



Meeting Minutes City Commission

Tuesday, June 16, 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., via virtual electronic meeting.

Present: 5 – Commissioner Todd Drosky
Commissioner Michael Hudak
Commissioner Ben Preston
Vice Mayor Bernie Parness
Mayor Bill Ganz

Also Present: 3 – City Manager David Santucci
City Attorney Anthony Soroka
City Clerk Samantha Gillyard

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Parness.

APPROVAL OF CITY COMMISSION MEETING MINUTES

City Commission Workshop Meeting Minutes - May 14, 2020

Regular City Commission Meeting Minutes - June 2, 2020

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

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

June 16, 2020

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

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

Nays: 0

QUASI-JUDICIAL PUBLIC HEARINGS

1. P.H. 2020-052: APPLICATION NO. 14-PID-5G (HILLSBORO TECHNOLOGY CENTER BUILDINGS G & H)

Applicant: **HILLSBORO TECHNOLOGY CENTER, LLC, REPRESENTED BY MALCOM BUTTERS**

Proposal: Major site plan application seeking approval to construct two (2) single-story industrial buildings totaling 296,915 square feet on approximately 17.86 acres in the Hillsboro Technology Center PID.

Location: The property is part of a 74.72-acre parcel, described as a portion of parcel A, Hillsboro Technology Center, more particularly described in the file, and located at **220 Hillsboro Technology Drive**.

Dennis Mele, applicant representative, advised that Mr. Tucker Gibbs, who represents Lynn Guez, Boca Raton, asked him to provide comments for the record: comments have been received from neighbors and as a result, the site plan has been revised and was incorporated into the official plan. The light poles were lowered for parking lot lighting from 25 feet to 20 feet for the entire site for both buildings; wall pack lights were removed from the north face of the wall and east face, so the only ones remaining are on the loading docks; the loading docks are on the interior because they face each other. Additionally, the lighting in the parking lot has the back half of the bulb shielded, so the light only goes toward the property and parking lot, not the neighbors' properties. Furthermore, the applicant has agreed that if any changes are made to the lighting or wall packs, a site plan amendment would be required. Lastly, a double row of trees was added to the plan for additional buffering. He said Mr. Gibbs asked him to read this into the record.

Eric Power, Director of Planning & Development Services, said this is the final phase of the Hillsboro Technology Center project; whereas, the applicant has come to the City multiple times to develop the parcel which included land use change, rezoning and site plan. This is the final application being submitted to the City for the last two (2) buildings. The applicant did go before the Planning & Zoning Board and after comments from Boca Raton residents, the applicant revised the plan for an additional row of trees and change to lighting; there are no outstanding comments.

Mayor Ganz opened the public hearing.

Tucker Gibbs, 3835 Utopia Court, Coconut Grove, representing Lynn Guez, 1320 SW 13th Lane, Boca Raton, across from Hillsboro Canal, and the project. He advised that his client and other neighbors appeared before the Planning & Zoning Board on February 6th and commented on the impact of lighting on the properties across the canal to the east of the site. His client is pleased that the applicant has responded by lowering the lighting heights to 20 feet, removing the wall pack lights and shielding the lights. He also thanked Mr. Mele and the applicant for agreeing to ask the Commission to include in the Resolution, approving this application that any change in the three (3) items shall be treated as a site plan approval and require City Commission public hearing with notices for a site plan review.

Sergio Salani, 1266 SW 21st Lane, Boca Raton, provided various reasons why he opposed the project. First, the height of Building H; there needs to be compatibility with the neighboring uses and zoning. The height and use of the proposed structure is not compatible with the houses of the residential communities to the north and east. He recommended making Building H the same height as Building C, 24 feet in clearance. He asked why Building H is going to 43 feet with a clearance of 32 feet in the interior. Additionally, Building H should be pushed back to allow a berm that is sensible, as the current berm is limited by the Water Management District; however, Building H can be brought closer to Building G to create space and berm so the neighbors to the north are not harmed as much. Mr. Salani said while he is happy with the progress made; i.e. trees, they are not tall enough and should be taller to better cover the area. While there are improvements on the lights, he said there is no improvement on the noise; whereas, there has been racing in the area and the police were contacted. He said security needs to be improved; lastly, he commented on the damage to their home values because of the construction noise once the project is underway.

Anthony Soroka, City Attorney, advised that a presentation will be provided and asked Mr. Mele if he wished to waive the quasi-judicial proceedings.

Mr. Mele replied yes, he will waive the proceeding; thereafter, the presentation was given. The first slide showed the master plan for the property that was approved as part of a rezoning to the Planned Industrial District (PID). The two (2) northern buildings are being proposed tonight, Buildings G and H. The site plan matches the master plan exactly; the building heights are the same as well as position, location and setbacks. The only difference between the site plan and the master plan are the changes presented tonight. There are no variances or deviations from Code in any respect and the additions have been added to the slide as well. The second slide highlights the northernmost portion of the property and to the right, there are existing trees. At the northern end, a lake was installed and on both the

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

east and west side of the lake there will be trees and a double row of trees on the north edge of the property.

Continuing, Mr. Mele said the application meets Code requirements and the difference between the proposed plan and the one recommended by the Planning & Zoning Board was the modifications to the lighting and landscaping previously mentioned. Thereafter, he entertained questions of the Commission.

Mayor Ganz provided another opportunity for public discussion.

Mr. Salani said although it does not deviate from the master plan, the master plan did not provide any notice to the neighbors to the north, who were unable to speak against it. He asked that the same height for Building C be used for Building H as it is consistent with the plan and works with the residents.

Michael Stearns, 2200 Juana Road, Boca Raton, said he distributed pictures of the trees the applicant plans to install and even though there will be a double row, it is disingenuous because the trees are not that big (14 feet). There will be an enormous impact on their properties, not just from the light or noise. He continued to voice his complaints with the proposed plan and suggested a berm 10 feet high with other trees. Lastly, Mr. Stearns said the applicant should be held to a better standard.

Mayor Ganz closed the public hearing.

Mr. Mele said Building C is shorter because of the tenant occupancy, but all other buildings are consistent with what is being proposed. Regarding the master plan, he was involved when the land use amendment was done and the rezoning; whereas, Boca Raton residents did attend the meeting, but he is unsure whether they are the same individuals who spoke tonight. There was a question raised at that time about notice; wherein, City staff followed the notice requirements for Deerfield Beach's code and people have again attended which is the main issue. Additionally, Mr. Mele said the landscape plan has been approved by City staff and the Community Appearance Board; with recommended approval by the Planning & Zoning Board. The proposed application meets all Code requirements and the applicant has gone beyond those requirements in response to the comments heard from the neighbors to the north.

Mayor Ganz asked if there is any consideration for installing trees higher than 14 feet.

Mr. Mele replied that it has not come up, but they will work with staff to find trees taller than 14 feet; the trees proposed are largely oak trees.

Vice Mayor Parness spoke in support of the project. Thereafter, he asked various questions regarding the project.

Mr. Power replied that the Code allows 100 feet for building height; the proposed building height is 42 feet. Furthermore, the oak trees are 14 feet which is the requirement for perimeter landscaping in this district.

Vice Mayor Parness asked if the Clerk's Office has received any complaints from the neighbors to the east.

Samantha Gillyard, City Clerk, replied no.

Vice Mayor Parness urged the Commission to approve the project because of the applicant's compliance to City Code and no complaints from the eastern neighbors.

Commissioner Hudak said he has been working with Mr. Salani for the last couple months; thereafter, he thanked Mr. Butters and Mr. Mele for addressing the light situation as it has been a challenge and is glad a solution was found. Further, he hopes larger trees can be found as the lighting is 20 feet and the trees are 14 feet. He said he believes oak trees take quite a while to grow and prefers finding taller trees. Additionally, Commissioner Hudak said he has received a complaint about drag racing in the back and asked who would be able to adjust the lights on or off.

Mayor Ganz said he spoke with Mr. Mele regarding the project. He provided a brief history of the parcel's rezoning from the Deerfield Beach Country Club and opposed the land use change. The project in its entirety has turned out to be a good thing for the City which is why he has supported it. He applauded Mr. Butters for working with the

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

neighbors and the City; however, not all the problems presented can be resolved, but he is sensitive to all the residents. Mayor Ganz advised that when a specific tree height is requested, it sometimes is not obtainable; therefore, making the height a requirement becomes problematic which is his concern. Notwithstanding, he is open to providing more tree coverage.

Commissioner Preston said it is important to consider the City's neighbors, but the Code has standards. The challenge is whether the applicant meets those standards and if met, was there anything done in an attempt to bring about a better relationship with the neighbors which he believes was done. Commissioner Preston said he is comfortable with City staff and their actions, therefore, he motioned approval.

Mrs. Gillyard advised that a disclosure affidavit is included in the agenda backup indicating that Mr. Butters provided campaign contributions to both Commissioners Parness and Preston.

Mr. Soroka said Mr. Stearns referenced a picture that was provided via e-mail to the Commissioners regarding the tree.

Mayor Ganz announced that he also received a campaign contribution from Mr. Butters.

Mr. Mele advised that his affidavit should have been received for Mayor Ganz, Commissioner Drosky, Vice Mayor Parness and Commissioner Hudak. Nevertheless, it will be filled out promptly and submitted to the City Clerk.

Mayor Ganz asked if there will be any consideration for installing larger trees.

Mr. Mele replied yes, if they can locate any.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve Item 1, adopted Resolution 2020/057. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION AND LEGAL**18. Presentation by FDOT regarding the updates on the SW 10th Street Connector Project.**

Mayor Ganz asked that Item 18 be discussed out of order; there was no objection.

Rob Bostian, Florida Department of Transportation (FDOT), introduced Phil Schwab, RS&H Team Leader, who is the consultant firm performing the SW 10th Street Connector Project Study. Mr. Bostian thanked the Commission for the opportunity to present a very important project to the City and region. He thanked Mayor Ganz and Commissioner Drosky as well as staff for their input as it is greatly valued by FDOT. It has been three (3) years since FDOT received the request from the Broward MPO as a priority project to begin this project development environmental study. Considerable progress has been made including many modifications and improvements to the project and are approximately three (3) years away from starting construction, but there is still a long way to go.

Continuing, Mr. Bostian said numerous inquiries about the project have been received and the public is eager to learn about the project status and improvement made over the last six (6) months. Though the pandemic has had widespread impact, the project team continues to work on this project. Working with City staff has been the key to reaching solutions for the concerns Commissioner Drosky, Mayor Ganz and certain MPO Board members expressed back in October. Mr. Bostian said they are committed to continue engagement with the public as it is effective and continues to shape the project. He advised that the presentation will provide an overview of the project and how to address current issues and respond to questions.

COMMENTS BY ADMINISTRATION AND LEGAL – CONTINUED

Project Location – Mr. Bostian highlighted the project location with the regional roadway system; the inset highlights the SW 10th Street corridor; three (3) environmental studies are ongoing with two (2) being in FDOT District IV – SW 10th Street corridor and I-95. He is managing both projects, whereby, they are progressing with a project that is currently funded.

Broward MPO: COAT – Mr. Bostian provided an overview of the Community Oversight & Advisory Team (COAT); whereby, recommendations were provided to the MPO and passed along to FDOT. The FDOT used these recommendations as a guide to develop and refine the project.

Purpose and Need – Mr. Bostian said the COAT recommendations were used from the beginning to develop the purpose and need: 1) Strategic Intermodal System connectivity is a major corridor between Sawgrass Expressway where it ends at the Turnpike and I-95; 2) it is important to enhance intermodal and economic development; 3) it is also important to address the SW 10th Street needs and the congestion; 4) there is currently a high crash volume along certain portions of the road, therefore, they would like to address both safety and operational issues caused by congestion; and 5) due to the congestion, FDOT would like to enhance emergency response times and recognize that this is an important evacuation route.

One Corridor, Dual Facilities – Mr. Schwab advised that webinars will be offered soon on project information which will be more detailed. First, they are considering two (2) facilities within the corridor; a connector road that takes drivers from Sawgrass to I-95 at a higher speed, limited access. The other is the local street for lower speeds and accommodation for bicycles and pedestrians.

PD&E History – Mr. Schwab said public engagement has been very active with changes to the project. The first workshop in April 2018 included alignments and a fully depressed section. A range of options continued and during the alternative workshop #2, November 2018, it was determined that trucks should be allowed in the connector lanes. There was an overpass at Waterways that should be addressed as well as connector lanes being tolled. Following that meeting, FDOT selected the westbound depressed ramp as their preferred alternative. Mr. Schwab said both the City and MPO raised concerns that all the needs were not being addressed and meeting expectations; therefore, the October 2019 public hearing was postponed.

Summary of the City of Deerfield Beach's Concerns – Mr. Schwab said in meeting with the City over the last six (6) months, they came to an understanding over what the concerns were. Thereafter, he provided the outcome from the meetings for the westbound depressed ramp FDOT preferred alternative: 1) from Sawgrass to I-95, it connects to the express lanes on I-95 and not the general purpose lanes which could exclude many cars onto the local roads; 2) need for a more complete street element as safety and multi-modal aspects was a concern; 3) there was not enough depressed section elements, even though they were depressing the westbound ramp lane from the connector lanes to the local lanes and trying to keep it level in front of the residential areas in the middle of the corridor. Further, he said the depressed roadway was desired to enhance the aesthetics and mitigate the noise along the corridor. Continuing, 4) there was not enough green space so an option was created for more green space; and 5) full access to and from the Turnpike from SW 10th Street.

I-95 Connections – Serve Express and General Purpose Lanes – Mr. Schwab advised that this slide depicts a line diagram which is a way to reflect ramp movement that is contemplated and changed for the project. The black lines from left to right are 10th Street and the green lines are the connector lanes. The connector lanes will be north of 10th Street and the I-95 general use lanes are to the right in black and the I-95 express lanes are in pink. Coming from the connector lanes to I-95, it now provides an opportunity to enter onto the general use or express lanes without going through 10th Street. The same option will be provided from I-95; this is a positive and can be attributed to Mayor Ganz and Commissioner Drosky voicing their concerns. The interchange can be fitted into the footprint at the interchange and not raise it any higher to make additional connections; the connections to the general purpose lanes and express lanes are a little north and south of 10th Street using braided ramps in some of the locations.

Make Local 10th a Complete Street – Mr. Schwab outlined changes to make 10th Street a Complete Street; whereby, 7 foot bike lanes were proposed on the local streets and a 10 foot shoulder to accommodate the bike lanes for the

COMMENTS BY ADMINISTRATION AND LEGAL – CONTINUED

westbound traffic. The graphic depicts an eastern view along 10th Street. The Florida Design Manual was modified and allows for flexibility, whereby, if the bike lane was removed from the pavement and a shared use path (on the right) was added, the sidewalk increases, there is a 12 foot shared use path introduced in the base concept which allowed additional green space. There is more of a buffer between the road and sidewalk, but instead of a paved shoulder, they introduced an 8 foot sod and landscaped strip between the local and connector lanes.

Eliminate Local Access Ramps (to Increase Green Space) – Mr. Schwab pointed out the ingress and egress from 10th Street to the connector lanes. The ramps near the Newport Center allows access to connector lanes if east of I-95 on 10th Street; west side, east of Powerline, access is provided to connector lanes or leave the connector lanes in a westbound direction. One suggestion was made to remove ramps to gain more green space along the corridor which could be accomplished by removing the Powerline local ingress/egress. He advised that if the ramps are removed, the traffic on 10th Street will increase.

Alternatives Comparison – Mr. Schwab said the top graphic is an aerial showing the alternative with the Powerline Road ramps. The blue shading is the eastbound connection, Powerline Road is on the left and as people move through the intersection, access to the ramp for the connector lanes is provided. Additionally, coming from the right, drivers are already in the connector lanes and to connect to the local lanes, the blue ramp goes under the eastbound connector road. The goal was to not elevate the road in front of the residential areas, but to go under. Thus, the westbound connection gives drivers access to Powerline, north and south, and to the western communities. The bottom graphic shows removal of ramps and the potential for additional green space. Furthermore, Mr. Schwab advised that additional right-of-way is needed at Waterford Courtyards to fit all the elements shown, including the ramps in the first, but it is not needed in the bottom depiction.

Alternative Comparison – Mr. Schwab showed renderings with and without Powerline Road ramps. There is an increase of green space without the ramps; the bottom rendering shows the road being about 45 feet from the residents. Both options shown reduce the 2040 design year volumes well below the current traffic levels; including the ramps yielding a much larger decrease in the projected traffic volume. The traffic will be much less than the volume on 10th Street today. Also, the decrease would be reflected for both Powerline Road ramp options.

Status of Addressing Concerns – Mr. Schwab advised that this outlines the five (5) areas of concern and more depressed section is not being proposed. The option without Powerline Road ramps removes the depressed section. There are several impacts if the depressed section is continued to the west and to the east is problematic; more details will be given during the webinars. There will be additional discussion on enhancing aesthetics; the noise analysis portion has been complete, but with and without ramps, all the residential areas are warranted for noise walls. Moreover, there will be a separate PD&E study for the Turnpike, abandoning the idea of making connections to their express lanes. Their concept and priority is to move in a direction agreed by the City; also being discussed during a webinar and more stakeholder outreach will take place at the end of the year with the public hearing likely being in the next calendar year.

Next Steps – Public Engagement Plan (SW 10th & I-95) – Mr. Schwab advised that the three (3) virtual project webinars will take place on June 18th, June 29th and July 1st. There are approximately 340 registered; questions and answers and slideshow will be posted for each webinar. The same information will be provided, but this gives people different opportunities to view and ask additional questions. More meetings with homeowner associations, stakeholders and individuals will continue with the hopes of more face to face meetings. A public hearing is proposed for September, an update to the MPO will be provided in July; followed by a post-hearing update to the MPO in the fall to advise of the outcome of the public hearing. Other steps required are the location design concept acceptance (approval process) for final design and construction (spring 2021); construction is funded in fiscal year 2023.

Mayor Ganz said he will not be available for the first meeting. He commented on the discussions and collaborative efforts made on this project; thereafter, he thanked various agencies for listening to the residents' concerns and making adjustments. Further, he said with the Powerline Road ramps, it reduces local traffic peak hours by 73% in the morning and 52% in the evening based on the 2040 projections. Without the ramps, which provide more green space, the current traffic level is 40% in the morning and evening is 20%. There are a significant number of trips between those options. He commented on myriad options discussed during the process, but engineering challenges presented problems that could not be overcome, like the proximity to the lakes at Quiet Waters Parks and the potential

COMMENTS BY ADMINISTRATION AND LEGAL – CONTINUED

for disrupting those prevented submerged roadways. Mayor Ganz outlined other issues with a submerged roadway. Additionally, eliminating Powerline Road's access takes away green space, but the north and south feeders from Powerline service the industrial areas and serve as an economic engine. He advised that any disruption to industrial services is a negative impact on the City.

Continuing, Mayor Ganz said the City wanted the local businesses to have the same access as others. Thus, without the Powerline Road ramps, that would be lost. Considering there is a lower traffic level on the local road, that design should not be overlooked. Although green space sounds great, it will add more traffic on the local road. Lastly, he said he looks forward to hearing the feedback over the next few months.

Commissioner Drosky also thanked Mr. Bostian, Mr. Schwab and Secretary O'Reilly for hearing the City's concerns. He said there is an issue with trying to explain the lack of depression on 10th Street which was the number one recommendation coming from the COAT committee. He asked Mr. Schwab to provide an explanation at the proper time as to why the depression is lacking on the local road. Thereafter, Commissioner Drosky commented on the halt in the process and how long it has been since the public was involved. He also asked that those living in Independence Bay, Waterford, Waterford Courtyards or Waterways, provide feedback as those ramps would provide access to the express lanes or not as there are tradeoffs. To have access to the express lanes from 10th Street, from those communities, that project will have a bigger footprint and less landscaping. If that is not desired, the project will have a smaller footprint and more green space.

Commissioner Preston said a project of this size requires a lot of attention; those representing the City must see the nuances and details of the project. He also thanked Commissioner Drosky and Mayor Ganz for the time they've devoted to this project.

Mayor Ganz opened the public hearing.

Denise Bogner, 1157 SW 26th Avenue, Deerfield Beach, provided an e-mail which was read in the record by the City Clerk. She outlined her objections to the SW 10th Street project, the costs and the lack of visioning. She also commented on the FDOT's vision of a congestion free roadway and that the unemployment rate as well as the increase of telecommuting will already contribute to that. Her comments also highlighted the financial suffering of many businesses and layoffs.

There were no others to speak.

Mayor Ganz thanked Mr. Bostian and Mr. Schwab for the presentation.

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

1. P.H. 2020-052: APPLICATION NO. 14-PID-5G (HILLSBORO TECHNOLOGY CENTER BUILDINGS G & H)

Applicant: **HILLSBORO TECHNOLOGY CENTER, LLC, REPRESENTED BY MALCOM BUTTERS**

Proposal: Major site plan application seeking approval to construct two (2) single-story industrial buildings totaling 296,915 square feet on approximately 17.86 acres in the Hillsboro Technology Center PID.

Location: The property is part of a 74.72-acre parcel, described as a portion of parcel A, Hillsboro Technology Center, more particularly described in the file, and located at **220 Hillsboro Technology Drive**.

Mayor Ganz continued Item 1 due to a caller not being able to access the meeting during the public hearing.

Anthony Soroka, City Attorney, advised that the caller wanted to confirm that the approval given by the Commission included the agreed upon changes by the applicant that any amendment to the site plan going forward that would modify the lighting or landscaping would require City Commission approval versus administrative approval.

Mayor Ganz allowed the caller to speak.

Sandrine Guez, address not given, agreed that she wanted to clarification that the change stipulated and agreed to by both Mr. Butters and the attorney would be treated as a site plan amendment.

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

Mr. Soroka said the motion was not as amended and asked that another vote be done that the application is being approved with the stipulation; any future amendments to the site plan for that location, to modify the lighting or landscaping would require City Commission approval as opposed to administrative approval.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item 1 as amended, adopted Resolution 2020/057. Roll Call:

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

Nays: 0

PUBLIC HEARING

- 2. P.N. 2020-050: Resolution 2020/058 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting and authorizing submission of the Community Development Block Grant ("CDBG") Five Year Consolidated Plan for Fiscal Years 2020/2021 through 2024/2025; adopting and authorizing submission of the CDBG Annual Action Plan for Fiscal Year 2020/2021; providing for implementation and an effective date.**

The Resolution was read by title only.

Vicki Placide-Pickard, Director of Community Development, said Item 2 is the City's Five Year Community Development Block Grant Consolidated Plan and Annual Action Plan. CDBG is a federal entitlement fund that the City receives annually to primarily benefit very low, low and moderate income individuals and families to provide a suitable living environment, decent housing and expand economic opportunities. The five year plan functions as a planning document for the City and identifies long and short term community development objectives, a strategy to follow and carry out HUD programs and an action plan that provides a basis for assessing performance. For FY 2021, beginning October 21st, the City will receive an allocation of \$690,707 to provide purchase assistance [\$252,566], with applicants receiving up to \$50,000; new playground at the Oveta McKeithen Recreational Complex [\$150,000]; home repair [\$100,000]; and funding programs for the Center of Active Aging senior transportation [\$25,000], adult daycare [\$15,000], senior health and wellness [\$10,000], and 20% of the total allocation goes to planning and administration which is \$138,141. If approved, the plan will be submitted to HUD and is due by August 15th.

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 Resolution 2020/058. Roll Call:

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

Nays: 0

- 3. P.N. 2020-051: Resolution 2020/065 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting and authorizing submission of an amended Fiscal Year 2019-2020 Community Development Block Grant ("CDBG") Action Plan to the United States Department of Housing and Urban Development to incorporate the allocation of CDBG Coronavirus Funds; providing for implementation and an effective date.**

The Resolution was read by title only.

Vicki Placide-Pickard, Director of Community Development, outlined Item 3. On March 27th, the City was allocated \$406,320 for CDBG COVID funds through the CARES Act. Since the funds were received in fiscal year 2019/2020,

PUBLIC HEARING – CONTINUED

an amendment to the existing annual action plan was recommended to include the new funding. By submitting the application, the proposed projects will include rental assistance [\$175,000], with each applicant receiving up to \$5,000 one-time to cover up to three (3) months; utility assistance allows up to \$1,000; additional funding for the microenterprise program and funding for planning and administrative. If approved, staff will submit the application to HUD this week. HUD has promised a quick turnaround for the approval process and execution of the agreement with the hopes of promoting the program by next week and starting applications June 29th.

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 3, adopted Resolution 2020/065. Roll Call:

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

Nays: 0

PUBLIC HEARING – SECOND READING

- 4. P.H. 2020-053: ORDINANCE 2020/013 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 66 "TRAFFIC AND VEHICLES." ARTICLE II "STOPPING, STANDING, PARKING," DIVISION 4 " PARKING AREAS," SECTION 66-76 "PARKING AREAS REGULATED" TO PROVIDE FOR REGULATED PARKING ON THE WEST SIDE OF N.E 20TH AVENUE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

David Santucci, City Manager, advised that Item 4 provides the addition of four (4) parking spaces located on the S-curve which will be added to the City's inventory of metered spaces. The spaces are on-street parking very close to the beach.

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 Vice Mayor Parness, to approve Item 4, adopted Ordinance 2020/013. Roll Call:

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

Nays: 0

- 5. P.H. 2020-054: ORDINANCE 2020/014 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING SECTION 30-28 OF ARTICLE II "CIVIL EMERGENCIES" OF CHAPTER 30 "EMERGENCY SERVICES" OF THE CITY CODE TO PROVIDE FOR ADDITIONAL EXTENSIONS OF A STATE OF LOCAL EMERGENCY; PROVIDING FOR CONFLICTS, SEVERABILITY, PUBLICATION, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Anthony Soroka, City Attorney, advised that a summary was provided at the last Commission meeting on first reading. If adopted, the Ordinance permanently gives the City Commission the ability to extend states of local emergency for

PUBLIC HEARING – SECOND READING – CONTINUED

a 30 day period; as the Code previously contemplated more of a hurricane scenario, allowing for a single extension. Additionally, Item 6 provides for the extension beyond the expiration tomorrow through July 17, 2020.

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 Commissioner Hudak, to approve Item 5, adopted Ordinance 2020/014. Voice Vote:

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

Nays: 0

- 6. Resolution 2020/066 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, extending the State of Local Emergency regarding COVID-19 until July 17, 2020; authorizing the City Manager to take appropriate actions; providing an effective date. (Companion to Item #5; was not advertised as a Public Hearing - 2nd Reading.)**

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 Parness said there has been an uptick of cases in South Florida and agreed to extend the state of local emergency.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Item 6, adopted Resolution 2020/066. Voice Vote:

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

Nays: 0

PUBLIC COMMENT

Ann Battaglini, no address given, Deerfield Beach, provided an e-mail which was read into the record by the City Clerk. Ms. Battaglini said she loves the City and the beach and even with the changes to more of a commercial environment, the area has been well maintained. Unfortunately, over the weekend, she walked along the sidewalk near the beach and noticed that there were tents on the sand with 10 or more people underneath them partying, dogs on the sand, etc. She said her concern is that the public restrooms are closed and wondered where the people would use the restroom. Ms. Battaglini suggested having at least an attendant at the restrooms by the fire station, to allow three (3) people at a time, requiring a mask to enter. She said the beaches should be closed again with COVID rising, it must be stopped.

Tim Watts, 991 SW 15th Street, Deerfield Beach, said he is a business owner and had an issue with COVID lockdowns on businesses. He explained that there was a restriction on dive boats whereby only eight (8) passengers were allowed and although he was angry, after speaking with his district commissioner, the restriction was derestricted and increase ridership to 16 passengers. Mr. Watts also commented on the work he does with veterans; he thanked Commissioner Preston for his help in this situation.

Alex Estoban, 4451 NE 16th Avenue, Oakland Park, commented on his experiences as a veteran and how Mr. Watts business has helped him. Furthermore, he shared his experiences in the war and how quarantining is not good for him. He encouraged the Commission to also look after the veterans and consider how the lack of recreation has not helped them.

CONSENT – BOARD APPOINTMENTS

- 7. Resolution 2020/067 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Michelle Balaun as a regular member to the Planning and Zoning Board; 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.

Commissioner Drosky provided a brief overview of Ms. Balaun's background and asked the Commission for their support in appointing her to the Board.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Drosky, to approve Item 7, adopted Resolution 2020/067. Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

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

After a brief discussion, Items 10 – 15 were approved in concert.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Items 10 – 15 in concert. Roll Call:

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

Nays: 0

- 8. Resolution 2020/068 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Proposals #20-14-JW for Employee Benefits Broker Services to the Gehring Group, Inc. in an annual amount not to exceed \$105,000.00; authorizing execution of a contract with the Gehring Group, Inc. for a two-year term with three one-year renewal options; providing for severability and an effective date. (Funds from Account #606-0900-519-32-99 - Other Contractual Services & Account #606-0900-519-30-03 - Programming/Software)**

The Resolution was read by title only.

Commissioner Preston said the pandemic has created a revenue shortfall, but yet, \$105,000 is being spent on contractual services; however, in reading the scope of services, it seems the services provided can be done in-house.

Amanda Robin, Chief Human Resource Officer, replied that the services provided include \$35,000 for software services. Open enrollment is completed online and allows for the analysis of reports to see what is trending, analysis of retiree issues, review of the budget and it communicates with the payroll system, so when open enrollment is done, it automatically updates employee entries. Additionally, the consulting services includes third party administration for the health insurance; the handling of day to day compliance issues, as there is no one on staff with that skillset; and provides an actuary service and day to day operation of the wellness program for employees, i.e. flyers which include graphic design.

Commissioner Preston said he is still not comfortable with the amount being paid for that service.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

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

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item 8, adopted Resolution 2020/068. Roll Call:

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

Nays: 1 - Commissioner Preston

- 9. Resolution 2020/069 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and recommendation of the Evaluation Committee to qualify and allow the top four ranked firms responsive to Request for Qualifications #2018-19/06 for design build services, Kaufman Lynn Construction, Inc., Di Pompeo Construction Corporation, Gulf Building, Inc. and MBR Construction, Inc., to participate in the Request for Proposals Phase of the Design Build Contractor Selection Process for the Johnny L. Tigner Community Center Reconstruction Project; approving payments to the firms that submit the required design submittals during the RFP Phase of the selection process but are not awarded a contract; and providing for an effective date. (Funds from Account #358-8000-572-61 - Bond Construction Accounts Series 2018)**

The Resolution was read by title only.

David Santucci, City Manager, advised that this is the first step in the solicitation process for the bond funded project to rebuild the Johnny Tigner Center. The request for qualifications gauges the consultants' qualifications and experience to perform the work. Through this process, the staff evaluation committee chosen and approved by him, have reviewed all responses and made the recommendation to move the four (4) firms forward through the RFP process. During the process, the consultants will undergo an extensive exercise to provide their understanding based on the design criteria package and RFP document itself as well as an element of community participation on what the new facility should look like. The size of the building has been determined, along with programming and enhancements to the services currently provided.

Continuing, Mr. Santucci said during the process, bidders will submit conceptual renderings on what they plan to build. Since it is more extensive than what has been presented to the Commission in the past and the selection process is more stringent, the firms will receive a \$25,000 stipend. The successful firm, if chosen, will not receive the stipend and the cost will be absorbed in the final contract through the guaranteed maximum price. He explained that the \$25,000 stipend is not a loss for the City because any work produced by the firms become the City's property.

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

Mayor Ganz advised that this is another item from the bond issue which is desperately needed to move forward for the community who probably uses the facility more than any other City facility.

There was no additional discussion amongst the Commission.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve Item 9, adopted Resolution 2020/069. Roll Call:

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

Nays: 0

- 10. Resolution 2020/070 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Voluntary Pre-Kindergarten ("VPK") Provider Contract for School Year 2020-2021 between the Early Learning Coalition of Broward County and the City of Deerfield Beach for the provision of a VPK Program at the Northeast Focal Point Preschool; authorizing execution of the VPK Provider Contract; providing for implementation and an effective date.**

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

11. Resolution 2020/071 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Alzheimer's Disease Initiative Program Contract with the Areawide Council on Aging of Broward County, Inc. for Center for Active Aging Services for compensation in an amount not to exceed \$438,980.85; authorizing execution of the Agreement; and providing an effective date.
12. Resolution 2020/072 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JL120-06-2021 with the Areawide Council on Aging of Broward County, Inc. for Adult Day Care Center and Transportation Services from the Center of Active Aging in an amount not to exceed \$132,380; authorizing execution of the Agreement; and providing an effective date.
13. Resolution 2020/073 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to the Agreement between the City and Deerfield Beach Family Empowerment, Inc. to incorporate Community Development Block Grant Coronavirus Funds; authorizing execution of the Amendment; and providing for an effective date.
14. Resolution 2020/074 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Amendment to the HL109 Agreement with the Department of Economic Opportunity ("DEO") for the Branhilda Richardson Knowles Memorial Park and Cemetery Project to extend the project end date; authorizing execution of the Amendment; providing for severability and an effective date.
15. Resolution 2020/075 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of the Coronavirus Emergency Supplemental Funding Program Application to the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance; authorizing execution of a Grant Agreement; and providing for an effective date.

DEPARTMENTAL BUSINESS

16. Resolution 2020/076 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting and adopting the Comprehensive Annual Financial Report for the Fiscal Year ending September 30, 2019; authorizing submission to the State; providing for an effective date. *(Tabled from June 2, 2020)*

The Resolution was read by title only.

Mayor Ganz said he met with the new Chief Financial Officer and City Manager and was very pleased with the information that was shared.

David Santucci, City Manager, said Ms. Tinsley met individually with each commissioner and Mayor to review the CAFR; thereafter, he opened the floor for any questions.

Commissioner Drosky said his meeting with Ms. Tinsley provided an intense overview of the CAFR. Additionally, she outlined various ideas she has for the department; one idea involved making the budget compatible with the CAFR to allow a side by side comparison. He said this will take a couple of budget cycles to accomplish.

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 Vice Mayor Parness, to approve Item 16; adopted Resolution 2020/076. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS – CONTINUED

17. Discussion regarding the City's recycling program.

David Santucci, City Manager, advised that during a recent discussion, staff provided an update on the recycling program and current market conditions. As directed, staff was tasked with looking closely at the varying options. He advised that staff is seeking direction on how to proceed for the short and long term and hopes the information will help steer the decision.

Chad Grecsek, Director of Sustainable Management, provided a PowerPoint outlining the options previously offered to the City Commission during the workshop a month ago.

Recycling Workshop Recap Agenda – During the workshop, Mr. Grecsek discussed global and local challenges. During this meeting he will touch on key highlights and provide detailed information on short term solutions the City Commission asked staff to ponder, address questions, and receive public input and direction from the Commission on how to move forward.

Recycling Isn't About the Planet – Mr. Grecsek said there is much more information on recycling than before, which provides an opportunity to become more educated.

Workshop Summary – Mr. Grecsek said this is a worldwide impact that started in 2018 with China blocking imports of recyclables into their country; resulting in extreme market volatility in commodities, a larger supply and less demand for commodities which further erodes the cost and value. Contamination also became a factor, whereby, the quality and value of the materials was compromised. Also discussed were the unknown impact of COVID-19 on a worldwide and local basis. He further commented on local conditions; recycling was once a revenue generator and has become an expense. This year, it is a \$500,000 expense; if the program continues as is, it will result in a \$700,000 expense for fiscal year 2021.

Continuing, Mr. Grecsek advised that contamination exists citywide and is currently around 50%. Net processing costs is the amount paid by the City and has increased by 830% since September 2018, and continues to rise. Today, the June numbers were provided from Waste Management and reflected the highest net processing costs per ton ever seen. There is no notion as to when that trend will stabilize or reduce as all factors indicate a continued upward trend. Most materials collected are secured through curbside pickup, about 60%. Thereafter, Mr. Grecsek advised that Coral Springs suspended their program a few weeks ago; Margate and other communities are considering suspension as well. Though there are no easy solutions or quick fixes, staff provided short term alternatives for consideration.

Options 1 – 6 – Mr. Grecsek outlined each option. Option 1: no change; Option 2: suspend the program; Option 3: resolicit for flat rate or static price; Option 4: simplify program materials; Option 5: consider dual stream collections; and Option 6: adjust collection frequency. Mr. Grecsek said staff received feedback from the Commission and residents to consider suspending the program and then do a collaboration of options 4 and 6.

Option 2 – “Suspend Program” – Mr. Grecsek said the program was suspended in 2018 which resulted in both pros and cons. First, it allowed for fixed pricing and reduced costs to dispose of the materials instead of processing them; about half the price and operational savings as only one (1) truck would be able to collect the materials as solid waste. Thereafter, he outlined the cons; suspend the program and receive the same public reaction in 2018 as a result. Furthermore, staff anticipates an approximate savings of \$500,000 if the program were suspended for a year which consists of annual processing savings of \$232,000 and annual operating savings of \$241,000. The City is currently paying a premium to process about half of the materials delivered as recyclables. Recycling options can still be offered at the drop-off center, located at the Central City Campus. Adding other regional drop-off centers throughout the City would help with continued recycling efforts. The program could be reinstated at any time or if there were a sustained value in the materials. Unfortunately, contamination rates will not be addressed through the process as it will have to happen if the program is restarted. Lastly, the savings could offset some of the COVID-19 financial impacts.

DEPARTMENTAL BUSINESS – CONTINUED

Option 2a – “Processing Suspension” – Mr. Grecsek said there are two (2) ways to suspend the program. If suspended, all the blue carts would be collected and all the material would be disposed as garbage. There is a lower potential for customer complaints as the carts will be collected by the waste truck, and little to no education outreach would be needed. The cons: recycling habits will not be changed; individuals may contaminate at a higher rate as has already begun, and even if the program were reinstituted, the contamination rates will likely be higher at the start. Another consideration is to work in phases; suspending the program could be done immediately and then suspending the program curbside as a secondary phase.

Option 2b – “Collection Suspension” – Mr. Grecsek advised that the material can be diverted to processing or stop picking up the blue cart. If that happens, the material will be placed in the garbage container which brings the program to a hard stop and there will be a lot of attention from the residents; it may help assist in changing behaviors to roll out a modified program and cost savings. The cons could be significant as the cart would no longer be picked up curbside and will likely generate public questions and concerns. The volume must also be addressed since material is no longer being recycled and may require additional service levels and costs to the customer.

Options 4 + 6 “Materials & Frequency” – Mr. Grecsek said currently, recycling is collected curbside once weekly. The frequency change would either be bi-monthly or monthly. As for the materials, staff considered simplification of the materials to metal and aluminums which are easy to recognize with the hopes of reducing contamination. In this scenario, there will be operational savings through the collection reduction. Initially, contamination rates may be higher as people have become accustomed to recycling varying materials. Changes in the schedule may also cause confusion, but there are solutions. Ultimately, it will be fairly difficult to assess the impact of the modification until there has been time to analyze the data. He said if materials are removed from the stream, there could be an inherent increase in contamination levels, an unintended consequence which he will explain. The operational savings would result from the reduction and collection frequencies. Other considerations included substantial education outreach; savings dependent upon how many follow the guidelines; processing costs have many variables related to quality of materials and contamination; required enforcement; and the re-introduction of materials previously removed may be difficult to reinstitute.

Commodity Values – Mr. Grecsek highlighted the value of various commodities tracked since 2016; whereby, the trend line for some of the commodities is declining and some are at a zero or negative value.

Commodity Values – Continuing, Mr. Grecsek advised that this report is received from Waste Management monthly and shows the net processing fee. This report is from April (2020); June figures are slightly higher. On the left, is a breakdown of the materials currently included in the program followed by the index description, market value, value by ton, the material percentage is based on the composition of the City’s materials resulting from a March audit. Newspaper is approximately 15% of the stream; glass is almost 20%; as well as others. He further outlined the 10% allowance for contamination; 38.7% is excess contamination which has a significant impact. At the bottom of the report, circled is the \$99.13 processing fee the City pays Waste Management. The value of those materials is taken away from the processing fee. If all the items were removed from the recycling stream, except cardboard and aluminum, and delivery continued to Waste Management, it would still be considered contamination at the \$55 per ton rate.

Mr. Santucci said the recycling drop-off centers would be utilized and roll off containers would be placed on both the east and west sides of town to maintain a recycling program through drop off. Notwithstanding, there is an obligation in Waste Management’s contract that recycling materials collected must be brought to them; therefore, it is important to communicate what the City is considering as recyclable material.

Anthony Soroka, City Attorney, said the contract does contemplate and provide for changes to the recycle stream, but it would be upon mutual agreement of both parties.

Mayor Ganz asked whether Waste Management can tell whether to limit the stream, if the City is providing a drop off location.

Mr. Soroka replied that the contract allows for an opportunity to adjust the streams, but Waste Management would have to agree.

DEPARTMENTAL BUSINESS – CONTINUED

Mr. Santucci said Waste Management has worked with the City rather well on our ability to suspend the program should the City Commission choose to do so.

Mr. Grecsek reiterated that the regional drop off centers would still collect all materials and would be accepted into the program; however, for curbside pickup, the residents would be instructed to only include those materials deemed acceptable in the cart. He explained that contamination could potentially be reduced when individuals make the extra effort to go to the drop off centers. There will need to be dialogue and coordination with Waste Management; nonetheless, there have been preliminary conversations with them on potential modifications and they have indicated their willingness to work with the City on a better program. Staff is cautiously optimistic and hopeful to have more conversations in the near future.

Option 4 + 6b “Materials & Bimonthly” – Mr. Grecsek provided a city map splitting the City in half to indicate which part of the City would be picked up and rotated the second half of the month.

Option 4 + 6a “Materials & Monthly” – Mr. Grecsek said if recycling were collected monthly, each week would be split into four (4) different collection days. This would also help staff to pinpoint contamination issues and hopefully address through education outreach and focus attention on those areas.

Financial Summary – Mr. Grecsek provided estimates for the four (4) options: current program – no savings; – suspend program, Options 4 + 6a (bimonthly collection) and Options 4 + 6b (monthly collection) – all provide for savings on a monthly, six-month, annual and remaining fiscal year 20 savings. He advised that numbers will be dependent on how compliant the populous is in the program. Without a high level of compliance, the figures could be higher than what the City is currently paying. He emphasized that there is a high level of variability and it is anticipated that the numbers could be less.

Short Term Program Recommendation – Mr. Grecsek said based on the feedback from the Commission, the recommendation would be to modify the collection program, which can be done immediately with the continued collection of carts curbside and divert to another location in phase 1. Then in phase 2, if the Commission desired, suspend the program and stop collecting the cart at the curb altogether, but staff would recommend educational outreach prior to. The drop off center will remain in use and add satellite drop off centers on the east and west sides of the City and accept all program materials throughout the entire suspension which can be done fairly quickly. This is a model used throughout the Country as there is not a dedicated curbside recycling or collection program; typically, there is less contaminations with those type programs. A modified program would consist of a change in materials after discussion with Waste Management and the feedback from Commission on frequency. There will be a code enforcement aspect of the program to ensure success with the possibility of regional drop off locations becoming permanent if desired. The potential timeframes for roll out could be at the start of the fiscal year, but staff recommends a longer time as it would give them time to vet the solutions and help residents understand this is a hard stop to the program. Once the program is reinstituted, staff wants to make sure residents understand that strict adherence is needed so the program is successful. Thereafter, Mr. Grecsek entertained questions of the Commission.

Vice Mayor Parness said in light of the contamination rate, it seems that many people, i.e. multifamily dwellings, do not really care. If garbage rates increase, maybe consideration to the program can be given as he does not see a path for success. Lastly, he asked how the solutions will result in an acceptable contamination rate.

Commissioner Hudak said annually, the City collects about 71,000 tons of recyclables and 3,550 tons are trash. As opposed to paying \$43.77/ton for that trash, the City is paying \$95.44/ton because of contamination. The residents' taxes have been \$183,000 more because of contamination rates. Thereafter, he asked for clarification on an article regarding Pompano Beach's recycling costs not being dependent on the contamination rate and how their program is different than Deerfield Beach.

Mr. Grecsek replied that all solid waste is local which means every program is different, just as every city. The City of Deerfield Beach hauls its own material, but Pompano Beach contracts with Waste Management for those services which is a fairly lucrative contract to haul all their materials. The contract was entered into in 2015, before contamination became an issue. The contract is set to expire in 2022 and has been acknowledged that they may not be able to procure the same arrangement.

DEPARTMENTAL BUSINESS – CONTINUED

Commissioner Hudak said in 2018, the City received \$165,000 for the recycling program, but now, we are paying \$550,000; therefore, considerations must be made regardless of COVID-19. He said the Commission has to be just as responsible as the Commission in 2018 was in making the right choice.

Commissioner Drosky commented on the second commodities slide and said when the program was temporarily suspended before, there was much backlash from the residents. Since then, there is more of an understanding and appreciation for contamination; thereafter, he highlighted some of the recycling education programs provided to the residents. Based on the slide, the contamination rate for April was 38.7% which is in excess of 10%, thereby resulting in a true 48.7% contamination rate. Based on the material percentages, he deduced that approximately 70% of the recycling being collected is garbage or has a negative value which connotes an environmental impact.

Continuing, Commissioner Drosky said a suspension is in order and is not only for economic reasons, but shows the City is not good at recycling; thus, it must be determined what materials have value and to collect those commodities. Going forward, he would like to keep the Central City Campus for those who intend on recycling; the three (3) locations outlined provides that opportunity which was not provided before. He proposed suspending the program at the beginning of the calendar year as he does not think suspending it now and reinstituting in three (3) months is practical. There is no guarantee that everyone will be aware and the bad habits already in place will continue. He also recommended a monthly recycling schedule so it is easy to remember. Additional options included phasing the suspension with a January start date as people will not quickly understand what is happening. Staff would continue pickup of the blue bins, disposing as garbage, so people understand what is happening.

Commissioner Preston said if the program is suspended, there must be communication with the residents beforehand. He agreed with Commissioner Drosky that the suspension should be phased as the residents must understand that there was no other alternative. Also, phasing will provide the opportunity to examine other possibilities. While the Commission wants a solid program, to make it happen, buy-in from the residents is needed and we must figure out how to get the information out to achieve that.

Commissioner Hudak spoke in support of a two-way suspension, but would like to continue collecting the blue bins as trash. If the bins are not picked up, other issues result; i.e. need for larger trash cans. He agreed with keeping the recycling drop off location and adding two (2) satellite locations and then upon reinstituting, the type commodities can be determined, with a slow start. He said he believes Coral Springs has recently suspended their program, but continues to pick up recycling bins even though it is being processed as trash.

In response to Mayor Ganz's question, Mr. Soroka replied that a motion or choice can be made to direct staff to do all things necessary to effectuate that option. If the Commission wants to suspend temporarily or otherwise, there is a simplified document that Coral Springs executed which he has and allows for the temporary suspension for a period of time between the City and Waste Management. If the Commission decides to take action, he recommended opening for public input.

Vice Mayor Parness reaffirmed his stance and recommended suspending the program in 30 days as it will continue to be an economic hardship on the City.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. Thereafter, he said any program should be bimonthly as there is enough material to collect.

Commissioner Hudak asked what type communication must be given to Waste Management to suspend the program.

Mr. Santucci replied that Waste Management is prepared to receive a suspension notification as early as tomorrow. The suspension could be implemented as early as next week due to notification; however, the residents will not have to do much to prepare for that change.

Mr. Soroka said within the contract is a termination for convenience clause, if that direction were chosen, that provides a 90-day notice; nevertheless, Waste Management has been informed of the City's intent to explore a suspension. He also explained that Waste Management can object to modifications to the waste stream, but if the City chose to move forward, then the termination for convenience 90-day notice would apply. Lastly, if a motion is made, he asked

DEPARTMENTAL BUSINESS – CONTINUED

that the motion be clear on the suspension period.

Commissioner Hudak recommended keeping the current drop off location open and adding two (2) locations in the eastern and western parts of the City and suspending the program until 2021. It can then be decided on how to move forward, either limited waste streams or reopening the program fully. The start of the suspension would be when operationally feasible.

Mr. Soroka said staff discussed suspension with Waste Management; whereby, a draft for consideration was sent outlining tomorrow, June 17, 2020 until October 1, 2020. It seems that Waste Management was amenable, but if the Commission wishes to go beyond that, it should be addressed with Waste.

Mayor Ganz summarized the direction of the Commission; suspend the program immediately with possible reinstatement in January 2021 and keeping the current recycling locations open throughout the City.

Commissioner Preston said he prefers a little more time to properly advise the public as an immediate suspension does not offer that opportunity.

Mayor Ganz agreed and suggested keeping the program until the end of the month.

Barbara Herrera, Waste Management, 3831 N. Powerline Road, Pompano Beach, said they will be happy to work with the City to find a solution on contamination and better the program. Also, they have provided the City with documents to temporarily suspend the program consistent with the Coral Springs document. The preliminary period given was from tomorrow, June 17th through October 1st. Anything beyond that must be discussed; nevertheless, they are amenable to the temporary extension.

Prior to the vote, Commissioner Drosky questioned what will happen with the bins being used for recycling.

Mayor Ganz recommended picking up the bins and if the program is suspended, that there not be an option to place garbage in the bins. The bins will likely have to be re-decaled, the opportunity would avail during that time.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve option 2a, suspension from July 1 through October 1, 2020; continued use of the recycling drop off at the Central City Campus and adding two (2) drop off locations in the east and west; and authorizing the appropriate City staff to do all things necessary to effectuate the suspension to include executing a document with Waste Management for the suspension period. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION AND LEGAL – CONTINUED**CITY ATTORNEY**

Virtual Meetings – Anthony Soroka, City Attorney, advised that the Governor's Executive Order which provides for virtual meetings expires on June 30th. There have been requests to further extend it, particularly from the tri-county area; however, no extensions have been received to date. An order to extend could be given in the next week or so, but if it is not, consideration must be given for the July 7th City Commission Meeting. If the Commission feels strongly it needs to be extended, he asked that they inform him for further action.

CITY MANAGER

Beach Projects – David Santucci, City Manager, said the sod project is very close to completion; the berm has been re-sculpted and irrigation completed. Staff was five (5) pallets short of completion today and pending inclement

COMMENTS BY ADMINISTRATION AND LEGAL – CONTINUED

weather, the project should be complete by end of the week. Additionally, pressure cleaning along the sidewalk has begun.

Beach Restrooms – Mr. Santucci said the schedules for the janitorial crews have been amended to accommodate busier times to assure clean restrooms upon opening. He advised that staff is aware of the high volume of wind activity and will continue to address those events. Lastly, it is likely that the main beach restrooms will be opening soon upon completion of renovations, which he outlined.

CITY COMMISSION BUSINESS

19. Resolution 2020/077 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, declaring the City of Deerfield Beach essential; urging Congress to provide fair, direct federal emergency support to local governments to reopen and rebuild local economies; directing the City Clerk to transmit and distribute this Resolution; and providing for an effective date.

The Resolution was read by title only.

Commissioner Hudak advised that the Resolution is proposed to convey the importance of getting the local economy back and running.

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 Vice Mayor Parness, to approve Item 19, adopted Resolution 2020/077. Voice Vote:

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

Nays: 0

ADDENDUM

20. Resolution 2020/078 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, opposing the placement of a Proposed County Charter Amendment on the November 2020 Ballot that would allow the County to supersede city zoning and other regulations for county projects within municipalities; directing the City Clerk to transmit and distribute this resolution; and providing for an effective date.

The Resolution was read by title only.

Anthony Soroka, City Attorney, said about 10 days ago, he and other city attorneys received a proposed county charter amendment agenda item from the County Attorney's Office that would purport to place an item on the November ballot to amend the County charter. It would provide a provision to allow the County to supersede city zoning and other regulations for their projects within municipalities. Currently, under the County charter, there are three (3) areas of laws where county ordinances trump municipal ordinances when there is a conflict: land use, ethics and minimal environmental regulation standards. The proposed charter amendment for today's County Commission agenda would add a fourth part. For county projects within a municipality, including Deerfield Beach, if for a public purpose and/or regional benefit, which was not defined in the item, they could pass an ordinance allowing them to supersede our laws like permitting, construction setbacks, etc.

Continuing, Mr. Soroka said he received another update yesterday advising of three (3) other optional variations; whereby, the other versions were more limited in scope but provided the County with a form of preemption for sure of their projects within the City. The item was slated as Item 82 on their agenda today and while there was a thorough debate for more than an hour, just before the County Commission was due to vote, there was a power outage.

CITY COMMISSION BUSINESS – ADDENDUM - CONTINUED

Therefore, the County Commission rescheduled the item until Thursday, June 18th at 1:00 p.m.

Mayor Ganz said he asked that the item be added as immediate action was necessary. He commented on the actions the City has taken with its code in an effort to protect the residents. Mayor Ganz said he has seen the County attempt to do many things, like taking away the notifications, setbacks, etc., which does not serve the residents and ends up hurting us. He encouraged everyone to contact County Commissioner Mark Bogen as he argued in favor and voice their opposition. Also, Mayor Ganz thanked County Commissioners Lamar Fisher and Beam Furr for their support. Others in support were Steve Geller and Mayor Dale Holness; he encouraged people to reach out to them as well.

Commissioner Drosky thanked Mayor Ganz for bringing this forward. He also listened to the arguments and the votes are not lining up very well; the Broward League of Cities members also spoke in opposition to the amendment. Commissioner Drosky said with this particular project, the County is trying to take away the cities home rule, but speak in opposition in Tallahassee when the legislature tries to do the same to them. He commented on the lack of notification the County provided to the cities. If the City adopts the proposed resolution, submitting it to the County and others will show them where Deerfield Beach stands.

Vice Mayor Parness commented on a proposal to have a paid county mayor, but it was defeated today.

MOTION was made by Commissioner Preston, seconded by Commissioner Drosky, to approve Item 20, adopted Resolution 2020/078. Voice Vote:

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

Nays: 0

COMMENTS BY MAYOR AND CITY COMMISSIONERS**COMMISSIONER DROSKY****DISTRICT 4**

SW 10th Street – Commissioner Drosky encouraged resident feedback and input on SW 10th Street via the webinars being offered by FDOT. There is a lot going on with the project and feedback is essential and the public's input has assisted with the direction of the project. The webinars will be held on June 18th, June 29th and Wednesday, July 1st from 7 to 8:30 p.m. The first half will be a presentation, followed by a Q&A session.

County Commission Meeting – Commissioner Drosky said during the County Commission meeting, there was supposed to be a discussion on CARES Act funding. Due to the power outage, it will be discussed on Thursday, June 18th. He advised that it is inequitable for the County to not share the money and he will speak up for Deerfield Beach's fair share. He also spoke to 7 of the 9 County Commissioners and one asked what the 11 counties are doing as only 1 is distributing money to their cities. Though nothing has been finalized, Commissioner Drosky explained that the City has expended much money due to the pandemic, whereby, the CARES Act outlines them as eligible expenses that the City should be entitled for reimbursement. He thanked the City Manager and staff for providing actual and estimated figures to the Broward League of Cities on COVID-19 costs through the end of the calendar year. The League has taken all 31 cities and compiled the information into one (1) document and will be voted on Thursday.

Constitution Park – Commissioner Drosky asked if the facility can be used for homeowner association meetings when it reopens. He said they will practice social distancing and enforce facial coverings.

Independence Bay – Commissioner Drosky said he has received a lot of comments from the residents at Independence Bay. Their lake is being used on the weekends; though the ramp going to the lake is County property, the City locked it, but every weekend the gate is being cut. This weekend, there was almost a boating accident and people were water skiing. Now that it is becoming a public safety issue, he asked that staff work with the County on a permanent resolution.

COMMENTS BY MAYOR AND CITY COMMISSIONERS – CONTINUED**VICE MAYOR PARNESS****DISTRICT 3**

Century Village Pools – Vice Mayor Parness said all the pools are open in the Village, with 16 being operational. They are being supervised by security from 10 a.m. till 2 p.m.; the pools are open from 8 am till 5 pm with constant supervision. Social distancing is still in effect and enforced as well as facial coverings. If someone enters without a mask, they are asked to leave.

District Meetings – Vice Mayor Parness said he will be holding district meetings via Zoom in the near future; he will work with the City Manager to accomplish it for various areas of his district.

COMMISSIONER PRESTON**DISTRICT 2**

Commission & Public Interaction – Commissioner Preston said earlier this evening, he received a compliment from a resident and does not believe he deserved it because the Commission is elected to serve the public. He thanked the Commission for listening to constituents and caring.

Protest – Commissioner Preston said a protest is scheduled for Saturday on injustice, related to the George Floyd case. It will start at the Oveta McKeithen Recreational Complex at 9 a.m.; he invited the Commissioners to attend and provided the direction of the march.

COVID Testing Site – Commissioner Preston encouraged people to get tested as the City now has a testing center at the Oveta McKeithen Recreational Complex. He was told that the results would be received within 3 to 5 working days, but he has yet to receive them. Additionally, there has been an increase in Florida cases and the only state above Florida is Arizona or Oklahoma.

Food Distribution – Commissioner Preston thanked Commissioner Hudak and City staff on the food distribution program as they work tirelessly helping. Commissioner Preston said Commissioner Hudak continues to work at the distribution program; thereafter, he applauded all the City Commission and staff who go above and beyond in their responsibilities.

David Santucci, City Manager, agreed with Commissioner Preston as they have responded tremendously during the pandemic. Regarding the COVID testing site, he advised that there are approximately 60 to 80 people being tested daily. The Department of Health is pleased with the response; however they will not be at the testing site on Saturday, but will resume next Wednesday through Saturday. The following week, leading to the 4th of July, they will come out Tuesday, Wednesday and Thursday. At that time, another assessment will be done to see where the numbers are and then decide whether that site will continue.

Census – Commissioner Preston encouraged residents to complete the census so Deerfield Beach can be counted.

COMMISSIONER HUDAK**DISTRICT 1**

Accolades – Commissioner Hudak applauded Commissioner Preston for his efforts and humility in everything he does, but credit is due as he has earned it with everything he does.

Budget Workshop – Commissioner Hudak said the budget workshops are next week. Due to a prior engagement, he will be late to the June 23rd workshop, arriving around 7 p.m.

Water Quality Report – Commissioner Hudak said he received the water quality report, which shows that the numbers are well below the recommendations. He asked if someone can educate the public on the City's drinking water.

Joshua Niemann, Water Plant Superintendent, advised that the report for 2019 represents a full year of quarterly analysis and shows that the City has met or far exceeds any of the water quality parameters that DEP or EPA has set.

COMMENTS BY MAYOR AND CITY COMMISSIONERS – CONTINUED

In response to Commissioner Hudak's question, Mr. Niemann replied that water testing at the source and end of the supply chain is done on a quarterly basis. Lead and copper is tested through buy-in from the end user who collects water first thing in the morning. The treatment is very unique, there are three (3) in the plant which yields a high quality drinking water.

High School 2020 Graduation – Commissioner Hudak said the parade graduation ceremony for Monarch High was held on June 6th at Broward College's north campus. The parade graduation ceremony for Deerfield Beach High and Somerset High School was held on Tuesday, June 9th at 9:30 a.m. at Quiet Waters Park; nearly 200 graduates and their families participated. He outlined the officials in attendance and lastly, provided words of wisdom to the Class of 2020.

Mayor Ganz said the Class of 2020 had so much taken away from them and it (graduations) was an outstanding job, but it is a shame that it fell on the principals and the City to step up where the School Board did not. He congratulated all Deerfield Beach 2020 grads.

MAYOR BILL GANZ

Commission Responses – Mayor Ganz said it is an honor to work with his fellow colleagues as many of the issues in the City are being addressed. Each of them has a certain expertise that they bring to the table and is proud of the work they have done collectively.

Additionally, Mayor Ganz said he will be out of town Saturday and is unable to attend the march and will not have access to phone or internet from Friday until Sunday.

Food Distribution – Mayor Ganz thanked staff for their participation and willingness to help, even when things are difficult. He said he received a phone call this week from The Palms thanking the City for assuring food is being given to those in need. Thereafter, he commented on an individual who berates staff when they are trying to help him get to the food distribution site even though the individual has told the Commission of his need. Mayor Ganz thanked staff for their hard work.

Beach Restrooms – Mayor Ganz said he hopes to see the restrooms open soon and is happy it is being addressed.

Boats on Intracoastal – Mayor Ganz said he received a couple of e-mails from people complaining about boats on the Intracoastal not following the no wake zone as well as other behaviors. He asked that BSO and FWC step in.

Census – Mayor Ganz agreed with Commissioner Preston that people need to participate in the Census. Since there is such a melting pot in the City, certain segments of the community have a distrust of the Census and he believes that is part of the reason for lack of participation. Therefore, communicating to the residents that the government is not out to harm them, but participation helps provide City services.

COVID Cases – Mayor Ganz said there is a spike in cases, with record days back to back. On Saturday, he noticed the lack of social distancing and facial coverings. Additionally Deerfield Beach is not much different and though there are places holding standards, Ocean's 234, Olympic Flame, Casa Mia and others, there are still some who are not. He warned businesses to follow the rules because if the numbers continued to rise, agencies will look for the culprit and will potentially take action by revoking business licenses. He encouraged people to wear masks because you could be saving someone else. He implored the businesses to do the right thing especially with everything the City has done to help them reopen and the possibility of losing their businesses.

Protest – Mayor Ganz said he attended a church in District 2 a week ago on Sunday and it is interesting to hear the perspective of the Black community. He said his ears are open and while these are interesting times we are in, it is a great opportunity to listen. All lives will matter when every life matters and the problem is that some lives are being treated like they don't matter. Mayor Ganz said he hopes for a peaceful protest and believes it will happen with Commissioner Preston in attendance.

ADJOURNMENT

There was no additional business.

**MOTION was made by Vice Mayor Parness, seconded by Commissioner Drosky, to adjourn the meeting at 10:48 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