



Meeting Minutes City Commission

Tuesday, January 4, 2022

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 – Via Zoom
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

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

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes - December 7, 2021

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, 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

Planning & Zoning Board Meeting Minutes - November 4, 2021

Community Appearance Board Meeting Minutes - October 13, 2021

Community Redevelopment Agency Meeting Minutes - October 12, 2021

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, 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

January 4, 2022

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

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

Nays: 0

AWARDS & RECOGNITION

1. Certificate of Appreciation presented to Joel Smith, Executive Director of Deerfield Beach Community CARES, for promoting mental health awareness in the City of Deerfield Beach.

Mayor Ganz read and presented a certificate of appreciation for Mr. Smith's contributions and commitment to mental health awareness.

Mr. Smith thanked the City for recognizing Community CARES; thereafter, he provided stickers for the public.

2. Certificate of Recognition presented to Alfred Richardson for over 30 years of service to the City of Deerfield Beach.

Mayor Ganz read and presented a certificate of recognition to Mr. Richardson for his service to the City, which started in 1991.

Mr. Richardson thanked the City for giving him an opportunity to serve the residents.

3. Certificate of Appreciation presented to BSO and City staff for their life-saving work.

Mayor Ganz acknowledged various employees for their assistance in working together, which saved the life of a youth.

Vice Mayor Preston commented on the importance of working together, as demonstrated by BSO and City employees, for this life-saving effort.

Mayor Ganz provided certificates to the following: Anthony Carter, Dale Williams, Elizabeth Ricci, Luz Deroseny and Deputies Kaitlin Spehr and Aerial Saunders.

PUBLIC HEARING – SECOND READING

4. **P.H. 2022-022: ORDINANCE 2022/001 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS," ARTICLE III "ZONING DISTRICT 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.**

The Ordinance was read by title only.

Mayor Ganz opened the public hearing.

Claude Dubois, Wyndham Hotel, 2096 NE 2nd Street, Deerfield Beach, explained how the proposed ordinance would help the guests and the hotel. He advised that they respect the City and only want to provide better service to their clientele.

Mayor Ganz closed the public hearing.

Commissioner Drosky said while the Wyndham is a great community partner, crafting an ordinance tailored to one business that affects the entire beach area creates a bad precedent.

Thereafter, there was a brief discussion in support of the proposed ordinance.

MOTION was made by Commissioner Hudak, seconded by Commissioner Parness, to approve Item 4, adopted Ordinance 2022/001. Roll Call:

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

Nays: 1 - Commissioner Drosky

5. **P.H. 2022-023: ORDINANCE 2022/002 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 34 "ENVIRONMENT," ARTICLE IV "OUTDOOR LIGHTING RESTRICTIONS," SECTION 34-60 "BEACH AREA OUTDOOR LIGHTING RESTRICTIONS" AND CHAPTER 46 "OFFENSES" SECTION 46-31 "OPEN BURNING" OF THE CITY CODE OF ORDINANCES TO INCORPORATE THE STATE OF FLORIDA MODEL SEA TURTLE LIGHTING REQUIREMENTS; 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 Vice Mayor Preston, seconded by Commissioner Parness, to approve Item 5, adopted Ordinance 2022/002. Voice Vote:

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

Nays: 0

PUBLIC HEARING – SECOND READING – CONTINUED

6. **P.H. 2022-024: ORDINANCE 2022/003 - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS," ARTICLE IV "SUPPLEMENTARY REGULATIONS," SECTION 98-3 "DEFINITIONS" OF THE CITY'S LAND DEVELOPMENT CODE TO ADD DEFINITIONS RELATED TO DOCKING AND MOORING FACILITIES; AMENDING SECTION 98-87 "DOCKING AND MOORING FACILITIES" TO AMEND THE CITY'S DOCKING AND MOORING FACILITIES REGULATIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.**

The Ordinance was read by title only.

In response to Vice Mayor Preston's question, Eric Power, Director of Planning & Development Services, defined docking and mooring; storage of personal watercraft whether residential or in a commercial marina, the regulations regarding setbacks and necessary clearance between adjacent property and waterways, so everyone has full access to such.

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 Item 6, adopted Ordinance 2022/003. Voice Vote:

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

Nays: 0

PUBLIC COMMENT

William Lane, 11 Tilford A, Deerfield Beach, advised that there is a lot of speeding inside Century Village, as well as people riding through stop signs. Although the Broward Sheriff's Office is inside the village, there are still violations; whereby, people are driving 50 miles per hour in a 15 mile per hour zone. Mr. Lane asked that citations be issued instead of warnings.

Michael Lombardi, 431 SE 3rd Place, Deerfield Beach, expressed concern with speeders in his neighborhood and asked that staff meet with him to discuss speed bumps.

Paula Cook, 62 Centennial Court, Deerfield Beach, asked about the changes in the City's districts.

Mayor Ganz replied that the County Commission recently changed districts in the City; whereby, the districts are changed every few years when there is an election. Furthermore, it does not impact the polling places.

Commissioner Parness provided input for speed bumps, and advised that speed bumps do not impede fire trucks and ambulances. He advised that 50% of unit owner signatures in the affected area are required to start the process.

Mayor Ganz asked that the City Manager have increased police patrol in the area and reach out to Mr. Lombardi regarding the speed bumps.

CONSENT – BOARD APPOINTMENTS

7. **Resolution 2022/001 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Joe Chancy as an alternate member to the Planning & Zoning Board to fill an unexpired term; and providing for an effective date.**
8. **Resolution 2022/002 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Daniel Shanetzky as a regular member of the Cultural Committee; and providing for an effective date.**

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 Items 7 & 8 in concert. Voice Vote:

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

Nays: 0

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS

After a brief discussion, Items 10, 12, 13 and 14 were pulled for discussion.

Mayor Ganz opened the public hearing for Items 9, 10 and 11; only one member of the public elected to speak on Item 10. Thereafter, the public hearing was closed.

There was no discussion amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Commissioner Hudak, to approve Items 9 & 11 in concert. Roll Call:

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

Nays: 0

9. **Resolution 2022/003 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, ratifying the execution of a Premium Lighting Agreement with Florida Power & Light for the maintenance of decorative street lighting for the S-Curve Utility Undergrounding and Streetscape Improvement Project utilizing FPL's Premium Lighting PL-1 Program; providing for implementation, severability, and an effective date.**
10. **Resolution 2022/004 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving an agreement with the Urban Land Institute Southeast Florida/Caribbean District Council for a technical assistance panel to conduct comparisons of potential commuter rail station locations; authorizing execution of the Agreement in an amount not to exceed \$25,000.00; providing for an effective date. (Funds from Account #001-1500-552-32-99 - Other Contractual Services)**

The Resolution was read by title only.

The public hearing was opened.

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

Dave Mirantz, Economic Development Council, 10 Fairway Drive, Deerfield Beach, spoke in support of the item as it gives the City an opportunity to take a leadership role. Mr. Mirantz also spoke on the benefit of the project as well as the contribution to affordable housing.

Commissioner Parness spoke in support of the proposed resolution because of the increased population and the need for public transportation; whereby, there is not enough space to build roads.

Mayor Ganz closed the public hearing.

There was no additional discussion amongst the Commission.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 10, adopted Resolution 2022/004. Roll Call:

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

Nays: 0

11. Resolution 2022/005 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a Facility Use and Grant Agreement with Little League Baseball, Inc. dba Deerfield Beach Little League for Youth Baseball Programs; approving a \$10,000 grant to support the Youth Baseball Programs within the City; providing for execution, severability and an effective date. (Funds from Account #001-7025-572-39-14 - Athletic Program Supplement)

12. Resolution 2022/006 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a \$35,000 grant to the DPR Youth Enrichment Association for Academics & Athletics, Inc. to support the Packer Rattlers Youth Football, Cheerleading, and Academic Support Programs; providing for execution, severability and an effective date. (Funds from Account #001-7025-572-39-14 - Athletic Program Supplement)

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.

Commissioner Hudak said when the organization was initially granted funding, it was stipulated that financial documentation be provided to assure spending was appropriate. He asked whether that requirement was fulfilled.

David Santucci, City Manager, replied yes.

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to approve Item 12, adopted Resolution 2022/006. Roll Call:

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

Nays: 0

13. Resolution 2022/007 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Qualifications #22-05-PC for the Pioneer Grove Infrastructure Improvements - Pedestrian Lighting and Complete Streets Project to the top ranked, responsive and responsible proposer

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

Kimley-Horn and Associates, Inc.; authorizing the City Manager to negotiate an agreement with Kimley-Horn and Associates, Inc.; and providing for an effective date. (Funds from Account #108-5050-541-60-31 - Improvements Other than Building)

The Resolution was read by title only.

David Santucci, City Manager, advised that there would be two presentations for Items 13 and 14. Both projects are managed by Kimley-Horn, but the Commission needs to be aware of surtax funding.

Priscilla Cygielnik, Director of Environmental Services, advised that the PowerPoint presentations were provided to the evaluation committee. The projects are surtax funded, so the City is beholden to an interlocal agreement executed with the County that allows for only eligible items; i.e. roadway, drainage, lighting and others. Landscaping is an exclusion of this project. Staff hopes to bring forth the proposal for contract execution in February for surtax eligible items.

Jonathan Haigh, Landscape Architect, Kimley-Horn, provided a PowerPoint presentation for the proposed project. Mr. Haigh outlined his credentials and highlighted projects completed throughout the Tri-County area; thereafter, he outlined the many changes made on the Clematis Street project in West Palm Beach such as on-street dining, widened sidewalks, permeable paver bioswales, which the City has expressed interest. Some of the City's goals include: lighting design, walkability, on-street safety, enhancing the Pioneer Grove standard to reflect the historic legacy of the area. Ms. Haigh said drainage and bioswales will be investigated to preserve streetscaping and there will be utility improvements.

Continuing, Mr. Haigh outlined some of the challenges in the corridor: overhead utilities that limit the types of trees; utility pole placement limits optimal sidewalk placement; existing drainage infrastructure is in the way and prohibits some sidewalk widening, and others. He outlined improvements to be made on the north end of NE/SE 2nd Avenue, parallel parking/permeable pavement, urban bioswale opportunity, dining flexibility and other improvements. Thereafter, before and after photos of the corridor were provided, along with a rendering for the installation of bioswales. Further, Mr. Haigh outlined improvements for SE 2nd Street and SE 4th Street to SE 10th Street. The main focus is to enhance mobility and add traffic calming. Additional before and after photos were provided for SE 2nd Avenue, to add a roundabout which causes people to slow down, on-street parking, sidewalks and permeable pavers.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 13, adopted Resolution 2022/007. Roll Call:

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

Nays: 0

14. Resolution 2022/008 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Qualifications #22-04-PC for the FAU Research Park Blvd. (SW 11th Way) Improvements Project to the top ranked, responsive and responsible proposer Kimley-Horn and Associates, Inc.; authorizing the City Manager to negotiate an agreement with Kimley-Horn and Associates, Inc.; and providing for an effective date. (Funds from Account #108-5050-541-60-31 - Improvements Other than Building)

The Resolution was read by title only.

Priscilla Cygielnik, Director of Environmental Services, said Item 14 is for FAU Research Park Boulevard and is a capacity improvement project, north of 48th Street to 10th Street. The intention is to increase a 2-lane road to 4 lanes with a divided center median.

Artem Strunnikov, Principal Engineer Kimley-Horn, provided background of the company; thereafter, was

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

the project overview and scope of services. The segment of FAU Research Park Boulevard, outlined as segment 2, is the missing link since both segments 1 and 3 have been constructed. Respectively, these segments extend from Hillsboro Boulevard to SW 10th Street and NE 48th Street to Sample Road. Thereafter, Mr. Strunnikov provided several renderings with potential changes to segment 2; widening the lanes, adding landscaping, bioswale, bike lane separated by landscaping strip which would be separate from sidewalks. Mr. Strunnikov provided a map of critical locations and stakeholders. First, at both Deerfield Beach High School and Highlands Christian Academy, the crossing is not designated with markings or signage; thus, a signal would be installed and every time a pedestrian pushes the button, it alerts the driver to stop.

Continuing, Mr. Strunnikov said the other critical location, FAU Research Boulevard and SW 15th Street, a roundabout is being considered and the addition of a sign south of 10th Street. Mr. Strunnikov provided photos of completed projects. Thereafter, Mr. Strunnikov entertained questions of the Commission.

Commissioner Parness asked why the power lines were not being buried underground.

Ms. Cygielnik replied that the budget is limited and underground lines would be a local cost. The estimate, as of 5 years ago, for undergrounding was \$1 million per mile; whereas, the costs have likely increased. If the City desires to move in that direction, funding must be appropriated as surtax does not cover it. Ms. Cygielnik listed various programs ineligible for the surtax program; i.e. decorative features, pavers, landscaping, anything abnormal to what is seen on a standard roadway.

Commissioner Parness expressed the importance of underground lines, whereas, there is a reduction to loss of electricity during/after a storm.

Ms. Cygielnik said the pricing can be secured from FP&L but will be an added cost to the City.

David Santucci, City Manager, explained that the County expects delivery of the scope of services outlined tonight. Additional enhancements would be a city cost, but at a minimum, the segment of roadway must be completed to comply with the County. Also, projects along the FAU Research Boulevard project must be approached by segment. Furthermore, the amount of surtax dollars provided for these projects were estimates provided in mid-2010; however, construction costs have increased since then. Furthermore, it is not likely that the roadway project will be fully funded by surtax dollars. As point of reference, Mr. Santucci advised that the S-Curve undergrounding project was \$2.3 million.

Commissioner Hudak commented on the changes made on NE 3rd Avenue to NE 48th Street as part of the B-Tactical program, to reduce speed. He asked how the proposed project dovetails with the B-Tactical project to make sure the vision remains the same.

Ms. Cygielnik replied that the segment has different character; whereby, the B-Tactical project is comprised of temporary improvements with the hopes to fund permanent improvements. She advised that staff has applied for grants through the Complete Streets initiative; hopefully, funding will be obtained within the next 5 years. The character of the B-Tactical corridor is a little different as it is mostly residential, whereby, 10th to 48th is mostly commercial.

Vice Mayor Preston asked about the change to Buck Pride Way as there was previously a light signal.

Ms. Cygielnik replied that it is the traffic calming roundabout location. Unfortunately, the City has been unable to meet the traffic warrant for a traffic signal and the roundabout is a solution available for that intersection.

Commissioner Drosky outlined the funding available for Items 13 and 14 and emphasized that the monies received from surtax dollars is not enough to complete the projects; nevertheless, it is important to approve the items, so the City stays in the mix with the use of surtax funding. This is only cycle 1 of surtax dollars from the Broward Metropolitan Planning Organization and other cities have not presented projects or received funding; thus, receiving these funds is very important in terms of receiving cycle 2 dollars. Commissioner Drosky asked that the three segments be named one name to brand and bring prominence

CONSENT - AGREEMENTS & EXPENDITURE REQUESTS – CONTINUED

to the avenue. He further commented on possible complications to renaming the segments, but believes it should be considered.

Mayor Ganz opened the public hearing.

Gwyndolen Clarke-Reed, 1430 SW 6th Way, Deerfield Beach, said having a light at 15th (Buck Pride Way) and 3rd Avenue has been a problem for a long time and does not think a roundabout is sufficient, especially with the accidents. She asked how the flow into Mayo Howard Park would be affected as there is not enough parking space now and whether this project will reduce parking further.

Joe Chancy, 4250 NE 4th Avenue, Deerfield Beach, commented on various aspects of the proposed changes; whereby, the residential area will be impacted with the change from 2 lanes to 4 lanes from north to south. He said a traffic study should be done based on the current traffic and schools without crosswalks.

Mayor Ganz closed the public hearing. He then said it seems the design on FAU Research Park Boulevard will be similar to Natura, with a median on the inside separating two lanes of traffic and sidewalk far away from vehicular traffic. Further, although the City desired a light, it is not the City's decision and have been told it is not warranted. Therefore, he spoke in support of the roundabout and does not believe it will impact parking at Mayo Howard Park. Mayor Ganz commented on the length of time funding had been approved, 2016, and why the project must continue as shown. The funding must be captured now or risk it going to another city. Lastly, he said he supports the project and reminded everyone that funds will come from the City at some point.

Mr. Santucci said staff will seek federal funding to offset costs to the projects.

Thereafter, motions were made for Item 13, followed by Item 14.

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to approve Item 14, adopted Resolution 2022/008. Roll Call:

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

Nays: 0

DEPARTMENTAL BUSINESS

15. Resolution 2022/009 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking and award of Request for Proposals #21-35-PC for the Aquatics Facility Renovations - Deerfield Beach Middle School; authorizing execution of an agreement with the top ranked, responsive and responsible contractor, Recreational Design and Construction, Inc., for the renovations in an amount not to exceed \$1,621,400.00; providing for implementation and an effective date. (Funds from American Rescue Plan - \$898,073)

The Resolution was read by title only.

In response to Mayor Ganz's question, David Santucci, City Manager, replied yes, \$898,073 will come from the American Rescue Plan. Originally, \$750,000 was estimated, but this is well above.

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 Item 15, adopted Resolution 2022/009. Roll Call:

DEPARTMENTAL BUSINESS – CONTINUED

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

Nays: 0

16. ORDINANCE 2022/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 22 "CEMETERIES" OF THE CITY CODE OF ORDINANCES TO REVISE AND UPDATE THE CEMETERY PROVISIONS; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

The Ordinance was read by title only.

Anthony Soroka, City Attorney, advised that Items 16 and 17 will be discussed simultaneously.

Teresa Rynard, Director of Parks & Recreation, said the ordinance will clean up language that has not been addressed since 1979; e.g. cemetery commission which is the City Commission; funding mechanisms for plot fee and perpetual care fund. The perpetual care fund will still be an investment fund, but less complicated.

Mr. Soroka explained that the \$3 per square foot was the amount received for purchasing a burial plot and services and have not been amended since 1979.

MOTION was made by Commissioner Parness, seconded by Vice Mayor Preston, to approve Item 16 on first reading. Voice Vote:

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

Nays: 0

17. Resolution 2022/010 - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adopting the amended schedule of fees and charges for Pineview Cemetery and Deerfield Beach Memorial Cemetery; providing for conflicts, implementation, and an effective date.

The Resolution was read by title only.

Teresa Rynard, Director of Parks & Recreation, said in August 2020, the cemetery rules and regulations were adjusted, but the fees were not. Ms. Rynard outlined the additional rules and regulations: interment notice given at least two business days in advance for burials; exceptions determined by director; for plot reservations, a "family member" has 90 days to hold and pay for plot next to deceased. Violations were also outlined; whereby, if a business has 3 or more violations in a 12-month period, access to the cemetery can be suspended for a period of time. There are also changes to the service fees: payment can be taken directly from the funeral home; overtime charges will apply for times outside normal business hours and the charge for weekends is \$375 which was added to the schedule.

Continuing, Ms. Rynard provided the total plots available at both Memorial and Pineview Cemetery. Memorial has a total of 5,740 plots with the following available: full size (adult) – 1,349; cremation – 337; infant – 86. Pineview is full as no more adult plots are available; however, there are cremation and infant plots. Although it has been suggested to combine the cremation and infant lots, it cannot be done as they are not all lined up together. Other research concluded that an average of 200 burials have occurred from 2018 – 2021; 78% resident, 22% non-resident. With limited space, no plots will remain within less than 10 years. When the plots are no longer available, the funding to maintain care will cease.

DEPARTMENTAL BUSINESS – CONTINUED

Ms. Rynard said the fees have not been adjusted since 1996; as such, changes to the methodology for fees was provided. Staff recommended consumer price index increase on plot and perpetual care rates going forward, calculated non-resident using the same methodology, but those fees were updated in 2014. The fees for residents are increasing more than non-residents, because non-resident fees were adjusted 7 years ago. Thereafter, Ms. Rynard provided costs for resident and non-residents, to include an increase in plot cost, increase in perpetual care and burial service fees which will remain the same. Overtime fee for after hours and on weekends will remain \$375. Additionally, Ms. Rynard said the proposed rates are still lower than neighboring cities, but outlined that Boca Raton does not accept non-residents which is an option that should be considered to resolve this issue. In closing, Ms. Rynard outlined recommendations: approve fees with automatic CPI adjustment, maxed at 3%; limit future burials to residents or immediate family members of those currently buried to slow pace; fees for late instruction; continued adherence to the rules; and exploring opportunities for mausoleums and P3 opportunities.

Vice Mayor Preston expressed concern with the increase to the fees, approximately 145%, due to the pandemic and adding a financial burden to people who have to bury someone should be considered to all. Although it is necessary, he asked that the Commission think about it a little more. He then recommended a modest 25% increase yearly until the stated rates are reached. Vice Mayor Preston agreed with using the remaining plots for residents only. Lastly, he spoke with Fairway Memorial to discuss the possibility of purchasing 5 acres and thinks sitting down to meet could be beneficial.

Commissioner Parness said the fees need to increase as prices are escalating and it is necessary for solvency. Additionally, others are charging much more and while he does not wish the increase was necessary, nothing has been done for 25 years and supports moving forward.

Commissioner Hudak spoke in support of the increase and having residents only is wise due to the available space. He also suggested limiting to immediate family members already being buried; otherwise, the cemeteries will be full in less than 9 years or sooner with the pandemic.

Commissioner Drosky said he does not believe the City should be in the cemetery business; nevertheless, he agreed with Commissioner Parness that the City needs to be compatible with other cemeteries.

Vice Mayor Preston reiterated that the Country is in the midst of a pandemic which should solicit compassion for people facing financial difficulties and reiterated increasing by schedule.

Mayor Ganz said he has been in office for 12 years and although it has been brought up, nothing was done. He commented on people who claimed residency in order to abuse the low prices. Further, he did not agree with purchasing more land for cemetery use; however, he is interested in mausoleums. He also agreed with residents only and not allowing people to circumvent the rules. Mayor Ganz opined that once people find out the rates are increasing, there will be a mad rush to purchase plots. Finally, Mayor Ganz agreed with limiting plots to residents only and not fully increasing the plots, but incrementally with an immediate increase upon passage and recommended an increase of 50% each year.

Mr. Santucci agreed with 50% now and then the remainder of the increase next year. Since there is about 10% left on the plots, if the increases are done over 4 years, knowing the City has been behind on the perpetual care fund, we will never catch up. Taking 4 years to achieve the proposed rate does not consider cost of living increases until that time and will still be very far behind. He said starting with 50% today, the remainder next year, then allow the CPI to continue thereafter, might be feasible. Additionally, he replied that the resolution will take effect upon passage. Lastly, he said had there been major changes to the resolution, it could be brought back with the second reading of the ordinance.

Mr. Soroka said Item 16, the ordinance, does not affect how much residents pay. The intent is determining what fund the money goes to once received. The Commission can make changes to the fee schedule now if clearly identified, but can opt to bring the resolution back with the second reading of the ordinance.

Mayor Ganz opened the public hearing; however, there were none to speak and the public hearing was closed. Thereafter, he recommended making the changes to the fee schedule tonight; 50% increase now and the second year, up to the full amount, followed by CPI; otherwise, there may not be space in 3 to 4

DEPARTMENTAL BUSINESS – CONTINUED

years.

Commissioner Parness asked for clarification on residents who have to leave the City in their older age and move to an assisted living facility in another city, whether they are still allowed to purchase a plot in the City.

Ms. Rynard replied yes, there are rules and regulations in the ordinance for that situation.

Commissioner Parness motioned approval of Item 16, as shown above.

Mayor Ganz asked for consensus on recommendations: remove non-residential rates, increase rates by 50% now, second year up to the balance of the recommended rate and full CPI, and pursue mausoleum options.

MOTION was made by Vice Mayor Preston, seconded by Commissioner Parness, to approve Item 17, adopted Resolution 2022/010. Roll Call:

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

Nays: 0

COMMENTS BY ADMINISTRATION & LEGAL**CITY ATTORNEY**

Happy New Year – Anthony Soroka, City Attorney, wished everyone a Happy New Year.

CITY MANAGER

Broward Days – David Santucci, City Manager, advised that Broward Days, at the State Capitol, will take place on January 17th – January 19th; Commissioner Hudak will be attending along with him and other staff.

Updates – Mr. Santucci advised that staff has researched bonfires on the beach and will be moving forward with a special event application; likely to occur late January or early February. He advised that a cost analysis will be performed to determine feasibility. If all goes well, funding will be planned for the next fiscal year. Furthermore, Mr. Santucci said staff researched the Clean Waterways, LLC and found that it may be cost prohibitive based on what the City of Fort Lauderdale paid. He explained that the price was based on cleaning a heavily polluted canal; notwithstanding, at a cost of \$350,000, it would expend most of the capital expense budget from the Solid Waste Fund. However, he said there will be additional research and updates to the Commission.

Resignation – Mr. Santucci announced that Tom Good, Assistant City Manager, will be leaving the City as of today. He thanked Mr. Good for what he has brought to the City in his capacity as Public Works Director and Assistant City Manager; thereafter, he outlined various reasons why he selected Mr. Good as his assistant, professionalism, experience and love for the City. He wished Mr. Good all the best in his future endeavors, personally and professionally.

Mr. Good thanked Mr. Santucci for the kind words and said he is grateful for the opportunity to serve the City and its residents; thereafter, he acknowledged various members of the dais and commented on his experiences with them. He also acknowledged Mr. Santucci for his leadership and Mr. Soroka for tenacity and knowledge.

Mayor Ganz thanked Mr. Good for all he has brought to the City and said Cooper City is lucky to have him.

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

Thank You – Commissioner Hudak thanked Mr. Good for the accolades and said he was the first person he met from the City as a private citizen on flooding. His professionalism and working with City staff convinced him to run for office. He said he will miss working with him, but looks forward to continued relations as elected officials.

Pioneer Park Dock – Commissioner Hudak asked for the status of the dock as he believed funding was secured and construction to start in October, but it is now January and nothing has been done. He asked when construction would start and be completed.

David Santucci, City Manager, replied that the purchase order for the contractor has been issued, but a change order was required for a new floating dock and is underway. Once the change order is processed, the remaining purchases can be made. Furthermore, there has been a delay with some of the purchases due to supply shortages. Construction should not be lengthy, but since this is season, he recommended waiting for a less busy time to start construction as the ramp will be closed for a few weeks.

Commissioner Hudak said he wants to make sure the area is safe.

Mayor Ganz said construction needs to commence immediately and does not believe there will be a less busy time as other boat ramps are closed, i.e. Boca Raton.

Broward Days – Commissioner Hudak said he would be attending Broward Days from January 17th – 19th with a focus on short term rentals. It has been a huge challenge, especially in District 1, and has personally impacted him. He said his main focus will be determining what can be done to curtail the problem through legislation.

VICE MAYOR PRESTON**DISTRICT 2**

Martin Luther King, Jr. Event – Vice Mayor Preston commented on Viola Liuzzo, a white woman, who was killed in 1965 for her activism in the civil rights movement. He said the MLK event is coming up soon and many people need to understand more about him. The parade will take place starting at St. Ambrose at 10 a.m. and ending at the Oveta McKeithen Recreational Complex. Speakers will take the stage from 1 p.m. till 2 p.m.; keynote speaker will be Calvin Hughes, followed by the City Commissioners. There will be live music and kids' activities from 2 p.m. till 6 p.m. Additionally, Vice Mayor Preston commented on Dr. King's stance against non-violence and division due to racism.

Administration Requests – Vice Mayor Preston asked the City Manager to look into reestablishing a testing site at the tennis courts. He also asked that contact be made with Feeding South Florida to see about forming a partnership as many people cannot feed their families due to the pandemic.

Cemetery Fees – Vice Mayor Preston thanked the Commission for making a pay adjustment to the fees as it will help people who struggle with such an increase in one year.

COMMISSIONER PARNES**DISTRICT 3**

Thank you - Commissioner Parnes thanked Mr. Good for his assistance during his tenure as assistant city manager and explained how helpful Mr. Good was for whatever he needed.

County Commission Change - Commissioner Parnes said Lamar Fisher is no longer the county commissioner over a portion of the City and Mark Bogen is now the County Commissioner for all of Deerfield Beach. Thereafter, he explained that this occurred because of redistricting.

Happy New Year - Commissioner Parnes wished everyone a happy new year and encouraged all to continue attending meetings.

COMMISSIONER DROSKY**DISTRICT 4**

Thank You - Commissioner Drosky thanked Mr. Good for his service to the City and how he was able to diffuse tense situations with residents as many are not able to do so. He also commented on his institutional knowledge on the Resource Recovery Board and SW 10th Street. He again thanked him for his contributions to the City as he will be missed.

Clean Up Day - Commissioner Drosky said there will be a clean-up day at Constitution Park on Saturday, January 8th, from 9 a.m. till noon. He encouraged everyone to attend.

Florida Legislative Session - Commissioner Drosky said session will begin shortly and expressed how important it is to keep a keen eye on what is happening in Tallahassee. He encouraged the residents to reach out to their state representatives as the City's reach is limited; whereby, residents have a greater impact.

Happy New Year - Commissioner Drosky wished everyone a Happy New Year; thereafter, he commented on issues that he would like to address this year. He said he would like the City to address more P3 opportunities, four corners area of District 4, Dixie corridor, and SW 10th Street to make the City thrive even more. These are key issues that will affect the City and will extend well into the future.

MAYOR BILL GANZ

Praxis - Mayor Ganz said there are still major issues at Praxis; residents have called regarding maintenance and other issues. Although Code Enforcement is aware, the owners are slum lords. He expressed regret with approving the project with the new owners; nevertheless, he would like to find a way to pull their HUD funding. He said the residents should not be treated the way they are.

MLK Parade - Mayor Ganz expressed concern with the parade route and recommended a different route so more residents can participate; starting near Bethlehem Missionary Baptist Church, and thru the Women's Club, and still concluding at Oveta McKeithen Recreational Complex

Home Rule - Mayor Ganz said there is potential legislation in Tallahassee regarding no smoking on the beach and although cigarette smoking impacts the City's beach, his concern is home rule. It is a mistake by the State to blanket laws/policies as those laws cannot be applied the same in every area, whereas, it will most likely cause harm.

Beach Enforcement - Mayor Ganz said he has spoken with the police chief and city manager regarding beach violations. More enforcement is needed and hopes that various issues, dog walking on the beach and bike riding on the boardwalk, will be addressed quickly.

COVID Testing Sites - Mayor Ganz said COVID testing at Quiet Waters Park is closed due to the Renaissance Festival. He said he would hope there are other options.

Happy New Year - Mayor Ganz wished everyone a Happy New Year.

ADJOURNMENT

There being no additional business to discuss, the meeting adjourned at 9:56 p.m.

CITY OF DEERFIELD BEACH

BILL GANZ, MAYOR

Samantha Gillyard, CMC, City Clerk