



Meeting Minutes City Commission

Tuesday, March 17, 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 7:02 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 – March 4, 2020

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

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

Nays: 0

INSTALLATION CEREMONY

1. Presentation/remarks from outgoing Vice Mayor Todd Drosky

Vice Mayor Drosky said his time as Vice Mayor went quickly; nevertheless, a lot was accomplished over the last year and was not possible without the Commission working as a team.

Commissioner Preston congratulated Commissioner Parness for stepping into the role. Thereafter, he applauded Commissioner Drosky for his performance as Vice Mayor and his representation of the City; whereas, he did so without seeking approval or accolades.

INSTALLATION CEREMONY - CONTINUED

2. Induction of Vice Mayor - Commissioner Bernie Parness

The Oath of Office was performed for Vice Mayor Parness who will serve until March 16, 2021.

3. Remarks by Vice Mayor Bernie Parness

Vice Mayor Parness said he hopes to do just as great as Commissioner Drosky.

Mayor Ganz congratulated Vice Mayor Parness and thanked Commissioner Drosky for the phenomenal job as Vice Mayor.

APPROVAL OF CITY COMMISSION AGENDA

March 17, 2020

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

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

Nays: 0

QUASI-JUDICIAL PUBLIC HEARINGS

Anthony Soroka, City Attorney, explained that in accordance with the CDC recommendation on large public gatherings, people were allowed to submit comments via e-mail to the City Clerk. Public comments will be addressed during its designated item/category.

1. P.H. 2020-042: APPLICATION NO. 19-P-225

Applicant: **Health Services (Delaware), Inc., represented by Thuy Turner of Kimley-Horn & Associate, Inc**
Proposal: Request to amend 105,000 square feet of Industrial use to Medical Office on the "Manchester Plat" (Plat Book 124, Page 24) with the remaining restricted to Industrial use.

Location: The properties are generally described as MANCHESTOR PLAT, PLAT BOOK 124, PAGE 24, PORTION OF PARCEL C, more particularly described in the file, and located at **3131 and 3201 SW 15th Street.**

Thuy Turner, 62 Wimbledon Lake Drive, Plantation, announced herself for the record.

In response to Mr. Soroka's question, the City Clerk advised that no public comments were received via e-mail.

Ms. Turner said they look forward to moving the project forward for the renovation; it will be a medical testing facility for HCA and if approved, will move forward with the Broward County Plat Note Amendment process.

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

Vice Mayor Parness clarified the facility's location.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 1, adopted Resolution 2020/032. Roll Call:

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

Nays: 0

PUBLIC HEARINGS - SECOND READING

2. **P.H. 2020-043: ORDINANCE 2020/010 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING AN AMENDMENT TO THE CITY BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; APPROVING SUPPLEMENTAL APPROPRIATIONS AND BUDGET TRANSFERS IN THE AMOUNT OF \$2,341,276 FROM THE FUND BALANCE OF THE GENERAL FUND TO THE BUILDING SERVICES FUND TO APPROPRIATE ADDITIONAL BUILDING FEE REVENUE RECEIVED FROM INCREASED BUILDING, INSPECTION AND PERMITTING ACTIVITY TO RELATED EXPENDITURES; CARRYING FORWARD \$250,000 IN THE SPECIAL REVENUE FUND FOR CDBG PURCHASE ASSISTANCE; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

In response to City Attorney Soroka's question, the City Clerk advised that no public comments were received via e-mail.

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 Preston, seconded by Vice Mayor Parness, to approve Item 2, adopted Ordinance 2020/010. Roll Call:

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

Nays: 1 - Commissioner Drosky

PUBLIC COMMENT

Mayor Ganz opened the public comment session for those in attendance; however, there were none.

Anthony Soroka, City Attorney, outlined those who submitted comments via e-mail:

George Cherenack, 2051 SE 3rd Street, Deerfield Beach, suggested placing signs, "Stay at Home" at major intersections in the City.

Glenn Sullivan, 2377 Deer Creek Trail, Deerfield Beach, asked if the City has a disaster plan for pandemics and any plans to deal with COVID-19. He also asked whether there is an economic plan for loss of revenue from parking due to beach closure and other related sales over the next two (2) months. Lastly, what specific areas of spending does the City plan to slow or stop?

Francisco Correa, 1225 S. Military Trail, Deerfield Beach, said he is the owner of Sal's Restaurant & Pizzeria and recommended a total lockdown of the City due to the huge population of people susceptible to the corona virus. In addition, Broward County is the leading county in Florida for cases and cruise ships continue; thus, posing a greater risk.

PUBLIC COMMENT - CONTINUED

Irene Chan, 5050 NE 20th Avenue, Deerfield Beach, expressed disappointment that the City's beach remained open and many people from Fort Lauderdale and Miami Beach's visited Deerfield's beach this past weekend. She believes that once testing is available, Deerfield Beach will become the new epicenter for COVID-19. Ms. Chan recommended shutting down the beach as well as other facilities except pharmacies, supermarkets and limit restaurants to takeout and delivery only.

Mary Jo Rivero, 1806 N. Flamingo Road, Suite 355, Pembroke Pines, suggested closing all Deerfield Beach restaurants for the next 30 days due to the outbreak; furthermore, Governor DeSantis is leaving it to municipalities to decide for themselves.

Gabrielle Borrero withdrew comments.

Megha Patel, 800 SE 20th Avenue, Deerfield Beach, requested closing the beach due to COVID-19 outbreak as people are coming from various locations.

Sylvie Winborn 115 SE 14th Place, Deerfield Beach, recommended closing the beach.

Mr. Soroka said the comments will be made a part of the public record maintained by the City Clerk. Thereafter, he asked if any additional comments were submitted via e-mail.

Samantha Gillyard, City Clerk, replied no.

Mayor Ganz said while the stay at home signs is an interesting approach, he believes most are doing so. He then asked that other comments be addressed.

David Santucci, City Manager, responded to Mr. Sullivan's question; whereby, the City does have a Comprehensive Emergency Management Plan. Regarding loss of revenue due to beach closures, he said there will likely be several revenue sources off target this year due to COVID-19's impact. This pandemic could also create other economic downturns to include a recession depending on the timeframe, which is concerning, as there could also be an impact on ad valorem taxes. If the pandemic progresses, staff will analyze revenues across the entire spectrum to gauge where they may have fallen short.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

In response to City Attorney Soroka's question, the City Clerk advised that no public comments were received via e-mail.

After a brief discussion, the Commission decided to vote on Items 4 – 6 simultaneously.

Mayor Ganz opened the public hearing for Items 4 – 6; however, there were none to speak and the public hearing was closed.

See Item 6 for the vote record.

- 3. Resolution 2020/033 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing a sole source purchase of a chemical feed skid for the West Water Treatment Plant Fluoride System from TSC-Jacobs, in the amount of \$32,235.00; providing for execution and an effective date. (Funds from Account #183-8000-536-6031- Non-Departmental, Improvements other than Buildings)**

Commissioner Preston asked that Item 3 be pulled for discussion.

The Resolution was read by title only.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

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

Commissioner Preston asked if the purchase will be funded from a grant.

David Santucci, City Manager, replied yes, the City will be reimbursed from the grant.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Item 3, adopted Resolution 2020/033. Roll Call:

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

Nays: 0

4. **Resolution 2020/034 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a grant agreement with the State Division of Emergency Management for the City's receipt of Flood Mitigation Assistance Grant Program Funds in the amount of \$90,000; authorizing execution of the Grant Agreement; and providing for an effective date.**
5. **Resolution 2020/035 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the First Amendment to the Agreement between Broward County and the City of Deerfield Beach for participation in the Consolidated Regional E-911 Communications System and First Amendment to the Regional Interlocal Agreement between Broward County and the City providing for cooperative participation in a regional public safety intranet; providing for execution, severability, and an effective date.**
6. **Resolution 2020/036 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of Request for Proposals #20-220-IG for Strategic Planning and Visioning Services to Rafftelis Financial Consultant, Inc.; authorizing execution of an agreement with Rafftelis Financial Consultant, Inc.; and providing for an effective date. (*Funds from Account #001-0200-512-32-99 - Other Contractual Services [not to exceed \$67,500]*)**

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Items 4 - 6. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS**ADDENDUM**

7. **Resolution 2020/037 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, extending the State of Local Emergency declared by the Mayor regarding COVID-19 until April 17, 2020; authorizing the City Manager to take appropriate actions; providing an effective date.**

The Resolution was read by title only.

Anthony Soroka, City Attorney, explained that the Mayor has the ability to issue an executive order declaring a State of Local Emergency for up to 7 days; City Commission approval is needed to extend for an additional 30 days which is outlined in the Resolution and ends on April 17th.

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

DEPARTMENTAL BUSINESS - CONTINUED

There was a brief discussion regarding extending the State of Emergency further; whereby, Mr. Soroka said he believes the City's code is consistent with the Statutes, but this is how the Code addresses emergencies.

In response to Mayor Ganz's question, Mr. Soroka replied that a meeting can be called to extend it further instead of only extending 7 days. Furthermore, he explained that the City has the authority to issue its own state of local emergency.

Mayor Ganz said he requested that the City Manager have a plan in place, to take care of the employees and their families, especially with the schools being closed and wanted it clearly communicated to the Commission what this state of local emergency meant and what it entails. Thereafter, Mayor Ganz commented on the strides achieved thus far to protect the residents, i.e. closing the beach and collaborating with other neighboring municipalities.

David Santucci, City Manager, provided an update on various actions as a result of COVID-19; recreational facilities, rentals, splash pad and pools closed, and athletic events and special events cancelled. Effective 6 a.m. tomorrow morning, the beach will be closed and will have proper signage to indicate such. Internally, every department is creating continuity plans that are meant to be flexible. City operations continue, but staff is adapting to CDC guidelines; whereas, in a two-day span, gatherings have been reduced from 50 to 10. All hygiene procedures continue and telecommuting will be in effect along with alternating shifts for employees to stagger workloads. He explained that what works for an administrative department may not work for a larger operational department; thus, the continuity plans will be customized for the function of every individual's job as well as operations of the department.

Continuing, Mr. Santucci said provisions will be implemented to provide for various mechanisms of leave, whether administrative leave, use of sick or vacation, or different circumstances surrounding COVID-19, which could range from having a common cold or needing accommodations for school closures for those with dependents. It is important to understand that as public servants, there are operations that must continue, and employees are in it for the long haul as this will not be a 1 or 2 week event. Therefore, operations must continue to the extent that the CDC's recommendations align, and governmental authorities allow operation to continue.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item 7, adopted Resolution 2020/038. Roll Call:

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

Nays: 0

8. Resolution 2020/038 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the City Manager to make provisions for electronic attendance by City Commissioners at City Commission Meetings during periods of a declared Public Health Emergency; providing for severability, conflicts, implementation, and an effective date.

The Resolution was read by title only.

Anthony Soroka, City Attorney, said there have been questions about the legalities of having electronic/virtual meetings. After corresponding by letter with the Governor., there was an attorney general opinion that suggests needing a physical quorum present to hold a Sunshine Meeting; however, those opinions were given in a non-emergency context. With the CDC and Federal Government recommending no gatherings of 10 or more, there are other jurisdictions within the State implementing this; whereby, meetings are being held, closed to the public and providing for electronic means and public participation. The proposed resolution provides for the Manager's authority during a declared public health emergency to arrange for the City Commission to meet electronically should it become necessary. He advised that the public must be given the greatest opportunity possible to provide comment and be engaged; the meeting will be recorded, and minutes transcribed.

David Santucci, City Manager, provided a brief history as to the steps taken to secure these services. If utilized, the meeting will be public and public participation will be provided. The technology will be tested soon to assure it functions properly; thereafter, a special meeting will be held to test with the City Commission to make sure they are

DEPARTMENTAL BUSINESS - CONTINUED

comfortable. Mr. Santucci explained how the software can be used with public input; nevertheless, other means for public comment will also be allowed such as e-mails to the City Clerk's Office.

Commissioner Preston posed concerns with the public being able to interact through the electronic meeting.

Mr. Soroka advised that he and his firm attempted to receive an informal opinion from the Attorney General's Office, and also contacted the Governor's Office and the Public Health Department as well as a number of other city attorneys for guidance. While everyone understands the issue, a formal answer has not been provided. Additionally, the purpose is not to conduct the regular meeting, but when the Commission needs to meet to address public health and safety issues until a formal blessing is received from the State. Therefore, he proposed limiting the scope of such meetings even with trying to adhere to the Sunshine Law to the greatest extent possible, i.e. limiting controversial items.

There was a brief discussion on how the meeting would take place, public input and possible obstacles.

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

MOTION was made by Commissioner Hudak, seconded by Commissioner Drosky, to approve Item 8, adopted Resolution 2020/039. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION AND LEGAL

CITY MANAGER

Introductions - David Santucci, City Manager, introduced the new Assistant City Manager, Angelia Adediran, who has been with the City for one (1) week. Mrs. Adediran comes from Virginia and has over 30 years of government experience in various realms.

Additionally, Mr. Santucci introduced Stephanie Tinsley, Chief Financial Officer, who has a broad range of financial services background in local government; today is her second day.

CITY ATTORNEY – No Report.

CITY COMMISSION BUSINESS

9. Motion to approve waiver of permit fees for the Boys & Girls Club teen center expansion.

Mayor Ganz clarified that the motion is to authorize the appropriate City staff to take all necessary actions to reduce the building permit fees as much as possible for the Teen Center Expansion Project. Thereafter, he opened the public hearing; however, there were none to speak.

There was no discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, authorizing the appropriate City staff to take all necessary actions to reduce the building permit fees as much as possible for the Teen Center Expansion Project. Roll Call:

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

Nays: 0

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

COVID-19 Testing - Commissioner Hudak said as noted by the Governor, Memorial Health Systems, which has numerous hospitals under their umbrella, is the chosen hospital for drive up testing. If an individual has symptoms, and testing is deemed warranted, the person will be limited to the tent area for testing. Currently, the only hospital in Broward County authorized for drive up testing is Memorial Hospital in Pembroke Pines. Physicians must refer individuals to the hospital, as certain checks are required before a person is tested. Lastly, he advised that Broward Health North will not have drive up testing; whereby, a large tent will be displayed in their parking lot but will not be utilized for drive up testing.

COMMISSIONER PRESTON DISTRICT 2

COVID-19 Pandemic - Commissioner Preston said there is a potential for people to receive misinformation and become panicked; therefore, providing pertinent information and remaining professional is the best way to calm the situation. He explained that this is widespread and very different from a hurricane, whereas, it may be around for a while. Furthermore, he suggested thinking about the effect of the schools closing until the end of the school year and figuring out how to address it now. Commissioner Preston also recommended taking temperatures at the commission chamber doors if the meetings are in person. Lastly, Commissioner Preston said the City Manager and staff have done a good job communicating and taking action.

Welcome - Commissioner Preston welcomed both the Assistant City Manager and Chief Financial Officer to the City.

COMMISSIONER DROSKY DISTRICT 4

COVID-19 Communication - Commissioner Drosky said he expressed concerns about the possibility of meeting during emergencies with County Commissioner Chip LaMarca. Commissioner LaMarca said Deerfield Beach is not the only city asking him about this subject, but the State will look into it. Unfortunately, Commissioner Drosky said he does not know if any action will be taken in the short term as the legislature has not yet passed the budget.

Thereafter, he provided prevention guidelines as outlined by the CDC to stay safe, i.e. washing hands and social distancing.

Potential Opportunities - Commissioner Drosky said having virtual meetings may be the wave of the future as the technology is being used in various governmental capacities, such as courtrooms. Additionally, he said telecommuting was mentioned earlier and it could be a viable option moving forward. Telecommuting could also result in greater efficiency because travel time is eliminated.

Food Distribution - Commissioner Drosky said there is assurance that the food supply is not lacking; however, he recommended refining tools in determining how to get food to residents and stores in times of future emergencies.

Emergency Management Plan - Commissioner Drosky said learning how to respond in emergencies by taking actions to close beaches and parks, but also protecting residents are valuable lessons that are being learned hourly. There is a benefit as we all learn how to navigate as it will make us better leaders and have more informed residents.

VICE MAYOR PARNESS DISTRICT 3

Commission Meetings - Vice Mayor Parness said he prefers in person meetings as this is an older community. Thereafter, he voiced his objections to a virtual meeting as residents e-mails can be misconstrued by the reader. Therefore, these meetings should be held only in the rarest of situations.

MAYOR BILL GANZ

Broward County School Board - Mayor Ganz said he received an alert from Broward County Schools and on March 20th, computer devices will be supplied to students in need, so classes can resume online.

COMMENTS BY MAYOR AND CITY COMMISSIONERS - CONTINUED

COVID-19 Operations - Mayor Ganz said BSO Fire Rescue advised that they are taking all precautionary measures at the discretion of the medical director and continue to service at full staffing during the State of Emergency. Further, they have contacted all nursing homes and confirmed their medical protocols. Fire rescue and law enforcement continue to work a unified command structure.

Revenue Concerns - Mayor Ganz said the situation everyone is dealing with is unprecedented. The reality is that revenue will decrease, and everyone will suffer; but the goal is to ensure that it is not completely as devastating as it could be. Mayor Ganz commented on the downside of event cancellations and the need to save in other areas which are not detrimental to the employees and citizens; nevertheless, reserves are in place to address any potential shortfalls but should not be the first alternative.

Working Together - Mayor Ganz said cities should continue to work together and commented on his communication with Mayor Rex Hardin and Mayor Chris Vincent, as well as other mayors. Moreover, he thanked staff for their efforts.

Economic Impact - Mayor Ganz said he does not think the restaurants should be shut down completely as the economic impact will be brutal and there are too many people living paycheck to paycheck in that industry; therefore, closing completely will have a devastating effect on them. Until the federal or state comes in with assistance, he urged people to support local businesses via carry out or delivery. Lastly, he said restaurants should adhere to CDC guidelines and people should not be gathered in large crowds, per those guidelines.

Communication - Mayor Ganz said staff will provide information as quickly as possible; nonetheless, he is also tweeting or adding information to Facebook; whereby, he tweeted the other night that Aldi's would be closing an hour early. Mayor Ganz said any information should be communicated to one another. Also, the City Manager has been tied up on conference calls at least four (4) hours daily and applauded him for providing information regularly. Lastly, Mayor Ganz said he spent the day trying to coordinate with other cities to close beaches and obtain ever-changing information.

Prior to the adjournment, David Santucci, City Manager, announced that Broward County schools will remain closed until April 15th.

ADJOURNMENT

There was no further business.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to adjourn the meeting at 8:07 p.m. Voice Vote:

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

Nays: 0

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk