



## Regular Meeting City Commission

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Tuesday, August 23, 2016

6:45 PM

Commission Chambers

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### CALL TO ORDER AND ROLL CALL

### MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

### APPROVAL OF CITY COMMISSION MINUTES

Budget Workshop Meeting Minutes - June 8 & June 9, 2016

Attachment:      [BWS060816.docx](#)  
                             [BWS060916.docx](#)

Special City Commission Meeting Minutes - June 22 and July 27, 2016

Attachment:      [SCC062216.pdf](#)  
                             [SCC072716.pdf](#)

Regular City Commission Meeting Minutes - June 28, 2016

Attachment:      [RCC062816.pdf](#)

### ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Code Compliance Meeting Minutes - June 14 and July 19, 2016

Attachment:      [Code Compliance Minutes 061416.pdf](#)  
                             [Code Magistrate Minutes 071916.pdf](#)

### APPROVAL OF CITY COMMISSION AGENDA

*August 23, 2016*

### PRESENTATIONS

1. Proclamation presented to the American Legion Post #162 & Glenn Miller Post #287 recognizing the City of Deerfield Beach as a "Purple Heart City".

Sponsor:            Vice Mayor Richard Rosenzweig

Attachment:      [Purple Heart Proclamation 311.pdf](#)

2. Proclamation presented to N.E. Focal Point Senior Center in recognition of their 35th Anniversary.

**Sponsor:** Department of Senior Services

**Attachment:** [NE Focal Point 35yr Anniversary.pdf](#)

3. Certificate of Recognition presented to JM Family Enterprises for receiving the Florida Recreation and Parks Association "Corporate Support" Award.

**Sponsor:** Office of the City Manager

**Attachment:** [JM Family Enterprises.pdf](#)

4. Certificate of Recognition presented to Cassi Waren for receiving the Florida Recreation and Parks Association "Rising Star" Award.

**Sponsor:** Office of the City Manager

**Attachment:** [Rising Star Award - Cassi.pdf](#)

## QUASI-JUDICIAL PUBLIC HEARINGS

5. P.H. 2016-143: APPLICATION 16-B2-125

Applicant: WAWA, INC. represented by Mark Rickards

Proposal: Site plan to demolish an existing 15,930 square foot commercial building and construct a new 6,119 square-foot convenience store with 6 fueling pumps.

Location: The property is a 1.95-acre parcel described as a portion of Parcel 4, 95 PARK OF COMMERCE plat, and a portion of the Access Road along Hillsboro Boulevard lying in Section 1, Township 48 South, Range 42 East, more particularly described in the file, and located at 20 S.W. 12th Avenue.

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Department of Planning and Development Services

**Attachment:** [WAWA.pdf](#)

6. P.H. 2016-144: APPLICATION 15-B1-202

Applicant: ECJA PROPERTY, LLC, represented by Brian Herbert

Proposal: Site plan approval to construct a 4,600 square-foot bank and to construct a 22,000 square-foot office building.

Location: A 2.11-acre parcel of land described as a portion of Parcels A and B, MACHLER PLAT, more particularly described in the file and located at 1923-1925 W. Hillsboro Boulevard.

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Department of Planning and Development Services

**Attachment:** [ECJA Property.pdf](#)

7. P.H. 2016-145: APPLICATION 15-B1-204 REVISION 1 AND CASE NO. 2420  
Applicant: OPPIDAN INVESTMENT COMPANY (ORCHARD SUPPLY HARDWARE), represented by Kimley Horn & Associates  
Proposal: Site plan modification to allow 400 square feet of outdoor merchandise display; AND seeking a VARIANCE from the provisions of Section 98-53 (a) of the Deerfield Beach Land Development Code to allow 400 square feet of outdoor storage to be used for the purpose of storing flowers/plants, flower pots, mulch, typical nursery/garden supplies, limited patio furniture, grills, and seasonal merchandise. The storage is located within the front sidewalk of the store.  
Location: The property is located at 340-350 S. Federal Highway.  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Planning and Development Services  
**Attachment:** [Orchard Supply \(site plan\).pdf](#)
8. P.H. 2016-146: SIGN CASE NO. 759  
Applicant: DANDEE DONUT FACTORY, represented by Avinoam Amram  
Proposal: Seeking a SIGN VARIANCE from the provisions of Section 102-8 (c)(2)a. of the Deerfield Beach Land Development Code in order to allow a second building sign on a side not facing a street (north elevation). The Code allows one building sign per street frontage. This sign is in addition to the allowed frontage sign (west elevation).  
Location: The proposed sign will be located at 1422 S. Federal Highway.  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Planning and Development Services  
**Attachment:** [Dandee Donut.pdf](#)
9. P.H. 2016-147: SIGN CASE NO. 760  
Applicant: PARAGON INDUSTRIES, INC., represented by Larry Bedrosian  
Proposal: Seeking a SIGN VARIANCE from the provisions of Section 102-8 (c)(2)(a) of the Deerfield Beach Land Development Code in order to allow a 198.8 square-foot building sign on the south elevation rather than the maximum allowable 100 square feet.  
Location: The proposed sign will be located at 1901 W. Sample Road.  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Planning and Development Services  
**Attachment:** [Paragon Industries.pdf](#)

**10. P.H. 2016-148: SIGN CASE NO. 761**

Applicant: ORCHARD SUPPLY HARDWARE, represented by Signations, Inc.

Proposal: Seeking 2 SIGN VARIANCES from the provisions of the Deerfield Beach Land Development Code: 1.) from the provisions of Section 102-8 (c)(2)(a) in order to allow a second building sign (Sign B). The Code allows one building sign per street frontage. This sign is in addition to the allowed frontage sign (Sign A); and 2.) from Section 102-8 (c)(2)(a) in order to allow a 120 square-foot building sign (Sign A) on the west elevation rather than the maximum allowable 100 square feet.

Location: The proposed sign will be located at 340 S. Federal Highway.

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Department of Planning and Development Services

**Attachment:** [Orchard Supply \(sign\).pdf](#)

**11. P.H. 2016-149: PROPOSED PLAT NOTE AMENDMENT - VILLAGE PARK AT DEERFIELD BEACH PLAT (14-P-197)**

Applicant: RLKT DB HOLDINGS, LLC & ROBERT L. KASSAB, represented by Christina Bilenki

Proposal: Request to amend the restrictive note on the VILLAGE PARK AT DEERFIELD BEACH PLAT, to reduce the number of townhome units from 69 to 27 on Lots 1 through 27 and allow a municipal park on Parcel A.

Location: The property is located at 411-531 SE 2nd Avenue and 142 SE 5th Court.

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Department of Planning and Development Services

**Attachment:** [Village Park Plat Note Amendment.pdf](#)

**PUBLIC HEARINGS - 1ST READING****12. P.H. 2016-151: ORDINANCE 2016/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 98-57 TO INCLUDE SPORTS PERFORMANCE TRAINING FACILITY AS A PERMITTED USE IN THE PID, PLANNED INDUSTRIAL DISTRICT; CONTAINING A SEVERABILITY CLAUSE, A PROVISION FOR INCLUSION IN THE CITY CODE; AND PROVIDING FOR AN EFFECTIVE DATE**

**Suggested Action:** Commission to vote on Ordinance and set second public hearing for September 6, 2016

**Sponsor:** Department of Planning and Development Services

**Attachment:** [PID Amendment.pdf](#)

**PUBLIC HEARINGS - 2ND READING**

13. P.H. 2016-150: ORDINANCE 2016/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, RE-ZONING A 6.94 GROSS ACRE PARCEL from DIXIE BUSINESS RESIDENTIAL (DBR) to RM-25 RESIDENTIAL MULTI-FAMILY; UTILIZING THE BROWARD COUNTY RULES OF FLEXIBILITY assigning 92 MARKET RATE flexibility and 44 market rate reserve units FROM flex zone 10 TO THIS PROPERTY, ASSIGNING 148 AFFORDABLE HOUSING FLEXIBILITY UNITS FROM Flex Zone 9; CONTAINING A SEVERABILITY CLAUSE; CONTAINING AN EFFECTIVE DATE [Approved on December 2, 2014 on Consent Agenda]

**Suggested Action:** Commission to vote on Ordinance

**Sponsor:** Department of Planning and Development Services

**Attachment:** [Dixie Business.pdf](#)

## PRESENTATIONS - CONTINUED

14. Presentation by Luke Frantz of H2O Environmental Services and Kayla Ouellette of Action Environmental with introduction by Terry Glunt of Stantec Consulting regarding the recently completed Kingfisher Canal Water Quality Study.

**Sponsor:** Department of Sustainable Management

**Attachment:** [Kingfisher Canal Water Quality Study Presentation.pdf](#)

15. Presentation by Carrie Kashar, Natural Resource Specialist of Broward County's Environmental Planning & Community Resilience Division, regarding the Property Assessed Clean Energy (PACE) Program.

**Sponsor:** Department of Sustainable Management

**Attachment:** [PACE program presentation.pdf](#)

## AUDIENCE TO BE HEARD

*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 AGENDA

16. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, to opt-in to the Broward County Property Assessed Clean Energy (PACE) program  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Sustainable Management  
**Attachment:** [PACE Program.pdf](#)
17. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a \$750.00 increase from the Law Enforcement Trust Fund approved amount for body cameras to the new total amount of \$80,879.00  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Office of the City Manager  
**Attachment:** [LETf funds.pdf](#)
18. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach approving a missing persons with Alzheimer's Disease Initiative Interlocal Agreement with Scott J. Israel, Sheriff of Broward County  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Senior Services  
**Attachment:** [Alzheimers MOU.pdf](#)
19. Resolution 2016/ - A Resolution of the City of Deerfield Beach, Florida, approving a work authorization with Walters Zackria Associates for the amount of \$99,160.00 for the Senior Services Center Redevelopment (Funds from Account #317-8000-569-61-08 - Thrift Shop Expansion Project [\$99,160.00])  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Senior Services  
**Attachment:** [Senior Services Redevelopment Project.pdf](#)
20. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a construction agreement with the Florida Department of Transportation (FDOT) for the installation of wayfinding signs on a portion of State Road 810/Hillsboro Boulevard and State Road A1A within the City of Deerfield Beach  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Community Redevelopment Agency  
**Attachment:** [FDOT Wayfinding Signs.pdf](#)
21. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing an increase of project funds for a Community Development Home Repair applicant; not to exceed \$60,000 (Funds from Community Development Block Grant Funding)  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Community Development  
**Attachment:** [Community Development Home Repair.pdf](#)

22. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, amending the fee for prosecution services by Andrew S. Maurodis, P.L. (Funds from various departmental accounts)  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Office of the City Attorney  
**Attachment:** [City Attorney Fee Amendment.pdf](#)
23. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the reimbursement of attorney's fees in the matter of an ethics complaint against former Mayor Albert Capellini, Complaint #06-126 consisting of eight (8) separate allegations (Funds from Account #606-0900-519-37-70 - General Liability Legal [\$17,081.83])  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Office of the City Attorney  
**Attachment:** [Bogenschutz bill.pdf](#)
24. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of a contract (RFP #2015-16/32) to TD Bank for Procurement Card (P-Card) Services; providing for the commencement of the Procurement Card Program  
**Sponsor:** Division of Purchasing and Contract Administration  
**Attachment:** [TD Bank.pdf](#)
25. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Amendment #5 to the Landscape Maintenance Memorandum of Agreement with the Florida Department of Transportation (FDOT) for landscape improvements on Powerline Road from Hillsboro Boulevard to the Palm Beach/Broward County line (Funds from Florida Department of Transportation)  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Planning and Development Services  
**Attachment:** [Inclusive Landscape Amendment #5.pdf](#)
26. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, accepting a transfer of property located at 5000 NE 5th Terrace, Deerfield Beach (Folio # 484212000600) from Broward County  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Planning and Development Services  
**Attachment:** [Transfer of Property.pdf](#)
27. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adding facility rental fees to the City's fee schedule for the newly constructed Hillsboro Community Center  
**Suggested Action:** Commission to vote on Resolution  
**Sponsor:** Department of Parks & Recreation  
**Attachment:** [Hillsboro Center.pdf](#)

28. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of (Re-Bid) ITB #2015-16/53 to Coastal Industries USA, LLC for irrigation maintenance and repair services for the amount of \$32,820.00; authorizing the execution of the contract and implementation of the bid award (Funds from Account #001-7020-539-32-22 - Other Contractual Service/Irrigation Services [\$32,820.00])

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Department of Parks & Recreation

**Attachment:** [Coastal Industries USA.pdf](#)

29. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the acquisition of one (1) beach sweeper from Tennant Sales & Services Company via the Florida State Term Contract #365-001-11-1, for an amount as approved in the applicable fiscal year budget by the City Commission. (Funds from Account #001-7020-539-60-43 - Capital Outlay/Other Machinery and Equipment [\$32,155.55])

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Department of Parks & Recreation

**Attachment:** [Beach Sweeper.pdf](#)

30. Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, rejecting the responses received for Athletic Field Maintenance Services pursuant to ITB #2015-16/49 and directing Staff to re-bid for Athletic Field Maintenance Services

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Department of Parks & Recreation

**Attachment:** [Athletic Maintenance Rejection.pdf](#)

31. ORDINANCE 2016/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, TO AMEND THE PENSION CODE OF ORDINANCES TO UPDATE THE DEERFIELD BEACH MUNICIPAL FIREFIGHTERS' PENSION TRUST FUND FOR LEGISLATIVE CHANGES AND FOR OTHER CHANGES REQUIRED BY THE INTERNAL REVENUE SERVICE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEAL ALL ORDINANCES IN CONFLICT HERewith AND PROVIDING FOR AN EFFECTIVE DATE

**Suggested Action:** Commission to vote on Ordinance and set public hearing for September 6, 2016

**Sponsor:** Department of Financial Services

**Attachment:** [Firefighters Pension Update.pdf](#)



- 32.** ORDINANCE 2016/ - AN ORDINANCE REPEALING ORDINANCE NO. 1985/34 AND GRANTING TO PEOPLE'S GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO CONSTRUCT, OPERATE AND MAINTAIN A GAS DISTRIBUTION SYSTEM WITHIN THE CITY AND TO USE THE PUBLIC RIGHTS-OF-WAY OF THE CITY OF DEERFIELD BEACH, FLORIDA, AND PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; AND PROVIDING AN EFFECTIVE DATE AND TERM OF THE FRANCHISE

**Suggested Action:** Commission to vote on Ordinance and set public hearing for September 6, 2016

**Sponsor:** Office of the City Attorney and Office of the City Manager

**Attachment:** [TECO Gas.pdf](#)

## GENERAL ITEMS

- 33.** Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the use of Law Enforcement Trust Fund (LETf) funds in the total amount of \$138,486.52 for equipment which meets the statutory requirements of Section 932.7055, F.S. and authorizing a sole source purchase of four (4) license plate reader trailers for use by the Broward Sheriff's Office, Deerfield Beach District, from Vetted Security Solutions (Funds from Law Enforcement Trust Funds (LETf))

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Broward Sheriff's Office - Law Enforcement and Division of Purchasing and Contract Administration

**Attachment:** [LPR Trailer.pdf](#)

- 34.** Resolution 2016/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the renewal of the contract awarded pursuant to RFQ #2013-14/33 with PetroCard, Inc. dba Clean N' Green for compressed natural gas (CNG) for a two (2) year term ending August 31, 2018; providing for execution of documents and implementation of the renewal (Funds from Account #450-4551-534-38-12 - Compressed Natural Gas [\$155,200.00])

**Suggested Action:** Commission to vote on Resolution

**Sponsor:** Department of Sustainable Management

**Attachment:** [Petrocard.pdf](#)

## COMMENTS BY CITY MANAGER AND CITY ATTORNEY

## COMMENTS BY MAYOR AND CITY COMMISSIONERS

## ADJOURNMENT

## FUTURE MEETINGS

*Tuesday, September 6, 2016*

