



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

Regular Meeting City Commission

Tuesday, January 15, 2019

7:00 PM

Commission Chambers

CALL TO ORDER AND ROLL CALL

MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

APPROVAL OF CITY COMMISSION MINUTES

Regular City Commission Meeting Minutes

Attachment: [November 13, 2018.pdf](#)
 [December 4, 2018.pdf](#)

Special City Commission Meeting Minutes

Attachment: [November 5, 2018.pdf](#)

ACKNOWLEDGEMENT OF CITY BOARD MINUTES

Cultural Committee Meeting Minutes

Attachment: [September 24, 2018.pdf](#)
 [October 15, 2018.pdf](#)

Planning & Zoning Board Meeting Minutes

Attachment: [October 4, 2018.pdf](#)
 [November 1, 2018.pdf](#)

Community Appearance Board Meeting Minutes

Attachment: [October 24, 2018.pdf](#)
 [November 14, 2018.pdf](#)

Hillsboro Inlet District Meeting Minutes

Attachment: [November 19, 2018.pdf](#)

APPROVAL OF CITY COMMISSION AGENDA

January 15, 2019

AWARDS & RECOGNITION

1. Certificate of Recognition presented to Deerfield Beach High School Varsity Football Team for a successful 2018-2019 Football Season as District and Regional Champions.

Sponsor: Mayor Bill Ganz

2. Certificate of Recognition presented to Ocean Rescue for multiple awards including State Beach Patrol of the Year, State Lifeguard of the Year and overall team winner for the Ryan Owens Memorial Run.

Sponsor: Department of Ocean Rescue

3. Certificate of Recognition presented to Sheila Oliver, Building Official, and Dale Rich, Structural Inspector, acknowledging the awards received from the Broward County Building Officials Association.

Sponsor: Mayor Bill Ganz

QUASI-JUDICIAL PUBLIC HEARINGS

4. P.H. 2019-042: SIGN VARIANCE CASE NO. 770

Applicant: MCDONALD'S CORPORATION represented by Daryl Johnson, of Corporate Property Services, Inc.

Proposal: Seeking a Sign Variance from Section 102-8 (c)(2) a.3 of the Deerfield Beach Land Development Code to permit: i) a second building sign on the north elevation (14 sq.ft "M" arch) whereas only one building sign is allowed by Code; and, ii) one building sign on the west elevation (14 sq.ft "M" arch) whereas no building signs are allowed by Code.

Location: The property is a parcel of land generally described as PLAT 115-41 B PARCEL B ELY 2, PARCEL C, more particularly described in the file, and located 300 W. Hillsboro Blvd.

Suggested Action: Commission to vote on Resolution

Voting Requirement: Approval requires a 4/5 vote of the City Commission for adoption.

Sponsor: Department of Planning & Development Services

Attachment: [McDonald's Corporation.pdf](#)

5. P.H. 2019-044: APPLICATION 18-RM25-103, CASE NO. 2493 & CASE NO. 2487
Applicant: RISE UP NYC, LLC (aka Ocean Village Hotel), represented by Richard H. Simon, Simon Architectural, and Christina Bilenki, Esq., Dunay, Miskel, & Backman, LLP.
Proposal: Major site plan application, Technical Deviation (Case No. 2493), and Conditional Use (Case No. 2487), to construct a 16-unit boutique hotel and a 303 sq. ft. takeout restaurant with outdoor seating as an accessory use.
Location: The property is generally described as DEERFIELD BEACH 4-4 B LOT 17, 18 BLK 10, more particularly described in the file, and located at 2040 East Hillsboro Boulevard.
Suggested Action: Commission to vote on a Resolution
Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.
Sponsor: Department of Planning & Development Services
Attachment: [Rise Up NYC, LLC.pdf](#)
6. P.H. 2019-043: APPLICATION 18-COD-7 (Cove Brewery)
Applicant: John D. Whelchel of 1500 SE 3rd CT, LLC, represented by Christina Bilenki, Esq., Dunay, Miskel & Backman, LLP
Proposal: Major site plan modification for interior and exterior façade renovations to an existing two-story building, removal of on-street parking spaces, landscape improvements, and addition of a dumpster enclosure.
Location: The property is generally described as a parcel of land in THE COVE 32-48 B LOT 15, 16 & 17 BLK 2, more particularly described in the file, and located at 1500 SE 3rd Court.
Suggested Action: Table until February 5, 2019 at the request of the applicant
Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.
Sponsor: Department of Planning & Development Services
Attachment: [Cove Brewery.pdf](#)
- 6a Resolution 2019/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving a Revocable License Agreement with 1500 SE 3rd CT, LLC for public outdoor seating adjacent to the property located at 1500 SE 3rd Court, Deerfield Beach, FL; authorizing execution of the Revocable License Agreement; providing for an effective date. (Companion to Item 6)
Suggested Action: Table until February 5, 2019 at the request of the applicant
Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption
Sponsor: Department of Planning & Development Services
Attachment: [Revocable License Agreement.pdf](#)

PUBLIC HEARINGS - FIRST READING

7. P.H. 2019-045: ORDINANCE 2019/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS" OF THE CITY LAND DEVELOPMENT CODE BY AMENDING SECTION 98-53, "B-1 BUSINESS COMMUNITY" DISTRICT TO PROHIBIT PHARMACIES AND MEDICAL MARIJUANA DISPENSARIES AS A PERMITTED PRINCIPAL USE IN THE B-1 ZONING DISTRICT AND TO PROVIDE REGULATIONS FOR PHARMACIES AND MEDICAL MARIJUANA DISPENSARIES AS A PERMITTED ACCESSORY USE IN THE B-1 ZONING DISTRICT; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on the Ordinance and set second public hearing on February 5, 2019

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Department of Planning & Development Services

Attachment: [Medical Marijuana Dispensaries.pdf](#)

PUBLIC HEARINGS - SECOND READING

8. P.H. 2019-046: ORDINANCE 2019/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 66-56 "PROHIBITIONS RELATIVE TO STOPPING, STANDING OR PARKING IN SPECIFIC PLACES" OF THE CITY CODE TO PROHIBIT PARKING IN LOCATIONS THAT BLOCK ACCESS TO OR FROM A PUBLIC OR PRIVATE DRIVEWAY; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Department of Planning & Development Services

Attachment: [Traffic and Vehicles Amendment.pdf](#)

9. P.H. 2019-047: ORDINANCE 2019/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CITY CODE SECTION 66-79 "COST OF PARKING STICKERS", TO DECREASE THE PRICE OF PARKING STICKERS TO \$75.00; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Mayor Bill Ganz

Attachment: [Beach Parking Stickers.pdf](#)

PUBLIC COMMENT

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

BOARD APPOINTMENT

10. Resolution 2019/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, confirming the election results for members to the Board of Trustees Firemen's Pension Trust Fund; providing an effective date.

Suggested Action: Commission to vote on Resolution

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Office of the City Clerk

Attachment: [Firemen's Pension Election.pdf](#)

11. Resolution 2019/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, appointing Robert Amante to the Police Officer's Retirement Trust Fund of the City of Deerfield Beach, Florida; and providing for an effective date.

Suggested Action: Commission to vote on Resolution

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Commissioner Joseph Miller

Attachment: [Police Officer's Retirement Appointment.pdf](#)

AGREEMENTS & EXPENDITURE REQUESTS

12. Resolution 2019/ - A Resolution by the City Commission of Deerfield Beach, Florida, recommending Project Hoover be approved as a Qualified Target Industry (QTI) Business pursuant to Section 288.106, Florida Statutes; authorizing the City to provide local financial support of \$6,000.00 to Project Hoover for the Qualified Targeted Industry Tax Refund; providing for an effective date. (Funds from Account #001-1500-552-32-64 - Business Recruitment/Retention)

Suggested Action: Commission to vote on Resolution

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Department of Economic Development

Attachment: [Project Hoover.pdf](#)

13. Resolution 2019/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the use of Law Enforcement Trust Funds in the total amount of \$82,750.00 for programs and equipment meeting the statutory requirements of Section 932.7055, F.S. for use of Law Enforcement Trust Funds; providing for an effective date. (Funds from Law Enforcement Trust Funds)
- Suggested Action:** Commission to vote on Resolution
- Voting Requirement:** Approval requires a 3/5 vote of the City Commission for adoption.
- Sponsor:** Broward Sheriff's Office - Law Enforcement
- Attachment:** [Law Enforcement Trust Funds.pdf](#)
14. Resolution 2019/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of ITB #2018-19/04 for supply and install, service and repair of various gates and fences to Gomez and Son Fence Corporation on an as needed basis; authorizing execution of a contract to Gomez and Son Fence Corporation in an amount not to exceed the annual budgetary expenditure in the applicable fiscal year budget approved by the City; providing an effective date. (Funds from Account #001-7020-539-31-07 - Service to Maintain Other)
- Suggested Action:** Commission to vote on Resolution
- Voting Requirement:** Approval requires a 3/5 vote of the City Commission for adoption.
- Sponsor:** Department of Parks & Recreation
- Attachment:** [Gomez and Son Fence Corporation.pdf](#)
15. Resolution 2019/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the award of ITB #2018-19/03 for citywide street resurfacing to Weekley Asphalt Paving, Inc., in an amount not to exceed \$5,000,000.00; authorizing execution of a contract with Weekley Asphalt Paving, Inc.; providing an effective date. (Funds from Account #358-8000-541-61-12 - Bond)
- Suggested Action:** Commission to vote on Resolution
- Voting Requirement:** Approval requires a 3/5 vote of the City Commission for adoption.
- Sponsor:** Department of Environmental Services
- Attachment:** [Weekley Asphalt Paving, Inc.pdf](#)

DEPARTMENTAL BUSINESS

16. ORDINANCE 2019/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING CHAPTER 2 "ADMINISTRATION", ARTICLE II "BOARDS, COMMITTEES, COMMISSIONS", DIVISION 13 "DEERFIELD BEACH EDUCATION ADVISORY BOARD", SECTION 2-207, "POWERS AND DUTIES" TO AUTHORIZE THE EDUCATION ADVISORY BOARD TO REVIEW "STUDENT SCHOLAR ATHLETE OF THE MONTH" APPLICATIONS AND RECOMMEND NOMINEES TO THE CITY COMMISSION; PROVIDING FOR CODIFICATION, SEVERABILITY, CONFLICTS, AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance and set public hearing for February 5, 2019

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Department of Community Development

Attachment: [Education Advisory Board.pdf](#)

17. ORDINANCE 2019/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, VACATING AND ABANDONING A 25-FOOT WIDE DRAINAGE AND UTILITY EASEMENT LOCATED AT 77 SE 2ND AVENUE; PROVIDING FOR CONFLICTS, SEVERABILITY AND AN EFFECTIVE DATE.

Suggested Action: Commission to vote on Ordinance and set second public hearing for February 5, 2019

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Department of Planning & Development Services

Attachment: [Stor-All.pdf](#)

COMMENTS BY ADMINISTRATION AND LEGAL

18. Discussion regarding Hurricane Matthew FEMA de-obligation of funds and potential city action.

Sponsor: Office of the City Attorney

19. Discussion regarding the SE 13th and 15th Avenue Bridge Study.

Sponsor: Department of Environmental Services

Attachment: [Bridge Study.pdf](#)

20. Discussion regarding the status of the East Water Treatment Plant site improvements.

Sponsor: Department of Environmental Services

Attachment: [East Water Treatment Plant Improvements.pdf](#)

CITY COMMISSION BUSINESS

21. ORDINANCE 2019/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTION 14-105 "EXTERIOR BUILDING AND STRUCTURE STANDARDS" OF THE CITY CODE OF ORDINANCES TO PROVIDE REGULATIONS REGARDING OUTDOOR STORAGE OF EARTHEN MATERIAL; AMENDING CHAPTER 98 "LAND DEVELOPMENT REGULATIONS", SECTION 98-3 "DEFINITIONS" OF THE CITY LAND DEVELOPMENT CODE TO ADD A DEFINITION FOR "EARTHEN MATERIAL"; PROVIDING FOR CONFLICTS, SEVERABILITY, CODIFICATION AND AN EFFECTIVE DATE.

Suggested Action: City Commission to vote on the Ordinance and set second public hearing for February 5, 2019.

Voting Requirement: Approval requires a 3/5 vote of the City Commission for adoption.

Sponsor: Commissioner Todd Drosky

Attachment: [Outdoor Storage.pdf](#)

COMMENTS BY MAYOR AND CITY COMMISSIONERS

ADJOURNMENT

FUTURE CITY COMMISSION MEETINGS

Tuesday, February 5, 2019