



Meeting Minutes City Commission

Tuesday, June 15, 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
Commissioner Michael Hudak
Commissioner Bernie Parness
Vice Mayor Ben Preston
Mayor Bill Ganz

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

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

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

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - May 18, 2021

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

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

Nays: 0

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Community Appearance Board Meeting Minutes - May 12, 2021

Education Advisory Board Meeting Minutes - March 7 & April 7, 2021

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

ACKNOWLEDGEMENT OF CITY BOARD MINUTES - CONTINUED

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

Nays: 0

APPROVAL OF CITY COMMISSION AGENDA

June 15, 2021

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to approve the agenda as amended; tabled Item 13. Voice Vote:

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

Nays: 0

AWARDS & RECOGNITION**1. Certificate of Recognition Presented to Nature Gnaws for their commitment to the Deerfield Beach community for conducting a Beach Cleanup on Earth Day.**

Mayor Ganz read and presented a certificate of recognition to Jay Mokbel, Nature Gnaws. Nature Gnaws is headquartered in Deerfield Beach, Florida, and is a family run business, sourcing 100% Natural Dog Chews from farmers around the world, so that all dogs can gnaw on natural, simple and delicious chews. Its parent Company, Torito Brands was founded in 2016 by Steve Mamak and Mr. Mokbel in a garage, and like many companies that started behind a garage door, this is the living example of how much success can be achieved with a great idea and consistency. When you add the best ingredients to the formula, advance in inevitable, and that is why they are now the Fastest Growing Dog Chew Company. He commented on the quality of their products which has allowed them to go from 1 product to 200 SKU's in a few years. Their success has also contributed to an increase in space for a total of 42,000 sq. feet with 65 employees and still hiring. Nature Gnaws products can be found on Amazon, Chewy, Costco, Petco, Walmart, Target, and their employees can be found at the beach, supporting the community.

2. Certificate of Appreciation presented to the Kids of Love Foundation, Inc. for their dedication to the City of Deerfield Beach for conducting a beach cleanup to honor Armed Forces Day.

Mayor Ganz provided a certificate of appreciation to Kids of Love Foundation. On May 15, 2021, Armed Forces Day, the Kids of Love Foundation, Inc. provided 90 Marine Corps recruits and volunteers and collected over 150 lbs. of debris from our beautiful beach. The City wishes to thank them for their great example of community service with this certificate that recognizes the great work of the Kids of Love Foundation.

Kim Myers Slapikas outlined how the Kids of Love Foundation, Inc. first began and how it impacts the public. Toys and snacks are provided to children's hospitals possibly twice weekly locally and in other counties. Furthermore, there will be another beach clean-up in September as it is childhood cancer awareness month and there is a 1:5 chance of a child being lost.

3. Certificate of Recognition presented to Deerfield Beach Ocean Rescue for being named 2020 Beach Patrol of the Year by the Florida Beach Patrol Chiefs Association.

Mayor Ganz provided a certificate of recognition to Ocean Rescue in light of a recent accomplishment. On Friday, May 14, 2021, Deerfield Beach Ocean Rescue was named 2020 Beach Patrol of the Year by the Florida Beach Patrol Chiefs Association in Orlando at the 2019 and 2020 Surf Lifesaving Awards Banquet. The award was presented to those that remained open during the pandemic, while keeping our beaches

AWARDS & RECOGNITION - CONTINUED

safe. Deerfield Beach was one of these patrols and continues to be recognized in the top tier of agencies in their industry.

Commissioner Hudak said he would like a display on the pier to showcase the awards received throughout the years.

David Santucci, City Manager, said he will look into it and discuss the possibility of public art and other ideas, but will come up with something appropriate for the Commission.

4. Certificates of Appreciation presented to Deerfield Beach City Staff and The Friends of the Arboretum for their dedication and talents that led to the completion of Phase II of the Rainforest at Constitution Park and Arboretum.

Mayor Ganz presented several certificates of appreciation to the City of Deerfield Beach Parks crew for their continuing efforts in beautifying the City. On October 15, 2019, Parks staff kicked off Phase II of the rainforest project with the installation of a chain link fence, which included the removal of six (6) tons of soil and sculpting the landscape. By February 2020, the streams and lagoons had been etched into the ground and the waterfall started to form. He explained that shortly thereafter, the process was shut down due to the pandemic; however, staff continues to work and collaborate with others on design and development. In the end, more than 15 members of city parks' staff worked tirelessly on this project to ensure proper aesthetics. The goal was to provide a unique and tranquil experience to the community.

Additionally, Mayor Ganz said the project included the installation of 1,141 plants, 15 pallets of sod, 350 cubic yards of mulch, 256 cubic yards of sandy soil, and the installation of 36 new irrigation rotary heads. He further recognized Broroniae "Precious" Baker who is a full-time city employee at Constitution Park and Arboretum. She has been with the City for over 25 years and at Constitution Park for the last 8 years. She holds multiple certifications in landscaping and her knowledge and love of horticulture can be seen throughout the park. It is park staff like Precious that make Deerfield Beach so beautiful. Thereafter, he listed all the Parks staff responsible for this achievement, as well as Friends of the Arboretum.

QUASI-JUDICIAL PUBLIC HEARINGS

5. P.H. 2021-080: Applicant: APPLICATION NO. 20-RM25-108 & Case No. 2553 (Project Name: D&S Funding) D&S Funding, LLC represented by Deena Gray, Esq. of Greenspoon Marder, LLP

Proposal: Major site plan application seeking approval for a two (2) story, four (4) unit multi-family residential building; AND seeking approval of two (2) Variances (Case No. 2553) from Sec. 98-61 of the Deerfield Beach Land Development Code to allow: 1) a ten (10) foot east side yard setback, in lieu of the twelve and half (12.5) feet required by Code; AND 2) a minimum lot width of seventy-five (75) feet, in lieu of the one hundred (100) feet required by Code.

Location: The property is generally described as a parcel of land in DEERFIELD BEACH 4-4 B LOT 15 E25, 16 BLK 1, more particularly described in the file, and located at **1941 NE 1st Street.**

Anthony Soroka, City Attorney, outlined the proposed application, voting requirements being 4/5 to approve, and addressed quasi-judicial procedures for the applicant's representative.

Deena Gray, Greenspoon Marder, Fort Lauderdale, provided a PowerPoint presentation and waived the quasi-judicial proceedings.

Aerial Location Map - Ms. Gray outlined the location of the property as well as the zooming near the property; whereby, certain parcels are zoned B-1. The subject property is zoned RM-25 which allows 25 dwelling units per acre.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

Ocean Drive and NE 1st Street Facing West - Ms. Gray said this view is from Ocean Drive facing west down NE 1st Street; the subject property is just behind the parking garage. On the other side of the street is a two-story building.

NE 1st Street and NE 19th Terrace Facing Subject Property (North) - Ms. Gray said this is the subject property which she described and advised that there are two single-story structures on both sides, along with the adjacent parking garage.

NE 1st Street and NE 19th Terrace Facing West - Ms. Gray displayed a photo of NE 1st Street which includes multi-family buildings ranging from 2-stories to 4 to 5-story buildings.

NE 1st Street and NE 19th Terrace Facing South - Ms. Gray continued to display photos of the community from the perspective location, which still reflected multi-family properties.

NE 1st Street and NE 19th Terrace Facing East - Ms. Gray said from this location, the parking garage is visible and multi-family on the opposite side, then further down, commercial property.

Rendering - Ms. Gray showcased the proposed townhome project; each is 2,000 square feet including garage space and all four are two-bedroom. It is an aesthetically pleasing building and has a beachy, coastal look to incorporate the design elements from a coastal community architectural district.

Elevations - South and West - Ms. Gray said the pitched roof gives an idea of what it would look like and the components that would enhance and beautify the surrounding area.

Elevations - North and East - Ms. Gray displayed renderings of the proposed property's elevations from the north and east.

Variances - Ms. Gray said two (2) variances are being requested. The first is for the east side setback. The Code requires a 10' setback plus 1' for every 2' of building height; thus, the building is 25' and would require a 12'-6" setback on the east side. The applicant is requesting a variance of 2'-6" on the east side of the property; all other setbacks are met. The second variance requested is for minimum lot width. In the RM-25 district, the minimum is 100 feet. The property boundaries for this property is 75 feet. She said with many properties on the barrier island, it was not really intended for the smaller lots versus a majority of properties that are larger throughout the City.

Site Plan - Ms. Gray said the lot boundaries are outlined in green; the yellowish-orange line is the east side setback and shows the 12'-6" that is required because of the pitched roof.

Elevations Without Variance - Ms. Gray displayed the elevations of the property without the variance. The City Code essentially indicates that the higher the property, the greater the setback. She said with the proposed property height being 25 feet, it is well under the height restriction for RM-25 zoning. Nevertheless, the renderings displayed show the property with a flat roof instead of pitched. Having a flat roof is less expensive and easier to construct, but the concept is to make the property aesthetically pleasing.

Elevations with Variance - Ms. Gray displayed the proposed property with a pitched roof which is a beautifying feature for that area.

Landscape Plan - Ms. Gray said significant landscaping will be installed and will improve the area but help buffer and add to aesthetics.

RM-10 - Ms. Gray provided an analysis prepared by the property owner which includes single and multi-family residences that are being rented in the area. This provides an idea of what the area is like as there are multiple rentals. She said the property owner is present to answer questions and plans to use one of the units as his primary residence but wishes to sell the other units. Furthermore, Ms. Gray said a community meeting was held some time ago and concerns regarding transients were mentioned. When the project came before the Commission two (2) years ago, there was miscommunication of the intention of what the property owner wanted as it was advertised by a former partner as an Airbnb which is not what

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

the property owner wanted. Since he plans to live there, he does not want any transient turnover/Airbnb activity while he is there with his wife. Additionally, Ms. Gray advised that the owner intends to agree to a restriction that he will have a minimum of annual leases for the first three (3) years he is there. The owner also agreed that there would not be an Airbnb and is willing to commit to these terms.

Samantha Gillyard, City Clerk, outlined campaign contributions made by Ms. Gray pursuant to the City's Code of Ethics Ordinance 2009/006: Commissioner Drosky, December 15, 2020 - \$500; Commissioner Hudak, January 28, 2019 - \$500; and Commissioner Parness, January 7, 2021 - \$500.

Commissioner Hudak said the challenges expressed to him are related to the property serving as an Airbnb based on the advertisement that previously went out. He said he thinks the property is very nice and although he does not like the architecture, he wants to make sure residents feel comfortable with the property and encouraged continued outreach to address their concerns. Commissioner Hudak continued to outline additional concerns; traffic, street parking due to limited space, and the Airbnb concern. Deerfield Beach island has a lot of rental properties and a lot of properties that have multiple families living in them; so, even with the annual lease provision, he questioned what will happen after three (3) years.

Mayor Ganz opened the public hearing.

Jane Schafrann, 48 NE 19th Terrace, Deerfield Beach, said this application came before the Commission previously requesting the same variances and was subsequently rejected as there is no hardship. Furthermore, she commented on the applicant prematurely marketing the four-plex plan to develop for approximately \$3 million with an Airbnb potential. Ms. Schafrann explained that the size of the actual townhome, approximately 1400 square feet, is too small to accommodate the number of possible residents. Thereafter, she commented on her history in the area as well the negative effects Airbnb's have had on their community. In closing, Ms. Schafrann advised that when the applicant purchased the lot, he was aware of the minimum lot width dimensions and asked that the City Commission abide by its original decision. Lastly, she measured what 25 feet would look like which is the entire length of her home.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, agreed with Ms. Schafrann as 2.5 feet closer to a property line allows for more overhang into the neighborhood and neighbors' back yards on both sides. Ms. Freitag expressed dissatisfaction with developers buying land and making the property fit their design instead of their designs fitting the properties. Also, the City will not be able to follow up for the next three (3) years to make sure the property is not rented out as an Airbnb as opposed to an annual lease. She said this is not the proper location and the residents want families to build in the City, not more rentals.

Ellyce Miller-Plotkin, 1998 NE 7th Street, Deerfield Beach, said she is a resident on the island, and having visited many people while working on the Census, she discovered that people who live there are only there a week at a time. There are so many Airbnb's on the island now and if the variances are granted, the entire city will be open to having Airbnb's all over. She said she prefers families move to the island permanently. Ms. Miller-Plotkin also commented on the setbacks for the neighboring homes; whereby, there is ample parking. She said the proposed townhome would come right up to the street and there is no parking in addition to the garage nor is street parking allowed. Moreover, she expressed concern with visitors parking in the garage due to its current limitation. Ms. Miller-Plotkin continued to outline concerns with the proposed development.

Rachel Anderson, 1919 NE 1st Street, Deerfield Beach, said safety and keeping the city clean is a major concern and advised that there is no guarantee of what will happen in the next three (3) years; whereby, she believes vacation rentals is likely. The structure is not made to have more than 1 parking spot per bedroom, nor does it have guest spots. While the parking garage is an option, it is never guaranteed as it fills quite often and fast. NE 1st Street is not the busiest outlet to enter and exit the neighborhood due to the traffic and concerns with public safety vehicles. Ms. Anderson outlined various concerns with transients; i.e. plumbing, parking and added garbage.

Abbas Ritscher, 1919 NE 1st Street, Deerfield Beach, said this is the same proposal from before and it still does not benefit our town. There is a reason these rules are in place and was unanimously rejected previously. Mr. Ritscher explained that the variances are unfounded and it would be different if the project

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

was attempting to make the community better. Currently, there is little effort to maintain or better the property and does not believe it would be any better with a multi-unit. Mr. Ritscher said he finds it difficult to believe the property owner will live in one of the units based on his economic status. Nevertheless, once the exceptions are approved, nothing can limit what the owner does. Lastly, he said this project will not attract best guests and believes it will create another headache for the community. In closing, Mr. Ritscher said the property owner was the person marketing the sale of the property as an Airbnb.

Ivy Faggione, 801 S. Federal Highway, #208, Pompano Beach, said she is representing the Broward Women's Group and they have a lot of functions in the City and enjoy the aesthetics of the area; however, it is becoming too dense. The site plan being proposed is too large for that property and believes the traffic will be affected in an adverse way, as well as parking. She asked that the Commission reconsider the application.

Mayor Ganz closed the public hearing.

Commissioner Parness asked if restrictions can be legally added to the variance, such as no short-term rentals for 15 years.

Mr. Soroka replied that the Commission has the ability to add conditions on approvals for land use items; however, he would not recommend that type restriction due to certain limitations in the law and various state preemptions. He said the applicant voluntarily agreed to impose that restriction, which is a little different; therefore, if the Commission decided to approve, it could be done with those conditions. Notwithstanding, it is not a condition or consideration in the City's Land Development Code for a variance.

Commissioner Parness asked the property owner if he would consent to a 15-year agreement, in writing, prohibiting short-term rentals if the application is granted.

Ms. Gray advised that the applicant is not a developer and he does not build properties for a living; however, she will check with him on the question raised by Commissioner Parness.

Mr. Soroka said the applicant voluntarily offered a 3-year restriction, limiting leasing to annual leases only. He asked if that would be done through a recorded declaration of restrictive covenants in the public records or how would it be formalized.

Ms. Gray replied that typically, those type provisions are included in homeowner association documents.

Mr. Soroka clarified that the association documents would be recorded in the public record.

Ms. Gray replied yes.

In response to Commissioner Parness' question, Ms. Gray replied that the association can amend the documents, or a condition could be added. She deferred to the City Attorney on a condition of approval for the documents to be amended, as it would have to return to the City Commission.

Mr. Soroka disagreed with having the City Commission involved in such a process and generally, the association documents will speak to what is required for amending and would be based on the person(s) preparing the documents. Also, amendments customarily require a member vote, not only the board, but the homeowners as well.

Mayor Ganz apologized for not being able to meet with her and the property owner. Thereafter, he asked if the property owner intends to sell the other three (3) units.

Ms. Gray replied yes.

Mayor Ganz asked how the owner would enforce what the other unit owners do.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

Ms. Gray replied through the homeowner association documents. Since he plans to live in a unit, he will be an onsite owner and aware of what's happening.

Mayor Ganz said he would have the same rights as anyone else residing in the property, which means people are able to do what they please.

Ms. Gray replied that restrictions can be added to the homeowner association documents.

Mayor Ganz explained how the conditions can be changed based on his experience as a former HOA president. Furthermore, due to there only being four (4) units, it would not be difficult. As a single owner, he would not have any more rights than anyone else; thus, any promises made now will be very difficult to uphold.

Lance Sherman, 7133 NW 45th Avenue, Coconut Creek, property owner, said he would agree to get omission rights for any resident, but would agree to not sell the units for five (5) years. Furthermore, Mr. Sherman said he is willing to ask any questions of the Commission. He said he does plan to generate income from the units as he will be retiring and moving to the City and he does not need Airbnb's to support himself. Thereafter, he commented on his current living arrangements. Mr. Sherman reiterated that he is not selling the units, but did have a unit that was pre-sold to a friend and explained his plans to live there. Nevertheless, due to high construction costs, he does not plan on building anything for a number of years.

In response to Mayor Ganz's question, Mr. Sherman provided a detailed explanation regarding the flyer distributed which advertised the property as a potential Airbnb and the conflict that occurred with his previous business partner. Additionally, Mr. Sherman commented on how people park on the grass to visit the beach, and how the property is being used as multi-family as well as other adjacent properties. He said he is not doing anything that is not being done in the neighborhood.

In response to Mayor Ganz's question, Mr. Sherman replied that the tree in the front yard is a Ficus tree.

Commissioner Hudak left the dais temporarily at 8:03 p.m. and returned at 8:05 p.m.

Mayor Ganz said outside of the Airbnb discussion, the project would be an aesthetic improvement; however, it is very different than everyone else. The development would be turned sideways and the garbage cans would be out front, but that is not possible because City law requires it be hidden. He explained that the potential of four (4) cars on the property increases traffic and hopes there is a turn radius to allow cars coming in and out. Additionally, Mayor Ganz said there is not a hardship and nothing has changed; it is a want, which is not justifiable.

Ms. Gray said the pitched roof creates the side variance setback on the east side, it is an aesthetic request, so it is coastal and complies with said design element. It could be built without the variance and just have a flat roof. The variance is for two-feet on the east side and an owner's report from the east neighbor was submitted that he does not have an issue with the applicant's property having a two-foot encroachment. The remainder of the property is all in compliance. In terms of the hardship, it is really aesthetic; however, the flat roof is less expensive and easier to build, but the pitched roof would look nice.

Continuing, Ms. Gray said in terms of the minimum lot width, the hardship was not self-created as the lots on the barrier island were platted as is. She said she does not think it was the intention, at this time, for those lots to be that size for RM-25; it is inconceivable that anyone redeveloping the lots would need a variance. Further, she understands that a variance has been granted for minimum lot width because it is not self-created, but platted many years ago.

Mayor Ganz said the project not fitting the dimensions is widely known and is not a hardship. He expressed concerns with making a quick decision especially considering the conditions made by the applicant as they will not hold together later. He opined that the project does not fit, traffic will be generated and there is no traffic study.

QUASI-JUDICIAL PUBLIC HEARINGS - CONTINUED

Ms. Gray said the project was reviewed by DRC and a traffic study is not warranted as there are only four (4) units.

Mayor Ganz said although it is not a requirement, it would have been helpful.

Ms. Gray said there are items that still need to be flushed out and asked that it be tabled, so there is an opportunity to discuss a plan of action on the restriction on an Airbnb and leasing. Ms. Gray also advised that there would be 40 feet from the building to edge of road and not right on the street. Also, all four (4) townhome units have two-car garages and behind each are two (2) parking spaces which is how everyone else functions.

Mayor Ganz reiterated his concerns about parking and it would not be an ideal situation with the in and out of cars, especially when cars are spilling out onto a street that is used quite frequently; wherein, a traffic study would have come in handy.

Mr. Sherman said most of the single-family homes have 3 to 4 additional doors on the home and those units are being rented which would be acceptable; no variances would be needed, no architectural reviews and no approvals needed. He asked how the city and area would benefit from something like that as it would be in the person's right.

Mayor Ganz said he supports not giving a variance to anyone trying to shoehorn something into a lot that is incompatible with the community; whereas, the proposed project is not compatible.

Mr. Sherman disagreed with the property being shoehorned.

Eric Power, Director of Planning & Development Services, advised that the City's Code schedule setbacks in Section 98-61, does reference RM-25 single family dwelling unit east of the Intracoastal Waterway and RM-25 multi-family units under one acre and does provide a separate regulation than anywhere else in the City that has the same zoning. The variance setback schedules at east properties, historically, were built as single-family homes, but in a multi-family zoning district designation. For a multi-family property to exist on what is a single-family sized lot, would likely require a variance for setbacks or other reasons. Regardless of the side setback, there is still a variance request for a multi-family home on this lot because of the width as it does not meet the current dimensional regulations with right-of-way. Furthermore, anything that is self-created cannot be considered a hardship.

Continuing, Mr. Power said in regard to the particular setbacks, they do meet all requirements for the multi-family under one acre, east of the Intracoastal Waterways, setback regulations with the exception of the side setback for two feet as the project is above the 20-foot regulation which requires a further setback. If the project were shorter, with a flat roof or skinnier, the setback requirement would not be needed and the project would not need a variance, but would still be multi-family.

In response to Mayor Ganz's question, Mr. Power replied that State law preempts renting out rooms to anyone you desire, so the City could not do anything.

Commissioner Drosky said he would like to know more about the restrictions and agreed that tabling would give time to investigate other matters raised, the form of the restriction and how long it would be.

MOTION was made by Commissioner Drosky, seconded by Commissioner Parness, to table Item 5. Roll Call:

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

Nays: 0

PUBLIC HEARING - FIRST READING

6. **ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING AN AMENDMENT TO THE CITY BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; APPROVING SUPPLEMENTAL APPROPRIATIONS AND BUDGET TRANSFERS IN THE AMOUNT OF \$2,341,275 FROM THE BUILDING FUND TO THE GENERAL FUND TO REIMBURSE THE GENERAL FUND FOR THE PRIOR YEARS BUILDING FUND EXPENDITURES, AND \$1,920,226 FROM THE FUND BALANCE OF THE GENERAL FUND TO THE GENERAL FUND APPROPRIATIONS IN ORDER TO COVER THE FY 2020 ENCUMBERED PURCHASE ORDERS THAT WERE CARRIED FORWARD TO FY 2021; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

There were no comments amongst the Commission.

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

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve the ordinance on first reading. Roll Call:

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

Nays: 0

PUBLIC HEARING - SECOND READING

7. **P.H. 2021-081: ORDINANCE 2021/010 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 2 "ADMINISTRATION," ARTICLE III "OFFICIALS, OFFICERS AND EMPLOYEES," DIVISION 2 "TRAVEL EXPENDITURES POLICY" TO PROVIDE FOR THE ADOPTION OF TRAVEL POLICIES AND PROCEDURES BY RESOLUTION AND TO PROVIDE FOR CONSISTENCY WITH STATE LAW; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

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

There were no comments amongst the Commission.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 7, adopted Ordinance 2021/010. Voice Vote:

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

Nays: 0

8. **Resolution 2021/093 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the updated city travel policy and procedures; providing for implementation, conflicts, and an effective date. (Departmental Business)**

PUBLIC HEARING - SECOND READING - CONTINUED

The Ordinance was read by title only.

Anthony Soroka, City Attorney, advised that this item is a companion to Item 7.

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

There were no comments amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 8, adopted Resolution 2021/093. Voice Vote:

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

Nays: 0

- 9. P.H. 2021-082: ORDINANCE 2021/011 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, ADOPTING AN AMENDMENT TO THE CITY BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; ESTABLISHING A SPECIAL REVENUE FUND FOR THE AMERICAN RESCUE PLAN ACT FUNDS ALLOCATION IN THE AMOUNT OF \$16,284,885 AND APPROVING SUPPLEMENTAL APPROPRIATIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

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

There were no comments amongst the Commission.

MOTION was made by Vice Mayor Preston, seconded by Commissioner Hudak, to approve Item 9, adopted Ordinance 2021/011. Voice Vote:

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

Nays: 0

- 10. P.H. 2021-083: ORDINANCE 2021/012 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING THE CITY CODE OF ORDINANCES CHAPTER 2 "ADMINISTRATION," ARTICLE VI "CODE ENFORCEMENT," DIVISION 2 "SPECIAL MAGISTRATE," SECTION 2-357 "CODE ENFORCEMENT SPECIAL MAGISTRATE JURISDICTION AND AUTHORITY" OF THE CITY CODE OF ORDINANCES; AMENDING CHAPTER 70 "WATER CONSERVATION," SECTION 70-163 "YEAR-ROUND LANDSCAPE IRRIGATION CONSERVATION MEASURES" TO MAKE SECTION 70-163 SUBJECT TO THE CODE ENFORCEMENT PROCESS IN CHAPTER 2 OF THE CITY CODE; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

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

PUBLIC HEARING - SECOND READING - CONTINUED

There were no comments amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 10, adopted Ordinance 2021/012. Voice Vote:

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

Nays: 0

11. P.H. 2021-084: ORDINANCE 2021/013 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS," ARTICLE IV "SUPPLEMENTARY REGULATIONS," SECTION 98-103 "REASONABLE ACCOMMODATION PROCEDURES" OF THE CITY LAND DEVELOPMENT CODE TO UPDATE THE REASONABLE ACCOMMODATION PROCEDURES; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

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

There were no comments amongst the Commission.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Preston, to approve Item 11, adopted Ordinance 2021/013. Voice Vote:

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

Nays: 0

PUBLIC COMMENT

Linda Ruiz, 425 NW 1st Terrace, Deerfield Beach, said she was disrespected by staff last week when she visited City Hall. She said she was disappointed by her welcome and the person responded to her question with an attitude. Ms. Ruiz said although people may not agree, everyone should be respected. Lastly, she asked that this issue be discussed in private.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

There was no discussion amongst the Commission.

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

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Items 12, 14 & 15 of the Consent Agenda. Roll Call:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED

12. Resolution 2021/094 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a Funding Agreement with the Broward County Sheriff in the amount of \$21,619.80 in Edward Byrne Memorial Justice Assistance Grant Funds to implement the Violent Crime-Theft Reduction Program; authorizing execution of the Funding Agreement; providing for an effective date.
13. Resolution 2021/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Hire DFB Incentive Program Grant Application from Publix Super Markets, Inc. in the amount of \$50,000 in incentive program funds; providing for implementation and an effective date. (*Funds from Account #001-1500-552-80-53 - Incentives*)

Item tabled at applicant's request during approval of the agenda.

14. Resolution 2021/096 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JZ201-06-2022 with the Areawide Council on Aging of Broward County, Inc. for Alzheimer's Disease Initiative Program funding in an amount not to exceed \$438,980.85; authorizing execution of the Agreement; and providing an effective date. (*Fiscal Impact: Increase in Revenue*)
15. Resolution 2021/097 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving Contract #JL021-06-2022 with the Areawide Council on Aging of Broward County, Inc. for the Local Services Program for the Center of Active Aging in an amount not to exceed \$132,380; authorizing execution of the Agreement; providing an effective date. (*Fiscal Impact: Increase in Revenue*)

DEPARTMENTAL BUSINESS

16. Resolution 2021/098 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the Special Event Permit Application submitted by Yolanda Velasquez for her wedding at the Deerfield Beach Observation Deck on June 26, 2021 from 3:00 pm to 11:00 pm; providing for an effective date.

The Resolution was read by title only.

David Santucci, City Manager, said the applicant has requested serving alcohol at the event which requires Commission approval. Moving forward with beach weddings and that being a customary practice, it may be necessary to consider additional action, so each request does not come before the Commission.

Mayor Ganz opened the public hearing.

Katy Freitag, 418 SE 2nd Street, Deerfield Beach, spoke in support of the application.

Mayor Ganz closed the public hearing.

MOTION was made by Commissioner Hudak, seconded by Vice Mayor Preston, to approve Item 16, adopted Resolution 2021/098. Voice Vote:

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

Nays: 0

DEPARTMENTAL BUSINESS - CONTINUED**17. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION," ARTICLE VIII "LOCAL HOUSING ASSISTANCE PROGRAM" OF THE CITY CODE OF ORDINANCES TO PROVIDE FOR CONSISTENCY WITH STATE LAW; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

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

There was no discussion amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve the ordinance on first reading. Voice Vote:

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

Nays: 0

COMMENTS BY ADMINISTRATION & LEGAL

CITY ATTORNEY - No Report.

CITY MANAGER

Emergency Declaration - David Santucci, City Manager, said the emergency declaration is set to expire in a few days and there is no intent to reinstate.

Addendum - Mr. Santucci advised that Items 17 & 18 are sponsored by Vice Mayor Preston, not the Parks & Recreation Department.

Upcoming Events - Mr. Santucci outlined upcoming events: Juneteenth is coming up this weekend; 4th of July fireworks will occur at Quiet Waters Park and will be open to Deerfield Beach residents starting at 3 p.m.; after 5 p.m., others will be admitted. Tomorrow night, the City will be hosting Senator Farmer at Oveta McKeithen Recreational Complex; Senator Farmer will provide a legislative recap.

Budget Workshops - Mr. Santucci reminded the Commission that the budget workshops are upcoming, Monday and Tuesday, June 21st and June 22nd respectively. Prior to departmental requests, he asked that the Commission provide feedback on what they would like included in the upcoming Fiscal Year 2022 budget and beyond.

ADDENDUM**18. Discussion and potential action regarding the use of Oveta McKeithen Recreational Complex football field and gym by the Bryce Gowdy Foundation.**

Vice Mayor Preston said since Mr. Gowdy's passing, there have been a number of initiatives centered around suicide prevention. He advised that the young man's mother has requested the use of the recreational complex football field and gym, as well as Hillsboro Technology Center because ESPN will be chronicling Mr. Gowdy's life and time in Deerfield Beach. He asked that the fees be waived for use of both facilities.

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

ADDENDUM - CONTINUED

MOTION was made by Vice Mayor Preston, seconded by Commissioner Hudak, to approve the waiver of fees. Roll Call:

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

Nays: 0

19. Discussion and potential action regarding the use of Hillsboro Technology Center by the Bryce Gowdy Foundation.

There was no discussion amongst the Commission.

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

MOTION was made by Vice Mayor Preston, seconded by Commissioner Hudak, to approve the waiver of fees. Roll Call:

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

Nays: 0

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

July 20th City Commission Meeting - Commissioner Hudak said he will not be physically present for the meeting and recommended attending via zoom or excusing his absence.

VICE MAYOR PRESTON**DISTRICT 2**

Juneteenth Celebrations - Vice Mayor Preston said the Juneteenth Inaugural Celebration will begin on June 18th with a banquet at the DoubleTree at 7:00 p.m.; no additional tickets are available. He commented on the number of phone calls he has received from all the districts, as residents would like to get involved. Furthermore, he thanked the Commission for agreeing to recognize Juneteenth; thereafter, he shared his experiences and talks about the holiday. On June 19th, the parade will start at 12:00 p.m. from Pioneer Park, out to Federal Highway, ending at Oveta McKeithen Recreational Complex. A line-up of activities is prepared for the day, including a short film by Maverick Entertainment. Additionally, as a result of adopting the holiday, many others have followed suit. Vice Mayor Preston expressed his gratitude for everyone working together to facilitate these events through the pandemic and for the hard work of the African American Heritage Board.

COMMISSIONER PARNES**DISTRICT 3**

Senior Day - Commissioner Parness recommended having a parade next year for the seniors in District 3.

COMMISSIONER DROSKY**DISTRICT 4**

Juneteenth Celebrations - Commissioner Drosky said he will not be able to attend the banquet due to a prior family obligation; however, he will attend the parade.

Service Line Warranty - Commissioner Drosky said he has received calls this week regarding the mailer on the warranty program and assured everyone that it is a legitimate program but is not sponsored by the City of Deerfield Beach and is voluntary.

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

Emergency Rental Assistance - Commissioner Drosky said the Commission should have received a flyer from Broward County regarding the rental assistance program due to COVID-19. He encouraged people to apply for assistance as the County is offering the program and income eligibility ranges from \$0 to \$92,950. Those interested can apply at broward.org/RentAssistance or call 888.692.7203.

Bulk Officer - Commissioner Drosky asked for an update on how the program is going to determine whether the officer is justifiable.

Budget Workshops - Commissioner Drosky encouraged colleagues to bring forth their priorities and suggestions for the upcoming budget. He will also reiterate prior interests as stated in March along with others.

Upcoming Events – Commissioner Drosky said his office hours will be held on Saturday, July 3rd via Zoom and in person from 10 a.m. till noon; appointments are needed; however, he can also be reached anytime other days. Additionally, a Shred-a-thon will be hosted by the Broward Sheriff's Office on Saturday, July 17th; they will also collect unused/unwanted medications for safe disposal and a gift card will be offered for these meds. Lastly, on Sunday, June 27th from 9 a.m. till 10:30 a.m. a community clean-up at Trailhead Park will occur; it is located between SW 10th Street and Green Road on the west side. The Advocates for Clean & Clear Waterways will bring approximately 20 volunteers and the event will be promoted through the City.

Independence Day - Commissioner Drosky wished everyone a Happy Independence Day.

COMMISSIONER PARNES (CONTINUED)

Broward County Commission Meeting - Commissioner Parnes said an item is being proposed wherein, people may have an opportunity at preventive medicine instead of reactive; for example, people have an opportunity at preventing a heart attack before it happens. He explained that the proposal includes a ½ penny tax in the future for any resident who is able to get tested before an event happens. Thereafter, Commissioner Parnes commented on how insurance works now, after injury.

MAYOR BILL GANZ

Monarch Hill - Mayor Ganz said the Monarch Hill item on the County's agenda was tabled today. He said he does not think the City should support it.

Parades - Mayor Ganz commented on how parades can be logistically difficult for certain areas.

4th of July Fireworks - Mayor Ganz said the County has agreed with having the event at Quiet Waters Park, especially considering the current conditions with COVID and accessibility to the park as it is difficult to manage 80,000 people.

Luxury Car Company - Mayor Ganz said there is a luxury car company in Deerfield Beach that wants to give back to the City, but there have been events at People's Trust causing a disturbance in the community; i.e. cars racing around and causing disturbances. There will be an event on Saturday evening and he asked that it be monitored.

Davie Boulevard - Mayor Ganz said he intends to sign off on the motion suggested by the City of Fort Lauderdale, to rename a portion of Davie Boulevard to Rubin Stacy Memorial Boulevard who was lynched in 1935.

Juneteenth Feedback - Mayor Ganz said he has received great feedback regarding the event and is grateful for taking the initiative to celebrate.

Traffic Issues - Mayor Ganz said traffic issues are ongoing and although some are outside the City, there was a motorcycle accident recently at 18th and Powerline where someone was killed. Although Broward

COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED

Sheriff's Office cannot be everywhere, he asked for continued, stringent monitoring.

Independence Day - Mayor Ganz wished everyone a Happy 4th of July.

ADJOURNMENT

There was no additional business to discuss.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to adjourn the meeting at 9:01 p.m. Voice Vote:

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

Nays: 0

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk