



Meeting Minutes City Commission

Tuesday, January 14, 2020

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

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

APPROVAL OF CITY COMMISSION MEETING MINUTES

Regular City Commission Meeting Minutes - December 3, 2019

Special City Commission Meeting Minutes - December 10, 2019

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

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Redevelopment Agency Meeting Minutes - October 8, 2019

Education Advisory Board Meeting Minutes - October 2, 2019

Community Appearance Board Meeting Minutes - September 12, October 10 & October 23, 2019

Hillsboro Inlet District Meeting Minutes - November 18, 2019

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

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

January 14, 2020

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve the agenda as amended; to discuss Item 21 immediately following Awards & Recognition. Voice Vote:

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

Nays: 0

AWARDS & RECOGNITION

1. Presentation by Superintendent Robert Runcie, Broward County Schools, on SMART construction updates within Deerfield Beach.

Superintendent Runcie provided an update on progress within the district on five (5) areas. First, Mr. Runcie thanked the Commission for its support with law enforcement at the schools and other partnerships. Thereafter, he provided a PowerPoint presentation.

BCPS Graduation Rates up 12% since 2013 – Mr. Runcie provided graduation statistics concerning the graduation rates which are received from the State; the highest rates were in 2018.

Closing the Achievement Gap - BCPS Graduation Rates – Mr. Runcie said the schools have worked to close the achievement gap on various students. The line chart shows a decrease between black and white students almost in half and the gap further closed by 1% in the 2019 graduation. For students with disabilities, the graduation rates have increased by 30% since 2011. While there is more work to do, the trendline is good.

Higher Education Opportunities in High Schools – Mr. Runcie said students have more advanced offerings, whether advanced placement or the expanded blended programs throughout the district. Over 20,000 students in the County are involved in other programs that include speech and debate. Computer science has also expanded and has over 50,000 students. Mr. Runcie continued to outline other programs and the recognition by Cambridge International for School District of the Year; Broward County Schools was the first in the Nation to be recognized.

FSA ELA 2015-2019 (Grades 3 – 10) – Mr. Runcie outlined literacy scores from third grade through tenth grade. He explained how crucial it is to address learning opportunities starting in the third grade.

AWARDS & RECOGNITION - CONTINUED

Multi-layered Safeguards for Protecting Students, Staff and Visitors – Mr. Runcie said safety is very important and does not focus only on one (1) area, but several. He said now the schools include perimeter fencing, single point of entry projects have been completed two (2) years ahead of schedule. The School Board has invested heavily in additional security staff over the last couple of years; there are a little over 200 school resource officers and if not, there are armed guardians. He explained that the guardians have some type of military or law enforcement experience and are part of the security team at the schools. Mr. Runcie outlined other changes; additional cameras, agreements with law enforcement entities to allow real-time access through the camera, assure visitors and others go through the system for background checks to ensure they should be on the campus, drills, radio support at the schools and intercom system.

Area Security Managers and Zone Approach Mr. Runcie said this year another 521 security staff will be added including security specialists and campus monitors; he also explained how the budgetary process has been decentralized so the School Board has a better handle on ensuring oversight, accountability, training and support by security personnel at all schools. Additional positions called security managers have been created to work with the schools and assure functions are executed appropriately.

Where Does the Money Go? – Mr. Runcie provided a pie chart of how funds are invested and said 75% [sic] of the budget goes directly to the students and 18% for other services to keep the school going. Central administration spends less, 0.8%, of the budget and consistently ranks in the bottom five (5) of all 67 districts in the State.

Comparison of Millage Rates – Mr. Runcie said the School Board tries to impact the taxpayers at a minimal; whereby, after the first bond referendum, the millage is still less than what it was in 2013.

Funding Sources – Mental Health – Mr. Runcie said mental health is a big priority; thereafter, he highlighted investments made in this area. The Anti-Terrorism Education Assistance Plan is a grant that helps add 15 positions and is allocated to the Stoneman Douglas zone to help the community after the tragedy experienced a couple of years ago. Mr. Runcie also referenced another grant, SERV, whereby, 31 positions also dedicated to the Stoneman Douglas Zone. Additionally, children throughout the County are impacted by adverse childhood experiences that also need support; therefore, when the School Board went out for referendum, besides an increase to teacher salaries, they added a component for mental health dollars. Those resources will help add another 91 positions in addition to the 60 positions that have been appropriated and include social workers, family and school counselors, psychiatrist and therapists to directly provide services to students.

Cost and Context – Mr. Runcie provided a brief history on the SMART Capital Bond Renovation. In 2014, it was recognized that the County had not done a bond referendum in approximately 30 years and there was a significant amount of deferred maintenance. He outlined the various steps taken to determine the financial need. The overall budget revealed a need of \$1.4 billion; however, no additional funds are needed from taxpayers. Further, he said the \$800 million (General Obligation Bond) would have to be supplemented with additional monies from the millage; whereby, a reserve of over \$400 million has been created to accomplish the scope promised. Furthermore, he advised that eight (8) schools have been completed thus far and were within the approved budgets.

Factors Impacting the Program - Mr. Runcie said given the budgets, the amount of work, the original estimate which was very aggressive, a 7-year effort is proposed as it may take 8.5 to 9 years to complete; therefore, projects could go out to 2023.

SMART Lessons Learned – Mr. Runcie said the focus of the SMART program are the components directly impacting the classroom and student experiences in the school.

SMART Program – Mr. Runcie outlined the components for the SMART acronym and the endeavors taken thus far: S – Safety, installation of single entry points; M – Music & Art, invested over \$17 million and added over 58,000 musical instruments into the schools; A – Athletics, all tracks have been completed; R – Renovation, eight (8) schools have been completed and about 80 schools are in construction; T – Technology. Thereafter, Mr. Runcie entertained questions of the Commission.

Commissioner Parness asked what percentage of the graduating high school students entering college must take remedial courses before doing college work.

AWARDS & RECOGNITION - CONTINUED

Mr. Runcie replied that he is not sure but would reach out to Broward College and provide information to Commissioner Parness. Notwithstanding, he said it is probably far too many based on the graduation rates for college. Mr. Runcie said they are preparing students for college or career and have increased the industry certifications which he explained. He also mentioned other initiatives.

Commissioner Preston asked for the process for children who experience a crisis.

Mr. Runcie replied that the first step is identifying the child needing assistance from staff and teachers and proactively reach out to vet the situation. Currently in place, five (5) hours of mental health training this year for students during youth mental health first day training which is comprised of about 50 trainers; support staff and school staff is educated in this area; additional databases to track interventions needed at school and other initiatives. He admitted that you may not be able to see when a child is in crises, but people are being trained to identify the warning signs. Programs are being expanded to include peer mentoring and live support and other relationships that encourage students to reach out. Mr. Runcie also noted the importance of helping the families as well.

Vice Mayor Drosky asked how the SAFER program, speaking up when something happens, is being promoted. He asked how the public can assist with promoting it.

Mr. Runcie said there is a press conference surrounding SAFER Watch, which lists all schools and sends information out to families and encourage parents and students to download the app. There are a variety of sources that provide information, but the best safety mechanism is the eyes and ears of students, staff and community to report things of concern; whereby, there is collaboration with law enforcement to address these concerns.

Vice Mayor Drosky mentioned the loss of Mr. Gowdy in the City and hopes that it will be a lesson to report something if they see something. Also, Vice Mayor Drosky asked how the hurricanes and displacement of students from the Caribbean, Puerto Rico and Bahamas affected the district.

Mr. Runcie replied that due to Hurricane Dorian in the Bahamas, between 800 to 900 students were received; there have not been any from the earthquakes that occurred. He advised that they are working with agencies to support these individuals, but it is an ongoing effort.

Vice Mayor Drosky asked what the School Board can do to better equalize the shared expense of school resource officers (SRO) because Deerfield Beach funds their own, but students come from other cities like Lighthouse Point who do not have any schools, so they do not provide any funding.

Mr. Runcie said there is a working group who has met on a few occasions and last week, they met to find a sustainable, equitable funding source to better cover the cost, but not fully fund it. He said they pay about \$54,000 per SRO, but the full cost is about \$120,000 to \$160,000; nevertheless, they are seeking alternatives to reduce the inequity. Also, Mr. Runcie said any additional funds are going toward teachers as more is needed; therefore, last year, the School Board went to the public to raise money for the teachers. Moreover, he mentioned that state funding is about \$7,600 and the national average is over \$13,000. Moreover, he mentioned that the School Board and other stakeholders will be heading to Tallahassee to seek relief.

Mayor Ganz commented on the inequitable distribution for SROs. He agreed with the difficulty in seeing warning signs with mental health, but he said homelessness would create stress and most likely has some inclination as to who those children are. Nevertheless, he asked how to assist with getting housing for those students and asked to possibly collaborate and open the lines of communication to find the best resources possible.

Mr. Runcie said there is an entire unit that supports homeless students to the greatest extent possible as well as a Homeless Education Assistance Resource Team (HEART). There are approximately 4,100 students classified as homeless in Broward County and various services such as transportation, uniforms, events and other programs are provided to them and welcomed collaboration with the City. He said Mr. Gomez will follow up to determine the primary contact in the City to connect with the team.

Danny Jardine, Program Director, provided an update on the construction at each Deerfield Beach school via PowerPoint.

AWARDS & RECOGNITION - CONTINUED

Deerfield Beach Elementary School - Mr. Jardine said bids are anticipated to open tomorrow, January 15th, and should be under construction in the next couple of months.

Deerfield Park Elementary School – Mr. Jardine said it is tentatively scheduled for opening bids end of February anticipating construction late this spring throughout the summer.

Park Ridge Elementary School – Mr. Jardine said this is a Year 5 project and is currently in design with opening bids anticipated later this spring and construction starting in the summer months.

Quiet Waters Elementary School – Mr. Jardine said this is a Year 2 project and has been under construction for a little more than a year and should be finished before the summer as they are in the final transition of moving out of buildings 4 and 6 and completing those. The roofing work is underway.

Tedder Elementary School – Mr. Jardine said this is a Year 2 project and the bid process will be held on February 4th.

Deerfield Beach Middle School – Mr. Jardine said this is a Year 5 project and are in the process of construction management at risk responses to the RFQ; those proposals will be due in a couple of weeks. The agreement with the architect is also being finalized and construction will start within the next month to month and a half with anticipated completion at the end of the year or early 2021.

Deerfield Beach High School – Mr. Jardine said a letter of recommendation was received from their building department that allows them to start the advertising process for the Phase 1 project, HVAC components, which should start within the next week or mid-February when bids are received. He said the renovation will be very extensive with heating and air conditioning modifications across the campus. Phase 2 is a Year 5 project and they are advertising for proposals, the architect has been selected and will be starting next month once the Board approves the contract.

Mayor Ganz asked for clarification on a Year 5 project.

Mr. Jardine explained that some consider Year 1 of the project when the bond passed, November 2014. He advised that 18 P's were issued to designers in August 2016. In the last 40 to 42 months, they have all 236 projects underway. Some have taken much longer to go through the design process due to various requirements, but Year 5 started late last fall and most projects were phased in.

Mayor Ganz said he hopes the timeline will not shift as it would not be acceptable for the City or public. He also commented on the burden of the market. Thereafter, there was a brief discussion between Mayor Ganz and Mr. Jardine regarding the bids received during the process.

2. Proclamation presented to Dana Eller, Publisher of the Observer Newspaper, for his contributions to the City of Deerfield Beach.

Mayor Ganz said this is the first year since 1962 since the Observer Newspaper was not printed which is sad for the City. Nevertheless, he paid homage to the family that ran the newspaper for several years. Under the Eller family leadership, the newspaper has helped build the community by reflecting the voices, concerns and stories of all the local people. After 57 years, on December 26, 2019, the final edition of the Observer was printed. He thanked Mr. Eller, the Eller family, Rachel Gavin, Diane Emeott and Jim Lusk for bringing the news to Deerfield Beach. Thereafter, Mayor Ganz read the proclamation outlining the contributions the Observer Newspaper has made to the City.

Mr. Eller thanked the Commission for recognizing his family and the Observer Newspaper. The newspaper was a labor of love for his dad, both his father and grandfather were born in the City and his great grandfather came to the City in 1924. Thereafter, he thanked everyone who worked with the newspaper as they put in so much more than they were paid and lastly, he thanked all the journalist he met.

3. Certificate of Recognition presented to Frank Espinal Sr., Owner Food Bazaar, for his commitment and contributions to the Deerfield Beach Community.

AWARDS & RECOGNITION - CONTINUED

Commissioner Preston commended Mr. Espinal for his contributions and commitment to the City. Mr. Espinal has brought jobs to the City, cared for the community and tried to make it better. He said the City is blessed to have them in Deerfield Beach as they have enhanced the community and cares about the entire City. Thereafter, he presented the Certificate of Recognition.

Frank Espinal, Jr., thanked the Commission and the residents who have supported them for many years.

4. Certificate of Recognition presented to James Jackson for exceptional service to the City of Deerfield Beach and its residents.

Mayor Ganz said Mr. Jackson is a career public servant with 20 years of dedicated service who provides service to the City in myriad ways.

Commissioner Preston said there are great employees in the City, but as he has watched Mr. Jackson for a long time, he goes over and above and does not ask for recognition. He said Mr. Jackson has said he only wants his City to do better and is willing to work toward that goal.

5. Certificate of Appreciation presented to Danielle LoBono for her service on the Deerfield Beach Planning and Zoning Board.

Mayor Ganz said Ms. LoBono has been volunteering since the Code Enforcement Board that he and Vice Mayor Drosky served. Though she is not present tonight, he thanked her for her service and contributions to the Planning & Zoning Board since May 2018. Lastly, he said she has served in other capacities, and thanked her for the willingness to serve.

8. Certificate of Appreciation presented to Elizabeth Ricci for over 12 years of service within the Parks & Recreation Department.

Mayor Ganz said Ms. Ricci has worked in the Parks & Recreation Department and grew up in the Parks & Recreation programs, which he outlined. Thereafter, Mayor Ganz outlined her background in Parks & Recreation. Lastly, Ms. Ricci was presented a Certificate of Appreciation for her service.

8a. Special presentation to Commissioner Ben Preston for his acceptance into the Cardinal Gibbons Athletic Hall of Fame.

Mayor Ganz said on January 11, 2020, Commissioner Preston and his son were inducted into the Cardinal Gibbons Athletic Hall of Fame for outstanding athletic contributions and achievements. He was presented a special jacket to memorialize the occasion. Thereafter, Mayor Ganz expounded on the relationship Commissioner Preston started with Cardinal Gibbons High School in 1986 which has lasted over 30 years. Whereas, Commissioner Preston has been training student athletes for over 25 years through his business Preston Student Athletic Services, Inc. with many being Cardinal Gibbon students. He said Commissioner Preston has given back to the community continually for many years and outlined his educational and career background. Lastly, Mayor Ganz finished with a quote from Commissioner Preston, "it is not how you start, but how you finish".

Commissioner Preston said he was surprised by the presentation and expressed his view of what a hall of famer is, all the people working in the background to help when they can, especially kids needing direction. In closing, he said if someone needs a kind word, say it, a hug, hug them and if you find someone who needs food, feed them as you can never know what is happening in a person's thoughts as positive actions can prevent tragedies.

6. Presentation by Interim District Fire Chief Pellitteri to Art Kamm for his donation. (Tabled from December 3, 2019)

Chief Pellitteri said a resident donated his home that was under demolition to them for training. There were 40 probationary firefighters and about 70% of the 800 personnel who trained at the home; i.e. pulling lines, search and rescue and others. He thanked Mr. Kamm and his wife for the opportunity and presented him a fire helmet.

AWARDS & RECOGNITION - CONTINUED

Mr. Kamm said it has been a pleasure to be a citizen of the City for almost 30 years and watch them perform various activities every day.

7. Certificate of Recognition presented by Captain Rodney Brimlow to the BSO Deerfield Beach District Employees of the Month.

Captain Brimlow said although Deputy Jessica Hammel has not been in law enforcement very long, she has proven herself in remarkable ways and is the youngest detective in the City. Thereafter, he explained why Deputy Hammel is being recognized as the employee of the month; whereby, she helped save the life of a young lady who tried to commit suicide by jumping from the bridge. Though the lady tried to jump in Deputy Hammel's presence, she was able to hold the young lady for the next three (3) minutes and talk to her until other deputies arrived. After continued communication, the young lady came back to the other side.

CONSENT - BOARD APPOINTMENTS

21. Resolution 2020/006 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Tracey Williams and Camille Morse to the Deerfield Beach Education Advisory Board; and providing for an effective date.

The Resolution was read by title only.

Commissioner Parness said he nominated Ms. Williams as she is an excellent teacher and has her heart and soul in the job.

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 21, adopted Resolution 2020/006. Roll Call:

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

Nays: 0

QUASI-JUDICIAL PUBLIC HEARINGS

9. P.H. 2020-026: Sign Variance Case No. 775 for Chase Bank

Applicant: PROJECT EXPEDITERS CONSULTING CORP. on behalf of Weingarten Realty Investors.

Proposal: Seeking a Sign Variance from Section 102-8 (c)(2) of the Deerfield Beach Land Development Code to permit a third building sign on the south elevation, whereas only two building signs are allowed by Code.

Location: The property is generally described as A PORTION OF PARCEL A, OF "DEERFIELD MALL", ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 131 PAGE 3 as more particularly described in the file, and located **3650 W. Hillsboro Blvd.**

Anthony Soroka, City Attorney, advised that Item 9 is a sign variance and requires a 4/5 vote; thereafter, he asked if the applicant wished to waive the quasi-judicial proceedings.

Jeffrey Deluca, Project Expediters, 28 Station Street, Manalapan, NJ, waived the quasi-judicial proceedings. Mr. Deluca explained that additional signs are needed at the address listed above for the new Chase Bank. The code only allows two (2) signs, but a third sign on the south elevation is needed. On the south elevation of the parking lot, there would not be any signage; therefore, a sign is being requested for that location. It is important to note that if approved, there would be a sign on the north facing west Hillsboro, on the east and south side; the west elevation would not have a sign.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. Thereafter, he spoke in support of the proposed application due to the line of sight being impaired, traffic pattern and the difficulty to locate the business.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 9, adopted Resolution 2020/001. Roll Call:

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

Nays: 0

10. P.H. 2020-027: APPLICATION 18-A-192 – Abandonment of an Existing Drainage Easement

Applicant: **Little Harbor Estates LLC, represented by Christina Bilenki of Dunay, Miskel, & Backman LLP**
 Proposal: Abandonment of an existing fifteen (15) foot wide drainage easement recorded in Plat Book 49, Page 25

Location: The property is generally described as a portion of Lot 3 and 4, Block 7, LITTLE HARBOR ON THE HILLSBORO, Section 4, according to the plat thereof, recorded in Plat Book 49, Page 25, of the Public Records of Broward County, Florida, more particularly described in the file, and located at **64 NE 11th Way**.

Christina Bilenki, applicant's representative, advised that the proposed application is a cleanup item as the property owner purchased several lots and reconfigured the lot lines, so the drainage easement was previously along the lot line, but is now internal to a lot. A new easement for the drainage facilities has been dedicated and all the drainage facilities in the old easements have been relocated. The old easement no longer serves a purpose and the applicant is requesting abandoning the easement.

Samantha Gillyard, City Clerk, advised that the applicant's agent has made campaign contributions to Mayor Bill Ganz, Vice Mayor Todd Drosky, Commissioner Bernie Parness and Commissioner Michael Hudak, as outlined in the agenda backup.

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

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 10, adopted Resolution 2020/002. Roll Call:

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

Nays: 0

PUBLIC HEARINGS - SECOND READING

11. P.H. 2020-012: ORDINANCE 2020/001 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 46 "OFFENSES" OF THE CITY CODE OF ORDINANCES PERTAINING TO EXEMPTIONS FOR OPEN BURNING ON RESIDENTIAL PROPERTY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE. (Continued from December 3, 2019)

The Ordinance was read by title only.

Anthony Soroka, City Attorney, said during the first public hearing, the Commission provided direction to assure a permit would not be needed for residential recreation, i.e. a fire pit, which must be conducted in a safe manner; thus, it would be permissible in the City. Also, the Ordinance provided a prohibition of throwing certain materials into a fire and burning them, which was also made and reflected in the second reading. It is now clear that a permit is not needed to have a small contained fire on residential property provided it is for recreational purposes and in a safe,

PUBLIC HEARINGS - SECOND READING - CONTINUED

controlled manner.

Mayor Ganz asked if controlled meant the fire must be covered.

Mr. Soroka replied that there is no definition of controlled, but it must be conducted in a manner where it is not creating a safety concern. He explained that a fire that is spreading around a property could be an issue. If it is in a fire pit or other closed apparatus, it would not be an issue. Furthermore, Mr. Soroka commented on food preparation which must be 10 feet from the property line and would also apply to recreational use.

Mayor Ganz opened the public hearing.

Alan Charney, 1917 NE 5th Street, Deerfield Beach, said he owns and operates a business called The Natural Place. It is a residence and hotel for people who suffer from multiple chemical sensitivity; a condition brought on by a person being exposed to a large amount of a chemical that affects their immune system and they become exquisitely sensitive to most chemicals. The chemicals found in wood smoke are highly dangerous to them. He explained that the property behind them has a home-built fire pit and it does not have a screen. Mr. Charney explained how these fumes affect their clients since there is no screen covering the burnt material. Ambers were landing on their roof as well as the carbonized debris which he provided samples to the Commission. Thereafter, Mr. Charney commented on how the smoke from woodburning can be detrimental to his clients and himself due to his health concerns. Lastly, Mr. Charney stated additional reasons he opposes the proposed ordinance.

Joyce Charney, 1917 NE 5th Street, Deerfield Beach, said letters were provided from their tenants and doctors explaining how dangerous it is to them and children. She said they moved here for fresh, clean air and their clients expect clean air. If clients cannot sit on the patio, open their windows or go on the beach, they no longer have a business and the clients will not have a place to live.

Mayor Ganz closed the public hearing.

Commissioner Parness said he grew up using fire pits; thereafter, he asked questions of Mr. Charney concerning his business and whether there were restrictions on fire pits before they came to the City.

Mr. Charney replied that he has been in business since 1992 and had not had any problems until recently. The person behind them has a pit and were burning more than wood; however, wood is still a problem. He said they were coming to the City before bringing their business here and never saw this problem.

Commissioner Parness said he supports the proposed ordinance because he cannot object to cooking or recreational use of a fire pit.

Commissioner Hudak said he believes this bill gives Code Enforcement an opportunity to rectify the situation occurring behind Mr. Charney's property.

Mr. Soroka said some of the things he has seen makes him believe there is a potential for Code Enforcement as you cannot use your property in a manner that creates a nuisance for others. He agreed that the proposed ordinance gives them more direction and parameters that the fire has to be in a safe, responsible manner whereby, it is small, contained and used for the purposes outlined in the Ordinance.

Mayor Ganz said he has spoken with Mr. and Mrs. Charney several times and their issue came about during the time when the Ordinance was being crafted. Other issues date back about three (3) years ago when a resident was cooking so much so that it seemed like a commercial business and the smoke was being blown directly into the neighbor's home. There was no remedy as it is difficult to enforce; nevertheless, there are extreme situations and if there is nothing on the books, no one can address it. The Charneys' are facing a new issue, but he believes the proposed ordinance will allow the City to assist them with their issue. He reiterated that having the ordinance will allow Code to go after extreme situations and does not take away residents' rights.

PUBLIC HEARINGS - SECOND READING - CONTINUED

MOTION was made by Commissioner Preston, seconded by Commissioner Hudak, to approve Item 11, adopted Ordinance 2020/001. Roll Call:

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

Nays: 0

12. P.H 2020-016: ORDINANCE 2020/002 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 50 "PARKS AND RECREATION", ARTICLE IV "ATHLETIC FACILITIES" OF THE CITY CODE OF ORDINANCES TO MODIFY THE CITY'S RECREATION FACILITY USE REGULATIONS AND PROVIDE FOR THE ADOPTION OF A SPORTS POLICY BY RESOLUTION OF THE CITY COMMISSION; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

David Santucci, City Manager, said this is the second reading of the proposed ordinance; however, Item 13 is complementary to the Ordinance and if adopted, would approve a sports policy.

Preston Pooser, Director of Parks & Recreation, provided a PowerPoint presentation for the sports policy (Item 13). After collaboration with the City Attorney's Office, staff was able to gather information from other cities and believes the policy will provide a good process for all stakeholders.

Purpose – Mr. Pooser said the purpose of this policy is to outline the steps, procedures and policies that administer all the sports and recreation activities impacted by individuals and organizations. It applies to residents and non-residents and others that want to utilize the City's facilities.

Facility Use Permit Requirement – Mr. Pooser said any group wishing to utilize City facilities will need a facility use permit which is a document granting use by the organization for the exclusive right to use the facility for any specific time period. Use will require an application, followed by a permit from the City. All City sports organizations must apply for a permit for respective activities. Once a sports permit is approved, staff will work with the organizations to set up times and dates of the facilities.

Sports and Athletic Facilities (Exhibit A) – Mr. Pooser said Exhibit A of the proposed policy covers all the parks, athletic facilities, fields, tennis facilities (where applicable), etc. Thereafter, Mr. Pooser listed some of the parks and facilities included in the policy, whereby, all City parks were accounted for.

Permit Types – Mr. Pooser said there are two types of permits, long term and short term. A long-term permit is 10 days or more during a 12-month period. If someone wants a long term permit, it must be submitted no less than 60 days and not more than 120 days prior to the first requested use. An exception would be a sports organization similar to recognized organizations like Packer Rattlers, Little League, which are already approved organizations. These permits must be approved by the City Commission. Additionally, short term permits are less than 10 days in a 12-month period and must be submitted no less than 30 days, but no more than 90 days prior to the first request. It may require a special event permit which can be approved by the Parks & Recreation Director or designee. There are multiple classifications for the requests, based on priority. Applicants provide the same classification and permit category and are considered on a first come, first serve basis.

Priority Classification – Mr. Pooser said Class A is for City use; i.e. Parks & Recreation programs and will have priority use. Class B are city recognized or co-sponsored programs/activities with the City; priority under this class is a co-sponsored program and second priority are City recognized programs. Class C priority classification includes sports organizations, other non-profit groups which are not City conducted, sponsored or funded and are prioritized based on being a sports organization and secondly, other non-profit groups or programs. Mr. Pooser said there are other sub categories within those requests, in order of precedence as follows: a long-term program with payment of facility fees, a non-profit seeking facility fee waiver. For short term activities, priority would be payment of facility fees and short-term activities would be non-profits seeking facility fee waivers.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Continuing, Mr. Pooser said Class D includes educational institutions such as high school or middle schools; Class E is for individual use; Class F is for-profit programs, private lessons where the instructor is for profit; Class G is private commercial use.

Regarding facility use permit fees, Mr. Pooser said this policy and procedure aligns with the current fee schedule and the policy would incur with any future fee schedule. He said staff is hoping to bring forth a policy and procedure with different fee structures. Moreover, the City commission may grant a fee waiver or approve a different fee structure if desired.

City Conducted Programs – Mr. Pooser said these are programs the Parks & Recreation Department utilizes; fields may be utilized, and permit fees are waived.

City Recognized Programs – Mr. Pooser said not more than one (1) sports organization per particular sport. Recognized sports organizations and programs are specified in Exhibit B of policies and procedures. New sports programs or activities requests are subject to the available terms of the policy. If there are multiple requests or staff believes there will be multiple requests, staff can proceed with an RFP (request for proposals) for the same sport. The Parks & Recreation staff will review and present what is deemed the best use of the facility. He explained that once the proposed submission is received, the director will review for recommendation and place on the City Commission agenda for consideration. If it is determined that the facility can accommodate the program, and is compliant with City policy, the City reserves the right to suspend usage if the user or group does not follow the policy. He also advised that a funding request or fee waiver would have to come before the City Commission for approval.

Requirements for Sports Organizations – Cassi Waren, Assistant Director of Parks & Recreation, said minimum requirements are referenced throughout the policy; whereby, the requirements are as follows: non-profit status, board of directors with at least four (4) members and 50% of the board must be Deerfield Beach residents, bylaws must be written and adopted, must have at least one meeting per month during season and quarterly during offseason. Meetings must be publicly accessible and noticed, minutes must be done, there will be a City liaison who will serve as the communicator between the organization and City; maintain fund receipts and expenditures and provide Form 990 upon request.

Continuing, Ms. Waren said any registration held for the organization's programs must be held in a publicly accessible location and the season schedule must be submitted three (3) weeks in advance; thereafter, a facility use agreement must be signed to secure location, dates and times. All coaches and officials must have the proper certification, badges and must sign the coaches' agreement which is included in the policy as an exhibit. Ms. Waren advised that proof of insurance must be provided. Also, if a player(s) participates in multiple programs amongst sports organizations, staff requests that the player plays in a game instead of practice if both are held on the same day. Special needs must be accommodated and bullying and drugs will not be tolerated; if a child wishes to participate in a program, they must be given an opportunity.

Ms. Waren said all facility assignments will be done by the City. Regarding facility maintenance and storage, damage and cleanup, the City will be responsible for day-to-day maintenance of facilities and reserves the right to cancel, postpone or delay any practices or games as needed for the fields' condition. There will be a field condition hotline to call to find out the status. Storage at the facilities is an option but must receive prior written approval by the City and there will be a dedicated area for storage.

Additionally, Ms. Waren said vending is at the discretion of the City and any damage to the facilities is the responsibility of the sports organization. The City asks that current conditions be maintained and if not, they will be held responsible for any damage. All facilities must be cleaned after the conclusion of any event to the condition prior to the start of the event; if not, there will be a \$100 fine per violation and could owe the actual cost of repairs if applicable.

Regarding participation registration and fees, Ms. Waren said it is the organization's responsibility to determine the fee structure and must be submitted to the City for awareness. All organizational teams must include at least 50% Deerfield Beach residents with two (2) forms to prove residency.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Insurance & Indemnification Requirements - Ms. Waren said there is a section regarding insurance and indemnification requirement, whereby, liability insurance must be submitted to the City naming the City and Broward Sheriff's Office accordingly. The City can, in lieu of liability insurance, accept waivers at discretion, depending on the situation. Also, she advised that all organizations must follow all state and local mandated laws, as well as codes. If necessary, deputies may be required at the program; if so, the organization will be responsible for covering those costs. Lastly, any organization working with youth sports must comply with City Code Section 50-80 for background checks.

For-Profit Program Permit – Ms. Waren said these programs must be approved through the permit application process. If a City recognized program wishes to hold a tournament, showcase or clinic, outside their regularly scheduled season, they must follow these same guidelines. One condition for the permit is that they must have an approved facility use agreement. If someone charging and earning revenue from the event, they must pay a portion to the City in line with the fee schedule. A special event permit may be necessary; if working with youth, they must follow the Code and perform background checks and submit proper insurance.

Anthony Soroka, City Attorney, read the title for Item 13 at this time. He further explained that Item 12 is the Ordinance authorizing the adoption of the sports policy and Item 13 is the actual adoption of the sports policy.

Mr. Santucci thanked staff and the City Attorney for working vigorously on these items. He said this is an effort to ensure that staff has the proper direction on how to move forward with any type entity as it relates to the limited use of City fields. He explained that these policies provide guidance on how to respond to requests.

Thereafter, Mr. Pooser responded to Commissioner Hudak's question regarding scheduling a non-profit sports agency; whereby, if an organization is already approved, they could not be bumped.

Commissioner Preston said there are people in the community that use programs to guide children in the right direction; whereas, he wants to assure the policies are friendly and does not disrupt an individual's ability to work with the children. For example, not being able to use the gym when it is not being occupied but is locked. Lastly, he asked if the policy is friendly and encourages people to work with children.

Mr. Pooser replied yes, staff believes it is. The individuals would come to staff and they would check the dates to assure availability, but it must fall into the timeframes provided so nothing is being booked too far in advance, i.e. a year. Moreover, Parks & Recreation plans their activities several months in advance so there are no conflicts. He acknowledged that the City programs would have priority but would work with the public when a facility is not being used.

Commissioner Hudak left the dais temporarily at 8:51 p.m. and returned at 8:52 p.m.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, spoke in support of Items 12 and 13; thereafter, she said fields and gyms need to be closed, lights are off at the respective time to dissuade improper use of the facilities. Also, she said there must be accountability from all parties.

Lamar McThay, 1241 SW 10th Terrace, Deerfield Beach, said he and his family have worked with many kids in sports and contributed to many going to colleges and universities all over the Country. He said even those who do not participate in sports are being taught in myriad ways. While they are working with 40 to 50 children, there are likely less than 50% from Deerfield Beach which he believes affects his efforts.

There being no others for Item 12, Mayor Ganz opened the public hearing for Item 13; however, there were none to speak and the public hearing was closed.

Commissioner Parness and Vice Mayor Drosky spoke in support of the items.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Mayor Ganz spoke in support of the items and said if someone were in a position as described by Mr. McThay that there be some leeway provided that if it came before the Commission. He said he would like to see things done above board and in the open.

Mr. Pooser said anything that is not pursuant to the policy, staff would encourage the organization to come before the Commission.

Mr. Santucci said these discussions have come up among staff and it was recognized that although a sports organization may not have 50% of Deerfield Beach residents at the onset of the program, there must be a tolerance.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to approve Item 12, adopted Ordinance 2020/002. Voice Vote:

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

Nays: 0

13. Resolution 2020/003 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting the City's Athletic Facility Use and Sports Policy; providing for conflicts, severability and an effective date.

The Resolution was read by title only.

See Item 12 for the full discussion.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 13, adopted Resolution 2020/003. Voice Vote:

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

Nays: 0

14. P.H. 2020-017: ORDINANCE 2020/003 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 46 "OFFENSES" OF THE CITY CODE OF ORDINANCES PROHIBITING THE DISCHARGE OF AIR GUNS, BB GUNS, AND OTHER DEVICES, EXCEPT FOR THE PURPOSE OF ERADICATING IGUANAS ON PRIVATE PROPERTY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Mayor Ganz opened the public hearing.

Kathy Maggi, 125 SW 34th Avenue, Deerfield Beach, said it appears the Ordinance makes it unlawful to play with a BB gun, air gun or toy gun. Ms. Maggi continued to outline certain aspects of the Ordinance she feels are amiss; i.e. missiles and BB guns as they are regulated by the State Statute and regulate people 18 years and younger. Thereafter, she expressed concern with the use of a BB gun for iguana eradication as these objects will not hurt the larger ones.

There were no other public comments.

Mayor Ganz asked for clarification on the prohibition of BB guns as the Ordinance allows them for use in killing iguanas.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Anthony Soroka, City Attorney, said there is another code provision and while it does not specifically state BB or air guns, in the nuisance section, the subtitle is weapons. Wherein, possession or discharge of any instrument that fires a potentially dangerous projectile, gas or liquid is prohibited except in designated areas. He further advised that there is a state law that prohibits minors, possibly 16 or under from possessing air or BB guns or using those guns unless in the supervision of an adult.

Commissioner Parness provided an example of the use of a BB gun to kill a water moccasin in a person's back yard which is not allowed. He said if an iguana is killed, it is acceptable but not a water moccasin which is dangerous; therefore, he disagreed with the proposed ordinance.

Vice Mayor Drosky said the proposed ordinance appears to ban BB guns whereas, the intent of the original ordinance was to allow eradication of iguanas. It seems a conflict has been created and suggested revising the language so it meets the original intent.

Commissioner Preston said the Ordinance provides people an opportunity to eradicate iguanas as they have become a nuisance and believes people are already doing this.

Commissioner Hudak said it is his understanding that BB and air guns have already been banned. The goal of the Ordinance was to give homeowners an opportunity to humanely eradicate iguanas on their property through use of a BB gun. Right now, if an owner uses a BB gun on their property to eradicate an iguana, they are violating the law, but he understood this ordinance would allow eradication.

Mr. Soroka clarified that the Ordinance deals with the discharge of the BB gun and does not prevent a person from owning or keeping it.

In response to Commissioner Hudak's question, Mr. Soroka replied that shooting a BB gun in the back yard could likely be a violation of Section 50-109. Thereafter, he responded to other questions posed by Commissioner Hudak.

Mayor Ganz said a pellet will not harm a four-foot iguana; nevertheless, he inferred that if the Ordinance is not adopted, residents have no recourse as they would be in violation of the current city ordinance. Notwithstanding, he suggested that the language be changed if necessary. Lastly, Mayor Ganz said he does not want people to be cited for using something that is allowed for eradication.

Vice Mayor Drosky said he does not recall 50-109 being part of the discussion at the prior meeting; thus, his vote may have been different then. He suggested eliminating the first sentence from subsection a, it would alleviate his concern. The paragraph would begin as such, "It shall not be unlawful for..." and not get into the discharge aspect.

Mr. Soroka agreed with Vice Mayor Drosky and did not disagree with his recommendation; thereafter, he read from Section 50-109, "the discharge of any instrument that fires a potentially dangerous projectile is prohibited except in designated areas". There is not a separate section for designated areas, but for example a gun range would likely be considered a designated area. If the first sentence is removed, it would allow someone to use an air or BB gun to shoot an iguana in their backyard. There is also another state law that says you cannot inhumanely kill animals.

MOTION was made by Vice Mayor Drosky, seconded by Commissioner Hudak, to approve Item 14, adopted Ordinance 2020/003 as amended, removing the first sentence from subsection 46-7a. Roll Call:

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

Nays: 1 - Commissioner Parness

PUBLIC HEARINGS - SECOND READING - CONTINUED

15. P.H. 2020-018: ORDINANCE 2020/004 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS" OF THE CITY LAND DEVELOPMENT CODE BY CREATING ARTICLE X "HISTORIC PRESERVATION"; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, 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.

In response to Commissioner Parness' question, Anthony Soroka, City Attorney, replied that the proposed ordinance does allow the City to govern what sites are historic instead of Broward County. If it is not adopted, the decision would be made at the County level.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 15, adopted Ordinance 2020/004. Voice Vote:

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

Nays: 0

16. P.H. 2020-019: ORDINANCE 2020/005 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 38, "FINANCE AND TAXATION", ARTICLE V "PROCEDURES FOR SALE OR LEASE OF CITY-OWNED PROPERTY", SECTION 38-156 "SALE OR LEASE OF CITY PROPERTY" OF THE CITY'S CODE OF ORDINANCES TO MODIFY THE PROCEDURES AND REQUIREMENTS FOR THE SALE OR LEASE OF CITY PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

The Ordinance was read by title only.

David Santucci, City Manager, explained that the proposed ordinance provides a procedure for the City to dispose of surplus property that is valued at less than the \$750,000 Charter threshold for parcels that are both developable and non-developable. The procedures were discussed at the last meeting; nevertheless, staff is available to answer questions.

Commissioner Parness spoke in support of the proposed ordinance and listed various benefits, increase in tax base, homeowner receiving additional land and removing unwanted/unused plots.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said in previous meetings, the proposed sale of the lands were brought to the Commission and public for view and asked if that process will continue.

Felipe Cerpa, 77 NW 5th Street, Deerfield Beach, said he is representing the pastor of Lifepoint Ministries. Recently, they purchased the property and were approved for a minor addition; thereafter, he explained the desire to purchase a small parcel of land in proximity to the acreage they purchased. The parcel is located at 451 N. Deerfield Avenue and if purchased, it will allow for the major site plan they have in mind. The land would be paved for a portion of parking and because there is a park next to it, this would allow for overflow parking at the park.

Anthony Soroka, City Attorney, replied to Ms. Freitag; whereby, every sale of City property will go before the Commission.

PUBLIC HEARINGS - SECOND READING - CONTINUED

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 16, adopted Ordinance 2020/005. Voice Vote:

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

Nays: 0

17. P.H 2020-020: ORDINANCE 2020/006 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 14 "BUILDINGS AND BUILDING REGULATIONS" OF THE CITY CODE OF ORDINANCES BY CREATING ARTICLE V "PUBLIC ART PROGRAM"; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Anthony Soroka, City Attorney, advised that during the first reading, there were three (3) amendments approved by the Commission which are reflected in the proposed ordinance.

Vice Mayor Drosky outlined the three (3) changes incorporated in the second reading; ownership of the art, composition of the board members and reduction of the appeal fee from \$750 to \$500. Further, he asked for an additional change that was not discussed, the committee liaison. The proposed ordinance lists the Parks & Recreation Director or designee as the liaison, but he would like to change it to the City Manager or designee due to the adoption of the sports policy, whereas it is a very robust policy and Parks & Recreation will have their hands full.

Commissioner Hudak said he is concerned that there is no dedicated funding source and the program will go by the wayside.

Vice Mayor Drosky said he is not opposed, but is not sure that the timing is right to move forward with a funding source. He explained that by adopting the Ordinance and creating a public art committee, it is a driver in seeking funding to create the Master Plan. The Master Plan must be the priority, as funding can be secured without tapping into public tax dollars or having a budget. Though every component has not been worked out, Vice Mayor Drosky agreed that a stable funding source is needed, but to designate it now without knowing what the budget would be ahead of the Master Plan, puts the cart before the horse.

Commissioner Parness disagreed. He opined that all the structures should be in place when the committee is formed so they are aware of how much can be spent and where the funds come from. Therefore, funding the art program now will alleviate concerns of future committee members.

David Santucci, City Manager, said nothing has been funded from the City's budget in relation to public art; however, there are specific tasks that must take place afterward, if the Ordinance is passed. Staff recommends first looking at master plans which must be budgeted in a future fiscal year. Also, it will take time to choose members for the committee and he must also choose two (2) members. Thereafter, work must be done to develop the scope of services for the master plan. He said funding does not have to be in place today as there isn't any work to do at this point.

Commissioner Hudak said he does not want to stop the process due to funding but reiterated his concerns for success.

Mayor Ganz opened the public hearing.

Rita Masi, 349 NE 19th Avenue, Deerfield Beach, spoke in support of the committee. Further, Ms. Masi said she would contribute \$100 and would also like to volunteer as she is talented in collecting.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said at the last meeting, she directed the Commission to check with the National League of Cities regarding funding sources as they have always been involved in public art. She said there are grants available, so the City does not have to use its own funds.

Mayor Ganz closed the public hearing. Thereafter, he commented on his experience where boards have had spending authority and the problems it created. Therefore, he disagreed with having a large budget to get the project off the ground. Mayor Ganz also said he believes there are funding mechanisms available and what is primarily used is a development fee for anyone who develops in the City. Lastly, he suggested the groundwork be done before funds are dedicated.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Drosky, to approve Item 17, adopted Ordinance 2020/006 as amended, changing the liaison from Parks & Recreation Director to City Manager (section 14-112(h)). Voice Vote:

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

Nays: 0

18. P.H. 2020-021: ORDINANCE 2020/007 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA; AMENDING THE TEXT OF THE FUTURE LAND USE ELEMENT OF THE COMPREHENSIVE PLAN RELATING TO THE MIXED USE LAND - RESIDENTIAL USE CATEGORY; AMENDING SECTION 2.6.1, PERMITTED USES IN FUTURE LAND USE CATEGORIES, RELATING TO DENSITY AND INTENSITY STANDARDS, AND AMENDING SECTION 1.7.2, RELATING TO MIXED USE LAND USED DESIGNATIONS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE. (Approved on first reading May 21, 2019)

The Ordinance was read by title only.

Vice Mayor Drosky left the dais temporarily at 9:35 p.m.

Eric Power, Director of Planning & Development Services, said the proposed ordinance is related to the City's Comprehensive Plan, which has many review levels, City, County and State. During the various chains of approval, there were no comments from the County nor any relevant comments from the State. The proposed ordinance requests one (1) text amendment into the mixed-use land category; to add a category called High 50 Mixed Use. The change will help facilitate items such as, Pioneer Grove and any planned development districts that may come forward. Mr. Power explained that this category relates to an amount of density on a small piece of land where you currently couldn't see any type of development occurring and where the area will be prohibitive. Thereafter, he displayed a rendering of what 50 units per acres looks like and would be mid-rise around four (4) to six (6) floors with midtown development, like the Pioneer Grove area and Federal Highway. There would not be high rises, nor would any developments exceed the height limits. Additionally, Mr. Power highlighted photos of how future developments would appear which entailed examples like first floor retail or possibly garages on the bottom and three to four floors of residential development. Lastly, any type of zoning change would still require consideration by the City Commission.

Vice Mayor Drosky returned at 9:38 p.m.

Commissioner Hudak asked how the proposed ordinance would affect the barrier islands.

Mr. Power replied that the barrier islands would be exempt.

Mayor Ganz opened the public hearing.

Amie Kay Tanner, 111 SE 5th Avenue, Deerfield Beach, said she does not want any developments to look like high rises in Boca Raton.

PUBLIC HEARINGS - SECOND READING - CONTINUED

Mayor Ganz closed the public hearing.

David Santucci, City Manager, advised that this would not be the same, as this is not a means to develop high rises in the area.

Mayor Ganz commented on the sale of the Fire Station on Federal Highway; whereby, the interested parties wanted to build high rises on Federal. This ordinance provides flexibility and does not affect the referendum on the east side of the Intercoastal.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 18, adopted Ordinance 2020/007. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Kathy Maggi, 125 SW 34th Avenue, Deerfield Beach, said four (4) years ago, her voting precinct was moved to Century Village because the teen center was being renovated; then another teen center opened on FAU Boulevard. She said residents have been waiting for the teen center to open on Powerline, but nothing is happening. She expressed concern with not being able to enter Century Village for the upcoming election since she is not a resident, and as of the first, people must present ID or have a sticker pass on their vehicle. Ms. Maggi commented on her attempts to reach the Broward Supervisor of Elections Office to no avail; however, after checking their website, she is now assigned to the Meadows of Crystal Lake which is further away. Lastly, she expressed concern that the children out west no longer have a place to go.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said she is speaking on behalf of Alice Chattman, Kiwanis of Deerfield West. She said Ms. Chattman wanted to remind everyone that the Kiwanis Club is holding their annual scholarship breakfast on Saturday at 9:00 a.m. at the Oveta McKeithen Recreational Complex. The cost for the breakfast is \$15, and the funds go toward scholarships for students at Deerfield Beach High School; she asked that everyone come out and join. The speaker for the event is Judge Phoebe Francois.

Doug Kennedy, 2007 Woodlands Way, Deerfield Beach, thanked the Commission for keeping the City solvent, clean and pleasant to live. Mr. Kennedy said he is the head of the association and the subdivision is comprised of 70 units; thereafter, he voiced concerns with various occurrences in the Woodlands of Deer Creek. The south border wall abuts an alleyway to the Shoppes of Hillsboro which has garbage trucks going through it constantly from 4:30 a.m. and has been ongoing for months. He said a resident took a photo at 5:15 a.m. which was sent to Vice Mayor Drosky and asked that it be addressed. Further, he suggested that BSO patrol be more present in the area and remove the garbage trucks.

Continuing, Mr. Kennedy said the Shoppes of Hillsboro, are brightly lit and are too much for the residents. He recommended pointing the lights down a little to illuminate the alley instead of invading residents' homes. Lastly, Mr. Kennedy said he sent a photo to Vice Mayor Drosky showing how garbage is lined on the alleyway and rats are running up and down the walls because the dumpsters are open and the garbage is lined on the alleyway; whereby, these matters are ongoing.

Jerry Lee, 4311 Crystal Lake Drive, #302, Deerfield Beach, said the quality of life in Crystal Lake has diminished and the once thriving Crystal Lake Golf Course, has been replaced with a housing development that reeks of fraud, corruption and greed. Mr. Lee commented on evidence being provided to the Commission regarding the development which was not considered. The project creates more traffic, accidents, congestion and deaths to accommodate an unwanted cemetery. Lastly, he opined that Mayor Ganz favored developers over the residents and asked if he would resign.

PUBLIC COMMENT - CONTINUED

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, reminded everyone that the Kiwanis Scholarship Breakfast will be held on Saturday morning as well as a choir competition on Sunday night and invited everyone to attend. Also, there will be a parade on Saturday morning. History at High Noon will be held in the Chambers tomorrow from 12 p.m. till 1 p.m. Festival of the Arts is next weekend, January 25th and 26th; she invited everyone to the beach. Ms. Freitag asked that the Commission fill vacancies as the Cultural Committee is missing nine (9) members as well as other boards. She said it is difficult to hold events like Festival of the Arts when there aren't enough volunteers. Lastly, she said there must be a way to reach out to the older generation since the Observer is no longer available.

Peter Casey, 2295 Woodlands Way, Deerfield Beach, said he agrees with Mr. Kennedy, but these conditions are not new and have no other recourse than to address them with the Commission. After reaching out to the police and code enforcement, nothing has been done and asked that the Commission find solutions to these problems. Further, he advised that many of the issues arise from Muddy Waters.

Amie Kay Tanner, 111 SE 5th Avenue, Deerfield Beach, said her district once voted in Pioneer Park when there was a center; then the Boys & Girls Club who have limited parking. She expressed concern with the access and the difficulties faced in going there and asked that something be done.

Thereafter, Mayor Ganz responded to various questions posed. First, the Woodlands area has had various issues over the years and other communities further west had issues with lights which can be easily remedied by screening the lights. The trash is reoccurring and unfortunately, it will get better then revert as it has been ongoing. Next, he believes the garbage trucks early pickup can be quickly resolved. Moreover, he agreed with the voting locations and then advised that the old teen center will not be revitalized due to having dismal attendance out west. Nevertheless, getting the facility back up and running for voting and HOA meetings is essential. Lastly, he advised that he would not be resigning.

Commissioner Preston said people should not have to deal with the issues faced by the Woodlands residents and passionately recommended that they be addressed.

Vice Mayor Drosky said a code case has begun and it goes to hearing on February 11th; however, his biggest issue is the code procedure that must be followed as it can be very slow. Also, he met with Mr. Kennedy and witnessed the issues he presented tonight. Furthermore, there is a code provision that prevents those lights should be shielded. There is an ongoing effort to work with the property owner and while voluntary compliance would be nice, the February 11th special master meeting is a backup to force a remedy. Lastly, he asked that Chad Grecsek, Director of Sustainable Management, address the issues regarding early garbage trucks.

Commissioner Parness said he would request having Le Club open for voting for the upcoming election as it is only one (1) day. The restriction to come in may possibly be waived; nevertheless, it was in place for security measures.

David Santucci, City Manager, replied to various questions of the public. He concurred that the teen center out west will not reopen with the same function and the teen center on FAU Research Boulevard is thriving. Mr. Santucci also added that the Boys & Girls Club now has their own teen center. Additionally, he explained why the old teen center has not been redeveloped; whereas, there have been struggles in the design of the renovation as it applies to ADA requirements. Thus, staff had to reevaluate what to do there, scale it back and handle the ADA requirements. The design plans are about 90% complete, but the renovation to one of the front rooms is close to completion as staff understands the need. Once the electrical and A/C work is completed, one (1) room will be done.

Continuing, Mr. Santucci said the Supervisor of Election has very stringent requirements when it comes to using a facility as an early voting or regular polling place. Staff works with them very closely when there is a planned construction project whereby an alternate location is needed. Mr. Santucci also advised that early voting would take place at Broward Health North [*sic*]. He apologized for garbage drivers coming too early and will further investigate the issue.

CONSENT - BOARD APPOINTMENTS

Mayor Ganz opened the public hearing for Items 19 and 20; however, there were none to speak and the public hearing was closed.

19. Resolution 2020/004 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Thelema Lamar to the Cultural Committee; and providing for an effective date.

The Resolution was read by title only.

20. Resolution 2020/005 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Annette Mitchell to the 2020 Complete Count Advisory Committee; and providing for an effective date.

The Resolution was read by title only.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Items 19 & 20.
Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

22. Resolution 2020/007 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing execution of a Maintenance Memorandum of Agreement with the Florida Department of Transportation for the installation of a radar speed sign located at Hillsboro Boulevard West of NW 45th Avenue; and providing for an effective date. (Funds from Account #108-5050-541-35-21 - Traffic Control, Signs)

The Resolution was read by title only.

David Santucci, City Manager, advised that the radar speed sign is in response to the traffic issues on Hillsboro Boulevard and is meant to slow the traffic down. To enter into the agreement with FDOT, the solar powered radar speed signs must be installed.

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

In response to Commissioner Preston's question, Mr. Santucci replied no, these are not photo cameras. This sign flashes the traveling speed and when the posted speed limit is exceeded, the sign will flash the actual speed as a warning and is a permanent sign.

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve Item 22, adopted Resolution 2020/007. Roll Call:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

23. Resolution 2020/008 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a one-year insurance coverage renewal for the City's underground storage tanks in the amount of \$33,643.00; providing for execution; and providing for an effective date. (Funds from Account #606-0900-519-37-65 - Property and Flood Insurance)

The Resolution was read by title only.

David Santucci, City Manager, said this item has not been presented to the Commission before due to the expenditure request being lower than the \$30,000 threshold. Due to the age of the City's tanks, the cost to insure is increasing which is directly related to the liability. As staff is closely evaluating the tanks, the Commission should expect more recommendations in the future. Nevertheless, the proposed resolution is for an insurance renewal for underground tanks.

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 Commissioner Hudak, to approve Item 23, adopted Resolution 2020/008. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

24. ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 66-58 "PARKING PROHIBITED ON CERTAIN STREETS AND COMMERCIAL VEHICLE PARKING RESTRICTIONS" OF THE CITY CODE OF ORDINANCES TO PROHIBIT PARKING ON N.E. 49TH STREET FROM N.E. 48TH STREET TO DIXIE HIGHWAY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Mayor Ganz opened the public hearing.

Karen Borge, 900 NE 49th Street, Deerfield Beach, said she and her neighbors have been affected by this issue. Their houses are directly behind the Highlands Shopping Plaza and in November, several neighbors signed a petition which she has e-mailed to several Commissioners. Ms. Borge asked that the City install no parking signs as well as no dumping signs along the back street. Over the past several months, tractor trailer trucks have parked in the rear of their homes, blocking their gates; whereby, photographs were taken. At times, the trucks are parked there for days especially over the weekend and when access to their back gates are needed, they cannot open them. The police repeatedly say nothing can be done. Ms. Borge said they have asked the drivers to not park there, but to no avail. Thereafter, she advised that a driver threatened one of the neighbors, but the police did not do anything.

Continuing, Ms. Borge said they feel very unsafe in their homes, not just because of the threats, but due to a homeless concern on the back alley as they sometimes hide between the trucks. The homeless have jumped their gates and she has had a lawnmower stolen. She continued to comment on the truck parking, aesthetics, i.e. maintaining the property, dumping and quality of life.

Mayor Ganz closed the public hearing.

DEPARTMENTAL BUSINESS - CONTINUED

There was no discussion amongst the Commission.

**MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 24 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 MANAGER

Funeral Arrangements – David Santucci, City Manager, advised that he waived funeral expenses for Bryce Gowdy at the Memorial Cemetery; however, City Commission approval is still necessary even though the Commission could not meet prior to the funeral. The City Attorney requested that a motion be made to retroactively approve the waiver of those fees.

Anthony Soroka, City Attorney, said the motion should be to ratify the approval of the fee waiver for the funeral.

In response to Vice Mayor Drosky's question, Mr. Santucci replied approximately \$1500 would be waived.

MOTION was made by Commissioner Preston, seconded by Commissioner Parness, to ratify the approval of the fee waiver for Bryce Gowdy. Roll Call:

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

Nays: 0

Weekly Packet - Mr. Santucci said there will be an amendment to the County's Affordable Housing Ordinance and its implications as related to the City's affordable housing. It will go before the Planning Council at some point with Commissioner Parness as the representative. Many of staff's comments will be provided to the Commission; therefore, he asked that they review it in their packet and contact him if necessary.

Census Update – Vicki Placide Pickard, Director of Community Development, said Census 2020 is approaching and April 1st is Census Day. Thereafter, she advised that numerous individuals have been contacted about participating in the Complete County Census Committee and while they have not completed an application, she asked that the Commission either reach out to them or provide additional names and phone numbers to staff. In the interim, staff is working closely with the Census Department; the local field office has reached out to staff to host different trainings. Furthermore, the census forms will go out prior to April 1st and for the first time this year, the census can be completed online. Information will be sent out in March and each household will receive a special code to complete the census which can be done before April 1st.

Continuing, Ms. Placide Pickard said although households will receive the form via mail and have online capabilities, there are some areas which are hard to enumerate and will not complete the census; therefore, census workers must go out and knock on doors. There is also a preference to have workers from the community who are trusted, and residents will not be afraid to open their doors. She further commented on other outreach programs; printed flyers and information in collaboration with the Marketing Department that are in all the community centers. The local churches will also receive the same information. The Census also wants to attend various services and provide a new recruiter as well. More swag and information will be provided at the Commission meetings, so the census is at the forefront of the residents' minds.

COMMENTS BY ADMINISTRATION & LEGAL - CONTINUED

Mayor Ganz asked that information concerning the committee be shared with the Boca Raton Mayor as he has discussed with him what steps they have taken.

Ms. Placide Pickard agreed.

Commissioner Parness asked that the public encourage friends and family to complete the census as it is very important. The State may gain two (2) congressional seats which means more federal money for Florida, for schools, hospitals, etc. He said the census is not about citizenship, but counting people; therefore, no one should be completing it out of fear of vice knocking on their doors. Lastly, two (2) electoral seats may also be picked up, making Florida very important in the upcoming election.

Appropriation Bills – Mr. Santucci said both bills sent to the Legislature on the City's behalf are showing good signs and were unanimously approved in the subcommittee. He will keep the Commission abreast of what transpires.

CITY ATTORNEY

Executive Session – Anthony Soroka, City Attorney, advised that an executive session is needed in the matter of *Paul Rothberg v. City of Deerfield Beach*, a worker's comp case. He is hoping for January 27th but is confirming each Commissioner's availability.

CITY COMMISSION BUSINESS

25. Discussion regarding the City Manager Evaluation Criteria.

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

Commissioner Hudak said he created a city manager evaluation form and since he has not received a reply to make amendments, motioned approval. Also, he said he conducted his review with the City Manager already and the only thing that can be done at this time is to provide goals for the current review period. The goals he has requested included: public safety, communications and public relations, budget and financial management and lastly, employee relations. At the end of the performance review period, Mr. Santucci will be evaluated on those things regarding his success. These goals should be broad, and the Commission should not tell him how to do his job, but just what the Commission wants from him in a broad sense. The form has been signed by both him and Mr. Santucci; whereby, it was given to the Mayor for execution. Lastly, he asked that the other commissioners use the form to evaluate Mr. Santucci as well.

Commissioner Preston thanked Commissioner Hudak for taking the time to create a performance evaluation; however, he expressed concerns with how to evaluate based on the criteria outlined in the evaluation without being present every day. Further, he said the Commission must outline to the City Manager their desires which becomes his responsibility.

Commissioner Parness said individually, the Commission does not tell the City Manager how to do his job. The Commission sets policies as the Commission, not as individuals. As for rating, one of the most important things to him is availability and action. He said if he, as Commissioner, receives a reply and results, the manager has done his job. Commissioner Parness said the City Manager is good if he follows the direction of the entire Commission, not individual commissioners.

Vice Mayor Drosky said the ICMA also has a form and asked how it compares with Commissioner Hudak's form.

Commissioner Hudak replied that the form in question was based on the ICMA form.

Mayor Ganz said the evaluation is subjective, but it gives good guidance as it changes how the Commission approaches it. Mayor Ganz recommended adding metrics to the evaluation which can be tough in city government because many things can change, i.e. economic downturn. There are things that can be done and asked that under

each category have the City Manager plead his case as there will be things he does that will not be witnessed and vice versa. He provided examples of the type of metrics to include in the evaluation as well as an interactive aspect where the City Manager outlines accomplishments. Mayor Ganz said the manager would submit his own version of the form and what he has done to meet the goals under each category. Thereafter, he expounded on how evaluations are done at his place of employment and the difficulty of implementing hard metrics.

Commissioner Hudak said it could be added as a supplement because he wants to make the form as easy as possible and improve it in the future.

Commissioner Preston said the evaluation is not based on giving the manager a simple task but understanding the language as it is very subjective. Commissioner Preston said other criteria, other than a written evaluation are available; i.e. an assessment center to show that the City Manager really knows his job. When a number is committed to performance, no one will see it the same way, even if a task is given. Lastly, although the evaluation is needed, Commissioner Preston said the Commission must examine the evaluation's effectiveness.

David Santucci, City Manager, left the meeting temporarily at 10:44 p.m.

Commissioner Hudak explained that because the City Manager has five (5) commissioners to report to, it is important that he understand how he is performing for each commissioner. The evaluation provides an opportunity to tell the manager how he is doing according to the commissioner's standards as well as any areas of improvement based on their opinions.

Mayor Ganz commented on the evaluation process for the Broward County School Board which is still subjective. He said over the past 30 years, there has not been a formal evaluation of a city manager, but when they are doing a bad job, they are terminated. He recommended moving forward with the evaluation because it serves as a baseline and then you can figure out how to improve it.

Mr. Santucci returned at 10:47 p.m.

Anthony Soroka, City Attorney, said under the City Manager's contract, he can provide his own written self-evaluation to the Commission, though it is obligatory. Notwithstanding, the evaluation must be publicly discussed at a meeting whereby, certain items in the evaluation can be discussed. The agreement does not stipulate that he must fill out the form created by the Commission and if that is desired, it is a two-way contract that he would have to agree with. There are other provisions like the self-evaluation and the requirement that when submitted, to discuss at a public meeting where both the manager and commission address their evaluations.

Vice Mayor Drosky said the manager is evaluated every day through discussions and interactions and shared his understanding of each commissioner's perspective. Further he said the commission must agree on whether to have something on paper or continue the process of individual interactions. Vice Mayor Drosky said he does not disagree with the proposed evaluation and adding metrics as the Mayor suggested is wise and maybe it can be tweaked at a future meeting. For him, he said it is too soon to conduct an evaluation as he was recently hired.

Commissioner Hudak said only the goals would be set and around August, the evaluation would be done on how the manager performed on the commissioner's specific goals.

Vice Mayor Drosky said he would like to have something on paper so it is easier to critique each other and provides transparency to the public as well.

Commissioner Preston said good points have been made and he will go along with the evaluation and see how it progresses.

In response to Vice Mayor Drosky's question, Mr. Soroka replied that within the City Manager's contract, there is a provision for an evaluation, it provides that the Commission approve an evaluation criterion within a certain timeframe after execution of the contract. Whether this form is approved or not, it is important that at least the requirement be approved. The time period is from June 1 till August 30th.

CITY COMMISSION BUSINESS - CONTINUED

MOTION was made by Commissioner Parness, seconded by Commissioner Preston, to approve the form for the evaluation as required by the City Manager's contract. Roll Call:

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

Nays: 0

26. Resolution 2020/009 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, amending the 2019/2020 schedule of City Commission meetings; providing for 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.

Vice Mayor Drosky asked that the meeting be moved from Tuesday, March 3rd to Wednesday, March 4th as he will be out of town.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 26, adopted Resolution 2020/009. Voice Vote:

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

Nays: 0

27. Resolution 2020/010 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting a policy to support local businesses in certain small-scale purchases; and providing for 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.

Vice Mayor Drosky said the proposed resolution is a way to support local businesses in the City for small-scale purchases that are \$500 or less that the City, where practicable, with reasonable pricing, use a local vendor as opposed to going outside the City.

MOTION was made by Commissioner Preston, seconded by Commissioner Hudak, to approve Item 27, adopted Resolution 2020/010. Voice Vote:

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

Nays: 0

28. Resolution 2020/011 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the payment of attorney's fees incurred by Mayor Ganz in successfully defending ethics and elections investigations; and providing an effective date.

The Resolution was read by title only.

CITY COMMISSION BUSINESS - CONTINUED

Mayor Ganz advised that this item is related to an ethics complaint filed against him regarding Operation Santa in December 2018. He explained why the complaint was filed; wherein, Commissioner Hudak, then a candidate, volunteered and Dan Herz, also a candidate and one of the complainants, was upset about it as he believes there was favoritism. Mayor Ganz explained the outcome and advised that the Ethics Commission has changed how they perceive comments from an elected official; whereby, the elected official can voice their opinion on complaints against them.

Thereafter, Mayor Ganz opened the public hearing; however, there was a question from the audience regarding the amount being \$1,000. There were no other questions or speakers.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 28, adopted Resolution 2020/011. Roll Call:

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

World Firefighter Challenge – Commissioner Hudak said many people are unaware of Deerfield Beach, but hosting the Firefighter Challenge could change that and potentially put Deerfield Beach on a worldwide map. For years, Deerfield Beach Fire has been known nationwide as one of the top teams. The event was previously hosted in 2003 and was very successful. The 2020 event would be held on October 19 – 24; logistically, the main beach parking lot would have to be closed for five (5) days resulting in revenue loss. This event will bring over 600 firefighters and their families from around the world to eat, sleep and shop in Deerfield Beach as well as local citizens. Commissioner Hudak estimated approximately \$2 million coming into the community. He was advised that BSO (Broward Sheriff's Office) and CVB (Convention & Visitors Bureau) are willing to supplement the cost to the City and expects that local businesses like the Wyndham, DoubleTree and others would be willing to contribute. The event would be live streamed on ESPN making it a great opportunity to showcase the City to the world. If the Commission wishes to host the event, the financial and logistical hurdles can be overcome. He asked that the City sponsor the event and make it a signature, annual event. Furthermore, Commissioner Hudak asked that the Commission instruct the City Manager to have a feasibility study completed by February 18th to determine if the event makes financial sense. The study should also include reaching out to local businesses and other government/civic organizations to determine their financial contribution to the event.

Commissioners Preston and Parness spoke in support of the event and asked that the City Manager investigate the feasibility.

Vice Mayor Drosky asked what would be involved into a feasibility study as he does not like diving into something when there are many unknowns. He said there was nothing to read as it is not an agenda item; therefore, he cannot properly assess. Furthermore, it is not clear how much time the City Manager or staff will spend putting a study together. Although it sounds good, it may be cumbersome to staff.

Mayor Ganz said it seems the cost, especially with a five-day shutdown, will be enormous and would like to know how much the Broward Sheriff's Office will kick in. Thereafter, he commented on the number of people who attend the 4th of July celebration and the resources expended for the event and attendance is to capacity, but there is no help from sponsors. This year is the first-time businesses filled out a survey. Additionally, Mayor Ganz said he hopes no one is marketing the event to happen in Deerfield Beach as he has heard rumors. Though it seems like a great event, he has serious concerns and prefers sponsorship as he does not want it to cost the City anything. Lastly, he said whomever is pitching the event needs buy-in from the businesses as this will get his attention.

Commissioner Preston suggested an anecdotal feasibility study that provides surface information and the Commission possibly builds around it.

Mayor Ganz said years ago, a group asked him about bringing back the Powerboat Races to the City and he told them to provide a presentation, along with figures, but with this request no additional information was given. He said he does not want staff to do the homework for someone who came up with an idea without doing anything. He said the group who requested the Powerboat Races did the work and determined it was cost exorbitant.

David Santucci, City Manager, said the special event application process is meant to identify the costs associated with an event. In discussions with Commissioner Hudak, \$100,000 must be paid to the Firefighter's Challenge Organization to host the event and then, the City is responsible for all soft costs and/or lost revenue associated with the event. Based on what he has read in relation to the success and size of the event, it may be more than five (5) days because the schedule itself is seven (7) days with registration activity taking place the first day and day 7 being the championship. Mr. Santucci said if there is a point of contact, staff can work with him/her to identify the various aspects of the event which will help staff determine costs. His biggest concern is the deadline as there are two (2) major events the City handles, one happening this weekend and next month, Pioneer Days. Special events staff will be focused on those activities, but if there is support from the requestor and the organization does the legwork to provide pertinent information to staff for cost analysis, it can be done.

Conflict Resolution – Commissioner Hudak said our Country is at a crossroads, between hate crimes, mass shootings and terrorism, our society has become numb to violence. Youth have isolated themselves from the world and no longer live life, but view life through a small window on an iPhone. He commented on those 15 to 30 years of age living life through technology whereby, they can be whatever they desire in the virtual world. Commissioner Hudak expounded on how parents have failed to prepare this generation for the real world, where conflict is real and handling it incorrectly has real consequences. In the real world, we must accept people for their differences not just commonalities. Commissioner Hudak said he vows to serve everyone in his district, no matter the differences and to promote unity and inclusiveness. Thereafter, he commented on a group that would speak against things that are not honored in their religion. Commissioner Hudak said it is his opinion that individuals should focus on the lessons of the preferred religious text and how to live their lives by respecting, honoring and serving one another.

COMMISSIONER PRESTON

DISTRICT 2

Martin Luther King Events – Commissioner Preston said the Martin Luther King Jr. events are starting this weekend. Further, he said that notifications were sent out, but only to District 2. All other districts were systematically excluded and while those districts are diverse, they are predominantly Caucasian; nevertheless, they should have been included. He asked that moving forward, funds be available to send notification to all districts. Commissioner Preston invited everyone to attend the activities this weekend. On Sunday, January 19th, the choir competition will start at 6:00 p.m. as well as the children's choir. On Monday, January 20th, the parade will commence at 10 a.m. with many events thereafter. The speaker for the event is Senator Perry Thurston; entertainment will be provided along with battle of the bands.

Recent Shootings – Commissioner Preston said he received a lot of phone calls regarding the recent shootings on SW 3rd Street. He has spoken with Chief Brimlow and Lieutenant Hoffstein who are working to resolve the issue. He said he has never felt as though they were not concerned with these shootings and does not want anyone to think the issues are being ignored. Commissioner Preston said he has also heard gun shots in his neighborhood.

COMMISSIONER PARNES

DISTRICT 3

Office Hours – Commissioner Parnes said he opened an office in Century Village and is available the first and third Monday of the month to assist. He said it has been successful and people are coming to sit down and chat about their grievances.

Tallahassee Trip – Commissioner Parnes said he is going to Tallahassee next week to represent District 3 and the City to the State Legislature. His hope is to make a change for home rule. Furthermore, he commented on the bill regarding punishing elected officials who chose to legislate guns. Commissioner Parnes provided a brief history of gun laws and peoples' rights to the Second Amendment.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED**VICE MAYOR DROSKY****DISTRICT 4**

Office Hours – Vice Mayor Drosky said he will be available on February 1st at City Hall, from 10 a.m. till noon.

Martin Luther King Events – Vice Mayor Drosky said he will be in attendance for the events and will publicize the event in his weekly newsletter and hopes his residents will come. It is a good event to attend and time to self-reflect. Vice Mayor Drosky read a quote by Dr. King, “Darkness cannot drive out darkness only light can do that. Hate cannot drive out hate only love can do that”.

CITY COMMISSION BUSINESS - CONTINUED**28. Resolution 2020/011 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the payment of attorney’s fees incurred by Mayor Ganz in successfully defending ethics and elections investigations; and providing an effective date.**

Anthony Soroka, City Attorney, recommended that the Mayor abstain from this item which he did not recognize previously.

**MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to reconsider Item 28.
Voice Vote:**

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

Nays: 0

Abstain: 1 - Mayor Ganz

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 28, adopted Resolution 2020/011. Roll Call:

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

Nays: 0

Abstain: 1 - Mayor Ganz

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED**MAYOR BILL GANZ**

Shootings – Mayor Ganz agreed that no one should feel comfortable hearing gun shots in their neighborhood on a regular basis. Also, he is pleased that BSO is working with the community to resolve that situation.

Community Outreach – Mayor Ganz said the community has taken a huge hit with the loss of Bryce Gowdy which has brought to light a lot of things that have happened in the community. Everyone will ask what they could have done, but the most important is communicating and providing information to people.

Mental Health Symposium – Mayor Ganz said on January 18th at 1:30 p.m., at Dillard Museum in Fort Lauderdale, there is a Black History Mental Health Symposium. Every segment or society feels differently about how they talk about mental health and this is geared specifically to the African American community because there is a belief of a stigma to discuss mental health or suicide.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

Student Athlete Scholarship – Mayor Ganz said it is a complete tragedy what happened to Mr. Gowdy and recommended renaming the student athlete scholarship, which is given out through the Education Advisory Committee, the Bryce Gowdy Student Athlete, as he was much more than an athlete, but an extraordinary young man.

Request for Assistance – Mayor Ganz said he has received several phone calls from various individuals desiring to help and advised that they are working with Mr. Gowdy's mother. Mayor Ganz said he does not know them and though some people are trying to do what is best, it is also a time to exploit the situation. He cautioned everyone to be careful when people are coming forth and to contact staff for additional information before extending oneself.

Upcoming Events – Mayor Ganz outlined events for the weekend: Kiwanis Breakfast on Saturday. He also said the situation with the mailers for Martin Luther King Day needs to be rectified. Further, he commended the event and those coming out to speak.

Rumors – Mayor Ganz said there is a rumor that the City's water supply was out of compliance 56 times, which is completely false. It was stated on a website in California some years ago, but it has been corrected. Broward County would not have a problem shutting it down if it were true.

ADJOURNMENT

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak to adjourn the meeting at 11:36 p.m. Voice Vote:

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

Nays: 0

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk