



Meeting Minutes City Commission

Tuesday, February 2, 2021

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Mayor Bill Ganz at 7:00 p.m., in the City Commission Chambers, City Hall, Deerfield Beach.

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

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

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Ganz expressed condolences for those recently lost: Carolyn Miller, wife of former Commissioner Joseph Miller; Mary Davis' father; and two (2) FBI agents. Thereafter was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - January 5, 2021

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

Code Compliance Meeting Minutes - July 22, August 11, August 25, September 8, & September 23, 2020

Planning & Zoning Board Meeting Minutes - November 5, 2020

Community Appearance Board Meeting Minutes - October 28, 2020

Hillsboro Inlet District Meeting Minutes - December 21, 2020

ACKNOWLEDGEMENT OF CITY BOARD MINUTES - CONTINUED

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

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

February 2, 2021

MOTION was made by Commissioner Preston, 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

AWARDS & RECOGNITION**1. A presentation by Dawn Witherspoon regarding the For Paul Foundation scholarship.**

Jason Smith, 10438 SW 49th Place, Cooper City and Dawn Witherspoon, 586 Bridgeton Road, Weston, introduced themselves for the record.

Mr. Smith said he represents the men and women that provide the fire rescue services to the City. It was a great opportunity to create a partnership with the For Paul Foundation to reach City residents. Thereafter, he asked Ms. Witherspoon to provide additional information on what the program affords the City.

Ms. Witherspoon thanked the Commission for the opportunity to speak. The scholarship is intended for high school seniors wishing to pursue the field of firefighters, EMT and paramedics, with three (3) countywide scholarships of \$1,000 each. She advised that the For Paul Foundation was founded in honor of her husband who was killed in the line of duty, who was very passionate about saving lives. Ms. Witherspoon outlined her husband's contributions to others which is why the scholarship is so important. She asked that the City partner by getting the word out in the City as the program does not offer financial aid.

2. Certificate of Recognition presented to the American Red Cross Broward County Chapter for their recovery assistance and support to Deerfield Beach residents affected by a house fire on Christmas Day.

Mayor Ganz provided a summary of the American Red Cross' contributions to society as well as their assistance to a family who suffered a home fire on Christmas Day. The local American Red Cross volunteers from the Broward County Chapter responded to an apartment fire affecting 3 units at The Enclave Apartments at Waterways on SW 10th Place in Deerfield Beach. The volunteer members of the Disaster Action Team helped coordinate emergency aid to seven (7) people who were impacted by the blaze, including three (3) children. Furthermore, emergency financial assistance, relief items like toiletries, health and mental health services, and one-on-one support were provided.

Paula Prendergast, American Red Cross, was present via Zoom. She thanked the Commission for acknowledging the American Red Cross and outlined those who responded on Christmas Day. Additionally, the Red Cross responds to house fires more than any other peril.

Commissioner Drosky thanked Ms. Prendergast for the service provided by American Red Cross as well as the volunteers who came out on Christmas Day to help others.

PUBLIC HEARING - FIRST READING**3. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, REZONING APPROXIMATELY .8688 GROSS ACRES LOCATED AT 111, 121, 131 & 141 SW 2ND TERRACE FROM RESIDENCE, SINGLE-FAMILY (RS-7) TO RESIDENCE, MULTI-FAMILY (RM-10) (APPLICATION 19-R-186); PROVIDING FOR A MAXIMUM OF EIGHT TOWNHOUSE DWELLING UNITS; PROVIDING FOR SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

Kaitlyn Forbes, Mellgren Planning Group Lead Urban Designer & Development Manager, provided a brief history of the firm's credentials and experiences in the City. The project was previously approved by the Planning & Zoning Board on January 7th; she advised that staff supports the project. Thereafter, a PowerPoint presentation was provided.

Tonight's Agenda - Ms. Forbes outlined the agenda: introduction to site, summarize application request, explore existing conditions, review conceptual plan and address rezoning criteria.

Subject Site - Ms. Forbes provided a satellite map of the site which is located south of Hillsboro Boulevard and west of Dixie Highway.

Request Summary - Ms. Forbes said the rezoning request is to rezone approximately 0.86 acres from RS-7 to RM-10 district to make sure their zoning is consistent with the future land use designation of residential moderate, accommodating 10 dwelling units per acre. The rezoning request is unique in nature because most times, people come before the Commission typically seeking an increase for buildable density to maximize the units. However, their build density only increases 0.14 units per acre beyond existing entitlements, from 7 to 7.14 dwelling units per acre. Furthermore, the zoning request is primarily to accommodate different building typology, townhomes, which are not currently accommodated in the RS-7 district. The rezoning will also accommodate infill development and serve as the neighborhood gateway. All criteria have been satisfied for the rezoning request and complies with the City's comprehensive plan and code. Lastly, Ms. Forbes advised that the Urban Land Institute concluded the same results as they have for revitalization.

Current Conditions - Ms. Forbes displayed a site map which is comprised of four (4) vacant lots fronting on SW 2nd Terrace, located directly adjacent to the Hillsboro Boulevard commercial corridor as well as existing multi-family developments.

Future Land Use - Ms. Forbes said the next few slides will consist of maps. The future land use map shows the subject property's adjacency to the commercial corridor along Hillsboro Boulevard. Also, the neighborhood in its entirety is designated RM-10 with 10 dwelling units per acre maximum. She explained that if there was an intent for the development to shift directly from intense commercial into low intensity detached single family, there would have been a lower intensity designation which leaves an opportunity to create a transition zone.

Existing Zoning - Ms. Forbes highlighted the existing zoning map. Currently, there is not a transition zone, but it will be explored during the presentation. The conditions being proposed include a transition from commercial to RM-10 back to RS-5 and RS-7, which already exists in the City; i.e. southeast corner of Hillsboro and Powerline and the northwest corner of Hillsboro and Federal.

Built Conditions - Ms. Forbes said the GIS analysis was completed at the beginning of the project and while it is dated, the conditions are still indicative of what is currently there. There are two (2) colors, green and pink, which she elaborated. The green illustrates structures built 2010 or later; whereas, the aging of the structures supports the concept of redevelopment. The pink color shows lots with more than one unit per lot according to the Broward County Property Appraiser. Although the zoning map shows a single family detached neighborhood, the actual built and existing conditions are not necessarily reflective of the zoning map.

PUBLIC HEARING - FIRST READING - CONTINUED

Aerial View - Ms. Forbes displayed an aerial map of the site and advised that there has been development activity across from the site which will help create the neighborhood gateway. Across the street will be single family development; however, having mirror development is not a zoning requirement or best practice. Additionally, Ms. Forbes said townhomes are single-family development, but are attached as evidenced by the City's Code definition.

Hillsboro Commercial - Ms. Forbes said the next few slides will show different perspectives of the neighborhood to show the context of the area. These slides included the Hillsboro commercial area, Hillsboro neighborhood entrance, the proposed neighborhood gateway at SW 2nd Terrace and SW 1st Street, adjacent multi-family properties, neighborhood core which shows detached single-family homes with typical 50-foot lots.

Character Map - Ms. Forbes outlined the proposed conditions of the map, a transition zone established between a high intensity commercial and low intensity detached single family home. The subject area provides a subtle shift from the two zones and provides a delicate breakdown instead of an abrupt change as seen with current conditions. Based on lot orientation, fronting SW 2nd Terrace, the property serves as an initial first impression to the neighborhood. The gateway design will frame the street, enhance neighborhood character, support surrounding property values and increase real/perceived safety by adding eyes on the street. In addition, the project will offer entry homeowner opportunities. The rezoning will accommodate eight (8) fee simple townhomes, there will be 2 buildings, each with four (4) units with their own garages.

Transition Zone (ULI Discussion) - Ms. Forbes said some of the contents were presented to the Commission by the ULI where the concept of missing middle housing was shown. She explained what missing middle housing means; high number of detached single family and apartment style dwelling units, but mid-density housing units are missing. These units include townhomes and duplexes and offer entry level homeownership.

Site Constraints & Configuration - Ms. Forbes said ULI included this information in their presentation recommending single-family and townhome lots for residential.

Conceptual Plan - Ms. Forbes said the site plan and CAB approval will come later but wanted to demonstrate the ability to comply with zoning standards. The plan shows two (2) buildings with approximately 25 feet between. The conceptual plan was shown in the aerial map.

Conceptual Elevation Design - Ms. Forbes provided the conceptual elevation design with garages, entrances and other architectural treatments. She advised that rates will be appropriate for the neighborhood; thus, no \$600,000 townhomes will be sold in the area. Additionally, the developer plans to wrap all four sides of the property with equal levels of architectural treatment, with window framing, banding, cornices, front and rear balconies.

Rezoning Criterion #1 - #5 - Ms. Forbes outlined each slide for responses to rezoning criterion. Criterion #1, spot zoning or contract zoning; whereby, rezoning is not spot zoning because the use in this case remains residential and density is the same. Noting the proposed amendment brings the zoning designation into conformance with the existing future land use designation. The second criterion is that the proposed change is consistent with the goals, objectives and policies of the comprehensive plan. She outlined the objective for future land use 2.3, discourage urban sprawl and goal future land use 3.0 redevelop blighted and deteriorated sections. Although the neighborhood has experienced positive redevelopment, it suffers from vacancy and aging structures; thus, the introduction of this development is positive for surrounding property values and brings new life into the community. Furthermore, the project encourages increased use of mixed densities and housing typologies and encourages construction of greater housing choices. Lastly, the project encourages development on vacant and underused sites.

Continuing, Ms. Forbes outlined the third criterion pertaining to changes from the present zoning district classification. She advised that market changes are the primary driver for requested rezoning and they considered the highest and best use as well as the best application of urban design principles in coordination with the ULI study; whereby, their design goals are consistent with their recommendation. The

PUBLIC HEARING - FIRST READING - CONTINUED

proposed project would also fill the gap for missing middle housing. Rezoning criterion #4 provides that the proposed change will not adversely influence residential living conditions within the neighboring communities in a 500-foot radius. Within 500-feet, the property types largely consist of detached single-family development as well as commercial and multi-family. The location of the subject site provides an opportunity to be the welcoming block face into the neighborhood.

Lastly, Ms. Forbes outlined the fifth rezoning criterion, compatibility with developments in adjacent and neighboring communities. Within 500-feet of the subject site, development includes commercial, multi-family and detached single family. There is a ready-made transition zone going from intense commercial to the core of the detached single-family neighborhood. Ms. Forbes reiterated that townhomes are single-family development as evidenced by the City's Code and urban planning practices.

Summary - Ms. Forbes closed with the summary of the rezoning request: rezone approximately 0.86 acres from RS-7 to RM-10, increase built density, accommodation of different building typology, and satisfies all rezoning criteria and fully complies with the comp plan.

Commissioner Preston said he is amenable of ownership projects as opposed to rentals as owning brings more stability; however, if rental projects include an enhancement program, that is also important. He asked if outreach was performed in the community.

Ms. Forbes said they complied with the notice requirement and no responses were returned; nevertheless, residents did speak at the Planning & Zoning Board meeting and their questions were addressed then.

Commissioner Preston asked if parking concerns had been addressed.

Ms. Forbes replied that the plan is conceptual in nature and will go through the site planning process which will come before the Commission; notwithstanding, the project is subject to the single family parking ratio which is two (2) parking spaces per unit. Parking was complied on the site development plan.

Commissioner Preston said community outreach is more than posting notices, but going door-to-door to address resident concerns.

Ms. Forbes advised that they did not go door-to-door, as that is done by larger developments with greater impact. Since the proposed project is consistent with the future land use designation, the developer did not take that route; however, they did communicate with most of the commissioners who did not hear any direct concerns from their districts.

Discussion continued between Commissioner Preston and Ms. Forbes about communicating with the residents.

Commissioner Hudak spoke in support of the concept. Thereafter, he questioned what improvements the developer will make to ensure proper drainage and enhance the neighborhood for the residents.

Ms. Forbes replied that in the initial concept plan, they complied with the maximum lot coverage and required open space. The exact specifications will be discussed during the site planning stage. She commented on experience with flooding in single-family homes which occurs much more than in multi-family areas due to narrow side yards and believes this development will be better with flooding. Additionally, sidewalk improvements will be included.

Mayor Ganz opened the public hearing.

Sandra Jackson, 386 SW 35th Avenue, Deerfield Beach, spoke in opposition of the project as there are concerns in the community; i.e. increased taxes, rental properties and crime. She said she prefers single-family homes and believes people will purchase the townhomes and rent them out which decreases the likelihood of maintaining the property.

PUBLIC HEARING - FIRST READING - CONTINUED

Shirley Sands, 182 SW 1st Court, Deerfield Beach, spoke in opposition of the project and would like single-family homes built instead of townhomes.

Mae Frances Feagin, 3500 SW Natura Boulevard, Deerfield Beach, said she does not want the townhomes to be turned into Section 8 housing as the residents would not own nor have a relationship with the community.

Latonda Graham, 167 SW 1st Court, Deerfield Beach, spoke in opposition to the project and would like single-family homes instead of townhomes. Furthermore, she opined that it will affect taxes and other costs in the future.

Henrietta Paragore, 232 SW 1st Street, Deerfield Beach, spoke in opposition to the project as traffic on 1st Street going to Hillsboro Boulevard is intense. Additionally, she said taxes and education will be impacted. She said she supports duplexes and single-family homes, but not rental properties as the current rentals are not maintained. She also commented on the length of time it took to move four (4) 18-wheelers from the property.

Janice Fulmore-Tigner, 1090 SW 4th Terrace, Deerfield Beach, said instead of homes or apartments being placed there, a cemetery should be considered as burial space is lacking.

Laura Parrish, 130 SW 2nd Terrace, Deerfield Beach, said she owns property directly across from the proposed project and although she supports growth and development, she has concerns. Ms. Parrish said the project may not be suitable for the area; first, increased traffic as the units may accommodate four (4) or more family members with two (2) or more vehicles, which leads to parking issues. She commented on two (2) homes the developer recently built, four (4) bedrooms and two (2) bathrooms with a one (1) car garage and one (1) parking space. Now the tenants are parking on the swale and across the sidewalk daily. She asked the Commission to consider what stability the project will bring to the community.

Terry Scott, 180 SW 3rd Avenue, Deerfield Beach, said although he supports development, the community needs to be involved as the project will affect lives. Thereafter, Mr. Scott commented on parking with the newly constructed homes and said the residents want to better the community. Additionally, the rental apartments on 1st are not maintained and asked that single-family homes be added.

Linda Jones, 237 SW 1st Court, Deerfield Beach, said townhomes invade her privacy, there would be a lack of parking; thus, she spoke in support of single-family homes. She said safety is important and wants to know who is living nearby.

Verlia McGill, 251 SW 1st Court, Deerfield Beach, spoke in opposition of the project and prefers single-family homes. She said the developer has not knocked on doors in the community to find out who agrees or does not agree to the proposed project.

Mayor Ganz closed the public hearing.

Ms. Forbes replied to various concerns posed by the public. This is a single-family development per the code and individual fee simple lots, one (1) unit per lot; these units are not multi-family. It is anticipated that there will be one (1) owner per lot. Regarding traffic, it is a major concern throughout Broward County and the increase for this development over single-family is quite menial and amounts to about 40 trips per peak hour, which is one (1) trip for 15 minutes. Also, by providing additional homeownership opportunities, there will be more eyes on the street which will likely reduce crime. Ms. Forbes said she cannot comment on a rise in taxes, but homeowners should expect an increase in their home values. She reiterated that this project was recommended by the ULI for this area. Lastly, the noticing requirement was met and door-to-door visits were not done, but they are consistent with the future land use designation.

Commissioner Hudak said the plot of land has been vacant for about 50 years and if there was an opportunity for single-family homes, it would have happened previously; whereas, this is a chance to develop the property. He asked if staff has the percentage of rental homes in the area.

PUBLIC HEARING - FIRST READING - CONTINUED

Eric Power, Director of Planning & Development Services, replied no, but citywide, the rental rate is in the mid 30 percentile.

Commissioner Hudak clarified that any homeowner in the area has an opportunity to rent their home just as the new owners of the townhomes.

Mr. Power said that is correct.

Mayor Ganz clarified that the property tax is capped at 3% for homestead properties or CPI (consumer price index), whichever is lower.

Mr. Power replied yes, and he will research the CPI for last year.

Mayor Ganz explained how property taxes are calculated; whereby, if property values increased dramatically, taxes cannot increase by more than 3% of the current amount or lower based on CPI which was 2.1% about two (2) years ago.

Commissioner Drosky said he met with the applicant, Ms. Forbes, before the meeting tonight and posed questions then. He reminded the Commission that this is a rezoning and many questions are more appropriate for the site plan. Also, the ULI presentation is in line with the proposed project; therefore, he supports the project.

Commissioner Preston reiterated that ownership brings more stability. Although the tract of land has been vacant for a number of years, the type of plan matters to the residents. If the plan does not embrace the core of the community, there is a problem; whereby, none of the speakers supported the project. Commissioner Preston expressed the importance of community outreach and addressing resident concerns. He said there is a lack of communication as none of the speakers support the project although they do support development.

In response to Mayor Ganz's question, Commissioner Preston replied no, he did not meet with the developer.

Mayor Ganz said when he met with them, he asked about community outreach which entailed mailers, but there were no replies. Additionally, he explained the difference between the proposed project and rental apartments, whereby, the townhomes would be owned, but can be rented just as a single-family home can be rented. The traffic impact is minimal as the lot is currently empty. He encouraged people to call code enforcement when parking across a sidewalk or other infraction. Mayor Ganz spoke in support of the project as he believes it is the right improvement for the area. Lastly, he opined that a lot of the pain could have been resolved with a different approach to community outreach.

Vice Mayor Parness said whenever there is a new project, a few voice negative opinions without seeing the site plan. Since the property has not been developed in 50 years, it is unlikely that there will be a project that everyone agrees on; therefore, the land should not lay vacant forever as more housing is needed. Lastly, Vice Mayor Parness opined that the site plan should be the measuring tool to whether the project will be attractive or a detriment to the neighborhood.

Commissioner Preston said even if the Commission believes the project will enhance the neighborhood, the residents should be heard even though there are concerns on both sides. Commissioner Preston commented on a project where the developer went door-to-door and won the residents over, but was not the case with this project.

Mayor Ganz said there are different methods the developer could have used to connect with the public. He also outlined concerns from the public that will be addressed during the site plan, i.e. setbacks and height. Also, he said a single-family home can be built as a two-story and asked the height approved by Code.

Mr. Power replied that the maximum height for RS-5, RS-7 and RM-10 is 35 feet, approximately three (3) stories. Also, the current CPI is approximately 2.3%.

PUBLIC HEARING - FIRST READING - CONTINUED

Mayor Ganz said taxes should not be a concern based on the CPI. Also, he is hopeful that the developer will build a path to address the residents' concerns.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to approve Item #3 on first reading. Roll Call:

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

Nays: 1 - Commissioner Preston

PUBLIC COMMENT

Mae Francis Feagin, 3500 SW Natura Boulevard, Deerfield Beach, said she is concerned about the number of plots available at Pineview Cemetery; whereas, there are only four (4) remaining. She said no one can tell her where loved ones will be buried and why the residents were not notified.

Mayor Ganz asked if the goal is to build another cemetery.

Ms. Feagin replied that would be nice.

Shernell Keitt, 402 NW 1st Avenue, Deerfield Beach, said swing sets are still up at Pioneer Park, but all other swing sets are off at other parks.

Sandra Jackson, 386 NW 35th Avenue, Deerfield Beach, asked why the developer for Item #3 did not speak with Commissioner Preston.

Leonard Arabia, 2051 SE 3rd Street, Deerfield Beach, read a letter into the record; see attached.

Janice Fulmore-Tigner, 1090 SW 4th Terrace, Deerfield Beach, said she is concerned about the lack of burial plots at Pineview Cemetery and asked if there is land in the City to purchase for a cemetery.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, said there have been hundreds of volunteers at the food distribution events at Quiet Waters Park as well as staff members on a rotational basis. In December, a holiday lunch was held at Quiet Waters after the event, but only City staff were treated. She said this was a slap in the face as volunteers are working right alongside everyone else. Ms. Freitag said everyone should have either been included or moved the luncheon to CCC (Central City Campus). Regarding the Parks & Recreation Director position, Ms. Freitag said she is aware that the first choice declined the City's offer and other top applicants were told that the position is no longer available or able to be filled. This department is one of the largest in the City and has not had proper direction since September. Furthermore, the assistant director has resigned and there are obvious issues in the department that need to be addressed; having the right person is key. Ms. Freitag continued to express dissatisfaction that the position has not been filled and the deterioration of the department.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, asked for a separate budget on the CARES/COVID funding on how much has come in and spent. She also commented on the lack of leadership for the Parks & Recreation Department and the frequent turnover.

Commissioner Hudak left the dais temporarily at 8:31 p.m. and returned at 8:33 p.m.

David Santucci, City Manager, replied to various questions posed during this segment. He advised that there maybe more than four (4) plots available at Pineview Cemetery. Although staff recognizes that space is limited, it is due to the ability to reserve plots at Pineview and Memorial cemeteries, whereas, there were overwhelming responses. Currently, staff is analyzing the conversion of infant plots to adult plots which will be presented to the Commission. Also, there is still room at Memorial Park. Continuing, Mr. Santucci advised that not all swing sets are up, but with existing resources, all the playgrounds cannot be put up due to sanitation requirements by the Broward County ordinance. There are various playgrounds throughout the City currently open; other playgrounds will be opened at the appropriate time.

PUBLIC COMMENT - CONTINUED

Additionally, Mr. Santucci said he does not believe there was an ill-intent to include volunteers at the luncheon, following the food distribution, but will look into it. He explained that every year, the City receives employee wellness dollars and there was a surplus of wellness dollars since various events and activities ceased due to COVID. This was a last-minute effort to use those funds inline with the program. He reiterated that there was no ill-intent to not include volunteers. Furthermore, he said the recruitment process for the Parks & Recreation Director will continue. Lastly, the information regarding CARES funding will be gathered.

Mayor Ganz responded to Mr. Arabia. He advised that he did not return his phone call because he didn't have a solution for him. Although Mr. Arabia has said he is not interested in rescinding the dog curbing ordinance, the alternatives are limited. For example, the City cannot place a sidewalk in front of the Wyndham which means pedestrians will either have to cross the street or put a sidewalk on the east side of Ocean Drive. If on the east side of Ocean Drive, there is no where to take the dog and he cannot figure out what path Mr. Arabia is suggesting. If trying to get to the sidewalk across from Flanigan's, the route around 1st Street is recommended as there may not be sidewalks there, but more clearance to walk than on Ocean Drive in front of the Wyndham. He advised that he would consider removing the spaces, even with a loss of revenue, but logistically, it will not make a difference as there is nowhere to walk a dog.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

After a brief discussion, Items 6 and 8 were pulled for discussion.

Mayor Ganz opened the public hearing for Items 4, 5 and 7; however, there were none to speak and the public hearing was closed.

There was no discussion on the aforementioned items.

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve items 4, 5 and 7 of the Consent Agenda. Roll Call:

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

Nays: 0

- 4. Resolution 2021/010 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JB8311F-06-2021 with the Areawide Council on Aging of Broward County, Inc. for iN2L Pilot Program in the amount of \$55,058.38; authorizing execution of the Agreement; providing an effective date. (Fiscal Impact: Funding for Center)**
- 5. Resolution 2021/011 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Second Amendment and Restatement of the Transportation System Surtax Interlocal Agreement with Broward County, the Broward Metropolitan Planning Organization, and other Broward municipalities; providing for execution and an effective date.**
- 6. Resolution 2021/012 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an Amendment to the Agreement with Geosyntec Consultants for Stormwater Management and Flood Resiliency Strategies - Master Plan Services; authorizing execution of the Amendment with Geosyntec; authorizing expenditure of grant funds; providing an effective date.**

The Resolution was read by title only.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

Commissioner Hudak expressed the importance of the stormwater management plan. Flood waters will be one of the greatest challenges in Deerfield Beach over the next 50 years. In 2017, when his home flooded, he was told it was a hundred years rain and last November, it flooded again. Homes in District 1 are 5-feet above sea level and stormwater pipes are 3-feet above; wherein, significant rain causes flooding to the homes. The master plan is a proactive approach to work on those problems as these hundred-year rains will come over the next 5 to 10 years.

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 #6, adopted Resolution 2021/012. Roll Call:

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

Nays: 0

7. Resolution 2021/013 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Award of Invitation to Bid #20-02-JW for citywide pressure washing services; authorizing execution of agreements with the three lowest bidders, Roof Painting by Hartzell, Inc. d/b/a Hartzell Painting, Major Elite Service, Inc., and Bel Air Maintenance, Inc. for citywide pressure washing services on an as needed basis for two year terms with three additional one year renewal options; providing for severability and an effective date. (Funds from Account #001-7020-539-32-99 - Other Contractual Services)

8. Resolution 2021/014 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking for Request for Proposals #21-10-PC for Supplemental Fleet Maintenance and Repair Services; authorizing the City Manager to negotiate an agreement with Vector Fleet Management, LLC; providing for an effective date. (Funds from various Departmental Operating Accounts)

The Resolution was read by title only.

Commissioner Preston asked that an apprenticeship program be included in this program to identify interested young persons and work on a comprehensive program that will eventually stabilize the City.

David Santucci, City Manager, advised that the program will be included during contract negotiations.

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

MOTION was made by Commissioner Preston, seconded by Commissioner Hudak, to approve Item #8, adopted Resolution 2021/014. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

- 9. Resolution 2021/015 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, supporting the Crystal Lake Drive/NW 45th Street Project as a Local Agency Program (LAP) Project; committing to funding the construction contingency for the Project, and upfront costs for design, construction and construction engineering inspection services subject to reimbursement under the LAP; providing for implementation and an effective date.**

The Resolution was read by title only.

Priscilla Cygielnik, City Engineer, said this is a transition project that was originally intended for full funding and design by FDOT; however, the City was notified that the delivery process was changing to a Local Agency Program. After negotiations, the City was notified that the MPO will be taking the design, construction, engineering and inspection costs and encumbering those funds. The City will however be responsible for upfront costs, if needed, for design and construction and reimbursed thereafter. The proposed resolution goes from FDOT standard delivery to the Local Agency Program Delivery Project.

Mayor Ganz said this project would have cost the City an exorbitant amount of money as well as having to hire someone with a specific expertise. He said the Commission decided to object to the process via resolution and other cities, including Broward County, followed suit. Had there not been a push against the process, the City would have faced greater costs. He thanked City Manager Santucci and Assistant City Manager Good for bringing this to his attention.

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

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item #9, adopted Resolution 2021/015. Roll Call:

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

Nays: 0

10. A presentation on the citywide initiative to convert FPL owned and maintained lights from High Pressure Sodium to LED.

Franc Arbide, FP&L Business Development Manager, provided a PowerPoint presentation regarding light installation in the City.

Leaders in Light - Mr. Arbide provided a brief history of the service FP&L provides throughout Florida. They have been in business for over 60 years, own over 500,000 street lights, touch about 150,000 lights every year for various reasons, and over the last 3.5 years, they have begun converting lights to LED with customer permission and are halfway to completing the conversion.

LT-1 Tariff - Mr. Arbide explained the tariff was approved by the Public Service Commission (PSC) and allows FP&L to convert high pressure sodium lights under the previous tariff and allows the installation of new LED lights under the tariff. Along with customer consent and agreement, FP&L can convert customer owned lights to LED also. The tariff calls for the same charges as the existing; whereby, there is a monthly charge for the fixture, charge for the maintenance and energy consumption. The charges are based on the fixture chosen by the customer. The customer may also pay additional monthly charges for dedicated light poles and underground construction.

Proliferation of LED - Mr. Arbide outlined where LED lights are found, phone, tablet, computer monitors, etc.

Demand is High for LED Street Lights Under LT-1 - Mr. Arbide said over 100 cities have converted lights to LED.

DEPARTMENTAL BUSINESS - CONTINUED

LED Advantages - Benefits of LED - Mr. Arbide pointed out a few advantages of LED lights: color rendition makes it easier for people in the area to tell the difference between colors; whereby, high pressure sodium makes it hard to see colors. Other benefits include higher efficiency, energy savings and greater variety of choices. A photo was displayed to illustrate visual differences.

Why Choose LED over HPS? - Mr. Arbide continued to display photos of the visual differences between LED and high-pressure sodium lights.

City of Los Angeles - Mr. Arbide provided a photogram above Los Angeles showing the dramatic difference between LED lights and HPS; whereby, HPS lights create light pollution and light up the sky. The LED version has no lighting in the sky.

Object Detection Distance Example - Mr. Arbide said this is an experiment performed by Virginia Tech Transportation Institute, the leading experts in street lighting in the Country. Staff has chosen the white 4000 Kelvin light and in both dry and wet conditions, drivers can identify an object earlier than other types of lights, giving them more time to react.

Color Temperature - Mr. Arbide explained the difference in the HPS and LED lights; the high-pressure lights create an orange tinge on the sidewalk, but LED shows the natural color of the light and area. Furthermore, there is not much light intruding into the home; however, the HPS light is bleeding into the home.

Proposed Replacements and Environmental Impact - Mr. Arbide showcased different types of lights to be used in the install and will replace similar lights. Based on the number of lights remaining, the plan reduces power consumption by 406,000 kWh/year and eliminates 285 metric tons of CO₂ which is the equivalent of removing 61 cars from the road. Thereafter, he entertained questions by the Commission.

In response to Commissioner Hudak's question, Mr. Arbide replied that FP&L will not replace poles under this program; however, if poles are leaning, they should be reported and addressed by the restoration team.

In response to Commissioner Drosky's question, Mr. Arbide replied that once the agreement is signed, materials are ordered. There is no upfront cost to the City and will be billed with the current monthly bill based on the selection of lights. It takes about 12 weeks for the materials to arrive then installation starts; for a job of this size, there will be between 2 to 3 crews and 100 lights will be installed weekly. Once the contract is signed, the project would be done about six (6) months from that date; approximately early August.

Commissioner Drosky said there are two (2) side streets with LED lighting and there is a significant difference and residents are asking when the side streets will be done. He advised that since it was a pilot program, the side streets would not be done. Commissioner Drosky spoke in support of the project due to the increased impact on public and environmental safety.

Commissioner Preston agreed with Commissioner Drosky as the lights make a difference. Residents were consistently calling him about areas that were dark making them feel unsafe; thus, the lights are welcome.

Commissioner Hudak asked where the lights are and what other areas will receive the lights.

Mr. Arbide replied that two (2) areas have already been done, and the project will include all remaining FP&L lights within the city limits, except those on FDOT roadways. FDOT will make the decision on which lights they would like. Also, city owned lights are not included.

Priscilla Cygielnik, City Engineer, said the city owned lights are on State roadways; FDOT turns the lights over to the City for maintenance. Before changes can be made, the City has to provide a full design light study and submit for permitting.

Mayor Ganz said this is the right direction as he has seen the pilot lights and they are extremely impressive.

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY

House/Senate Bills - Anthony Soroka, City Attorney, said the 2021 legislative session is underway; thereafter, he outlined various bills concerning home rule authority. The smoking preemption is on tonight's agenda and will be discussed at that time. Nevertheless, other bills affecting home rule include SB 522 Vacation Rental Preemption and HB 7 COVID-19 liability protection for governmental entities. Although the Commission has adopted ordinances pertaining to vacation rentals, the new bill further limits the City's authority to regulate. HB 7 is proposed to apply to governments, individuals, and educational institutions and businesses. It provides protection, whereby, a person makes a COVID-19 liability claim against the City, they would have to state their claim with particularity and have a licensed physician provide an affidavit indicating that the government or business entity caused it. Then it shifts to the defendant to show a good faith effort has been made to substantially comply with the authoritative or controlling government issued health standards provided at that time. If done, the case is dismissed.

CITY MANAGER

Vaccinations - David Santucci, City Manager, advised that vaccinations are currently controlled by the State. The State determines what sites will be used and how many are supplied. He said in Broward County, there are a number of sites, but none are in Deerfield Beach. Recognizing that much of the community needs vaccinations, the supply is short, which is why he lobbied both the State and local hospital districts to bring a center to the City, but was unsuccessful. Furthermore, the manufacturers of the vaccine will be remanufacturing the vaccine which will cause a temporary decrease in supply, until around mid-February and then the retooling process will result in more vaccines being available in late February or early March. Mr. Santucci provided an overview of what is being done in the City to assist residents in vaccinations; whereby, the Department of Active Aging has a list of approximately 450 individuals over the age of 65 interested in the vaccine. Almost half of those individuals were assisted with website information to make an appointment or provided direct access to a vaccination site. Anyone needing assistance is encouraged to contact the Department of Active Aging.

CITY COMMISSION BUSINESS

11. Resolution 2021/016 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging the Bahamian Government to deny offshore oil drilling exploration licenses and permanently ban offshore oil drilling activities in the Bahamas; providing for transmittal and an effective date.

The Resolution was read by title only.

Commissioner Hudak said a petroleum company began drilling an exploratory well the week of December 26th as reported by the Sun-Sentinel off the coast of the Bahamas. He said an exploratory well should not be comforting as the 2010 drilling of an exploratory well resulted in more than 200 million gallons of oil spilling into the Gulf of Mexico, adversely affecting the west coast of Florida. The company has licenses to drill in an area as close as 50 miles off Deerfield Beach. If a spill occurred, it would devastate our beach.

Continuing, Commissioner Hudak said the December drilling prompted 18 members of Congress, including the entire South Florida Delegation to send an urgent letter to Prime Minister Hubert Minnis asking him to reconsider his government's decision of approving the drilling. It is for the protection of the beaches that he is asking the City Commission to adopt this resolution.

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

CITY COMMISSION BUSINESS - CONTINUED

MOTION was made by Commissioner Hudak, seconded by Commissioner Preston, to approve Item #11, adopted Resolution 2021/016. Voice Vote:

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

Nays: 0

12. Resolution 2021/017 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging the Florida Legislature to approve Florida Senate Bill 334/House Bill 239 authorizing counties and municipalities to further restrict smoking within the boundaries of public beaches and public parks; providing for distribution of this resolution; providing for an effective date.

The Resolution was read by title only.

Commissioner Drosky said he supports the proposed resolution because it supports home rule. The House and Senate bills would give cities the ability to restrict smoking on their beaches and in the parks. He explained why it is important to restrict and not ban as banning would not gain traction in the legislature; therefore, it is up to the cities to determine what restrictions they implement. He asked that the Commission support the proposed resolution so cities have authority over their beaches and parks.

Commissioner Hudak agreed with the importance of home rule and sees this proposed resolution as an opportunity to regain home rule authority.

Vice Mayor Parness spoke in support as home rule is extremely important. Thereafter, he commented on not being able to fine people and businesses when they violate Broward County rules on COVID-19.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, spoke in support of the proposed resolution. She asked if supporting the restriction will be a sign to the legislature that the City plans to make restrictions and what happens if the City does not approve the resolution.

The public hearing was closed.

Mayor Ganz said if the City does not approve the resolution, it would not receive the support it deserves. Whether the City has the resources to enforce, the State would not be concerned. Succinctly, it is better to support it and hopes it passes.

MOTION was made by Commissioner Drosky, seconded by Commissioner Hudak, to approve Item #12, adopted Resolution 2021/017. Voice Vote:

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

Nays: 0

COMMENTS BY MAYOR & CITY COMMISSION**COMMISSIONER HUDAK****DISTRICT 1**

COVID-19 Vaccinations - Commissioner Hudak said the Governor is the only one who can determine where the vaccines will be distributed. Currently, Tradewinds Park in Coconut Creek offers the vaccine; however, County Commissioner Lamar Fisher is attempting to bring a site to the Deerfield Beach/Pompano Beach area; updates will be provided once received.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

Pioneer Days Picnic - Commissioner Hudak said the event is quickly approaching and registration is required, www.evenbrite.com, which is also on the City's website. Three sessions will be held on Saturday, February 13th from 9 a.m. - 5 p.m. at Pioneer Park.

COMMISSIONER PRESTON**DISTRICT 2**

Item 3 Rezoning - Commissioner Preston advised that the contractor reached out to him; however, he was unable to meet due to various situations. He explained that they were not trying to remove him from the process, but scheduling conflicts and illness prevented the meeting.

BSO/City Coordination - Commissioner Preston asked that City staff coordinate with BSO to find out how they handle losing service members. Following the deaths of two (2) FBI agents, he would like monetary contributions sent to the families. Thereafter, he commented on the events that took place resulting in the deaths of the agents.

ULI Report - Commissioner Preston said when the presentation was given on the rezoning, the presenter advised that the ULI report aligned with their recommendations for townhomes in the area; however, he is unsure as to how she obtained this information as the report is not completed. This conversation gives credence to the need for a community based CRA plan which will help guide and fund redevelopment. He asked that research be done to find out when the report will come out.

Juneteenth - Commissioner Preston thanked the Commission for supporting the Juneteenth holiday. He said after Deerfield Beach adopted Juneteenth as a City holiday, other municipalities and Broward County followed suit. Additionally, the committee is working on an educational component for the holiday.

Coyotes - Commissioner Preston said coyotes have been spotted in the City. He asked that the City Manager provide signage, in wooded areas and other areas where they are a nuisance, stating that coyotes are in the area. If it becomes a problem, a plan needs to be formulated before it becomes a crisis and attacks someone.

Mayor Ganz said there have been coyote problems for several years in District 4. The animals go along the Everglades and follow Hillsboro Canal and are prevalent. Further, Florida Wildlife Commission (FWC) does not do much in terms of curbing them, but he agreed with signage.

VICE MAYOR PARNESS**DISTRICT 3**

Vaccinations - Vice Mayor Parness said he met with a representative from the hospital regarding the use of the gym at Oveta McKeithen Recreational Complex as a vaccination site. There is discussion that several churches in the area may be a vaccination site. If enough vaccines are received, using the gymnasium could be possible; however, it has not been finalized. He thanked the City Manager for arranging the meeting.

Century Village Turning Lane - Vice Mayor Parness said he asked for the Commission's support of having a right turn lane from Military Trail, which was previously approved. The State also approved it within 10 days, followed by the County. The turn lane is being constructed at this time at no cost to the City, but is being paid by Century Village.

Century Village Security - Vice Mayor Parness said the Village security is working diligently in keeping residents safe from the virus. He explained the steps taken to uphold rules of social distancing and requiring masks.

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

Coyotes - Commissioner Drosky said coyotes have always been an issue in District 4. Before COVID, the Commission was scheduled to have a workshop with the FWC and asked that it be rescheduled. Additionally, coyotes are considered native to Florida and cannot be indiscriminately killed. Since he has been in District 4, there have not been any reports of pets or humans being attacked. According to wildlife officials, coyotes are skittish and normally run away from people; however, if it does not run away or approaches, it is likely rabid and if so, can be destroyed. Commissioner Drosky said although he has heard of a rabid coyote in District 4, signage is a good idea. He asked that the workshop either be rescheduled, or information be provided, so it can be shared with the residents.

Stormwater Management - Commissioner Drosky said at the end of last year, there was a stormwater management workshop; whereby, short term solutions for the Deer Run neighborhood were discussed. He asked that the City Manager collaborate with staff, find out the recommendations and report back to the Commission.

COVID-19 Vaccinations - Commissioner Drosky said he found out from Jared Moskowitz, Florida Emergency Management Director, that there is a production issue, not a distribution issue. He explained the process for handling vaccines. There is a national database that informs each state of how many vials they will receive; however, there is only a six (6) day lead time which makes planning difficult. On average, Florida is receiving about 250,000 weekly and sometimes up to 500,000; thus, based on residency, it will take time. Moreover, Commissioner Drosky said because hospitals and distributors do not know how many vials are coming, they are holding back vials for the second dose, further complicating the distribution problem. He said until the national government overcomes the distribution issue, everyone needs to be patient as not much can be done on the state level.

COMMISSIONER HUDAK (CONTINUED)**DISTRICT 1**

Cove Brewery - Commissioner Hudak provided an update on the Cove brewery. On January 28th, the City received a revised site plan which estimates construction resuming in early April. Exterior construction will be completed by August and the interior by November.

MAYOR BILL GANZ

COVID-19 Vaccinations - Mayor Ganz thanked staff for their efforts as there are a lot of requests and concerns. He encouraged people to sign up for alerts; myvaccine.fl.gov. The website has consolidated all the information and even if people do not meet all the conditions to obtain the vaccine, he recommended people sign up as the current criteria will likely change.

Traffic Fatalities - Mayor Ganz said there is a need for traffic detail on Hillsboro Boulevard and 10th Street. There have been two (2) motorcycle fatalities on both roads; therefore, he asked that the police crackdown as speeding is out of control.

BSO/City Collaboration - Mayor Ganz agreed with Commissioner Preston to support the families of the deceased FBI agents; whereby, he asked that the City Manager collaborate with BSO.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Vice Mayor Parness, seconded by Commissioner Hudak, to adjourn the meeting at 9:50 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk