the fund.

General Fund - Summary of Financial Results (page 82) - Ms. Tinsley explained and outlined total inflows and expenditure outflows which demonstrates a balanced budget.

Subsequent Budget Reserve - Encumbrances (page 55) - Ms. Tinsley said the total of $5.74 million is for encumbered purchase orders as of FY20 and the end of the year. Those purchase orders need to continue into the next fiscal year for goods and services obligated, but not received by September 30th. Out of the $5.74 million, $3.35 million goes to the General Fund. The other line items are covered by bond postings but is recognized as a reservation against fund balance into the general fund. The actual budget amendment request results in $1.92 million and will be presented to the Commission soon.

Summary of Building Permits Fund Financial Results - Ms. Tinsley said the transfer from the building services fund for $2.3 million will also be considered by the Commission. She explained that there was an amendment mid-year FY 2020 for $2.34 million, which was used to pay expenses from FY 2019. She explained the steps taken when the building services fund was non-existent and how the General Fund bore the expense; therefore, the transfer had to go back to the General Fund.

Summary of Solid Waste Financial Results (FY19 & FY20 Page 27) - Ms. Tinsley outlined the results of the solid waste fund; whereas, work for the Siemens energy performance contract started in 2020 and was fully expensed against the fund resulting in a deficit. She said she will be working with Sustainable Management to determine the proper allocation that benefited from the improvements and debt service.

Net Pension & Total OPEB Liabilities (Pages 17 & 93) – Ms. Tinsley said the net pension and OPEB liabilities show an improvement in the net position of governmental funds. She explained that from FY 2018 thru FY 2020, the deferred outflow of resources, an asset, is very stable between $19 and $20 million. The deferred inflow, a liability, more than doubled from FY18 to FY19, but dropped in FY20. The total OPEB liability has vastly improved and the covered payroll percentage is lower and more stable.

Net Pension Liability - Fire Pension Fund (Page 85 - 86) - Ms. Tinsley said the actual contributions have been fully funded every year. The net position has a percent of the total pension liability of 75.55%.

Net Pension Liability Police Pension Fund (Page 87 - 88) - Ms. Tinsley said the actuarially determined contribution has always been to maintain the fund and keep the net position at 65.43%, with continuous improvement.

Net Pension Liability Non-Uniformed Pension Board (Page 90) – Ms. Tinsley said the net position for total pension liability is 92.64%.

AWARDS & RECOGNITION - CONTINUED

Audit Finding & Observations - Ms. Tinsley said the City has received a clean audit opinion; thereafter, she outlined new findings, report findings and observations. The preparation of the SEFA (schedule of expenditure federal awards), which is a new finding and is not likely to reoccur. Additionally, the City has a receivable for Hurricane Irma which was recognized in FY19, along with its expenditures; notwithstanding, it was also recognized in FY20. Therefore, the SEFA had to be redone. Segregation of payroll related duties has been fully addressed; partially in 2019 and fully in 2020. Ms. Tinsley outlined the observations made during the audit, utility billing which is being addressed as well as the solid waste deficit.

Summary - Ms. Tinsley advised that the audit has met all regulatory compliance and other changes she is undergoing to assure future compliance; i.e. development of the ACFR and CRA audited financial report; increased direct training on the ACFR.

Mayor Ganz asked that findings and observations be explained.

Moises Ariza, Marcum LLP, replied that a finding should be corrected and an observation pertains to a best practice in the industry. This information is given to staff to make decisions and update processes. Thereafter, Mr. Ariza commented on observations and their role in the audit. Continuing, Mr. Ariza referenced the ACFR, page 1, independent auditor's report which outlines the responsibilities of both staff and Marcum. Staff is responsible for compiling the document and the external auditor is responsible for forming an opinion on the financial statements. The opinions paragraph is the most important; thereafter, he read an excerpt from the ACFR which indicates a clean opinion. A clean opinion is the only opinion anyone wants to be associated. At the end of the report, the findings and recommendations for improvement are referenced. Mr. Ariza also commented on some of the audit findings; i.e. SEFA; whereby, FEMA does not follow the accounting standards for reporting under uniform guidance but other requirements for their grants.

Commissioner Drosky said on page 104, the findings sound menacing and asked if the findings have been addressed or will be addressed in the future. He said he wants to make sure the findings aren't being repeated.

Mr. Ariza replied that there was a repeated finding with the timeliness of the financial statement; which is due by June 30th, and although the City met the requirement, it should not be at the last minute. Currently, the City is using a third-party provider to prepare and assist with the preparation of the document and different tools are being used to assure the finding is not repeated. Furthermore, the auditor is required to report what they found and the manager has an opportunity to respond to the finding. Given the circumstances and consideration of management response, if the process and protocol is implemented, he does not foresee a repeat finding. Nevertheless, the Finance Department is responsible for implementing those protocols and processes.

Ms. Tinsley said she does not anticipate a repeat finding; thereafter, she outlined different changes that impacted the finding. Continuing, Ms. Tinsley commented on the monthly financials; whereby, the current system does not have certain capabilities in the reporting process for revenues and expenditures. There is not a system that recognizes a percentage of revenue in a specific month; moving forward, she wants projections to show the revenue collected for a specific line item. Ms. Tinsley said she also wants to project the expenses or other revenue streams that come in. Lastly, she said her team is working on a better model for the monthly financial report.

Commissioner Hudak referenced the PowerPoint, slide 15, and said financial closing and reporting has been a repeat offense since 2018 and asked what is being implemented to resolve this issue. Additionally, he commented on technology being a challenge and asked how it is being addressed.

Ms. Tinsley replied that the current process entails working with an automated system to develop the ACFR, including the CRA financial report, which has not worked out. The current system does not comply with creating the report as there were various errors, but working with the auditors, they are aware of what needs to comply. The next step is acquiring an ERP system which is a massive undertaking; nevertheless, the GFOA is working with staff on mapping the business processes and drafting the RFP, going out at the end of the fiscal year. She advised that it may take a year or more.

AWARDS & RECOGNITION - CONTINUED

In response to Commissioner Hudak's question, Ms. Tinsley replied that a position will be filled soon and with that position and partnering with the auditor, she has what she needs to do better this year.

Vice Mayor Preston asked if there were any major discrepancies found after each audit was performed.

Mr. Ariza replied that a clean opinion was given because they had a reasonable assurance that the numbers and financial statements, with supplementary information, are accurate and complete. If the findings are dissected, it is due to process. He continued to explain why certain findings are brought to the City's attention and even though the statements are accurate, internal controls should be considered for corrections.

Mayor Ganz commented on the software being used; whereby, the information is not accurate and has to be fixed. Thus, he clarified that the new software will correct the issue.

Ms. Tinsley replied yes, and working with the auditors since they will assist with creating it for the City.

Mayor Ganz also asked whether there was a solution for the SEFA finding.

Mr. Ariza replied yes, correct. He advised that other municipalities have received the SEFA recommendation and once trained, staff should not repeat the finding. Mr. Ariza advised that the management discussion is from page 4 – 14 and compares current year and prior year activity. Although it is a lengthy document, it outlines changes from fiscal year to fiscal year and management explains the changes.

Mayor Ganz opened the public hearing.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, commented on findings that staff may not be able to correct. Also, she asked if the processes within the department are causing the findings reported.

Mayor Ganz closed the public hearing.

David Santucci, City Manager, replied to Ms. Clarke-Reed's question; whereby, there have been inefficiencies in the process and a learning curve for new staff due to turnover in the last 18 months, but the department will be fully staffed soon. He also mentioned the third-party software was inefficient and unreliable.

MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to approve Item 7, adopted Resolution 2021/092. Roll Call:

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

Nays: 0

QUASI-JUDICIAL PUBLIC HEARING

8. P.H. 2021-089: Applicant: **APPLICATION NO. 12-I2-02 Rev. 2 (Waste Connections of Florida, Inc.) Waste Connections of Florida, Inc. represented by Carlos Gonzalez of Crain Atlantis Engineering, Inc.**

Proposal: Major Site Plan modification seeking approval for an addition of a new 19,500 square foot transfer station, 3,910 square foot maintenance building, and 5,998 square foot ancillary scale house and office building.
Location: The property is generally described as several parcels of land on LEDDS ENTERPRISES II 144-20 B PORTION PARCEL A DESC AS COMM AT NW COR PARCEL A,S 484.87 ALG W/L TO POB,E 317.45,SE 94.50,S 168.35,W 399.12,N 218 TO POB AND PORTION OF PARCEL A DESC AS COMM AT SE COR PAR A,N 1285.11 ALG E/L PAR A,W 461.31 TO POB,CONT W 398.10,S 286.90 ALG W/L PAR A,E 317.45,SE 94.50,N 336.22 TO POB, more particularly described in the file, and located at **1751 SW 43rd Terrace.**

Anthony Soroka, City Attorney, explained that the applicant has a right to a full quasi hearing or may waive.

Robert Lochrie, applicant representative, waived the quasi-judicial process. This request is for an amendment to a major site plan for current Waste Management facility. The facility has been operating in this location since 2007; whereby, the proposed application seeks the addition of a new facility as well as an upgrade to surrounding facilities. Thereafter, Mr. Lochrie referenced a PowerPoint presentation.

Location Map - Mr. Lochrie said the location is outlined in red and is north of Wiles Road, east of the Florida Turnpike and west of Powerline Road.

Aerial Location Map with Existing Conditions - Mr. Lochrie said the existing and proposed facility are highlighted on the map. The area in green, proposed facility, is currently unpaved and the application will bring everything up to code including landscaping, paving, etc.

Aerial Location Map with Proposed Conditions - Mr. Lochrie said this shows the facility superimposed on the property.

Colored Site Plan - Mr. Lochrie said the landscaping will be around the entire perimeter but upgraded and approximately 133 new trees will be installed on the site and upgrades to the wall on the north side. The building to the north is the existing building and will continue to operate; on the southern portion, the new facility will be constructed which is furthest away from the residents. On the left is the new waste transfer station, approximately 19,500 square feet, designated as Building 1; Building 2 is a truck maintenance building; Building 3 is a new administration building, approximately 6,000 square feet. The entire site will be paved, parking included and onsite landscaping.

Truck Circulation Route - Mr. Lochrie explained the improvements to the circulation and efficiency of the site. He explained how trucks currently come onto the site and have to exit through the same entrance. Truck entrance/exit will be improved by allowing trucks to come in by two lanes, on the southern portion; moreover, the trucks will utilize different routes depending on their needs. There will be a more efficient distribution of the waste as the construction debris will be separated to the north and other trash further to the south.

Continuing, Mr. Lochrie advised that there were five conditions of approval and his client agreed to all the conditions. The changes to the site will increase employment once all the new buildings are operational; whereas, there are currently 11 and an additional 19 to 20 employees are expected.

Commissioner Drosky thanked Mr. Lochrie for agreeing to the conditions as similar requirements were asked of Waste Management, who agreed. He asked about noise and does not believe it will be a problem since the trucks will not be backing up since they enter from one direction and exit from another. Additionally, he said he is concerned about a buffer between the facility and Independence Bay and Waterways community; however, they have agreed to install a wall on the north side of their property as

QUASI-JUDICIAL PUBLIC HEARING - CONTINUED

well as landscaping. Another condition pertained to the watering of roadways to reduce dust. Therefore, Commissioner Drosky spoke in favor.

Mayor Ganz opened the public hearing.

Chad Cheleden, 109 SE 13th Street, Deerfield Beach, asked how much more trash will be brought to the location, what is the capacity and will any come from outside of the City. He said if any of those things are a concern, then it should be denied.

Mayor Ganz closed the public hearing.

Mr. Lochrie replied that the facility will provide for Deerfield Beach, but also for other cities to bring garbage to the location since it is a transfer station.

MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to approve Item 8, adopted Resolution 2021/095. Roll Call:

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

Nays: 0

PUBLIC HEARING - FIRST READING

9. P.H. 2021-090: ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY OF DEERFIELD BEACH LAND USE PLAN MAP DESIGNATION ON THREE PARCELS TOTALING APPROXIMATELY 16.5 ACRES LOCATED AT 600 & 700 W. HILLSBORO BLVD. FROM COMMERCIAL TO MEDIUM-HIGH (25) MIXED USE-RESIDENTIAL (21.82 DWELLING UNITS/ACRE) (LUPA #65A); PROVIDING FOR AMENDMENT OF THE FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN ACCORDINGLY; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Dennis Mele, 200 E. Broward Boulevard, Fort Lauderdale, applicant's representative, provided a PowerPoint presentation.

Location Map - Mr. Mele advised that the site is located at the southeast corner of Hillsboro Boulevard and I-95.

Existing Future Land Use Plan Designation - Mr. Mele said the current land use designation is commercial, red.

Proposed Future Land Use Plan Designation - Mr. Mele said the future designation would be mixed use, 25/du per acre maximum; the proposed project is at 21.82.

Concept Master Plan - Mr. Mele said the area in pink depicts the new residential building. There is an office building on the site, but will be demolished and replaced with residential building. In yellow are existing office buildings which will remain. Orange depicts the two new office buildings that will be added.

Pool Amenity - Mr. Mele said this shows the pool area.

Courtyard Amenity - Mr. Mele said this shows the courtyard/open space areas.

PUBLIC HEARING - FIRST READING - CONTINUED

Residential - Mr. Mele said upon approval of the land use map amendment, will be a rezoning, and site plan. This slide shows renderings of other buildings the architect has created. The architect will work with staff to ensure Deerfield Beach architectural vernacular is used.

Office Buildings - Mr. Mele displayed renderings of office buildings the architect has created. It will be assured that the style meets City criteria.

In closing, Mr. Mele said there is a recommendation from staff, unanimous recommendation from Planning & Zoning Board, and if successful, the item will be presented to the Broward Planning Council. He said this is the very beginning of the process and will come before the Commission again for other measures.

Heather Montemayor, Assistant City Clerk, advised that campaign contributions were made by both the applicant and Mr. Mele and are outlined in the agenda backup.

In response to Vice Mayor Preston's question, Mr. Mele replied that a community meeting was held and everyone within the same perimeter, as the City, were advised. No suggestions were given and there was only 1 attendee. Additionally, he advised that there is cross access between the property and hotel and also going to the driveways at Natura. He said he plans to have another public meeting and will set it up before returning to the Commission.

Commissioner Drosky said all traffic coming from I-95 will see this parcel first which is why he asked that this be a signature project for the City. He said he received a campaign contribution from Mr. Mele for the 2021 campaign; however, the disclosure affidavit from Mr. Corlew outlined $1,000 was received on September 11, 2020 but he was not a candidate until later in the year. As such, he does not remember receiving a contribution from Mr. Corlew, but if he did, it was returned and it was not sent back when he became an official candidate. He asked Mr. Mele when the project would return to the Commission.

Mr. Mele replied that after City consideration, it will go before the Broward Planning Council and County Commission once. He explained that since the laws have changed, the project is small scale as it is less than 50 acres and should move relatively quicker, but should be back within a few months.

Mayor Ganz said it was also indicated that he received a donation, but he did not. Thereafter, he opened the public hearing.

Terry Scott, 180 SW 3rd Avenue, Deerfield Beach, commented on the lack of outreach and said there needs to be community input. Mr. Scott commented on the buildings in the location and their age; whereby, some are 20 and 40 years old. He reiterated the need for the community to provide input.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, expressed concern with rezoning commercial property to residential and asked why it is being changed. She said this looks like a massive project and the landscape of the area would change which she does not agree. Lastly, Ms. Clarke-Reed said she'd like more information on what is about to happen.

Mae Francis Feagin, 3500 SW Natura Boulevard, Deerfield Beach, said she just heard about this project today. She asked how the change can be made, without speaking to the residents as everyone will be affected.

Amie Kay Tanner, 111 SE 5th Avenue, Deerfield Beach, asked how high are the proposed buildings, whether a traffic study will be done because there will be a lot of cars coming in and out. She said she would like to be included in the public outreach as she has many questions.

Chad Cheleden, 109 SE 13th Street, Deerfield Beach, commented on his experiences with real estate development. He said there should have been a posting at the property advertising the application and give people a chance to speak.

Mayor Ganz closed the public hearing.

PUBLIC HEARING - FIRST READING - CONTINUED

Mr. Mele said he has spoken with other people and there will be another meeting. Everyone within the same notice distance was notified, but some people may live beyond that distance; therefore, he will make sure they meet with everyone. Also, he advised that although residential is being added, the number of offices will not be reduced; one office building is being removed, but two more will be built. A traffic analysis was complete and another will be done for the site plan.

Eric Power, Director of Planning & Development Services, advised that everyone within 500 feet of the property is notified and the sign was placed onsite.

Mayor Ganz commented on the comments regarding public input as Vice Mayor Preston is a strong advocator for such and there seems to be a gap in communication; thereafter, he suggested the community and commissioners reach out to each other about upcoming projects.

Commissioner Parness commented on the positive aspects of the proposed application, i.e. jobs, and said it is not the applicant's fault when people do not attend the meetings even though they were notified. Thereafter, he commented on having traffic studies.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 9 on first reading. Roll Call:

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

Nays: 0

PUBLIC HEARINGS - SECOND READING

10. P.H. 2021-087: ORDINANCE 2021/014 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING AN AMENDMENT TO THE CITY BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; APPROVING SUPPLEMENTAL APPROPRIATIONS AND BUDGET TRANSFERS IN THE AMOUNT OF $2,341,275 FROM THE BUILDING FUND TO THE GENERAL FUND TO REIMBURSE THE GENERAL FUND FOR THE PRIOR YEARS BUILDING FUND EXPENDITURES, AND $1,920,226 FROM THE FUND BALANCE OF THE GENERAL FUND TO THE GENERAL FUND APPROPRIATIONS IN ORDER TO COVER THE FY 2020 ENCUMBERED PURCHASE ORDERS THAT WERE CARRIED FORWARD TO FY 2021; PROVIDING FOR CONFLICTS, 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 Parness, seconded by Vice Mayor Preston, to approve Item 10, adopted Ordinance 2021/014. Roll Call:

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

Nays: 0

PUBLIC HEARINGS - SECOND READING - CONTINUED

11. P.H. 2021-088: ORDINANCE 2021/015 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE VIII "LOCAL HOUSING ASSISTANCE PROGRAM" OF THE CITY CODE OF ORDINANCES TO PROVIDE FOR CONSISTENCY WITH STATE LAW; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

David Santucci, City Manager, advised that Item 11 is a companion item to create the Affordable Housing Advisory Committee. The proposed ordinance will establish the structure and consent item will establish the Board.

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 Preston, seconded by Commissioner Parness, to approve Item 11, adopted Ordinance 2021/015. Voice Vote:

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

Nays: 0

Commissioner Drosky left the dais temporarily at 9:50 p.m. and returned at 9:52 p.m.

PUBLIC COMMENT

Peggy Noland, 325 SE 3rd Terrace, Deerfield Beach, said she presented issues to the Commission at the first meeting in June. She said the scoreboards at the middle school have been fixed; however, the gutters at the middle school have not been addressed and asked what is happening as pieces are missing from the roof. Also, she asked why the tiki huts at the beach are delayed. Ms. Noland outlined additional issues that need to be addressed; cross light, boat ramp at Pioneer Park, and showers at the pool.

Mayor Ganz said he requested an update from the City Manager on all the outstanding issues. The boat ramps were discussed during the budget hearing.

Terry Scott, 180 SW 3rd Avenue, Deerfield Beach, commented on Item 9; as the City's posting was present, but did not see a notice for the community meeting. Mr. Scott said the residents only want their opinions to be heard, not to be judged or rebuked.

Tyrone Philpart, 5808 Australian Pine Drive, Tamarac, said the Packer Rattlers are getting ready for the new season and asked that the Commission reinstate the appeals board. Mr. Philpart said the coaches are unpaid volunteers and some have made mistakes in the past but wants to create an atmosphere that is less exclusive and more inclusive. The appeals process is more efficient and does not bombard the City; community members would be involved in making decisions on things that affect the children. Moreover, it is more cost effective as the current process requires a magistrate at a minimum cost of $600. Lastly, Mr. Philpart said some of the coaches are outstanding citizens and bring a lot to the program; wherein, he wants to make sure they have an opportunity.

Amie Kay Tanner, 111 SE 5th Avenue, Deerfield Beach, said the 4th of July event was very confusing this year due to the possible storm and change of location. Ms. Tanner commented on how fireworks were limited when she was younger; now, the fireworks offered by the professionals are similar to what people buy. Furthermore, she commented on the negative effect of fireworks to her personally. Ms. Tanner also

PUBLIC COMMENT - CONTINUED

commented on people driving golf carts around and how they can be dangerous when used as a road vehicle and asked if there are any limitations. Lastly, Ms. Tanner commented on the boat ramp and the cost as many people come to Deerfield Beach to use it since it is less expensive.

John Slattery, 1455 SE 5th Place, Deerfield Beach, spoke in support of Mr. Philpart's statement regarding the appeals board for the Packer Rattlers. He said there are people who really want to make a difference and impact the community.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, advised that many restaurants and bars used outdoor seating for social distancing and has worked out well during the pandemic; however, they were recently told to remove them at the Cove Shopping Center. Additionally, she commented on the deplorable conditions of the brewery that is stalled and asked that the City intervene. Continuing, there is a parking issue on SE 3rd Court west of the Cove between 12th and 15th Avenue; rentals are becoming regular rentals and renters are parking all over the place and blocking access to other resident driveways. Ms. Freitag asked that the LED street lights be checked out on SE 2nd Street and 6th Avenue, because they are coming on and off throughout the day. Finally, she said there is a Kiwanis event, Christmas in July, whereby, 6400 homeless students in Broward County will receive a backpack to go to school.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said when District 2 residents are aware of applications coming before the Commission, it is not enough to talk to the District 2 Commissioner, but the other commissioners need to know how they feel about an item on the agenda. It requires three votes to make something happen which is why she comes before the Commission. Ms. Clarke-Reed asked that the District 2 residents be dealt with respectfully when voicing their opinions.

Chad Cheleden, 109 SE 13th Street, Deerfield Beach, commented on the City's Charter regarding the Commission's authority on governing Deerfield Beach. He said the Commission is not the county or state government and encouraged them to stick to their municipal functions and responsibilities. Thereafter, he commented on the City's mission statement which he believes is lip service. Mr. Cheleden commented on his interactions with the City and his disappointment. Additionally, he advised that the LED street lighting project is a failure to complete basic due diligence as the public was not informed and the lack of oversight from management. He said it needs to be addressed as well as the crime in the City and there is a lot of support on social media. Mr. Cheleden outlined his findings on crime from FBI crime statistics at 24.29% above the national average on the occurrence of crime, as well as other statistics. He then asked about a BSO event that the City Manager attended, but not the Commissioners.

David Santucci, City Manager, replied to various comments from the public. The contractor will be starting early next week on the Tiki Huts, which should be completed within two weeks. Thereafter, Mr. Santucci outlined the current status of other projects: Oveta McKeithen Recreational Complex field conditions are improving; showers at pool are not closed, but two restrooms are closed due to roof repairs; roof replacements at Aquatics Center and athletic area; scoreboards and lights at the Little League field have been replaced; clay added to Pioneer Park ball fields; seeking grant funding for Pioneer Park boat ramp but the ramp is operational.

In response to Mayor Ganz's question, Mr. Santucci explained the setback with the Tiki Hut was due to finding a new vendor. Additionally, the bleacher end caps have been received and will be installed this week. There have been delays with receiving supplies based on material, but mostly due to COVID delays. The light post at Flanigans has had issues for a while and the light post undergrounding will be changed with the S-Curve project. Mr. Santucci continued to provide responses to Mayor Ganz regarding infrastructure improvements.

Mayor Ganz responded to Mr. Scott regarding communication and said he is always receptive; nevertheless, residents can also reach out to their district representative. He then said he does not agree to reinstating an appeals board, but is willing to look into other solutions if the magistrate is cost prohibitive. Mayor Ganz said the appeals board will only water down current requirements and feels it is more important to protect the children. Moreover, if someone has a minor issue, after a certain amount of time, it is removed; however, more serious offenses, such as drug offenses, should not be watered down. He reiterated working with Mr. Philpart on reducing the expense for an appeal's review.

PUBLIC COMMENT - CONTINUED

Continuing, Mayor Ganz said things have changed with fireworks and while he does not have a solution as it is outside of the City's control because people can purchase them in other cities. Regarding golf carts, they have regulations, whereby, there must be a license plate and a call to safety; thus, he recommended calling the police if something is out of line. Also, when the boat ramp was shut down due to COVID, there were many complaints from people who were not City residents. Mayor Ganz said he is open to speaking with Mr. Philpart and Mr. Slattery after the meeting regarding the appeals board. Furthermore, outdoor seating is not the problem, but it adds capacity to a restaurant that didn't have it before and adds seating to private property, making it a legal issue. Mayor Ganz said outdoor seating was a temporary solution, which the businesses were aware; notwithstanding, he said he is open to finding a solution.

CONSENT - BOARD APPOINTMENTS

12. Resolution 2021/099 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing the 11 individuals, listed in Exhibit "A" as members, to the Affordable Housing Advisory Committee; and providing for an effective date.

13. Resolution 2021/100 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Amie Kay Tanner to the Historic Preservation Board; and providing for an effective date.

14. Resolution 2021/101 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Ashley Gombs as a regular member and Nicholas Kerns as an alternate member of the Cultural Committee; and providing for an effective date.

15. Resolution 2021/102 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Chauncey Chapman as a regular member to the Deerfield Beach Marine Advisory Board; and providing for an effective date.

16. Resolution 2021/103 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Katherine Brighton as a regular member to the Deerfield Beach Education Advisory Board; and providing for an effective date.

17. Resolution 2021/104 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Michael Marion to the African American Heritage Board; and providing for an effective date.

Mayor Ganz opened the public hearing.

Cheri Zettle, 3901 NE 4th Avenue, Deerfield Beach, thanked Commissioner Hudak for supporting her appointment to the Board. She expressed how she looks forward to serving the Affordable Housing Advisory Committee. (*The e-mail was read by Heather Montemayor, Assistant City Clerk.)*

Mayor Ganz closed the public hearing.

There was no discussion amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Items 12 - 17 in concert. Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

After a brief discussion, Item 19 was pulled for discussion.

Mayor Ganz opened the public hearing for all other items; 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 Items 18, 20 - 24 in concert. Roll Call:

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

Nays: 0

18. Resolution 2021/105 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JP021-06-2023 with the Areawide Council on Aging of Broward County, Inc., for the Center of Active Aging Emergency Home Energy Assistance Program; authorizing execution of the Contract in an amount not to exceed $26,081.37; and providing an effective date. *(Fiscal Impact: Increase in funding)*

19. Resolution 2021/106 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement for Public Affairs and Marketing Services with RJP Creations, Inc., for a one-year term in an amount not to exceed $67,496.00; authorizing execution of the Agreement; providing for an effective date. *(Funds from Account #001-1800-513-32-99 - Other Contractual Services)*

The Resolution was read by title only.

Mayor Ganz opened the public hearing.

Chad Cheleden, 109 SE 13th Street, Deerfield Beach, expressed concern with the consulting contract; whereby, there are enough people in the marketing department to handle these duties.

Mayor Ganz closed the public hearing. He then explained the need for the contractual service; whereby, the department is short staffed and the responsibilities require someone with a specific skillset. The services include managing the City's website, app redesign, project management and others. He said the request is not unreasonable considering the department's other responsibilities. Thereafter, he reopened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked what services will be provided.

Mayor Ganz reiterated the services included in the proposed contract. He advised that the former employee relocated to north Florida and will be completing these projects. It is important to know that the marketing coordinator's skillset is very unique and no one within the department can effectively take over those projects.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked whether the IT Department can handle the website and does not understand why the contract is outside of the City.

David Santucci, City Manager, said an employee recently ended her employment with the City and moved to north Florida. He said the department is over worked and losing the one person who has institutional knowledge and credentials to continue moving the projects forward has relocated; therefore, the proposed contract will allow the employee to continue work, but without the benefits of being a regular employee. Additionally, the position will not be filled for the remainder of the fiscal year, but next year, the recruitment process will begin. Mr. Santucci said for continuity of operations, staff recommends the consultant

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

agreement.

Chad Cheleden, 109 SE 13th Street, Deerfield Beach, said this was part of the budget meeting schedule and asked why the funds are being spent now and agreed that it should not be paid out under the current budget.

Mayor Ganz closed the public hearing.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 19, adopted Resolution 2021/106. Roll Call:

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

Nays: 0

20. Resolution 2021/107 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Award of Invitation to Bid #21-39-JW for Anthracite for Water Treatment Plant Operations; authorizing execution of a purchase order with Carbonfilt, LLC, the lowest priced responsive and responsible bidder; providing for an effective date. *(Funds not to exceed $31,500 from Account #401-5020-533-35-11 - Chemicals)*

21. Resolution 2021/108 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Proposals #21-03-JW for debt collection services; authorizing execution of Agreements with the top three ranked firms, Life Line Billing Systems, LLC dba LifeQuest Services, R.T.R. Financial Services, Inc., and Valley Collection Service, LLC for three year terms with two additional one year renewal terms; providing for implementation and an effective date. *(Fiscal Impact: No direct cost to the City)*

22. Resolution 2021/109 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Amendment to the Agreement with the State of Florida, Division of Emergency Management, for the implementation and administration of the Hurricane Loss Mitigation Program Grant for fiscal year 2020-2021; authorizing execution of the Amendment, extending the term through December 31, 2021; providing for an effective date.

23. Resolution 2021/110 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of a Homeowner Rehabilitation Grant in an amount not to exceed $50,848.80 to Nancy Krakowski; ratifying the purchase of replacement electrical panels in the amount of $2,850.00; providing for an effective date.

24. Resolution 2021/111 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to the Grant Agreement with the Deerfield Beach Historical Society for the Community Participation Grant; authorizing execution of the Amendment; providing for an effective date.

DEPARTMENTAL BUSINESS

25. Resolution 2021/112 - A Resolution of the City of Deerfield Beach, Florida, relating to the provision of fire rescue services, facilities and programs in the City of Deerfield Beach, Florida; establishing the estimated rates for fire rescue assessments for the fiscal year beginning October 1, 2021; directing the preparation of an assessment roll; providing for a vacancy adjustment procedure; authorizing a public hearing and directing the provision of notice thereof; and providing an effective date.

The Resolution was read by title only.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 25, adopted Resolution 2021/112. Roll Call:

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

Nays: 0

26. Resolution 2021/113 - A Resolution of the City of Deerfield Beach, Florida, relating to the collection of Nuisance Abatement Services Assessments; adopting findings of fact; directing the preparation of an assessment roll; providing for notice; and providing 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. Thereafter, he commented on the amount to be collected, $49,931, and the history of the program.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 26, adopted Resolution 2021/113. Roll Call:

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

Nays: 0

27. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS," ARTICLE IV "SUPPLEMENTARY REGULATIONS" OF THE CITY OF DEERFIELD BEACH LAND DEVELOPMENT CODE TO CREATE SECTION 98-107 "MOBILE FOOD DISPENSING VEHICLES" TO AUTHORIZE THE USE OF MOBILE FOOD DISPENSING VEHICLES AS A TEMPORARY ACCESSORY USE IN CERTAIN ZONING DISTRICTS AND PROVIDE GENERAL STANDARDS FOR OPERATING MOBILE FOOD DISPENSING VEHICLES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Anthony Soroka, City Attorney, said the legislature recently added to the Florida Statutes which provides a definition for mobile food dispensing, commonly referred to as food trucks. The Statutes provides for limited state preemption; thus, the City cannot require a separate license or permit, other than what is required by

DEPARTMENTAL BUSINESS - CONTINUED

the State. Further, the City cannot ask for a fee other than the fee required by the State for their license, solely for operation within the City. Before this law, food trucks were banned within the city unless operating pursuant to a special event permit. Mr. Soroka outlined exclusions and allowances for food trucks pursuant to the proposed ordinance: not permitted in residential districts, but are allowed in commercial and industrial districts only, cannot be open 7 days a week, and operating times are 7 a.m. to 10 p.m. The City's ordinance limits to max of 4 days a week, but not more than 3 consecutive days and an operational plan must be on hand to address various situations, i.e. cleanup. The trucks are subject to Code Enforcement for noncompliance and are not allowed to operate on a vacant or unimproved site.

Commissioner Drosky said he sees the need to regulate as there is nothing on the books right now, but is concerned about how enforcement will work. Nevertheless, he agreed with moving forward and possibly tweaking later if necessary.

Vice Mayor Preston said he does not want the proposed ordinance to cause overregulation as the State can be liberal in their regulations. His concern is that those trying to make a living is not overregulated.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said due to COVID, Chik-Fil-A would bring a food truck to her neighborhood which was much appreciated. She also commented on a charitable organization trying to put together a food truck round up to provide financial assistance to high school students. Ms. Freitag spoke in support of having food trucks in the residential communities as well; whereas, food trucks are set up on SW 10th Street every weekend. She said she is in favor of having food trucks in the City to support different organizations and bring additional tax revenue from the license.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said she is concerned about how the trucks are regulated and will require education from what was previously allowed to what will be allowed.

Wayne Adams, 1431 SW 5th Terrace, Deerfield Beach, provided an e-mail outlining his support of food trucks and the survivability it provides to food truck owners, especially those in District 2. Additionally, it is important that food trucks and lunch trucks not be confused. In closing, Mr. Adams advised that the enacting ordinance is likely an attempt to protect existing restaurants from competing with food trucks. *(The e-mail was read by Heather Montemayor, Assistant City Clerk.)*

Mayor Ganz closed the public hearing.

Vice Mayor Preston said the comments made regarding food trucks on SW 10th Street are likely on private property, even though some think they are on public property.

Commissioner Parness commented on how mobile food trucks serve various businesses as some do not leave the office for lunch. He said the food trucks are there to make a living and provide a service to the public; moreover, the food trucks are clean and maintain safety regulations. Lastly, the food trucks create jobs and as long as done right, he is in support.

Mayor Ganz asked if a food truck can be operated in someone's front yard without regulations.

Mr. Soroka replied that without regulations in place, the City could be challenged as the state law now says we cannot prohibit throughout the entire city but must limit it to specific zoning. It is important that the City not be in a spot where someone challenges where a food truck is placed.

Mayor Ganz said there is a possibility of that happening. Certain laws are in place to protect consumers; whereby, it is necessary to implement regulations. Mayor Ganz said he supports food trucks and although there may be changes along the way, regulating now is important.

DEPARTMENTAL BUSINESS - CONTINUED

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 27 on first reading. Voice Vote:

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

Nays: 0

28. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 66 "TRAFFIC AND VEHICLES" OF THE CITY CODE OF ORDINANCES AT ARTICLE II "STOPPING, STANDING, PARKING" AND ARTICLE III "TOWING OF UNAUTHORIZED VEHICLES FROM PRIVATE PROPERTY" TO PROVIDE CONSISTENCY WITH STATE LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Anthony Soroka, City Attorney, provided an overview of the proposed ordinance. A lot of the ordinance amendment is driven by state law changes; in 2020, the Florida legislature passed a bill creating a new statute that would prohibit municipalities from imposing fees or charges on authorized towing businesses within the City. The current code charges an administrative fee for those operators who tow within the city which is no longer allowed; however, the new statute allows municipalities to impose and collect a reasonable administrative fee not to exceed 25% of the towing rate, against the person/owner who is towed. The towing operator working on behalf of the city is allowed to collect the 25% fee and distribute to the City. Furthermore, he advised that there were certain requirements the City had that were more stringent than the State which were changed; for example, distance requirements for storage facilities from the city limits and other provisions were updated for consistency with state law. Mr. Soroka said the towing company is now required to accept more payment methods, i.e. credit cards, that they did not before.

Mayor Ganz opened the public hearing.

Jennifer Klein, 1235 SW 46th Terrace, Deerfield Beach, said the proposed changes are supposedly being changed to align with State law; however, public records indicate otherwise. The Waterways HOA has been illegally towing within the community for years and blanketed towing for over 300 vehicles between October 2019 - February 2021 and continued to do so during the pandemic, in violation of local and state laws. Ms. Klein said she is asking the Commission to hold the HOA accountable for violating the law, instead of adopting the ordinance, thereby, removing the existing violations against the HOA.

Brian Meo, 1235 SW 45th Terrace, Deerfield Beach, said in January 2021, it was discovered that the Waterways HOA was towing in violation of their own rules, as well as Deerfield Beach's rules. He communicated with Mr. Pita and advised of the ordinance and agreed that the HOA was in violation of numerous rules; thereafter, he outlined discussions between him and Mr. Pita's decision to cite the HOA. Furthermore, he advised that Mr. Pita said the HOA has asked for assistance in the past to waive the code cases. Mr. Meo said this seems to be the case with the proposed ordinance; thereafter, he asked that the City Commission not side with the HOA as it appears they have been authorized to violate the law. Mr. Meo continued to express concerns about the proposed ordinance and why specific towers were selected as the optics show favoritism for political influence. In closing, Mr. Meo spoke in favor of keeping the towers within 5 miles.

Mayor Ganz closed the public hearing. Thereafter, he said he is not aware of what is happening with the Waterways HOA and is not aware of the influence outlined by Mr. Meo. The proposed ordinance is based on staff recommendation and asked if the proposed ordinance, when passed, would wipe away previous violations.

Mr. Soroka replied no, it would not wipe anything out, once approved, it would go into effect for future violations; whereby, the Waterways HOA would be subject to the special magistrate.

DEPARTMENTAL BUSINESS - CONTINUED

David Santucci, City Manager, said there seems to be two different situations, the Waterways HOA and the City's ordinance not complying with the State Statute and provide a more efficient process; whereby, there was a large administrative bureaucracy built around the City's ordinance.

In response to Mayor Ganz's question, Mr. Soroka replied that he is unaware of the case commented on and would need to speak with the municipal prosecutor. He reiterated that a lot of these changes are driven by state law; therefore, whether approved or not, it will be the law of the land. There are some things the City has policy decisions on, like maximum distance requirement. By approving the proposed ordinance, it does not necessarily negate past violations as the City would need to determine enforcement based on the timeframe of the case and figure out whether it is a good use of resources.

Mayor Ganz said it seems that the City is being dragged into a personal battle and he is not in favor.

In response to Vice Mayor Preston's question, Mr. Soroka said many ordinances are driven by state law, but if he understands the Waterways residents correctly, they are asking that the current boundaries be kept.

A brief discussion ensued regarding the comments made by Waterways residents, political connections with the Economic Development Council and tabling the item.

Mr. Soroka said the ordinance, if approved, would not be enacted since it is on first reading and will come before the Commission again in two weeks, unless it is tabled.

Commissioner Hudak said he would like the research done to assure this ordinance does not adversely affect what is going on with the HOA; therefore, he supported tabling the item.

MOTION was made by Vice Mayor Preston, seconded by Commissioner Hudak, to table Item 28 until August 3, 2021. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY - No comments.

CITY MANAGER

Cooper City BSO Meeting - David Santucci, City Manager, said in attending the meeting, it seemed that politics were in play; nevertheless, there were points brought up by him and the City Commission and believes people may be experiencing perceived service level issues that he feels are experienced in the City. What he said most resonates with him from the meeting is that transparency and relationship from downtown must improve.

BSO Retirement - Mr. Santucci said Captain Brimlow will be retiring in August from the Broward Sheriff's Office; he wished him all the best as Captain Brimlow has been a tremendous asset for the City. Mr. Santucci also applauded Captain Brimlow's leadership skills and the work he has done with his deputies.

Parks & Recreation Director - Mr. Santucci introduced Ms. Teresa Rynard, who started only a few weeks ago. He said he will set up individual meetings with the Commissioners to discuss any concerns regarding parks.

American Rescue Plan Projects - Mr. Santucci said on August 3rd, there will be a presentation regarding ARP projects and funding.

CITY COMMISSION BUSINESS

29. Discussion regarding the selection of a voting delegate to the Florida League of Cities 2021 Annual Conference from August 12-14, 2021.

Commissioner Hudak said he would like to continue as the City's voting delegate at the conference.

> **MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to select Commissioner Hudak as the voting delegate. Voice Vote:**
>
> **Yeas:** 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Parness, Vice Mayor Preston, and Mayor Ganz
>
> **Nays:** 0

30. Resolution 2021/114 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving free admission to the International Fishing Pier for Veterans; authorizing amendment to the appropriate fee schedule to the extent required; providing for conflicts and an effective date.

The Resolution was read by title only.

Mayor Ganz clarified that the resolution pertains to a tour of the pier as opposed to actual fishing.

Anthony Soroka, City Attorney, said that is correct.

Mayor Ganz spoke in favor of allowing the veterans to walk out onto the pier.

Vice Mayor Preston asked that this also be extended to firefighters and police officers as a result of their service in various perilous conditions.

Commissioner Parness said more should be done and suggested building another fire station.

Mayor Ganz recommended keeping the actions separate, i.e. first responders and veterans. Thereafter, the public hearing was opened; however, there was none to speak and the public hearing was closed.

> **MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to approve Item 30, adopted Resolution 2021/114. Roll Call:**
>
> **Yeas:** 5 - Commissioner Drosky, Commissioner Hudak, Commissioner Parness, Vice Mayor Preston, and Mayor Ganz
>
> **Nays:** 0

31. Resolution 2021/115 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, opposing and urging Broward County to deny the proposed amendment to the Broward County Comprehensive Plan, Broward County Municipal Service District Future Land Use Element Map Series, changing the future land use designation of the former Wheelabrator North Resource Recovery Facility from Electrical Generation Facility future land use designation to industrial future land use designation; directing the City Clerk to transmit a certified copy of this Resolution to the Broward County Commission and Broward Municipalities; providing for conflicts and an effective date.

The Resolution was read by title only.

CITY COMMISSION BUSINESS - CONTINUED

Commissioner Drosky said Waste Management is applying to Broward County to tear down the smokestack and use it for more garbage. This is not good for the City or its nearby residents and only adds more refuse.

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

Commissioner Hudak said the facility was in place to convert waste into energy; as opposed to moving forward and making this a top of the line facility, but they only want more land for trash disposal.

Mayor Ganz commented on a project Waste Management presented in the past and how they moved the garbage mound to the northeast corner of the facility to expand and fill in garbage. He said he is in support of the proposed resolution and encouraged residents to contact County Commissioners Fisher and Bogen.

MOTION was made by Commissioner Drosky, seconded by Commissioner Hudak, to approve Item 31, adopted Resolution 2021/115. Voice Vote:

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

Nays: 0

COMMENTS BY MAYOR AND CITY COMMISSIONERS

COMMISSIONER HUDAK DISTRICT 1

None.

VICE MAYOR PRESTON DISTRICT 2

Representative - Vice Mayor Preston provided his city cell number for anyone who needs to contact him.

Appeals Board - Vice Mayor Preston acknowledged Mayor Ganz's dedication to the children; nevertheless, the previous board had integrity and would not compromise the kids' safety for any coach. Vice Mayor Preston said he received a call from Bernard Adams today recommending reinstatement of the board.

COMMISSIONER PARNESS DISTRICT 3

None.

COMMISSIONER DROSKY DISTRICT 4

Trailhead Park Clean-up - Commissioner Drosky said over 264 pounds of trash was collected at the park and was done in under 2 hours as that was the only amount that could be reached. He thanked the community partners for their assistance and looks forward to other clean-ups.

Shred A Thon - Commissioner Drosky said people were lined up for the shredding event and thanked BSO for the event as it was needed.

July 4th Event - Commissioner Drosky said a lot of people said they enjoyed having the event at Quiet Waters Park this year. He said fireworks are legal on the 4th and is unsure whether anything can be done for other times. Additionally, over 4,000 vehicles were present and BSO had to turn people away due to the crowd. Commissioner Drosky recommended rotating the event in the future. Thereafter, he explained the logistics of planning the event. Moreover, he said having the event on the beach would have generated about 100,000 residents which is of concern due to the delta variant.

COMMENTS BY MAYOR AND CITY COMMISSIONERS - CONTINUED

MAYOR BILL GANZ

Marketing Department - Mayor Ganz asked various questions regarding Item 19.

David Santucci, City Manager, said the person will be hired in FY 2022 and projects would stop without the former employee's assistance.

BSO Meeting - Mayor Ganz explained that the meeting was called by another mayor and though it was not a requirement to attend, the City Manager attended and brought back information.

Department of Public Safety - Mayor Ganz commented on rumors of the department director's salary being $200,000 which is inaccurate. He said public safety will always be expensive and will not generate money. The position is not only about the BSO contract, but coordinating other public safety measures.

Public Input - Mayor Ganz said he welcomes input, but not when people degrade others. Additionally, he does not like anyone to berate staff and it should not happen. In closing, Mayor Ganz said he does not want his comments tonight to make it seem like he didn't want people to share their opinions, but can be done through simple communication.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to adjourn the meeting at 11:38 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk

Meeting Minutes
City Commission

Tuesday, August 3, 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
Commissioner Bernie Parness – via Zoom
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 Deputy Harold Morrison, Broward Sheriff's Office, passed over the weekend. He started the backpack giveaway at Oveta McKeithen Recreational Complex and was a hero and true champion for the children. Mayor Ganz said he will be greatly missed. Thereafter was a moment of silence, followed by the Pledge of Allegiance.

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Non-Uniform Retirement Committee Meeting Minutes - March 8, 2021

Community Appearance Board Meeting Minutes - May 26, 2021

African American Heritage Board Meeting Minutes - April 29, May 11, May 19, May 27, & June 2, 2021

Hillsboro Inlet District Meeting Minutes - June 21, 2021

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, 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

August 3, 2021

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

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

Nays: 0

AWARDS & RECOGNITION

1. Presentation of the American Rescue Plan Act (ARPA), funding received by the City, allowable uses of the ARPA Funds, and potential projects for commission consideration.

David Santucci, City Manager, advised that the City has received $16.2 million of ARPA funds and has engaged the Government Services Group (GSG) to provide guidance by recommending projects and expending funds as it is a complicated process. The collaboration with GSG will ensure that dollars are spent appropriately, so there are not claw backs 5 to 10 years from now; whereby, FEMA has done this in the past. The final guidance will come from the Treasury later this month; then there will be a clear picture as to the projects with staff recommendation presented to the Commission.

Agenda - David Jahosky, Vice President Government Services Group, said GSG has assisted 10 counties during the administration of the CARES Act services, administered over $70 million in funds and has learned much during the process. Thereafter, he outlined the topics being covered this evening: lessons learned from the CARES Act, ARPA overview, period of performance, use of the funds and wrap up.

Lessons Learned from the CARES ACT - Mr. Jahosky said during the time period from application to deadline, the US Treasury frequently released guidance and updates for the CARES Act. A lot of coordination was needed and it is important to prioritize needs and maintain flexibility. Also, they have learned that if the amount of coordination and cooperation can be increased internally, and understand the other programs, it can be used as a basis to stretch the City's dollars.

Mitigate Common Audit Findings - Mr. Jahosky outlined his experiences with federal funding and outlined those factors that should be recognized: eligibility determination, duplication of benefits, consistent treatment of how things are categorized and classified, and most important is having adequate documentation. He reiterated the importance of having adequate documentation as it could be at least 10 years before this program is over.

American Rescue Plan Act Overview - Background - Mr. Jahosky said this is the first time in US history that a federal presidential declaration has touched everyone. He said the one they are focused on is local fiscal relief which they were hired for. Additionally, more funding is flowing from rental assistance in excess of $30 billion to different sources.

ARPA Overview - Eligible Uses - Mr. Jahosky outlined six areas of eligible uses under state and local government funding. First, supporting the public health response which includes: improvements in contact tracing, medical expenses for staff and personnel, public health and safety staff. He explained that there are other eligible uses, such as personal protective equipment, social distancing and making improvements to certain venues, like parks and recreational facilities used to keep people safe.

Premium Pay for Essential Workers - Mr. Jahosky said this allows local governments to provide premium pay to employees or third-party employers that provide additional compensation or benefits. He advised that other clients have expressed concerns and are hesitant to implement this type program in their city or county for fear of establishing disparities between employees. Also, there is a financial impact when paying a premium pay; whereas, there is a possibility to pay above market price for the services being provided.

AWARDS & RECOGNITION - CONTINUED

Moreover, he commented on what happens when the funding ends and whether the added pay will be taken from the individual, returning them to their original pay. For those reasons, the clients are not considering this option for their ARP.

Replace Public Sector Revenue Loss - Mr. Jahosky said they have encouraged all clients to consider this, as other entities are looking into it as well. Additional flexibilities can be garnered by the City if they go through the calculation of determining growth rates and the amount of revenues generated starting back in fiscal year 2019 and can be calculated at four different points in time; whereby, during the duration of the eligibility period, up to the $16 million can be claimed. Right now, they are waiting on the final guidance and then will tweak the numbers as to ensure program requirements are fully understood.

Water and Sewer Infrastructure - Mr. Jahosky said many clients are considering water and sewer infrastructure as there are a couple of added benefits; proposed projects being proposed that meet the State's Revolving Funds Project classification and designations are deemed allowable under the ARPA. He also mentioned changes to the guidelines to increase flexibility; i.e. waiving the Davis Bacon requirements as it is very time consuming.

Broadband Infrastructure - Mr. Jahosky said this is another area for rural counties, and cities are looking to enhance capabilities and access to reliable services. This is not a major issue in urban areas or cities; however, there are other types of projects related to broadband infrastructure, but are not needed for the City.

ARPA Overview - Ineligible Uses - Mr. Jahosky outlined guidelines for things not covered under the program: deposits to financial reserves and deposits into defined pension plans. He said if the City is paying salaries as a normal part of their compensation, retirement and benefits, it can be used for that. He explained that if the City had an unfunded pension liability, funds cannot be used to justify payments to the pension fund. Other exclusions include: debt service payments; legal settlements or judgements; general infrastructure spending; and non-federal match for federal programs. There is, however, a loophole for general infrastructure spending; whereby, the revenue loss calculation must be performed.

What ARPA Means to Local Governments - Mr. Jahosky said it is important to be patient as some federal programs have not been finalized. The program final rule should be out this month with the possible passage of the infrastructure bill and the final guidance related to the plan should be released. He said these funds, from an investment standpoint, must last the next 3 to 5 years.

Period of Performance - Mr. Jahosky said under the program guidelines, expenses after March 3, 2021 are eligible and projects must be approved, incurred and obligated and must be done before December 31, 2021. Furthermore, the funds can be expended through December 31, 2026 such as capital projects.

ARP Progress to Date - Mr. Jahosky provided an overview of the plan's progress; the plan was approved, March 11, 2021; Treasury provided guidance in early April 2021 of the rules and the City opened a new bank account to segregate expenses and track expenses separately, set up corresponding accounts and the City's chart of accounts. At the end of May 2021, after the application period was opened by the US Treasury, the City submitted its application for the first 50% of the funds; the notice was received in June and on June 7, 2021, the funds were received and deposited. Mr. Jahosky explained that the City would not be eligible to submit a request for the second reimbursement until May 24, 2022, as there must be a 12 month break between the first reimbursement and the request for the second reimbursement.

City's Use of ARPA Funds - Mr. Jahosky outlined the categories that GSG and staff are focused: strengthening the local community, investing in key infrastructure and supporting public health. Strengthening the local community ties to addressing the negative economic impact and pertains to hiring and retaining local employees, assisting non-profits, business incubator, Hire Deerfield Beach, resources, services and interventions for youth and families. Invest in key infrastructure included identifying projects consisting of water, wastewater and stormwater, which are allowable expenses and provide for a variety of improvements. The final area, supporting public health, ties into social distancing, providing ease of interaction and reducing the physical touch between people by implementing bill pay kiosks, and others. Mr. Jahosky said two (2) projects that pertain to public health are the aquatic center

AWARDS & RECOGNITION - CONTINUED

upgrade and beach facility improvements, as these facilities received numerous users and visitors during the pandemic.

Stretching the City's ARP Allocation - Mr. Jahosky outline ways the City can stretch its allocation: emergency rental assistance, utility assistance and mortgage assistance. The emergency rental assistance program came out between the CARES Act and American Rescue Plan under the final days of the Trump Administration in December 2020. This program provided emergency rental relief for up to 12 months of arrears and forward rents for individuals that qualify as well as utility assistance. This program is being managed by Broward County who received an allocation of approximately $53 million from the US Treasury; however, the City can provide rental assistance, but would have to opt out of the County's program. This increases the City's administrative burden in terms of recognizing duplication of efforts, requirements to determine eligibility and approval, which is very time consuming. Moreover, $10 billion has been set aside for mortgage assistance; whereby, GSG does not recommend the City offering either program as it will help the City stretch its allocation further.

Existing City Programs - Mr. Jahosky said the Deerfield Beach Housing Authority is already managing individual and small business assistance under the Community Development Block Grant funding. This is similar to rental and mortgage assistance programs, but the challenge is having good mechanisms in place, which is why they do not suggest implementing either. Also, staff noted that while resources are adequate, there has been a reduction in demand in Deerfield Beach.

Additional Federal & State Programs - Mr. Jahosky outlined various programs available for individuals, households, businesses, and non-profits and entities offering these programs.

Next Steps - Mr. Jahosky advised that the goal of the presentation was to show the Commission progress made to date, outline priorities, key infrastructure projects, strengthening the local community, and supporting public health initiatives. Once the proposed projects have been vetted internally; a recommended list will be presented to the Commission for final approval. Lastly, Mr. Jahosky said if there are questions or something that may have been missed, they are available. Thereafter, he provided references of where documentation was obtained.

Mr. Santucci said his direction is to invest in infrastructure to improve the community and supporting the businesses. The list of projects submitted by staff were extensive and very creative. After collaborating with GSG, some projects were viable and others were not; nevertheless, those projects have been prioritized based on need. GSG reviewed the priorities, but also assessed the risk as there is the potential for auditing thus, it is important to be prudent. Mr. Santucci asked that the Commission consider Deer Run and SW 8th Avenue in District 1 for stormwater improvements. Staff is moving forward with design as workshops are forthcoming in September to show the 30% conceptual design standards and what the projects will accomplish. The final design in construction dollars will be needed to complete the projects; ARP seems to be the best mechanism for funding as the projects are imminent.

Continuing, Mr. Santucci said the beach nourishment project carries a contractual obligation and is being considered for eligibility and the aquatics center upgrades have been discussed. He said parks and recreation facilities are being prioritized for ARP as parks and recreation was a tremendous resource for the community during the pandemic. Thereafter, he entertained questions by the Commission.

Mayor Ganz commented on events that have risen from the government with claw backs; whereby, rules are changed erratically. Mayor Ganz agreed with Mr. Santucci on the choice of infrastructure projects as SW 8th Avenue and Deer Run are the highest priorities; however, there are other areas that should be considered. He explained that with the City's stormwater fund, some projects can be tackled, but with ARP funds, a majority of the issues can be addressed. He expressed concern with the exclusions listed and using ARP funds for stormwater projects.

Mr. Santucci replied that within the ARP local government spending includes a category for water, waste water, and infrastructure; Treasury guidance expanded it to include stormwater projects which was accomplished through lobbying efforts. He commented on the revenue loss category which is a much broader category for spending.

AWARDS & RECOGNITION - CONTINUED

Mayor Ganz said he would like to be as shovel ready as possible, so when the funding comes forth, it is being done quickly. Also, rental assistance has been done outside the funding the City received, but this week, there was a story on CNBC regarding the eviction moratorium expiring. A resident from Deerfield Beach said they were already $20,000 in arrears on rent; however, the article did not mention the person has already received the maximum of $10,000 from the City. Mayor Ganz asked if the City can go beyond the $10,000 max or is that still the limit.

Mr. Santucci replied that is still the limit; however, President Biden is pushing for a two-month extension of the eviction moratorium. There are other sources available to families, but as it relates to rental assistance, it is six months and a maximum of $10,000.

Mayor Ganz commented on property owners who have not been able to collect rents which puts them in a bad financial position and then families that could possibly be evicted.

Commissioner Hudak clarified that SE 8th Avenue is the road needing stormwater improvements which has been discussed in great detail and thanked Mr. Santucci for making sure the project can be funded.

Vice Mayor Preston asked if any other stormwater projects have been considered for other areas; whereas, there are issues in District 2.

Mr. Santucci replied that the grant for 30% conceptual drawing for 4 projects, one project in each district was chosen. The area around MLK is in design; nevertheless, SE 8th Avenue and Deer Run are flood prone areas and FEMA flood designation fully supports that statement.

Vice Mayor Preston asked if there will be any relaxation in the approval process for rental assistance since there is a resurgence of COVID cases.

Mr. Santucci replied that he is unsure whether that will happen; nevertheless, he explained that if funds are not being spent at the local or County level, then the Federal Government will decide on what changes need to be made to ensure relief to families. Staff has been working closely with federal lobbyists to communicate the City's concerns and needs.

Commissioner Drosky said he looks forward to debating the project priorities and agreed with the generic categories provided.

QUASI-JUDICIAL PUBLIC HEARINGS

2. **P.H. 2021-095:** Applicant: **APPLICATION NO. 20-I2-07 (Project Name: A Alligator Septic & Drain) A Broward County LLC, represented by Gustavo Carbonell.**
   Proposal: Major site plan application seeking approval to construct an 11,865 square foot industrial warehouse with a mezzanine and ancillary administrative offices.
   Location: The property is generally described as a parcel of land on YORK CHASE RONTO INDUSTRIAL PLAT 123-5 B PORTION PARCEL A DESC AS:COMM SW COR PAR A,N ALG W/L PAR A FOR 472.76 TO POB,CONT N 163.59,E 332.99,S 163.59,W 332.70 TO POB more particularly described in the file, and located at **1811 SW 42nd Way.**

Anthony Soroka, City Attorney, outlined the application and the quasi-judicial process.

Gus Carbonell, Architect, waived the quasi-judicial proceedings. This project has been in progress for the last few months and consists of a single tenant, industrial warehouse building for a business. The land was purchased many years ago for the purpose of building their headquarters; it is a family owned septic tank company that started with 1 truck and has great pride in their business. The building will be state of the art, housing their administrative offices with space for storing a max of 12 pump trucks; they currently have eight. Mr. Carbonell explained that the trucks do not come to the site full and are emptied at the Broward County facility. There is also a truck wash at the rear of the facility; thereafter, he explained the site plan. The office in the front has glazing facing the street with a double height lobby and open stairs; 3 parking

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

spaces at the front, two handicap and one regular. Most of the frontage is landscaping, all overhead doors face the side and has met all criteria for DRC, Planning & Zoning Board and Community Appearance Board. The property is directly north of the incinerator on a street mainly occupied by heavy industrial uses such as construction, demolition and recycling. There are 30 parking spaces; however, very few are needed because the public does not visit. Truck drivers will leave their personal vehicles on site and pick up the commercial vehicle; presently, there are 3 to 4 office staff. Thereafter, Mr. Carbonell provided a PowerPoint presentation.

Proposed Site Plan - Mr. Carbonell outlined the proposed site plan; whereby, the property has two entrances, one from the cul-de-sac and the other allows for double traffic circulation throughout. The fire truck turnaround is provided at the rear and in front of the overhead doors there is about 60 feet of area for the trucks to enter the building and maneuver.

Elevations - Mr. Carbonell displayed renderings of the east, west, south and north elevation. There will be porcelain tiles that protrude away from the façade, wraparound design on the north elevation and three (3) double overhead doors where the trucks will be stored. At the right of the north elevation will be a truck washing station.

Thereafter, Mr. Carbonell provided renderings of the building; however, the parking spaces shown will be replaced by landscaping. There is a wing that extends five feet to screen some of the overhead doors from the street view.

Commissioner Hudak asked where the owner’s headquarters is currently located.

Mr. Carbonell replied that the owner currently works from home in Plantation, but leases more than one facility to park their trucks, which are not covered. They currently have 10 to 12 employees. Additionally, he replied that the trucks will only be washed on the exterior as needed and no repairs will be made at the facility.

Commissioner Drosky asked if all staff comments have been complied.

Eric Power, Director of Planning & Development Services, replied that is correct. Additionally, there are no variances sought with the application.

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 Vice Mayor Preston, to approve Item 2, adopted Resolution 2021/116. Voice Vote:

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

Nays: 0

PUBLIC HEARING - SECOND READING

3. P.H. 2021-096: ORDINANCE 2021/016 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 “LAND DEVELOPMENT REGULATIONS,” ARTICLE IV “SUPPLEMENTARY REGULATIONS” OF THE CITY OF DEERFIELD BEACH LAND DEVELOPMENT CODE TO CREATE SECTION 98-107 “MOBILE FOOD DISPENSING VEHICLES” TO AUTHORIZE THE USE OF MOBILE FOOD DISPENSING VEHICLES AS A TEMPORARY ACCESSORY USE IN CERTAIN ZONING DISTRICTS AND PROVIDE GENERAL STANDARDS FOR OPERATING MOBILE FOOD DISPENSING VEHICLES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

PUBLIC HEARING - SECOND READING - CONTINUED

The Ordinance was read by title only.

David Santucci, City Manager, advised that this change is necessitated by changes in state law which requires the City to have regulations if chosen, for mobile food dispensers or food trucks.

Commissioner Parness asked if certain districts in the City would be prohibited and not others.

Anthony Soroka, City Attorney, replied that the proposed ordinance references allowances for zoning districts and is limited to commercial and industrial districts.

Commissioner Parness asked why the food trucks would not be allowed in areas like Century Village.

Eric Power, Director of Planning & Development Services, replied that a special event permit could be utilized for residential areas for specific reasons, i.e. block party. This ordinance allows for a food truck to be in a district by right; thus, it cannot just park onto a residential party. It is being left to the commercial and industrial areas. If a car dealership wanted a food truck, this would be an opportunity for them to do so.

Mayor Ganz clarified that food trucks in a residential district could create an issue because they could park indefinitely and run a business from their front yard.

Mr. Power agreed.

Mayor Ganz opened the public hearing.

Chad Cheleden, 109 SE 13th Street, Deerfield Beach, said in Center City, Philadelphia, food trucks littered the streets; he commented on the trucks being dirty as there are no restrooms and leave garbage on the street. There may be issues with food trucks taking restaurants business who pay taxes and rent. Although it cannot be prohibited, it needs to be restricted as much as possible.

Wayne Adams, 1431 SW 5th Terrace, Deerfield Beach, spoke in opposition to the proposed ordinance; whereas, the City is trying to strong arm food trucks and should be focused on developing Dixie Highway and getting rid of the junkyards next to homes in District 2. He advised that the Department of Planning & Development Services is trying to destroy hardworking business owners seeking the American dream. *(The e-mail was read in its entirety by Samantha Gillyard, City Clerk).*

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said there are food trucks operating on street corners on private property, not public property. The ability for people to enjoy the food trucks during the pandemic has been incredible; whereas, a business has become a brick and mortar restaurant. She said the food trucks do not leave trash lying around and has not seen such an issue. Ms. Freitag spoke in support of allowing the food trucks in the City.

Mayor Ganz closed the public hearing.

Commissioner Drosky said the City is not allowed to prohibit food trucks, per state law, nor can an additional tax or license be imposed. While he sympathizes with the comments, certain things cannot be done. Furthermore, Commissioner Drosky said this is better than nothing and believes it will be necessary to tweak the ordinance along the way.

Commissioner Parness said he believes in free enterprise and the food is different when you sit down at a restaurant or eat from a food truck. Thereafter, he commented on some of his experiences with food trucks. There is room for everyone and if a restaurant is not successful, it will go out of business. He said he supports the proposed ordinance as he sees a need for it; whereby, it provides food to those unable to leave their place of employment. Lastly, Commissioner Parness said the food trucks cannot be prohibited and should be given an opportunity to prove themselves as an asset to the City.

PUBLIC HEARING - SECOND READING - CONTINUED

Vice Mayor Preston said the comments made by Ms. Freitag were spot on and experiences in other places does not mean it will be the same in Deerfield Beach. Secondly, valid points were made by Mr. Adams as regulations are necessary; whereby, trucks would not be allowed to set up anywhere desired, and there are time restrictions. Vice Mayor Preston said he is concerned with overregulation and will make sure he is vigilant, as people who are trying to make a living should be supported.

Mayor Ganz said there is a difference between a lunch wagon and food truck; a lunch wagon provides pre-prepared foods, and the description provided distinguishes the difference. Mayor Ganz read the excerpt regarding the food truck having self-contained utilities, including, but not limited to gas, water, electricity or liquid waste disposal. This ordinance does not pertain to lunch wagons, but food trucks. He asked his colleagues what is overregulation. Thereafter, Mayor Ganz provided an example of how food trucks within the neighborhood can be troublesome and should be regulated. He also agreed with restroom usage for those operating food trucks. Lastly, this is a good start and he suggested bringing issues to the table to either amend the ordinance now or later.

Vice Mayor Preston said he does not deem the ordinance as overregulated, and agreed with the proposed ordinance.

Mayor Ganz reiterated that the ordinance is not overregulating, but believes that it will be changed later to adapt to areas where the food trucks could be allowed.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 3, adopted Ordinance 2021/016. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Thomas Noland, 406 SE 8th Avenue, Deerfield Beach, advised that there is severe flooding on 8th Avenue and has provided commentary in the past at the stormwater workshop when plans were being compiled. Mr. Noland said on November 8, 2020, the street flooded and about 8 residents had approximately $80,000 to $100,000 worth of property damage. He explained the loss he and his neighbors have experienced during the flood event. Although the City has been working in the area, flooding continues; whereby, on July 24th, after a 30-minute storm, the street was again flooded. He provided photographs and the tide chart to show it was low tide on July 24th. Mr. Noland said he is asking the Commission to help as not enough is being done. He then outlined the steps staff has taken to remedy the situation; i.e. drain sweeping, sleeve the pipes from behind the home, which is not enough. In closing, Mr. Noland said the drains are not clogged as evidenced by the City dispatching staff to his residence before a storm.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked when the public will be allowed to comment on the American Rescue Plan.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, also asked when the public would be allowed to comment on the plan and whether any funds could be allocated to the fire and police stations needing repairs. Also, she asked if there is an update on the brewery in the Cove Shopping Center as the conditions are horrible. Furthermore, since the sidewalks and parking spaces have been removed, she would like to know whether the project is moving forward and if not, can they clean up the building to make it safe again by reinstalling the sidewalks.

Peggy Noland, 325 SE 3rd Terrace, Deerfield Beach, said the pandemic is striking again and asked that the businesses be allowed to have tents outside as they have been removed. She said having the tents have saved them and asked that it be considered in the near future. Lastly, she asked for an update on the Pioneer Park docks.

PUBLIC COMMENT - CONTINUED

Mayor Ganz replied that he has requested an update on all the issues.

Jillian Lerner, 500 SE 8th Avenue, Deerfield Beach, thanked the City for working on the flooding issue as it has been very traumatic. She said after an hour of rain, the block is like a river and cars run through it, pushing the rain through the houses.

Chad Cheleden, 109 SE 13th Street, Deerfield Beach, said he spoke on the powers granted to the City government during the July 20th commission meeting; wherein, the City should be operated as a municipality and the conditions with Surfside Condominiums. Mr. Cheleden commented on the introduction of a Public Safety Department discussed during the budget workshops and outlined who he believes is at fault for the lack of communication as stated as a reason to start the department. Mr. Cheleden continued to express reasons why the department should not be implemented, department head and two assistant city manager salaries, and suggested that each department cut their budgets by 15%-20%. Lastly, Mr. Cheleden commented on conditions at the fishing pier, the visitor's center and beach parking tags.

Mayor Ganz commented on the flooding conditions on 8th Avenue. He said the flooding will continually reoccur and should be addressed immediately. If the pump station is not working well enough to handle the problem, it must be prioritized. Mayor Ganz asked the City Manager to respond on when the public will be allowed to speak on ARP projects.

David Santucci, City Manager, said once the final treasury guidance is received, staff will review the recommended projects and the public comment can be done at that time. If it doesn't happen this month, it may be late September or October.

Mayor Ganz asked that when there is any type of rain on 8th Avenue, that a pump truck be stationed on the block to relieve flooding. Additionally, the brewery is in for permitting and he has requested the sidewalk be opened at least on one side.

Eric Power, Director of Planning & Development Services, said that is correct, staff has spoken with the property owner about opening the sidewalk on the west side and since receiving the building permit on July 20th, they intend to start construction in September.

Continuing, Mayor Ganz said it is important to consider outdoor seating, but the problem with doing it now without an emergency order is outdoor seating will only add to capacity instead of socially distancing. The issue the City has is that it becomes a private/public property situation. Mayor Ganz advised that the City only has one assistant city manager and explained what happened during the housing market crash and severe reduction of budgets as well as layoff of staff. Recently, the City had to make cuts when the pandemic hit and the loss of revenue from the State; therefore, making cuts across the board do not work.

Vice Mayor Preston said when people are employed, their salary is considered and no one is throwing away money; however, it is important to analyze what the market pays. The City tries to recruit the best and for whatever they are paid, there is a good return as staff does a good job in making sure the City is progressive and residents come first. Thereafter, he commented on the lack of beach parking as the residents should be able to enjoy the amenities.

Commissioner Hudak applauded city staff as they have the best intentions; he also advised that only Deerfield Beach residents can purchase a beach parking pass; whereby, spaces are allocated for those pass holders. Furthermore, Commissioner Hudak said vehicles who ride through flooded areas cause the wakes to go into the homes; thus, he recommended barriers that stop people from going down the street. Regarding fire and police stations, he said using ARP funds is a good idea as these employees should be protected just as they protect the residents.

Commissioner Parness commented on his tax bill and explained that whatever his taxes are, he pays it. Thereafter, he commented on rewarding first responders; whereas, a free pass on the pier is not enough. He also said there is only one assistant city manager, Tom Good, who works hard without an increase in salary; thus, the City is watching over the taxpayer dollars and handling them responsibly.

PUBLIC COMMENT - CONTINUED

Mayor Ganz said beach parking has been a problem; however, there is a liberal parking system. He also spoke about comments made regarding staff living in the City, salaries and property taxes paid by an elected official. He advised that whether the City Manager lives in the City or not, he wants the best for the City. Therefore, when a person cares about their work, they will work diligently regardless of where they live and the salary should not be predicated on whether they live in the City or not.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

4. **Resolution 2021/117 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Amendment to the Water Tower Site License Agreement between the City and T-Mobile South, LLC, to extend the License Agreement for five additional five-year renewal terms; authorizing execution of the Amendment; providing for an effective date.**

5. **Resolution 2021/118 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the settlement of all claims against the City in the litigation styled *Thomas D. Lacy and Alice Lacy vs. City of Deerfield Beach*; authorizing execution of documents necessary to effectuate the settlement; providing for an effective date.**

6. **Resolution 2021/119 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a Piggyback Agreement with Advanced Roofing, Inc. for roof repairs at the Middle School Athletic Complex in an amount not to exceed $194,609, utilizing the City of Sunrise Contract #2019000166; providing for execution and an effective date.** *(Funds from Account #001-7025-572-60-21 - Improvements Other than Building)*

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Items 4 – 6 in concert. Roll Call:

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

Nays: 0

ADDENDUM

7. **Resolution 2021/120 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of an Integrated Water Resource Plan Grant Application to Broward County for the installation of a 12 inch reclaimed water main in connection with the SW 10th Street Connector Project; and providing for an effective date.**

The Resolution was read by title only.

David Santucci, City Manager, outlined the proposed resolution. The grant would be a 50% matching grant with a total estimated construction cost of $5.8 million, to run a reclaimed water main down SW 10th Street. He advised that the timing is optimal with the construction of SW 10th Street. Mr. Santucci said reclaimed water is non-potable water that is typically used in irrigation; expanding on it will be important from a water conservation perspective. Furthermore, he recommended working with state legislators and FDOT on the

ADDENDUM - CONTINUED

matching portion as it would help with the Broward County grant. Currently, there is no obligation on the City, this allows staff to pursue the grant and will be presented if the grant is awarded.

In response to Mayor Ganz's question, Mr. Santucci replied that he believes this is the first non-potable water opportunity.

Commissioner Drosky spoke in support of the grant application. He said he does not want the 10th Street project and the water main to be confused as he still has concerns with the 10th Street project.

Commissioner Parness asked if the pipe would go under 10th Street.

Mr. Santucci replied no, it would be the installation of a pipe during the construction of the 10th Street connector project.

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 7, adopted Resolution 2021/120. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

8. P.H. 2021-097: ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 66 "TRAFFIC AND VEHICLES" OF THE CITY CODE OF ORDINANCES AT ARTICLE II "STOPPING, STANDING, PARKING" AND ARTICLE III "TOWING OF UNAUTHORIZED VEHICLES FROM PRIVATE PROPERTY" TO PROVIDE CONSISTENCY WITH STATE LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE. *(Tabled from July 20, 2021)*

The Ordinance was read by title only.

Eric Power, Director of Planning & Development Services, said this item is intended to meet the requirements of county and state laws. Changes have been made related to mileage and the distance you can bring your vehicle to an impound lot, whereby, the recommended change is to expand from 5 miles to 10 miles. Mr. Power displayed a map outlining the number of towing companies located within the 5- and 10-mile radii. The circles represent actual impound lots that have received a business tax receipt within the area. Staff has realized that there is not a lot of opportunity for property owners who want to go under contract with a towing company to meet Code requirements. He explained that the tow radius, as provided by the ordinance, is from the point of towing, not from the boundary of the City. Lastly, going 10 miles from the place of towing meets the State Statute.

Mayor Ganz said based on the radius shown, it appears there will be an increase from 11 to 19 companies within the 10-mile radius, which expands to Oakland Park.

Mr. Power said Oakland Park is the radius from the southern boundary. There are currently two impound lots in the City; 14 properties within the 5-mile boundary and 8 additional within the 10-mile boundary.

Commissioner Hudak said someone parked at another resident's home, but the violator's vehicle could not be towed; he asked if this ordinance addresses that.

DEPARTMENTAL BUSINESS - CONTINUED

Captain Brimlow replied that it would be the property owner's responsibility to get rid of the property, not a law enforcement function. The City would need a separate contract to have that type of provision.

There was a brief discussion regarding private property towing and abandoned vehicles.

Mayor Ganz opened the public hearing.

Brian Meo, 1235 SW 46th Terrace, Deerfield Beach, spoke in opposition to changing the mileage from 5 to 10 as it causes a delay in people being able to retrieve their vehicle if towed to Oakland Park.

Mayor Ganz closed the public hearing. Thereafter, he said towing is meant to serve as a deterrent as some people make mistakes, but some abuse the system. The 10-mile radius, in his opinion, is cruel and unusual punishment and believes it should be kept to 5 miles. Additionally, 5 other businesses are gained.

Commissioner Drosky spoke in support of the 10-mile radius as it gives businesses more options as to whom they choose to use for towing.

Mayor Ganz said he understands being able to allow competition, but when dealing with tow companies, it is not a pleasant experience. Adding more to the City has pros and cons, but is comfortable with 5 miles.

> **MOTION was made by Commissioner Drosky, seconded by Commissioner Parness, to approve Item 8 on first reading with a 10-mile radius. Roll Call:**
>
> **Yeas:** 4 - Commissioner Drosky, Commissioner Hudak, Commissioner Parness, and Vice Mayor Preston
>
> **Nays:** 1 - Mayor Ganz

ADDENDUM - CONTINUED

9. Discussion and potential action regarding the use of Oveta McKeithen Multipurpose field by KeyKlub Foundation Inc. for the purposes of hosting an event titled Elevation Fest.

Vice Mayor Preston said this item is a benefit to the community which he supports.

Mayor Ganz opened the public hearing.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked whether the KeyKlub was attached to Kiwanis. Also, the application advises that BSO will be security and asked who would be paying BSO.

Mayor Ganz closed the public hearing.

David Santucci, City Manager, replied that he can only speak to the fee waivers that would apply to the City and is unsure whether Captain Brimlow can advise on any associated fees as they are not born on the City.

Mayor Ganz asked if the KeyKlub fails to obtain BSO for security, would the event be nullified.

Mr. Santucci said he would have to speak with Captain Brimlow to waive the requirement for security at the event based on the type of event; however, law enforcement has attended events like this, but he cannot say whether they attended for support or security.

In response to Commissioner Drosky's question, Mayor Ganz replied that the event is scheduled for August 15th.

There was a brief discussion regarding the date the item was presented to staff.

ADDENDUM - CONTINUED

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to approve Item 9. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY - No Report.

CITY MANAGER

Park Improvements - David Santucci, City Manager, said there are two sections to the Pioneer Park improvements, the boat dock and boat ramp. He said the boat dock repairs will commence either later this week or next week and should be completed within 3 days of the start date. The Pioneer Park boat ramp requires a permit by the Army Corp of Engineers which is a long process. He advised that staff has sought a grant through Florida Inland Navigation District and expects approval sometime in September; this will hopefully align with the approval from the Army Corp of Engineers to move forward with construction.

Continuing, Mr. Santucci said one of the tiki huts on the beach has been completed; however, the other two are delayed due to construction material and labor which are a reoccurring issue due to the pandemic. Notwithstanding, labor delays are also occurring, but thankfully, the huts should be completed next week. Additionally, Mr. Santucci said the showers at the Middle School are operational; but two shower stalls have been closed. The permits for the aquatics center portion of the middle school athletic facility is awaiting materials for the metal roof and improvements will follow. Upon completion, the women's restrooms can be reopened. Furthermore, the scoreboards and lights were operational for the Little League Championship event. Bleacher end caps at the middle school are complete and were installed at Oveta McKeithen; they will be installed at Pioneer Park also. The plastic cap actually protects people's clothing against snags.

COVID Cases - Mr. Santucci said there has been an increase in cases due to the delta variant. Broward County now averages more than 9,000 new cases, 17% positivity rate and about 2 months ago, it was below 5%. He advised that an administrative order was implemented for employees to wear masks indoors when they are with other people. Therefore, he advised that a mask mandate will be implemented for the public, starting tomorrow, August 4th, until cases and positivity rates decline. Although commission approval is not required, he wanted the Commission to outline disagreements, if any.

Commissioner Hudak said the State has identified almost 51,000 cases in 3 days; therefore, he recommended social distancing for the dais.

Mr. Santucci said it is at the discretion of the City Commission, but he is happy to accommodate if that is the Commission's decision.

Anthony Soroka, City Attorney, advised that since there is no emergency order, nor a state of emergency at the state level, it would be the traditional approach for telephonic participation; whereby, a physical majority would need to be present to hold a meeting. He recommended that a motion be made since the circumstances warrant holding a hybrid forum.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve hybrid meetings until deemed necessary.

There was a brief discussion before the vote as to how long the hybrid meetings would last; whereby, it was recommended that it be addressed during each meeting to gauge the number of cases.

Commissioner Hudak amended the motion to allow discussion every 30 days to determine whether the Commission will continue to meet in a hybrid setting.

COMMENTS BY ADMINISTRATION & LEGAL - CONTINUED

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve hybrid meetings and review every 30 days. Roll Call:

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

Nays: 0

The Commission motioned approval to allow a majority of commissioners to attend in person and two others to attend via Zoom; approved unanimously.

Crime Rates - Captain Brimlow, BSO, District X, advised that the Federal Bureau of Investigations collects crime data as reported by the Broward Sheriff's Office. The information is collected, collated and disseminated from the Florida Department of Law Enforcement (FDLE). He said he took the data and performed comparisons with other cities that have similar characteristics to Deerfield Beach. The crime rates shown were from 2018 and 2019; whereby, the crime rate reduced. Furthermore, from 2018 through 2020, Deerfield Beach has experienced a decrease in crime of 34%. Lastly, he said violent crime has been reduced tremendously over the last couple of years.

Discussion ensued regarding the crime rate among other cities outlined in the chart.

CITY COMMISSION BUSINESS

10. Resolution 2021/121 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving and accepting a Quit Claim Deed from the City of Deerfield Beach f/k/a the Town of Deerfield Beach for the Deerfield Beach Memorial Cemetery; providing for implementation and an effective date.

The Resolution was read by title only.

Vice Mayor Preston commented on history of racism and clause in the deed prohibiting Black Americans from being buried at Memorial Cemetery. He said the issue is not that the clause was proposed, but the City accepted it and moved forward. Further, there was a Black police officer, Mayo Howard, who when passed, wanted to be buried in Pineview but because of his race, the request was denied. Due to this stain, many Black residents do not want to be buried there; however, those past policies no longer exist and there are many people in all districts who did not agree with this clause. Both the City Manager and City Attorney reviewed the language and declared it unconstitutional. The quit claim deed has been changed and removes that clause. He thanked the City Manager and City Attorney for working on this as their hard work represents what the City is all about.

Mayor Ganz thanked Vice Mayor Preston for bringing this forward as he was not aware and said it should have been done a long time ago. Thereafter, the public hearing was opened

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, applauded the change and said it is important to note that this does not negate the need to find more land to expand Pineview Cemetery.

Mayor Ganz closed the public hearing.

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to approve Item 10, adopted Resolution 2021/121. Roll Call:

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

Nays: 0

COMMENTS BY MAYOR & CITY COMMISSION

COMMISSIONER DROSKY DISTRICT 4

Trash Collection - Commissioner Drosky said he received messages from Waterford residents that their garbage was not picked up today. He asked that they be serviced tomorrow.

Florida Trends Magazine - Commissioner Drosky said Chad Grecsek, Director of Sustainable Management, is quoted in the article concerning recycling. He said this is a great resource for the commissioners to share with residents as it gives the entire picture.

Saturday Office Hours - Commissioner Drosky said he will hold his office hours this Saturday, August 7th, but will be attending the backpack giveaway at Oveta McKeithen Recreational Complex and will be available starting at 11 a.m. till noon.

COMMISSIONER PARNESS DISTRICT 3

COVID Cases - Commissioner Parness said there are too many people not wearing masks and although vaccines are not 100%, he urged people to get vaccinated during this crisis as vaccinated people are dying. Commissioner Parness encouraged people to be careful by following CDC guidelines, i.e. hand washing and others. He also spoke in support of children wearing masks at school to protect each other and their families.

VICE MAYOR PRESTON DISTRICT 2

District 2 Meeting - Vice Mayor Preston said his district meeting will be held at the Hillsboro Community Center, August 31st at 7:00 p.m. to discuss district concerns as well as receive input on the Tigner Center; the meeting will be available through electronic media communications.

Harold Morrison - Vice Mayor Preston applauded Deputy Morrison's many contributions and how he supported and championed for the children at Oveta McKeithen. He also started the backpack project to help the children and steered them away from a life of crime. Lastly, Vice Mayor Preston recommended renaming SW 2nd Street as Deputy H. Morrison Street.

Access to Pier - Vice Mayor Preston recommended a complimentary pass be extended to firefighters and police officers; he asked that it be presented at a future commission meeting.

Backpack Giveaway - Vice Mayor Preston said the backpack giveaway will be held on Saturday, August 7th at 10 a.m. till 1:00 p.m. at the Oveta McKeithen Recreational Complex.

Flooded Streets - Vice Mayor Preston commented on the photographs provided by Mr. Noland and said it needs to be addressed immediately and determine the problem.

Public Input - Vice Mayor Preston advised that debate is not silenced at the meetings, but there must be structure; nevertheless, all public input/opinions are important and should be heard. Vice Mayor Preston said he's witnessed the elected officials talking with people after the meeting to discuss their concerns which shows they care.

COMMISSIONER HUDAK DISTRICT 1

SE 8th Avenue Flooding - Commissioner Hudak thanked Mayor Ganz and Vice Mayor Preston for supporting SE 8th Avenue; he asked that solutions be expedited.

Florida League of Cities Conference - Commissioner Hudak said he will be attending the upcoming conference next week in Orlando and will not be available for Saturday office hours on August 14th.

COMMENTS BY MAYOR & CITY COMMISSION – CONTINUED

Community Workshop - Commissioner Hudak said a second workshop regarding NE 3rd Avenue improvements will be held on August 26th; whereas, Districts 1 and 2 are affected. There was a walking workshop a couple of months ago which yielded great responses from the residents. Lastly, he encouraged residents to talk to others and increase participation.

COVID Cases - Commissioner Hudak reiterated that there were almost 51,000 cases reported in the State; last week, almost 110,000 cases were reported in Florida. He advocated for the COVID vaccine as 96% of people hospitalized are not vaccinated. He also encouraged wearing masks and getting vaccinated. Lastly, the vaccination site is open at Quiet Waters Park.

MAYOR BILL GANZ

Harold Morrison - Mayor Ganz spoke in support of renaming the street after Deputy Morrison, but also suggested the backpack giveaway. He said this is a huge loss to the City and we were lucky to have him as long as we did.

Eviction Moratorium - Mayor Ganz said tonight, the Centers for Disease Control & Prevention issued a new eviction moratorium that would last until October 3rd, according to the Sun-Sentinel Newspaper. He explained how people have been significantly impacted and a 5-month fix is not enough.

City Residency - Mayor Ganz said there have been questions about his residency; whereby, he recently sold his home, but still resides in the City.

Public Response - Mayor Ganz encouraged a proactive approach by staff to issues presented by the residents and address things much faster. He said although he still sees issues, he has informed the City Manager of his expectations and although there are improvements, it can be better. Additionally, he commented on people who attack others that do not agree with their opinion.

Pier Lease - Mayor Ganz said a decision on the pier lease will be needed in the next year or so; he asked that the City Manager keep this in mind.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to adjourn the meeting at 10:17 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

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BILL GANZ, MAYOR

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Samantha Gillyard, CMC, City Clerk

CITY OF DEERFIELD BEACH
BUDGET WORKSHOP MEETING MINUTES
Tuesday, August 10, 2021 at 7:00 PM

The meeting was called to order on the above date by Mayor Bill Ganz at 7:02 p.m. at the Hillsboro Community Center, Deerfield Beach, Florida.

ROLL CALL

Present:	Commissioner Todd Drosky Commissioner Michael Hudak Commissioner Bernie Parness Vice Mayor Ben Preston Mayor Bill Ganz
Also Present:	David Santucci, City Manager Anthony Soroka, City Attorney Samantha Gillyard, CMC, City Clerk
Absent:	None

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

FY22 PROPOSED BUDGET

David Santucci, City Manager, advised that he, along with staff, will be providing an overview of the proposed budget based on feedback from the June budget workshops. In accordance with the City's Charter, the budget will be provided to the Elected Officials by August 15th. Thereafter, he outlined the agenda for this evening's workshop.

Budget Calendar - Mr. Santucci displayed the budget calendar, which has slightly changed this year; whereas, this workshop was implemented to provide the proposed budget expectations prior to the first hearing on September 3rd.

Stephanie Tinsley, Chief Financial Officer, explained that September 3rd was the earliest date the City could hold the first public hearing due to Labor Day, Rosh Hashanah and scheduled meeting dates for the School Board and County. Further, as a regulatory requirement, staff must publish the notice for the proposed budget and millage rate no earlier than five (5) days and no later than two (2) days before the final public hearing of adoption which is scheduled for September 13th. She explained that September 13th was the last date available for final adoption because staff is required to send the certified adoption to the State Revenue Collector by a certain date.

Budget Message - Mr. Santucci said the FY22 budget seeks to revive, recover and renew our local economy, the City's organizational capacity, and community services and programs that were cancelled due to COVID restrictions and reductions in the budget from the anticipation of revenue shortfalls. Thereafter, he outlined various contributions staff wishes to make during the upcoming fiscal year: provide recovery assistance to community organizations, businesses and residents; renew service delivery methods, infrastructure and public facilities. He stated that the reduction in personnel for FY20 and FY21 allowed staff to review the City's infrastructure and public facilities and invest in the City's capital, maintenance repairs and overall curb appeal, which was strongly emphasized by the City Commission.

Economic Climate/Cost Drivers - Mr. Santucci displayed a graph outlining an economic climate of inflation; the April consumer price index (CPI) is 4.2 %. Further, he explained that there will be an increase in costs for materials, labor and capital.

Residential Property Values - Mr. Santucci said the City's average accessed value in 2021 saw a 6.9% increase, but the City is still below the County's average and still has 10th lowest assessed value in Broward County. The County had a 4.8% increase in assessed value.

FY22 Millage Rate - Mr. Santucci said although a change to the millage rate was not expected, as discussed during the June workshops, there will be a decrease in the total overall millage rate due to a decrease in the debt service millage rate. Thereafter, he displayed a graph of the millage rate over the past 10 years. He reiterated that the total millage rate will be lowered because of the decrease in debt service millage, which is .3107. The operating millage rate remains the same at 6.0018.

Ad Valorem Tax Revenue Projection - Mr. Santucci said although the millage rate has been reduced, there have been increases in the ad valorem tax revenues; whereby, it is projected that the City will collect $48.7 million, which is a 5.6% increase.

Ad Valorem (Property Tax Collection) - Mr. Santucci said the total citywide estimated tax collections are $50.9 million with $2.2 million being allocated to the CRA; therefore, the projected net general fund tax collections are $48.7 million. He explained that one mill generates $8.1 million of ad valorem tax revenue, which is based on taxable property values, $8.3 million and a 5.1% increase.

City Tax Assessment - Mr. Santucci explained how the assessed values vary based on cost, exemptions and taxable value.

Proposed Budget Revenues by Source - Ms. Tinsley outlined the FY22 proposed budget revenues by source: property taxes - $49,899,619. She reiterated that the City will collect $48.7 million in taxes; whereby, staff discovered that the City receives a substantial amount of collections from delinquencies and in FY21 approximately $1.2 million in delinquency tax collections will be recognized. Thereafter, she continued outlining the FY22 proposed budget revenues: sales & use/community services taxes will remain the same; public services taxes will experience a small uptick; an increase in fire assessment fees - $15,986,043; expected decrease in franchise fees; local option gas tax includes $5.5 million in the General Fund, as well as the $1.3 million from the Road & Bridge fund. Other increases include: licenses & permits - $6,353,700; intergovernmental which is the state shared sales taxes, gas tax, etc.; charges for services which includes ambulance services - $3.2 million; parking fees, parks & recreation charges - $2.6 million; utilities - $25.7 million; solid waste - $17.3 million; stormwater- $2.2 million.

Continuing, Ms. Tinsley provided other revenue sources and their expected trend: fines & forfeitures are flat; grants & contributions will decrease due to the CARES Act funding being recognized in FY21 but includes the $16 million for the ARP funding; administration fees are collected outside of the General Fund and remain flat; interfund transfers in is a $3.9 million transfer to the new capital fund; loan proceeds consist of approximately $25 million in bond funding and most of it will be carried forward into FY22; other funding sources consist of various miscellaneous revenues, i.e. insurance services fund; and use of fund balances is a form of all funds which covers the capital projects, as well as one time funding projects.

Use of Fund Balances - Mr. Santucci said the use of fund balance in the General Fund is $4.5 million; whereas, $3.7 is being recommended to fund the new capital fund.

Ms. Tinsley explained that previously, capital projects were being budgeted within the General Fund; however, staff is recommending the creation of a separate capital project fund to provide transparency, as well as provide the ability to readily match when fund balance is being utilized to fund capital projects.

FY22 PROPOSED BUDGET - CONTINUED

Continuing, Mr. Santucci said the FY21 carry forward is $518,389 and $250,000 in contingency. Staff is recommending the use of public safety impact fees to fund most of the public safety master plan - $500,000. Further, the FY21 carry forward from the Road & Bridge Fund will be $113,597; parks impact fees of $695,801 will be utilized for parks capital improvements. Staff is recommending that $6 million from the utility fund be utilized for capital improvements - $4.2 million and operations - $1.7 million. In the future, the utility fund fees must be investigated as Broward County wastewater fees have increased. The stormwater fund has a FY21 carry forward of $293,373 and the Parks & Recreation future fund will be utilized for capital improvements, $154,000, and operations, $93,000.

Proposed Budget Overview by Fund - Ms. Tinsley outlined the proposed budget by fund: General Fund, which includes Senior Services and Insurance Services Funds - $129,327,129, which is a slight reduction from FY21; Building Services Fund decreased due to a recent budget amendment - $5,531,500; Road & Bridge Fund - $5,730,224; grant funds include CDBG, ARP, etc., whereby, $16 million will be rolled over and the increase is related to the CARES Act funding, as well other CDBG grants related to COVID. There was an increase of $4.5 million in the Utility Fund - $38,003,061; Stormwater Fund will be increased by $1 million due to the hazard mitigation grant and a carry forward amount for an overall total of $3,154,905. She explained that staff has done an initial budget for estimates of carry forward from Fiscal Year 2021 to 2022; however, if goods and services are not received before September 30th, they will be moved to the next year when they are received.

Thereafter, Ms. Tinsley continued outlining the proposed budget by fund: increase to the Solid Waste Fund - $2.3 million, due to the side and front loaders - $780,000; disposal fees - $300,000 and fire code renovation - $250,000. There are multiple funds for debt services which will experience a $1 million decrease as a result of the retirement of a capital lease, $450,000, as well as a slight administrative change concerning CRA debt; the capital improvement plan covers multiple funds to include the new capital project funds and bond funds; and other funds include everything else.

Revenue Estimate (General Fund) - Mr. Santucci displayed a pie chart outlining the distribution of revenue sources for the General Fund.

Proposed Budget by Expenditure Category - Mr. Santucci outlined the proposed expenditures for FY22: salaries and wages has a $2 million increase due to compensation strategy and unfreezing various positions, for a total of $27,621,273; decrease in employee benefits due to retirements, for a total of $34,550,310; the operating expenditures will increase in FY22 to reaccelerate needed resources, for a total of $107,181,323; capital outlay will decrease slightly, for a total of $43,913,417.

Ms. Tinsley said the grants and contributions are across all funds and includes the ARP, $16.2 million, as well as carried over grants from FY21, CARES Act funding, $2.3 million, and other funding sources through CDBG and hazard mitigation, $950,000. The debt service will see a slight uptick - $10,143,569; and interfund transfers consists of a transfer from the General Fund to the Capital Project Fund, for a total of $17,648,128; for a total overall proposed budget of $258,593,011, a $9,311,168 increase from FY21. Further, she explained that decreases in FY21 were a response to COVID; however, the economy looks stronger in FY22.

Budget Initiatives and Focus - Mr. Santucci outlined the budget initiatives and focus: community events; creation of the Department of Community Services and Office of Public Safety; economic development and redevelopment; whereby, the ULI study suggested the implementation of a redevelopment specialist position to initiate the central corridor project. Thereafter, he outlined other redevelopment initiatives: Pioneer Grove, four corners, and the creation of a commuter rail station. Additionally, monies have been set aside for the DBR and four corners as requested. Other budget initiatives and focus include: city marketing and public engagement; infrastructure maintenance and repair; beach enhancements and curb appeal; public safety infrastructure and planning; and net neutral personnel changes.

FY22 PROPOSED BUDGET - CONTINUED

City Special Events - Mr. Santucci displayed the special events and the net cost and average attendance for each: Martin Luther King Day - $50,500, 1,500; Black Heritage Month - $18,000, 300; Country Music Festival (Boot on the Beach) - $43,000, 6,000; Fall Festival - $52,350, 2,000; Dunn's Run - $10,800, 1,000; Surfers for Autism - $7,600, 200; Fourth of July (City Expense) - $9,000, 80,000; Ocean Way Holiday - $41,000, 5,000; Pioneer Days - $50,500, 4,000; Ocean Blues and Brews - $22,850, 1,500; Veteran's Day/Ryan Owens Memorial Day - $8,000, 500; Juneteenth - $26,500, 2,300; Relay for Life - $2,000, 500; Jr. Angler's Day - $6,200, 400; and Memorial Day - $2,500, 200.

Community Services (Proposed Organizational Chart) - Mr. Santucci explained that the Center for Active Aging and Legislative and Community Affairs will be combined, Department of Community Services, which is a reduction in personnel and operationally neutral. He said the Director of Active Aging would become the Director of Community Services, the Assistant Director would be under the Director, and the four (4) services provided would be administration, grants, housing and health and social services; whereas, transportation and many recreational activities will be transferred to Parks and Recreation.

Community Services - Personnel Changes - Mr. Santucci said the eliminations and decreases are for unfilled positions and will not affect an actual individual or employee.

Community Services - Mr. Santucci outlined the services this department will provide senior support, referral and counseling services; house Alzheimer's, adult daycare, respite and case management; grant coordination and administration; neighborhood and residential support programs, i.e. first-time homebuyers assistance, etc.; intergovernmental affairs; community outreach and events, volunteer coordination; local school support, mentorship programs and educational assistance.

Office of Public Safety (Proposed Organizational Chart) - Mr. Santucci said the organizational chart has slightly changed with the addition of an office specialist. The Department will also consist of a director and emergency management coordinator. The departments that fall under Public Safety would be Fire Rescue, Law Enforcement, who would oversee parking enforcement, Ocean Rescue, Code Compliance. Parking Authority who would oversee the crossing guards, and park rangers would oversee the beach ambassadors, which would be a new operation in FY22.

Office of Public Safety - Budget and Function Oversight - Mr. Santucci said the Office of Public Safety is approximately 60% of the General Fund.

Office of Public Safety - Objectives - Mr. Santucci outlined the objectives with the creating the Office of Public Safety: increase overall fiscal accountability of the public safety functions by eliminating redundancy, aggressively pursue grants and researching additional contractual cost reductions; increase overall operational accountability by providing oversight of all contractual services, assuring that public safety operations align with the City's mission and review capital outlay and equipment usage; and provide a coordinated city-driven effort by implementing public safety capital project coordination, increase community engagement, participation with public-private partnerships and implementing emergency management coordination.

Office of Public Safety - Responsibilities - Mr. Santucci outlined the responsibilities of the Office of Public Safety: management and oversight of the departments outlined in the organizational chart; monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures of staff and contract services; allocate resources accordingly and implement cost saving measures; plan, coordinate and implement public safety operations and activities across all functions with city management and staff; enhance volunteer network and engagement, i.e. CERT, COPS, Crime Watch; assign, record and plan training for all EOC staff in emergency management activities, exercise, and position specific roles, as well as others.

Personnel Summary - Mr. Santucci listed the amount of full-time and part-time positions within each department. He explained that many part-time positions were grouped together to create full-time positions; whereby, the net in full-time across the City is two. Further, he said the Director of Public Safety is neutral due to the elimination of one Assistant City Manager and the Program and Innovation Manager and adding an administrative position. He said a redevelopment specialist was added to the Department of Economic Development, and an additional position has been added to Public Affairs and Marketing. Lastly, Mr. Santucci said four positions were added to law enforcement.

FY22 PROPOSED BUDGET - CONTINUED

Fiscal Year 2022 Capital - Grant Funded - Mr. Santucci displayed the grant funded projects and the costs associated for each: Pioneer Grove corridor (surtax) - $300,000; City Hall drainage public streets (HMGP) - $531,300; Oveta McKeithen Playground (CDBG) - $300,000; Center for Active Aging furniture and fixtures (CASA) - $200,000; city bridge rehabilitation (surtax) - $791,300; FAU Research Park Boulevard (surtax) - $480,000; pedestrian lighting improvements (surtax) - $800,000; and Pioneer Park dock, rail and piling replacement (BBIP) - $151,000.

Fiscal Year 2022 Capital Project Fund - Mr. Santucci listed the capital project fund plans and displayed the costs for each: license plate recognition - $32,000; Constitution Park main playground - $175,000; Constitution Park electrical installation (Arboretum) - $75,000; truck wash facility (cost shared with road & bridge) - $75,000; Old School House renovations - $116,000; pier gazebo roof replacement - $90,000; fire station awning replacements - $35,000; Mayo Howard roof replacement - $71,000; Oveta McKeithen Recreational Complex gym AC replacement - $35,000; fire station #102 interior and exterior painting - $125,000; fire station #75 generator - $120,000; fire station #4 fuel tank removal - $40,000; design of middle school aquatics parking lot - $100,000; Constitution Park improvements - $141,900; Pioneer Park dock, railing and piling replacement (FIND Grant) - $370,250, public safety master plan - $600,000; beach renourishment - $500,000. Mr. Santucci explained that staff anticipated that this budget would include a $3 million beach renourishment project; however, the U.S. Army Corp of Engineers has indicated that they will not extend the existing permit for that segment of the beach and are requiring the City to reapply for the permit. Furthermore, staff has secured a large portion of sand that can be utilized for a dry beach project; whereby, the permitting activity for the $3 million project may begin in FY23, but no later than FY24.

Thereafter, Mr. Santucci continued listing the projects and displayed the funds associated for each: lifeguard tower replacement and additions - $423,500; city phone system replacement - $324,868; Mayo Howard park improvements - $154,000; Quiet Waters Park field refurbishment - $137,500; equipment/fleet replacements - $523,895; and West Community Center completion will be funded out of park impact fees - $580,800.

Fiscal Year 2022 Road & Bridge Fund - Tom Good, Assistant City Manager, outlined Road & Bridge Fund projects and displayed the costs for each: tactical urbanism (NE 3rd Avenue improvements) - $160,000; parking lot resurfacing for Palm Plaza, etc. - $100,000; city bridge rehabilitation (surtax funded) (SE 13th Avenue) - $791,300; SW 10th Street and Dixie Highway railroad crossing - $200,000; FAU Research Park Blvd. (widening the road, adding sidewalks, etc.) - $480,000; citywide pedestrian lighting - $800,000; streetscape improvements - $250,000; truck wash facility (cost share with general fund) - $75,000; Pioneer Grove corridor - $300,000; and equipment/fleet - $232,500.

Fiscal Year 2022 Water/Sewer R&R Fund - Mr. Good listed the water/sewer replacement & renewal fund projects and displayed the costs for each: plant security improvements - $325,000; raw water feed - well rehabilitation and upgrade - $300,000; HSP 12/13 valve replacement - $100,000; filter level and valve controls - $60,000; lime slaker - $200,000; fiber optic internal upgrade - $165,000; gravity sewer lateral lining program - $75,000; gravity sewer lining & repair - $200,000; water main pipe repair and replacement - $220,000; RO-element replacement and train refurbishment - $70,000; and bulk storage tank and chemical piping replacement - $1,000,000.

Fiscal Year 2022 Solid Waste Fund - Mr. Good listed the solid waste fund projects and displayed the costs for each: fleet garage gas detection system - $250,000; auto side loader - $378,680; front loader - $345,650; and vehicles - $53,770.

Fiscal Year 2022 Stormwater Fund - Mr. Good listed the stormwater fund projects and displayed the costs for each: local citywide stormwater improvements - $400,000; Pioneer Grove drainage (HGMP) - $531,300; which will establish larger pipes around City Hall and go out into the canal system. Further, the goal for this project is to connect all the new drainage systems to the spine system for proper discharge. Thereafter, he continued listing the projects and displaying the costs for each: Crystal Lake drainage and pavement - $85,000; and backhoe/loader combination - $100,000.

Mr. Santucci said the purpose of this presentation was to provide the Commission with an indication of how the budget was balanced with the addition of their recommendations. Thereafter, he reiterated that the Commission will receive the budget by August 15th and the budget hearings will be September 3rd and 13th.

FY22 PROPOSED BUDGET - CONTINUED

Vice Mayor Preston stated that major renovations must be done to the Pier. Thereafter, he commented on Pompano Beach's pier. Further, he said $6,200 is being proposed for Jr. Angler's Day and suggested that it be increased to $10,000.

Mr. Santucci clarified that the costs for the special events are net costs, whereas, many events come with sponsorship opportunities, are revenue generators, etc. Thereafter, he said the same would go for Black Heritage Month, as that event receives sponsorship dollars as well.

Vice Mayor Preston expressed concerns with the dilapidated fire stations and said something must be done. Further, he asked for clarification on funding for the Fourth of July event.

Mr. Santucci advised that the actual firework display is funded by the CRA, but the City does incur expenses as well.

Commissioner Hudak also commented on the dilapidated fire stations and police station and asked when they will be addressed. Thereafter, he commented on photographs of the fire stations he has received. Further, he stated that he has brought his concerns forward for the past two (2) years, and nothing has been done, nor has any money been budgeted. He explained that painting and awning replacement is not enough and reiterated that these facilities must be addressed and asked when. Lastly, Commissioner Hudak agreed with the proposed projects, but there are still no plans for these facilities and asked when/if they will be forthcoming.

Mr. Santucci said BSO staff inspects the facilities and based on their reports, the necessary repairs are completed to assure codes are adhered to; nevertheless, he agreed that the repairs to the current facilities are not enough. Thereafter, he commented on the improvements made to fire station #66. Further, Mr. Santucci explained that the public safety master plan will provide the necessities needed for each fire station, as well as costs that can be obtained through creative funding mechanisms, i.e. P-3 partnerships, bond proceeds and grants. Lastly, he stated that this master plan will move the City in the right direction to assure that these repairs are being completed.

In response to Commissioner Hudak's question, Mr. Santucci replied that the public safety master plan is a $600,000 project, so staff will have to go through the procurement process in the new fiscal year and once a prospective consultant is selected, there will be a better understanding of timelines for the projects.

Commissioner Drosky also expressed concerns with the fire stations but said a master plan is needed, as it will provide requirements, needs, locations, specifics, etc.; nonetheless, he suggested that this time be utilized to obtain P-3 opportunities for not only our fire stations, but parks as well. Further, he advised that he received the presentation right before the meeting, so he will need time to review it and will provide his questions, concerns and suggestions to the administration thereafter. Commissioner Drosky asked if any ARP funds were used for balancing the budget, and if they were not, when will those projects be provided.

Commissioner Parness said a plan must be put into place to systematically replace these older facilities with a modern one. Thereafter, he commented on the status of some of the fire stations. He spoke in opposition of putting money into repairing older facilities and suggested that staff investigate how Broward County funded their facilities.

Mayor Ganz said many challenges must be addressed before a decision can be made on tearing down a fire station. Thereafter, he commented on replacing the fire station on the beach; whereas, building a new station in that same location may not be possible due to the parcel size and the current building codes. He stated that if the facility were to relocate, where would it go, as it must remain on the island. Further, he commented on recently renovated and repaired facilities that are in disrepair and asked that staff investigate them to assure they are being cared for. He agreed with the presentation not being provided in a timely manner; therefore, he cannot provide a lot of commentary at this time. He did, however, express concerns with the three positions outlined in the organizational chart for the Department of Public Safety. Furthermore, he clarified that one of the reasons the millage rate was lowered was because of the debt services being lowered.

Mr. Santucci said correct.

FY22 PROPOSED BUDGET - CONTINUED

Mayor Ganz asked if the decrease received from the debt service is equal to what the millage rate was lowered and asked for clarification on the ad valorem tax revenue projections.

Mr. Santucci explained that the 5.6% increase is in the ad valorem tax revenue, and the 5.1% increase is in taxable value of properties. Further, he stated that lowering the millage rate is not in direct relation to the debt service millage rate, whereby, the debt service millage rate is a reduction based on increased property values.

Mayor Ganz stated that the City's millage rate is because of the assessed value lagging behind the County's average; nevertheless, he applauded the City's increase. He reiterated that further discussion and clarification is needed regarding the Office of Public Safety. Thereafter, he opened the public hearing.

Gwendolyn Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said the Office of Public Safety is comprised of tasks the City Manager and other departments were responsible for; however, she is unsure as to how everything will be implemented and agreed that it needs to be reviewed further by all commissioners. She spoke in support of replacing the fire stations but stated that staff must be aware of where the fire stations are placed, as there will be impacts on the services. Thereafter, she requested a copy of the presentation and asked for the proposed millage rate as well as the fire assessment fee.

Mayor Ganz said the FY21 millage rate was 6.3560 and the proposed FY22 millage rate is 6.3125. Further, he said an increase to the fire assessment fee is not being proposed.

Mayor Ganz closed the public hearing.

Vice Mayor Preston agreed that challenges must be addressed, and a strategy must be implemented when developing new fire stations. Thereafter, he commented on his experience at the fire stations when he was a firefighter and said the City must be aware of what is needed, so money is not wasted.

Commissioner Hudak agreed that the City must also be cognizant of the building codes and stated that the fire station on the beach will have to be reconfigured, i.e. raised up due to sea level rise. He spoke in support of the master plan, as it will help save money and time, but said this plan must be started, so we can move to the next phase.

ADJOURNMENT

MOTION was made by Vice Mayor Preston, seconded by Commissioner Hudak, to adjourn the meeting at 9:40 p.m. Voice Vote:

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

Nays: 0

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BILL GANZ, MAYOR

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Samantha Gillyard, CMC, City Clerk

Meeting Minutes
Community Redevelopment Agency

Tuesday, June 8, 2021 | **7:00 PM** | **Commission Chambers**

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Chair Bill Ganz at 7:00 p.m., in the City Commission Chambers, 150 NE 2nd Avenue, Deerfield Beach, Florida.

Present: 4 - Mr. Todd Drosky
Mr. Michael Hudak
Vice Chair Ben Preston
Chair Bill Ganz

Also Present: 3 - City Manager David Santucci
City Attorney Anthony Soroka
Assistant City Clerk Heather Montemayor

Absent: 1 - Mr. Bernie Parness - Excused

PLEDGE OF ALLEGIANCE

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

APPROVAL OF MINUTES

Community Redevelopment Agency Meeting Minutes

MOTION was made by Vice Chair Preston, seconded by Mr. Hudak, to approve the April 13, 2021 minutes as submitted. Voice Vote:

Yeas: 4 - Mr. Drosky, Mr. Hudak, Vice Chair Preston and Chair Ganz

Nays: 0

APPROVAL OF COMMUNITY REDEVELOPMENT AGENCY AGENDA

June 8, 2021

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

Yeas: 4 - Mr. Drosky, Mr. Hudak, Vice Chair Preston and Chair Ganz

Nays: 0

GENERAL ITEMS

1. **CRA Resolution 2021/003 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving an Agreement with Shiff Construction & Development, Inc. to construct improvements to the SE 1st Street right of way entrance to the Hillsboro Square Shopping Center in an amount not to exceed $66,039.33, utilizing Sourcewell Job Order Contract #FL-SEA-GC02-041019-SCD; authorizing execution of the Agreement; and providing for an effective date.** *(Funds from Account #190-8000-552-32-16 - Landscaping Services)*

The Resolution was read by title only.

Kris Mory, Director of Economic Development, stated that the project is budgeted; thereafter, she displayed a photograph of the project location. She explained that improvements consist of redoing the boulevard between the incoming and outgoing traffic, landscaping, hardscaping to include curbing and lighting. Further, staff decided to move forward with job order contracting as opposed to a competitive bid because of the size of the contract, whereby, this State job order contract already includes pre-bid prices. Once approved, the project will immediately move into construction and should be completed in three (3) months. Thereafter, a photograph of the proposed improvements was displayed. Ms. Mory said this design was done in conjunction with Publix, who are very supportive of the project, as they will be doing a complete resurfacing of their parking lot. Lastly, she said staff continues to work with Publix on design options for the other entrance off Federal Highway to help with the traffic flow.

Mr. Hudak spoke in favor of the project. Thereafter, he provided an example of how people must enter the shopping center.

Mr. Drosky also spoke in favor of the project but stated that this should have been handled years ago and should not be the City's responsibility. Further, he said this project is minimal in cost and suggested that other areas within the CRA be improved and upgraded should any big projects be completed under budget.

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

MOTION was made by Mr. Hudak, seconded by Mr. Drosky, to approve Item 1, adopted CRA Resolution 2021/003. Roll Call:

Yeas: 4 - Mr. Drosky, Mr. Hudak, Vice Chair Preston and Chair Ganz

Nays: 0

2. **CRA Resolution 2021/004 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving Amendment No. 2 to the Work Authorization No. 1 with Carnahan, Proctor and Cross, Inc. in an amount not to exceed $11,500.00 for FPL street lighting design services for the S-Curve Streetscape Improvements Project; authorizing execution of the Work Authorization; and providing for an effective date.** *(Funds from Account #190-8000-552-32-99 - Other Contractual Services)*

The Resolution was read by title only.

Kris Mory, Director of Economic Development, explained that this is a spending item that had to come back before the Board because a previous change order on the design contract exceeded the director's authority to spend. She stated that during plan review, the Engineering Department requested that the project change the city owned light poles to FP&L leased light poles, which is a cost saving measure over the life of the poles. Further, she advised that this requires staff to redesign the project because leased poles are different than owned poles; therefore, the cost is for redesign.

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

There was no discussion amongst the Board.

GENERAL ITEMS - CONTINUED

MOTION was made by Mr. Hudak, seconded by Vice Chair Preston, to approve Item 2, adopted CRA Resolution 2021/004. Roll Call:

Yeas: 4 - Mr. Drosky, Mr. Hudak, Vice Chair Preston and Chair Ganz

Nays: 0

3. Presentation of Kirk Cottrell Pavilion Mural Call to Artist Finalists.

Kris Mory, Director of Economic Development, introduced Ashlee Temple, CRA Coordinator.

Ms. Temple displayed a brief PowerPoint presentation. She said the Kirk Cottrell Pavilion was completed in December 2020, which presented a new opportunity for public art. Thereafter, she displayed the proposed location. She said the Deerfield Beach Island Community Association generously donated to public art. In April, City staff distributed a public survey and received 180 responses supporting the addition of public art for both sides of the wall at the Pavilion. Further, Ms. Temple stated that the mural will consist of paint and themes include oceanic awareness, beach life and beach sports. She explained that the call to artists went out in May and specified that the artists interpret those themes as they saw fit; however, it was mandatory that the artist assured the use of a UV resistant exterior coating and the materials must be conducive to the elements and location. Ms. Temple said there were over 20 submissions to the call and 19 completed submissions, whereby, the public art committee had to narrow it down to three (3). Thereafter, she displayed photographs of the three (3) artists' submissions that were short listed. Each artist submitted two (2) designs for the two (2) sides of the wall, as well as previous installations from 3-5 years ago. Lastly, she said should the Board decide, the commission award to the artist is $7,500.

Ms. Mory said as part of a larger project within the CRA area, staff provided a tour of the Kirk Cottrell Pavilion to Dr. Guy Harvey, the Guy Harvey Oceanic Institute staff and others. During the tour, Dr. Harvey expressed interest in the possibility of doing the mural and this morning she received confirmation that Dr. Harvey would like to paint the mural at the Pavilion. Although this is not part of the existing process, she wanted to bring this opportunity to the Board's attention because of Dr. Harvey's contributions to oceanic awareness, marine conservation, etc. Further, if the Board decides to move forward with Dr. Harvey, Ms. Mory proposed another location to display the artists' artwork at the International Fishing Pier so they do not feel sidelined. Thereafter, she displayed a photograph of the new location. Ms. Mory said the area is almost the exact same size, and consists of the same material, which is a flat, stucco wall. She said the additional area will allow for more public art and recognize the current public art process and the artists' contributions, as well as accommodate a partnership with Dr. Guy Harvey. Lastly, Ms. Mory said if the Board desires to have Dr. Harvey do the mural at the Pavilion, it would be done at a greatly reduced commission rate of $20,000 and the CRA would have to pay for materials, hanging of the art, gravity proofing and a fairly robust press conference/celebration once the artwork is completed.

Mr. Hudak said having a world-renowned researcher and artist like Dr. Harvey offer his services is a tremendous honor and it would be wise for the City to take this opportunity. Further, he spoke in favor of having one (1) of the short-listed artists paint the new location.

Mr. Drosky agreed with taking advantage of the opportunity given by Dr. Guy Harvey, whereby, the $9,000 that was donated by the Deerfield Beach Island Community Association will pay for half of the cost. Further, he also spoke in favor of the new location and chose Artist 2, as the artwork highlights the City's beach, as well as the area.

Vice Chair Preston also spoke in favor of Dr. Guy Harvey painting the mural at the Pavilion as it will bring positive attention to the City.

Chair Ganz provided a brief overview of the time he spent with Dr. Harvey during the tour. He stated that he advised Dr. Harvey that the City would love to have a piece of his artwork displayed somewhere in the City and never imagined he would offer to do it. He thanked Ms. Mory for providing the tour and for her representation of the City. Chair Ganz agreed with the other board members as this is a unique opportunity at a discounted rate. Further, he said all three (3) short listed artists did an outstanding job, but Artist 2's artwork stood out because it captures the volleyball courts as well as both a female and male figure. Thereafter, he outlined another location for this artwork; however, he does not want to insult the artist by putting their artwork by the restrooms, but feels this would

GENERAL ITEMS - CONTINUED

be a cool area to have this artwork displayed as it would distinguish the area. Lastly, he said the other two (2) artists' art pieces are outstanding and suggested finding other locations within the City.

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

Mr. Hudak spoke in favor of Chair Ganz's suggestion regarding Artist 2 but agreed that he does not want the artist to feel insulted. Further, he spoke in favor of Artist 3's second picture for the new location outlined by staff.

Vice Chair Preston said at first, he was in favor of Artist 3, until Chair Ganz made the comments regarding the designs from Artist 2, as it is an excellent suggestion and he fully supports it.

Mr. Drosky suggested that the Board move forward with the approval of having Dr. Harvey paint the mural at the Pavilion, and have staff reach out to Artist 2 to see if they agree to the proposed new location suggested by Chair Ganz.

Ms. Mory stated that staff will move forward with the recommendation, if the Board desires, but reminded the Board that the update would not be provided until August.

There were no objections from the Board.

Ms. Mory clarified that staff will reach out to Artist 2 to assure that the proposed new location recommended by Chair Ganz is suitable, then check with Dr. Harvey to assure that he is comfortable with his artwork being close to another piece of artwork and then reach out to Artist 3 about the new location presented by staff.

Chair Ganz suggested that staff reach out to both Dr. Guy Harvey and Artist 2, but to hold off on reaching out to Artist 3.

There were no objections.

MOTION was made by Mr. Hudak, seconded by Vice Chair Preston, to move forward with the design option from Dr. Guy Harvey and contact Artist 2 about the proposed new location. Roll Call:

Yeas: 4 - Mr. Drosky, Mr. Hudak, Vice Chair Preston and Chair Ganz

Nays: 0

ADMINISTRATION COMMENTS

CRA DIRECTOR

Confirmation of Community Redevelopment Agency Termination Dates - Kris Mory, Director of Economic Development, said she received a letter from Ralph Stone, Director of Housing and Community Redevelopment Division, which outlines potential financial implications for the CRA in the future. The County is requesting that the CRA confirm and agree that the County's last tax increment revenue payment would be made to the Deerfield Beach CRA in November 2028. The CRA Attorney did a lot of research to formulate a response and it is believed that the last payment from Broward County is due to the Deerfield Beach CRA in 2029; whereas, our CRA plan is in effect until November 2029 based on the 30-year agreement. Furthermore, Ms. Mory said the CRA has debt service obligations that must be adhered to until 2029.

Anthony Soroka, City Attorney, said Ms. Mory is prepared to respond that the CRA believes that a 2029 payment should be received. Further, he believes that the other taxing authorities received a copy of the letter; therefore, whatever decision is made with the County, the other taxing authorities will follow suit.

Chair Ganz said it could simply be a miscalculation on the County's part, but spoke in support of the response provided by staff. Thereafter, the public hearing was opened; however, there were none to speak and the public hearing was closed.

ADMINISTRATION COMMENTS - CONTINUED

MOTION was made by Mr. Hudak, seconded by Mr. Drosky, to direct staff to move forward with responding to Broward County's letter. Voice Vote:

Yeas: 4 - Mr. Drosky, Mr. Hudak, Vice Chair Preston and Chair Ganz

Nays: 0

Island Mobility Project - Ms. Mory provided a brief overview of the Island Mobility Project. Thereafter, a photograph of the project location was displayed. She stated that the 50% design plans were sent to FP&L, who advised that in order to underground the three (3) poles, two (2) five-foot tall transformer boxes would be required above ground. These two (2) transformers would then sit on an 8x8 pad and require a 10x10 easement, which would not be feasible. In addition to the above ground transformers, the project would require two (2) additional poles along State Road A1A, which does not coincide with our vision of decreasing the poles. Further, she advised that because of the requirements for undergrounding, the design team does not feel that the cost benefit of undergrounding is practicable.

Mr. Drosky said prior to making a recommendation he wants to assure that all engineering possibilities have been explored.

In response to Mr. Hudak's question, Ms. Mory replied that the S-Curve undergrounding project is a completely different project and has no affect on this project. Further, she said staff will continue to look at other alternatives, but the full-blown undergrounding is cost prohibitive.

Chair Ganz said as a board we always try to make sure we achieve the goals that we originally set out to achieve, but sometimes things like this occur; nevertheless, he agreed that all alternatives must be exhausted before a final decision is made. If nothing can be done, then the Board will accept that when the design comes back to us at 90%.

There were no objections.

Two Georges at the Cove - Ms. Mory displayed a photograph of the proposed redesign of the Two Georges at the Cove restaurant. She stated that their cost estimate is a $3 million complete renovation of the restaurant to bring it all down to one (1) floor. Other renovations include redoing the entrance, adding a decorative pavilion, relocating the outside bar area, etc. Further, she said the new owner, L&M Restaurant Group, expressed interest in applying for the commercial façade program. She explained that the applicant would not completely comply with the way the program is currently structured because the applicant owns the business and has the option to purchase the property within five (5) years. Even though he is not the owner according to the property appraiser, CRA staff can create an application for commercial façade funding, which would be $100,000, and structure a deal to assure the money stays with the project.

Chair Ganz spoke in support of the project, if it is structured to assure that the money is being used properly.

In response to Mr. Hudak's questions, Ms. Mory replied that the program has been around since 2010 and 12 businesses have participated. Further, she said should the Board desire to move forward, a budget transfer would be needed because there are no funds remaining in this line item; however, funds can be reallocated. Lastly, she said if other businesses come forward, money would be available.

Award Submission - Ms. Mory stated that staff prepared applications for the Kirk Cottrell Pavilion and applied to the Florida League of Cities and Florida Redevelopment Association.

Community Policing - Ms. Mory said community policing detail was increased to help with the concerns in the CRA area, i.e. vandalism, dogs on the boardwalk, etc. She explained that there will not be enough money to maintain that level of mobilization for the remainder of the FY; however, if the Board is satisfied with the current level of mobilization, she can pay for community policing under the special events line item, which would be an additional $15,000 in spending.

Chair Ganz expressed his frustrations with additional monies being spent on enforcing the rules. He requested more clarification on exactly what the money is being spent on, crowds or enforcing the rules.

ADMINISTRATION COMMENTS - CONTINUED

David Santucci, City Manager, said additional enforcement was increased to ensure the orders relating to COVID were being adhered.

Chair Ganz spoke in support of the additional detail.

Mr. Drosky outlined the community policing reports in the backup and stated that some are more detailed than others and requested that all officers provide detailed reports.

Chair Ganz said although he has seen improvements when he's at the beach, it can be better.

Property Acquisition - Ms. Mory advised the Board that the 7-11 on SE 12th Avenue and Hillsboro Boulevard shuttered up due to lack of business, which is disappointing, but is an opportunity for the CRA. She said it is an odd sized lot and layout; therefore, if another 7-11 does not take over, she feels the owner will have a difficult time finding a new tenant. Further, she asked the Board to think about the possibility of real estate acquisition in the future.

CITY MANAGER

None.

CITY ATTORNEY

None.

BOARD COMMENTS

MR. HUDAK

None.

VICE CHAIR PRESTON

None.

MR. DROSKY

None.

CHAIR GANZ

Thank you - Chair Ganz thanked staff again for providing a tour to Dr. Harvey, his staff, etc. and reminded staff to continue to be open minded when unique opportunities come forward, as the City has a lot to offer and believes more projects with Dr. Harvey and his foundation will be brought forward in the future.

Proposed Project - Chair Ganz said there is a shower between Oceans' 234 and the Deerfield Beach Café, that is extremely close to restaurant goers; therefore, he suggested adding a privacy wall around it.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

MOTION was made by Vice Chair Preston, seconded by Mr. Hudak, to adjourn the meeting at 8:05 p.m. Voice Vote:

Yeas: 4 - Mr. Drosky, Mr. Hudak, Vice Chair Preston and Chair Ganz

Nays: 0

BILL GANZ, CHAIR

Samantha Gillyard, CMC, City Clerk

COMMUNITY APPEARANCE BOARD
MEETING MINUTES
CITY OF DEERFIELD BEACH, FLORIDA
July 14, 2021

A regular meeting of the Community Appearance Board of the City of Deerfield Beach, a municipal corporation of Florida, was called to order on the above date at 7:04 p.m. in the City Commission Chambers, Deerfield Beach, by Chair Belton.

Roll call showed:

Present: Harry Belton, Chair
Terrance Glunt, Vice Chair
Mark Damiano, Alternate

Also Present: Anthony Soroka, City Attorney
Bonnie Jacobson, Senior Planner
Tracy Britten, Administrative Support Specialist

Absent: Jack Hugentugler
Patrick Morris

APPROVAL OF MINUTES OF PREVIOUS MEETING

Mr. Damiano made a motion, seconded by Vice Chair Glunt to approve the May 26, 2021 meeting minutes as submitted. The motion CARRIED by unanimous vote.

NEW ITEM

#7002 **BPREP Deerfield Park LLC**
674-774 S Military Trail
Building Paint Change

Bonnie Jacobson, Senior Planner, displayed images captured via Google maps.

Discussion ensued regarding the color choices for all four (4) buildings: Snowbound, Salty Dog, Moonmist and Steely Gray. The pop-out accent on the suite entrances will be painted Steely Gray, the roll-up doors will be painted Salty Dog and the proposed accent band will wrap the four (4) buildings on all sides. The second stucco panel from the top of the building will be painted Moonmist on the top half and Salty Dog on the bottom half.

Vice Chair Glunt made a motion, seconded by Mr. Damiano to approve Item #7002 as submitted. The motion CARRIED by unanimous vote.

#6990 Palm Trails Plaza LLC
1101-1149 S Military Trail
Master Signage Plan

Bonnie Jacobson, Senior Planner, displayed images captured via Google maps.

Discussion ensued regarding the store front signs which will consist of flush mounted individual channel letters that will be red, white and green and will be fabricated with aluminum returns, acrylic faces and illuminated with LED lighting. The font style will be Arial and all business signage will be the same except the trademark business.

The board requested that the monument signs for all the businesses have a white background instead of various colors.

Vice Chair Glunt made a motion, seconded by Mr. Damiano to approve Item #6990 with conditions. The motion CARRIED by unanimous vote.

#6998 Mancini Development IP LC
1865 S Powerline Road
Master Signage Plan

Bonnie Jacobson, Senior Planner, displayed images captured via Google maps.

Susan Bogen, applicant, said the master sign plan provides criteria for tenants in a way that ensures order and continuity and improves the visual appearance of the building. The options that are proposed are one line and two-line text with and without logos. There will be a maximum of five (5) signs on the east elevation and a maximum of one (1) sign on the south and north end cap elevations.

Continuing, Ms. Bogen explained that the virtual sign band on the brick façade will be used as a guideline for the tenants to place their signs in a uniformed fashion. If a tenant occupies more than one space, the sign shall be located over the main entrance. The end caps on the building exist on the east elevation, north and south elevation and according to the City’s code a tenant is permitted to have signs on both elevations. All the signs will have the same font which is Arial Bold, the colors will be red, green and blue, the returns on the letters are black and the trim around the sign will be mounted on raceways and painted to match the building. Lastly, all signage will be illuminated.

Vice Chair Glunt made a motion, seconded by Mr. Damiano to approve Item #6998 as submitted. The motion CARRIED by unanimous vote.

REPORTS

Comments by Deerfield Beach City Attorney

Anthony Soroka, City Attorney, stated that House Bill 883 was signed by the Governor, and prohibits code inspectors and code enforcement officers from initiating investigations or initiating enforcement proceedings of potential violations of codes & ordinances by way of anonymous complaints; requires complainants to provide specified information to report potential code or ordinance violations; specifies actions local government may take if person falsely claims fear of retaliation or status-based legal jeopardy to make false complaint.

Continuing, Mr. Soroka stated that House Bill 403 regarding Home-Based Businesses was also signed by the Governor. This Bill prohibits local governments from taking certain actions relating to the licensure and regulation of home-based businesses; specifying conditions under which a business is considered a home-based business; authorizing home-based businesses to operate in areas zoned for residential use; specifying that home-based businesses are subject to certain business taxes; authorizing the prevailing party in such challenge to recover specified attorney fees and costs, etc.

Comments by Deerfield Beach Planning and Development Services Department

None.

ADJOURNMENT

Chair Belton adjourned the meeting at 7:45 p.m.

____

Harry Belton, Chair
Community Appearance Board

City of Deerfield Beach
MARINE ADVISORY BOARD MINUTES
May 20, 2021

The meeting was called to order on the above date by Chair Hendrickson at 6:02 p.m. The following board members were in attendance:

Voting

- Mr. Chapman
- Mr. Streather
- Mr. Nass
- Chair Hendrickson

Also in attendance: Patrick Bardes, Coastal & Waterway Coordinator, Elen Gantner, Assistant City Attorney, and Heather Montemayor, Assistant City Clerk.

Not in attendance: Ms. Ramon

ACTION ITEMS FROM PREVIOUS MEETINGS

None.

PUBLIC INPUT

None.

APPROVAL OF AGENDA

Motion was made by Mr. Nass, seconded by Mr. Streather, to approve the agenda as submitted. The motion CARRIED by unanimous vote.

Mr. Chapman arrived at 6:06 p.m.

NEW BUSINESS

A. New Board Member Introduction - Robert Streather

Patrick Bardes, Coastal & Waterway Coordinator, introduced Robert Streather, alternate.

Thereafter, all the members introduced themselves and provided a brief overview of their background and credentials.

Mr. Bardes provided a brief background of projects the Board has accomplished thus far. Thereafter, he advised that all board recommendations will be brought to the City Commission for final approval.

Elen Gantner, Assistant City Attorney, provided a brief overview of the Public Records and Sunshine Laws.

B. <u>Boating Safety Month/Activities presented by Katie Hendrickson</u>

Chair Hendrickson stated that May is National Safe Boating month. In 2019, there were over 11 million recreational vessels in Florida, with 46,000 being registered in Broward County. Thereafter, she provided a brief history of how National Safe Boating month was implemented. There is a law that requires operators of a certain age to obtain a boating license, but unfortunately the online course lacks value; whereas, the majority of accidents occur because of the lack of general knowledge of the canals and waterways. Chair Hendrickson said boaters should also get their vessels checked on a regular basis to assure they have the proper equipment onboard. Thereafter, she outlined entities that offer free vessel checks. Additionally, there have been many issues with speeding in the waterways due to the lack of knowledge. Furthermore, she advised that www.discoverboating.com provides a vast amount of information on boating etiquette.

Continuing, Chair Hendrickson said she hopes that the Board can provide recommendations to the Commission on how the City can become a steward for Stop Aquatic Hitchhikers. The campaign aims at stopping the transport and spread of harmful aquatic invasive species. She explained that it is important for boaters to clean, drain and dry their vessels after each use; information on how to protect the waterways from these invasive species can be found at www.stopaquatichitchhikers.org. Thereafter, various invasive species outlined on the website were discussed.

Mr. Nass suggested that the Board make a recommendation to lawmakers requesting that every person operating a vessel have a license. He stated that people will lobby against this request but believes a law of this nature will help assist with waterway safety.

Chair Hendrickson agreed with the importance of the recommendation and suggested that Mr. Nass research other organizations to see if anyone has brought forward a similar recommendation. Further, she said although people will lobby against it, a vast majority of people will be supportive of this recommendation.

In response to Mr. Nass's question, Chair Hendrickson replied that prior to making the recommendation, fact finding, and research must be done. Further, she agreed that there would be an associated cost, so research will also have to be done on the registration fees as well; nevertheless, she will provide feedback at the next meeting.

Mr. Chapman suggested offering training programs, or manuals regarding boat safety.

Chair Hendrickson agreed. She said Broward County has a waterway safety brochure and suggested working with them on bringing awareness to the City.

Patrick Bardes, Coastal & Waterway Coordinator, advised that the Broward Boating Improvement Program provided pamphlets that staff distributed to the local marinas and vessel rental agencies.

In response to Mr. Streather's question, Mr. Bardes replied that it has been around two (2) years since the pamphlets were first distributed; nevertheless, he will reach out to each agency to ensure that they are still being provided. Thereafter, Mr. Bardes provided a brief overview of the stormwater brochures that staff created for residents and businesses. He stated that this board recommended a litter in waterways ordinance that was approved by the City Commission, which restricts harmful materials being dumped into the waterways.

Chair Hendrickson said the Board previously discussed implementing a reward program for residents and businesses that use a sustainable approach and suggested offering a seal of approval. Moreover, showcasing the community is a great way to form co-sponsorships and get the community in the same mindset.

Mr. Nass also suggested that a written test, driving test, hearing test and sight exam be required in order to receive a boating license. Thereafter, he reiterated his concerns regarding the ladders at Sullivan Park and again suggested that city staff move the six (6) ladders and purchase six (6) more.

Mr. Bardes stated that this concern has been brought up for the last two (2) years and has been reviewed multiple times by the marine architect that built the facility. The concern was also reviewed by the City Commission and CRA Board and no directives were given to staff to make changes or additions to the docks or the ladders. Further, he explained that the ladders were installed as a life saving device, not to enter/exit vessels, and placing ladders on the inside of the dock piers would restrict certain boats accessibility. Mr. Bardes stated that the Board recommended the installation of additional bumpers and cleats, which was done; however, other recommendations were reviewed and evaluated by CRA staff and it was determined that they were not necessary; therefore, there is nothing more than can be done at this time.

Mr. Chapman said not having safe docks will provide a hardship to Deerfield Beach businesses, as no one will want to stop and visit.

In response to Mr. Nass's comment, Mr. Bardes said there have been no incidents with the docks or ladders since the park opened.

Mr. Streather suggested that Mr. Nass start a petition to bring more awareness to the concern.

Chair Hendrickson said ladders come with maintenance and liability; thereafter, she provided examples of her experience with the docks and ladders at Sullivan Park. Further, she applauded Mr. Nass' passionate concern and suggested reaching out to the Pompano Beach Power Squadron or another marine engineer to have them come and check the area. Lastly, Chair Hendrickson thanked the Commission and CRA Board for taking the Board's recommendation of adding additional bumpers and cleats as they have had a positive impact.

Mr. Nass said he and Mr. Bardes reached out to the Pompano Beach Power Squadron. Further, he said the marine engineer that built the docks may not know the area or admit he made a mistake.

Mr. Bardes explained that the Board recommended that he write a letter to the City Manager requesting that the Pompano Beach Power Squadron evaluate the dock, and the request was denied.

In response to Mr. Chapman's comment, Mr. Bardes said the standard is to not have a ladder.

Chair Hendrickson reiterated that Mr. Nass reach out to a marine engineer and said if any members find information that could help with this argument to bring it forward at a future meeting.

In response to Mr. Streather's question, Chair Hendrickson replied that recommendations that are denied by the City Manager, or City Commission can be brought back but new recommendations and information must be brought forward to support the argument.

Mr. Nass offered to donate the cost to move the six (6) ladders to a safer location. Further, he reiterated his concerns with the area, and stated that something must be done.

Mr. Bardes stated that the issue was never about cost.

After a lengthy discussion, it was decided that additional research on the docks at Sullivan Park be done to provide to the City Manager and City Commission.

In response to Chair Hendrickson's question, Mr. Bardes replied that he will distribute the safe boating pamphlets to city facilities and reach out to Public Affairs and Marketing about possibly doing a social media post.

Chair Hendrickson listed various boating courses that are offered throughout the County.

In response to Mr. Chapman's question, Mr. Bardes replied that a link to the Pompano Beach Power Squadron is not located on the City's website; however, he will add a safe boating tab under the Coastal and Waterway Division's webpage and asked that the Board provide any links they feel would be beneficial.

C. <u>General Items Discussion</u>

Patrick Bardes, Coastal & Waterway Coordinator, said the Board has not met in quite sometime and asked that new items, as well as previous items, be brought forward for future discussion.

Chair Hendrickson provided a brief overview of the Board's priority list.
Mr. Bardes stated that the priority list is for marine related topics.

BOARD MEMBER COMMENTS

Mr. Nass said he received a letter from Hugh Fuller, Waterfront Operations Manager, stating that since the City is currently in the reopening phase, the Visitor's Center will be reviewed in the upcoming weeks by Parks staff; once a decision is made, he will be notified accordingly. Further, Mr. Nass hopes that the center will move forward as it will be beneficial to both residents and tourists.

Mr. Bardes stated that other boards and city staff may be involved with the center, i.e. Economic Development and CRA, and advised Mr. Nass that he can work with them as well.

Mr. Nass said people have begun adding fountains to lakes in their communities and asked if that is something the Board should become knowledgeable about.

In response to Mr. Nass' question, Mr. Streather replied that the lakes within Century Village are for aesthetic and beautification purposes only.

Mr. Nass said many of the lakes are fed through the canal system and he is concerned that they may cause red tide or green algae. He is unsure if they pose a threat but wanted to bring it up.

There was a brief discussion regarding the different kinds of algae and the threat they have on the waterways.

In response to various comments made by members, Mr. Bardes replied that the lakes in Century Village are retention ponds.

Mr. Nass asked what the City is doing about sea level rise.

Mr. Chapman said the Board must determine if the sea is rising because from an engineering perspective Florida is sinking.

After a brief discussion regarding beach erosion and sea level rise, Chair Hendrickson commented on the importance of being a good steward to the environment.

In response to Chair Hendrickson's question, Mr. Bardes provided a brief update on the beach/waterway cleanups that were completed this past year through an app. Thereafter, he outlined upcoming events and advised that additional information will be provided at a future meeting.

Mr. Nass requested that CRA staff come to a future meeting and provide updates on the Kirk Cotrell Pavilion and old Chamber Building.
Mr. Bardes suggested that Mr. Nass attend the CRA meetings or reach out to staff for updates.

NEXT MEETING

Chair Hendrickson stated that the next meeting will be held on June 17, 2021 at 6:00 p.m. in person at City Hall.

ADJOURNMENT

Motion was made by Mr. Streather, seconded by Mr. Nass, to adjourn the meeting at 7:33 p.m. The motion CARRIED by unanimous vote.

City of Deerfield Beach
MARINE ADVISORY BOARD MINUTES
June 17, 2021

The meeting was called to order on the above date by Mr. Nass at 6:02 p.m. The following board members were in attendance:

Voting

- Mr. Chapman
- Mr. Streather
- Mr. Nass

Also in attendance: Patrick Bardes, Coastal & Waterway Coordinator, Elen Gantner, Assistant City Attorney, and Heather Montemayor, Assistant City Clerk.

Not in attendance: Ms. Ramon and Chair Hendrickson

ACTION ITEMS FROM PREVIOUS MEETINGS

None.

PUBLIC INPUT

None.

In response to Mr. Nass' question, Patrick Bardes, Coastal & Waterway Coordinator, replied that the meeting invite is sent to BSO - Marine Patrol every month; nonetheless, he will assure a representative is present at the next meeting.

APPROVAL OF MINUTES

Motion was made by Mr. Chapman, seconded by Mr. Streather, to approve the October 15, 2020 minutes as submitted. The motion CARRIED by unanimous vote.

APPROVAL OF AGENDA

In response to Mr. Nass' question, Patrick Bardes, Coastal & Waterway Coordinator, replied that residents cannot add items to the agenda; however, they can attend the meeting and provide their comments during public input. Further, he explained that the MAB oversees marine related topics only but advised Mr. Nass that he can contact any of the Commissioners, as well as attend the RCC meetings to voice his concerns, issues or suggestions related to non-marine activities.

In response to Mr. Nass' question, Elen Gantner, Assistant City Attorney, replied that the City has an Education Advisory Board that meets monthly, which he can attend and provide suggestions on implementing a program to assist graduating seniors with resumes and interviewing.

Motion was made by Mr. Chapman, seconded by Mr. Streather, to approve the agenda as amended, with the addition of Mr. Nass' items; Rapa Nui dive site and update on the Visitor's Center. The motion CARRIED by unanimous vote.

NEW BUSINESS

A. Veterans Day Fishing Tournament Discussion

Mr. Nass said the City previously hosted Junior Angler's Day and suggested that an event be offered to veterans on Veterans Day.

In response to Mr. Nass' question, Patrick Bardes, Coastal & Waterway Coordinator, replied that the Special Events Division oversees all special events; therefore, he will contact them with the Board's suggestion of bringing a Veterans Day fishing tournament to the City.

B. Priority List Discussion

Mr. Chapman explained that he requested a copy of the priority list, so he could have a better understanding of the Board's priorities; whereby, he requested that habitat preservation and extension be added to the list.

Patrick Bardes, Coastal & Waterway Coordinator, agreed with the addition. Thereafter, he suggested that the priority list be discussed in detail as many members outlined on the list are no longer part of the Board.

There were no objections.

C. Rapa Nui Dive Site

Patrick Bardes, Coastal & Waterway Coordinator, provided a brief history of the Rapa Nui Reef. He stated that although the sinking of the reef didn't go as planned, it is still an artificial reef.

In response to Mr. Nass' questions, Mr. Bardes replied that the Rapa Nui Reef is in 75 feet of water and should only be dived by advanced divers. The City of Pompano Beach partnered with Shipwreck Park; however, their artificial reef is a Pompano Beach initiative. Further, Mr. Bardes said there is no way to monitor the number of divers that have dived Rapa Nui Reef; however, Broward County installed two (2) other artificial reefs close by and all three (3) can be done during one (1) dive.

In response to Mr. Streather's questions, Mr. Bardes replied that when Rapa Nui flipped over at the surface, most of the art structures broke; therefore, there really isn't any way to rematerialize the reef. Further, he said it was sunk about four (4) years ago.

D. Visitor’s Center Update

Patrick Bardes, Coastal & Waterway Coordinator, said he spoke with Hugh Fuller, Waterfront Operations Manager, who stated that the City is slowly reopening all its facilities. Furthermore, Mr. Fuller stated that the City Manager is going to recommend the implementation of a beach ambassador program to the City Commission during the budget workshop sessions.

In response to Mr. Nass’ question, Patrick Bardes, Coastal & Waterway Coordinator, replied that free admission for seniors was previously discussed at a commission meeting; however, prior to deciding, the Commission requested that staff evaluate the financial impact which is still being investigated.

BOARD MEMBER COMMENTS

Mr. Chapman said Dixie Divers has been in the City for many years and commented on the many cleanups they have performed and stated that they have a dive boat that’s open to the public.

In response to Mr. Nass’ comment, Patrick Bardes, Coastal & Waterway Coordinator, stated that he will work with the City Clerk’s Office to see if the Commissioners know of anyone who is interested on being appointed to the Board.

In response to Mr. Chapman’s question, Mr. Bardes replied that he will work with the City Clerk’s Office to see if Commissioner Drosky wants to appoint him as the regular member, since District 4 currently only has an alternate. Further, Mr. Bardes advised the Board that they can reach out to their Commissioners as well regarding appointing new members.

NEXT MEETING

Patrick Bardes, Coastal & Waterway Coordinator, stated that the next meeting will be held on July 15, 2021 at 6:00 p.m. in person at City Hall. Thereafter, he suggested doing quarterly meetings, so more items can be discussed at once.

In response to comments made by the Board, Mr. Bardes stated that each item on the priority list is overseen by a member; however, some items are addressed by him regularly. Thereafter, he outlined projects he is currently working on that are listed on the current priority list.

After a brief discussion regarding the priority list, it was decided that the entire board must be present when the priority list is discussed so it includes the new board members.

ADJOURNMENT

Motion was made by Mr. Streather, seconded by Mr. Chapman, to adjourn the meeting at 6:29 p.m. The motion CARRIED by unanimous vote.

HILLSBORO INLET DISTRICT
Minutes of Regular Monthly Meeting, Monday, July 19, 2021
Fletcher Hall, 2200 NE 38th Street, City of Lighthouse Point

MEMBERS PRESENT:
Chair Denise Bryan
Vice-Chair Laurence Gore
Commissioner Scott Loesel
Commissioner Mohamed "Mo" Tarifi
Commissioner Randy Strauss
Commissioner Robert O'Neill

OTHERS PRESENT:
David N. Tolces, General Counsel, Weiss Serota Helfman Cole & Bierman, P.L.
Assistant Captain Alexander Cuevas
Robert M. Andrews, Accountant
Michael Schlossberg, Health Insurance Agent (via phone)
Kimberly Longo, District Secretary

QUORUM PRESENT: The Secretary called the roll and established a quorum for the regular meeting. The meeting was called to order by Chair Bryan at 6:30 P.M.

APPROVAL OF MINUTES: A Motion to approve the June 21, 2021 Regular Meeting Minutes was made by Commissioner Loesel and seconded by Commissioner O'Neill. Commissioner Sarkis requested an amendment to the Minutes to reflect that he voted no because the policies are too open-ended. Attorney Tolces suggested that after the sentence on page 3 where it states District Secretary Kimberly Longo called roll, to state the following: "Commissioner Sarkis indicated that he would not vote in favor of the motion as the policies are to open-ended." Commissioner Loesel stated that the total amount of the flexible hoses are stated to cost $41,050.00 on page 3 of the minutes. The amount of the hoses should be $141,050.00. The Motion, to approve the minutes, as amended, was approved unanimously. (5-0)

APPROVAL OF OUTSTANDING BILLS: A Motion was made by Commissioner Loesel and seconded by Commissioner Tarifi for approval of all outstanding bills in the amount of $175,833.99. The bills were reviewed and discussed in detail. The motion was approved unanimously. (5-0)

APPROVAL OF CURRENT MONTH'S EXPENSES: Motion was made by Commissioner Loesel and seconded by Commissioner Strauss to approve current month's expenses of approximately $40,000.00. The motion was approved unanimously. (5-0)

DREDGE LOG: Assistant Captain Cuevas advised the Board that there were 3 hours of dredging time, resulting in 1,350 yd^3 of sand bypassed south to Pompano Beach.

INLET STATUS REPORT: Assistant Captain Cuevas advised the Board that the crew performed general maintenance. Assistant Captain Cuevas also advised the following:

1. The crew took the boat for repairs to fix the propellers. The prop-guard had to be repaired as well; and
2. The crew is in the process of painting the new District offices and moving in slowly. They are waiting on Comcast to come out and waiting on some new desks to be delivered.

Attorney Tolces advised that the Board should receive the depth chart tomorrow.

PUBLIC COMMENTS: The District Secretary advised the Board that there were no public comments.

NEW BUSINESS:

PROPOSED MILLAGE RATE FOR 2021-22 FISCAL YEAR: The Board discussed the proposed Budget for the upcoming fiscal year. The Board discussed the proposed Millage Rate of 0.0995 mills for the 2021-22 Fiscal Year. District Accountant Robert Andrews discussed the District's need to put money aside for the repair and replacement of the District's equipment. The Board discussed possible items that the District may need to be purchased and/or repaired in the future. District Accountant Robert Andrews also discussed the insurance matters regarding updating the District insurance policies for replacement costs of the vessels. Assistant Captain Cuevas advised the Board that the District is in the process of getting quotes from Ellicott regarding replacement items. Motion was made by Vice Chair Gore and seconded by Commissioner Loesel to set the proposed Millage Rate for the 2021-22 Fiscal Year at 0.0995 mills. The motion was approved unanimously. (6-0)

HEALTH INSUARNCE RENEWAL FOR 2021-22 FISCAL YEAR: Insurance Agent Michael Schlossberg discussed the Florida Blue health insurance renewal for the 2021-22 Fiscal Year with the members of the Board. Mr. Schlossberg advised that there is a 2.15% decrease in the premium this year. Motion was made by Commissioner Loesel and seconded by Commissioner O'Neill to approve the Florida Blue health insurance renewal for Fiscal Year 2021-22, and for Chair Bryan to process and sign the renewal documents commencing September 1, 2021. The motion was approved unanimously. (6-0)

OLD BUSINESS:

GENERAL COUNSEL COMMENTS: Attorney Tolces advised the Board about the Hillsboro litigation. The District is not a party to the litigation but the State has moved to intervene and the State is in the process of surveying the submerged lands and doing their own research. Attorney Tolces stated that he will keep the District advised of the status of the litigation.

COMMISSIONER COMMENTS: None.

ADJOURNMENT

Motion was made by Vice Chair Gore to adjourn the meeting and seconded by Commissioner Loesel. The meeting was adjourned at 7:05 PM by Chair Bryan.

Respectfully submitted,

____

Kimberly Longo, District Secretary

City Commission Meeting - September 3, 2021

DEERFIELD BEACH - YOU ARE HEREBY NOTIFIED that the **Regular City Commission** meeting will be held on **Friday, September 3, 2021, at 7:00 PM in the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, Florida.** A quorum of the City Commission will be physically present at the meeting and the City will be utilizing communications media technology with most City staff participating through video conferencing.

The September 3, 2021, Regular City Commission meeting will proceed utilizing communications media technology; **however, the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, will be open to the public as an additional method** for speakers wishing to speak on items with such attendees adhering to social distancing protocols, temperature checks and face covering recommendations. A copy of the agenda for the September 3, 2021 meeting will be available at http://www.deerfield-beach.com/1554/Meetings-Agendas.

Attending and Viewing the City Commission Meeting:

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

1. **In Person Attendance**. Attend in person in the City Commission Chambers adhering to social distancing protocols, temperature checks and face covering recommendations.

2. **Zoom**

   a. **Via Zoom Online** - Access to the meeting will begin at 6:45 PM on September 3, 2021.
      i. Use the following link below to access the meeting via Zoom:
https://deerfield-beach.zoom.us/j/84601929892?pwd=M1dhMy80YkthelRhdFlrbHZEM0V2UT09
      ii. The video camera display feature is disabled for public use

   b. **Via Zoom Telephone** - Join the meeting via telephone (audio only) using the Call-in number below, followed by the Meeting ID when prompted. No computer or access code is required.

Call-in Number: (301) 715-8592, Meeting ID: 832 3802 3314#, Participant ID: #, Passcode: 694841#

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

3. YouTube

The meeting will also be available to the public via YouTube for audio and video access; however, public participation, i.e. comments are not possible. The link to watch the meeting via YouTube will be active no later than 6:45 PM on September 3, 2021, and can be found by clicking the camera icon in the Media column at http://www.deerfield-beach.com/1554/Meetings-Agendas.

Providing Public Comment:

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

1. **In person** - Public comment may be given in the Commission chambers during the applicable public comment portion of the meeting.

2. **Via Email** - Public comments and documents may be submitted via email to web.clerk@dfb.city. Public comments will be read aloud during the meeting and added to the record. Emails can be submitted prior to the meeting or until the public hearing session is closed.

3. **Live Zoom Video Participation** - If attending via Zoom online, at the appropriate public comment period, click “raise hand” on the bottom of the “participants” tab, and your audio will be unmuted when you are recognized.

4. **Live Zoom Telephone Participation** - If attending via Zoom by telephone, at the appropriate public comment period, press *9 to “raise your hand” and your audio will be unmuted when you are recognized.

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

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

City of Deerfield Beach

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

Face Sheet

File Number: I.D. 2021-880

Agenda Date: 9/3/2021

Status: BUDGET & MILLAGE PUBLIC HEARINGS

In Control: City Commission

Title

ORDINANCE 2021/ - 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, 2021 AND ENDING SEPTEMBER 30, 2022; 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.

Recommended Action

Commission to vote on the Ordinance and set a second public hearing for September 13, 2021.

Voting Requirement

Adoption requires a 4/5 vote of the City Commission.

Background/History

In accordance with Section 200.065, Florida Statutes, each year the City conducts two public hearings on the proposed millage and budget for the upcoming fiscal year. The first substantive issue discussed shall be the percentage increase in millage over the rolled-back rate necessary to fund the budget. The City Code requires the annual budget and millage to be adopted by Ordinance. The general public shall be allowed to speak and to ask questions prior to adoption of any measures by the governing body. The City Commission is to adopt its tentative or final millage rate prior to adopting its tentative or final budget.

Current Activity

The FY2022 proposed total millage rate of 6.3125 mills represents a decrease from the prior year's legally adopted millage rate of 6.3560.

The FY2022 proposed operating millage rate of 6.0018 mills represents no increase in the rate from the prior year's operating millage rate of 6.0018.

The proposed millage rate will generate a net $48.7 million of ad valorem tax revenue, which is approximately 5.7% more than the previous fiscal year's estimate of $46.1 million.

Ad Valorem Tax Revenue History

FY22 - $48,699,619 (Est.)
FY21 - $46,096,554 (Est.)
FY20 - $44,281,635

Recommendation

Staff recommends approval of the proposed millage rate.

ORDINANCE NO. 2021/

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, 2021 AND ENDING SEPTEMBER 30, 2022; 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

WHEREAS, the City Commission has held all necessary budget workshops and public hearings to consider and make changes to the Annual Budget submitted by the City Manager for the fiscal year ending September 30, 2022; and

WHEREAS, the proposed Fiscal Year 2022 operating millage rate is 6.0018, which represents an increase of 5.13% over the rolled-back rate, and such percentage change is characterized as the percentage increase in property taxes pursuant to Section 200.065, Fla. Stat; and

WHEREAS, the City has provided notice and has conducted public hearings as required by Section 200.065, Florida Statutes, to consider, discuss, and hear public comment regarding the millage rate for Fiscal Year 2022.

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

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Ordinance.

Section 2. The millage rate is hereby adopted and levied for the fiscal year beginning October 1, 2021 and ending September 30, 2022 as follows:

Operating Millage Rate	6.0018
Voted Debt Service Millage	0.3107
Total Millage Rate	6.3125

Section 3. The Fiscal Year 2022 operating millage rate of 6.0018 mills is 5.13% more than the rolled-back rate of 5.7092 mills calculated pursuant to Florida law. The voted debt service millage is 0.3107 mills.

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

Section 5. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

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

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

Section 8. This Ordinance was adopted after a second public hearing on the subject matter hereof and notice of the public hearings were published as required by the City Charter and Florida law, which public hearings were held at 7:00 P.M. on September 3, 2021, and September 13, 2021.

PASSED 1ST READING ON THIS ______ DAY OF ___________, 2021.

PASSED 2ND READING ON THIS _____ DAY OF ____________, 2021.

____
BILL GANZ, MAYOR

ATTEST:

____
SAMANTHA GILLYARD, CITY CLERK

City of Deerfield Beach

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

Face Sheet
File Number: I.D. 2021-881

Agenda Date: 9/3/2021

Status: BUDGET & MILLAGE PUBLIC HEARINGS

In Control: City Commission

Title

ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set second public hearing for September 13, 2021

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

Budget workshops were held on June 21, June 22, and August 10, 2021. The workshops provided details of each department's and fund's budget; including revenues, expenditures, programs, and capital expenses. The workshops also provided the City Commission and the Public with an opportunity to provide input and additional recommendations. The staff hereby presents for your consideration and approval the Fiscal Year 2022 Proposed Budget. The FY2022 Proposed Budget incorporates the policy direction and program recommendations that were discussed during the budget workshops. The FY2022 Proposed Budget is available on the City website for public review at the following link: https://www.deerfield-beach.com/561/City-Budget. Additionally, staff will present a budget overview during the budget hearing.

Recommendation

Staff recommends approval of the recommended budget.

ORDINANCE NO. 2021/

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING THE FINAL BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE

WHEREAS, the City Manager of the City of Deerfield Beach, Florida, has submitted his annual budget report to the City Commission covering the fiscal year ending September 30, 2022; and

WHEREAS, the City Manager has estimated the revenues and expenditures for Fiscal Year 2022 and has determined the required millage rate for the purpose of ad valorem taxation; and

WHEREAS, the City Commission has held all necessary budget workshops and public hearings to consider and make changes to the annual budget and the City Commission has had the opportunity to review the complete proposed budget for Fiscal Year 2022; and

WHEREAS, the City Commission has passed an Ordinance adopting the millage rate for the fiscal year ending September 30, 2022.

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

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Ordinance.

Section 2. That the City of Deerfield Beach budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022, a summary of which is attached hereto as Exhibit "A" and incorporated herein by this reference (a full copy is on file with the City Clerk and is hereby incorporated herein in its entirety by this reference), is hereby adopted, and the appropriations set forth therein are hereby made for the operation of the government of the City and for paying the annual debt service on all outstanding bonds of the City.

Section 3. That all delinquent taxes collected during the ensuing fiscal year as proceeds from levies of operating millages of prior years are hereby specifically appropriated for the use and benefit of the General Fund.

Section 4. That in accordance with Section 4.03(10) of the City Charter, the City Manager has the authority to sign contracts on behalf of the City pursuant to the provisions of this appropriations ordinance, and as may be further authorized by the City Commission pursuant to ordinance or resolution.

Section 5. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Ordinance.

Section 6. All ordinances or parts of ordinances and all resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

Section 7. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 8. This Ordinance shall take effect immediately upon its passage and adoption on Second Reading.

Section 9. This Ordinance was adopted after a second public hearing on the Fiscal Year 2021/2022 budget and notices of the public hearings were published as required by City Charter and Florida law, which public hearings were held at 7:00 p.m. on September 3, 2021, and September 13, 2021.

PASSED 1ST READING ON THIS ______ DAY OF ___________, 2021.

PASSED 2ND READING ON THIS _____ DAY OF ____________, 2021.

____
BILL GANZ, MAYOR

ATTEST:

____
SAMANTHA GILLYARD, CITY CLERK

BUDGET SUMMARY
CITY OF DEERFIELD BEACH, FLORIDA - FISCAL YEAR 2021-2022
THE PROPOSED OPERATING BUDGET EXPENDITURES OF THE CITY OF DEERFIELD BEACH ARE 4.5% MORE THAN LAST YEAR'S TOTAL OPERATING EXPENDITURES

General Fund **6.0018**
Voted Debt **0.3107**

ESTIMATED REVENUES:	GENERAL FUND	INSURANCE SERVICES FUND	SPECIAL REVENUE FUNDS	DEBT SERVICE FUND	CAPITAL PROJECT FUNDS	ENTERPRISE FUNDS	CRA TRUST FUND	TOTAL ALL FUNDS
Taxes: Millage Per $1,000								
Ad Valorem Taxes 6.0018	46,193,524	-	-	-	-	-	2,216,786	48,410,310
Ad Valorem Taxes 0.3107 (Voted Debt)	2,506,095	-	-	-	-	-	-	2,506,095
Delinquent Tax Collections	1,200,000	-	-	-	-	-	-	1,200,000
Sales and Use Taxes	1,376,101	-	-	-	-	-	-	1,376,101
Communications Service Taxes	2,000,000	-	-	-	-	-	-	2,000,000
Public Service Taxes	8,364,000	-	-	-	-	-	-	8,364,000
Fire Assessment Fees	15,986,043	-	-	-	-	-	-	15,986,043
Franchise Fees	5,343,000	-	-	-	-	-	-	5,343,000
Local Option Gas Tax	5,500,000	-	1,327,400	-	-	-	-	6,827,400
Licenses, Permits & Fees	822,200	-	5,531,500	-	-	-	-	6,353,700
Intergovernmental Revenue	2,352,971	-	613,400	-	-	-	-	2,966,371
Charges for Services	10,409,034	-	78,093	-	-	45,162,398	-	55,649,525
Fines and Forfeitures	1,007,500	-	750,000	-	-	-	-	1,757,500
Grants and Contributions	1,104,841	-	20,908,205	-	302,000	531,300	-	22,846,346
Administration Fees	8,079,662	-	437,720	-	-	-	-	8,517,382
Loan Proceeds	-	-	205,000	-	28,058,119	1,318,826	-	29,581,945
Other Financing Sources	528,500	2,014,200	-	-	-	310,149	2,318,208	5,171,057
TOTAL SOURCES	**112,773,471**	**2,014,200**	**29,851,318**	**-**	**28,360,119**	**47,322,673**	**4,534,994**	**224,856,775**
Transfers In	406,454	9,634,607	-	5,030,838	4,022,615	6,775,336	-	25,869,850
Fund Balances/Reserves/Net Assets	4,498,397	-	1,556,398	-	-	6,346,584	5,378,784	17,780,163
TOTAL REVENUES, TRANSFERS & BALANCES	**117,678,322**	**11,648,807**	**31,407,716**	**5,030,838**	**32,382,734**	**60,444,593**	**9,913,778**	**268,506,788**
EXPENDITURES:								
General Government	17,790,179	11,648,807	6,086,420	-	6,036,648	535,466	1,092,698	43,190,218
Economic Environment	525,005	-	835,123	-	-	-	6,759,080	8,122,208
Public Safety	71,253,744	-	17,158,836	-	1,387,290	-	75,000	89,874,870
Physical Environment	846,860	-	10,714	-	1,799,053	49,630,773	1,810,000	54,097,400
Transportation	735,325	-	5,561,707	-	1,100,021	-	-	7,397,053
Human Services	2,455,698	-	554,909	-	11,235,430	-	-	14,246,037
Culture and Recreation	13,548,975	-	1,127,898	-	10,824,292	-	177,000	25,675,165
Debt Service	1,078,797	-	-	5,030,838	-	5,744,121	-	11,853,756
Other Financing Uses	-	-	-	-	-	-	-	-
TOTAL EXPENDITURES	**108,234,583**	**11,648,807**	**31,335,607**	**5,030,838**	**32,382,734**	**55,910,360**	**9,913,778**	**254,456,707**
Transfers Out	9,443,739	-	72,109	-	-	4,534,233	-	14,050,081
Fund Balances/Reserves/Net Assets	-	-	-	-	-	-	-	-
TOTAL APPROPRIATED EXPENDITURES TRANSFERS, RESERVES & BALANCES	**117,678,322**	**11,648,807**	**31,407,716**	**5,030,838**	**32,382,734**	**60,444,593**	**9,913,778**	**268,506,788**

The tentative, adopted, and/or final budgets are on file in the office of the above referenced taxing authority as a public record.

City of Deerfield Beach

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

Face Sheet
File Number: I.D. 2021-901

Agenda Date: 9/3/2021

Status: BUDGET & MILLAGE PUBLIC HEARINGS

In Control: City Commission

Title
ORDINANCE 2021/ - 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, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR FUNDING THROUGH TAX INCREMENT FINANCING AS PROVIDED FOR IN PART III, CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Recommended Action
Commission to vote on Ordinance and set second public hearing for September 13, 2021

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

Background/History
The budget for the City of Deerfield Beach Community Redevelopment Agency (CRA) was presented to the CRA Board for its consideration on August 10, 2021. The Fiscal Year 2022 CRA budget is hereby presented along with the budgets of the other City funds in accordance with Section 200.065, Florida Statutes.

Recommendation
Staff recommends approval of the City of Deerfield Beach Community Redevelopment Agency Fiscal Year 2022 Budget.

ORDINANCE NO. 2021/

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, 2021 AND ENDING SEPTEMBER 30, 2022; PROVIDING FOR FUNDING THROUGH TAX INCREMENT FINANCING AS PROVIDED FOR IN PART III, CHAPTER 163, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE

WHEREAS, the Deerfield Beach Community Redevelopment Agency (the "CRA") is considering a budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022 ("Fiscal Year 2022"); and

WHEREAS, the CRA budget for Fiscal Year 2022 has been presented to the City Commission of the City of Deerfield Beach; and

WHEREAS, the City Commission is to approve the CRA's budget for Fiscal Year 2022 separately from the City's general budget; and

WHEREAS, the City Commission has reviewed and accepted the CRA's Fiscal Year 2022 Budget; and

WHEREAS, the CRA Director recommends that the City Commission approve the CRA's Fiscal Year 2022 Budget and authorize funding for the CRA as set forth in Part III of Chapter 163, Florida Statutes.

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

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Ordinance.

Section 2. The City Commission of the City of Deerfield Beach hereby approves the CRA's Fiscal Year 2022 Budget, a summary of which is attached hereto as Exhibit "A" and incorporated herein by this reference (a full copy is on file with the City Clerk and is hereby incorporated herein in its entirety by this reference). CRA expenditures shall be made in accordance with the CRA's Fiscal Year 2022 Budget and as permitted by law.

Section 3. The City Commission hereby authorizes the funding of the CRA Community Redevelopment Trust Fund pursuant to the provisions of Part III, Chapter 163, Florida Statutes, and hereby directs the appropriate governmental entities to comply with the requirement for payment of funds into the CRA Community Redevelopment Trust Fund as provided for in Section 163.387, Florida Statutes.

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

Section 5. Should any section or provision of this Ordinance or any portion thereof, any paragraph, sentence or word be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of the remainder hereof as a whole or part thereof other than the part declared to be invalid.

Section 6. This Ordinance shall take effect immediately upon its passage and adoption on Second Reading.

Section 7. This Ordinance was adopted after a second public hearing on the CRA's Fiscal Year 2022 Budget, and notices of the public hearings were published as required by law, which public hearings were held at 7:00 p.m. on September 3, 2021, and September 13, 2021.

PASSED 1ST READING ON THIS ______ DAY OF ___________, 2021.

PASSED 2ND READING ON THIS _____ DAY OF ____________, 2021.

____

BILL GANZ, MAYOR

ATTEST:

____

SAMANTHA GILLYARD, CITY CLERK

Deerfield Beach
Community Redevelopment Agency
Fiscal Year 2021-2022 Proposed Budget

OPERATING

ORG	OBJECT	ACCOUNT DESCRIPTION	PROJECT		PROPOSED	BUDGET DESCRIPTION
1908000	5521001	REGULAR SALARY			$ 277,419	Tax Increment Revenue to pay for the following portion of staff salaries (Director of Economic Development 50%, CRA Project Manager 100%, CRA Administrative Coordinator 100%, City Manager 10%, Assistant City Clerk 25%)
1908000	5521012	SICK LEAVE CONVERSION PAY			$ 5,000	Once a year in December, every full-time employee who has used less than six days of sick leave during the preceding year may choose to be paid for the unused portion of those days. The payment is calculated using the employee's base hourly rate and not including any additional pay
1908000	5521101	FICA			$ 22,123	The 7.65% FICA rate is composed of two rates; a 6.2% social security tax that is applied to the first $106,800 that an employee earns and a 1.45% Medicare tax that is applied to all earnings
1908000	5521204	IMCA PENSION			$ 22,193	Estimated by city pension contribution for those city employees who are participants in the ICMA defined contribution plan; the city contribution, as a percentage of salary, is 8%
1908000	5522300	INSURANCE SERVICES ALLOCATION			$ 44,338	Payment to the general fund for insurances required for staff and the agency
1908000	5523927	GENERAL ADMIN CHARGE			$ 131,645	Payment to the general fund for the services that are provided to support the CRA Fund
1908000	5521003	LONGEVITY			$ 900	Payment to staff who have greater than 10 years service
1909000	1909000	DEBT SERVICE / BOND PRINCIPAL PAYMENT			$ 885,000	Principal payment for debt service payments on Florida Municipal Loan Council Covenant Bonds (CRA portion 73% of $1,210,000)
1909000	1909000	DEBT SERVICE / BOND INTEREST PAYMENT			$ 200,769	Interest payment for debt service payments on Florida Municipal Loan Council Covenant Bonds
1909000	1909000	DEBT SERVICE / PAYING AGENT FEES			$ 6,929	Trustee and Admininstrative fees for debt service payments on Florida Municipal Loan Council Covenant Bonds (CRA portion 73% of $ 9,492)
1908000	5521006	AUTOMOBILE ALLOWANCE			$ 6,000	CRA's portion of the cost of one and a half (1.5) vehicles for use by CRA staff
1908000	5521025	CLOTHING ALLOWANCE			$ 250	Staff clothing
1908000	5523403	CELLULAR PHONE SERVICES			$ 2,500	Staff cell phone service
1908000	5523513	MINOR TOOLS AND EQUIPMENT			$ 1,000	Minor administrative office repairs
1908000	5523609	COPIER LEASE			$ 5,000	Cost of Toshiba lease and maintenance
1908000	5523524	MATERIALS AND MAINTENANCE			$ 50,000	Materials and maintenance services necessary for CRA Building and Sullivan Park
1908000	5523509	PROFESSIONAL PUBLICATIONS			$ 500	Funding for development and management newspapers, trade magazines and books.
1908000	5523935	DUES AND MEMBERSHIPS			$ 700	Annual professional association memberships and Special District Reporting
1908000	5523504	OFFICE SUPPLIES			$ 1,500	Office supplies as necessary for operations
1908000	5523901	TRAVEL AND TRAINING			$ 6,500	Mileage reimbursement for CRA Administrative Coordinator ($4,000), attendance at seminars, workshops and regional meetings
1908000	5523902	PRINTING			$ 1,500	Printing of brochures, hand-outs and annual report
1908000	5523921	ADVERTISING			$ 500	Advertising in newspapers, industry publications and exhibits
1908000	5526043	OTHER MACH AND EQUIP			$ 1,900	Laptop replacement for CRA Staff
				OPERATING TOTAL	$ 1,674,166	

OTHER CONTRACTUAL(NON-CAPITAL)

ORG	OBJECT	ACCOUNT DESCRIPTION	PROJECT		PROPOSED	BUDGET DESCRIPTION
1908000	5523216	LANDSCAPING SERVICES			$ 10,000	Small landscaping projects within the CRA
1908000	5523299	ADA COMPLIANCE SERVICES			$ 12,000	Funding for document remediation and ADA compliance
1908000	5523299	LEGAL SERVICES			$ 48,000	Contractual services provided by the CRA Attorney for legal services
1908000	5523006	INTERNAL AUDITING SERVICES			$ 6,459	Marcum LLP Independent audit of CRA financials as required by statute; based on 4 year contract
1908000	5523299	BUSINESS MARKETING			$ 20,000	Business Marketing within the CRA
1908000	5523299	ANNUAL REPORT DESIGN SERVICES			$ 5,000	Annual report design as required by statute
1908000	5523299	OTHER PROFESSIONAL SERVICES AS NEEDED			$ 250,000	Other professional services as determined by the CRA Board
				OTHER CONTRACTUAL TOTAL	$351,459	

PROGRAMS						
ORG	**OBJECT**	**ACCOUNT DESCRIPTION**	**PROJECT**		**PROPOSED**	**BUDGET DESCRIPTION**
1908000	**5713230**	COMMUNITY POLICING			$ 75,000	Cost of BSO Deputy Detail to provide additional security in the CRA
1908000	**5793574**	SPECIAL EVENTS			$ 174,000	Funding for 4th of July Celebration ($85,000), December Holiday Celebration (Event $20,000 and Lighting $55,000), Dr. Guy Harvey Art Opening ($10,000), Greater Pompano, Lighthouse Point and Deerfield Beach Holiday Boat Parade ($4000)
1908000	**5523595**	ART IN PUBLIC PLACES			$ 220,000	Public art project at the Main Beach Parking Lot, Hillsboro Bridge and Dr. Guy Harvey Art Installation
1908000	**5523959**	COMMERCIAL FAÇADE IMPROVEMENT LOAN PROGRAM			$ 417,147	Funds to partner on façade improvements to storefronts in the CRA District and past year awards
				PROGRAMS TOTAL	**$886,147**	

CAPITAL PROJECTS						
ORG	**OBJECT**	**ACCOUNT DESCRIPTION**	**PROJECT**		**PROPOSED**	**BUDGET DESCRIPTION**
			S-CURVE UTILTIES & UNDERGROUNDING	01000CRA		S-Curve Utilities Undergrounding and Streetscape Improvements
1908000	**5396311**	LIGHTING			$ 1,750,000	Streetscape Construction, Utility Undergrounding
1908000	**5396311**	OTHER CONTRACTUAL			$ 60,000	Design, Permitting and Construction Administration
			ISLAND MOBILITY	10000CRA		Relocation of Bus Shelter and Streetscape Improvements
1908000	**5596304**	INFRASTRUCTURE AND CAPITAL IMPROVEMENTS			$ 947,000	Construction
1908000	**5596304**	OTHER CONTRACTUAL SERVICES			$ 60,000	Design, Permitting and Construction Administration
			OCEAN WAY BOLLARD			Installation of pedestrian bollards along Ocean Way
1908000	**5596304**	INFRASTRUCTURE AND CAPITAL IMPROVEMENTS			$ 900,000	Construction
1908000	**5596304**	OTHER CONTRACTUAL SERVICES			$ 60,000	Design, Permitting and Construction Administration
			SULLIVAN PARK FACILITY	03000CRA		Phase II of Sullivan Park Expansion-Sullivan Park Facility
		INFRASTRUCTURE AND CAPITAL IMPROVEMENTS			$ 2,500,000	Construction
1908000	**5596304**	OTHER CONTRACTUAL SERVICES			$ 370,196	Design, Permitting and Construction Administration
			MAIN BEACH PARKING LOT			Construction of ampitheater style stairs at the Main Beach Parking Lot
1908000	**5526308**	MAIN BEACH PARKING LOT	MAIN BEACH PARKING LOT SEATING IMPROVEMENTS		$ 250,000	Construction
1908000	**5526308**	OTHER CONTRACTUAL SERVICES			$ 52,060	Design, Permitting and Construction Administration
			INTERNATIONAL FISHING PIER IMPROVEMENTS	13000CRA		Construction of fishing improvments
1908000	**5596304**	INFRASTRUCTURE AND CAPITAL IMPROVEMENTS			$ 52,750	Construction
1908000	**5596304**	OTHER CONTRACTUAL SERVICES				
				CAPITAL TOTAL	**$ 7,002,006**	

Fiscal 2022 Budget Summary	
Total Proposed CRA Budget	**$ 9,913,778**
Projected Tax Increment Revenue: Fiscal 2022	**$ 4,534,994**
Total Carryover: Fiscal 2021	**$ 5,378,784**
Total Available TIR Funds	**$ 9,913,778**

City of Deerfield Beach CRA Five-Year Capital Improvements Plan (CIP) FY 2023-2027
Proposed 8/10/2021

ACQUISITION/REDEVELOPMENT

	Total Cost	FY 2023	FY 2024	FY2025	FY2026	FY2027	5 Year Total
Hillsboro Boulevard Commercial Acquisition						$ 2,000,000	
ACQUISITION/REDEVELOPMENT TOTAL	**$ 2,000,000**					**$ 2,000,000**	**$ 2,000,000**

PARKING IMPROVEMENTS

		FY 2023	FY 2024	FY2025	FY2026	FY2027	5 Year Total
Purchase of Island Entryway / NE 1st St Properties	$ 2,000,000			$ 2,000,000			$ 2,000,000
Island Entryway Improvements	$ 2,000,000				$ 2,000,000		$ 2,000,000
Main Beach Parking Lot	$ 3,000,000		$ 3,000,000				$ 3,000,000
PARKING TOTAL	**$ 7,000,000**		**$ 3,000,000**	**$ 2,000,000**	**$ 2,000,000**		**$ 7,000,000**

PARK IMPROVEMENTS

		FY 2023	FY 2024	FY2025	FY2026	FY2027	5 Year Total
Sullivan Park Facility	$ 3,500,000	$ 3,500,000					$ 3,500,000
PARK TOTAL	**$ 3,500,000**	**$ 3,500,000**					**$ 3,500,000**

OVERALL TOTALS	**$ 12,500,000**	**$ 3,500,000**	**$ 3,000,000**	**$ 2,000,000**	**$ 2,000,000**	**$ 2,000,000**	**$ 12,500,000**

City of Deerfield Beach

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

Face Sheet

File Number: I.D. 2021-886

Agenda Date: 9/3/2021

Status: CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In Control: City Commission

Title

Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Interlocal Agreement between the City of Deerfield Beach and the Deerfield Beach Community Redevelopment Agency for administrative support services for the CRA; authorizing execution of the Interlocal Agreement; providing for conflicts and an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

In 2005, the City of Deerfield Beach (the "City") and the Deerfield Beach Community Redevelopment Agency (the "CRA") entered into an Interlocal Agreement regarding CRA administration (the "ILA"). The ILA established the framework for the relationship between the City and the CRA wherein the CRA uses City-provided administrative support services and establishes the compensation for such services. The ILA was last amended in 2013 to specifically allow the CRA to compensate the City in direct proportion to the amount of resources used.

The ILA specifies the method of reimbursement that the CRA would use to reimburse the City for resources expended on CRA work. The value of the arrangement may change from year to year based on the actual resources used. The value of the services used by the CRA is reflected in the General Administration Charge line item in the CRA Budget that is adopted via resolution by the CRA and, subsequently, by the City.

This item is administrative in nature.

Current Activity

The terms of the ILA continue to reflect the working relationship between the City and the CRA. However, the term of the ILA has expired and a new agreement is necessary.

The updated Interlocal Agreement was approved by the CRA Board on August 24, 2021.

The proposed interlocal agreement will remain in effect for 5 years with an option to renew. It can also be amended in the future by the parties should the City wish to modify the relationship with the CRA.

Recommendation

Staff recommends approval of the updated Interlocal Agreement between the City and the CRA.

RESOLUTION NO. 2021/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF DEERFIELD BEACH AND THE DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY FOR ADMINISTRATIVE SUPPORT SERVICES FOR THE CRA; AUTHORIZING EXECUTION OF THE INTERLOCAL AGREEMENT; PROVIDING FOR CONFLICTS AND AN EFFECTIVE DATE

WHEREAS, in 2005, the City of Deerfield Beach (the "City") entered into an interlocal agreement (the "ILA") with the Deerfield Beach Community Redevelopment Agency (the "CRA") for administrative support services for the CRA; and

WHEREAS, the ILA was last amended in 2013 to specifically provide for the CRA to compensate the City in direct proportion to the amount of resources used; and

WHEREAS, the ILA provides the framework for the relationship between the City and CRA, wherein the CRA uses City-provided administrative support services and the City receives compensation for such services; and

WHEREAS, City staff recommends entering into an updated ILA, attached as Exhibit "A" (the "Interlocal Agreement"), which reflects the current relationship between the CRA and City for administrative support services.

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

<u>Section 1.</u> The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

<u>Section 2.</u> The City Commission hereby approves the Interlocal Agreement with the CRA, attached as Exhibit "A," for administrative support services for the CRA.

<u>Section 3.</u> The Mayor and City Manager are authorized to execute the Interlocal Agreement, attached as Exhibit "A," together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

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

<u>Section 5.</u> All resolutions, or parts of resolutions, in conflict with this Resolution are hereby repealed to the extent of such conflict.

<u>Section 6.</u> This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS _____ DAY OF ___________________, 2021

____
BILL GANZ, MAYOR

ATTEST:

____
SAMANTHA GILLYARD, CITY CLERK

AGREEMENT

This Agreement is entered into on this ____ day of September, _________, 2021, between the CITY OF DEERFIELD BEACH, a Florida municipal corporation (the "CITY") and the DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY, a Community Redevelopment Agency created pursuant to Chapter 163, Part III, Florida Statutes, (the "CRA").

W I T N E S S E T H:

WHEREAS, the CITY, pursuant to Ordinance No. 1999/027, established a Community Redevelopment Area and created a Community Redevelopment Agency (CRA), both pursuant to Chapter 163, Part III, Florida Statutes; and

WHEREAS, the CRA prepared a Community Redevelopment Plan and established the boundaries for the Community Redevelopment Area; and

WHEREAS, as a result of the adoption of Ordinance No. 1999/027, the City Commission functions as the governing board of the CRA; and

WHEREAS, the CITY has professional staff employed by the CITY; and

WHEREAS, the CITY staff time and expertise in administration, engineering, finance, and planning can be beneficially utilized in the implementation of the objectives and legal requirements of the CRA; and

WHEREAS, the CITY is willing to make available to the CRA, in accordance with the terms and conditions set forth in this Agreement, its professional staff and staff support; and

NOW, THEREFORE, be it agreed by and between the parties as follows:

Section 1. Background and Purpose.

In order to establish the background, context and frame of reference for this Agreement and to generally express the objectives and intentions of the respective parties herein, the following statements, representations and explanations shall be accepted as predicates for the undertakings and commitments included within the provisions which follow, and may be relied upon by the parties as essential elements of the mutual considerations upon which this Agreement is based.

Section 2. Scope of Agreement.

The CITY agrees to provide the following administrative support services in the same manner as provided for by the CITY in the conduct of its own affairs or, if in existence, CRA Bylaws:

A. The CITY shall create a separate trust fund and provide financial services, which shall include, but not be limited to, management of CRA fiscal accounts, payroll, accounting, monthly and annual reporting, federal income and social security tax reporting, sales tax reporting, if any, and other fiscal needs. All financial data shall be recorded and maintained on the CITY's financial system. Accordingly, the investments and idle cash of the CRA shall be pooled with other CITY investments, subject to compliance with applicable law, and subject to CITY's investment policy. Interest earnings shall be allocated to the trust fund in the same manner pooled cash and investments are allocated to other CITY funds based on average balances. The CITY Finance Director shall act as the CRA Finance Director and shall receive, on behalf of the CRA, all distributions of tax increment revenues from the appropriate governmental agencies. The cost of such auditing services shall be allocated and charged directly to the CRA.

B. The CITY shall provide such clerical services to the CRA as may be required.

C. The CITY shall provide personnel services which shall include, but not be limited to, staff recruitment, record retention with respect to personnel actions and such other personnel services as may be needed.

D. The CITY shall provide engineering and planning services to advise and assist the CRA in attaining the goals of the Redevelopment Plan.

E. The CRA shall be permitted to utilize the services of the CITY's Purchasing Division and shall follow the CITY's Purchasing Code with respect to purchasing services and goods necessary for the operation of CRA activities. The CRA may use the services of contractors retained by the CITY upon terms and conditions acceptable to the CRA and the contractor.

F. The CITY shall make available to the CRA and its officers, public officials liability insurance provided by the self-funded insurance program of the CITY.

G. The CRA may request the CITY to provide other special services on occasion not initially set forth in this Agreement.

<u>H.</u> The CITY shall make such CITY facilities available for improvement by the CRA as is consistent with the CRA Plan and Chapter 163, Florida Statutes.

<u>Section 3. Method of Reimbursement and Compensation.</u>

A. <u>Reimbursement to CITY.</u> For the services described in Section 2 above to be provided by the CITY, the CRA will compensate the CITY based on the CITY's cost allocation plan for Administrative Service Fees and Internal Service Fees (as determined by the City Finance Director and approved by the CRA administrator), to the extent that such costs are eligible for reimbursement in accordance with Section 163.387(6), Florida Statutes, and to the extent that future revenues of the CRA trust fund are sufficient to provide for the reimbursement. The cost allocation plan shall represent a fair apportionment and allocation for CITY time and resources expended. Any cost or expense determined by the CITY not to have been included in the cost allocation plan shall be directly billed to the CRA by the CITY. The CRA shall pay that portion of the salaries and expenses of City personnel serving the City and the CRA as is proportion to the services rendered to each agency.

B. Method of Reimbursement. The parties agree that the CRA's obligation to reimburse the CITY, pursuant to Section 3A hereinabove, shall be made to the CITY in accordance with the CRA approved budget. It is recognized and acknowledged that full reimbursement to the CITY may, during the term of this Agreement, be deferred as determined each year by the CITY; provided however, any deferred outstanding payment obligation shall be budgeted by the CRA and paid to the CITY prior to the termination of the trust fund as provided in Chapter 163 of the Florida Statutes or prior to return of tax increment funds to any taxing authority.

C. In all respects, this Agreement shall be implemented, and the expenditures by the CRA and City shall be apportioned, so that each party bears its proper and reasonable share of expenses related to the administration of each agency.

Section 4. Miscellaneous.

A. Continued Cooperation. This Agreement assumes close coordination and cooperation between the CRA and essential CITY staff and CITY functions, particularly regarding financial administration, reporting and auditing, and administration.

B. Term. This Agreement shall take effect upon execution by both parties, and shall continue in effect for five years from the effective date, unless either party seeks to terminate this Agreement prior to said date. The five year term of this Agreement may be extended by the CRA and the CITY for one additional renewal term of up to five years.

C. Termination. This Agreement may be terminated by the CITY or the CRA for convenience upon at least thirty (30) days written notice to the other party. After termination of the Agreement, the CITY shall transfer to the CRA copies of any documents, data and information requested by the CRA relating to the services accomplished herein.

D. Records. The CITY shall keep such records and accounts as may be necessary in order to record complete and correct entries as to personnel hours charged to this engagement, and any expenses for which the CITY expects to be reimbursed. From and after the effective date of this Agreement, the City Clerk is designated the custodian of all past, present and future public records of the CRA for all lawful purposes.

E. Indemnification. To the extent permitted by law, the CRA shall indemnify and save harmless the CITY, its agents and employees, from and against all claims, suits, actions, damages or causes of action arising during the term of this Agreement by reason of the work to be performed, including costs, attorneys' fees and expenses incurred in or by reason of the defense of any such claim, suit or action, and the investigation thereof. Nothing in this Agreement shall be deemed to affect the rights, privileges and immunities of the CITY as set forth in Section 768.28, Florida Statutes.

F. Independent Contractor. The CITY is an independent contractor under this Agreement. Personal services provided by the CITY shall be by employees of the CITY and subject to supervision by the CITY, and not as officers, employees or agents of the CRA. Personnel policies, tax responsibilities, social security, health insurance, employee benefits, purchasing policies and other similar administrative procedures applicable to services rendered under this Agreement shall be those of the CITY, unless otherwise stated specifically herein.

G. Assignments. This Agreement, or any interest herein, shall not be assigned, transferred or otherwise encumbered, under any circumstances, by the CRA or the CITY, without consent of the other party.

H. Amendments. It is further agreed that no modification, amendment or alteration in the terms or conditions contained herein shall be effective unless contained in a written document executed by the same formality and of equal dignity herewith.

I. Notice. Whenever any party desires to give notice unto any other party, it must be given by written notice, sent by registered United States mail, with return receipt requested, addressed to the party for whom it is intended and the remaining party, at the place last specified, and the places for giving of notice shall remain such until they shall have been changed by written notice in compliance with the provisions of this Article. For the present, the parties designate the following as the respective places for giving notice:

CITY:
City Manager
City of Deerfield Beach
150 N.E. Second Avenue
Deerfield Beach, Florida 33441

CRA:
Executive Director
Deerfield Beach Community Redevelopment Agency
150 N.E. Second Avenue
Deerfield Beach, Florida 33441

J. Binding Authority. Each person signing this Agreement on behalf of either party individually warrants that he or she has full legal power to execute this Agreement on behalf of the party for whom he or she is signing, and to bind and obligate such party with respect to all provisions contained in this Agreement.

K. Severability. If any provision of this Agreement or the application thereof to any person or situation shall, to any extent, be held invalid or unenforceable, shall not be affected thereby, and shall continue in full force and be enforced to the fullest extent permitted by law.

L. This Agreement shall be effective upon execution by the last signatory hereto.

IN WITNESS WHEREOF the parties have caused these presents to be executed.

CITY OF DEERFIELD BEACH

ATTEST:

By: ______________________________
BILL GANZ, MAYOR

Date: ______________________________

____
SAMANTHA GILLYARD, CITY CLERK

DEERFIELD BEACH COMMUNITY REDEVELOPMENT AGENCY

ATTEST:

By: ______________________________
BILL GANZ, CHAIR

Date: ______________________________

____
SAMANTHA GILLYARD, CLERK

City of Deerfield Beach

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

Face Sheet
File Number: I.D. 2021-851

Agenda Date: 9/3/2021

Status: CITY COMMISSION BUSINESS

In Control: City Commission

Title
Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, recognizing September 11, 2021 as the 20th Anniversary of the terrorist attacks on the United States; designating September 11th as the City of Deerfield Beach First Responders Day; providing for implementation and an effective date.

Recommended Action
Commission to vote on Resolution

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

Background/History
This September 11th will be the 20th anniversary of the September 11, 2001 terrorist attacks on the United States. An exceptionally courageous force of first responders – including more than 100,000 firefighters, paramedics, rescue and recovery workers, and police officers across the country risked their lives that day to save the lives of others. Nationally, thousands of first responders have suffered adverse physical and emotional effects in the 20 years since 2001 and, even now, are at significantly greater risk for developing occupational cancers due to their exposure to chemicals and debris from the attacks.

The men and women who serve as first responders in the City carry out the extraordinary responsibility of protecting not only City residents, but also all who visit and work here, and have always done so with tremendous dedication and respect. First responders fulfill their duties for the City and their country in an honorable, courageous, and timely fashion, and have demonstrated immense compassion for those who have suffered unforeseeable tragedies, while routinely considering the safety and well-being of others before their own.

On the 20th anniversary, and every year, the City desires to honor the memory of the nearly 3,000 people who perished from the attack.

Recommendation
Staff recommends approval.

RESOLUTION NO. 2021/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, RECOGNIZING SEPTEMBER 11, 2021 AS THE 20TH ANNIVERSARY OF THE TERRORIST ATTACKS ON THE UNITED STATES; DESIGNATING SEPTEMBER 11TH AS THE CITY OF DEERFIELD BEACH FIRST RESPONDERS DAY; PROVIDING FOR IMPLEMENTATION AND AN EFFECTIVE DATE

WHEREAS, September 11, 2021, will be the 20th anniversary of the September 11, 2001 terrorist attacks on the United States; and

WHEREAS, an exceptionally courageous force of first responders, including more than 100,000 firefighters, paramedics, rescue and recovery workers, and police officers across the country, risked their lives that day to save the lives of others; and

WHEREAS, nationally, thousands of first responders have suffered adverse physical and emotional effects in the 20 years since 2001 and, even now, are at significantly greater risk for developing occupational cancers due to their exposure to chemicals and debris from the attacks; and

WHEREAS, the men and women who serve as first responders in the City carry out the extraordinary responsibility of protecting not only City residents, but also all who visit and work here, and have always done so with tremendous dedication and respect; and

WHEREAS, first responders fulfill their duties to the City and their country in an honorable, courageous, and timely fashion, and have demonstrated immense compassion for those who have suffered unforeseeable tragedies, while routinely considering the safety and well-being of others before their own; and

WHEREAS, on the 20th anniversary, and every year, the City Commission desires to honor the memory of the nearly 3,000 people who perished from the attack; and

WHEREAS, the City Commission finds that it is right and just to honor the memory of those who lost their lives in the terrorist attacks 20 years ago, and it is equally compelling to observe and pay our respects to the first responders of the City for their bravery and selflessness in the face of extraordinarily trying circumstances.

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

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

Section 2. The City Commission hereby recognizes September 11, 2021 as the 20th anniversary of the September 11th terrorist attacks.

Section 3. The City Commission hereby designates September 11th as the City of Deerfield Beach First Responders Day.

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

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

PASSED AND ADOPTED THIS ____ DAY OF __________________, 2021.

CITY OF DEERFIELD BEACH

____
BILL GANZ, MAYOR

ATTEST:

____
SAMANTHA GILLYARD, CITY CLERK