

Tuesday
June 16, 2015
6:45 P.M.



CITY COMMISSION REGULAR MEETING AGENDA

CALL TO ORDER AND ROLL CALL

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes – June 2, 2015

Attachment: RCC 060215.pdf

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Code Enforcement Special Magistrate Minutes – May 12, 2015

Attachment: Code Enforcement 051215.pdf

APPROVAL OF CITY COMMISSION AGENDA

June 16, 2015

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| <h2>QUASI-JUDICIAL PUBLIC HEARINGS</h2> |
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1. P.H. 2015-147: APPLICATION 15-RM25-96 AND CASE NO. 2372

Applicant: **VILLAGE AT CRYSTAL LAKES, LLC, represented by Ernesto Lopes**

Proposal: Site plan approval for the construction of 125 unit apartment building (identified as Crystal Lake Place); AND seeking a **TECHNICAL DEVIATION** for 43 parking spaces in accordance with Section 98-88 (q)(iii) of the Deerfield Beach Land Development Code in order to construct said apartment complex with 216 spaces, rather than 259 spaces as required by Code.

Location: The property is a 5.95 gross acre parcel described as a portion of land lying in Parcels B and C, CRYSTAL LAKE 1ST SECTION, more particularly described in the file, and located at **3800 Crystal Lake Drive.**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Planning and Development Services

Attachment: Crystal Lakes Site Plan.pdf

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED
2. P.H. 2015-148: APPLICATION 15-B1-200 AND CASE NO. 2377 AND 2378

Applicant: **FLANIGAN'S ENTERPRISES – STEPHENSON GROUP, represented by Steve Edwards**

Proposal: Site plan approval to modify the building facades and parking lots of two existing restaurants (Flannigan's & Whale's Rib) totaling 6,263 square-feet and to construct an 116 square-foot storage addition, an 827-square foot covered outdoor dining area and a 300 square-foot patio/dining area; AND Seeking a **VARIANCE** (case #2377) under the provisions of Section 98-117 of the Deerfield Beach Land Development Code, granting a right-of-way variance to allow for the removal of 5 parking spaces that are being removed by FDOT because they are located within their right-of-way; AND seeking a **VARIANCE** from the provisions of Section 98-77(1)(a) of the Deerfield Beach Land Development Code in order to allow a seating wall to be located zero feet from the corner street side property line, rather than 5-feet; AND seeking **CONDITIONAL USE** approval in accordance with Section 98-53 (c)(3)(m), in order to allow 62 outdoor seats (outdoor seating in excess of 48 for a restaurant requires conditional use approval); AND seeking a **TECHNICAL DEVIATION** for 7 parking spaces in accordance with Section 98-88 (q)(i) of the Deerfield Beach Land Development Code in order to allow the two restaurants to operate with 21 spaces, rather than 28 spaces as required by Code.

Location: The property is a 0.43-acre parcel, described as Lots 14, 15 and 17 together with the east 50 feet of Lot 16, Block 5, OCEAN VUE and located at **2031-2041 Northeast 2nd Street.**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Planning and Development Services

Attachment: Flanigan's Enterprises.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.

GENERAL ITEMS
3. Discussion regarding the outsourcing of the Building Department

Suggested Action: Motion on decision of Commission

Sponsor: Mayor Jean M. Robb

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| GENERAL ITEMS - CONTINUED |
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4. **Consideration to approve a workshop regarding metering the Cove Shopping Center parking lot and Palm Plaza.**

Suggested Action: Motion on decision of Commission

Sponsor: Commissioner Richard Rosenzweig

5. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of a contract to Calvin, Giordano & Associates, Inc. for comprehensive code compliance services; providing for execution; and providing for an effective date. (Funds from Account #001-3009-524-32-99 - Code Enforcement/Other Contractual Services [\$942,178.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Office of the City Manager

Attachment: Calvin Giordano Code Compliance.pdf

6. **ORDINANCE 2015/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 66-76 PARKING AREAS REGULATED ADDING THE COVE AND PALM PLAZA PARKING LOTS; AMENDING SECTION 66-77 RELATING TO METER PARKING FEES FOR THE COVE AND PALM PLAZA PARKING LOTS; PROVIDING FOR INCLUSION IN THE CITY CODE; CREATING A NEW SECTION 66-77A PROVIDING FOR THE PURCHASE OF BULK PARKING PASSES FOR THE COVE AND PALM PLAZA; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: Estimated revenue between \$1,706,456.84 and \$3,255,286.00)**

Suggested Action: Commission to vote on Ordinance and set public hearing for August 18, 2015

Sponsor: Office of the City Manager

Attachment: Parking Amendment.pdf

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| PUBLIC HEARINGS - 2ND READING |
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7. **P.N. 2015-138: Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Five Year Consolidated Plan for fiscal years 2015/2016 through 2019/2020 and the annual Action Plan for Fiscal Year 2015/2016; authorizing and directing the Mayor or designee to execute any necessary documents required by HUD; and providing for an effective date. (Fiscal Impact: \$576,792.00 in Federal funds)**

Suggested Action: Commission to vote on Resolution

Sponsor: Office of the City Manager

Attachment: Consolidated and Action Plans.pdf

PUBLIC HEARINGS - 2ND READING - CONTINUED

- 8. **P.H. 2015-145: ORDINANCE 2015/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH AMENDING SECTION 46-33 (e), LITTER IN LAKES, BEACHES AND FOUNTAINS, OF THE CITY CODE TO PROVIDE FOR A PROHIBITION ON THE THROWING OR DEPOSITING OF LITTER IN BODIES OF WATER WITHIN THE CITY; CONTAINING A PROVISION FOR INCLUSION IN THE CITY CODE; CONTAINING A SEVERABILITY CLAUSE; CONTAINING AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance

Sponsor: Department of Solid Waste/Recycling Services

Attachment: Litter in Bodies of Water.pdf

- 9. **P.H. 2015-146: ORDINANCE 2015/ - AN ORDINANCE OF THE CITY OF DEERFIELD BEACH AMENDING VARIOUS SECTIONS OF CHAPTER 58, SOLID WASTE, INCLUDING DEFINITIONS, PROVIDING THAT FEES ARE BY RESOLUTION NOT ORDINANCE, UPDATING SECTIONS REGARDING ENFORCEMENT AND PENALTIES, TRANSPORTATION OVER CITY STREETS, OWNERSHIP OF REFUSE, SOLID WASTE, RECYCLABLES AND CONTAINERS, POWERS AND DUTIES OF DIRECTOR OF RECYCLING & SOLID WASTE MANAGEMENT, COLLECTION SCHEDULING AND PLACEMENT, PREPARATION AND STORAGE OF RESIDENTIAL REFUSE, BULK WASTE, REFUSE CONTAINERS, CONTENTS AND COLLECTION SCHEDULE, KEEPING AREAS FREE OF GARBAGE, RESIDENTIAL REGULATIONS FOR RECYCLABLE WASTE, RECYCLABLE WASTE, SINGLE STREAM RECYCLING, RECYCLABLE MATERIALS; DELETING OBSOLETE SECTIONS OF CHAPTER 58; PROVIDING FOR INCLUSION IN THE CITY CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Fiscal Impact: Additional estimated revenue [\$300,000.00])**

Suggested Action: Commission to vote on Ordinance

Sponsor: Department of Solid Waste/Recycling Services

Attachment: Solid Waste Ordinance Amendment.pdf

CONSENT AGENDA

- 10. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach authorizing and supporting the grant application for funding from the Edward J. Byrne Memorial Justice Assistance Grant (JAG) Program FY 2015 Local Solicitation.**

Suggested Action: Commission to vote on Resolution

Sponsor: Broward Sheriff's Office - Police

Attachment: JAG Program.pdf

CONSENT AGENDA - CONTINUED

11. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to that certain tower license agreement between the City and New Cingular Wireless PCS, LLC ("Licensee"); providing for execution; and providing for an effective date. (Fiscal Impact: Increase in revenue [\$10,000.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Purchasing and Contract Administration"

Attachment: Cell Tower - NE 2nd St., Cingular.pdf

12. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to that certain clock tower license agreement between the City and STC Five, LLC by Global Signal Acquisitions II, LLC, its attorney in fact as successor in interest to Sprint Spectrum Limited Partnership ("Licensee"); providing for execution; and providing for an effective date. (Fiscal Impact: Increase in revenue [\$10,000.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Purchasing and Contract Administration

Attachment: Cell Tower - Clock Tower, Global Signal.pdf

13. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to that tower license agreement between the City and New Cingular Wireless PCS, LLC as successor in interest to Bellsouth Mobility, Inc. ("Licensee"); providing for execution; and providing for an effective date. (Fiscal Impact: Increase in revenue [\$10,000.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Purchasing and Contract Administration

Attachment: Cell Tower - Goolsby, New Cingular.pdf

14. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to that certain Water Tower Site license agreement between the City and T-Mobile South, LLC, a Delaware Limited Liability Company as successor in interest to Omnipoint Holdings, Inc. ("T-Mobile"); providing for execution; and providing for an effective date. (Fiscal Impact: Increase in revenue [\$450.00 monthly])**

Suggested Action: Commission to vote on Resolution

Sponsor: Purchasing and Contract Administration

Attachment: Cell Tower - Water Tower, TMobile.pdf

CONSENT AGENDA - CONTINUED

15. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a temporary extension to the agreement with David Oeschle for the operation of the Deerfield Beach Tennis Court Facility at Pioneer Park; providing for execution; and providing for an effective date. (Funds from Account #001-7025-572-10-01 - Personal Services/Regular Salary [\$27,040.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Parks & Recreation

Attachment: Tennis Center.pdf

16. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of Beach Amenity Rental and Recreation Snorkeling Services, RFP #2014-15/21, to Boucher Brothers Management Inc. (Fiscal Impact: Increase in revenue [\$56,000.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Parks & Recreation

Attachment: Beach Concessions.pdf

17. **Resolution 2015/ - A Resolution of the City Commission 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, 2015; 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 for an effective date. (Fiscal Impact: Estimated revenue \$11,050,081.00)**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Financial Services

Attachment: Fire Rescue Assessment Fee.pdf

18. **Resolution 2015/ - A Resolution of the City Commission 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; and providing an effective date. (Funds from Account #001-0000-354-56-00 - Nuisance Abatement [\$23,978.83])**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Financial Services

Attachment: Nuisance Abatement.pdf

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| CONSENT AGENDA - CONTINUED |
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19. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of RFP #2014-15/14, Back Office Solid Waste Management System Software, to AMCS Group for an amount as approved in the applicable fiscal year budget by the City Commission. (Funds from Account #450-4051-534-30-03 - Programming and Software [\$68,426.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Solid Waste/Recycling Services

Attachment: AMCS Group Back Office Software.pdf

20. **ORDINANCE 2015/ - AN ORDINANCE OF THE CITY OF DEERFIELD BEACH AMENDING VARIOUS SECTIONS OF CHAPTER 34, ENVIRONMENT RELATING TO ENFORCEMENT, NOISE CONTROL, TREE AND PALM DISEASE, OUTDOOR LIGHTING RESTRICTIONS, FLORIDA FRIENDLY FERTILIZER USE, NUISANCE ABATEMENT PROPERTY CODE, ABANDONED REAL PROPERTY, INOPERATIVE VEHICLES, DELETING SANITARY NUISANCES, DELETING JUNK VEHICLES, PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance and set public hearing for August 18, 2015

Sponsor: Office of the City Manager

Attachment: Chapter 34 Amendment Ordinance.pdf

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| GENERAL ITEMS - CONTINUED |
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21. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Benefits Broker Invitation to Negotiate (ITN) proposal from Gehring Group. (Funds from Account #606-0900-519-30-03 - Programming/Software & Account #606-0900-519-32-99 - Other Contractual Services [\$105,000.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Human Resources

Attachment: Gehring Group Benefits Broker.pdf

22. **Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a contract with Keith & Associates, Inc. to provide professional services for the design and permitting of a replacement water main across the Intracoastal Waterway as part of their continuing services agreement for the amount as approved in the applicable fiscal year budget by the City Commission. (Funds from Account #413-5000-536-60-31 - Water and Sewer Renewal and Replacement Fund [\$114,329.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Environmental Services

Attachment: Keith & Associates.pdf

GENERAL ITEMS - CONTINUED

- 23. Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the renewal of agreement with GE Betz, Inc. (ITB #2013-14/15) for anti-scalant for Water Treatment Plant operations for an amount as approved in the applicable fiscal year budget by the City Commission. (Funds from Account #401-5020-533-35-11 - Chemicals [\$202,800.00])**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Environmental Services

Attachment: GE Betz Anti-scalant.pdf

- 24. Resolution 2015/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of certain line items listed in ITB #2014-15/32, Bulk Recycling Processing and Disposal Services, to Sun Recycling, LLC for an amount as approved in the applicable fiscal year budget by the City Commission. (Funds from Account #450-4051-534-32-14 - Disposal Fees [\$500,000.00 based on generated tonnage])**

Suggested Action: Commission to vote on Resolution

Sponsor: Department of Solid Waste/Recycling Services

Attachment: Sun Recycling.pdf

COMMENTS BY CITY MANAGER AND CITY ATTORNEY

- *Kingfisher Update by Patrick Bardes, Business Manager for Solid Waste/Recycling*

COMMENTS BY MAYOR AND CITY COMMISSIONERS

ADJOURNMENT

FUTURE MEETINGS

Budget Work Sessions – June 30 - July 1, 2015

Regular Meeting – August 18, 2015