



Meeting Minutes City Commission

February 4, 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 – January 14, 2020

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

Code Compliance Meeting Minutes - February 27 & March 12, 2019

Marine Advisory Board Meeting Minutes - September 26 & December 19, 2019

Planning & Zoning Board Meeting Minutes - November 7, 2019

Cultural Committee Meeting Minutes - November 25 & December 9, 2019

Community Appearance Board Meeting Minutes - December 4 & December 18, 2019

ACKNOWLEDGEMENT OF CITY BOARD MINUTES - CONTINUED

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

February 4, 2020

Commissioner Hudak asked that Item 14 be discussed out of order.

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

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

Nays: 0

AWARDS & RECOGNITION**1. Presentation by Marc Charpentier, Norcrest Elementary School Principal.**

Mr. Charpentier said although Norcrest is in Pompano Beach, it was important that they introduce themselves and inform the City of what the school has to offer. He also introduced Fred Robinson, Assistant Principal. Norcrest is a part of the Deerfield Beach High School zone and it is important to get out into the community and serve Deerfield Beach as they would any other community. Last weekend, they participated in the Deerfield Beach Arts Festival and sponsored some of the children; which many placed first and third in the competition. As the school grows, they plan to increase business partnerships to bring more people to the community. Mr. Charpentier said over the past 10 years, enrollment has been lost, so the plan is to increase it and bring the school back to where it was years ago. This includes seeking support from local businesses and going to local daycares for assistance as well. Lastly, Mr. Charpentier said he has been a principal for 14 years and though he has been with several schools, he is excited about this opportunity.

Mr. Robinson announced various programs, including a robotics club that placed second in a competition; other events: book fair, Valentine's Day, School Advisory Council Meeting, beautification project, and the Bahamas Outreach project. He said they have been selling hearts, whereby, the funds go to the Bahamas. Lastly, Kindergarten Roundup is on April 3rd at 8:30 a.m. and parents are invited to visit the school and see what Norcrest has to offer.

2. Certificate of Recognition presented to Emilio Dominguez, owner of Casa Maya Grill, for creating an inclusive workplace and contributing to the Deerfield Beach Community.

Mayor Ganz presented a certificate of recognition to Mr. Dominguez for providing an inclusive workplace and continually dedicating time and resources to the community. Casa Maya Grill is located in the Cove and offers authentic Mexican cuisine. Mr. Dominguez is being recognized tonight for his outstanding work in the Deerfield Beach Community; and his inclusiveness of employees and staff in an industry where the spoken word seems crucial to success. Two years ago, Emilio hired Alessandro Tornaboni, a 19-year-old deaf mute as a busboy after his sister Giulia, who also works at Casa Maya, exhibited a high level of work ethic. Alessandro has taught everyone who works at Casa Maya basic sign language and now staff is able to communicate with each other from across the restaurant; Alessandro always knows the needs of his customers. Mr. Dominguez is commended for his hiring practices and for allowing the City to share this feel good story.

AWARDS & RECOGNITION – CONTINUED

Vice Mayor Drosky commented on his experience at Casa Maya Grill after attending the Boots N Bourbon event and how he observed Giulia and Alessandro, who were communicating through sign language. He said Alessandro is an integral part of their business because of his ability to communicate through sign language and the other staff members' ability to communicate the needs of the customer; whereby, it has increased efficiencies to speak non-verbally.

3. Certificate of Appreciation presented to Mary Jean "MJ" Caputo for her service on the Deerfield Beach Education Advisory Board.

Mayor Ganz applauded Ms. Caputo for the contributions she has made to the Deerfield Beach Education Advisory Board. She has aptly served the board and commission at a moment's notice which demonstrates her unselfish commitment. Thereafter, she was presented with a certificate of appreciation.

4. Certificates of Recognition presented to various City employees for their dedication and commitment to the Civics 101 Program with Deerfield Beach Middle School.

Mayor Ganz said Deerfield Beach employees' dedication goes beyond their regular jobs, as demonstrated with the Civics 101 Program. Deerfield Beach Middle School partnered with the City and created this program to help engage students in local government by researching valuable solutions to the Dixie Highway Corridor, methods to preserve affordable housing in the City, pool renovation ideas, water treatment technology improvements and ideas to expand the current recycling initiative. For the final session of the program, students presented their projects and outcomes through presentations that were judged on meaningfulness of the problem, the extent of finding and applying information, real world context and others. Thereafter, Mayor Ganz announced the staff who participated in the program; Eric Power, Cassi Waren, Adrian Mocanu, Hillary Silverstone, Patrick Bardes, and Jonathan Salas. Lastly, Mayor Ganz introduced Dr. Fulton, Deerfield Beach Middle School Principal.

Dr. Fulton thanked City staff for the time they contributed as well as what the students gained through their interaction with staff; i.e. real world applications, confidence, relationships built, solutions they discovered, etc. Thereafter, City staff were presented an engraved clock from Deerfield Beach Middle School and a certificate of recognition from the City.

Mayor Ganz thanked staff again for going above and beyond their traditional duties as the City is very fortunate to have them.

DEPARTMENTAL BUSINESS

14. Resolution 2020/020 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by the Deerfield Beach Rotary Club for the "Italian Festival on the Beach" Special Event taking place at 2096 NE 2nd Street on April 4, 2020 from 2:00 pm to 10:00 pm; providing for an effective date. (Funds from Account #001-7005-579-10-02 - Overtime, Account #450-4557-534-10-02 - Overtime, Account #001-3105-522-32-05 - Fire/Rescue, Fire/BSO Special Detail & Account #001-3005-521-32-05 - Law Enforcement/BSO Special Detail)

Claude DuBois thanked the City for its support of the Italian Festival last year, as well as the police and fire departments and Rotary Club. Mr. DuBois continued to thank others for their contributions and support of the festival. He then explained that the format for the festival will be the same as last year, with street closures from NE 2nd Street to NE 20th Terrace, which is the entire street in front of the Wyndham. The goal is to create a community, family driven event that will be held on April 4th.

Kirsten Charleson, Rotary Club President, said they would like to host the event again this year and was contacted by someone asking about the event.

DEPARTMENTAL BUSINESS – CONTINUED

John Duprado, Rotary Club, said they plan to invite any of the service-oriented clubs to participate. Mr. Duprado outlined some of the activities that occurred at the event; thereafter, he asked for the City's support as it would be impossible to have the event without it. He advised that any revenue will go toward scholarships; whereas, last year, \$21,000 was given, as well as two (2) full scholarships to Florida Atlantic University in addition to the book bag giveaways. This is one of the fundraisers that make it possible.

David Santucci, City Manager, said the City does support the Rotary, but wants to make sure the Commission and Rotary understand that the recommendation provided in the backup is associated with the fact that the City has not budgeted funding to provide support for this event. Therefore, any event that is not budgeted and requests a fee waiver, the waiver would not be recommended due to this; nevertheless, it is not a reflection of support of the Rotary or Italian Festival.

In response to Mayor Ganz's question, Mr. Santucci replied yes, the cost to the City would be \$8,270.

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

Commissioner Hudak applauded the event and spoke in support, especially due to the revenue going back into the community in the form of scholarships. He asked how much of an economic impact the event made regarding donations to funding the scholarships.

Mr. Duprado replied approximately \$17,000, in addition to Rotary's contributions back to the City in various forms; scholarships and in-kind contributions.

Mayor Ganz said he received a lot of positive feedback and outlined the economic impact for the adjacent restaurants and the City; therefore, he spoke in support of the event.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 14, adopted Resolution 2020/020. Roll Call:

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

Nays: 0

QUASI-JUDICIAL PUBLIC HEARINGS

5. P.H. 2020-029: APPLICATION NO. 19-12-05 (Waste Management East)

Applicant: **Waste Management Inc. of Florida, represented by Michael Gai of Sun-Tech Engineering, Inc.**

Proposal: Major Site Plan application seeking approval to construct a 73,950 square foot recycling facility and a 5,400 square foot ancillary structure containing office space and maintenance bays

Location: The property is generally described as YORK CHASE RONTO INDUSTRIAL PLAT 123-5 B PORTION OF PARCEL A DESC AS: BEG AT NW COR OF PAR A,E 329.15 ALG N/L PAR A,S 652.88,W 327.98,N 648.75 TO POB more particularly described in the file, and located at **1801 SW 42nd Way.**

Dennis Mele, 200 East Broward Boulevard, Fort Lauderdale, representing the applicant.

Anthony Soroka, City Attorney, asked Mr. Mele if he wished to waive the quasi-judicial process.

Mr. Mele replied that he will waive. Thereafter, he provided a brief PowerPoint outlining the application.

Aerial Location Map with Existing Conditions – Mr. Mele outlined the location of the proposed facility, near Wiles Road and Powerline Road. The existing Waste Management transfer station is outlined in blue; whereas, the proposed construction and demolition debris recycling facility. To the left of the blue square, there is a project owned by Waste Connection which is not Waste Management; nevertheless, it is an additional facility in the area.

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

Site Plan – Mr. Mele said the site plan was superimposed over the aerial photo; the building in the upper left is the existing Waste Management facility and, in the center, the proposed location. It is his understanding that staff and City officials visited the location in Davie which is similar to what is being proposed in Deerfield, but the Deerfield center will have better equipment and will be quieter as it will be insulated. Also, he was told that the officials who visited Davie could not hear equipment when they were between 150 to 200 feet away.

Aerial Renderings – Mr. Mele said the building must have some open walls; however, the walls to the north must be solid since residential property is to the north side of the lake, which further reduces the sound. He also commented on the homes from Independence Bay, whereby, the southern view shows the building on the existing Waste Connection building, center is the existing Waste Management building and to the left the proposed facility. In the background is the old Wheelabrator plant which is on the south side of Wiles Road also further way.

Truck Circulation Route – Mr. Mele said staff made five (5) recommendations; the applicant concurred with all. First, staff would like trucks to enter onto 42nd Way, travel north and then exit to 43rd Terrace and travel south. He reminded the Commission that Waste Management owns the Waste Processing Building and will be leasing the processing canopy; therefore, they will provide a cross access easement between both properties which is a condition of approval, to make sure the traffic route is preserved. Additionally, he advised that one of the roadways in the area was falling apart and they are working with staff to rebuild the road; there was a broken water line which caused that part of the road to cave in. Moreover, Mr. Mele said another condition includes repaving the road with a paving and subgrade that can handle heavy trucks.

North Setback Measurement – Across Independence Bay – Mr. Mele said this shows how far away the facility is from the closest residence; whereby, Independence Bay is over 1500 feet away from the proposed facility. He said he is comfortable that the residents will not hear anything due to the equipment upgrades. Thereafter, Mr. Mele responded to questions posed by the Commission.

Mayor Ganz asked if the trucks driving in reverse will cause a noise problem due to the beeping.

Mr. Mele replied that the routing should reduce the number of times trucks are backing up due to the entrance and exit. While there may be some backing up, the beeping is a requirement by OSHA. The same condition exists at the Davie location and it is his understanding that it was still quiet the further away. Additionally, he advised that at the Davie location, there are mobile home parks close by but is not sure of the distance. Further, Mr. Mele said the applicant has complied with the City's code, as well as the 1990 annexation bill which established buffering requirements along the south side of the lake. Some are already in place and some will be supplemented further with the plant.

Continuing, Mr. Mele said the hours of operation are 6 a.m. till 6 p.m. weekdays, Monday through Friday.

Mayor Ganz asked if this is consistent with the noise ordinance.

Mr. Soroka replied yes, he believes so but will double check.

Mr. Mele said it is his understanding that those are the same hours of operation for the two (2) facilities to the west.

Commissioner Hudak expressed concerns with the facility's ability to withstand a hurricane due to having two (2) open sides and construction material. Thus, he asked how the facility would be secured in an impending storm and whether the building is hurricane proof.

Mr. Mele replied that the building meets the wind loads for a Category 5 hurricane and the materials would be disposed, by either selling or burying it at the landfill, which is Waste Management's standard protocol.

Vice Mayor Drosky said due to the proximity to both Independence Bay and Waterways communities, he wanted to make sure those residents are protected. Thereafter, he outlined his investigations into the project: review of the proposed site, tour of the facility with Waste Management, where he noticed landscaping to reduce the visibility to the adjacent residents. The next concern is noise and the impact to the residents. Vice Mayor Drosky said he visited the Davie facility, which has an extraordinarily large machine that is adjacent to the residential community, but there is not

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

a lake buffer, but the further away you walk from the machine, the quieter it becomes. Based on his observations, Vice Mayor Drosky opined that the setup in Deerfield Beach is superior to Davie due to the canopy, distance the residents are from the facility and insulated machinery. Nevertheless, though there will be dust generated from the project, the applicant agreed to dust mitigation.

Mr. Mele said there are five (5) conditions of approval, whereas, the first dealt with the road which he spoke about; the second continues with the road; third - cross access agreement; and fourth states that the applicant shall maintain the water misters and dust suppression measures as proposed on the site plan and utilize a water tank truck to continuously spray the site as necessary for dust suppression during operating hours. Furthermore, Mr. Mele said they have already begun street sweeping which will continue. He explained that the existing Waste Management facility and proposed are paved; however, the Waste Connection facility to the west is not paved; therefore, much of the dirt is being dragged onto the street. Lastly, the applicant previously asked for street sweeping assistance from the City, but the City declined due to a strenuous workload. Now, the applicant has hired a private company to perform the service.

Vice Mayor Drosky referenced the truck circulation route and advised that the road highlighted by blue arrows coming toward Wiles Road has been paved since he visited and reduces the dust; furthermore, it was paved using 9" of concrete to support the trucks. The dust mitigation agreement is not only for that road, but the road highlighted by the red arrows going into the property and Wiles Road. He said the applicant has given much, especially considering the area is zoned for the project.

Commissioner Parness asked how many new employees will be hired.

Mr. Mele replied approximately 20.

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

Samantha Gillyard, City Clerk, announced that Ronald Kaplan, doing business as Okeechobee Landfill, contributed \$1000 to Commissioner Michael Hudak's campaign in February 2019 as outlined in the agenda backup.

Commissioner Parness announced that he received a contribution in 2019 from Waste Management which was not provided by the applicant.

Other contributions were made, but not provided in the agenda backup: Mr. Mele contributed to Vice Mayor Drosky's campaign in 2017; Mayor Ganz, Commissioner Parness and Commissioner Hudak as well.

MOTION was made by Vice Mayor Drosky, seconded by Commissioner Parness, to approve Item 5, adopted Resolution 2020/012. Roll Call:

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

Nays: 0

AWARDS & RECOGNITION – CONTINUED**4a. Special presentation by Captain Rodney Brimlow, BSO District X, regarding crime statistics in Deerfield Beach.**

Mayor Ganz announced Captain Brimlow.

Captain Brimlow said he became the Chief in Deerfield Beach a year ago; thereafter, he provided a PowerPoint of different strategic actions that have been initiated and to address recent concerns in the City.

AWARDS & RECOGNITION – CONTINUED

Crime Stats 2019 v/s 2018 – Captain Brimlow said they typically handle around 60,000 calls for service every year; last year, it was 59,800. He noted that Part I crime has decreased by 6% and Part II by almost 18%. Part I crimes are more violent and directed at people; Part II crimes involve property, i.e. thefts. Some crimes such as misdemeanor battery, e.g. a fight at a football game, is a Part I crime even though it is not as violent as other crimes. Furthermore, arrests have decreased by 18% which is a result of work in the community by his staff and community leaders which is a testament to the City.

Traffic and Parking – Captain Brimlow said this is a very serious issue everywhere in the City and for his department. He mentioned that one of his deputies was killed by a drunk driver earlier this year and in addition, seven (7) other people in the City have been killed in traffic related crashes. He said the driving patterns are unacceptable as there seems to be a general lack of regard for speed throughout the City, but deputies continue enforcement. This year, the number of citations has increased from last year by almost 20%. Over 18,000 citations were written by Deerfield deputies; notwithstanding, specialized units were called into the City to help with other traffic problems and an additional 2,000 tickets were written. Also, almost 18,000 parking tickets have been written. Speeding laws and drunk driving laws will be aggressively enforced. Moreover, Captain Brimlow said when complaints are received from residents, they are routed through the Traffic Enforcement Unit and go into rotation to be addressed over time. He explained that the complaint will go through the queue, be enforced, goes down on the queue and comes back later. Until the problem is resolved, the complaint remains in the queue and the deputies continue enforcement in that area. While much traffic enforcement is complaint driven, it is also statistically driven where there are accidents. Last year, there were around 3,500 accidents in the City which was almost identical to the year before.

Drugs/Narcotics – Captain Brimlow said drugs and narcotics is another issue in the City, but deputies have been very active with this area. Around March 2019, deputies noticed a lot of narcotics issued; whereby, all deputies were issued Narcan which is an anti-opioid treatment to save them on a call. He explained that if an ounce of fentanyl were divided 12,000 times, it could kill you. It is a very deadly and serious drug so if a deputy responds to a scene where fentanyl is present and touches it, it could be fatal, if fire rescue is not immediately there. However, none of the deputies used it on themselves but was used on residents in the City. Captain Brimlow commented on how drugs are being mimicked to represent a drug but is actually fentanyl. He said the amount of fentanyl taken off drug dealers trying to sell in the City in the last six (6) months is enough to kill every resident three-times over. Deerfield Beach is not the only city that is dealing with this, but everyone is doing a good job getting the message about the dangers. Also, there have been 269 arrests related to narcotics over the year and 22 drug related deaths (overdoses). Furthermore, there were 33 search warrants in 2019 related to narcotics, deputies seized what they could and tried to prosecute those who were selling drugs to the maximum penalty. The actions taken show drug dealers that they are not welcome, and deputies will continue their best to arrest and prosecute to the maximum. This has led to displacement of drug activity outside the City; however, it creates issues in other ways.

Shootings in Deerfield Beach – Captain Brimlow said as drug arrests have decreased, there has been an increase in shooting activities. Over the last year, there were 90 calls for service related to shootings; however, 80% were not verified as shootings. He provided examples of scenarios not classified as shootings; children with BB guns, a car backfiring, etc. Out of the 18 shootings, 14 of them were in zones 1005, 1006, 1007 and 1008, which is between I-95 and Dixie Highway, from the north to south end of the City. Of the 18 shootings, six (6) had contact with a victim. Other shootings included a domestic homicide, a contact shooting at a bar dispute, which were outside drug related events.

Shootings Operations – Captain Brimlow said when they noticed an uptick on non-contact shootings, they started a special operation which brings in a lot of detectives from other districts to flood the area in an attempt to try and suppress crime. Within four (4) days, there were nine (9) felony arrests with three (3) being for convicted felons, all armed and an attempted murder suspect who was related to a prior shooting crime. One person who was arrested had 11 prior felony convictions. Another perpetrator was following an unmarked car and pursued the officer with a firearm in hand but was met with myriad other deputies on the scene.

Captain Brimlow continued to outline achievements during the operation, which included seizing vehicles. Anyone who uses their vehicle in the commission of a crime, i.e. to sell narcotics, upon arrest, their vehicle will be taken; however, they can fight for it in court. Additionally, Captain Brimlow said they will continue to suppress the crime and develop intelligence to lead to the arrest and prosecution of the people committing the crimes. It is an extraordinarily tiny percentage of folks committing the crimes and is unfair to the citizens who bear the brunt of criminal behavior.

AWARDS & RECOGNITION – CONTINUED

He asked for the community's support, whereby, Crime Stoppers now offers a \$3,000 reward, and anyone who calls can remain anonymous. Captain Brimlow said the police can also be contacted through social media, Safer Watch app and send information or call directly to speak with a detective.

Commissioner Hudak applauded the police for all their efforts and for meeting with him and a resident to address a traffic situation. He asked what happens to the revenue generated by citations.

Captain Brimlow replied that there are many hands in the pot, but a bulk of the money goes to the State and judicial system. The City of Deerfield Beach does not receive funding from the citations nor does the Broward Sheriff's Office. There is no financial incentive to write tickets, but tickets are written to increase safety. He went on to explain how much a ticket costs, especially in a school zone, and said no deputy really likes writing tickets but there is no other way to increase safety. Additionally, stop signs are an issue and although narcotics and alcohol play a role in fatalities, so does speeding.

Commissioner Hudak commented on the use of marijuana and how people do not see it as a big deal; however, it is his understanding that many marijuana cigarettes are laced with fentanyl and other products. He asked if that has been seen a lot in the City.

Captain Brimlow replied not a lot, but it has been seen. He said drug dealers are trying to make their product more powerful and appealing. If the quality of marijuana is lower, they may add a small amount of fentanyl to their marijuana to increase the intensity. It is very easy to overdose in this situation.

Commissioner Preston commented on a recent shooting and asked whether there was any change in events since his conversation with Captain Brimlow in the SW 3rd corridor.

Captain Brimlow replied that arrests have been made and their involvement has had an impact on decreasing certain violence in the area. The ability to control what another criminal element might do, even from another city, into Deerfield is difficult; whereby, even with collaboration of surrounding districts, he cannot enforce [his demands] on others. Furthermore, they have others under a microscope and once probable cause is developed, they will also be arrested.

Continuing, Captain Brimlow responded to additional questions posed by Commissioner Preston and commented on the strategies and covert procedures that help them gain intelligence and develop cases against perpetrators. This is in addition to the marked police cars which is probably the smallest component of these type operations; whereby, examples were provided. Also, there are many people working in the SW 3rd corridor as well as with citizens which is very important as they are needed to help.

David Santucci, City Manager, said community involvement is important so Captain Brimlow has reached out to various individuals and churches to discuss.

Commissioner Preston said he has had conversations with Captain Brimlow and Lieutenant Hoffstein about the seriousness of the situations, whereby, they immediately began to talk about some of the things everyone can see, but there are many things people are not aware of. On February 25th, he will host a town hall meeting at Cathedral Church of God at 7:00 p.m. referencing the shootings and things that have happened. Commissioner Preston commented on the importance of residents being able to enjoy their neighborhoods without this type of disruption; therefore, it will not be tolerated. Additionally, he said he receives prompt service from both Captain Brimlow and Lieutenant Hoffstein upon request as they care about the community. Lastly, Commissioner Preston asked if the Crime Suppression Units carry AR15's.

Captain Brimlow said by the end of this year, every deputy will be carrying an AR15 as those are standard issue for BSO due to the nature of society today.

Commissioner Preston thanked Captain Brimlow for his service and advised that people in the community want to help make the streets safe.

AWARDS & RECOGNITION – CONTINUED

Mayor Ganz said he has a quarterly faith-based breakfast in which Captain Brimlow, and his deputies attend. He commented on the line of communication with community leaders as well as other technology to assist the police; i.e. shots fired technology. Another consideration is placing a substation in heavy hit areas to deter crime as it is intolerable for any neighborhood.

Captain Brimlow said during their briefing about the recent shootings, he pulled up a study from another major city and it was determined that 80% of their homicides were committed by 0.28% of their citizens. He reminded the Commission that despite their best efforts, even with enhanced and aggressive enforcement, the deputies still have the highest responsibility of respecting the people's dignity. Also, Captain Brimlow said their 30th anniversary of BSO's contract with Deerfield Beach is approaching and on February 8th, there will be a celebratory picnic at Pioneer Park. He invited everyone to come out as there will be many activities for children with lunch being provided.

PUBLIC HEARINGS – SECOND READING

6. P.H. 2020-030: ORDINANCE 2020/008 - 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.

Commissioner Parness spoke in support of the Ordinance.

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 Preston, to approve Item 6, adopted Ordinance 2020/008. Roll Call:

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

Nays: 0

PUBLIC COMMENT

Kron Givens, 1150 SW 7th Avenue, Deerfield Beach, asked if the Commission would waive the fee for use of the Leo [Robb] Gymnasium to have a prayer service for the community. He has reached out to pastors who are willing to attend and provide words of encouragement to the community. Lastly, he asked if the city garden can be reestablished.

Doyle Scott, 165 SW 3rd Court, Deerfield Beach, asked what key educational components are made available concerning policing, whereas, educating the public seems to be lacking. Mr. Scott also commented on the sidewalk buttressing the road as it seems to be a hazard; therefore, he asked that a guardrail be installed.

Angela Storr, 278 SW 1st Street, Deerfield Beach, said she was not happy with the MLK Parade and asked that she be added to the committee next year. Ms. Storr also added that the front of her house has been torn up for about three (3) weeks. She asked when her sprinklers, grass and the road will be finished and returned to normal appearance. Lastly, Ms. Storr commented on having AR15's and recommended tasers.

Peggy Ross, 103 NE 19th Avenue, Deerfield Beach, thanked everyone for making the special events so wonderful.

There was a lengthy discussion regarding Mr. Givens' request to waive fees for use of the Leo Robb Gymnasium which is being requested for Thursday, February 6th and the amount of time given for consideration.

PUBLIC COMMENT - CONTINUED

Mayor Ganz said regarding the city garden, the volunteers ran out because it is an extensive task to tackle. He said the garden will not generate a lot of food; however, he opined that a community garden is for beautification and bringing communities together. Mayor Ganz said he is not opposed to bringing it back but prefers it as a grassroots effort and not City staff. Furthermore, he asked that staff work with Mr. Scott on the sidewalk and drain and asked that Captain Brimlow discuss policing education with him. Lastly, a timeframe will be provided to Mr. Scott once determined by staff and thanked Ms. Ross for her comments.

Commissioner Preston said the community garden would be great if there are volunteers, as a grassroots effort. When it was first initiated, there were not enough volunteers committed to the project. Commissioner Preston said the waiver for the gym is tough as it is short notice; nevertheless, with the things that have happened in the community, prayer is welcomed. He said he does not want the event to morph into anything other than prayer and confirmed that it is only a prayer meeting. He motioned approval of the fee waiver.

Mayor Ganz said he is not comfortable approving it on such short notice as staff needs to review and assure there are guarantees as there is a proper procedure that everyone must follow.

Additional discussion occurred regarding the fee waiver amongst Mayor Ganz and Commissioner Preston.

Commissioner Hudak seconded the motion, but it is predicated on whether staff receives the information in a timely manner and assuring their comfort of the event.

Commissioner Parness said there is a Methodist church in the City with five-acres of land on 44th Street and 3rd Avenue that has a community garden; whereby, they provide myriad services to the public. He encouraged the residents to volunteer their time there.

Vice Mayor Drosky said he hates to rush a decision without all the details as he does not want to set a precedent; therefore, staff should have all the details going forward. While he does not support the motion, Vice Mayor Drosky offered to pay the fee of \$300 as long as the City Manager feels that event can move forward Thursday night.

Commissioner Preston withdrew his motion.

CONSENT – BOARD APPOINTMENTS

- 7. Resolution 2020/013 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, reappointing Robert Weech as the Fifth Member to the Board of Trustees of the Municipal Firefighters' Pension Trust Fund; providing for service without compensation; 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.

There was no discussion amongst the Commission.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 7, adopted Resolution 2020/013. Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

Mayor Ganz opened the public hearing on Items 8 - 13; however, there were none to speak and the public hearing was closed.

- 8. Resolution 2020/014 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Interlocal Agreement with Broward County for Fiscal Year 2019-2020 Disbursement of HOME Program Funds for the Housing Rehabilitation Program in the amount of \$92,008; providing for execution; and providing for an effective date.**

The Resolution was read by title only.

- 9. Resolution 2020/015 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Interlocal Agreement with Broward County for Fiscal Year 2019-2020 Disbursement of HOME Program Funds for the Homebuyer Purchase Assistance Program in the amount of \$92,008; providing for execution; and providing for an effective date.**

The Resolution was read by title only.

- 10. Resolution 2020/016 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a Facility Use Agreement with Toastmasters International d/b/a Club Paradise Toastmasters - 1567808 for public speaking and leadership classes at the Hillsboro Community Center; approving the waiver of facility use fees to support the training within the City; providing for execution, severability and an effective date.**

The Resolution was read by title only.

Prior to the motion, Commissioner Preston asked about financial programs for anyone interested in Toastmasters.

David Santucci, City Manager, replied that the program costs \$45 every six (6) months; however, he is unaware of any scholarship opportunities. He said a large portion of the fee goes toward Toastmasters International and approximately \$11 stays with the local chapter to purchase awards and supplies. Mr. Santucci said he will have staff follow up to determine whether there are any scholarships available.

- 11. Resolution 2020/017 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of ITB #20-08-JW for Rental of Special Events Equipment and Supplies to A Universal Rentals and Events, Inc.; authorizing execution of an agreement with A Universal Rentals and Events, Inc.; and providing for an effective date.**

The Resolution was read by title only.

- 12. Resolution 2020/018 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, establishing and approving the rates and charges for Hydrant Use Permits and Equipment Rental; providing for implementation, conflicts, severability, and an effective date.**

The Resolution was read by title only.

- 13. Resolution 2020/019 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and the award of RFQ #20-07-PC for Coastal Engineering Consulting Services to the five responsive firms, Aptim Environmental & Infrastructure, LLC, Cummins Cederberg, Inc., Humiston & Moore Engineers, P.A., Coastal Systems International, Inc. and GHD, Inc.; authorizing the execution of contracts with the five responsive proposers; and providing for an effective date. (*Funds from Account #001-4553-539-3299 - Other Contractual Services & Account #460-5070-538-3299 - Other Contractual Services*)**

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

The Resolution was read by title only.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Items 8 – 13 in concert. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION AND LEGAL**CITY MANAGER**

Graffiti – David Santucci, City Manager, said there has been a rash of graffiti on the barrier island, but law enforcement is keeping a close watch, along with staff as everyone has been alerted to lookout for this nuisance. Most of the graffiti on public property has been resolved, but any graffiti on other property, such as a mailbox, has been forwarded to the post office. Lastly, there is graffiti on the west facing wall of the old Coco Yogurt and unfortunately, it is under new ownership, whereas, staff has been unsuccessful with contacting them. Notwithstanding, the case is going through code abatement on February 11th, pending the magistrate's direction to abate the property, staff will go out immediately to resolve. Nothing can be done until the magistrate's decision.

Beach Management Plan – Mr. Santucci said staff will be hosting a workshop on February 27th at 6:00 p.m. at the Hillsboro Community Center to discuss the plan with the Commission and receive input. The plan will include sand mitigation, testing on dune planting and others.

Financial Services Department – Mr. Santucci said the CFO resigned in September for a new position and approximately 2.5 weeks ago, the Assistant Director tendered her letter of resignation and her last day is tomorrow, February 5th. Since that time, the recruitment process has been underway, and the final stages of the interview are occurring, whereby, he hopes to have a new CFO within 30 to 45 days. To fill the gap, temporary employment services have been secured with a firm who provides this type resource. The team will assist with operations, assessment of operation and staff roles/responsibilities.

Mayor Ganz asked that the results of the pilot program on vegetation be given at the workshop.

CITY ATTORNEY

No Report.

CITY COMMISSION BUSINESS

15. Resolution 2020/021 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging the Florida Legislature to oppose Senate Bill 1128 preempting to the State the regulation of vacation rentals; directing the City Clerk to transmit a certified copy of this resolution to the Florida League of Cities and the Broward County Legislative Delegation; providing for conflicts and an effective date.

The Resolution was read by title only.

Mayor Ganz said this is another attack on home rule and said the Commission has done a good job handling this. Thereafter, he opened the public hearing.

Peggy Ross, 103 NE 19th Avenue, Deerfield Beach, spoke in support of the proposed resolution.

CITY COMMISSION BUSINESS – CONTINUED

Mayor Ganz closed the public hearing.

Commissioner Hudak said he attended the committee meeting in Tallahassee when this bill was discussed. The concern is that the preemption is for any city that has enacted something back in 2011. Only those with the foresight to move forward are exempt from the bill. He and Vice Mayor Drosky expressed their concerns with Tallahassee officials as it is written.

Commissioner Preston asked for a brief explanation of the bill, so everyone understands.

Anthony Soroka, City Attorney, replied that under current state law, local governments are prohibited from prohibiting vacation rentals in their city or regulating the duration or frequency of vacation rentals. Thereafter, he defined vacation rentals and said it only applies if a property is rented for three (3) times a year for periods of 30 days or less. Under existing city law, the Commission adopted a registration process years ago and provide contact information as well as have someone available 24/7. Those measures would be abolished with this bill and the City

would not be able to enforce existing regulations and prevent adopting new measures in the future. It would be solely left to the State.

Vice Mayor Drosky said this is another attack on home rule especially on this issue since this issue is not the same throughout the state. Therefore, it should be left to municipalities to decide for themselves. There was a vote today in the Senate and it is moving forward. Both bill sponsors seem open to massaging the language, so it is palatable to the municipalities and others.

Commissioner Parness said no short-term rentals have been allowed in his community since 1974 and asked if they would be exempt from the new law.

Mr. Soroka replied that there is a provision in the bill that provides for existing homeowners, condo association regulations that address the issue to continue enforcement, but the City could not do so.

Commissioner Parness suggested a letter to the Governor asking to veto, should the bill pass.

Mayor Ganz agreed, but recommended waiting to see what happens.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 15, adopted Resolution 2020/021. Voice Vote:

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

Nays: 0

16. Resolution 2020/022 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging the Florida Legislature to approve Senate Bill 182 and any companion bills repealing the preemption of local laws regarding the use or sale of single-use plastic bags and polystyrene products; directing the City Clerk to transmit a certified copy of this resolution to the Florida League of Cities and the Broward County Legislative Delegation; providing for conflicts and 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.

Commissioner Hudak said a study was done 10 years ago but the State still has not made any moves. Though he is not asking to ban single use plastic items, he is asking the Florida Legislature to approve the bill.

Commissioner Parness commented on home rule and the circumstances surrounding the ban on plastic straws.

CITY COMMISSION BUSINESS – CONTINUED

Vice Mayor Drosky said he is not taking a position on the underlying merits of the Resolution as it is a very complicated and involved argument. Just like plastic straws, there are unintended consequences to plastic bags and polystyrene and agreed that he would support it on a home rule perspective.

Mayor Ganz agreed with Vice Mayor Drosky.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 16, adopted Resolution 2020/022. Voice Vote:

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

Nays: 0

17. ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 18 "BUSINESSES" OF THE CITY CODE BY CREATING ARTICLE VII "PROHIBITION OF NON-MEDICAL MARIJUANA," SECTION 18-241 ENTITLED "NON-MEDICAL MARIJUANA PROHIBITED"; URGING THE STATE LEGISLATURE TO PREVENT THE LEGALIZATION OF NON-MEDICAL MARIJUANA; 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.

Commissioner Parness said if recreational marijuana makes it to the ballot, the Commission should wait till then and let the voters decide.

Commissioner Hudak disagreed with waiting because of Tallahassee's ability to preempt; therefore, he prefers to move forward now and if approved in the future, the Ordinance may be repealed. If nothing is in place, and passed in three (3) years, if there is preemption language in the bill, which allows anything adopted before 2020, the City would not have any recourse. Thereafter, he commented on his decision to stop the proliferation and expansion of medical marijuana distributors because he believed their end game was to become retail outlets. There are potentially 10 retail marijuana outlets in the City, but none of the surrounding cities do; therefore, anyone who wants to purchase medical or recreational marijuana will come to Deerfield Beach. In the early 2000's, Deerfield Beach was the epicenter of the pill mills and he does not want a repeat of that. Thus, putting something in place now, stops the opportunity for retail outlets.

Mayor Ganz said he is a big supporter of medical marijuana, and applauded Commissioner Hudak for bringing this forward. He said the proposed ordinance gives the City protection against recreational marijuana. Further, he added that his viewpoints on medical marijuana and recreational are contrary. Additionally, if ever placed on the ballot and the voters support it, it can be repealed at that time.

Commissioner Parness explained that if ever passed, Tallahassee may offer an opportunity for cities to opt out like it did for medical marijuana. Therefore, he spoke in opposition to the proposed ordinance.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item 17 on first reading. Roll Call:

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

Nays: 1 - Commissioner Parness

COMMENTS BY MAYOR AND CITY COMMISSIONERS**COMMISSIONER HUDAK****DISTRICT 1**

Saturday Hours – Commissioner Hudak said he has openings available on Saturday, at City Hall and asked that anyone wanting to meet with him contact the City Manager's Office.

Water Bill Fees – Commissioner Hudak said he received complaints regarding fees on the water bills and assured that any fees associated with December and January's bills will be waived. If there are fees before those months, they are accurate and should be paid; questions should be directed to Customer Service.

Deerfield Beach Explorer Pamphlet – Commissioner Hudak said children received the pamphlet and concerns were expressed that two (2) popular items in District 1 were not listed: Spring Soccer and Easter Egg Hunt at Deerfield Beach Middle School. Both events will go on and are on the calendar. The registration dates are not available for soccer, but it will be publicized on social media and the website once available.

Upcoming Events – Commissioner Hudak said the Chamber of Commerce has their breakfast at the Wyndham on Thursday at 7:30 a.m. and Art in the Park will be held at Sullivan Park on Saturday.

Superbowl Sunday – Commissioner Hudak said there were visitors from out of state visiting some churches; he commended St. Ambrose, the Church of Deerfield Beach and Zion Lutheran for their professionalism.

Iguana Issues – Commissioner Hudak said he has been working with Deerfield Beach Elementary School for about four (4) months to resolve their iguana issue. The school is overrun with iguanas and after speaking with the School Board, they decided to wrap the trees, but has not resolved the problem. Over the last couple of weeks, during the cold, iguanas that were frozen were removed. A business owner was willing to pay to have the iguanas eradicated, but the School Board denied it because they would be eliminating them on school property. Therefore, he met with the school principal, resident and another company last week who would trap the iguanas and take them offsite at cost charge of \$500. The bill has been submitted to the School Board and Commissioner Hudak hopes they will take care of it without removing funding from the school.

Department Audits – Commissioner Hudak said an outside consulting firm conducted audits of a couple of departments to determine ways to improve morale and reduce turnover. No results have been received at this time but hopes there are positive results. Also, he asked if studies have been done to determine whether morale and turnover has improved and what is being done to improve the overall morale of the City. David Santucci, City Manager, said he brought in assistance to evaluate various operations within the City to improve employee morale and increase employee engagement in the process. It is still ongoing and has resulted in a development of strategic plans within that department to move forward in a fruitful direction that involves the employees at all levels. Organizational change does not happen overnight but believes in positive changes, as it relates to those efforts and employee retention through the performance measures.

COMMISSIONER PRESTON**DISTRICT 2**

MLK Parade – Commissioner Preston said the parade was held on January 20th, whereby, a lot of positive feedback was received. He asked what feedback was received by staff.

Mr. Santucci replied that he will obtain the survey information and provide to the Commission.

Commissioner Preston said most people commented on the City's ability to have a good parade and thinks it is sad to negatively comment on the event without any suggestions as it did not reflect staff efforts. He applauded staff for their hard work and the advisory committee.

Black Heritage Banquet – Commissioner Preston said the banquet will be held on February 22nd at Leo Robb's Gym; tickets are \$20 [per person]. He invited everyone to attend as there will be entertainment, history and awards will be given. For questions, please call staff for assistance.

COMMENTS BY MAYOR AND CITY COMMISSIONERS – CONTINUED

Town Hall Meeting – Commissioner Preston said on February 25th, the meeting will take place at Cathedral Church of God at 7:00 p.m. to address the recent shootings and for the community to become involved with BSO to solve and eliminate these issues.

COMMISSIONER PARNESS**DISTRICT 3**

Tallahassee Visit – Commissioner Parness said he also visited Tallahassee and was able to see many legislators. Personal contact is necessary and positive; therefore, he plans to go back next year.

Office Hours – Commissioner Parness said he is available the first and third Monday in Century Village for his constituents; no appointment is necessary. He asked that anyone come out between 10 am and noon.

District 3 Meeting – Commissioner Parness said he will have more district meetings in the next couple of months. He also commented on the interaction the public has with staff at his meetings which is positive for both.

VICE MAYOR DROSKY**DISTRICT 4**

Martin Luther King, Jr. Parade – Vice Mayor Drosky thanked staff for their efforts on the parade as well as Commissioner Preston and the committee, as he had a great time. If the public had any issues with the parade, he would like to know of them to improve it moving forward.

Beekeeping 101 – Vice Mayor Drosky said the event will be held on Saturday from 9 a.m. till 11 a.m. This is an opportunity to also showcase the apiary.

Fiscal Year Budget – Vice Mayor Drosky said 25% of the budget has been expended thus far. Every department is under budget; none are over. He commended the City Manager and the team for its fiscal stewardship.

Waste Management Notification – Vice Mayor Drosky said a notice was received advising that mixed paper is being eliminated from the recycling stream. The City Manager and staff are getting together to discuss the financial ramifications. Once the data is compiled, the Commission must make serious decisions for the City, as glass has a negative value, and now paper will be removed from the recycling stream; they have 400 bales of paper as indicated in the notice. Earlier this evening, he found out that the number is closer to 1000 bales, whereby, there is no market. The harsh reality is that paper is being disposed of as garbage or burned and the contamination rate is still almost 50%.

Continuing, Vice Mayor Drosky said when recycling was cancelled momentarily, many residents reached out; however, it will be cheaper to dispose of recycling of garbage which is really going into the garbage anyway because of contamination and zero market for the commodities. He asked that the administration provide options but is not suggesting that his findings be considered an option. Decisions from an environmental stewardship and financial impact that must be considered.

MAYOR BILL GANZ

Recycling – Mayor Ganz said when it comes to recycling, it is a global issue and believes people will be surprised with what happens in the future as it does not make sense financially.

Water Bills – Mayor Ganz said there were problems and it should have been communicated better and faster to the community especially when the bill was missed in December, then January. While it was a vendor issue, he reiterated that it must be communicated better and quicker.

Annual Winter Tea – Mayor Ganz said the event will be held on Saturday at Oveta McKeithen Recreational Complex.

Praxis Issues – Mayor Ganz said he has received several calls regarding Praxis; the first he believes was resolved today as the elevator was out. He commended the commissioners for their passion in caring for their districts and while he tries to not overstep, sometimes the information comes directly to him. Also, the City Attorney has been working on other issues with Praxis.

COMMENTS BY MAYOR AND CITY COMMISSIONERS – CONTINUED

Code Enforcement – Mayor Ganz said with the graffiti, there is a process that must be adhered.

Fee Waiver – Mayor Ganz thanked Vice Mayor Drosky for stepping in and resolving the problem with the fees.

ADJOURNMENT

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to adjourn the meeting at 9:33 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