



Regular City Commission Meeting Agenda

150 NE 2nd Avenue | Deerfield Beach, FL, 33441 | 954-480-4200

Mayor Bill Ganz

Vice Mayor Bernie Parness

District 1 Commissioner Michael Hudak

District 2 Commissioner Ben Preston

District 4 Commissioner Todd Drosky

Tuesday

March 2, 2021

7:00 PM

CALL TO ORDER & ROLL CALL

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes

Attachment: February 2, 2021

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Non-Uniform Retirement Committee Meeting Minutes

Attachment: November 9, 2020

Community Redevelopment Agency Meeting Minutes

Attachment: November 9, 2020

APPROVAL OF THE AGENDA

March 2, 2021

ZOOM MEETING

Join Zoom Meeting by clicking the below link:

<https://deerfield-beach.zoom.us/j/89476719740?pwd=MHRZL2YrQ25zbUJKMlpwaGplY2Fydz09>

Join Zoom Meeting via telephone by dialing:

Call-in Number: (301) 715-8592

Meeting ID: 894 7671 9740#

Participant ID: #

Passcode: 162476#

For complete instructions on joining and/or participating during Public Comment, please click the following link or attend in person in the City Commission Chambers adhering to social distancing protocols, face covering requirements and temperature checks upon entry:

Attachment: Zoom Instructions

AWARDS & RECOGNITION

- 1. Certificate of Recognition presented to Earl Dean Payne Jr. for 16 years of dedicated service as the Construction Project Manager for the Environmental Services Department.**

Sponsor: Department of Environmental Services

QUASI-JUDICIAL PUBLIC HEARINGS

2. P.H. 2021-041: SPY SPOT INV LLC represented by Jerry Baruch (Sign Variance Case No. 777)

Applicant: SPY SPOT INV LLC represented by Jerry Baruch

Proposal: Seeking approval of a SIGN VARIANCE from the provisions of the Deerfield Beach Land Development Code Section 102-8(c)(1) to allow a freestanding sign on a lot which does not meet the minimum 100 foot wide street frontage requirement and from Section 102-8(c)(1)a. to allow a freestanding sign to be closer than the minimum required separation of 100 feet to another freestanding sign.

Location: The property is generally described as "LOTS 2 & 3 LESS THE SOUTH 5.00 FEET, PALM PLAZA SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 47 PAGE 18" as more particularly described in the file and located at 825 S. Federal Highway.

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 4/5 vote of the City Commission

Sponsor: Department of Planning & Development Services

Attachment: Spy Spot INV, LLC

PUBLIC HEARING

3. P.N. 2021-042: Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of an application to the Florida Department of Economic Opportunity for the Community Development Block Grant - Coronavirus Program; authorizing execution of a Grant Agreement; and providing for an effective date.

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Legislative and Community Affairs

Attachment: CDBG-CV Program

PUBLIC COMMENT

Persons addressing the Commission shall state his/her name and address and may speak for three (3) minutes unless extended for one (1) additional minute by the Mayor. All remarks made by the public at a Commission meeting on an agenda item shall be addressed to the Commission as a body and limited to the subject matter before the Commission at that particular time. No comments shall be made related to the personal life or personal qualities of any person and no language which would offend persons of ordinary sensibilities shall be permitted. The public shall be given an opportunity to speak on any substantive agenda item, subject to the aforementioned restrictions, prior to a vote on the matter by the City Commission. The Commission shall determine the appropriate time, prior to the vote, for the public to speak. For consent agenda items, the public shall be given an opportunity to speak prior to the approval of the consent agenda. The Commission may, by majority vote, determine that public input on an agenda item be tabled to a future meeting so long as the vote on the agenda item take place at the future meeting and that the public input take place prior to the Commission making any decision.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

- 4. Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the purchase of comprehensive geographic information system software solutions license and services pursuant to Master Agreement No. 310196 with Environmental Systems Research Institute, Inc., a sole source vendor; providing for execution, implementation, and an effective date. (Funds from Account #001-1400-513-30-04 - Software Maintenance & Account #001-1400-513-32-99 - Other Contractual Services)**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Information Technology

Attachment: Environmental Systems Research Institute, Inc.

DEPARTMENTAL BUSINESS

- 5. ORDINANCE 2021/ - 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.**

Suggested Action: Commission to vote on Ordinance and set public hearing for March 16, 2021

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Department of Environmental Services

Attachment: No Through Truck Zones

- 6. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 34 "ENVIRONMENT," ARTICLE II "NOISE CONTROL," SECTION 34-35 "SPECIFIC NOISE PROHIBITIONS" TO REGULATE THE USE OR OPERATION OF EXTERIOR LOUDSPEAKERS, AMPLIFIERS, AND SIMILAR DEVICES ON PUBLIC RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

Suggested Action: Commission to vote on Ordinance and set second public hearing for March 16, 2021

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Office of the City Manager

Attachment: Noise Control Ordinance

COMMENTS BY ADMINISTRATION & LEGAL

CITY COMMISSION BUSINESS

- 7. Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging the Florida Legislature to approve Florida Senate Bill 596/House Bill 6023 repealing Section 163.045, Florida Statutes, and restoring local governments' ability to regulate matters relating to pruning, trimming and removal of trees on residential properties; providing for transmittal and an effective date.**

Suggested Action: Commission to vote on Resolution

Voting Requirement: Adoption requires a 3/5 vote of the City Commission

Sponsor: Commissioner Todd Drosky

Attachment: Florida Senate Bill 596/House Bill 6023

COMMENTS BY MAYOR & CITY COMMISSION
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ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Regular City Commission Meeting - Tuesday, March 16, 2021

Any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meetings or hearings will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and the evidence upon which the appeal is made. The above notice is required by State Law (F.S. 286.0105). Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the presence of a certified court reporter at the hearing.



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 Francis 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

From: [Heather Montemayor](#)
To: [Leonard Arabia](#)
Cc: [Samantha Gillyard](#)
Bcc: [Web City Manager](#); [Bill Ganz](#); [Michael Hudak](#); [Ben Preston](#); [Bernie Parness](#); [Todd Drosky](#)
Subject: RE: Public Safety on South Ocean Way in Deerfield Beach
Date: Tuesday, February 2, 2021 7:36:00 PM
Attachments: [image001.png](#)
[image003.png](#)

Hello Mr. Arabia,

Your below e-mail has been forwarded to the City Manager's Office, as well as the Elected Officials.

Thank you,



Heather Montemayor, CMC,
Assistant City Clerk
City of Deerfield Beach
150 NE 2nd Avenue
Deerfield Beach, FL 33441
P: 954.480.4213
F: 954.480.4323

More Than Just a Pretty Beach

From: Leonard Arabia <cabotay@comcast.net>
Sent: Tuesday, February 2, 2021 6:55 PM
To: Heather Montemayor <HMontemayor@deerfield-beach.com>
Subject: Public Safety on South Ocean Way in Deerfield Beach

February 2, 2021

To: City of Deerfield Beach / Commissioners

I am pleased to see the City is concerned with the public's safety upon recently getting an email concerning the updating of the pedestrian walk at the curve on A1A. Also as I stated in my previous email to the Commission, the City's concern regarding the neighborhood traffic calming program shows a keen awareness for pedestrian safety.

Yet, the blatant disregard for City residents' public safety on South Ocean Way is unacceptable. It has been months since I brought this issue to the Commission and despite appearing twice previously, there has been zero response from the City. Your actions are not only egregious, dereliction of your responsibilities, and frankly mind boggling to the residents of Deerfield Beach.

Let me present two examples:

1. I received an email from the Mayor's office requesting a preferable method of contact, either phone or by email, two weeks ago. There has been zero contact by the City to me.
2. In my last appearance before the Commission, I requested a PRR for five questions that force a person who is walking with a dog to walk in the street when there is an available sidewalk. I also asked several questions pertaining to the dog ordinance which would be a basis for not allowing dogs on the sidewalk. The response with which I was provided indicated there is no record that would have a negative effect to the questions that I asked or justify the City requiring people with dogs to walk in the street.

The Commission appears to be hung up on not rescinding the dog ordinance, which has never been asked of them. I only asked to provide public safety to residents and visitors who walk with a dog.

I would be more than happy to work with the City's engineering department to correct the public safety issue, which by the way would require no construction and can be accomplished in a couple of days.

I could easily fill this hall with people who are demanding the safety issue be addressed immediately, but to what end?

I truly resent being ignored by the Commission and you leave me no choice but to proceed with the County and State authorities if you choose not to address this issue immediately.

In closing, I feel that I would get more attention to this matter when speaking by providing the Commissioners with coloring books and crayons.

Leonard Arabia
617-893-0940

**CITY OF DEERFIELD BEACH NON-UNIFORMED EMPLOYEES' RETIREMENT
COMMITTEE SUMMARY OF REGULAR MEETING MINUTES
November 9, 2020**

ROLL CALL: The virtual regular meeting of the Board of Trustees of the City of Deerfield Beach Non-Uniformed Employees' Defined Benefit Pension Fund was called to order at 1:50 PM on November 9, 2020.

TRUSTEES PRESENT: John Patterson, David Rolwing and Lee Magnuson

OTHERS PRESENT:

Fund Attorney Pedro Herrera of Sugarman & Susskind, Scott Owens and Andy McIlvane of Graystone Consulting, Employee Retiree David Amason and Fund Administrator Livia Giuliani of Benefits USA, Inc.

APPROVAL OF MINUTES:

July 14, 2020 Regular Meeting minutes

Chairman Patterson moved to approve the July 14, 2020 regular meeting minutes and Trustee Rolwing seconded the motion and it passed.

September 8, 2020 Special Meeting minutes

Chairman Patterson moved to approve the September 8, 2020 special meeting minutes and Trustee Rolwing seconded the motion and it passed.

PUBLIC COMMENTS:

Employee Retiree David Amason

Mr. Amason attended via Zoom to express his interest in becoming a Trustee to fill the position for deceased Chairman Wayne Miller which will expire in September 2021 at which time a new election would need to be held. The Attorney reported that Mr. Amason can apply during the nomination period and will be in place for the next regular meeting in February. After his appointment, then the Trustees can appoint the 5th Trustee vacancy.

INVESTMENT REPORTS: Q/E 09/30/2020

Mr. Owens reported on the economy noting that the 3rd quarter had some modest gains as the S&P 500 returned 8.9%. All US sectors with the exception of Energy were up. Consumer Discretionary, Materials and Industrials were the best performers returning 14.7%, 12.9% and 12% respectively. The worst performers were Financials, Real Estate and Energy returning 3.8%, 2.6% and -20.9% respectively. The Small Cap outperformed Large cap and Growth outperformed value. The Fixed Income returns were strong for the quarter. The Bloomberg Barclays US Aggregate Bond Index gained 0.62%. The Fed pledges to continue the monetary stimulus and keep interest rates low through at least 2022.

Mr. Owens reported on the fund returns noting that the total fund return for the quarter was 4.11% vs. the policy index of 4.76%; the Wedge large cap equity returned 5.07% vs. the index of 5.99%; Sawgrass returned 8.70% vs. the Russell LC index of 13.22%; London Company returned 5.06% vs. the Russell 2000 of 4.93; Lazard and Renaissance returned 6.88% and 7.43% respectively vs. the MSCI AC index of 6.25%. Sage Fixed income returned 1.71% vs. the Barclays' Gov't Cr index of 0.62%; Wedge Fixed income returned 1.58% vs. the Barclays' Gov't Cr index of 0.78%; Blackrock returned 1.66% vs. the HFRX Fixed index of 3.89%; Blackstone returned 2.26% vs. the HFRX Global index of 2.74% and AEW Real Estate returned 0.21% vs the NCREIF index of 0.74%. Mr. Owens had no recommendations at this time.

NEW BUSINESS:

There was no New Business discussed.

UNFINISHED BUSINESS:

There was no Unfinished Business discussed.

CONSENT AGENDA for Ratification: 297-299

Benefits USA, Inc. (Flat Monthly Fee for August 2020)	\$1,450.00
Benefits USA, Inc. (Bookkeeping Fee for August 2020)	\$275.00
Fifth Third Bank (Q2-2020 Custodian Fee-Invoice #6282684 dated 7/8/2020)	\$3,472.02
Lazard Asset Mgmt (Q2-2020 Mgmt Fee-Invoice #1776135 dated 7/9/20)	\$2,374.01
London Company (Q2-2020 Mgmt Fee-Invoice dated 7/13/2020)	\$8,315.00
Renaissance Inv Mgmt (Q2-2020 Mgmt Fee-Invoice dated 7/6/2020)	\$3,775.15
Sugarman & Susskind (Legal Fees-Invoice #151186 dated 8/5/2020)	\$3,000.00
Wedge Capital Mgmt (Q2-2020 Mgmt Fee-LCV a/c #W00639 dated 7/14/2020)	\$12,001.98
Wedge Capital Mgmt (Q2-2020 Mgmt Fee-FI a/c #W01170 dated 7/14/2020)	\$6,712.10
Total	\$41,375.26
Benefits USA, Inc. (Flat Monthly Fee for September 2020)	\$1,450.00
Benefits USA, Inc. (Bookkeeping Fee for September 2020)	\$275.00
Graystone Consulting (Q2-2020 Consulting Fee-Inv #10128320198 dated 7/16/2020)	\$11,875.00
Sugarman & Susskind (Legal Fees-Invoice #152123 dated 9/9/2020)	\$3,000.00
Total	\$16,600.00
Benefits USA, Inc. (Flat Monthly Fee for October 2020)	\$1,450.00
Benefits USA, Inc. (Bookkeeping Fee for October 2020)	\$275.00
KSDT (Progress Billing Re: 9/30/2020 audit; invoice #91958 dated 9/30/2020)	\$900.00
Lazard Asset Mgmt. (Q3-2020 mgmt fee; Invoice #1778159 dated 10/7/2020)	\$2,707.89
Sage Adv. Svcs. (Q3-2020 mgmt fee; Invoice #20200930-564-A dated 9/30/2020)	\$4,835.50
Sawgrass Asset Mgmt. (Q3-2020 mgmt fee; Invoice #dege112s-093020)	\$10,694.54
Sugarman & Susskind (Legal Fees-Invoice #152819 dated 10/7/2020)	\$3,000.00
Total	\$23,862.93

Trustee Rolwing moved to approve the Consent agenda and Trustee Magnuson seconded the motion.
The motion passed.

ATTORNEY'S REPORT:

The Attorney reported that the Governor's Executive Order has expired on November 1 requiring a physical quorum by Trustees for all public meetings.

Attorney Herrera also reported on the ethics policy noting that if Trustees are given gifts of \$25 or less, they do not need to be reported. If a Trustee receives something valued between \$25 and \$100, they can accept it and there is only a reporting requirement on the person/entity who gave the gift. If a trustee receives a gift of \$100 or more, they cannot accept it and should return, donate or dispose of it. They should also file a notice with the state ethics commission advising of the gift, who gave it to them and what they did with it.

ADMINISTRATOR'S REPORT:

The Administrator had nothing further to report.

NEXT MEETING DATE:

The Administrator reported that the next meeting date is February 8, 2021 at 12:00 pm.

ADJOURN:

Trustee Rolwing moved to adjourn and Trustee Magnuson seconded the motion. The meeting was duly adjourned at 3:10 pm.

Secretary

Date



Meeting Minutes Community Redevelopment Agency

Monday, November 9, 2020

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

The meeting was called to order on the above date by Chair Bill Ganz at 7:00 p.m., in the City Commission Chambers, 150 NE 2nd Avenue, Deerfield Beach, Florida.

Present: 5 - Mr. Todd Drosky
Mr. Michael Hudak
Mr. Ben Preston
Vice Chair Bernie Parness
Chair Bill Ganz

Also Present: 3 - City Manager David Santucci
City Attorney Anthony Soroka
Assistant City Clerk Heather Montemayor

PLEDGE OF ALLEGIANCE

There was a moment of silence, followed by the Pledge of Allegiance.

APPROVAL OF MINUTES

Community Redevelopment Agency Meeting Minutes

MOTION was made by Vice Chair Parness, seconded by Mr. Hudak, to approve the August 11 and August 25, 2020 minutes as submitted. Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness and Chair Ganz

Nays: 0

APPROVAL OF COMMUNITY REDEVELOPMENT AGENCY AGENDA

November 9, 2020

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

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness and Chair Ganz

Nays: 0

Due to technical difficulties, the meeting did not record.

GENERAL ITEMS

1. **CRA Resolution 2020/009 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving the CRA regular meeting schedule for the 2020/2021 fiscal year; providing for an effective date.**

MOTION was made by Vice Mayor Parness, seconded by Mr. Hudak, to approve Item 1, adopted CRA Resolution 2020/009. Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness and Chair Ganz

Nays: 0

2. **CRA Resolution 2020/010 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving budget transfers from the Infrastructure and Capital Improvements CRA Budget line item to the Materials and Maintenance line item (\$55,000) to fund park maintenance at Sullivan Park and to the Public Art line item (\$150,000) to fund the Main Beach Parking Lot Railing Public Art Installation; and providing for an effective date.**

MOTION was made by Vice Mayor Parness, seconded by Mr. Hudak, to approve Item 2, adopted CRA Resolution 2020/010. Voice Vote:

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness and Chair Ganz

Nays: 0

3. **Presentation by Bermello Ajamil & Partners regarding the Sullivan Park Facility End User Programming Study.**

The Board provided input regarding the Sullivan Park Facility End User Programming study and directed staff to move forward.

4. **CRA Resolution 2020/011 - A Resolution of the City of Deerfield Beach Community Redevelopment Agency (CRA), approving the Public Art Committee's Shortlisting of Artists and the Award of the Solicitation to the CRA Board selected Artist for the Main Beach Parking Lot Railing Public Art Installation; authorizing negotiation and execution of a Contract with the CRA Board selected Artist in an amount not to exceed \$150,000; and providing for an effective date. (*Funds from Account #190-8000-552-3595 - Art in Public Places*)**

MOTION was made by Vice Mayor Parness, seconded by Mr. Preston, to approve Artist III, adopted CRA Resolution 2020/011. Roll Call:

Yeas: 5 - Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness and Chair Ganz

Nays: 0

5. **Presentation regarding the Public Art Committee's short-listed artists for the Fishing Pier Improvements. (*Funds from Account #190-8000-552-35-95 - Art in Public Places*)**

MOTION was made by Vice Mayor Parness, seconded by Mr. Preston, to approve Artist II. Roll Call:

Yeas: 3 - Mr. Hudak, Mr. Preston and Vice Chair Parness

Nays: 2 - Mr. Drosky and Mayor Ganz

6. **Community Policing Report for August and September 2020.**

PUBLIC COMMENT

ADMINISTRATION COMMENTS

ADJOURNMENT

MOTION was made by Vice Chair Parness, seconded by Mr. Hudak, to adjourn the meeting at 8:56 p.m. Voice Vote:

Yeas: 5 – Mr. Drosky, Mr. Hudak, Mr. Preston, Vice Chair Parness and Chair Ganz

Nays: 0

BILL GANZ, CHAIR

Samantha Gillyard, CMC, City Clerk



City Commission Meeting - March 2, 2021

DEERFIELD BEACH - YOU ARE HEREBY NOTIFIED that the **Regular City Commission** meeting will be held on **Tuesday, March 2, 2021, at 7:00 PM in the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, Florida.** A quorum of the City Commission will be physically present at the meeting and the City will be utilizing communications media technology with most City staff participating through video conferencing.

The March 2, 2021, Regular City Commission meeting will proceed utilizing communications media technology; **however, the City Commission Chambers located at the City Hall Complex, 150 NE 2nd Avenue, Deerfield Beach, will be open to the public as an additional method** for speakers wishing to speak on items with such attendees required to adhere to temperature checks, wear facial coverings and maintain social distancing. A copy of the agenda for the March 2, 2021 meeting will be available at <http://www.deerfield-beach.com/1554/Meetings-Agendas>.

Attending and Viewing the City Commission Meeting:

This meeting will be broadcast live for members of the public. There are several options available to the public to attend/view the meeting:

- 1. In Person Attendance.** Attend in person in the City Commission Chambers adhering to social distancing protocols, face covering requirements and temperature checks at entry.
- 2. Zoom**
 - a. Via Zoom Online** - Access to the meeting will begin at 6:45 PM on March 2, 2021.
 - i. Use the following link below to access the meeting via Zoom:
<https://deerfield-beach.zoom.us/j/89476719740?pwd=MHRZL2YrQ25zbUJKMlpwaGplY2Fydz09>
 - ii. The video camera display feature is disabled for public use
 - b. Via Zoom Telephone** - Join the meeting via telephone (audio only) using the Call-in number below, followed by the Meeting ID when prompted. No computer or access code is required.

Call-in Number: (301) 715-8592, Meeting ID: 894 7671 9740#, Participant ID: #, Passcode: 162476#

For more information on using Zoom, please visit Zoom Support at the following link:
<https://support.zoom.us/hc/en-us>.

3. YouTube

The meeting will also be available to the public via YouTube for audio and video access; however, public participation, i.e. comments are not possible. The link to watch the meeting via YouTube will be active no later than 6:45 PM on March 2, 2021, and can be found by clicking the camera icon in the Media column at <http://www.deerfield-beach.com/1554/Meetings-Agendas>.

Providing Public Comment:

Public participation is strongly encouraged. Your comments will be limited to three minutes per person. To participate, please choose the option best for you and remember to include your name and address for the record.

1. **In person** - Public comment may be given in the Commission chambers during the applicable public comment portion of the meeting.
2. **Via Email** - Public comments and documents may be submitted via email to web.clerk@dfb.city. Public comments will be read aloud during the meeting and added to the record. Emails can be submitted prior to the meeting or until the public hearing session is closed.
3. **Live Zoom Video Participation** - If attending via Zoom online, at the appropriate public comment period, click "raise hand" on the bottom of the "participants" tab, and your audio will be unmuted when you are recognized.
4. **Live Zoom Telephone Participation** - If attending via Zoom by telephone, at the appropriate public comment period, press *9 to "raise your hand" and your audio will be unmuted when you are recognized.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK NO LATER THAN 3 DAYS PRIOR TO THE MEETING AT (954) 480-4213 FOR ASSISTANCE.

Should you have any questions, please feel free to contact the City Clerk's Office at 954.480.4213. For additional information on the agenda items for the Commission meeting, please visit www.dfb.city.



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet

File Number: I.D. 2021-507

Agenda Date: 3/2/2021

Status: QUASI-JUDICIAL PUBLIC
HEARINGS

In Control: City Commission

Title

P.H. 2021-041: SPY SPOT INV LLC represented by Jerry Baruch (Sign Variance Case No. 777)

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 4/5 vote of the City Commission

Current Activity

The applicant is requesting a sign variance to construct a freestanding sign on a lot with 39.55 feet of frontage, which does not meet the minimum 100 foot wide lot frontage requirement for a freestanding sign, per Section 102-8(c)(1) of the Land Development Code.

Per Section 102-8(c)(1)a. of the Land Development Code, a minimum 100 foot separation between freestanding signs is also required. The proposed sign is 58.35 feet from the sign on the property to the south and 67.8 feet from the sign on the property to the north and as such a variance from this Code section is also being requested.

Currently, the front yard of the building is paved with asphalt, but does not meet the required dimensions to permit the legal parking of vehicles. The applicant intends to landscape the entire front yard and bring it into compliance with the current landscape regulations. This includes providing the required landscaping around the proposed five-foot high monument sign. Other than the requested variances, the proposed monument sign meets the Code requirements for a free-standing sign that is setback two (2) feet from the right-of-way.

The application was recommended for approval to the City Commission by the Community Appearance Board on January 13, 2021, with the following stipulations: 1.) The sign verbiage to be limited to, "Spy Spot Investigations," the property address, and "Parking in Palm Plaza"; 2.) The sign text be laid out evenly on the sign; 3.) Only the copy is to be illuminated; and, 4.) The landscape requirements of the Code be met. These stipulations were met prior to submittal to the City Commission and the plans revised accordingly.

Requirements for approval of a Sign Variance

Per Section 102-15(d), the City Commission may approve a sign variance for any required

dimensional standard such as height, area, location, maximum number of and minimum setback of signs. In order for an applicant to request any sign variance from the City Commission, the applicant must address compliance with the seven (7) variance criteria in Section 102-15(d). The applicant has addressed these criteria in their application submittal which is included in the agenda backup. The City Commission shall review the criteria and the applicant's response to each to determine if the variance request should be approved or denied.

In addition, this code section allows the City Commission to attach conditions regarding the location, character and other features of the proposed sign as it may deem necessary to carry out the spirit and purpose of this code section in the public interest.

Approval of a sign variance requires a minimum of four votes by the City Commission in favor of the request.

RESOLUTION NO. 2021/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING SIGN VARIANCES FOR SPY SPOT, CASE NO. 777, TO PERMIT A FREESTANDING SIGN ON A LOT WITH LESS THAN 100 FEET OF STREET FRONTAGE AND TO PERMIT THE SIGN TO BE CLOSER THAN THE MINIMUM 100 FEET OF SEPARATION TO ANOTHER FREESTANDING SIGN REQUIRED BY THE CITY CODE FOR THE SPY SPOT PROPERTY LOCATED AT 825 S. FEDERAL HIGHWAY, DEERFIELD BEACH, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission has reviewed and received testimony on Application No. 777 from Spy Spot Inv., LLC, (the “Applicant”) seeking two sign variances from the provisions of Section 102-8(c)(1) of the Deerfield Beach Land Development Code in order to permit a freestanding sign (the “Sign”): (i) on a lot with less than 100 feet of street frontage (39.55 feet of frontage) in lieu of the 100 feet frontage minimum required by Code to have a freestanding sign; and (ii) to be closer than the minimum 100 feet of distance separation from another freestanding sign required by City Code, for the property located at 825 S. Federal Highway, Deerfield Beach, Florida (the “Sign Variance Application”); and

WHEREAS, the proposed Sign location is on a lot with 39.55 feet of street frontage, and the proposed Sign would be 58.35 feet from the sign on the property to the south and 67.8 feet from the sign on the property to the north; and

WHEREAS, on January 13, 2021, the Community Appearance Board voted to recommend approval of the Sign Variance Application with the following conditions: (1) the Sign verbiage shall be limited to “Spy Spot Investigations,” the property address, and “Parking in Palm Plaza”, (2) the Sign text be laid out evenly on the Sign, (3) only the copy is to be illuminated, and (4) the Sign and adjacent area shall meet the landscape requirements of the City Code (collectively, the “CAB Conditions”); and

WHEREAS, after the Community Appearance Board Meeting, the Applicant revised the Sign Variance Application submittal to address the CAB Conditions; and

WHEREAS, the City Commission has determined that a hardship as well as the other requisites to a variance have been demonstrated by the Applicant as required by Section 102-15(d) of the Land Development Code of the City of Deerfield Beach.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part hereof.

Section 2. The Sign Variance Application for two variances from the provisions of Section 102-8(c)(1) of the Deerfield Beach Land Development Code in order to permit the Sign: (i) on a lot with less than 100 feet of street frontage (39.55 feet of frontage) in lieu of the 100 feet

frontage minimum required by Code to have a freestanding sign, and (ii) to be closer than the minimum 100 feet of distance separation from another freestanding sign required by City Code, for the Spy Spot property located at 3599 West Hillsboro Blvd., Deerfield Beach, Florida, is hereby approved, subject to the Applicant's compliance with the CAB Conditions.

Section 3. The variances as set forth herein are the sole variances permitted and no variances from any Land Development Code or other City requirement in excess of the variances as specifically set forth herein are granted. Any signs in excess of those as specifically permitted herein or which are inconsistent with the Sign Variance Application on file with the City shall cause the owner of the property to be in violation of the Sign Code and shall cause, upon a determination of violation by the Code Enforcement Special Master or by a County Court, the Sign Variance Application approval provided herein to be null and void and of no further force and effect.

Section 4. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2021.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK

RESOLUTION NO. 2021/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, DENYING SIGN VARIANCES FOR SPY SPOT, CASE NO. 777, TO PERMIT A FREESTANDING SIGN ON A LOT WITH LESS THAN 100 FEET OF STREET FRONTAGE AND TO PERMIT THE SIGN TO BE CLOSER THAN THE MINIMUM 100 FEET OF SEPARATION TO ANOTHER FREESTANDING SIGN REQUIRED BY THE CITY CODE FOR THE SPY SPOT PROPERTY LOCATED AT 825 S. FEDERAL HIGHWAY, DEERFIELD BEACH, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission has reviewed and received testimony on Application No. 777 from Spy Spot Inv., LLC, (the “Applicant”) seeking two sign variances from the provisions of Section 102-8(c)(1) of the Deerfield Beach Land Development Code in order to permit a freestanding sign (the “Sign”): (i) on a lot with less than 100 feet of street frontage (39.55 feet of frontage) in lieu of the 100 feet frontage minimum required by Code to have a freestanding sign; and (ii) to be closer than the minimum 100 feet of distance separation from another freestanding sign required by City Code, for the property located at 825 S. Federal Highway, Deerfield Beach, Florida (the “Sign Variance Application”); and

WHEREAS, after reviewing the Sign Variance Application and the testimony submitted, the City Commission has determined that the Applicant has not satisfied the requirements as set forth in Section 102-15(d) of the Land Development Code of the City of Deerfield Beach for a sign variance.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part hereof.

Section 2. The City Commission finds that Case No. 777 fails to satisfy the requirements for a variance as set forth in Section 102-15(d) of the Land Development Code of the City of Deerfield Beach. Therefore, the Sign Variance Application is hereby denied.

Section 3. This Resolution shall take effect immediately upon its adoption.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2021.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK



PUBLIC HEARING NOTICE

February 19, 2021

Dear Property Owner:

This is to notify you that the CITY COMMISSION of the City of Deerfield Beach, a municipal corporation of Florida, shall hear an application for:

P.H. 2021-041: SIGN VARIANCE CASE NO. 777

Applicant: **SPY SPOT INV LLC represented by Jerry Baruch**

Proposal: Seeking approval of a SIGN VARIANCE from the provisions of the Deerfield Beach Land Development Code Section 102-8(c)(1) to allow a freestanding sign on a lot which does not meet the minimum 100 foot wide street frontage requirement and from Section 102-8(c)(1)a. to allow a freestanding sign to be closer than the minimum required separation of 100 feet to another freestanding sign.

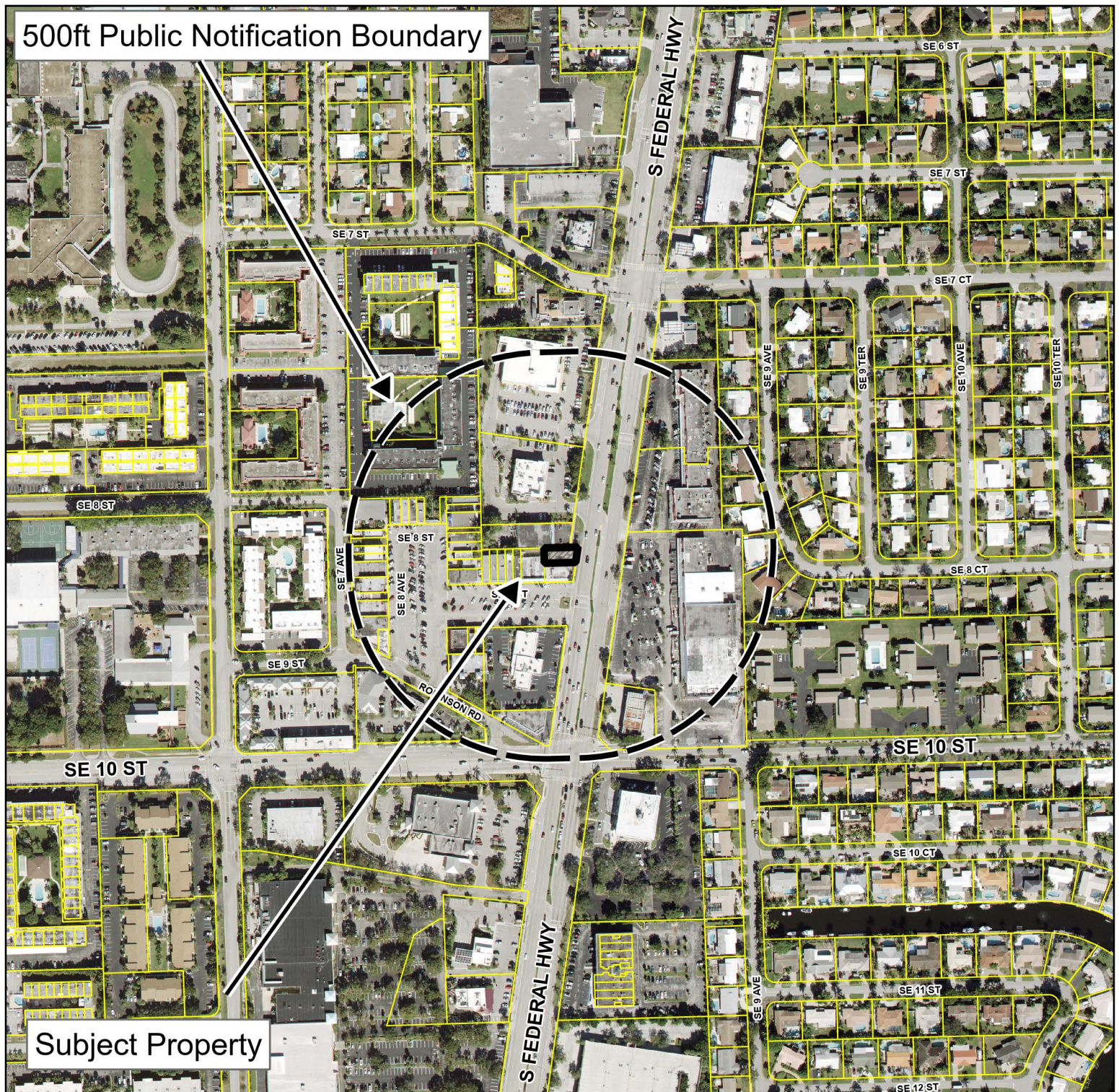
Location: The property is generally described as "LOTS 2 & 3 LESS THE SOUTH 5.00 FEET, PALM PLAZA SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 47 PAGE 18 as more particularly described in the file and located at **825 S. Federal Highway**.

A public hearing will be held on **TUESDAY, MARCH 2, 2021 at 7:00 p.m.** in the City Commission Chambers, City Hall, 150 NE 2nd Avenue, Deerfield Beach, Florida, and/or utilizing communications media technology with some elected officials and City staff participating through video conferencing via Zoom (virtual meeting). All interested parties may appear in person to offer evidence in support of or against the proposal. Further information may be obtained at www.deerfield-beach.com/agendas or from the Planning and Development Services Department during business hours in City Hall, 150 N.E. 2nd Avenue, Deerfield Beach, FL 33441, phone: (954) 480-4206.

At said meeting interested persons may appear and be heard with respect to the public hearing. Any person who decides to appeal any decision made by the City Commission with respect to any matter considered at this hearing would need a record of the proceedings. And for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The above notice is required by State Law (FS 286.0105). **Any person desiring a verbatim transcript shall have the responsibility, at his own expense, to arrange for the presence at the hearing of a certified court reporter.** A full transcript of the proceedings will be needed to appeal any decision of the City Commission.

Any person requiring auxiliary aids and services at this hearing may contact the City Clerk's Office at (954) 480-4213 at least 24 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by using the following numbers: 1-800-955-8770 or 1-800-955-8771.

Samantha Gillyard, CMC, City Clerk



Public Hearing Notice Map

Sign Variance
Case No. 777

825 S. Federal Hwy

For additional information
call the Planning Department at 954-480-4206
or visit www.deerfield-beach.com/boardagendas

0 200 400
Feet





DEVELOPMENT PLAN APPLICATION

PROVIDE IN FULL THE FOLLOWING INFORMATION (TYPE OR PRINT LEGIBLY)

One application may be submitted for multiple requests. Unless otherwise directed by staff, the following items with associated attachments are required for staff to determine the application is complete for processing by the City.

PROJECT INFORMATION:

TYPE OF REQUEST (check all that apply)

- | | |
|--|---|
| ☐ New Site Plan / Site Plan Modification (See Attachment A) | ☐ Plat or Plat Note Amendment (See Attachment F) |
| ☐ Community Appearance Board (See Attachment B) | ☐ Conditional Use (See Attachment G) |
| ☐ Variance (See Attachment C) | ☐ Vacation & Abandonment (See Attachment H) |
| ☐ Technical Deviation (See Attachment D) | ☐ ROW Variance (See Attachment I) |
| ☐ Rezoning (See Attachment E) | ☒ Sign Variance (See Attachment J) |

Project Name: SPY SPOT

Property Owner: SPY SPOT INC LLC

Applicant (if different from Owner): _____

Agent (if different from Owner/Applicant): Jerry Bauer

Address of Property: 825 S. Federal Hwy

Legal Description of Property (lot, block, tract, subdivision): _____

Palmer Plaza 47-18 B LOT 2 Less S.S.3

Description of Project: Double Sided Illuminated Monogram Sign

New Development (Y/N): _____	Modification to Existing Development (Y/N): _____
Zoning District: _____	Future Land Use Category: _____
Existing Use: _____	Proposed Use: _____
Lot Area (acres): _____	Number of Dwelling Units (proposed): _____
Sq. Ft. of Structure (existing): _____	Sq. Ft. of Structure (proposed): _____

Agent Signature: Jerry Bauer

Owner Signature: David Bohab

Name Printed: Jerry Bauer

Name Printed: David Bohab

Address: 7239 Voxman Ave Naples FL 34109

Address: 125 S Federal Hwy

Telephone: 561-573-4182

Telephone: 561-305-2884

Email: Jerry.bauer@spy-spot.com

Email: DB@spy-spot.com

MAY 26 2020

Received
Planning & Dev. Svcs.



For Office Use Only
Application No. _____
Submittal Date: _____

ATTACHMENT J APPLICATION FOR SIGN VARIANCE

Pursuant to Code Section 102-115

**COMPLETE ALL SECTIONS OF APPLICATION LEGIBLY.
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.**

Please note that a variance shall not be granted to a sign that is prohibited by the Code, pursuant to Code Section 102-15(d)(7)

REQUIRED SUBMITTALS

All of the following must be submitted to be deemed a complete application (*documentation may be provided with the development plan application requirements in Attachment A*):

- ☒ **Complete Application** (*Including Development Plan Application Form*)
- ☒ **Application Processing Fee** (*See fee schedule*)
- ☐ **Proof of Ownership** from the property owner. If the owner cannot be verified through the Broward County Tax Roll, a copy of either the recorded warranty deed, valid purchase contract, or a signed and notarized letter from the owner of record must be submitted with this application.
- ☐ **Disclosure Affidavit** for all owners, representatives, and applicants for the project that will be speaking on behalf of the application.
- ☒ **Agent Authorization Letter** if applicable, authorizing the applicant/agent to act on all property owners' behalf.
- ☐ **Photographs of all existing signs**
- ☐ **Photographs of site from adjacent streets**
- ☐ **Scaled Site Plan** Examples of acceptable site plans include sketches (to scale) on a current survey, drawings prepared by a licensed architect, engineer, or landscape architect, etc. Show setbacks from the property line abutting public right-of-way to the proposed sign (for freestanding signs) and show the dimensions between monument signs (if applicable).
- ☒ **Details of Sign(s)** in color and drawn to scale to illustrate proposed signage including:
 - Dimensional measurements of sign area, sign background, and sign copy.
 - Total Height of Structure
 - Location of sign
 - All text and images to be shown on sign
- ☒ **One (1) Digital CD** of required submittals listed above must be provided.
- ☐ **Other Information** may be required as determined by staff (e.g. architectural elevations, floor plans, site plan etc.)

****Public Notice and Advertising Requirements****

Pursuant to Code Section 98-35(1), prior to any public hearing of the city commission for a development permit as described in section 98-12 of this Code, the applicant shall provide proper notification to the public in compliance with this section and all applicable county, state and federal law.

Page 1 of 6

City of Deerfield Beach • Planning & Zoning Division
150 NE 2nd Avenue • Deerfield Beach, FL 33441
Office 954-480-4206 • **Questions?** Web.planning@deerfield-beach.com



DESCRIPTION OF SIGN

Linear feet of street frontage: 39.55' Linear feet of business frontage: 39.55'
 Type of sign: ☒ Freestanding ☐ Building Sign ☐ Canopy
 Sign Faces: ☐ Single-faced ☐ Multiple-faced
 Sign Height (from top of structure to existing average finished grade): 5'
 Length (vertical): 5' Width (horizontal): 5' Total Sign Face Area: 15 sq feet
 Construction Materials: .090 Aluminum
 Sign Lighting: ☐ None ☒ Internally-illuminated ☐ Externally-illuminated
 For existing signs: Year(s) permitted: _____ Permit number: _____

PROPOSED SIGN VARIANCE

1. State the Code Section and Land Development Regulation standard(s) required for the proposed variance (i.e. setbacks, height, etc.):

1. We are requesting a variance from section 102-8(c)(1)(a) to allow for a monument sign on property having less than 100' of frontage. The code states that you are allowed, "One freestanding monument sign is allowed on lots having at least 100 feet of street frontage". The total lot width is 39.55 feet.

2. We are requesting a variance from section 102-8(c)(1)(a) to erect a monument sign less than 100 feet from the neighbors monument sign. This proposed sign will be 58.35 feet from the adjacent sign to the south and 67.8 feet from the neighbor to the north. The code states that, "In no instance shall any freestanding sign be closer than 100' to any other freestanding sign".

2. Describe the variance(s) requested:

The first variance requested, is to allow for a monument sign on property having less than 100' of frontage. Our parcel has 39.55 feet of frontage. Code section 102-8(c)(1)(a) states that "One freestanding monument sign is allowed on lots having at least 100 feet of street frontage".

The second variance requested, is to erect a monumnet sign less than 100 feet from the neighbor's existing monument sign. The code section 102-8(c)(1)(a) states, "In no instance shall any freestanding sign be closer than 100' to any other freestanding sign".

The proposed sign is 58.35 feet from the neighboring sign on the South side and 67.80 feet from the North side neighboring sign.

A. DEMONSTRATION OF COMPLIANCE WITH SIGN VARIANCE CRITERIA

(Attach additional page(s) if more space is needed)

Section 102-115(d) of the Deerfield Beach Land Development Code states, "a variance may be authorized by the city commission for any required dimensional standard for a sign, including the following: height, area, and location; maximum number of, and minimum setback for signs. A variance shall be deemed denied unless four members of the commission vote in favor of the request for a variance."

A variance from the terms of this sign code shall not be granted by the city commission unless and until a written application for a variance is submitted demonstrating:

1. That special conditions and circumstances exist which are peculiar to the land, structure, or buildings involved and which are not applicable to other lands, structures in the same zoning district:

There is a unique hardship in that this is a small non-conforming lot having only 39.55 feet of frontage, other lots on Federal Highway are larger. We will be upgrading the landscaping to be in compliance with city standards. We have very limited visibility for our wall signs due to the angle of the property, which is the reason we are requesting this monument sign.

2. That the special conditions and circumstances do not result from the actions of the applicant:

We have a small lot and this hardship was not caused by the applicant. Our lot was developed prior to the enactment of the current zoning regulations which makes this more challenging to meet current code standards. We will be planting landscaping to enhance the entire look of the property. We will have no ability to alter the limited visibility that exists with the wall signs and this was not caused by the applicant. Thus, we are requesting the freestanding sign.

3. That granting the variance requested will not confer on the applicant any special privilege that is denied by this Code to other lands, buildings, or structures in the same zoning district:

The applicant will be not be receiving any special privileges with this approval, that surrounding plazas in the area do not enjoy. The enclosed graphic show other properties that are less than 100 feet apart, that have freestanding signs that are within close proximity to our site. Our lot is a small non-confirming parcel, that will be improved with landscaping but requires a free standing sign for added visibility due to our small lot size and the angle of the building, which is not typical of many properties along Federal Highway.

4. That literal interpretation of the provisions of this Code would deprive the applicant of the rights commonly enjoyed by other properties in the same zoning district under the terms of this Code and would work unnecessary and undue hardship on the applicant:

There are other establishments that benefit from the less than 100' of separation of signs (see attached graphic showing distance between free standing monument signs). There are many other properties in the B2 zoning district that benefit from freestanding signage. The fact that we are a uniquely small lot puts a large hardship on our property. The 100' separation requirement is much too rigid for our property.



5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure:

This request meets the current code with regards to setback requirements as well as size.

We are only requesting variances for the 100' separation from the closest sign to be waived and lot width required.

This is a non-conforming lot and we will be doing what we can to reduce the non-conformity with regards to the landscaping, but cannot with the sign.

New landscaping will beautify not only the lot but the area in general. (see graphic with landscaping).

6. That the grant of the variance will be in harmony with the general intent and purpose of this Code, and that such variance will not be injurious to the area involved or otherwise detrimental to the public welfare:

The proposed variance will be in harmony with the general intent of the code.

If this request is granted it will provide public visibility for the property.

This variance will not impede the visibility of the road and will not be detrimental to the safety of the public. By granting this variance, it will alleviate the visibility issues that drivers will have looking for this location.

New landscaping will also enhance and be an added upgrade to area.

The photo shows the distance between already existing signs, less than 100' apart.



7. A variance may not be granted as to a sign that is prohibited by this Code:

The proposed sign meets all the setback and size criteria in section 102-9 of the city code. The variance request is for the lot width and distance from other existing monument signs.





DISCLOSURE AFFIDAVIT

The City of Deerfield Beach requires all applicants, and persons and/or entities doing business with the City, to disclose any potential for or conflict of interest as stated below. Per Ordinance No. 2009/006 of the City of Deerfield Beach, the adopted Ethics Code contains the following:

Section 5. Disclosure and Behavior Requirements of Applicants and Persons/Entity seeking a City contract or currently doing business with the City.

Any applicant for a land use change or development permit requiring approval of the City Commission, or any person/entity seeking a City contract through a request for proposal, request for qualification, or sealed bid process (all referred to as applicant):

- A. Shall not induce, attempt to offer, solicit or knowing assist any person in violating the Ethics Code.
- B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

- 1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

None

- 2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

None

- 3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given when demand was made for return of the gift.)



none

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.
5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.
6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, Cecilia Brown have received a copy of the ordinance and understand the ordinance requirements.

Applicant

[Signature]
Signature

5/14/2020
Date

SWORN TO AND SUBSCRIBED Before me by means of ☐ physical presence or ☐ online notarization, this 14 day of May, 2020 by

Jerry Baruch (Affiant), who is personally

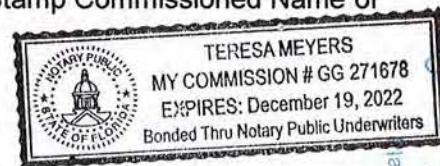
known to me or has produced _____ identification.

My commission expires: _____

Commission No.: _____

[Signature]
(Signature of Notary Public - State of Florida)

Teresa Meyers
(Print, Type, or Stamp Commissioned Name of Notary Public)





DISCLOSURE AFFIDAVIT

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- A. Shall not induce, attempt to offer, solicit or knowing assist any person in violating the Ethics Code.
- B. All applicants shall include the following with their application, proposal, or bid:

(Attach additional sheets as needed for each item.)

- 1. A listing of all campaign contributions to sitting City Commissioners in the past four (4) years, as well as contributions of all officers, directors, shareholders of a corporation if the application is a corporation, or partners if the applicant is a partnership, or members, whether general or limited, if it is a limited liability company.

NO

- 2. Disclose all those items that a regulated officer is required to disclose concerning any conflict, whether actionable or non-actionable.

NO

- 3. Disclose any action that is a violation of the Ethics Code by a regulated office (in reference to the application) with the applicant and/or the applicant's agents, and what was done to rectify the violation (for example: if a gift was given, when demand was made for return of the gift.)

City of Deerfield Beach
JAN 11 2011

NOR

4. An applicant shall fully, completely, accurately, and not misleadingly report and file all disclosures required by this Ethics Code, and shall fully, completely, accurately, and not misleadingly make all disclosures referenced in this Ethics Code and not omit material information, and/or file misleading and/or deceitful information in the disclosure.
5. An applicant has a continuing duty to report any violation of this Ethics Code related to their application.
6. Failure to disclose in compliance with this Section shall be a violation of this Ethics Code and shall be grounds for the City Commission to void or rescind any approval or contract.

C. No applicant shall, directly or indirectly, induce, encourage, or aid anyone to violate any provision of this Code.

I, David Sabah, have received a copy of the ordinance and understand the ordinance requirements.

Applicant

[Signature]
Signature

3/12/2020
Date

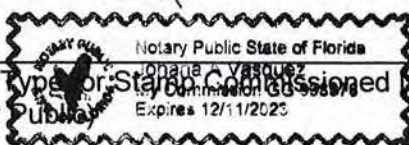
SWORN TO AND SUBSCRIBED Before me by means of ☒ physical presence or ☐ online notarization, this 12th day of March, 2020 by

David Sabah (Affiant), who is personally known to me or has produced _____ identification.

My commission expires: 12/11/2023

Commission No.: GG 9 388 76

[Signature]
(Signature of Notary Public - State of Florida)

(Print, Type or Stamp Commissioned Name of Notary Public)


City of Deerfield Beach
MAY 26 2020

September 24, 2020

To whom it may concern:

I, David Sabahe, am the business owner of Spy Spot Investigations. I have two store locations in the city of Deerfield Beach. The first Spy Store has been active here in Deerfield Beach since 2014, located at 125 E Hillsboro Blvd, Deerfield Beach FL 33441 and last year, at the end of 2019, we opened our second store located at 825 S Federal Hwy, Deerfield Beach FL 33441. I wish to successfully continue running our business here in the city.

I have been a long-time Deerfield Beach resident since 1999 and own multiple properties in the city. I run a vacation rental business as well and I am currently building a new property at 129 NE 7TH Ct, Deerfield Beach FL 33441 which will later become a vacation rental and I believe will bring some good changes in the area.

Thank you,



David Sabahe



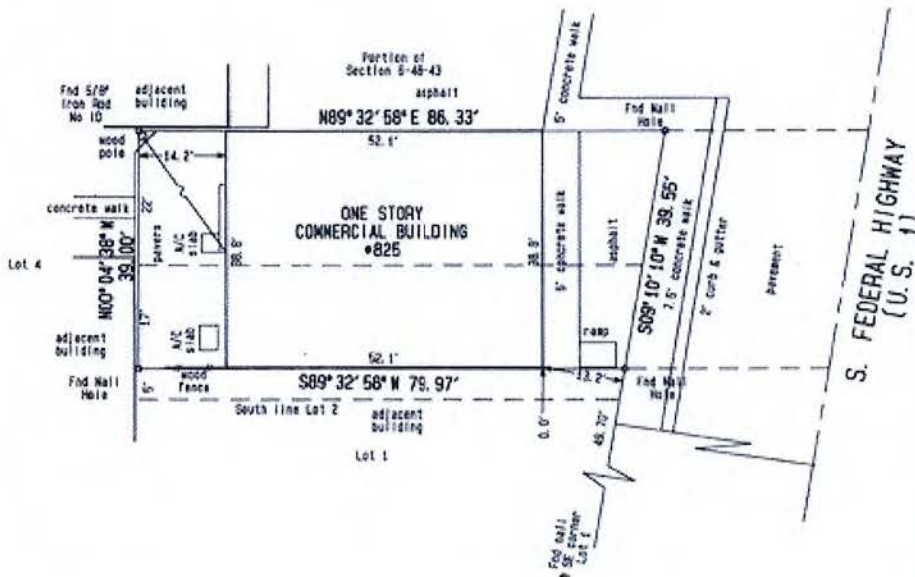
SKETCH OF BOUNDARY SURVEY

LEGAL DESCRIPTION:

Lots 2 and 3 less the South 5.00 feet,
PALM PLAZA SUBDIVISION, according to the
plat thereof, as recorded in Plat Book
47, Page 18 of the Public Records of
Broward County, Florida.

Property address:
825 S. Federal Highway
Deerfield Beach, FL 33441

Certified to:
David Sabane
Florida Real Estate Title &
Closings, Inc.
Old Republic National Title
Insurance Company



LEGEND:
Δ = CENTRAL ANGLE (DELTA)
A = ARC LENGTH
A/C = AIR CONDITIONER
BCR = BROWARD COUNTY RECORDS
BM = BENCHMARK
C = CENTERLINE
(C) = CALCULATED
(D) = DEED
FND = FOUND
FPL = FLORIDA POWER & LIGHT
H = HANDICAP PARKING SPACE
O/S = OFFSET
(P) = PLAT
PB = PLAT BOOK
P.C. = POINT OF CURVATURE
PS = PAGE
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
R = RADIUS
S/O = SIGHT-OF-WAY
SF = SQUARE FEET

THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 81G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

Wm. J. Sabane 8/13/19
WIKKI R. L. LALICH
PROFESSIONAL SURVEYOR MAPPER #6853
STATE OF FLORIDA

FILENAME: PPS01

SCALE: 1" = 20'

NOTES:
1. THIS SURVEY REFLECTS ALL EASEMENTS AND RIGHTS-OF-WAY AS SHOWN ON THE ABOVE RECORDED PLAT. THE SUBJECT PROPERTY HAS NOT BEEN ABSTRACTED BY THE UNDERSIGNED FOR OTHER EASEMENTS OR RIGHTS-OF-WAY.
2. BEARINGS SHOWN HEREON ARE BASED ON THE CENTRAL LINE OF FEDERAL HIGHWAY N 0°15'10" E PER PL 47, PG 18, BCR.
3. ELEVATION SHOWN HEREON ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88).
4. SURFACE FEATURES NOT LOCATED.
5. OWNERSHIP OF FENCES/WALLS NOT DETERMINED.

Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.

REVISIONS	DATE	FOR: SABANE	DATE: 8/8/2019	NO. 1908003	F.B. 125-52
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DENI LAND SURVEYORS, INC. LB #7281
1991 NW 35th AVENUE, COCONUT CREEK, FL 33066 (954)973-7966 FAX (954)979-0343

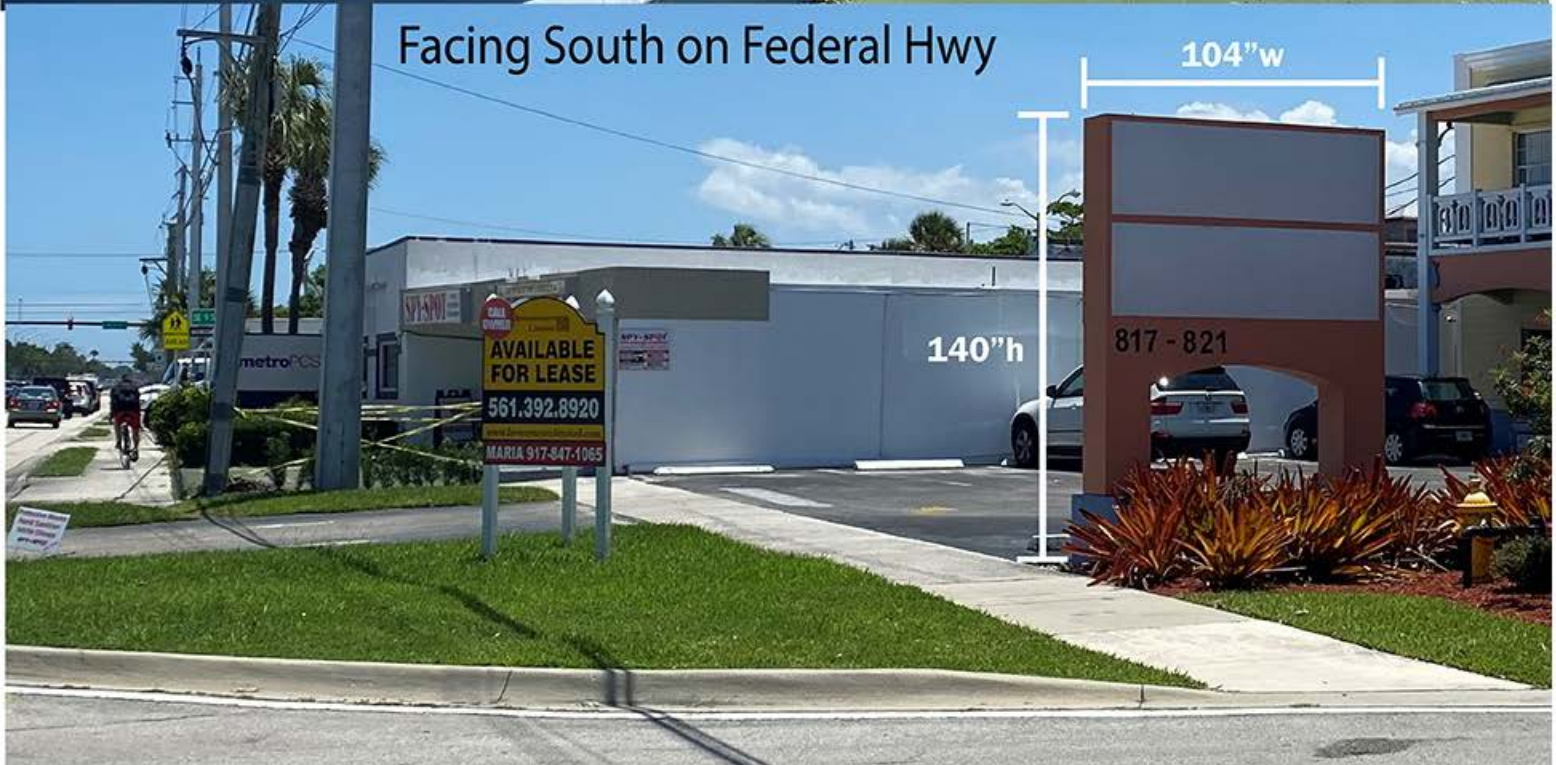
City of Deerfield Beach
Received
MAY 26 2020
Planning & Dev. Svcs.



City of Deerfield Beach
2020
Received
Planning & Dev. Svcs.



Facing North on Federal Hwy



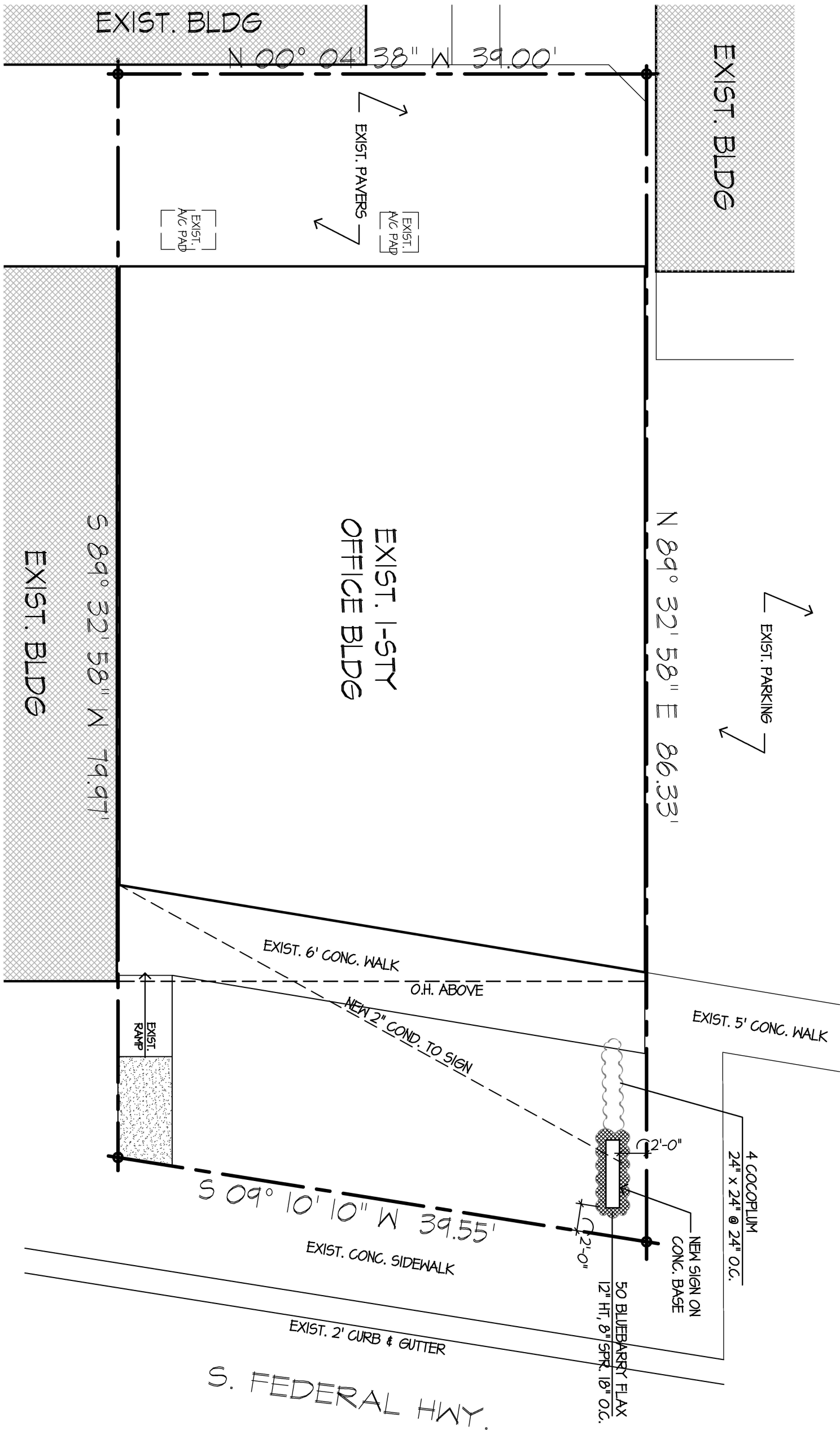
Facing South on Federal Hwy





LEGAL DESCRIPTION

LOTS 2 & 3 LESS THE SOUTH 5.0 FEET, PALM PLAZA SUBDIVISION, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 47, PAGE 18 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.



SP|01 SITE PLAN

SCALE: 1/8"=1'-0"

SP|

designed	H. DeMello
drawn	B.R. Rojas
date	AUG. 26, 2014
scale	As Shown
project #	1145
sheet	

revisions

SECOND FLOOR ADDITION FOR
SPY-SPOT
825 S. FEDERAL HWY.
DEERFIELD BEACH, FL.

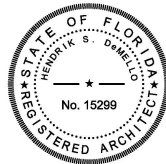
drawing name:
SITE PLAN

All ideas and designs indicated or represented by this drawing are the property of DeMELLO ARCHITECTURE and were created and developed for use in connection with the specific project. None of such ideas and designs shall be used by or disclosed to any person or corporation for any purpose whatsoever without written permission of this office.

DeMELLO
ARCHITECTURE

911 Southwest 18 Street, Boca Raton, Florida 33486
www.demello-arch.com 954 224 2952

MEMBER:
AMERICAN
INSTITUTE OF
ARCHITECTS
AA26001907



Double Sided Lightbox Sign - Elevation Drawings

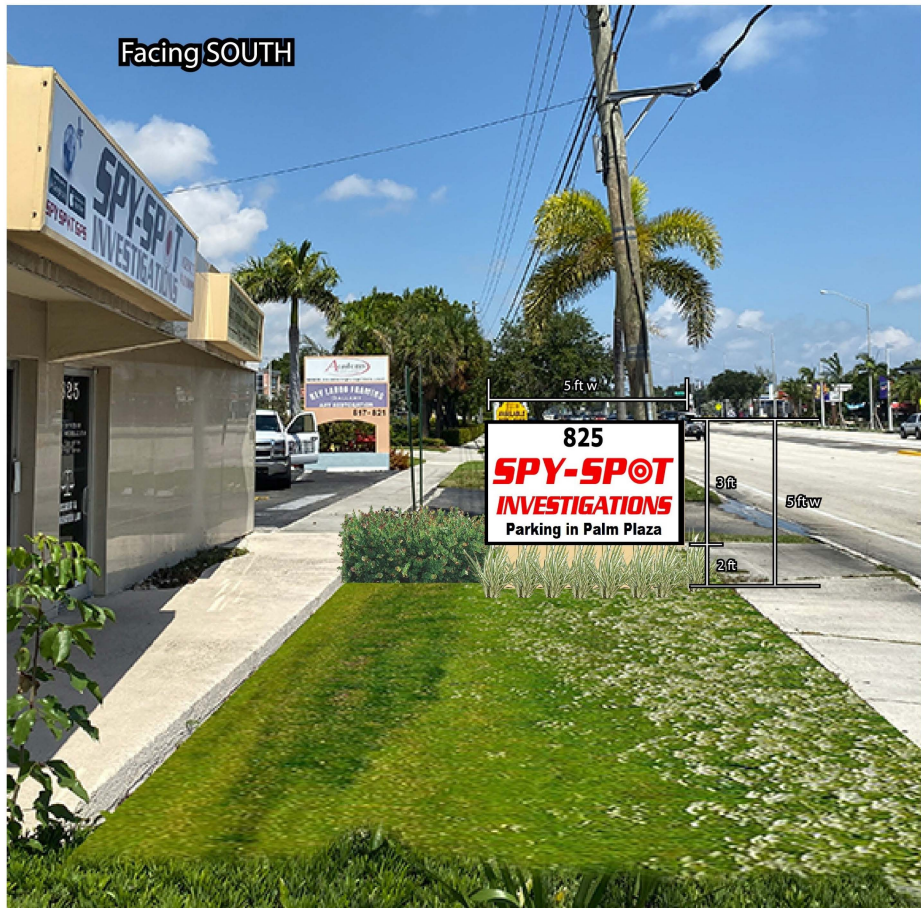
Total sign sq.ft. 5ft w x 5ft h = 25 sq.ft.
Sign Face 5ft w x 3ft h + Sign Base 5ft w x 2ft h

NOTE: Sign face will have a "blockout" white
Only the letters will light thru at night

Landscape info specs as requested
Cocoplum Hedges on back side of sign 24"h
Blueberry Flax bushes all around sign footer 12"h

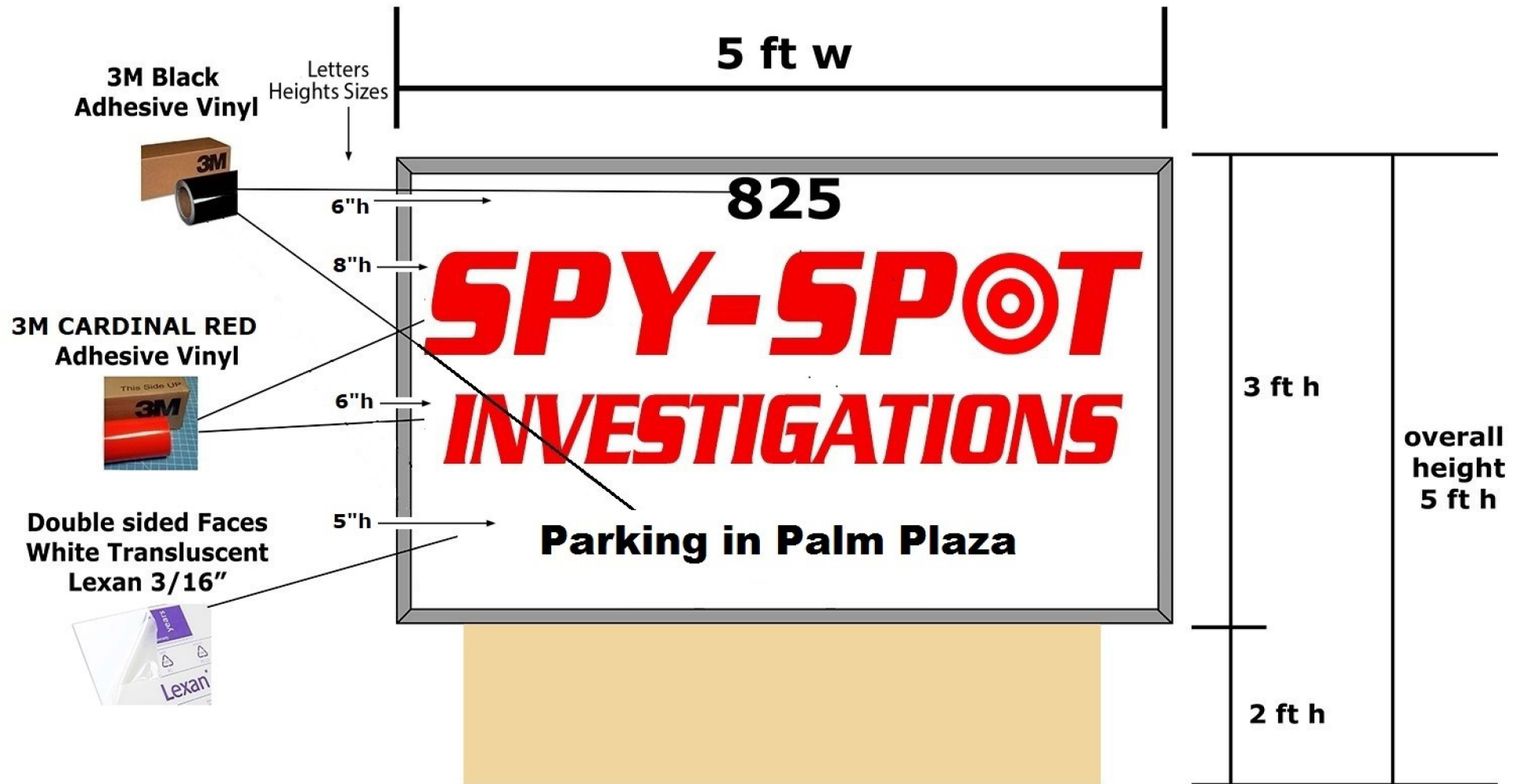
All Letters
Heights Sizes
4" / 5" / 8"
as requested

Sign base
color to match
building color
as requested



CustomART Signs & Metal Fabrication	PROJECT NAME: SPY SHOP INVESTIGATIONS	JOB LOCATION: 825 SE Federal Highway Deerfield Beach, FL 33441	DESIGNER: Ed Corgosinno	NOTES:
	SIGN TYPE: Double Sided Lightbox LED's Sign		DATE: January 26th, 2021	

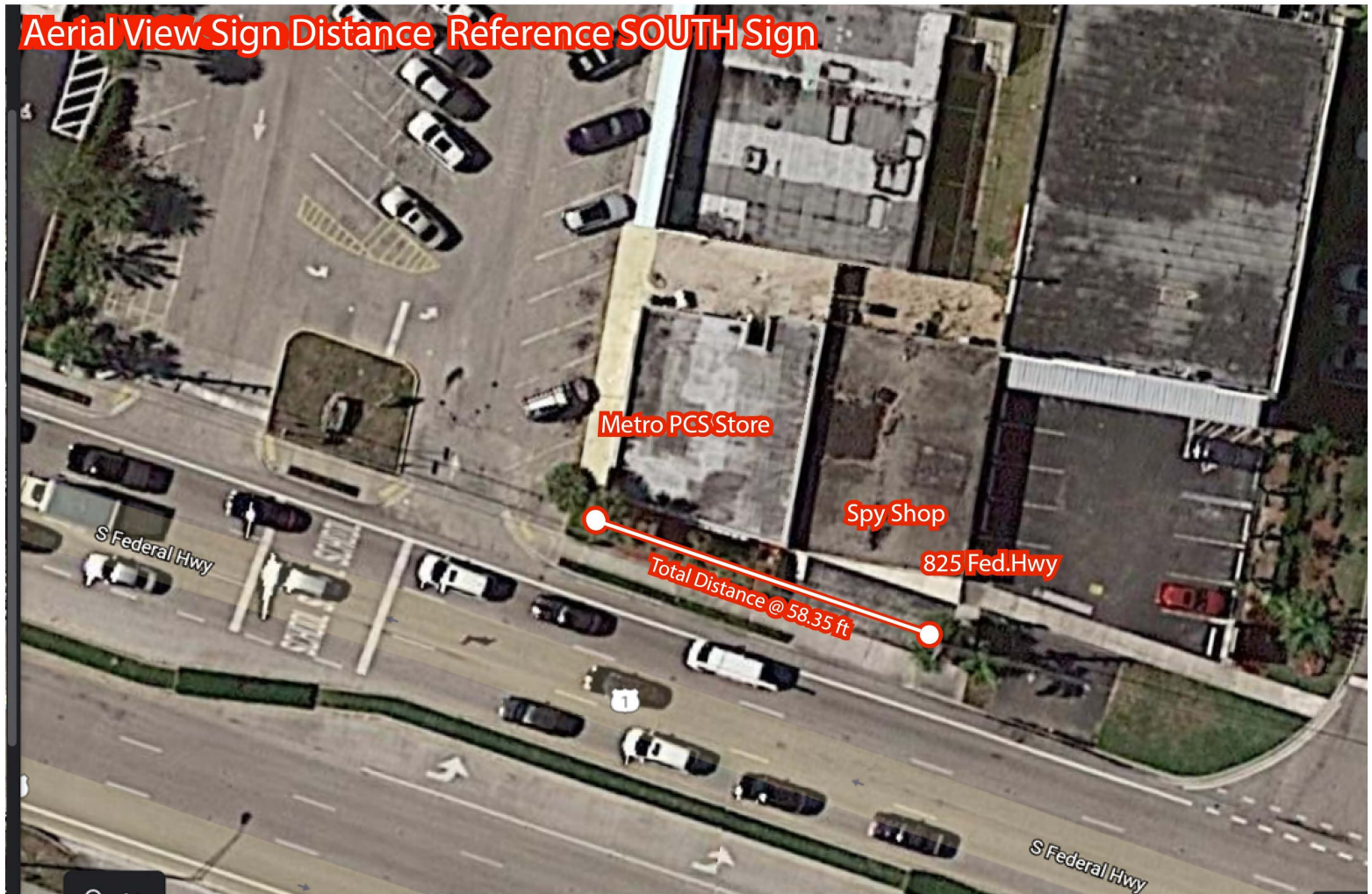
Flat Polycarbonate Double Faced Monument Sign Translucent Vinyl Applied - 1" metal border around



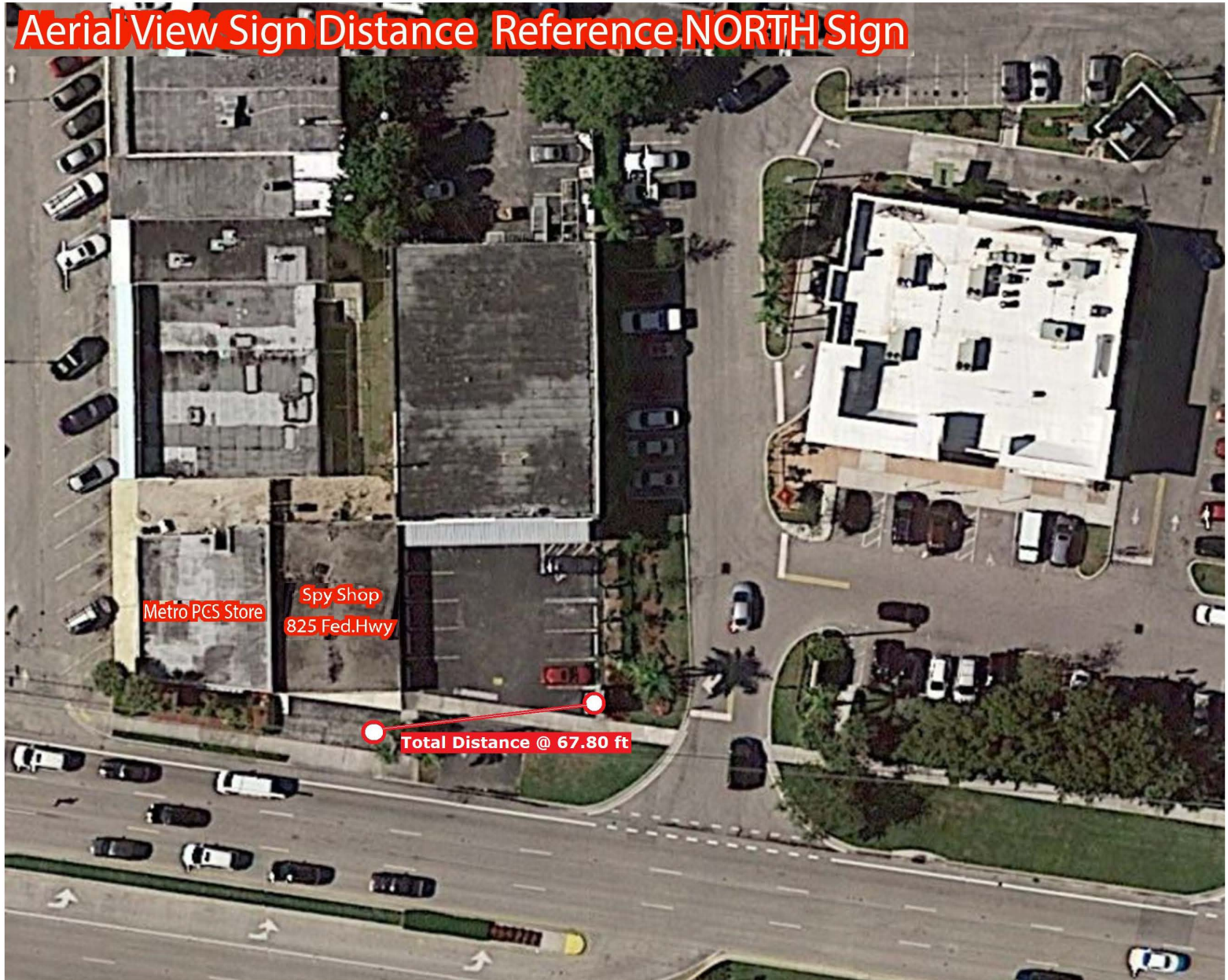
Double Sided Lightbox Sign Elevation Drawings / Total sign sq.ft. 5ft w x 5ft h = 25 sq.ft.
Landscape info specs as requested: Cocoplum Hedges on back side of sign 24"h / Blueberry Flax bushes all around sign footer 12"h

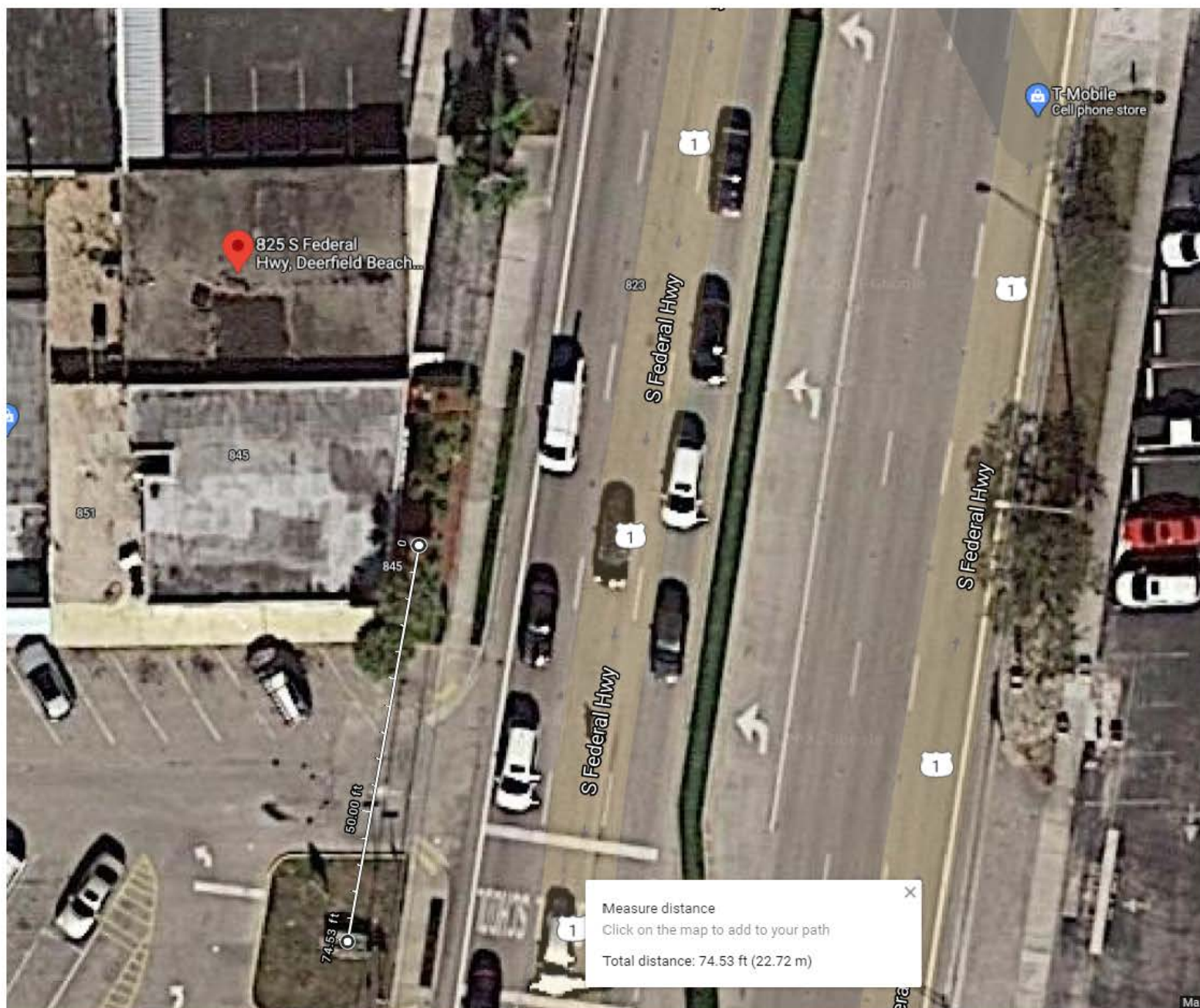


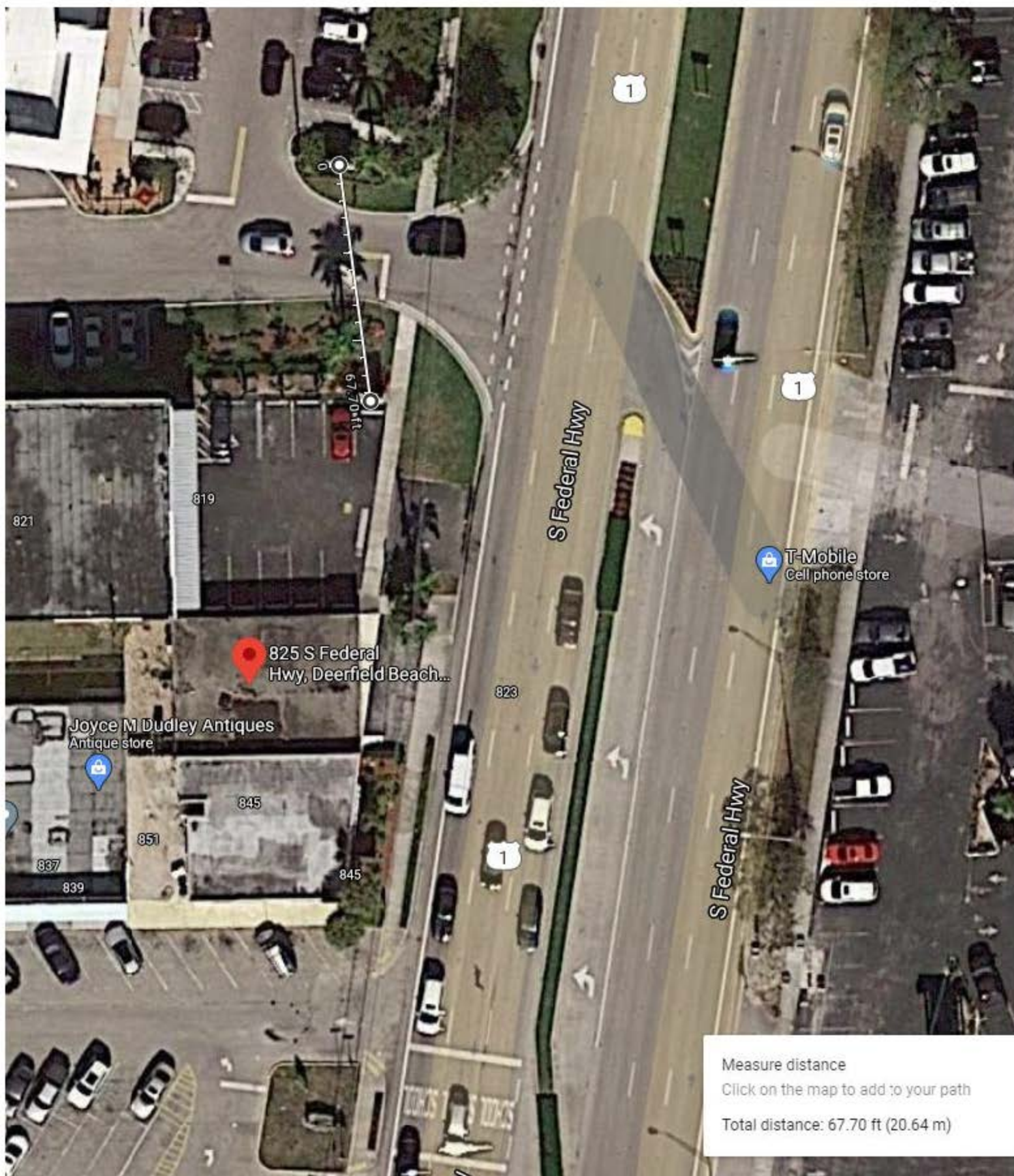
CustomART Signs & Metal Fabrication	PROJECT NAME: SPY SHOP INVESTIGATIONS	JOB LOCATION: 825 SE Federal Highway Deerfield Beach, FL 33441	DESIGNER: Ed Corgosinno	NOTES:
	SIGN TYPE: Double Sided Lightbox LED's Sign		DATE: October 20th, 2020	



Aerial View Sign Distance Reference NORTH Sign









ORIGINAL PROPOSED SIGN DETAIL AS PRESENTED TO THE COMMUNITY APPEARANCE BOARD (CAB) ON JANUARY 13, 2021 AND SUBSEQUENTLY REVISED TO ADDRESS CAB STIPULATIONS

Page # 1-B

Double Sided Lightbox Sign Elevation Drawings / Total sign sq.ft. 5ft w x 5ft h = 25 sq.ft.

Landscape info specs as requested: Cocoplum Hedges on back side of sign 24"h / Blueberry Flax bushes all around sign footer 12"h



CustomART Signs & Metal Fabrication	PROJECT NAME:	SPY SHOP INVESTIGATIONS	JOB LOCATION: 825 SE Federal Highway Deerfield Beach, FL 33441	DESIGNER:	Ed Corgosinno	NOTES:
	SIGN TYPE:	Double Sided Lightbox LED's Sign		DATE:	October 20th, 2020	

City of Deerfield Beach
Planning & Dev. Svcs.
OCT 22 2020
Received



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet

File Number: I.D. 2021-509

Agenda Date: 3/2/2021

Status: PUBLIC HEARING

In Control: City Commission

Title

P.N. 2021-042: Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the submission of an application to the Florida Department of Economic Opportunity for the Community Development Block Grant - Coronavirus Program; authorizing execution of a Grant Agreement; and providing for an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

The City of Deerfield Beach is an entitlement community and receives an annual allocation from the U.S. Department of Housing and Urban Development ("HUD") under the Community Development Block Grant ("CDBG") program. The Florida Department of Economic Opportunity ("DEO") announced the availability of funding for Small Cities and Entitlement units of local government under the Florida Community Development Block Grant-Coronavirus ("CDBG-CV") program (the "Program"). The Program, funded through the Coronavirus Aid, Relief and Economic Security ("CARES") Act, is designed to help local governments prevent, prepare for, and respond to the spread of COVID-19. Activities must be critical to their locality and primarily for the benefit of low- and moderate-income residents. Eligible activities include acquisition, public improvements, public facilities, business assistance, microenterprise assistance, public services, planning and broadband planning, and public infrastructure.

Current Activity

The City would like to submit an application to DEO for its CDBG-CV allocation in the amount of \$244,579, to fund the proposed public assistance programs outlined below. The programs will support the City's effort to prepare for, prevent, and respond to the health and economic impacts of COVID-19 and benefit low to moderate income households in alignment with the CDBG-CV funding purpose and national objective. The CDBG-CV Small Cities Program Pre-Application is due on March 15, 2021.

- **Ready2Work Rapid Credentialing Program - \$165,000**

In partnership with Broward College, the Ready2Work Rapid Credentialing program will provide Deerfield Beach residents who are unemployed or underemployed due to COVID-19 with the opportunity to enroll in an in-demand, high quality workforce program to get critical skills in essential and emerging careers. The goal of the program is to aid self-sufficiency and maximize access to opportunities that launch careers with advancement potential. Applicants will be eligible to receive up

to \$1,500 in grant assistance.

- **Senior Technology Program - \$30,000.00**

According to the Center for Disease Control and Prevention, the risk for severe illness with COVID-19 increases with age, with older adults at highest risk. The purpose of the Senior Technology Program is to expand the City's existing iN2L (It's Never Too Late) pilot project with the Area Council on Aging, which provides tablets for independent seniors to stay connected and engaged in educational, recreational, and physical programs and activities while sheltering in place at home. The goal of the program is to improve the quality of life, social, emotional, health and well-being of seniors during COVID-19. The City would like to utilize an estimated \$30,000 for program costs to include equipment (i.e. tablets), fees and operational costs.

- **Food Program - \$30,012.68**

The City hosts bi-weekly food distributions in partnership with Feeding South Florida, to provide groceries to individuals and families in Deerfield Beach that have been financially impacted by COVID-19. The City anticipates that the Food Program will continue throughout FY 21 due to the ongoing pandemic and would like to utilize up to \$30,012.68 to purchase equipment and supplies for the program, such as tents, tables, safety vests, gloves etc.

- **Program Administration Costs - \$19,566.32**

Cost associated with administering the aforementioned proposed CDBG-CV Fund programs, including staffing and all required documents.

The City is currently developing the application to meet the due date.

Recommendation

It is recommended that City Commission authorize submission of an application to the DEO for CDBG-CV funding in the amount of \$244,579, and authorize execution of the grant agreement, if awarded.

RESOLUTION NO. 2021/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE SUBMISSION OF AN APPLICATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT – CORONAVIRUS PROGRAM; AUTHORIZING EXECUTION OF A GRANT AGREEMENT; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City of Deerfield Beach is an entitlement community and receives an annual allocation from the U.S. Department of Housing and Urban Development (“HUD”) under the Community Development Block Grant (“CDBG”) program; and

WHEREAS, the Florida Department of Economic Opportunity (“DEO”) announced the availability of funding for small cities and entitlement units of local government under the Florida Community Development Block Grant-Coronavirus (“CDBG-CV”) program (the “Program”); and

WHEREAS, the Program, funded through the Coronavirus Aid, Relief and Economic Security Act, is designed to help local governments prevent, prepare for, and respond to the spread of COVID-19; and

WHEREAS, the City would like to submit an application to DEO for the City’s CDBG-CV allocation in the amount of \$244,579 (the “Grant”) to fund the Ready2Work Rapid Credentialing Program, Senior Technology Program, Food Program, and Program Administrative Costs (collectively, the “Assistance Programs”); and

WHEREAS, staff recommends the City Commission approve the submission of a grant application to the DEO for the Grant (the “Grant Application”) to support the Assistance Programs, and authorize execution of a grant agreement, if the Grant is awarded.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the submission of an application to the DEO for the Grant in the amount of \$244,579 to support the Assistance Programs. The City Manager is authorized to sign and submit the Application.

Section 3. If the Grant is awarded, the City Commission hereby authorizes the appropriate City officials to execute a Grant agreement with the DEO, subject to the terms of the Grant agreement being acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2021.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK

PUBLIC NOTICE 2021-042
City of Deerfield Beach
Community Development Block Grant Coronavirus Entitlement Program (CDBG-CV)
Pre-Application

The City of Deerfield Beach Legislative & Community Affairs Department is soliciting public input for the City's Florida Community Development Block Grant-Coronavirus (CDBG-CV) Entitlement Program Pre-Application.

The Florida Department of Economic Opportunity (DEO) announced the availability of funding for Small Cities and Entitlement units of local government under the Florida Community Development Block Grant-Coronavirus (CDBG-CV) program. The CDBG-CV programs are designed to help local governments prepare for, prevent, or respond to the health and economic impacts of COVID-19. The activities must be critical to their locality and primarily for the benefit of low- and moderate-income residents. Eligible activities include acquisition, public improvements, public facilities, business assistance, microenterprise assistance, public services, planning and broadband planning and public infrastructure.

The City of Deerfield Beach is an entitlement community and receives an annual allocation from the U.S. Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program. Consequently, the City of Deerfield Beach would like to submit a pre-application to DEO for its Community Development Block Grant Coronavirus Funding (CDBG-CV) allocation, in the amount of \$244,579, to fund the proposed activities outlined in the table below. The activities will support the City's effort to prepare for, prevent, and respond to COVID-19 and benefit low to moderate income households in alignment with the CDBG-CV funding purpose and national objective.

YEAR	PROPOSED ACTIVITY NAME	AMOUNT
2020-2021	Ready2Work Rapid Credentialing Program - Provide funding assistance to Deerfield Beach residents who are unemployed and underemployed due to COVID-19 to enroll in an in-demand, high quality workforce program to get critical skills in essential and emerging careers.	\$165,000.00
2020-2021	Senior Technology Program - Cost associated with expanding the City's existing iN2L (It's Never Too Late) pilot project with the Area Agency on Aging which provides tablets for independent seniors to stay connected and engaged in educational, recreational, and physical programs and activities while sheltering in place at home. The goal of the program is to improve the quality of life, social, emotional, health and well-being of seniors during COVID-19.	\$30,000.00
2020-2021	Food Program - Cost associated with the purchase of equipment and supplies for the City's bi-weekly food distribution, in partnership with Feeding South Florida, which provides groceries to individuals and families in Deerfield Beach that have been financially impacted by COVID-19. The City anticipates that the Food Program will continue throughout FY 21 due to the ongoing pandemic.	\$30,012.68
2020-2021	Program Administration - Cost associated with administering the CDBG-CV funding programs to include staffing and all required documents.	\$19,566.32
	TOTAL	\$244,579.00

Public Comment

The CDBG public comment period has been modified from 30 days to seven (7) days to provide immediate support for coronavirus efforts. The seven-day public comment period will commence February 22, 2021, and end February 28, 2021. All interested agencies, organizations, and citizens are invited to submit input on the CDBG-CV Entitlement Program Pre-Application to the Legislative & Community Affairs Department during the seven-day comment period via mail at 325 NW 2nd Avenue, Deerfield Beach, Florida 33441. Submit comments or questions via phone or email to Jonathan Salas @ 954-480-4464 / jsalas@deerfield-beach.com.

The City of Deerfield Beach City Commission is scheduled to hold a Commission Meeting on Tuesday, March 2, 2021 at 7:00 p.m. The proposed application is on the Agenda for Commission's consideration. Interested parties are encouraged to attend in person or via video conferencing; log-in at <http://www.deerfield-beach.com/1554/Meetings-Agendas> to participate electronically. Public comments for the meeting can also be provided via email to web.clerk@deerfield-beach (please include your name and address for the record).

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT AND FLORIDA STATUTE 286.26, PERSONS WITH DISABILITIES NEEDING SPECIAL ACCOMMODATION TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE CITY CLERK NO LATER THAN 3 DAYS PRIOR TO THE MEETING AT (954) 480-4213 FOR ASSISTANCE



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet

File Number: I.D. 2021-513

Agenda Date: 3/2/2021

Status: CONSENT - AGREEMENTS &
EXPENDITURE REQUESTS

In Control: City Commission

Title:

Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the purchase of comprehensive geographic information system software solutions license and services pursuant to Master Agreement No. 310196 with Environmental Systems Research Institute, Inc., a sole source vendor; providing for execution, implementation, and an effective date. (Funds from Account #001-1400-513-30-04 - Software Maintenance & Account #001-1400-513-32-99 - Other Contractual Services)

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Fiscal Impact

Costs: 165,000 (3-year total FY21-FY23)

Account Name: Software Maintenance

Account Number:001-1400-513-30-04

Costs:104,200 (2-year total FY22-FY23)

Secondary Account Name: Other Contractual Services

Secondary Account Number:001-1400-513-32-99

Background/History

In 2018, the City Commission approved Master Agreement No. 310196 (the "Master Agreement") with Environmental Systems Research Institute, Inc. ("ESRI"), a sole source provider, for the City's Geographic Information Systems ("GIS") software and related services. The City also purchased annual subscriptions to the ESRI Enterprise Advantage Program, including premium support services ("EEAP"), and Enterprise Software License (the "License") (the EEAP and License are collectively referred to as the "Subscriptions"). The ESRI software platform is the City's IT standard and integrates with other hardware and software solutions in the City. The benefits for using ESRI GIS software solutions are as follows:

- 1) ESRI software is used by more than 350,000 organizations worldwide.
- 2) ESRI software is the standard in State and Local Governments. These solutions are used by almost all counties in the State of Florida.
- 3) The ArcGIS Desktop applications permit users to interact directly with the data and manipulate it with the geoprocessing tools, scripts, enforce data integrity rules and stylize the data in cartographically appealing ways.

- 4) ESRI offers a cloud-based mapping platform designed from the ground up to automatically scale to meet peak periods of demand.
- 5) Administration tools include everything needed to control and manage users and content.
- 6) Administrators can assign custom roles and privileges, manage licenses, and content, and view the system's health standard.

Current Activity

The Subscriptions have expired, and the City desires to renew the EEAP Subscription for a two year period and the License for another three year period from March 27, 2021 through March 26 2024. The City has made tremendous strides in the area of GIS using ESRI software and their Advantage Program and would like to continue to do the same. Staff is requesting approval from the City Commission to utilize the option of a Sole Source purchase for comprehensive GIS software solutions. The terms and conditions of the Master Agreement will apply to the Subscriptions renewals. The City desires to renew its subscriptions for the EEAP for a total amount of \$104,200.00 (2 year coverage for FY22 and FY23), and the License for a total amount of \$165,000.00 (3 year coverage for FY21, FY22, and FY23), as further described in the quotations attached as Exhibit "A."

Recommendation

It is recommended that the City Commission approve the resolution to purchase of subscriptions for the EEAP for a total amount of \$104,200.00, and the License for a total amount of \$165,000.00.

RESOLUTION NO. 2021/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, APPROVING THE PURCHASE OF COMPREHENSIVE GEOGRAPHIC INFORMATION SYSTEM SOFTWARE SOLUTIONS LICENSE AND SERVICES PURSUANT TO MASTER AGREEMENT NO. 310196 WITH ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC., A SOLE SOURCE VENDOR; PROVIDING FOR EXECUTION, IMPLEMENTATION, AND AN EFFECTIVE DATE

WHEREAS, on January 2, 2018, the City's Purchasing and Contract Administration Division issued a sole source notification to 74 prospective vendors via the e-Procurement Marketplace advising of the City's desire to purchase Geographic Information Systems Solutions ("GIS Solutions") from Environmental Systems Research Institute, Inc. ("ESRI"); and

WHEREAS, the sole source notification provided until January 12, 2018 to respond with similar product offerings, and no responses were received; and

WHEREAS, in 2018, the City Commission approved Master Agreement No. 310196 (the "Master Agreement") with Environmental Systems Research Institute, Inc. ("ESRI"), a sole source provider, for the City's GIS Solutions and related services; and

WHEREAS, ESRI's GIS Solutions are considered to be the standard in state and local governments across the world, used by more than 350,000 organizations worldwide including all but four counties in the State of Florida; and

WHEREAS, according to documentation provided by ESRI in 2018 supporting the sole source justification, ESRI is the only source that offers the ESRI Enterprise Advantage Program ("EEAP"), which includes consulting services support, training, and premium support designed to meet the unique needs of ESRI Enterprise GIS customers; and

WHEREAS, along with the Master Agreement, the City purchased annual subscriptions to the EEAP and ESRI's Enterprise Software License (the "License") (the EEAP and the License are collectively referred to as the "Subscriptions"); and

WHEREAS, the Subscriptions have expired and the City desires to renew its subscriptions for the EEAP for a two year period for a total amount of \$104,200.00, and the License for a three year period for a total amount of \$165,000.00, as further described in the quotations attached as Exhibit "A"; and

WHEREAS, the Subscriptions would permit users to interact directly with data, alter it with the geoprocessing tools and scripts, enforce data integrity rules, style the data in cartographically appealing ways, and provide a cloud-based mapping platform that automatically scales to meet peak periods of demand, among other features; and

WHEREAS, the purchase of the Subscriptions would have a total combined fiscal impact to the City in an amount of \$269,200.00 (collectively, the “Purchase”); and

WHEREAS, the Purchase is subject to the Master Agreement; and

WHEREAS, staff recommends that the City Commission approve the Purchase, in a total amount of \$269,200.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:

Section 1. The above referenced “Whereas” clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission hereby approves the Purchase of the Subscriptions from ESRI in the total amount of \$269,200.00.

Section 3. The City Manager is authorized to execute the quotation, attached as Exhibit “A”, and any other necessary documents for the Purchase, together with such non-substantial changes as are acceptable to the City Manager and approved as to form and legal sufficiency by the City Attorney.

Section 4. The appropriate City officials are authorized to do all things necessary to carry out the aims of this Resolution.

Section 5. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2021.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK



Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853 Fax: (909) 307-3049
DUNS Number: 06-313-4175 CAGE Code: OAMS3

Quotation # Q-422941

Date: January 15, 2021

Customer # 10616 Contract # ENTERPRISE AGREEMENT

City of Deerfield Beach
Information Technology Services Dept
1441 FAU Research Park Blvd
Deerfield Beach, FL 33441-6258

ATTENTION: Mustapha Girei
PHONE: 9545717591
EMAIL: mgirei@deerfield-beach.com

To expedite your order, please attach a copy of this quotation to your purchase order.
Quote is valid from: 11/10/2020 To: 5/9/2021

Material	Qty	Term	Unit Price	Total
168179	1	Year 1	\$55,000.00	\$55,000.00
Populations of 50,001 to 100,000 Small Government Term Enterprise License Agreement				
168179	1	Year 2	\$55,000.00	\$55,000.00
Populations of 50,001 to 100,000 Small Government Term Enterprise License Agreement				
168179	1	Year 3	\$55,000.00	\$55,000.00
Populations of 50,001 to 100,000 Small Government Term Enterprise License Agreement				
Subtotal:				\$165,000.00
Sales Tax:				\$0.00
Estimated Shipping and Handling (2 Day Delivery):				\$0.00
Contract Price Adjust:				\$0.00
Total:				\$165,000.00

Notes:

1. The effective dates of the Small Government Enterprise Agreement contract are from 3/28/2021 to 3/27/2024.
2. Advantage Program products listed are subject to the terms and conditions of Esri Master Agreement no. 310196.

Esri may charge a fee to cover expenses related to any customer requirement to use a proprietary vendor management, procurement, or invoice program.

For questions contact: Ben McCrary	Email: bmccrary@esri.com	Phone: 704-541-9810 ext. 1666 x1666
The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf , and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at https://go.esri.com/MAPS apply to your purchase of that item. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at https://www.esri.com/en-us/legal/terms/state-supplemental apply to some state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin.		

MCCRARYB

This offer is limited to the terms and conditions incorporated and attached herein.



Quotation # Q-422941

Date: January 15, 2021

Environmental Systems Research Institute, Inc.
380 New York St
Redlands, CA 92373-8100
Phone: (909) 793-2853 Fax: (909) 307-3049
DUNS Number: 06-313-4175 CAGE Code: 0AMS3

Customer # 10616 Contract # ENTERPRISE
AGREEMENT

City of Deerfield Beach
Information Technology Services Dept
1441 FAU Research Park Blvd
Deerfield Beach, FL 33441-6258

*To expedite your order, please attach a copy of
this quotation to your purchase order.
Quote is valid from: 11/10/2020 To: 5/9/2021*

ATTENTION: Mustapha Girei
PHONE: 9545717591
EMAIL: mgirei@deerfield-beach.com

The following items are optional items listed for your convenience.

These items are not included in the totals of this quotation.

Material	Qty	Unit Price	Total
161877	1	\$52,100.00	\$52,100.00

Year 2 - Small Government and Local Utility EA Esri Enterprise Advantage Program (EEAP): 50 Technical Advisor Hours/ 50 Learning and Services Credits - Annual subscription designed to provide enterprise-wide visioning and geospatial enablement through technical advisory, an annual planning meeting, a collaboratively developed technical work plan, and access to exclusive quarterly technology webcasts. The program also provides access to a combination of consulting, premium support, and training services. This configuration includes a one day annual planning session; up to 50 Technical Advisor hours; Quarterly Technology Webcasts and 50 Learning and Services Credits. The Esri Advantage Program terms and conditions shall apply. If not attached, or already incorporated into an existing and current Esri master contract, these terms and conditions can be viewed on the web at <https://www.esri.com/en-us/legal/terms/services>. All travel specified in this quote is subject to Esri's business continuity measures regarding COVID-19, including the most current Federal, State, and Local Government restrictions and Centers for Disease Control and Prevention (CDC) travel advisory recommendations. All proposed project schedules are tentative and will be adjusted based on the most current COVID-19 information available, and mutual agreement of the parties.

161877	1	\$52,100.00	\$52,100.00
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Year 3 - Small Government and Local Utility EA Esri Enterprise Advantage Program (EEAP): 50 Technical Advisor Hours/ 50 Learning and Services Credits - Annual subscription designed to provide enterprise-wide visioning and geospatial enablement through technical advisory, an annual planning meeting, a collaboratively developed technical work plan, and access to exclusive quarterly technology webcasts. The program also provides access to a combination of consulting, premium support, and training services. This configuration includes a one day annual planning session; up to 50 Technical Advisor hours; Quarterly Technology Webcasts and 50 Learning and Services Credits. The Esri Advantage Program terms and conditions shall apply. If not attached, or already incorporated into an existing and current Esri master contract, these terms and conditions can be viewed on the web at <https://www.esri.com/en-us/legal/terms/services>. All travel specified in this quote is subject to Esri's business continuity measures regarding COVID-19, including the most current Federal, State, and Local Government restrictions and Centers for Disease Control and Prevention (CDC) travel advisory recommendations. All proposed project schedules are tentative and will be adjusted based on the most current COVID-19 information available, and mutual agreement of the parties.

The items on this quotation are subject to and governed by the terms of this quotation, the most current product specific scope of use document found at <https://assets.esri.com/content/dam/esrisites/media/legal/product-specific-terms-of-use/e300.pdf>, and your applicable signed agreement with Esri. If no such agreement covers any item quoted, then Esri's standard terms and conditions found at <https://go.esri.com/MAPS> apply to your purchase of that item. Federal government entities and government prime contractors authorized under FAR 51.1 may purchase under the terms of Esri's GSA Federal Supply Schedule. Supplemental terms and conditions found at <https://www.esri.com/en-us/legal/terms/state-supplemental> apply to some state and local government purchases. All terms of this quotation will be incorporated into and become part of any additional agreement regarding Esri's offerings. Acceptance of this quotation is limited to the terms of this quotation. Esri objects to and expressly rejects any different or additional terms contained in any purchase order, offer, or confirmation sent to or to be sent by buyer. Unless prohibited by law, the quotation information is confidential and may not be copied or released other than for the express purpose of system selection and purchase/license. The information may not be given to outside parties or used for any other purpose without consent from Esri. Delivery is FOB Origin.

MCCRARYB

This offer is limited to the terms and conditions incorporated and attached herein.

Esri Use Only:

Cust. Name _____
 Cust. # _____
 PO # _____
 Esri Agreement # _____



SMALL ENTERPRISE AGREEMENT COUNTY AND MUNICIPALITY GOVERNMENT (E214-3)

This Agreement is by and between the organization identified in the Quotation ("**Customer**") and **Environmental Systems Research Institute, Inc. ("Esri")**.

This Agreement sets forth the terms for Customer's use of Products and incorporates by reference (i) the Quotation and (ii) the Master Agreement. Should there be any conflict between the terms and conditions of the documents that comprise this Agreement, the order of precedence for the documents shall be as follows: (i) the Quotation, (ii) this Agreement, and (iii) the Master Agreement. This Agreement shall be governed by and construed in accordance with the laws of the state in which Customer is located without reference to conflict of laws principles, and the United States of America federal law shall govern in matters of intellectual property. The modifications and additional rights granted in this Agreement apply only to the Products listed in Table A.

Table A
List of Products

Uncapped Quantities**Desktop Software and Extensions (Single Use)**

ArcGIS Desktop Advanced
 ArcGIS Desktop Standard
 ArcGIS Desktop Basic
 ArcGIS Desktop Extensions: ArcGIS 3D Analyst,
 ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
 ArcGIS Publisher, ArcGIS Network Analyst, ArcGIS
 Schematics, ArcGIS Workflow Manager, ArcGIS Data
 Reviewer

Enterprise Software and Extensions

ArcGIS Enterprise and Workgroup
 (Advanced and Standard)
 ArcGIS Monitor
 ArcGIS Enterprise Extensions: ArcGIS 3D Analyst,
 ArcGIS Spatial Analyst, ArcGIS Geostatistical Analyst,
 ArcGIS Network Analyst, ArcGIS Schematics, ArcGIS
 Workflow Manager

Enterprise Additional Capability Servers

ArcGIS Image Server

Developer Tools

ArcGIS Engine
 ArcGIS Engine Extensions: ArcGIS 3D Analyst, ArcGIS
 Spatial Analyst, ArcGIS Engine Geodatabase Update,
 ArcGIS Network Analyst, ArcGIS Schematics
 ArcGIS Runtime (Standard)
 ArcGIS Runtime Analysis Extension

Limited Quantities

One (1) Professional subscription to ArcGIS Developer
 Two (2) ArcGIS CityEngine Single Use Licenses
 250 ArcGIS Online Viewers
 250 ArcGIS Online Creators
 37,500 ArcGIS Online Service Credits
 250 ArcGIS Enterprise Creators
 5 ArcGIS Insights in ArcGIS Enterprise
 5 ArcGIS Insights in ArcGIS Online
 50 ArcGIS Tracker for ArcGIS Enterprise
 50 ArcGIS Tracker for ArcGIS Online
 4 ArcGIS Parcel Fabric User Type Extensions (Enterprise)
 4 ArcGIS Utility Network User Type Extensions (Enterprise)

OTHER BENEFITS

Number of Esri User Conference registrations provided annually	4
Number of Tier 1 Help Desk individuals authorized to call Esri	4
Maximum number of sets of backup media, if requested*	2
Five percent (5%) discount on all individual commercially available instructor-led training classes at Esri facilities purchased outside this Agreement	

*Additional sets of backup media may be purchased for a fee

Customer may accept this Agreement by signing and returning the whole Agreement with (i) the Quotation attached, (ii) a purchase order, or (iii) another document that matches the Quotation and references this Agreement ("**Ordering Document**"). **ADDITIONAL OR CONFLICTING TERMS IN CUSTOMER'S PURCHASE ORDER OR OTHER DOCUMENT WILL NOT APPLY, AND THE TERMS OF THIS AGREEMENT WILL GOVERN.** This Agreement is effective as of the date of Esri's receipt of an Ordering Document, unless otherwise agreed to by the parties ("**Effective Date**").

Term of Agreement: Three (3) years

This Agreement supersedes any previous agreements, proposals, presentations, understandings, and arrangements between the parties relating to the licensing of the Products. Except as provided in Article 4—Product Updates, no modifications can be made to this Agreement.

Accepted and Agreed:

(Customer)

By: _____
Authorized Signature

Printed Name: _____

Title: _____

Date: _____

CUSTOMER CONTACT INFORMATION

Contact: _____

Telephone: _____

Address: _____

Fax: _____

City, State, Postal Code: _____

E-mail: _____

Country: _____

Quotation Number (if applicable): _____

1.0—ADDITIONAL DEFINITIONS

In addition to the definitions provided in the Master Agreement, the following definitions apply to this Agreement:

"Case" means a failure of the Software or Online Services to operate according to the Documentation where such failure substantially impacts operational or functional performance.

"Deploy", "Deployed" and "Deployment" mean to redistribute and install the Products and related Authorization Codes within Customer's organization(s).

"Fee" means the fee set forth in the Quotation.

"Maintenance" means Tier 2 Support, Product updates, and Product patches provided to Customer during the Term of Agreement.

"Master Agreement" means the applicable master agreement for Esri Products incorporated by this reference that is (i) found at <https://www.esri.com/en-us/legal/terms/full-master-agreement> and available in the installation process requiring acceptance by electronic acknowledgment or (ii) a signed Esri master agreement or license agreement that supersedes such electronically acknowledged master agreement.

"Product(s)" means the products identified in Table A—List of Products and any updates to the list Esri provides in writing.

"Quotation" means the offer letter and quotation provided separately to Customer.

"Technical Support" means the technical assistance for attempting resolution of a reported Case through error correction, patches, hot fixes, workarounds, replacement deliveries, or any other type of Product corrections or modifications.

"Tier 1 Help Desk" means Customer's point of contact(s) to provide all Tier 1 Support within Customer's organization(s).

"Tier 1 Support" means the Technical Support provided by the Tier 1 Help Desk.

"Tier 2 Support" means the Esri Technical Support provided to the Tier 1 Help Desk when a Case cannot be resolved through Tier 1 Support.

2.0—ADDITIONAL GRANT OF LICENSE

2.1 Grant of License. Subject to the terms and conditions of this Agreement, Esri grants to Customer a personal, nonexclusive, nontransferable license solely to use, copy, and Deploy quantities of the Products listed in Table A—List of Products for the Term of Agreement (i) for the applicable Fee and (ii) in accordance with the Master Agreement.

2.2 Consultant Access. Esri grants Customer the right to permit Customer's consultants or contractors to use the Products exclusively for Customer's benefit. Customer will be solely responsible for compliance by consultants and contractors with this Agreement and will ensure that the consultant or contractor discontinues use of Products upon completion of work for Customer. Access to or use of Products by consultants or contractors not exclusively for Customer's benefit is prohibited. Customer may not permit its consultants or contractors to install Software or Data on consultant, contractor, or third-party computers or remove Software or Data from Customer locations, except for the purpose of hosting the Software or Data on Contractor servers for the benefit of Customer.

3.0—TERM, TERMINATION, AND EXPIRATION

3.1 Term. This Agreement and all licenses hereunder will commence on the Effective Date and continue for the duration identified in the Term of Agreement, unless this Agreement is terminated earlier as provided herein. Customer is only authorized to use Products during the Term of Agreement. For an Agreement with a limited term, Esri does not grant Customer an indefinite or a perpetual license to Products.

3.2 No Use upon Agreement Expiration or Termination. All Product licenses, all Maintenance, and Esri User Conference registrations terminate upon expiration or termination of this Agreement.

3.3 Termination for a Material Breach. Either party may terminate this Agreement for a material breach by the other party. The breaching party will have thirty (30) days from the date of written notice to cure any material breach.

3.4 Termination for Lack of Funds. For an Agreement with government or government-

owned entities, either party may terminate this Agreement before any subsequent year if Customer is unable to secure funding through the legislative or governing body's approval process.

3.5 Follow-on Term. If the parties enter into another agreement substantially similar to this Agreement for an additional term, the effective date of the follow-on agreement will be the day after the expiration date of this Agreement.

4.0—PRODUCT UPDATES

4.1 Future Updates. Esri reserves the right to update the list of Products in Table A—List of Products by providing written notice to Customer. Customer may continue to use all Products that have been Deployed, but support and upgrades for deleted items may not be available. As new Products are incorporated into the standard program, they will be offered to Customer via written notice for incorporation into the Products schedule at no additional charge. Customer's use of new or updated Products requires Customer to adhere to applicable additional or revised terms and conditions in the Master Agreement.

4.2 Product Life Cycle. During the Term of Agreement, some Products may be retired or may no longer be available to Deploy in the identified quantities. Maintenance will be subject to the individual Product Life Cycle Support Status and Product Life Cycle Support Policy, which can be found at <https://support.esri.com/en/other-resources/product-life-cycle>. Updates for Products in the mature and retired phases may not be available. Customer may continue to use Products already Deployed, but Customer will not be able to Deploy retired Products.

5.0—MAINTENANCE

The Fee includes standard maintenance benefits during the Term of Agreement as specified in the most current applicable Esri Maintenance and Support Program document (found at <https://www.esri.com/en-us/legal/terms/maintenance>). At Esri's sole discretion, Esri may make patches, hot fixes, or updates available for download. No Software other

than the defined Products will receive Maintenance. Customer may acquire maintenance for other Software outside this Agreement.

a. Tier 1 Support

1. Customer will provide Tier 1 Support through the Tier 1 Help Desk to all Customer's authorized users.
2. The Tier 1 Help Desk will be fully trained in the Products.
3. At a minimum, Tier 1 Support will include those activities that assist the user in resolving how-to and operational questions as well as questions on installation and troubleshooting procedures.
4. The Tier 1 Help Desk will be the initial point of contact for all questions and reporting of a Case. The Tier 1 Help Desk will obtain a full description of each reported Case and the system configuration from the user. This may include obtaining any customizations, code samples, or data involved in the Case.
5. If the Tier 1 Help Desk cannot resolve the Case, an authorized Tier 1 Help Desk individual may contact Tier 2 Support. The Tier 1 Help Desk will provide support in such a way as to minimize repeat calls and make solutions to problems available to Customer's organization.
6. Tier 1 Help Desk individuals are the only individuals authorized to contact Tier 2 Support. Customer may change the Tier 1 Help Desk individuals by written notice to Esri.

b. Tier 2 Support

1. Tier 2 Support will log the calls received from Tier 1 Help Desk.
2. Tier 2 Support will review all information collected by and received from the Tier 1 Help Desk including preliminary documented troubleshooting provided by the Tier 1 Help Desk when Tier 2 Support is required.
3. Tier 2 Support may request that Tier 1 Help Desk individuals provide verification of information, additional information, or answers to additional questions to

supplement any preliminary information gathering or troubleshooting performed by Tier 1 Help Desk.

4. Tier 2 Support will attempt to resolve the Case submitted by Tier 1 Help Desk.
5. When the Case is resolved, Tier 2 Support will communicate the information to Tier 1 Help Desk, and Tier 1 Help Desk will disseminate the resolution to the user(s).

6.0—ENDORSEMENT AND PUBLICITY

This Agreement will not be construed or interpreted as an exclusive dealings agreement or Customer's endorsement of Products. Either party may publicize the existence of this Agreement.

7.0—ADMINISTRATIVE REQUIREMENTS

7.1 OEM Licenses. Under Esri's OEM or Solution OEM programs, OEM partners are authorized to embed or bundle portions of Esri products and services with their application or service. OEM partners' business model, licensing terms and conditions, and pricing are independent of this Agreement. Customer will not seek any discount from the OEM partner or Esri based on the availability of Products under this Agreement. Customer will not decouple Esri products or services from the OEM partners' application or service.

7.2 Annual Report of Deployments. At each anniversary date and ninety (90) calendar days prior to the expiration of this Agreement, Customer will provide Esri with a written report detailing all Deployments. Upon request, Customer will provide records sufficient to verify the accuracy of the annual report.

8.0—ORDERING, ADMINISTRATIVE PROCEDURES, DELIVERY, AND DEPLOYMENT

8.1 Orders, Delivery, and Deployment

- a. Upon the Effective Date, Esri will invoice Customer and provide Authorization Codes to activate the nondestructive copy protection program that enables Customer to download,

operate, or allow access to the Products. If this is a multi-year Agreement, Esri may invoice the Fee up to thirty (30) calendar days before the annual anniversary date for each year.

- b. Undisputed invoices will be due and payable within thirty (30) calendar days from the date of invoice. Esri reserves the right to suspend Customer's access to and use of Products if Customer fails to pay any undisputed amount owed on or before its due date. Esri may charge Customer interest at a monthly rate equal to the lesser of one percent (1.0%) per month or the maximum rate permitted by applicable law on any overdue fees plus all expenses of collection for any overdue balance that remains unpaid ten (10) days after Esri has notified Customer of the past-due balance.

- c. Esri's federal ID number is 95-2775-732.

- d. If requested, Esri will ship backup media to the ship-to address identified on the Ordering Document, FOB Destination, with shipping charges prepaid. Customer acknowledges that should sales or use taxes become due as a result of any shipments of tangible media, Esri has a right to invoice and Customer will pay any such sales or use tax associated with the receipt of tangible media.

8.2 Order Requirements. Esri does not require Customer to issue a purchase order. Customer may submit a purchase order in accordance with its own process requirements, provided that if Customer issues a purchase order, Customer will submit its initial purchase order on the Effective Date. If this is a multi-year Agreement, Customer will submit subsequent purchase orders to Esri at least thirty (30) calendar days before the annual anniversary date for each year.

- a. All orders pertaining to this Agreement will be processed through Customer's centralized point of contact.
- b. The following information will be included in each Ordering Document:
 - (1) Customer name; Esri customer number, if known; and bill-to and ship-to addresses
 - (2) Order number
 - (3) Applicable annual payment due

9.0—MERGERS, ACQUISITIONS, OR DIVESTITURES

If Customer is a commercial entity, Customer will notify Esri in writing in the event of (i) a consolidation, merger, or reorganization of Customer with or into another corporation or entity; (ii) Customer's acquisition of another entity; or (iii) a transfer or sale of all or part of Customer's organization (subsections i, ii, and iii, collectively referred to as "**Ownership Change**"). There will be no decrease in Fee as a result of any Ownership Change.

- 9.1 If an Ownership Change increases the cumulative program count beyond the maximum level for this Agreement, Esri reserves the right to increase the Fee or terminate this Agreement and the parties will negotiate a new agreement.
- 9.2 If an Ownership Change results in transfer or sale of a portion of Customer's organization, that portion of Customer's organization will transfer the Products to Customer or uninstall, remove, and destroy all copies of the Products.
- 9.3 This Agreement may not be assigned to a successor entity as a result of an Ownership Change unless approved by Esri in writing in advance. If the assignment to the new entity is not approved, Customer will require any successor entity to uninstall, remove, and destroy the Products. This Agreement will terminate upon such Ownership Change.



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet

File Number: I.D. 2021-510

Agenda Date: 3/2/2021

Status: DEPARTMENTAL BUSINESS

In Control: City Commission

Title

ORDINANCE 2021/ - 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.

Recommended Action

Commission to vote on Ordinance and set public hearing for March 16, 2021.

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

Residents have identified issues with cut through truck traffic on S.W. 1st Court, S.W. 2nd Street, S.W. 2nd Court between Dixie Highway and Martin Luther King Boulevard, and N.W. 48th Street between Military Trail and Powerline Road. A request was made to prohibit truck traffic on these corridors and give the Broward Sheriff's Office and Code Enforcement the authority for enforcement.

Current Activity

Pursuant to Broward County Administrative Code Section 25.128, all requests for new traffic control devices or modifications to existing traffic control devices on municipal roadways must be submitted to the Director of the Broward County Traffic Engineering Division. Any requests for new, modified or removal of commercial vehicle restriction signs or no truck signs must be approved through local ordinance by the City Commission. Imposing truck restrictions is not a traffic engineering determination, but a local legislative action that is then sent to Broward County Traffic Engineering for installation of regulatory signs. This policy is supported by Section 2B.39 of the Manual on Uniform Traffic Control Devices as adopted by Florida Law.

Recommendation

Amend City Code Section 66-13 designating S.W. 1st Court, S.W. 2nd Street, and S.W. 2nd Court from Dixie Highway to Martin Luther King Boulevard, and N.W. 48th Street between Military Trail and Powerline Road, as "no through truck zones."



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet

File Number: I.D. 2021-510

Agenda Date: 3/2/2021

Status: DEPARTMENTAL BUSINESS

In Control: City Commission

Title

ORDINANCE 2021/ - 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.

Recommended Action

Commission to vote on Ordinance and set public hearing for March 16, 2021.

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

Residents have identified issues with cut through truck traffic on S.W. 1st Court, S.W. 2nd Street, S.W. 2nd Court between Dixie Highway and Martin Luther King Boulevard, and N.W. 48th Street between Military Trail and Powerline Road. A request was made to prohibit truck traffic on these corridors and give the Broward Sheriff's Office and Code Enforcement the authority for enforcement.

Current Activity

Pursuant to Broward County Administrative Code Section 25.128, all requests for new traffic control devices or modifications to existing traffic control devices on municipal roadways must be submitted to the Director of the Broward County Traffic Engineering Division. Any requests for new, modified or removal of commercial vehicle restriction signs or no truck signs must be approved through local ordinance by the City Commission. Imposing truck restrictions is not a traffic engineering determination, but a local legislative action that is then sent to Broward County Traffic Engineering for installation of regulatory signs. This policy is supported by Section 2B.39 of the Manual on Uniform Traffic Control Devices as adopted by Florida Law.

Recommendation

Amend City Code Section 66-13 designating S.W. 1st Court, S.W. 2nd Street, and S.W. 2nd Court from Dixie Highway to Martin Luther King Boulevard, and N.W. 48th Street between Military Trail and Powerline Road, as "no through truck zones."

ORDINANCE NO. 2021

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

WHEREAS, pursuant to the City’s home rule powers, the City is authorized to regulate and control traffic within the City, including the power to designate certain streets as “no through truck zones”; and

WHEREAS, City Code Section 66-13 designates certain streets as no through truck zones; and

WHEREAS, the City desires to designate S.W. 1st Court, S.W. 2nd Street, and S.W. 2nd Court between Dixie Highway and Martin Luther King Boulevard, and N.W. 48th Street between Military Trail and Powerline Road, as “no through truck zones”; and

WHEREAS, the City Commission has determined that it is in the best interests of the citizens and general public to amend City Code Section 66-13 to designate S.W. 1st Court, S.W. 2nd Street, and S.W. 2nd Court between Dixie Highway and Martin Luther King Boulevard, and N.W. 48th Street between Military Trail and Powerline Road, as “no through truck zones.”

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AS FOLLOWS:

Section 1. The above “WHEREAS” clauses are true and correct and are incorporated herein.

Section 2. Section 66-13 “No through truck zones” of the City Code is hereby amended to read as follows¹:

Chapter 66 – TRAFFIC AND VEHICLES

ARTICLE I. – In General

Sec. 66-13 – No through truck zones.

(c) No through truck zones. The following streets are designated as no through truck zones:

¹ Additions to existing City Code text are shown in underline. Deletions to existing City Code text are shown in ~~strikethrough~~.

(19) S.W. 1st Court between Dixie Highway and Martin Luther King Boulevard.

(20) S.W. 2nd Street between Dixie Highway and Martin Luther King Boulevard.

(21) S.W. 2nd Court between Dixie Highway and Martin Luther King Boulevard.

(22) N.W. 48th Street (Green Road) between Military Trail and Powerline Road.

Section 3. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all Resolutions, or parts of Resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. The provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 5. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 6. That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED 1ST READING ON THIS _____ DAY OF _____, 2021.

PASSED 2ND READING ON THIS _____ DAY OF _____, 2021.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK



NEIGHBORHOOD MAP



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet

File Number: I.D. 2021-522

Agenda Date: 3/2/2021

Status: DEPARTMENTAL BUSINESS

In Control: City Commission

Title

ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 34 "ENVIRONMENT," ARTICLE II "NOISE CONTROL," SECTION 34-35 "SPECIFIC NOISE PROHIBITIONS" TO REGULATE THE USE OR OPERATION OF EXTERIOR LOUDSPEAKERS, AMPLIFIERS, AND SIMILAR DEVICES ON PUBLIC RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

Recommended Action

Commission to vote on Ordinance and set second public hearing for March 16, 2021

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

Excessive noise on public rights-of-way is a serious threat to public health, safety, and welfare. The use or operation of exterior loudspeakers, amplifiers, and other similar devices for the amplification of sound (collectively, "Amplification Devices") on or in public rights-of-way is detrimental to the health, welfare, and safety of City residents in that such use or operation diverts the attention of pedestrians and vehicle operators on public rights-of-way, thus increasing traffic hazards and causing injury to life and limb. The use of Amplification Devices disturbs the public peace, comfort, and peaceful enjoyment by the people of their rights to use public rights-of-way for public purposes and disturbs the peace, quiet, and comfort of the neighboring inhabitants. Amplification Devices cause excessive noise and the City may regulate excessive noise, even in a public forum, to protect its significant and compelling interest in prohibiting excessive noise and protecting public health, safety, and welfare. The regulation of the use or operation of Amplification Devices in or on public rights-of-way is essential to protect the health, welfare, and safety of the inhabitants of the City to secure the health, safety, comfort, convenience, and peaceful enjoyment by the people of their rights to use the public rights-of-way for public purposes and to secure the peace, quite, and comfort of City's inhabitants.

Current Activity

The City has received complaints from residents regarding the negative effects excessive noise on public rights-of-way. Staff recommends amending Section 34-35 "Specific Noise Prohibitions" of the City Code to to regulate the use or operation of exterior loudspeakers, amplifiers, and similar devices on public rights-of-way.

Recommendation

Approval is recommended.

ORDINANCE NO. 2021

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 34 "ENVIRONMENT," ARTICLE II "NOISE CONTROL," SECTION 34-35 "SPECIFIC NOISE PROHIBITIONS" TO REGULATE THE USE OR OPERATION OF EXTERIOR LOUDSPEAKERS, AMPLIFIERS, AND SIMILAR DEVICES ON PUBLIC RIGHTS-OF-WAY; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE

WHEREAS, excessive noise on public rights-of-way is a serious threat to public health, safety, and welfare; and

WHEREAS, the use or operation of exterior loudspeakers, amplifiers, and other similar devices for the amplification of sound (collectively, "Amplification Devices") on or in public rights-of-way is detrimental to the health, welfare, and safety of City residents in that such use or operation diverts the attention of pedestrians and vehicle operators on public rights-of-way, thus increasing traffic hazards and causing injury to life and limb; and

WHEREAS, the use of Amplification Devices disturbs the public peace, comfort, and peaceful enjoyment by the people of their rights to use public rights-of-way for public purposes and disturbs the peace, quiet, and comfort of the neighboring inhabitants; and

WHEREAS, Amplification Devices cause excessive noise; and

WHEREAS, the City has received complaints from residents regarding the negative effects of excessive noise in or on public rights-of-way; and

WHEREAS, the City may regulate excessive noise to protect its significant and compelling interest in prohibiting excessive noise and protecting public health, safety, and welfare; and

WHEREAS, the regulation of the use or operation of Amplification Devices in or on public rights-of-way is essential to protect the health, welfare, and safety of the inhabitants of the City, to secure the health, safety, comfort, convenience, and peaceful enjoyment by the people of their rights to use the public rights-of-way for public purposes, and to secure the peace, quiet, and comfort of the City's inhabitants; and

WHEREAS, the City desires to amend Section 34-35 "Specific Noise Prohibitions" of the City Code to regulate the use or operation of exterior loudspeakers, amplifiers, and similar devices on public rights-of-way; and

WHEREAS, the City Commission has determined that it is in the best interests of the public's health, safety, and welfare to amend Chapter 34 "Environment," Article II "Noise Control," Section 34-35 "Specific Noise Prohibitions" as provided herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, AS FOLLOWS:

Section 1. The above “WHEREAS” clauses are true and correct and are incorporated in this Ordinance.

Section 2. Chapter 34 “Environment,” Article II “Noise Control,” Section 34-35 “Specific Noise Prohibitions” of the City Code is hereby amended to read as follows¹:

Chapter 34 – ENVIRONMENT

ARTICLE II. – Noise Control

Sec. 34-35. - Specific Noise Prohibitions.

The following specific standards and restrictions shall apply to specific uses and/or activities in the City of Deerfield Beach except for such exemptions as are enumerated herein. The following acts are declared to be loud, disturbing, and/or excessive noise in violation of this chapter, but said acts shall not be deemed to be exclusive.

- (1) *Radios, television sets, exterior loudspeakers, musical instruments, and similar devices.* Operating or permitting the use or operation of any radio receiving set, exterior loudspeaker, musical instrument, phonograph, television set, or other machine or device for the production or reproduction of sound between the hours of 9:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at a distance of 50 feet or more from the source of the sound. Radios, cassette players, disk players and similar devices associated with motor vehicles or motorboats, shall not be operated in such a manner as to be plainly audible at a distance of ~~100~~50 feet or more from such device, when operated on a public right-of-way or public space.

- (16) Exterior loudspeakers, amplifiers, and similar devices on public rights-of-way. Exterior loudspeakers, amplifiers, and similar devices (each an “Amplification Device”) shall not be used or operated in such a manner as to be plainly audible at a distance of 50 feet or more from the Amplification Device when operated on a public right-of-way, including but not limited to sidewalks, without a permit.

¹ Additions to existing City Code text are shown in underline. Deletions to existing City Code text are shown in ~~strikethrough~~.

- a. Permit requirements. Any person desiring to use an Amplification Device on a public right-of-way in such a manner as to be plainly audible at a distance of 50 feet or more from the Amplification Device shall submit a permit application to the City Manager or designee for such use. The permit application shall be in a form approved by the City Manager or designee. The permit application shall include the following information:
- i. The name, address, and telephone number of both the owner and user of the Amplification Device;
 - ii. Description of the specific location at which the Amplification Device will be used or operated;
 - iii. The exact period of time for which the Amplification Device will be operated at such location;
 - iv. The maximum volume of sound that may be employed by the Amplification Device; and
 - v. The number of anticipated attendees.
- b. Permit Restrictions. The City Manager or designee shall not issue a permit for an Amplification Device:
- i. If the applicant fails to pay the permit fee;
 - ii. If the application is for a period exceeding five consecutive calendar days;
 - iii. To prevent overlapping in the granting of permits;
 - iv. In any location within 500 feet of a school, courthouse, or church, during the hours of school, court, or worship, respectively, or within 500 feet of any hospital or similar institution;
 - v. In any location where the City Manager or designee, upon investigation, shall determine that the conditions of vehicular or pedestrian traffic or both, are such that the use of an Amplification Device will constitute a threat to the safety of pedestrians or vehicular operators; and
 - vi. In any location where the City Manager or designee, upon investigation, determines that the conditions or overcrowding of or street repair or other physical conditions are such that the use of an Amplification Device will deprive the public of the right to the safe, comfortable, convenient, and peaceful enjoyment of any public right-

of-way, or will constitute a threat to the safety of pedestrians or vehicle operators; or

vii. Between the hours of 9:00 p.m. and 7:00 a.m.

c. *Additional Permit Requirements.* The Amplification Device shall remain stationary at the location specified in the permit application. The City Manager may add such additional terms and conditions to the permit as may be necessary, for the purpose of securing the health, safety, comfort, convenience, and peaceful enjoyment by the people of their right to use public rights-of-way, protecting the health, welfare, and safety of the residents of the City, and securing the peace, quiet, and comfort of neighboring inhabitants.

d. *Permit Fees.* Fees for permits issued pursuant to this subsection (16) shall be established by resolution of the City Commission.

Section 3. All Sections or parts of Sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions, or parts of resolutions, in conflict with this Ordinance are repealed to the extent of such conflict.

Section 4. The provisions of this Ordinance are declared to be severable, and, if any section, sentence, clause and/or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, which shall remain in effect, it being the legislative intent that this Ordinance shall stand despite the invalidity of any part.

Section 5. It is the intention of the City Commission and it is hereby ordained that the provisions of this Ordinance shall become and be made a part of the City Code of the City of Deerfield Beach, and that the sections of this Ordinance may be renumbered to accomplish such intent.

Section 6. That this Ordinance shall be effective immediately upon adoption on second reading.

PASSED 1ST READING ON THIS ____ DAY OF _____, 2021.

PASSED 2ND READING ON THIS ____ DAY OF _____, 2021.

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK



City of Deerfield Beach

150 NE 2nd Ave
Deerfield Beach, FL
33441
954-480-4200

Face Sheet

File Number: I.D. 2021-511

Agenda Date: 3/2/2021

Status: CITY COMMISSION
BUSINESS

In Control: City Commission

Title

Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, urging the Florida Legislature to approve Florida Senate Bill 596/House Bill 6023 repealing Section 163.045, Florida Statutes, and restoring local governments' ability to regulate matters relating to pruning, trimming and removal of trees on residential properties; providing for transmittal and an effective date.

Recommended Action

Commission to vote on Resolution

Voting Requirement

Adoption requires a 3/5 vote of the City Commission

Background/History

On July 1, 2019 the Florida Legislature approved HB 1159, prohibiting local governments from requiring notices, applications, approvals, permits, fees, or mitigation for pruning, trimming, or removal of trees on residential property. In addition, this legislation prohibits local governments from requiring property owners to replant such trees. This legislation was codified under Section 163.045, Florida Statutes. This statute takes away a municipality's ability to regulate the proper trimming and removal of trees on residential properties. The result of which can lead to homeowners inadvertently killing their trees through over pruning and hat racking, leaving them in a more vulnerable condition. In addition, Section 163.045, Fla. Stat., does not provide any resolution to the minimum number of trees required by a municipality. This has resulted in homeowners misunderstanding this statute and believing that trees removed do not need to be replaced if the minimum number of trees for the property is not met. Section 163.045 was not written with the foresight to the consequences of what this law would create. By removing home rule authority from the local municipality, the State has created a situation that is less safe than what was in place before. Local municipalities employ certified arborists and landscape inspectors to inspect and evaluate trees on residential properties at little or no cost to the resident who would be required to obtain a landscape permit. The State has created a scenario in which the total tree canopy of a City could be reduced, thus hurting a municipality's carbon footprint and possibly increasing the local heat island effect. Trees play an important role in providing habitat for wildlife, erosion control, aesthetic beauty, and sense of place. Municipalities have the right to require certain types of trees based on the geographical location of the municipality as well as the right to determine the minimum amount of trees each residential property should have. Removing this right is a direct violation of home rule and has dangerous and harmful consequences. The repeal of this statute is necessary in order for each municipality to be able to preserve their identity.

Current Activity

State Senator Stewart's Senate Bill 596 ("SB 596") and Representative Eskamani's House Bill 6023 ("HB 6023") would repeal Section 163.045, Florida Statutes, restoring the rights of local governments related to pruning, trimming, or removal of trees on residential property. The City of Deerfield Beach urges the Florida Legislature to approve SB 596/HB 6023 repealing Section 163.045, Fla. Stat. and restoring local governments' ability to regulate matters relating to trees on residential properties.

Recommendation

Approval is recommended.

RESOLUTION NO. 2021/

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF
DEERFIELD BEACH, FLORIDA, URGING THE FLORIDA
LEGISLATURE TO APPROVE FLORIDA SENATE BILL 596/HOUSE
BILL 6023 REPEALING SECTION 163.045, FLORIDA STATUTES, AND
RESTORING LOCAL GOVERNMENTS' ABILITY TO REGULATE
MATTERS RELATING TO PRUNING, TRIMMING AND REMOVAL OF
TREES ON RESIDENTIAL PROPERTIES; PROVIDING FOR
TRANSMITTAL AND AN EFFECTIVE DATE**

WHEREAS, Section 163.045, Florida Statutes, was adopted by the Florida Legislature in 2019, preempting local ordinances relating to trees on residential properties purportedly as a way to protect residential property owners' rights after local controversies related to removal and trimming of trees occurred in several places in Florida; and

WHEREAS, many local communities use green buffers and tree preservation codes to define their communities' character and standards of life, and local governments should have the authority to protect these resources; and

WHEREAS, counties and cities such as the City of Deerfield Beach are better connected to their residents and local needs, and therefore should have the ability to adopt regulations that reflect the values of their respective communities; and

WHEREAS, Florida Senator Stewart's Senate Bill 596 ("SB 596") and Representative Eskamani's House Bill 6023 ("HB 6023") would repeal Section 163.045, Florida Statutes, and restore the rights of local governments related to pruning, trimming, or removal of trees on residential property; and

WHEREAS, the City seeks to preserve and protect home rule authority for the City and other Florida local governments; and

WHEREAS, the City Commission finds that this Resolution is in the best interest of the citizens and residents of the City.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE
CITY OF DEERFIELD BEACH, FLORIDA, AS FOLLOWS:**

Section 1. The above referenced "Whereas" clauses are true and correct and made a part of this Resolution.

Section 2. The City Commission of the City of Deerfield Beach urges the Florida Legislature to approve SB 596/HB 6023 repealing Section 163.045, Fla. Stat., and restoring local governments' ability to regulate matters relating to trees on residential properties.

Section 3. The City Clerk is directed to transmit a certified copy of this Resolution to the Florida Governor, the President of the Florida Senate, the Speaker of the Florida House of Representatives, the Broward County Legislative Delegation, and the Broward County League of Cities.

Section 4. This Resolution shall take effect immediately upon adoption.

PASSED AND ADOPTED THIS ____ DAY OF _____, 2021.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

ATTEST:

SAMANTHA GILLYARD, CMC, CITY CLERK

By Senator Stewart

13-00704-21

2021596__

A bill to be entitled

An act relating to preemption of tree pruning,
trimming, and removal; repealing s. 163.045, F.S.,
relating to tree pruning, trimming, or removal on
residential property; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 163.045, Florida Statutes, is repealed.

Section 2. This act shall take effect July 1, 2021.

HB 6023

2021

1 A bill to be entitled
2 An act relating to preemption of tree pruning,
3 trimming, and removal; repealing s. 163.045, F.S.,
4 relating to tree pruning, trimming, or removal on
5 residential property; providing an effective date.

6
7 Be It Enacted by the Legislature of the State of Florida:

8
9 Section 1. Section 163.045, Florida Statutes, is repealed.

10 Section 2. This act shall take effect July 1, 2021.