Meeting Minutes
City Commission

Tuesday, October 20, 2020 | **7:00 PM** | **Virtual Meeting**

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 meeting technology.

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 Commissioner Hudak.

APPROVAL OF CITY COMMISSION MEETING MINUTES

Special City Commission Meeting Minutes – October 8, 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

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Deerfield Beach Police Pension Fund Meeting Minutes - February 27 & June 4, 2020

Planning & Zoning Board Meeting Minutes - September 10, 2020

Deerfield Beach Non-Uniformed Employees' Retirement Committee Meeting Minutes - March 9, 2020

Cultural Committee Meeting Minutes - July 20 & August 3, 2020

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

ACKNOWLEDGEMENT OF CITY BOARD MINUTES – CONTINUED

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

October 20, 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

PUBLIC COMMENT

There were no comments from the public.

CONSENT – BOARD APPOINTMENTS

1. Resolution 2020/151 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Deborah Sullivan to the Cultural Committee; and providing for an effective date.

The Resolution was read by title only.

Commissioner Hudak said he nominated Ms. Sullivan due to her experience with organizing Kiwanis events and believes that she will do a phenomenal job on the Cultural Committee.

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 #1, adopted Resolution 2020/151. Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

2. Resolution 2020/152 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Amendment to Contract #JP119-06-2020 with the Areawide Council on Aging of Broward County, Inc. for the Center of Active Aging Emergency Home Energy Assistance Program to extend the program through March 31, 2021; ratifying execution of the Amendment; and providing an effective date. *(Funds from Account #101-331-1210-69-91 - EHEAP Funds)*

The Resolution was read by title only.

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

There was no discussion amongst the Commission.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item #2, adopted Resolution 2020/152. Voice Vote:

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

Nays: 0

DEPARTMENTAL BUSINESS

3. Presentation by Scott Burton, Empire Consultants, regarding redistricting for the City's Municipal Election pursuant to City Charter.

Mr. Burton said every four (4) years the City's district boundaries are reviewed based on changes to population, data collected by the US Census and/or certificates of occupancy for residential properties. Unfortunately, due to COVID, the 2020 Census data has not been released; therefore, the certificates of occupancy from 2010 – present were analyzed to determine population. The criteria in reviewing the district boundaries also includes communities of interest, population equality and others. Thereafter, Mr. Burton advised that the existing boundaries are in compliance with the existing requirements shown exhibit 4. Additionally, the goal is to improve the boundaries based on communities of interest, contiguity or compactness which is the method undertaken to develop the scenarios.

Mr. Burton outlined the changes for each exhibit. He explained that the black/bold outline represents existing districts and the colors represent proposed districts. According to federal, state and local laws, compliance requires that no districts should exceed +/- 10% of the mean (average). He said Exhibit 1 is probably the best for population equality; however, the population in District 1 has not grown much in the past 10 years and therefore a portion north of the current boundaries was assigned to District 1. Currently, the Bonnie Loch community, resides Districts 2 and 3, and this exhibit it assigns the neighborhood to District 3.

Continuing, Mr. Burton said in Exhibit 2, it is not the best in terms of population equality, but with the threshold being 5%, it is still under that margin. Along the I-95 corridor, more was assigned to District 2 for more representation for the community and the interest of that commissioner. Furthermore, Exhibit 3 shows the greatest compactness; however, it will impact nearly 24 communities. He advised that each commissioner would be associated with Dixie Highway; however, it negatively impacts District 2 as they would lose a portion of current communities. Exhibit 4 shows the current boundaries, which again, is in compliance with state, federal and local laws as the population deviation is ideal, and the communities would keep the same representation. In closing, Mr. Burton said based on his professional experience, Exhibit 1 is the best scenario for the City. Thereafter, he entertained questions by the Commission.

David Santucci, City Manager, said the goal this evening is to obtain direction on an option that the City Commission would find acceptable; a final scenario will be selected at the November 10th meeting.

Commissioner Drosky spoke in support of Exhibit 2 which extends the eastern boundary of District 4 on the north up to I-95 which he believed should have been part of the district.

Vice Mayor Parness spoke in support of Exhibit 2 as it expands his district east to I-95 and includes a large industrial area as well as homes, but eliminates the hospital. Also, it makes his district more compact; therefore, he is open to keeping the boundaries status quo or Exhibit 2.

Commissioner Preston asked how Exhibit 2 affects District 2.

Mr. Burton replied that District 4 would be extended toward I-95 and District 3 would receive the area west of the I-95 corridor. As for constituency, the exhibit does not have a major impact because additional residential areas in the south, Bonnie Loch, would be gained. This exhibit would also preserve the communities of interest currently represented.

Commissioner Preston said he is in favor of keeping the existing boundaries.

DEPARTMENTAL BUSINESS – CONTINUED

Commissioner Hudak said he has no challenges or concerns as all scenarios are least impactful to District 1; therefore, he is open to whatever the Commission decides is in the best interest of the City.

Mr. Santucci asked if Commissioner Drosky and Vice Mayor Parness are amenable to the existing boundaries.

Vice Mayor Parness replied yes.

Commissioner Drosky said he does not object to the existing boundaries, but believes the northern area of District 4 could be moved slightly east to I-95 as there are only six (6) voters in that tract. Nevertheless, he is open to both Exhibits 2 and 4, as well as the change notated.

4. Resolution 2020/153 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, accepting a Quit Claim Deed from Habitat for Humanity of Broward, Inc. for the lot located at 171 S.W. 3rd Street; providing for an effective date.

The Resolution was read by title only.

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

There was no discussion amongst the Commission.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item #4, adopted Resolution 2020/153. Roll Call:

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

Nays: 0

5. Resolution 2020/154 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by Deerfield Beach Christian Ministry Association for the City-Wide Prayer Event at Pioneer Park, 217 NE 5th Avenue, on October 21, 2020 from 6:00 pm to 7:00 pm; providing for an effective date. *(Funds from Account #001-7005-579-10-02 - Overtime & Account #001-3005-521-32-05 - Overtime)*

The Resolution was read by title only.

David Santucci, City Manager, advised that the applicant has requested an alternate date due to inclement weather. Although a new date has not been selected, approval is still requested as the application includes waiving staff overtime. Also, he would be authorized to work with the applicant on finalizing a date.

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

Commissioner Hudak said although the event is being hosted by the Christian Ministries Association, he hopes that people of all denominations will be invited and encouraged to participate. This is a wonderful opportunity to promote an all-inclusive gathering as data collected shows that approximately 63% of individuals do not report any religious affiliation.

Vice Mayor Parness asked if fees are normally waived for all religious groups.

Mr. Santucci replied that in the past, the City has waived fees for applicants of special events and for religious organizations, he cannot speak to the number of applications the City has received. Notwithstanding, the City does not receive a lot of requests from religious organizations for special events.

Vice Mayor Parness asked if there is any violation of any laws by issuing permits to religious groups based on separation of church and state with the use of public property.

DEPARTMENTAL BUSINESS – CONTINUED

Anthony Soroka, City Attorney, replied that he does not believe it is a violation, but religious groups must be treated fairly and equally and all applicants must be treated equally. Lastly, he asked that the motion include the amendment to allow the new event date be acceptable to the City Manager.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item #5 as amended, adopted Resolution 2020/154. Roll Call:

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

Nays: 0

6. Resolution 2020/155 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by CenClub Recreation Management, Inc. for the Food Truck Wednesdays Event at Century Village located at 2400 Century Blvd., on October 21 & 28, 2020 from 11:00 am to 2:00 pm; providing for an effective date.

The Resolution was read by title only.

Vice Mayor Parness said three (3) years ago, Century Village invited a restaurant to the Village. To provide a reputable restaurant, the CenClub offered the restaurant free rent, electric and provided all equipment for the three (3) years. When it was time to renew the least they decided not to sign a new lease and left. There were food trucks on Wednesday until the new restaurant opens and was delayed a week and asked for an extension of the four (4) week permit for one additional week until the restaurant opens. With COVID, people do not want to go out and the extension allows them to acquire food in the Village. He recommended the one (1) week extension.

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

Commissioner Preston spoke in support as it helps the residents during the pandemic.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to approve Item #6, adopted Resolution 2020/155. Roll Call:

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

Nays: 0

7. ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 66 "TRAFFIC AND VEHICLES," ARTICLE I "IN GENERAL," SECTION 66-13 "NO THROUGH TRUCK ZONES" OF THE CITY CODE OF ORDINANCES TO DESIGNATE ADDITIONAL STREETS AS NO THROUGH TRUCK ZONES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Parness, to approve Item #7 on first reading. Voice Vote:

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

Nays: 0

DEPARTMENTAL BUSINESS – CONTINUED

8. ORDINANCE 2020/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AMENDING CHAPTER 54 "PENSIONS AND RETIREMENT," ARTICLE IV "NONUNIFORMED EMPLOYEES RETIREMENT PLAN," DIVISION 5 "BENEFITS," SECTION 54-230 "INTERNAL REVENUE CODE COMPLIANCE" OF THE CITY CODE OF ORDINANCES TO PROVIDE FOR COMPLIANCE WITH THE SECURE ACT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

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

Anthony Soroka, City Attorney, explained the impact of the proposed ordinance. There has been a change to the Internal Revenue Code with respect to the age for pension distributions; whereby, those at 70½ before January 2020, must start taking distributions. The proposed ordinance updates the City's code to comply with the change in the Internal Revenue Code.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item #8 on first reading. Voice Vote:

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

Nays: 0

COMMENTS BY ADMINISTRATION AND LEGAL

CITY MANAGER – None.

CITY ATTORNEY

Governor's Virtual Meeting Order – Anthony Soroka, City Attorney, said the virtual meeting order is due to expire on November 1, 2020. It does not appear that there will be any additional extensions and advised that local governments should be ready. Therefore, a physical quorum is needed for the November 10th City Commission Meeting; however, the public may continue participation via Zoom.

CITY COMMISSION BUSINESS

9. Resolution 2020/146 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, creating the African American Heritage Board in accordance with Section 3.12(2) of the City Charter; and providing for an effective date. *(Tabled from October 6, 2020)*

The Resolution was read by title only.

Commissioner Preston said it is an honor to serve the constituents as a commissioner, no matter race or ethnicity. Over 90% of the African American population reside in District 2; whereby, the Martin Luther King Day Parade, the celebration with the events indoor assembly agenda, Black heritage event, the addition of the historic Juneteenth citywide holiday and Deerfield Beach Community Day Celebration are important to him. He said the persons who support these events were carefully considered based on their desire to serve the City and commitment to serve the board. Race was not a factor nor the district they live, but he had to assure that the African American community would be proud of the City's effort and not boycott. Further, he invited everyone to participate in a unifying experience; thus, the board members he chose can meet his large expectations. Thereafter, he commented on his position to unify the City as he conveyed to the City Manager. Lastly, he advised that all commissioners are welcome to appoint persons to the board and any resident can participate at the meetings and bring their ideas.

CITY COMMISSION BUSINESS – CONTINUED

Commissioner Drosky thanked Commissioner Preston for his understanding and being amenable. He then spoke on comments made by other elected officials about how collegial Deerfield Beach officials interact, debate and compromise on issues. Therefore, he supports the item.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. Furthermore, Mayor Ganz said he believes Commissioner Preston's intent was misconstrued as it was not meant to be exclusionary in any way. The criticism received was based on people not realizing that this board previously existed and the proposed resolution was a way to formalize the board. He thanked Commissioner Preston for his compromise although it is not what he expected, it is a nice compromise.

Vice Mayor Parness said although the Commissioners may disagree about an item, when it is over, it's done as it is not personal. He thanked Commissioner Preston for the compromise as everyone should be allowed to participate.

Mayor Ganz reopened the public hearing.

Sandra Jackson, 386 SW 35th Avenue, Deerfield Beach, thanked the Commission for supporting the proposed resolution. She advised that those on the committee have visited almost every school when the event was going on trying to involve people, even with the parade, as they all felt it was a citywide event and everyone should be involved. The event this past year was a good event as more people came out and believes it will continue to improve.

Diane Chisholm, 375 NW 7th Court, Deerfield Beach, thanked the Commission for their support and entrusting the board with the community. She said she has gotten to know Commissioner Preston and his ultimate goal is to unify the City which is something she has wanted for a very long time. Thereafter, she commented on Commissioner Preston's integrity and love for the City as an elected official and regular citizen. Lastly, she said the board desires to work with anyone who is added to the board and will respect their decision.

Mayor Ganz closed the public hearing.

Commissioner Hudak said everyone on the dais and in the community has the utmost respect for Commissioner Preston and what he means to the City. He has served as a firefighter and commissioner and everyone appreciates him for the sacrifices he has made and knows that his intentions are positive. Commissioner Hudak thanked Commissioner Preston for the changes made to the resolution which allows them an opportunity to add members to the board if they desire.

MOTION was made by Commissioner Preston, seconded by Vice Mayor Parness, to approve Item #9, adopted Resolution 2020/146. 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 HUDAK DISTRICT 1

Workshop – Commissioner Hudak said on October 27, 2020 at 7:00 p.m., he will hold a District 1 workshop at City Hall and Zoom regarding the 13th and 15th Avenue bridges and what the Cove community would like to happen with those bridges. He outlined options for the bridges: removal and replaced with pocket parks, converted for walking and biking paths, repair to FDOT standards, or raise and expand like those in Lighthouse Point. No decisions have been made, but this is the opportunity to discuss what will happen with the bridges. Zoom information can be found on the City's website.

Election Day – Commissioner Hudak said the next President of the United States, along with various city, state and local seats and agenda items will be occur before the next City Commission meeting, November 3rd. The deadline to request a vote by mail ballot is Saturday, October 24th. Early voting is open at North Broward Medical Center from 7 a.m. – 7 p.m. He encouraged everyone to vote and hopes for a peaceful reaction so the path of healing can begin.

COMMENTS BY MAYOR AND CITY COMMISSIONERS – CONTINUED

COMMISSIONER PRESTON DISTRICT 2

Gwyndolen Clarke-Reed Birthday Celebration – Commissioner Preston said on October 24th at 2:30 p.m., cars will line up at Fire Station 102, 1441 SW 11th Way, to celebrate former Commissioner and State Representative Clarke-Reed's 80th birthday. Everyone will drive by her home and wish her a happy birthday; all are invited.

VICE MAYOR PARNESS DISTRICT 3

Early Voting – Vice Mayor Parness said he voted at the E. Pat Larkins Community Center in Pompano Beach and this year, he was upset that there was not any security and there were only two (2) machines to accept the ballot and one (1) was not working. According to the Sun-Sentinel newspaper, the Supervisor of Elections said he did not expect a large turnout. Lastly, he urged everyone to vote as not voting does not allow one's voice to be heard.

COMMISSIONER DROSKY DISTRICT 4

Broward Housing Council (BHC) – Commissioner Drosky said the BHC will have a workshop on affordable housing on October 23rd. Since he cannot attend, he asked if anyone is attending, to please provide a report back to the Commission or information in the Commission's weekly packet, it would be greatly appreciated.

Election Day/Amendment No. 2 – Commissioner Drosky encouraged everyone to vote; thereafter, he commented on Amendment No. 2 which is under the guise of the penny sales tax use, but is a grab on home rule for localities. Commissioner Drosky said he has continued to speak at various engagements explaining to them the impact of Amendment No. 2. While he hopes the court hearing later this month will be successful, but if not, he is encouraging everyone to vote in protection of the City and home rule powers by voting against County Charter Amendment No. 2 on November 3rd.

Saturday Office Hours – Commissioner Drosky said on November 7th, he will have office hours from 10 a.m. till 12 p.m.; appointments may be scheduled by contacting City Hall.

MAYOR BILL GANZ

Election Day – Mayor Ganz encouraged people to vote as some countries do not give people a right to do so. He hopes it is civil and in the end, we are all neighbors and should be able to come together regardless of who is elected.

BSO Police – Mayor Ganz thanked Chief Brimlow, his staff and the City Manager, for listening to concerns about speeding on Hillsboro Boulevard. From October 2nd thru October 16th, a total of 182 citations were issued; 28 arrests which included nine (9) DUIs and two (2) felony arrests and 14 cars were impounded. This is important because he attended an event where a young woman from Deerfield Beach was killed on Hillsboro. It left a lasting impression on him and Commissioner Drosky as they both have her picture in their offices. During COVID, people are using the roads as their speedway due to reduced traffic and it is important to take action to show that the rules still apply.

Accolades – Mayor Ganz thanked the City Clerk's Office staff for their outstanding work with keeping their paperwork together, helping when needed and prepping for the Zoom meetings as it is not easy. He said the meetings have gone smoothly and other elected officials have complimented on handling.

ADJOURNMENT

There was no further business to discuss.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Preston, to adjourn the meeting at 8:13 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