



Meeting Minutes City Commission

Tuesday, March 19, 2024

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:

Commissioner Todd Drosky
Commissioner Michael Hudak
Commissioner Ben Preston
Vice Mayor Bernie Parness
Mayor Bill Ganz

Also Present:

City Manager David Santucci
City Attorney Anthony Soroka
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 - February 20 & March 5, 2024
Lunchtime Working Meeting Minutes - February 23, 2024

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

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Firefighters Pension Fund Meeting Minutes - September 11 (AMENDED) & November 6, 2023
Planning & Zoning Board Meeting Minutes - January 4, 2024
Code Compliance Meeting Minutes - January 8, 2024
Cultural Committee Meeting Minutes - January 22, 2024
Hillsboro Inlet District Meeting Minutes - February 12, 2024
Community Appearance Board Meeting Minutes - February 14, 2024

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

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

Nays: 0

INSTALLATION CEREMONY

1. Induction of 2024 Vice Mayor - Commissioner Todd Drosky

Vice Mayor Drosky read an excerpt from the Bible. Further, he said it is a great time to be living in the City of Deerfield Beach, and is proud to be serving with his colleagues. He said this commission is moving the City forward quicker than people realize. Vice Mayor Drosky said the meetings are not packed, unless there is a controversial item, which speaks volumes of this commission and the work we all do for this city. Thereafter, he outlined various accomplishments that have been made since he's been in office, as well as projects that are forthcoming. He stated that he has been proud to serve the residents, and with this being his last year in office, he wants to make it great. Lastly, he thanked his family and friends for their support.

Commissioner Parness said it's been a pleasure serving as Vice Mayor, and looks forward to moving the City forward during his last year in office.

APPROVAL OF CITY COMMISSION AGENDA

March 19, 2024

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

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

Nays: 0

AWARDS & RECOGNITION

1. Certificate of Recognition presented to Alice Chattman.

Commissioner Parness presented a Certificate of Recognition to Alice Chattman for her many years of devoted service to the City of Deerfield Beach.

Ms. Chattman thanked the City Commission for the recognition.

2. Certificate of Recognition presented by Captain Hofstein to BSO Law Enforcement staff.

Captain Hofstein, BSO District X, presented certificates of recognition to deputies for their efforts and accomplishments that were outlined in a comprehensive work analysis that was conducted by the Broward Sheriff's Office.

3. Presentation regarding repurposing the current fountain at Fire Station 102 to a fallen firefighter memorial.

Chief Samantha Whitehorne, District Fire Chief, said currently, the fountain serves no purpose, is broken, and fixing it is costly. Thereafter, she highlighted a brief presentation, which outlined various renderings of the proposed fallen firefighter memorial and provided a brief history of Battalion Chief Terryson Jackson. Chief Whitehorne explained that the memorial is not dedicated to Battalion Chief Jackson, as it will be used to memorialize all firefighters who would have lost their lives while serving this community. The statute represents Terryson Jackson; displayed will be the firefighter's prayer; the columns will consist of the City's logo and Sheriff's Office logo; and the lanterns will always be lit, so his light never goes out. Chief Whitehorne said the estimated cost is \$450,000, which will hopefully be fully funded through charitable donations.

Steve Bertuccio, Union President, said the union, as well as the Broward Firefighters Benevolent have a 501c3 account, so the funds can be held there until used.

Commissioner Preston spoke in support of the fallen firefighter memorial.

AWARDS & RECOGNITION - CONTINUED

In response to Commissioner Preston's question, Chief Whitehorne replied that they are requesting the Commission's support to repurpose the fountain, and to begin collecting the funds. Further, she said the collection of funds will begin immediately and continue until the August 28, 2024 golf tournament; thereafter, she will come back with an update.

Commissioner Hudak spoke in support of the fallen firefighter memorial. Further, he said he would like to eventually find a spot in the City to represent all first responders who have lost their lives in the line of duty. Thereafter, he suggested that the City donate \$25,000 to this memorial.

Mayor Ganz spoke in support of the memorial, as the representation for Battalion Chief Jackson is something special to everyone.

There was a brief recess from 7:35 p.m. to 7:39 p.m.

PUBLIC HEARINGS - FIRST READING

4. ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING A PORTION OF A TWENTY-FOOT UTILITY EASEMENT AND A THIRTY-FOOT WIDE ROAD RIGHT-OF-WAY LOCATED IN THE VICINITY OF 409, 412-418, 424, 430, 446, 450 AND 458 NORTH RIVER DRIVE (VISTA CLARA); PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

David Santucci, City Manager, provided a brief overview of the item, whereby, at one point a roadway ran along the river, which was discovered to have easements attached to it; therefore, it must be abandoned in order for the project to move forward.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, asked why the City is not charging the builder for taking over the space.

Mayor Ganz closed the public hearing.

Eric Power, Director of Planning & Development Services, said these are not city easements; nevertheless, there is a processing fee for ordinances, but the City cannot charge for the release of an easement.

Joshua Horning, 1615 S. Congress Avenue, Delray Beach, highlighted a brief presentation. He explained that the applicant previously came before the Commission requesting the abandonment of easements; however, due to title work mishaps, the survey did not capture them all. Thereafter, the project location, as well as the existing easements to be abandoned were displayed.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 4 on first reading. Roll Call:

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

Nays: 0

PUBLIC HEARINGS - SECOND READING

5. **P.H. 2024-052: ORDINANCE 2024/004 - AN ORDINANCE OF THE CITY OF DEERFIELD BEACH, FLORIDA, AUTHORIZING THE ISSUANCE OF DEBT OBLIGATIONS OF THE CITY ("OBLIGATIONS"), IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$14,500,000, TO PROVIDE FUNDS, TOGETHER WITH OTHER AVAILABLE MONEYS, TO PAY THE COST OF CERTAIN MUNICIPAL CAPITAL IMPROVEMENTS AND TO PAY COSTS OF ISSUANCE OF THE OBLIGATIONS; PROVIDING THAT SUCH OBLIGATIONS SHALL BE SECURED BY AND PAYABLE FROM MONEYS DEPOSITED IN THE DEBT SERVICE FUND ESTABLISHED FOR THE OBLIGATIONS DERIVED FROM THE CITY'S COVENANT TO BUDGET AND APPROPRIATE NON-AD VALOREM REVENUES, AS SHALL BE SET FORTH OR PROVIDED FOR IN A SUPPLEMENTAL RESOLUTION TO BE ADOPTED BY THE CITY COMMISSION PRIOR TO THE ISSUANCE OF THE OBLIGATIONS; PROVIDING THAT, SUBJECT TO THE LIMITATIONS HEREIN CONTAINED, THE TERMS OF SUCH OBLIGATIONS SHALL BE ESTABLISHED OR PROVIDED FOR AND THE OBLIGATIONS SHALL BE SOLD AS PROVIDED IN THE SUPPLEMENTAL RESOLUTION; AUTHORIZING THE TAKING OF OTHER ACTIONS RELATING TO THE OBLIGATIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

The Ordinance was read by title only.

6. **Resolution 2024/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing a loan in the aggregate principal amount of not exceeding \$14,500,000 to provide financing for certain municipal capital improvements and related costs; authorizing the issuance of a Special Obligation Non-Ad Valorem Revenue Bond, Series 2024, to evidence such loan; making findings and determinations as to the loan and the Series 2024 Bond; accepting the lender's proposal to provide the loan and purchase the Series 2024 Bond; providing that the City's obligations under the loan and the Series 2024 Bond shall be secured and payable from pledged funds consisting primarily of the legally available non-ad valorem revenues of the City; approving the form of a loan agreement with the lender and authorizing the execution and delivery of the Loan Agreement and the Series 2024 Bond; authorizing other required actions in connection therewith; providing that inconsistent resolutions shall be inapplicable; and providing an effective date. (Departmental Business)**

The Resolution was read by title only.

Items 5 & 6 were discussed simultaneously, but voted on separately.

David Santucci, City Manager, provided a brief overview of the items, which were discussed at the March 5, 2024 Commission Meeting.

In response to Mayor Ganz's question, Ted Cole, Davenport & Company, replied that the rate has not yet been locked, but is currently at 4.45%.

Mayor Ganz opened the public hearing for Items 5 & 6.

Maria LoRizzo, 1551 SE 12th Street, Deerfield Beach, provided a brief overview of her background in funding. Further, she asked that the Commission re-evaluate this borrowing, as she believes the City could obtain a lower rate with a more local bank, i.e. Paradise Bank. Thereafter, she continued to express concerns with the current process and thanked Mr. Cole for his honesty at the last commission meeting.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, said the amount of discount provided by the Davidson (s/b Davenport) Group should be a part of the approval process, as it is the honorable thing to do.

Bob DiChristopher, 517 NE 6th Avenue, Deerfield Beach, asked if it will be a single draw or will it be drawn down overtime.

Mayor Ganz closed the public hearing.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Mr. Santucci said this loan has nothing to do with the utility bond that was recently approved, whereas, this borrowing is for General Fund projects. Further, at this time, there is no plan to refund this particular loan. He stated that the fees do not all go to the Davenport Group, whereas, legal, bond counsel, etc. play into the total fee. Thereafter, Mr. Santucci provided a brief overview of the RFP process, whereby, the City received responses from six different banks.

Mr. Cole said the covenant to budget and appropriate loan is a 20-year financing, with no plan to refinance or take it out in a year. Thereafter, he listed the six banks that provided responses. Further, he explained that the City does have the ability to refund or pay it down early after the first three years, which would only be done if there was an opportunity to reduce the rate and create savings. Mr. Cole said it is a single draw, as the money will go to the City at closing; whereby, at this time the funds will be invested at a rate higher than the borrowing rate, so while the money is being spent on projects, there will be an ability to earn interest that is greater than the interest rate the City is paying.

Mayor Ganz clarified that the money the City is borrowing can be reinvested and will be interest neutral and if not, may be even profitable. Further, he said the negotiation of the second loan and fees are not applicable.

Mr. Cole said both statements are correct.

In response to Commissioner Preston's question, Mr. Cole replied that if approved, the City would move forward with the financing; however, if there is a desire to discuss the professional fees it could be done.

Mr. Santucci said the fees associated with the borrowing are not exclusive to Davenport.

Mr. Cole explained that the total cost of issuance is summed at \$95,000, and inclusive of a financial advisory fee for Davenport, fee for bond counsel, the bank representation, and an origination fee. Further, he said those dollars will be paid for from the loan amount, which is capped at \$14.5 million.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 5, adopted Ordinance 2024/004. Roll Call:

Yeas: 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz
Nays: 0

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 6, adopted Resolution 2024/040. Roll Call:

Yeas: 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz
Nays: 0

PUBLIC COMMENT

Bob DiChristopher, 517 NE 6th Avenue, Deerfield Beach, asked that questions be allowed during the City Attorney's explanation of the Live Local Act amendment.

Irene Stekert-Parker, 106 Congressional Way, Deerfield Beach, commented on a flyer she received regarding the Asphalt Plant being built on Powerline Road. Thereafter, she commented on a discussion she had with a real estate attorney who advised that she needs to move. Further, she outlined other areas where property values decreased and health issues increased due to asphalt plants being built.

Don Parker, 106 Congressional Way, Deerfield Beach, commented on the Asphalt Plant and the negative impacts it has on people's health.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, Deerfield Beach, suggested that a workshop be held regarding what the Commission sees as the future for Deerfield Beach.

PUBLIC COMMENT - CONTINUED

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, commented on misstatements that were made during previous commission meetings.

Joe Hines, 559 NW 47th Terrace, Deerfield Beach, said the City can continually monitor the output from the Asphalt Plant, which would maintain proper clean air for the residents.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, provided a brief history of the Asphalt Plant, as well as the current status of the plant.

Carrie Armus, 802 Freedom Court, Deerfield Beach, said she is downwind from the landfill, the SW 10th Street Project will be going on in front of her development, and now there is an asphalt plant being built near her home. Thereafter, she asked is it confirmed that the Asphalt Plant and equipment will be added to the area, and if not, what other industry is allowed there.

Willie Rosetta Graham-Bracy, 501 NW 1st Terrace, Deerfield Beach, asked when the District 2 meeting will take place.

Commissioner Preston replied that his District 2 meeting will be held on April 4, 2024.

Mayor Ganz closed the public hearing.

Mayor Ganz explained that the Asphalt Plant has been there for decades, whereby, the industrial area and dump were there prior to the housing developments.

In response to Mayor Ganz's comment, Anthony Soroka, City Attorney, replied that it's staffs understanding that the plant has been operating since the 70's.

Mayor Ganz said the Asphalt Plant is moving forward, as they are allowed to go in that area; nonetheless, he reiterated that one has been in operation since the 1970's. He stated that the plant has not had any affect on property values in the last 30 years; whereas, he's been in office for 16 years, and has never received a complaint. Mayor Ganz said upgrades are being done to the property, which should help address many of the concerns; and although he agreed that it should be monitored, he believes that it is already a highly monitored industry. Furthermore, he asked where this is all of a sudden coming from, whereas, prior to this campaign being started, no one ever came to the City to ask for clarification. Lastly, he reiterated that the Asphalt Plant has been operating since the 1970's, but is going to be improved which is a better situation for the community.

In response to Mayor Ganz's comment, Mr. Soroka stated that the location of the plant is zoned industrial, which allows for manufacturing uses. In 1996, a variance was granted for the Hardrives facility because it was not in a fully enclosed structure.

In response to Mayor Ganz's question, Eric Power, Director of Planning & Development Services, said the structure itself has never been enclosed; whereby, the new facility will be in the exact same location as the old one and in the exact same formation. Further, there are no enclosed structures on the property.

Mayor Ganz said numerous workshops are held throughout the year. Further, he said these meetings are business meetings and three minutes is the allowed time to speak; however, he advised that he does allow for the additional minute, so individuals may get their point across.

Commissioner Parness said he has received e-mails from people stating that the City is sneaking an asphalt plant in that area, which is completely false. Thereafter, he briefly commented on the rezoning process. He said he has never received a complaint regarding the plant, and advised that he has driven by the plant, and never smelt any of the fumes.

Commissioner Preston said when the plant was originally built in the 70's there were times you could smell it; nevertheless, the concerns from the public help this commission ensure the residents are protected. Further, he agreed with monitoring the site to ensure it's safe.

PUBLIC COMMENT - CONTINUED

Vice Mayor Drosky said the Asphalt Plant is in his district and has his full attention; whereby, he is working to schedule a meeting with Independence Bay, as there is a lot of misinformation floating around. He said he is fully invested in this situation and the residents' concerns are not being disregarded; whereby, any question or concern that is brought up will be addressed.

Commissioner Hudak said this situation is concerning because people are being told that they need to sell their properties below what they purchased it. Further, he reiterated that the plant has been operational since the 70's and would like to know who and how this misinformation started.

Mayor Ganz said it's disingenuous to scare people with these types of tactics; nevertheless, the City will continue to monitor the area. Further, he said the industrial area was there first and the issues on 10th Street were put into place by the County when it was annexed land, whereas, they allowed residential to be built in that area. He said the City has made changes over the years, limiting the type of heavy industrial, which is good.

CONSENT - BOARD APPOINTMENTS

Mayor Ganz opened the public hearing for Items 7 - 10.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, spoke in support of Item 7.

Joe Hines, 559 NW 47th Terrace, Deerfield Beach, spoke in support of Item 7.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, briefly commented on Item 9, whereby, the Siemen's funds should have been used to purchase the beach lot and garbage trucks, as the General Reserves should be used for emergencies only.

Mayor Ganz closed the public hearing. Thereafter, he advised that he's never attended a Firemen's Pension Board meeting, whereby, the City has very little control over the pension investments. Furthermore, in 2010, Mr. Herz wanted the City to pull out \$3.7 million from the reserves, which would have brought the total down to \$6.7 million; nevertheless, mixing and matching city funds and expenses cannot be done.

David Santucci, City Manager, said it was mentioned during the reinvestment strategy presentation that staff would be looking to purchase additional CNG vehicles. Further, he said reserve balances are important, whereby, expenditures out of reserves should be reserved for emergencies and one-time capital purchases when afforded. Thereafter, he briefly highlighted a presentation. He said the benefits of CNG are lower and less volatile costs than diesel; 20 - 30% less harmful emissions; domestic rather than foreign resource; reduced maintenance costs; vehicles are quieter and safer; and renewable options available.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Items 7 - 10 in concert. Roll Call:

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

Nays: 0

- 7. Resolution 2024/041 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Robert Weech as the Fifth Member to the Board of Trustees of the Municipal Firefighters' Pension Trust Fund; providing for an effective date.**

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

8. **Resolution 2024/042 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving three amendments to the Landscape Inclusive Maintenance Memorandums of Agreement with the Florida Department of Transportation to include additional median landscape improvements located on Federal Highway/US 1 at two locations and one location along Hillsboro Boulevard; authorizing execution of the Amendments; providing for implementation and an effective date.**
9. **Resolution 2024/043 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the issuance of a purchase order to Peterbilt Store South Florida, LLC, utilizing the Florida Sheriff's Association Cooperative Purchasing Program Contract No. FSA23-VEH21.0, for the purchase of five compressed natural gas solid waste collection trucks in the amount of \$1,786,536.00; providing for execution and an effective date. (Funds from Account #453-4558-534-32-99 - Other Contractual Services, Account #452-4551-534-60-41 - Solid Waste Capital Fund/Automotive Equipment & Account #450-0000-369-98-00 - Solid Waste Fund Litigation Proceeds)**
10. **Resolution 2024/044 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of a grant application to the Florida Inland Navigation District (FIND) for the marine science welcome center component of the Sawgrass to Seagrass Center at Sullivan Park Project; providing for an effective date.**

DEPARTMENTAL BUSINESS

11. **Resolution 2024/036 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Policy for Commemorative Naming and Renaming of city-owned spaces, facilities, and the honoring of large donations; providing for implementation, conflicts, and an effective date. (Deferred from March 5, 2024)**

The Resolution was read by title only.

Horace McHugh, Deputy City Manager, highlighted a brief presentation. He said during the March 5th commission meeting, the Commission asked that the following be included in the policy, significant contributions made by elected officials and staff; honorees should not be restricted to being deceased; application fees should accommodate administrative errors; requirements for 10 years of volunteer services within the community; and accommodation of deaths in the line of duty.

Mayor Ganz opened the public hearing.

Karen Shelly, 190 Durham D, Deerfield Beach, spoke in opposition to individuals being honored while they are still living and suggested that staff look into what other cities are allowing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, Deerfield Beach, spoke in opposition to individuals being honored while they are still living.

Mayor Ganz closed the public hearing. Further, he stated that he previously had been opposed to honoring individuals who are living, but has since changed his viewpoint. Thereafter, he outlined various cities who have facilities, streets, etc. renamed after individuals who are still living. Mayor Ganz said people should be honored while they are still alive, i.e. Bernard Adams, so they can enjoy it; therefore, he supports this change, as well as the others.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 11, adopted Resolution 2024/036. Roll Call:

Yeas: 4 - Commissioner Hudak, Commissioner Preston, Vice Mayor Drosky, and Mayor Ganz
Nays: 1 - Commissioner Parness

DEPARTMENTAL BUSINESS - CONTINUED**12. ORDINANCE 2024/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING ARTICLE I "IN GENERAL" OF CHAPTER 2 "ADMINISTRATION" OF THE CITY CODE OF ORDINANCES TO AMEND SEC. 2-1 "CITY SEAL AND CITY LOGO" TO UPDATE THE AUTHORIZED USES AND PROHIBITED USES RELATING TO THE CITY'S LOGO; PROVIDING FOR PENALTIES; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Anthony Soroka, City Attorney, said there is a state law that protects the City Seal; however, there is no such statutory provision for the City's logo. The City has trademarked the buck head logo, which from time to time is used by the public; nevertheless, the County recently had similar issues, so they took action through an ordinance, which provides additional enforcement options when it comes to the unauthorized use of the City's logo.

Mayor Ganz opened the public hearing.

Dan Herz, 330 SE 19th Avenue, Deerfield Beach, asked who the individuals are that are using the City's logo.

Daniel Shanetzky, 34 Keswick B, Deerfield Beach, said last year one of the candidates used the City's logo in their campaign literature; therefore, he spoke in support of the Ordinance.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, Deerfield Beach, asked if there is anything in the Ordinance stipulating that the Elected Officials are not allowed to use the logo outside of their position.

Mayor Ganz closed the public hearing.

David Santucci, City Manager, said there have been candidates in the past that have used the City's logo in their campaign. Additionally, commercial enterprises and non-profits have also used it without the City's authorization; nevertheless, the creation of this ordinance has nothing to do with one specific incident.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 12 on first reading. Voice Vote:

Yeas: 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky and Mayor Ganz
Nays: 0

COMMENTS BY ADMINISTRATION & LEGAL**CITY ATTORNEY**

Legislative Updates - Anthony Soroka, City Attorney, said during the 2023 legislative session, the legislature took action to address the affordable housing crisis, whereby, Senate Bill 102 (Live Local Act) was passed and became effective July 1, 2023. Thereafter, he provided a brief overview of the Live Local Act. During the 2024 legislative session, the legislature passed Senate Bill 328 (Live Local Act II or Glitch Bill), which will become effective once signed by the Governor. SB 328 added floor area ratio, whereby, the local government cannot restrict below 150% of the highest currently allowed floor area ratio on any land in the City where development is allowed under the land development regulations. Mr. Soroka said for the floor area ratio provisions, it makes it clear that buildings that receive a bonus, variance, or a special exception cannot be included. Additionally, SB 328 clarified that the highest allowed density refers to the highest currently allowed density, and it makes it clear that buildings that receive a bonus, variance, or a special exception cannot be included. Furthermore, height is now defined as the highest currently allowed height within the one-mile radius and does not include other Live Local Act projects or the height of a building that received a bonus, variance, or other special exception for height provided in the City's land development regulations.

COMMENTS BY ADMINISTRATION & LEGAL - CONTINUED

Continuing, Mr. Soroka said if the proposed development is adjacent to, on two or more sides, a parcel zoned for single family residential use that is in a development with at least 25 continuous single-family homes, the City may restrict the height to 150% of the tallest building on any property adjacent to the development, the highest currently allowed height for the property in the land development regulations, or three stories, whichever is higher. Additionally, SB 328 provides that the City must reduce parking requirements by at least 20% for one of these proposed qualifying developments if the proposed development is located within one-half mile of a major transportation hub that is accessible from the proposed development by safe pedestrian friendly means and has available parking within 600 feet of the proposed development. Furthermore, the local government must eliminate the parking requirement for a mixed-use development that qualifies under the law that's within an area recognized by the City as a transit-oriented development. Lastly, the Live Local Act project must be treated as a conforming use going forward unless the project violates the affordability period and fails to cure it after notice.

In response to Mayor Ganz's comments, Mr. Soroka stated that with respect to properties that are zoned for commercial or mixed use on the barrier island, the City would be limited on how height, density, and floor area ratio could be applied; however, all other land development regulations could be enforced, i.e. setbacks, lot coverage, etc. Additionally, projects must be consistent with the City's Comprehensive Plan.

Mayor Ganz stated that this could have an impact to the barrier island and preempt some things that are currently in place; nevertheless, the City still has other protections in place.

Mr. Soroka replied correct.

Commissioner Hudak thanked the City Attorney for the update, and asked that research be done to see where challenges may occur to ensure the City is ahead of the issues when they are brought forward by developers.

Mayor Ganz suggested having a Live Local Act workshop, so the public has a better understanding of what is going on.

There were no objections.

Mr. Soroka said a bill preempting the City's ability to regulate electric vehicle charging stations is forthcoming. Furthermore, the processes for vacation rentals may be amended, whereby, the City can now require an applicant to pay all existing co-liens on the property as a precondition. Additionally, it provides a process for suspending a vacation rental, and potentially terminating it, if there are certain violations from the City's code provisions.

Thereafter, discussion ensued regarding the vacation rental amendment.

CITY MANAGER

School Board Meeting - David Santucci, City Manager, stated that the meeting will take place on March 20, 2024 regarding redefining the schools.

CITY COMMISSION BUSINESS**13. Consideration to approve voting delegates to the 2024-2025 Board of Directors for Broward League of Cities.**

There was a brief discussion to select Vice Mayor Drosky as the voting delegate, Mayor Ganz as the alternate and Commissioner Hudak as the second alternate.

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

CITY COMMISSION BUSINESS - CONTINUED

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Vice Mayor Drosky as the voting delegate, Mayor Ganz as the alternate, and Commissioner Hudak as the second alternate. Voice Vote:

Yeas: 5 - Commissioner Hudak, Commissioner Parness, Commissioner Preston, Vice Mayor Drosky and Mayor Ganz
Nays: 0

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

SE 8th Street Stormwater Project - In response to Commissioner Hudak's question, David Santucci, City Manager, replied that the project is in pre-construction, whereby, the contractor has been going door to door advising residents of the project. Unfortunately, he is unsure when construction will begin, but will be a yearlong process.

Events - Commissioner Hudak said the egg hunt will take place at Pioneer Park on Saturday, March 23, 2024. Thereafter, he wished everyone a Happy Easter.

March 2019 Election - Commissioner Hudak outlined comments that were made by his 2019 opponent.

COMMISSIONER PRESTON**DISTRICT 2**

District 2 Meeting - Commissioner Preston said the meeting will take place at the Hillsboro Technology Center on April 4th at 7:00 p.m.

Freebee - Commissioner Preston stated that the program will service the entire city, not just District 1. Thereafter, he provided a brief overview of the program. Further, he said the ribbon cutting was a success and will benefit the community.

Memorial Policy for City Streets - Commissioner Preston asked that the City Manager gather information for memorial polices. Thereafter, he commented on a death that occurred on Military Trail, whereby, the portion of roadway is a city street.

Mr. Santucci said he will look into a policy, similar to that of the State, and bring it back to the Commission for approval.

COMMISSIONER PARNESS**DISTRICT 3**

District 3 Meeting - Commissioner Parness said a date is forthcoming, but the meeting will be held at the West Community Center.

Development - Commissioner Parness commented on people's right to develop their land the way they see fit.

VICE MAYOR DROSKY**DISTRICT 4**

Resident Complaint - Vice Mayor Drosky said he received a complaint regarding a driver, which he will address with the City Manager.

MAYOR GANZ

Accolades - Mayor Ganz thanked Commissioner Parness for his service as Vice Mayor. Thereafter, he congratulated Vice Mayor Drosky.

Dale Carnegie Business Workshop - Mayor Ganz said the event will take place on Saturday, March 23, 2024 at the Hillsboro Technology Center.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

BSO - Law Enforcement - Mayor Ganz said although speeding is still an issue, he sees the police presence, which is appreciated.

Freebee - Mayor Ganz said Beach Rides is a service that is only offered for District 1; nevertheless, the entire point of Freebee is to service the entire city and is paid for by the Community Redevelopment Agency. Thereafter, he provided a brief overview of how the service can be used.

Asphalt Plant - Mayor Ganz said this situation is extremely unusual but staff and this commission will continue to monitor it; nevertheless, he doesn't understand why more individuals are not questioning who is behind it. Further, he said the number being provided to individuals is his city cell phone number, which he does not mind as he is able to correct the misinformation.

Developers - Mayor Ganz said developers do not always get what they want in Deerfield Beach, whereby, projects have been denied.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to adjourn the meeting at 10:02 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Heather Montemayor, CMC, City Clerk