



## Meeting Minutes City Commission

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Tuesday, October 19, 2021

7:00 PM

Commission Chambers

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### **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 - via Zoom  
Commissioner Bernie Parness  
Vice Mayor Ben Preston - via Zoom  
Mayor Bill Ganz

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

### **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

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

### **APPROVAL OF CITY COMMISSION MINUTES**

Special City Commission Meeting Minutes - August 24, 2021

**MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to approve the meeting 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 - August 11, 2021

Firefighter's Pension Fund Meeting Minutes - March 29 & July 12, 2021

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

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

**Nays:** 0

## **APPROVAL OF CITY COMMISSION AGENDA**

October 19, 2021

David Santucci, City Manager, asked that Item 8 be tabled.

**MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve the agenda as amended. 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 Melisa Tasci for being Nominated City of Deerfield Beach Student Scholar of the Month for October 2021.**

Mayor Ganz presented a certificate of recognition to Melisa Tasci for her nomination as the City of Deerfield Beach Student Scholar of the Month, based on her hard work in the classroom and continued performance as an honor roll student.

*Ms. Tasci was present to accept the certificate.*

### **2. Proclamation presented to the Florida League of Cities in recognition of Florida City Government Week.**

Mayor Ganz presented a proclamation recognizing Florida City Government Week as October 18<sup>th</sup> - October 24<sup>th</sup>, as sponsored by the Florida League of Cities.

### **3. Certificate of appreciation presented to Claude Dubois, Wyndham Deerfield Beach General Manager, for his dedication and support of the Deerfield Beach community and continuing to build and foster relationships with residents.**

Commissioner Hudak commented on the various activities the Wyndham has hosted; thereafter, he explained that Mr. Dubois hired someone to work at the Wyndham during a tough financial time.

Mayor Ganz said Mr. Dubois always goes above and beyond and thanked him for his contributions.

Mr. Dubois thanked the City for all it does in support of the Wyndham.

## **PUBLIC HEARING - SECOND READING**

### **4. P.H. 2022-001: ORDINANCE 2021/023 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 46 "OFFENSES" SECTION 46-9 "DEFACING OR DAMAGING PROPERTY OF ANOTHER" OF THE CITY CODE OF ORDINANCES TO UPDATE THE REGULATIONS AND PROVIDE FOR USE OF THE ABATEMENT PROCESS TO ADDRESS VIOLATIONS; 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.

## **PUBLIC HEARING - SECOND READING - CONTINUED**

In response to Commissioner Parness' question, Anthony Soroka, City Attorney, replied that it could be a criminal offense, depending on the nature of the offense. This ordinance in part provides for a mechanism to correct the damage and abatement in a timely manner and provide for the funds to do so.

**MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Item 4, adopted Ordinance 2021/023. Voice Vote:**

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

**Nays:** 0

## **PUBLIC COMMENT**

**Dennis Wise, 619 Mill Street, Raleigh, NC**, Recyclops, said a packet of information was provided to the Commission regarding their services, which he outlined. He explained how the recycling service works because it is door to door and local people are hired, such as Uber drivers, to pick up recyclable items, including glass. Thereafter, Mr. Wise listed various cities they currently work with; locally, Coral Springs, Margate, Coconut Creek, and Deerfield Beach.

**Amie Kay Tanner, 111 SE 5<sup>th</sup> Avenue, Deerfield Beach**, said she has various recyclable material that has been cleaned and is uncontaminated. She said she has taken numerous bags to Central City Campus for recycling and commented on the problem that will be created in the future if something is not done now.

Commissioner Parness commented on Target's recycling program that is set up in the store at Powerline and Hillsboro.

## **CONSENT - BOARD APPOINTMENTS**

### **5. Resolution 2021/150 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Dorothy Plaut as a regular member to the Deerfield Beach Education Advisory Board to fulfill an unexpired term; providing for an effective date.**

The Resolution was read by title only.

Mayor Ganz spoke in support of Ms. Plaut joining the Education Advisory Board. Thereafter, the public hearing was opened; however, there were none to speak and the public hearing was closed.

**MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 5, adopted Resolution 2021/150. Voice Vote:**

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

**Nays:** 0

## **CONSENT - AGREEMENTS & EXPENDITURE REQUESTS**

### **6. Resolution 2021/151 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an amendment to the Maintenance Memorandum of Agreement with the Florida Department of Transportation for the maintenance of rectangular rapid flashing beacon signs on a portion of State Road A1A at the crosswalks located at SE 10th Street, SE 6th Street, and SE 4th Street; authorizing execution of the Amendment; providing for implementation and an effective date.**

The Resolution was read by title only.

**CONSENT - AGREEMENTS & EXPENDITURE REQUESTS - CONTINUED**

David Santucci, City Manager, commented on how this project came about and its benefit to public safety.

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 Vice Mayor Preston, to approve Item 6, adopted Resolution 2021/151. Roll Call:**

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

**Nays:** 0

**DEPARTMENTAL BUSINESS**

**7. Resolution 2021/152 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, amending the 2021/2022 schedule of City Commission meetings; providing for implementation and an effective date.**

The Resolution was read by title only.

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

*There was no discussion amongst the Commission.*

**MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 7, adopted Resolution 2021/152. Voice Vote:**

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

**Nays:** 0

**8. ORDINANCE 2021/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS", SECTION 98-59 "S, OPEN SPACE" OF THE CITY OF DEERFIELD BEACH LAND DEVELOPMENT CODE TO PROVIDE FOR BEACH CHAIR AND UMBRELLA SETUPS AS AN ACCESSORY USE TO A BEACH USE IN THE S, OPEN SPACE, ZONING DISTRICT, SUBJECT TO CONDITIONS; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.**

During Approval of the Agenda, Item 8 was tabled.

**9. Presentation regarding the proposed design for the "BTactical" Pilot Project on NE 3<sup>rd</sup> Avenue.**

David Santucci, City Manager, asked that Items 9 and 10 be presented simultaneously as they are related.

Eric Power, Director of Planning & Development Services, provided a PowerPoint presentation regarding BTactical Urbanism. The Broward Metropolitan Planning Organization (MPO) started this new grant program; whereby, Deerfield Beach was the first recipient. The Broward MPO partnered with Broward County, holding various workshops virtually and in person. The project includes the area around Broward Health North, Sample Road and NE 3<sup>rd</sup> Avenue. The project also received a monetary grant from AARP for \$20,000. Thereafter, Mr. Power outlined the changes to be made to the roads, decorative crosswalks, intersection improvements at 44<sup>th</sup> Street to curb speeding; whereas, someone was recorded driving 99

**DEPARTMENTAL BUSINESS - CONTINUED**

miles per hour and the speed limit is 35 mph with the average being 47. Other photos were provided which will include temporary changes to the crosswalks before signage is added. Lastly, the next resident meeting date will be Saturday, November 6<sup>th</sup> and the community build day December 11<sup>th</sup>. Reminders will be sent to residents via a previous e-mail list. In closing, he advised that the changes will be through volunteers and are temporary.

**10. Resolution 2021/153 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing submission of the Cycle 6 Complete Streets and Other Localized Initiatives Program Application to the Broward Metropolitan Planning Organization for the NE 3rd Avenue Safety and Mobility Improvements Project (the "Project"); supporting the project as a Local Agency Program Project; committing to funding the construction contingency and upfront costs for design, construction, and construction engineering and inspection services for the project, subject to reimbursement under the Local Agency Program; providing for implementation and an effective date.**

The Resolution was read by title only.

Following the presentation for Item 9, Priscilla Cygielnik, Director of Environmental Services, provided a PowerPoint presentation for Item 10, CSLIP. Ms. Cygielnik explained that the Broward Metropolitan Planning Organization CSLIP provides funding for location transportation projects that improve safety and mobility; whereas, the NE 3<sup>rd</sup> Avenue need for traffic calming falls into that category. While the changes to NE 3<sup>rd</sup> Avenue are temporary, the goal is to make permanent changes through CSLIP funding. The City commits to front fund costs for design and construction subject to reimbursement under the Local Agency Program.

Continuing, Ms. Cygielnik outlined the scope of work for permanent improvements from NE 3<sup>rd</sup> Avenue from Sample Road to NE 48<sup>th</sup> Street: sidewalk improvements, ADA accessibility improvements, intersection improvements, improved bicycle facilities, signage and paving. The current road configuration is not conducive to bicyclists as the inside lane becomes a turn lane. The proposed change will entail an interior turn lane, buffer the bike lanes and provide more landscaping. Lastly, Ms. Cygielnik asked that the Commission consider approving the application and advised that the City is required to front funds, but design and construction can be reimbursed through the Local Agency Program.

In response to Mayor Ganz's question, Ms. Cygielnik replied that the Broward MPO is reimbursing the design and construction. The funds will have to be budgeted first then reimbursement will be received.

Commissioner Hudak commended staff for their efforts and spoke in support of the project.

Commissioner Parness expressed concerns with the reduction of lanes due to an increase in population.

Eric Power, Director of Planning & Development Services, and Ms. Cygielnik explained the need to make the roads safer by lane reduction; whereby, suicide lanes will be removed. The focus is not moving the vehicles through faster, but safety.

Mayor Ganz provided an example of how lane reductions increase the number of cars that can pass through when there is a dedicated turn lane; therefore, he supports the application.

Commissioner Hudak commented on the speed and how dangerous it has been for pedestrians.

Vice Mayor Preston commented on how the plan is geared toward safety which is the biggest priority as this is not a traffic study.

David Santucci, City Manager, advised that the pilot program will allow for testing, but asked when the CSLIP project would come to fruition.

## **DEPARTMENTAL BUSINESS - CONTINUED**

Ms. Cygielnik replied that it is programmed 5 years out. The City would find out next year if awarded the grant and then it would be programmed in the FDOT work program in 2026 or 2027.

Mr. Santucci said the BTactical project is scheduled for early December which is a means for temporary improvements to test if those measures are effective in pedestrian safety and does not hinder mobility as well.

Mayor Ganz clarified that if the pilot program is not successful, then the next portion, CSLIP, would not move forward.

Mr. Santucci said that is correct, amendments can be made to the CSLIP project based on results from the BTactical project.

Mayor Ganz opened the public hearing.

**Katy Freitag, 418 SE 2<sup>nd</sup> Street, Deerfield Beach**, spoke in support of the project as it is important to slow down the traffic to protect the residents, walkers, and bicyclists.

**Gwyndolen Clarke-Reed, 1430 SW 6<sup>th</sup> Way, Deerfield Beach**, said this project was presented to the Education Advisory Board, and they wholeheartedly support it due to safety reasons. She said although the changes are temporary, if something needs to be amended, it should be done.

Mayor Ganz closed the public hearing.

Commissioner Parness continued to express his concerns with the project and the potential difficulty for emergency vehicles getting through as he believes it will cause problems.

**MOTION was made by Commissioner Hudak, seconded by Vice Mayor Preston, to approve Item 10, adopted Resolution 2021/153. Roll Call:**

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

**Nays:** 0

## **COMMENTS BY ADMINISTRATION & LEGAL**

### **CITY ATTORNEY**

Senate Bill 280 - Anthony Soroka, City Attorney, said SB 280 was filed in Legislature for an session and would require that anytime the City adopts an ordinance, a business impact statement must be prepared and include resource intensive information. Additionally, it would create a separate new cause of action to challenge an ordinance based on it being arbitrary and unreasonable. He said if the Commission does not agree with this, it is time to address it; whereby, his firm is working with the League of Cities. Furthermore, if an ordinance is challenged, based on a certain timeframe, the ordinance can be suspended until reviewed by the Courts; resulting in a significant impact on city operations.

### **CITY MANAGER**

Commuter Rail Station Workshop - David Santucci, City Manager, said the workshop has been postponed to Thursday, November 18<sup>th</sup> from 6 to 8 p.m. He said he will be in attendance since there is potential of a commuter rail station in the City.

BSO Meeting - Mr. Santucci said a second meeting will be held in Cooper City on October 26<sup>th</sup> that he will be attending.

**COMMENTS BY ADMINISTRATION & LEGAL - CONTINUED**

Welcome Staff - Mr. Santucci introduced Lt. Ana Murillo Quigley, Executive Officer.

Thereafter, comments were given by Chief Adam Hofstein and Lt. Murillo Quigley.

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

Saturday Office Hours - Commissioner Drosky said he will have office hours on Saturday, November 6<sup>th</sup>, from 10 am till noon, appointments can be either in person or via Zoom.

Fall Festival - Commissioner Drosky said the Fall Festival was a very successful event, well attended, well organized and recommended staff be ready for the next event in December.

**COMMISSIONER PARNES****DISTRICT 3**

District 3 Meeting - Commissioner Parnes said the district meeting will be held tomorrow night, via Zoom. A link is provided on the City's website.

Illegal Contractors - Commissioner Parnes commented on the use of illegal contractors and why it is important to use licensed contractors. He encouraged people to check on whether a permit was pulled as professionals will check the work to confirm it is done properly.

**COMMISSIONER HUDAK****DISTRICT 1**

B Tactical Urbanism - Commissioner Hudak thanked Commissioner Parnes for supporting the project.

Upcoming Events - Commissioner Hudak outlined upcoming events: Friends of Arboretum plant sale on Saturday at Constitution Park, Halloween festivities at Leo Robb Gym, and the Haunted House at the Arboretum. He also applauded the turnout at the Fall Festival, held at Pioneer Park.

**VICE MAYOR PRESTON****DISTRICT 2**

COVID-19 Pandemic - Vice Mayor Preston asked that everyone consider the seriousness of the virus as it is still evolving. Although everyone wants to get back to normal, COVID is very dangerous; thereafter, he commented on an employee, Martha Bennett, who recently passed and served the City for over 30 years. Vice Mayor Preston asked for prayers for her family and those she worked with at the Focal Point. He also commented on Secretary of State Colin Powell's passing and asked that people be very cautious in this environment.

District Clean Up - Vice Mayor Preston said the logistics for the clean up are being worked on and a date will be provided soon for November.

Beach House - Vice Mayor Preston said the Beach House opened on the 13<sup>th</sup>. He thanked Nora Rupert, Broward County School Board, for her help, as well as City staff. He said the Beach House is associated with mental health awareness; wherein, Deerfield Beach High School students will have a place to go and someone to talk with. It is in the elementary stages but believes it will be very special. He again thanked Ms. Rupert, the high school, city staff and the Commission for helping with this initiative.

**MAYOR BILL GANZ**

Waste Management Facility Closure - Mayor Ganz said the County has pushed back against the facility closure of Mount Trashmore. He said if it is not allowed to close, Waste Management may seek a height increase. He encouraged the Commission to be vigilant.

**COMMENTS BY MAYOR & CITY COMMISSION - CONTINUED**

*Sun Sentinel Editorial* - Mayor Ganz said a young lady was murdered in Pembroke Pines by a maintenance worker who had access to the master keys. There is no law in Florida protecting renters by requiring a background check on maintenance workers. Although it is being proposed by Senator Lynn Stewart, he is unsure if anything can be done on a city level that will effectuate change. Nevertheless, something should be done as this man killed a 19-year old woman and himself.

*Halloween* - Mayor Ganz asked that everyone be safe on Halloween as a lot of people come into the City for the activities.

**ADJOURNMENT**

There was no additional business to discuss.

**MOTION was made by Commissioner Parness, seconded by Commissioner Drosky, to adjourn the meeting at 8:19 p.m. Voice Vote:**

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

**Nays:** 0

CITY OF DEERFIELD BEACH

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BILL GANZ, MAYOR

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Samantha Gillyard, CMC, City Clerk