



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor
Beverly Perkins, Vice Mayor
Rhonda Eaton, Commissioner
Cyndy Floyd, Commissioner
Andrea McGee, Commissioner
Tom McMahan, Commissioner

Gregory P. Harrison, City Manager
Mark Berman, City Attorney
Asceleta Hammond, City Clerk

Tuesday, October 26, 2021

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the Regular City Commission meeting to order at 6:03 p.m.

ROLL CALL

Present: Commissioner Rhonda Eaton
Commissioner Cyndy Floyd
Commissioner Andrea McGee
Commissioner Tom McMahan
Vice Mayor Beverly Perkins
Mayor Rex Hardin

INVOCATION

Rev. William Carlson, Evangelist of Glorious Word Church offered the invocation

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

22-22 City Commission Meeting Minutes of October 12, 2021

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Minutes be APPROVED AS SUBMITTED. The motion carried unanimously.

APPROVAL OF AGENDA

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Agenda be APPROVED AS SUBMITTED. The motion carried unanimously.

CONSENT AGENDA DISCUSSION

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

Mayor Hardin announced that Item(s) 1, 4, and 7 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION**[22-21](#) Dixie Highway and Atlantic Boulevard intersection Improvement Project Update**

Paul Kissinger provided an update to the City Commission on the traffic improvements at the intersection of Dixie Highway and Atlantic Boulevard.

Paul Kissinger, Consultant, made a presentation and thereafter, several persons asked questions and commented on the Dixie Highway and Atlantic Boulevard project. One of the main suggestions that resulted after the presentation was made, most of the Commission members, as well as some members from the public felt that perhaps an Option B plan should be considered, in the event the traffic issues and problems that are currently being experienced is not feasible for the residents of the City.

Mr. Kissinger provided an update to his last report, which was done at the last City Commission meeting. He commented on where the City was and how it has progressed over the past 11 years and what the future looks like. He mentioned he wanted to take this format to remind everybody about the reason why they are making the current changes. He also stated they have come a long way, especially when they started with the connectivity plan that he led in 2010, which was when they really started to look at how they could put the downtown together, with Atlantic Boulevard and the components, which would be involved to set up the framework to start the development of the vision of downtown.

Continuing, Mr. Kissinger mentioned that several activities has taken place to include the acquisition of funding to help with the project. Numerous renderings were done of Old Town and MLK Boulevard, and as they progressed, the East Transit Oriented Corridor (ETOC) came on board. So, with the beach on one end and the downtown on the other - 2 major opportunities - One that has progressed great on the beach and now a strong pull in the form of the Atlantic Boulevard corridor, which is the ETOC study that ended up being a Land Use Amendment that was among numerous studies done for the City's redevelopment. One study was for the street regulating plan. During the ETOC they looked at the streets to see what are the primary streets, and what streets they wanted 100% building frontage, with the plan to bring those buildings up to the corridor, which is what Atlantic Boulevard, as a primary street, is being considered for that active use. He mentioned currently,

public open space is at a premium. Therefore, for some of the studies that were considered for the development, they looked at traffic and at capacity. With the County approving the Land Use Plan, the City had to go back and conduct a series of traffic studies and one was to look at the capacity. The City has done a number of traffic studies that are associated with ETOC. In addition, there is an entire section about the potential neighborhood protection corridors. So there are streets that have been identified and what type of improvements can be done in the future as growth happens within the City.

Mr. Kissinger indicated that they have made a lot of improvements to include Old Town, MLK Boulevard, the Cultural Center, the Civic Plaza and the façade program that has been going on since 2009. So, there has been some tremendous progress, but they are not yet completed. Therefore, the next step is to look at the streetscape and the corridor as part of the downtown that focuses on the ultimate goal, which is redevelopment in the Innovation District and having a downtown. This will increase the tax base, allow the City to do more things for the community and improve the quality of life.

In sum, Mr. Kissinger reiterated that traffic is not where it should be, as he had mentioned at the last City Commission meeting. They are still working on it. Nonetheless, he went through a brief history lesson to provide background information of what has been building, step by step to get to this point, where they are starting construction. Since the last report made at the last City Commission meeting, Mr. Joaquin Vargas, of TrafTech, has met with Broward County and it was very productive. They did a whole series of tweaks to the signalization, making westbound a priority, changing the length of the green and red traffic lights. Mr. Vargas, this past week, has been modeling the traffic to simulate possible scenarios along the corridor, which he has completed. There is a meeting scheduled for Friday, with the signalization representatives at Broward County, to look at the scenarios in order to make more changes to them. They are not tweaking, as much as they are strategizing how they can look at the intersections of Atlantic Boulevard and Cypress Road, and determine how those turning movements work.

Continuing, Mr. Kissinger indicated that there are some issues as to where the cones are placed, which trucks and buses are moving slower to make those turns on Cypress Road off of Atlantic Boulevard. With the current positioning of the cones there they are now driving a little further to make the turn. In checking into the strategies for the area they found that each second is important as it relates to traffic build-up. Broward County has visited the site and they are feeling good about the eastbound traffic on Atlantic Boulevard working well. However, westbound is still the one that has some challenges, however, it is better than it was previously but is not necessarily there yet. It will take approximately 1 month for travelers to experience the changes that were instituted, which involves behavioral changes as well. Work is in progress and they are still working through the issues. Notwithstanding, they have made great progress.

Mayor Hardin thanked Mr. Kissinger for the update as well as the history lesson on the project. He indicated that he was sitting on the dais during the time when all the plans and projects were envisioned and mapped out and things of that nature. This is part of what will lead the City to the redevelopment of the Northwest area in Pompano Beach. There is a cry for the need to have what happened on the Beach to happen on the west side of the City, and this is a step in that direction. Also, to ensure that it all works. In sum, if they could discourage those travelers who utilize Atlantic Boulevard and Dixie Highway as Interstate 95 and direct that traffic to use Copans Road, NE 62nd Street and things of that nature it would go a long way for better commute for local residents.

Comr. McGee enquired if they have traffic counts on how many vehicles have been passing by Atlantic Boulevard prior to implementation of the cones versus what has been experienced for the past couple days.

Mr. Kissinger responded that they had counts from previous studies, but do not have them currently, but can check into this and provide that information to the Commission.

Comr. McGee requested a timing data for the before period versus current and how long it takes to maneuver west bound Atlantic Boulevard.

Mr. Kissinger informed that Mr. Vargas is in the process of collecting that data, which will be included in his meeting with the County. So, he will ensure to get that information. Also, they will provide the data on the potential changes to be made and how it would result in travel time changes for the public going from the beach to Interstate 95.

Robert J. Cain, 700 SE 7th Avenue, Pompano Beach, FL, spoke on the proposed changes to the intersection of Atlantic Boulevard and Dixie Highway. He mentioned that he is not criticizing people who are trying to make the community better in looks, and an overall better place for the citizens. He is concerned about what is going on at the end of the intersection of Atlantic Boulevard and Dixie Highway. This highway is one of the most travelled intersection within the City. Just having those barriers for people to see what is coming, allows them to know what will happen in the future. Right now, due to the current barriers there, people are finding other ways to get around the intersection as well as other streets in the community. He wonders how the Emergency vehicles would go through the new intersection without delay. He is hoping the City Commission will reconsider the project.

Barbara Herrera, 320 SE 13th Avenue, Pompano Beach, FL, spoke on the disaster of the Atlantic Boulevard lanes. She moved from Miami to Pompano Beach because the traffic was better but now it is not. She mentioned a number of residents who have to travel on Atlantic Boulevard and Dixie Highway are avoiding traveling due to the current traffic disaster. She mentioned that she would rather travel 5 miles elsewhere because she cannot get through the traffic. She mentioned that the hardworking residents in Pompano Beach are seeking alternative roads, because it is a disaster of taking away the third lane and she is unsure how the Fire and Rescue trucks will get through. There is a safety issue that is being created with the new changes. She understands the desire to improve where they live but she is unsure this is the right answer.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, enquired about the possibility of a hotel and some high-rises being built in the area and asked what is the plan for the Innovation District and what exactly will be built on Atlantic Boulevard.

Mayor Hardin responded that there are no firm plans yet on what will be done in the Innovation District. However, perhaps Mr. Skversky would like to know what has been speculated and what they hope to have out there, which would include hotels, residential development, offices and all of these types of components. He commented that it does not make sense to reduce lanes to accommodate more buildings in the area. Also, there are people who work as well as own businesses in Pompano Beach and they are traveling through Old Pompano so the traffic might be a little lighter.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, expressed how he felt about the situation. He is concerned about the kids going to Pompano Middle School. He wants to be assured about the safety of the children, especially since people are taking the back roads in Pompano Beach.

Mayor Hardin explained that part of the plan is to address traffic going through the neighborhoods and to try and keep it out of the neighborhoods. For example, on Atlantic Boulevard, it should be easier for people to get across the street once the project is completed. There are traffic calming efforts that they can look at for the neighborhoods, which is part of the redevelopment plan of Atlantic Boulevard.

Mr. Thrower reiterated the concerns of safety for the children and urged the Commission to ensure a child does not get hit by a vehicle. In addition, people are always trying to get to work and are cutting through places. He said the landscaping looks good on paper but he wanted to know what are the sacrifices being done to get there.

Jeffrey Sodokoff, 133 North Pompano Beach Boulevard, Pompano Beach, stated that it appears to be known that with the development speculated, planned or whatever it may be, there will be thousands more people coming to the beautiful City. However, he wanted to know the Plan B, if the traffic tweaking and strategies as mentioned earlier will not be able to improve the traffic enough to accommodate the thousands more vehicles expected to come through the intersection. If over the next 5 to 10 years there is going to be additional traffic and the size of the lanes are known and the cones are seen as well as people going throughout the different neighborhoods, and the delays are seen, unless the lights are kept green all the time going forward, it makes sense to see that it will not work. Therefore, he wanted to know if there is a Plan B besides working the traffic lights. In sum, the situation is a risk reward and now the risk is way too great for the reward.

George Browning, 2300 North Cypress Road, Pompano Beach, FL, stated that today while he traveled on Dixie Highway to Atlantic Boulevard, he saw the turn signal for 15-20 seconds, where 2 cars got through to make the left, 2-3 cars after the light changed they ran the light. Earlier the same thing happened with the bus that got stuck and could not move because of the cars on the other side and he did not want to stop on the railroad tracks. He hopes someone goes out there and observes the traffic flow and sees some of the issues happening, with the plan to readjust or do something. There will be a good chance a big crash happening in the intersection of Dixie Highway and Atlantic Boulevard.

Paul Kissinger indicated he made some notes of some of the comments made earlier. Obviously, there are still some people angry about the traffic and the time it takes to get through. He is completely aware of that. There is concern about public safety and vehicles and how they will get through and that is related to traffic. The homeless issue is another topic completely. With redevelopment, there are more eyes on the street and more lights so it becomes a place for homeless people who actually do not want to be, if there is activity as it relates to redevelopment. He reiterated that this is an incremental step. The proposed land development is what the Innovation zoning will be but it has not yet been determined. The zoning is in place but he is unaware of the development plans. He said more information can be acquired from the City's Code of what is expected.

Continuing, Mr. Kissinger indicated that they are aware of the safety issues mentioned by Mr. Thrower and mentioned that part of the project is about safety and the component of that is Atlantic Boulevard and Dixie

Highway, and slowing traffic down. When people drive slower there are less accidents, but part of the ETOC is exactly what was said of how do we not have people cut through the neighborhoods and go faster and to put in place traffic calming measures. The turn signal from Dixie Highway to Atlantic Boulevard, which was the last comment made by one of the speakers, he indicated that he was talking this over with Mr. Vargas and they are looking into that situation as well.

Comr. McGee mentioned that a lot of what was said are questions that she had gone over with Mr. Kissinger in one of their meetings. With the suggestion from one speaker regarding a Plan B, she asked if they were working on other options. It is agreed that the west bound is the biggest problem. Can they start looking at a Plan B to see what other options are available if this does not work. In sum, her concerns are that the City is setting itself up because 30 years from now they will be digging up a lane to accommodate what is now being done.

A discussion followed among Mr. Kissinger and Comr. McGee on the ideas to draw people to an area for redevelopment. Mr. Kissinger indicated no one instructed his team of a Plan B because frankly they do not have Plan A finished. In sum, Mr. Kissinger indicated that there is a bigger picture of redevelopment and mentioned that they would like to incrementally get there as fast as they can. He said it is not their intention to delay people from getting where they need to go.

Comr. McGee suggested that perhaps they could do both Plans simultaneously.

The discussion continued among the Commission and Mr. Kissinger to get the problems currently being experienced resolved, and in the event, it cannot be done to discontinue and move on to a Plan B. Mayor Hardin is hopeful that they can fix the issues, however, if it cannot be done he will not support moving forward with the original plans. He said, as the Mayor, he is committed to the redevelopment of the Northwest area of the City and this is a step in that direction. He is convinced that they can get there but until they find out that it is just not going to work, which it is a little premature to say it will not work at this time.

Mr. Kissinger mentioned that the conversation would be different if from the first meeting that he discussed the issues on hand and nothing had gotten better, which he knows it has been better because he has driven through the intersection. If it was the exact same experience as it was at the initial stage where it was backed up to Federal Highway, then he would be having a different conversation, however, it is not.

Mayor Hardin indicated that Mr. Kissinger projected another month when he will have much better information to provide and better work with the traffic engineers, so until then he would recommend that the Commission ask Mr. Kissinger to return with another update with a presentation on what is going on. So perhaps the first meeting in December would be ideal.

Vice Mayor Perkins stated she agrees with Comr. McGee to reassess the project. She also, likes the idea of having a Plan B, which is needed due to the population being changed since 10 years ago, when the plan was done.

Mr. Kissinger indicated he would get the traffic counts for the Commission.

Comr. Eaton stated that she has been experiencing some challenges travelling through the area and even with her cutting through she had not saved any more time. The action word is “tweaking” the situation. This has been in the works for 10 years and a great deal of thoughts, efforts, time and money has gone into this project. She opined that the choke point is on 1st Avenue and Atlantic Boulevard. She agreed that they should continue with the tweaking element of it.

Comr. Floyd agreed with Comr. McGee and Vice Mayor Perkins that Plan B should have been an alternate in effect to take place if Plan A does not work. Moreover, there should be some plan to involve Broward Sheriff’s Office (BSO) to ensure that the children in the neighborhoods are safe considering traffic is cutting through these areas and asked if anything is being done in this regard.

Mayor Hardin indicated that the BSO has been involved in the process of being more vigilant with neighborhood traffic passing through the side streets.

Mr. Kissinger stated that they have actually gotten counts in the neighborhood to determine how much traffic is passing through the neighborhoods, and to determine the magnitude, which does not take long to do. Focus points can be determined more quickly so they can concentrate on calming traffic down for those areas that need it most.

Major Adkins provided an update on BSO involvement in the process of this project. He said around September 26, when the poles started going in, they immediately took their traffic unit and other deputies to start them into the neighborhoods as they were receiving the complaints from the residents. They are well aware of some of the key areas. There are key roadways particularly in Old Pompano they are aware of that traditionally have been cut through for traffic. He will be meeting with Mr. Kissinger.

Major Adkins stated he is aware of previous traffic studies that have occurred in Old Pompano so he will have the pre-counts before he can go back to do the post-counts to see prior to the poles being put in, the volume and speed of the vehicles. Also, he goes out and does his traffic counts and this will be compared to see if it is actually a perception that the neighborhood being impacted were in fact real. He said that they are also going into the Garden Isles area, because it appears that SE 11th Avenue going across the bridge to 6th Terrace has picked up on complaints.

Comr. McMahon mentioned that the neighborhood protection plans he saw many years ago at the Cultural Center, were for the Old Pompano area, which they have seen a huge increase in traffic. He has worked with the Chief of Police to ensure there is enforcement, and wanted to know when would those things go into place. When do they start getting into the neighborhood and protecting it from the increased traffic.

Mr. Kissinger responded that the timing of the lights he would project at this point is when they get Atlantic Boulevard from Dixie Highway to SW 7th Street working the way they anticipated, which he has the confidence that this can be done. If after that component they are finding out, through doing traffic counts, there is a lot of cut throughs and it is not just a perception, but those counts are showing an increase of “x percentage,” then they would recommend that those happen. However, the good news is that they have already been identified where they would happen, as opposed to realizing there is cut through traffic and to now figure what to do, that part has already been determined.

Comr. McMahon also asked about 1st Avenue traffic light which should be 1,200 feet so if they eliminated the traffic light in front of City Hall would it not take them to that 1,200 feet mark.

Mr. Kissinger responded no. The traffic lights are in the right place because of the grid of the streets, but they are at a suboptimal location. You cannot extend it to 1,200 feet because there is an intersection and they want to control that traffic movement, so it is not feasible to move them. This has to be dealt with as a strategy on how to make that better. There are 2 to 3 turning movements that are contributing to that.

Comr. McMahon agrees with his colleagues that Atlantic Boulevard is definitely harder to pass through but he has noticed a huge change with the tweaking. Sometimes even better than what was previously there. He looks forward to hearing the presentation in another month to see where the City is on it. If there is a need for a Plan B then the City would move forward with that Plan.

Continuing, Comr. McMahon stated that they want to create a very safe City. The subject intersection has had twice the accidents of any other intersection in the City from Interstate 95 to Federal Highway. The report shows that there have been 135 accidents in 10 months, which seems substantial. These are not just minor accidents, in fact, he has seen personally 3 roll-over accidents on Atlantic Boulevard. So, there are some major safety issues with that road. If slowing traffic down not to the point where it is at this time, but if slowing it down will save some lives, he thinks this should be a thing that the City ought to be doing.

Mayor Hardin stated he understands that everything takes time, of course there is a limit as to how much time they will allow for this process, however, considering the sequence of the City Commission meetings, if they could get another update presentation in a month that would be good. In the meantime, if Mr. Kissinger could get some information to the City Commission on the traffic counts that were done previously, to determine what those predictions were back when so if travel time is going to increase they will understand facts versus what was perceived. Also, Mr. Kissinger can have further conversations with the Commissioners about options for a Plan B that might exist out there without scrapping everything as well as spending an exorbitant amount of money at this point to come up with a Plan B if there is no need for it.

In sum, Mayor Hardin indicated that the City is in a good position and on the right track. What has happened so far is very positive, but he agrees, the City is not there yet and there is the need to do better. He is hopeful and confident that they can.

Comr. McGee agrees they do not have to scrap the whole project but they could call it Plan 2.0 and try to improve upon what is being done with the tweaking, with the idea that they could tweak beyond traffic signaling if they needed to tweak where the poles are. She agrees with Mayor Hardin that it was a good thing to do the poles first to determine what needs to be altered and changed and everything in real time and real life. She added that the turning she noticed was when turning north from east bound on to Dixie Highway, the light was only letting through about 3 cars. She also encouraged the public if they could give themselves more time to go down Atlantic Boulevard and do not use the cut off streets, so real information can be collected with real counts so this would be the basis to project the oncoming counts of the developments to the area, the hotels, office space, etcetera.

Comr. McMahon stated that this was planned 10 years ago but it was planned with data of the City's density and redevelopment plans with that in mind.

Mr. Kissinger responded absolutely because the ETOC and his work was done at the same time.

Comr. McMahon concluded that they were not making plans based off the population 10 years ago, rather they are making plans based on the City's zoning and what the Code would allow to be built in those areas.

Mr. Kissinger added that the conceptual design of Atlantic Boulevard and Dixie Highway was not done 10 years ago. The design work started in 2015 but did not come to its conclusion until 2018, so this is a 3-year-old data.

Comr. McGee asked if Mr. Kissinger could include in his data, what the projection numbers were versus what are the numbers coming on for the next 5 years. What is the correlation on the output.

Mr. Kissinger mentioned he is unsure they will have it in 5 years but he will go back and take a look at the previous projections. They did look at a percentage increase per year so they did take that into account.

Mayor Hardin asked that Mr. Kissinger do another presentation at the first meeting in December 14, 2021, which will allow them time to work on the issue and get back to the City Commission with some facts and figures. This will provide information to the public so they would know what is going on, as well as they could be prepared for the next presentation.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

B. AUDIENCE TO BE HEARD

All persons interested in speaking during "Audience To Be Heard" must fill out a request form and turn it in to the City Clerk prior to the meeting. A request form is located on the last page of the agenda program.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session". (Effective May 28, 2019)

The following persons were called to speak:

Home Damages - Pat Russel Anderson, 2650 NE 24th Street, Pompano Beach, FL, stated that an investment in a waterfront home is a choice and dream for some. A boater's lifestyle in Pompano Beach would find Sailfish Canal the most perfect residential canal with a turning basin called a cul-de-sac homes for families,

a walk to Publix and across the street from Lighthouse Point. She indicated that NE 24th Street divides Pompano Beach on the south side and the City of Lighthouse Point on the north side. There are 2 cities with 2 code enforcement inspectors, 2 building inspectors. The Lighthouse Point code does not inspect the Pompano Beach buildings, and the same applies for the City of Pompano Beach and Lighthouse Point inspection.

Continuing, Ms. Anderson complained that her property located at 2650 NE 24th Street was smashed on May 18, 2017. Reconfiguration took place at 2640 and 2650 without permit, and without her approval. She mentioned her home was left without repair for 15 months to deteriorate. She opined that the City's code was unfair to her as they cited her homesite for being in disrepair. Qualman Marine worker rang her doorbell May 18, 2017 and told her they had just hit her seawall.

Finally, Ms. Anderson indicated that she was providing the City Clerk, Asceleta Hammond with a packet of her research at BrowardCountyProperty.net

Bug Infestation at Apartment Complex - Kendra Hayes, formerly resided at 930 NW 9th Avenue, Pompano Beach, FL, stated that since the last meeting no one from the City Manager's Office has contacted her regarding her issue at the apartment she once resided. She learned from the tenants at the apartment that Code Enforcement and the Building Inspector came out to the complex. The tenants also wanted for her to mention that the water needs checking as it has a foul smell. Perhaps the piping and plumbing need to be changed since the building is over 60 years old. She mentioned that she will continue to come back to the meetings until she is heard and the building is torn down because it is horrible. She is aware of 3 apartments that have bug infestation.

In sum, she was told that the Code Enforcement had visited the subject apartment and found no bugs.

Vice Mayor Perkins asked if Mario Sotolongo, Code Enforcement could provide an update on the Westside Apartments.

Brian Donovan, Assistant City Manager, stated that he has provided two updates in the past several weeks to the City Commission. The last update provided, Ms. Hayes, had at the prior Commission meeting, indicated that she felt that there were some unsafe conditions at the apartment that she once resided. The City had Code Enforcement and Building Department to go out and conduct an inspection. They found some minor issues, which were addressed with the landlord. The building does have a 40-year inspection coming up. However, they did not find any major violations. In addition, they did go to the apartment Ms. Hayes once resided and found someone else now residing there, an inspection was done to the apartment and nothing was found there to substantiated any rodent infestation.

Vice Mayor Perkins enquired as to what will happen during the 40-year inspection.

Mr. Donovan responded that the inspection is for structural purposes to ensure the building is still structurally sound and there are no major issues to be addressed by the landlord in terms of repairs that would be needed to be done to the building.

Vice Mayor Perkins indicated that she finds it hard to believe that nothing was found at the apartment inspected

because she has received complaints for these apartments for over 20 years. She suggested that perhaps they need to inspect other apartments. In addition, perhaps the City needs to investigate the situation with the apartments as she has received many complaints. Notwithstanding, the building is over 60 years old and is looking run down. She is also concerned with the 40-year building inspection planned.

Mr. Donovan explained that the 40-year inspection is a standard in Broward County. Buildings that are 40 years old go through that certification process.

Vice Mayor Perkins requested that another inspection be done and for staff to provide the Commission with an update. She is convinced something needs to be done with those apartments.

Mr. Donovan mentioned that if there is a particular issue that people are complaining about they should be directed to contact staff and they will go out and investigate it, which is their job.

Vice Mayor Perkins concluded that she will go there and check on it herself as she cannot believe that it was checked into and nothing was found. She reiterated that she is convinced that there are violations with the apartments.

Commendation regarding the G.O. Bond for the Parks - Vicente Thrower, 1819 NW 6th Avenue, Pompano Beach, FL, stated that the parks are looking good from the G.O. Bond. He thanked the Mayor, City Manager and the Parks and Recreation crew. He mentioned that Mitchell Moore is looking good and the lights are up. He is looking forward to them “cutting some ribbons,” to play some football for the Chiefs and Cowboys and to have some good times. He also thanked the Commissioners as well as the Fire Department who supported the G.O. Bond effort.

C. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 2, 3, 5, 6, and 8, without City Commission discussion.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Consent Agenda be APPROVED. The motion carried unanimously.

1. [21-841](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, TO UTILIZE THE E. PAT LARKINS CENTER AS A BRANCH OFFICE FOR SPECIFIED DAYS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

Vice Mayor Perkins pulled the item for discussion and stated that she was glad to see this item on the agenda and asked if there was any representative from the Supervisor of Elections Office. She mentioned that she was very pleased when she received a call from Mary Hall indicating the utilizing of the E. Pat Larkins Center as a branch of the Broward County Supervisor of Elections Office (SOE), and requested what would be done there.

Joe Scott, Supervisor of Elections, 597 NW 77th Drive, Parkland, FL, stated that they are looking to utilize the E. Pat Larkins Center as a satellite office. The purpose for this is to allow the SOE to have a closer relationship with the community in Pompano Beach. This will be a location that Pompano Beach residents would be able to go to update their voter's registration information as well as if they desire to sign up for vote by mail or anything they need to do with the office in terms of questions about becoming a candidate or a voter. In addition, this will allow the SOE to have an additional site for the dropping off of ballots during the election time. The state law allows for them to have a satellite location that can be used during election time as a place that a voter can drop off his/her ballot outside of early voting. In sum, it will be easier for residents to get registered to vote, keep their information updated with SOE and also to make it easier for them to vote during election time.

Vice Mayor Perkins confirmed that Tuesdays and Thursdays, from 2:00 p.m. to 6:00 p.m., starting in January residents will be able to go to the E. Pat Larkins Center to register to vote, to change address or any other information change to their voter status.

Vice Mayor Perkins thanked Mr. Joe Scott and Mary Hall for stopping in.

Greg Harrison, City Manager, expressed special thanks to Mr. Joe Scott, Supervisor of Elections for personally attending our Commission meeting to express thanks for the use of the City's facility. He also announced that his deputy, Mary Hall is a Pompano Beach resident. He thanked both for attending the meeting.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Consent Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2022-08

2. [22-19](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY

OF POMPANO BEACH AND BROWARD COUNTY FOR BROWARD COUNTYWIDE INTEGRATED WATER RESOURCE PLAN FUNDING, ACCEPTING A GRANT IN THE NOT TO EXCEED AMOUNT OF \$35,755 FOR COSTS TO DESIGN AND PERMIT THE LIGHTHOUSE POINT PHASE V EXPANSION OF THE REUSE SYSTEM, AND CONFIRMING THE CITY'S MATCHING CONTRIBUTION IN AN AMOUNT OF \$35,755; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Revenue of \$35,755 with matching funds of \$35,755)

(Staff Contact: A. Randolph Brown)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-09

3. [21-754](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND TRANSWORLD SYSTEMS, INC., RELATING TO SPECIALIZED DEBT COLLECTION SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: 14% collection fee contingent on successful debt collection)

(Staff Contact: Andrew Jean-Pierre)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-10

4. [22-011](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF ECONOMIC OPPORTUNITY, ACCEPTING FINANCIAL ASSISTANCE ON A COST REIMBURSEMENT BASIS IN THE AMOUNT OF UP TO \$45,000.00 FOR CONSULTANT FEES TO DEVELOP A COMPREHENSIVE SUSTAINABILITY PROJECT PORTFOLIO AND IMPLEMENTATION PLAN TO MEET THE GREENHOUSE GAS EMISSIONS REDUCTION TARGETS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Revenue of \$45,000)

(Staff Contact: Max Wemyss)

Comr. McGee pulled the item for discussion, and stated that she recalled the last presentation made a few months ago, which was step 1 of this report that they wanted to do a step 2. It was noted that there were 8

steps to it and the total cost for this would be approximately \$650,000. At the time of the presentation, she thought this was interesting. Even though it is taxpayers dollars coming through the Federal government to the State to the City for this, the City Manager's Office confirmed this is the process for coastal cities that are open to do this. Overall, it will be approximately \$200 million that this could be costing to get reports from all the coastal cities that is assumed would be quite similar to one another.

Comr. McGee stated as much as she supports being environmentally aware, but to try to cut the greenhouse emissions and to change over wherever possible, this appears to be unfamiliar grounds for her in understanding the effort, and she is not comfortable to get behind these taxpayer dollars to support this, and would not support this effort. However, she would support the City writing a letter to Tallahassee to point this out to whomever, to perhaps feed it up further to the food chain or do an overall study of the coastal cities on what they could do, and for step 8 every city could participate. Based on the PowerPoint presentation that was done, it showed the goals, and a lot of things, which are not even in the City's control. For example, how much emissions FP&L would be under. In sum, it seems wasteful and she could not support it.

Mayor Hardin noted that he and each area City Commissioner, are all concerned about taxpayers dollars. He asked Mr. Wemyss to provide an update on what this is about so everybody understands why the City is taking this step. In reference to Comr. McGee's idea on, "We don't need to do this," could he explain why the City needs to do this.

Max Wemyss, Sustainability Coordinator, Development Services Department, stated that the City has its sustainability strategy, which is an 8-phase program estimated to cost approximately \$350,000 to \$650,000, predominately in studies focused on various aspects of sustainability, increasing the resiliency of the City.

The first step, as stated by Comr. McGee, is a greenhouse gas inventory of government operations and the local community. A lot of this will require regional coordination for things related to FPL and where they source their energy. However, a lot of that can be mitigated locally in terms of the ways the facilities are developed and how the City's infrastructures are developed over time. It is not just focused on that project specifically, and it was not focused on just the City's greenhouse gas emissions or energy consumption, but also with the waste that the facilities are producing and other aspects, such as water consumption and various things that metrics can be set for and then goals for reduction. He indicated that every aspect of this overall strategy is related to more regional things like sea level rise, which is something that the City will have to address locally and it is not something that is well understood at the State level.

Continuing, Mr. Wemyss stated that at a later phase, step 3, the City is concurrently seeking funding, to conduct the research to understand the anticipated impacts from the sea level rise, to what the effects of storm surge will be under those circumstances, and in combination with rain inundation and those things independently. Also, the combination of how they would impact any particular event. The model is not something that has been produced on a larger scale by some local municipalities. The State has prioritized local funding of these studies in the hopes of accumulating a Statewide understanding. When he returns for that particular phase, the Commission will see where they have allocated \$20 million for this planning study with an annual allocation of \$100 million for the infrastructure that is necessary to respond to the outcomes of those studies. There is a lot of money in all of this, especially in the infrastructure, but currently they are in the early planning phases. If the City does not complete the Planning studies it will not be in a position to adequately

request the infrastructure funding as it becomes available.

Mr. Wemyss concluded that the City is well timed and the strategy has well positioned us to take advantage of that money.

Comr. McGee enquired which other cities are involved in the same study.

Mr. Wemyss responded in vulnerability assessments in the last year, the Cities of Hollywood, and Hallandale. In these studies, the City of Fort Lauderdale is usually ahead of Pompano Beach in terms of their sustainability programming, so they have completed these studies. However, they currently have to update those studies because of the State mandates for the content that is included in those studies. The City of Pompano Beach is perfectly timed to acquire funding for the infrastructure. Many cities are in various stages of sustainability programs, and not all cities are conducting the same program as Pompano Beach. The City is following the model that the State seems to be encouraging.

Comr. McGee indicated that is where her concern lies in the redundancy and elaborated on why she sees it the way she does.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, stated that he is hoping that this will not become another report that always sits on the shelf after it is done. The City consistently has a history of always doing studies to name a few the 20/20 Vision. He asked if this report will be on the upside that is not just costing the City some money to study the seawall and the climate change, and will it be able to pay for itself.

Mayor Hardin responded that this is the necessary step to access further Capital Improvement Funds from the State level to help the City fulfill our hopeful steps for sustainability.

Mr. Wemyss clarified that the item is to authorize staff to accept the grant agreement to fund the study.

Mayor Hardin explained that this is a long-term process of the City's sustainability plans that Mr. Wemyss has been working on.

Comr. McMahon stated that he spoke with Jean Dolan earlier on long-term planning for Garden Isles Snug Harbor neighborhoods that are on the water, and he asked if this will help better guide their future and what those codes look like and what the future would look like. He knows that there are areas in his District that he is aware that most king tides are well over the seawall, which could affect the neighboring properties. He enquired if the study would give them a sort of "crystal ball" on what it will look like with the sea level and things of that nature and provide any kind of indication on how to prepare for this. However, they do want to prepare for the sea level rise.

Mr. Wemyss stated that he was talking about concurrent efforts, which may have caused some confusion. He indicated that they do have a vulnerability assessment, which will identify those infrastructures such as seawalls that are failing in certain circumstances. So, that specific initiative will address Comr. McMahon's concern, resulting in the establishment of priority planning areas, where any engineering or infrastructure that is done in that community is certain to address what is known to be a future impact or current impact to ensure whatever

infrastructure the City is installing is resilient. This particular item is creating a project portfolio of allowing the City to better respond to the established greenhouse gas emissions reduction target. It is all part of the same sustainability strategy, this particular phase is responding to reduction in greenhouse gas emissions.

Comr. Eaton agreed that at a certain point there is going to be some redundancy in these studies. The County is also doing extensive studies on the sea level rise, since all is in the same boat. Since this is a reimbursement of a grant, she will support it.

Comr. McGee asked if this is specifically for greenhouse gas, and not sea level rise.

Mr. Wemyss responded yes, and explained previously, staff conducted a study and established a variety of sustainability goals based on the baseline of data collected. This particular project is to identify what needs to be done by various municipal organizations, and within the community that will allow the City to reach those sustainability goals established and greenhouse gas emissions reduction targets. The overall target is net zero by 2050, and all of the other goals that is, reduction in waste, reduction in electricity consumption, reduction in water and water pollution metrics are not yet available. So, this project will assist staff in identifying the path towards the target established, and meeting the other various sustainability goals.

Comr. McGee requested staff research the other cities in Broward County that this company has provided the same services to and provide the results to the Commission.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Consent Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
McMahon
Perkins
Hardin

No: Floyd
McGee

Enactment No: RES. No. 2022-11

5. [22-20](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRIBUTION IN AID OF CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND 1621 S DIXIE HWY LLC TO PROVIDE FUNDING ON A PRO RATA BASIS FOR THE REPLACEMENT OF LIFT STATION 92 DIRECTLY RELATED TO THE AVIARA EAST POMPANO PROJECT LOCATED AT 1621 SOUTH DIXIE HIGHWAY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$581,036.25)

(Staff Contact: A, Randolph Brown)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-12

6. [22-23](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE GRANT PARTICIPATION AND REIMBURSEMENT AGREEMENT FOR CONSTRUCTION OF SUPPLEMENTAL SAFETY IMPROVEMENTS AT SELECTED RAILROAD CROSSINGS BETWEEN THE CITY OF POMPANO BEACH AND BRIGHTLINE TRAINS FLORIDA LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Brian Donovan)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-13

7. [22-28](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT APPLICATION FOR A FLORIDA ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS RELIEF GRANT IN THE AMOUNT OF \$518,561 FROM THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR THE PURPOSE OF OBTAINING FUNDS TO PROVIDE RELIEF OF RENTAL PAYMENTS FOR UP TO SIX MONTHS FOR LOW INCOME HOUSEHOLDS THAT HAVE LOST OR HAD THEIR INCOMES REDUCED AS A RESULT OF COVID-19 AND, IF AWARDED, AUTHORIZING THE MAYOR OR CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE ALL APPROPRIATE DOCUMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Revenue \$518,561)

(Staff Contact: Alexander Goldstein)

Vice Mayor Perkins pulled the item for discussion and stated that she wanted clarification of the purpose and the procedure of receiving these funds.

Alexander Goldstein, Program Compliance Manager, Office of Housing and Urban Improvement (OHUI) responded to how the process for this grant is conducted. Staff will be submitting a grant application with the

City Commission's approval, to the Department of Economic Opportunity (DEO). The City will be getting these funds, which is similar to getting the Community Development Block Grant (CDBG) funds in the past. This is an entitlement grant that staff remained aggressive in applying for, to best assist those who have been impacted by the pandemic and continue to be impacted. It is a similar process receiving the funds as the City has in the past with other CDBG entitlement funds.

Continuing, Mr. Goldstein responded that the range for low income is up to 80% Area Median Income. There are ranges from 0-30%, up to 60% and up to 80%. It then becomes moderate after 80%. This grant is not available for businesses. It is only for individuals for rentals. The total amount that will be received is \$518,561.00.

Furthermore, anyone interested in receiving funds from this program can call (954)786-4659, which is the OHUI front desk and they will be directed to a staff member who is designated to work on the rental assistance program.

Vice Mayor Perkins asked for a monthly update on the progress of executing this grant.

Jocelyn Jackson, Pompano Beach, FL, stated she has some concerns about the CDBG money and asked what is the timeline for this. She said she has received complaints from some residents who tried to receive rental assistance. Apparently, there is not enough staff and they are frustrated because they have thousands of applications to process and these are not done in a timely manner. Perhaps additional staff could be added or even get volunteers to come and assist with processing the applications. Many residents are being evicted as they wait to get their application processed.

Mr. Goldstein confirmed that City of Pompano Beach grant funds are not expended on any other cities but the City of Pompano Beach residents. Currently, in the cue of applications for rental, they have to wait for some applicants to provide the necessary documentation that is needed to process their grant. In addition, the applications are processed according to those who provide all the required information, and they get processed when complete documentation are submitted.

Comr. Eaton stated that as some residents reached out to her regarding the assistance, they were extremely grateful for all the help and attention that staff provided to them.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Consent Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2022-14

8. [22-24](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING BRENDA DAVIS SMITH TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER CYNDY FLOYD, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-15

Meeting went into Recess

D. REGULAR AGENDA

Meeting Reconvened

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that Item 9 is listed under Quasi-Judicial Proceeding and is quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

Asceleta Hammond, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in the following matters.

9. [22-11](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE RAISING CANE'S POMPANO BEACH PLAT LYING ON THE WEST SIDE OF N. FEDERAL HIGHWAY, APPROXIMATELY 1,100 FEET SOUTH OF NE 28TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated this is a Plat for the 2.07 acres site located at 2501 North Federal Highway, which is the site of the former Bobby Rubino's Restaurant. The property has a Land Use Designation of Commercial and is zoned B-3. The Plat Note restricts the property to a maximum of 5,000 square feet of commercial use and 350 square feet of utility building use. There is also a telecommunications tower on the property to remain. The applicant is proposing to demolish the existing structure and construct a 3,267 square feet restaurant. A Minor Site Plan for this building was approved on August 17, 2021. The Planning and Zoning Board unanimously recommended approval of the Plat with 3 conditions on September 22, 2021, and the conditions of approval have been met.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2022-16

END OF QUASI-JUDICIAL PROCEEDING

10. [21-825](#) Approval to rollover funding from Fiscal Year 2021 to Fiscal Year 2022, for capital outlay and operating expenditures totaling \$8,790,346.
(Fiscal Impact: \$8,790,346 - Various Funds)

(Staff Contact: Erjeta Diamanti)

Erjeta Diamanti, Budget Manager, presented the item and stated that this is a housekeeping item to roll over funding that was not spent in fiscal year 2021. It was part of the adopted budget or revised budget based on what the City Commission approved later. Most of the items are related to capital replacement items, miscellaneous, and other operating expenditures.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Approval Request be APPROVED. The motion carried by the following vote:

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

11. [21-799](#) **P.H. 2022-01: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO EXPAND AUTHORIZED AREAS FOR LOCATION OF RESIDENTIAL SWIMMING POOLS; AND BY AMENDING SECTION 155.5302, "FENCES AND WALLS," TO PROVIDE STANDARDS FOR FENCING PROVIDED AS PART OF A PERMITTED RESIDENTIAL SWIMMING POOL, SPA, OR HOT TUB; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 12, 2021

(**Staff Contact:** Jennifer Gomez/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that this is the Second Reading of the proposed zoning code text amendment to amend the standards of swimming pools, spas and hot tubs, and to permit construction within the street side yard and front yard that backs a corner lot. There have been no changes since First Reading.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

Enactment No: ORD. No. 2022-02

12. [22-12](#) **P.H. 2022-04: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CORRECTING ERRORS ON THE FUTURE LAND USE MAP BY

MODIFYING THE MAP TO REFLECT THE PROPER LAND USE DESIGNATIONS FOR CERTAIN LOTS LOCATED EAST OF AND ALONG NW 31ST AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that during the review of the Building Permit for a single-family home at 3050 NW 6th Court, it was discovered that there was a mapping error on the Future Land Use Map related to the dividing line between the Commercial and Residential Land Use categories along NW 31st Avenue. Further research showed that the line between the Low Medium and Commercial Land Use categories was incorrectly drawn sometime between 1998 and 2002. Based on the fact that the City and the County Land Use Plans should match, it was confirmed that the line on the City's map needed to be shifted one lot to the east. The incorrect boundary effected 17 individual lots and an 18th property, 145 NW 30th Avenue, just south of the shifted line. The purpose of the Ordinance is to provide documentation of the correction of this error.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

13. [21-824](#) **P.H. 2022-02: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND G&C PLATINUM 50 INVESTORS, LLC FOR THE USE OF THE SURFACE PARKING LOT ADJACENT TO THE MEDICAL BUILDING LOCATED AT 50 NE 26th AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$7,500)

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Manager, presented the item and stated the Ordinance before the City Commission is a request for approval of a License Agreement between the City and G&C Platinum 50 Investors, LLC. The

property is located directly behind or to the north of Harbor Village Shops, bounded to the north by NE 1st Street and to the south by a public alley. This is an existing surface lot, which is paved, and contains approximately 34 parking spaces. Staff feels this additional parking capacity is essential both currently and in the near term and is anticipated to bring additional parking presence to the area. The City will enforce parking in this lot with its current parking management company, and parking payments will be accomplished by the current parking apps. The City will make no permanent improvements to the property other than installation of clearly visible signs directing the parking public on how to use their phone apps, as well as a toll free number that can be used.

Comr. McGee encouraged the residents to be sure to go to the Pompano Parking Website or the Parking Office where they can sign up for the resident's discount for the beach parking lots, including the subject parking lots presented.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

14. [21-839](#) **P.H. 2022-05: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE SERVICE CONTRACT NO. 1133 BETWEEN THE CITY OF POMPANO BEACH AND MILLER ELECTRIC COMPANY, TO PROVIDE PREVENTATIVE MAINTENANCE SERVICES FOR THE CITY'S GENETEC SECURITY CENTER SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$210,000 over 3-year contract term)

(Staff Contact: Gene Zamoski)

Gene Zamoski, IT Director, presented the item and stated that the City uses a Genetec video and security system, which includes video security cameras and Automatic License Plate Recognition (ALPR) cameras throughout the City. This ALPR system is operated and monitored by the Broward Sheriff's Office (BSO). The 3-year agreement will provide labor only service for the system. This will cost \$70,000 per year and is budgeted out of the IT Department. This contract will greatly improve the time it takes to service these cameras

and provide software maintenance as needed.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, enquired if they have installed any of these cameras at any of the parks.

Mayor Hardin responded that there are numerous cameras in several of the parks. He indicated that they work well.

Mr. Thrower asked if this is a Pompano Beach firm.

Mr. Zamoski replied that they are based in Jacksonville with offices in Broward County. They are not located in Pompano Beach. He mentioned that Miller Electric is an authorized and certified re-seller of Genetec solutions in the State of Florida with local offices in Broward County. There are no renewals on the contract. Additionally, he said the \$70,000 being paid for each year for the next 3 years will cover all the labor but the City is still growing and camera needs will increase. The City will be holding down on the cost and after the 3-year agreement has ended, staff will renegotiate based on the numbers of cameras installed.

Mr. Thrower indicated that this company will be obliged to put all their cameras in all the G.O. Bond stuff. All the new parks, new buildings such as the fire stations and the new senior citizen center, this company will automatically get that work. It would appear that this company would automatically get a non-bid solicitation.

Mark Berman, City Attorney, stated that this is the same conversation he had with Mr. Thrower 2 years ago. He stated that this equipment is proprietary. The City started building the System and it is being built and is growing. The option would be to trash everything, waste all the taxpayers money spent to build a good system. The City must use the same company that only service that equipment. It is proprietary.

Jocelyn Jackson, Pompano Beach, FL, enquired if the City is currently utilizing the system being discussed.

Mayor Hardin responded yes. The City has cameras and ALPR throughout the City.

Mr. Zamoski explained in detail how the agreement will work among the City, BSO and Miller Electric.

Ms. Jackson opined that BSO should directly be responsible to pay for the installation and maintenance of the cameras being installed throughout the City, and suggested that the City Commission may want to revisit the Agreement the City has with BSO.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

15. [22-01](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ROGER GINGERICH** TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 24, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Roger Gingerich, *Incumbent*- District 5

Donald Totter, *Alternate 2*- District 1

Carlton Gillespie- District 1

Frank Sellers, Jr. - District 3

Corey Thompson - District 4

Charles MacMichael - District 5

(Staff Contact: Asceleta Hammond.)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name ROGER GINGERICH. Vice Mayor Perkins nominated Roger Gingerich. The motion carried unanimously.

Enactment No: RES. No. 2022-17

16. [22-02](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **WHITNEY RAWLS** TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Whitney Rawls, *Incumbent* - District 4

Whitney Anne Metevia, *Incumbent* - District 3

Latoya T. Almonord, District 1

Lisa Ferreri, District 1

Justin Cromartie, District 1

Tanya Manfredi, District 1
 Michelle Rhoulhac, District 2
 Alecia Daniel-Hall, District 2
 Derek A. Lewis, District 3
 Richard Dally, District 3
 Monifa Aruwajoye, District 4
 Marcus A McDougale, District 4
 Mary S. Phillips, District 4
 Shelton Pooler, District 4
 Joseph Wells, District 4
 Janice Anne Simmons, District 4
 Quenton Thompkins, Sr., District 4
 Corey Thompson, District 4
 Andy Cherenfant, District 5
 Wayne Vereen, District 5
 Dedrick Watkins, District 5

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name WHITNEY RAWLS. Mayor Hardin nominated Whitney Rawls. The motion carried by the following vote:

Yes: Eaton
 Floyd
 McGee
 McMahan
 Hardin

No: Perkins

Enactment No: RES. No. 2022-18

17. [22-03](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2025; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO. 22-02 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Mayor Hardin, seconded by Commissioner Eaton, that the Regular Agenda/ Resolution be POSTPONED until December 14, 2021 City Commission meeting. The motion carried

unanimously.

18. [22-05](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **KIMBERLY HARMON** TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 TO FILL THE UNEXPIRED TERM OF MIMI BOTSCHELLER, ART PROFESSOR; SAID TERM TO EXPIRE ON FEBRUARY 1, 2023; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Tyler Townsend, Owner/Operator-Museum Collector- District 3
Kimberly Harmon, Founder/Owner- District 4
Karen Moreland, Owner/Principal- District 4
Agata Mosery, Designer/Photographer- Boca Raton

(Staff Contact: Asceleta Hammond.)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name KIMBERLY HARMON. Vice Mayor Perkins nominated Kimberly Harmon, Commissioner McMahan nominated Tyler Townsend and Commissioner McGee nominated Agata Mosery. The motion carried by the following roll call vote:

Yes: Floyd
Perkins
Hardin

No: Eaton
McGee
McMahan

Enactment No: RES. No. 2022-19

19. [22-06](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **KAREN MORELAND** TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #2 TO FILL THE UNEXPIRED TERM OF AMANDA HART, DESIGNER/OWNER; SAID TERM TO EXPIRE ON FEBRUARY 1, 2023; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO. 22-05 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name KAREN MORELAND. Vice Mayor Perkins nominated Karen Moreland and Commissioner McGee nominated Agata Mosery. The motion carried by the following roll call vote:

Yes: Eaton
Floyd
McMahon
Perkins
Hardin

No: McGee

Enactment No: RES. No. 2022-20

20. [22-07](#) Consideration for canceling the City Commission Meetings of November 23, 2021 and December 28, 2021.

(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

Greg Harrison City Manager, presented the item and stated that traditionally the City Commission as a body has met on the first Tuesday and fourth Tuesday of November and December. However, the fourth Tuesday of those months normally falls the same week on Thanksgiving and Christmas holidays.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Item for Consideration/Discussion be APPROVED to cancel the two meetings of November 23, 2021 and December 28, 2021. The motion carried unanimously.

E. NEXT SCHEDULED MEETING

Mayor Hardin announced that the next scheduled City Commission meeting will be as follows:

November 9, 2021 at 1:00 p.m. - Regular City Commission Meeting

F. REPORTS

Welcome Back City Manager Greg Harrison - Mayor Hardin welcomed back Greg Harrison, City Manager, and stated that it is great to see him back on the dais. Everyone applauded and welcomed back City Manager Harrison.

Greg Harrison, City Manager - Earn Certificates in Hospitality & Tourism and Culinary & Catering Business - Mr. Harrison reported that Dahlia Baker has organized a method for those who are interested to

attend a free course to earn a certificate in 5 days in the Hospitality and Tourism Management industry, as well as in the Culinary and Catering Business. The orientation for these courses will be held in the City Commission Chamber on November 4, 2021 from 9:00 a.m. to 11:00 a.m. Once a person is successfully enrolled, they will only have to go 5 days for the Hospitality and Tourism Management course, which will be held at the Pompano Beach Highlands Park Recreation Center - 3 days in November and 2 days in December. Classes will be from 8:00 a.m. to 5:00 p.m.

Additionally, the Culinary Catering Business will be held at the Pompano Beach Cultural Center and those classes will be held during the month of January.

Increase in Social Security Benefits - Mr. Harrison indicated that Suzette Sibble, Assistant City Manager asked him to inform the public about the Federal Government Social Security Administration announcing that all Social Security recipients will get a 5.9% benefit increase for calendar year 2022. If anyone needs assistance on how to get through their system, they can contact the City Manager's Office.

Opening of Raising Cane's - Mr. Harrison inquired as to how many people knew what Raising Cane's was. He mentioned that Raising Cane's is "good fried chicken." He said this is a really nice fried chicken place being opened on Federal Highway in Pompano Beach. He became very familiar with them when he was in Texas.

Finally, Mr. Harrison announced that they were one hour and half into the first game of the World Series tonight.

Mark Berman, City Attorney - No Report.

Asceleta Hammond, City Clerk - Advisory Boards/Committees Vacancies and Expired Terms - Ms. Hammond announced the vacancies and expired terms for the months of November and December for the following advisory boards/committee:

November 9, 2021 Agenda - Marine Advisory Board - 3 positions. 2 regular members expired terms, and 1 alternate #1 position that is vacant.

December 14, 2021 Agenda - Recycling and Solid Waste Committee - 1 position for a regular member expired term.

- General Employees Retirement System - 1 position for a regular member expired term.

- Pompano Beach Housing Authority - 1 position for a Trustee member. This position was postponed from the October 26, 2021 City Commission meeting.

Commissioner Rhonda Eaton - Traffic Calming Pilot Study for Cresthaven - Comr. Eaton mentioned that everyone in Cresthaven did receive the flyer sent out. She wanted to remind everyone that this is a traffic calming pilot study and they are taking input. This will take place for the NE area of Cresthaven. They are trying to find innovative ways to calm traffic and it is not necessarily going to be speed bumps. Traffic is the number 1 issue in the City.

Continuing, Comr. Eaton stated that with this traffic calming study, Cresthaven residents can go to a website

called TinyURL.com/CresthavenTraffic - this is time sensitive and feedback is being accepted until November 15, 2021. She encouraged residents to take a look at this. If the City could perhaps place on a search engine, when someone types in Cresthaven Traffic they could get a link to TinyURL.com/CresthavenTraffic.

Commissioner Cyndy Floyd - City Manager Return - Comr. Floyd expressed her appreciation for having the City Manager returning to the dais.

Traffic Calming Device - Comr. Floyd agrees that the traffic is a big issue because she received numerous complaints at her Saturday morning meeting held at the Skolnick Center. The people in Esquire Lakes are demanding speed bumps. She urged Major Adkins, Police Chief, to get together with these residents and discuss the possibility of obtaining speed bumps for the area.

Styx Band performing in Pompano Beach - Comr. Floyd mentioned that a great legendary band is coming to Pompano Beach in February, the group Styx. She hopes something just as great is being planned for Black History month in February.

Commissioner Andrea McGee - Halloween Wishes - Comr. McGee wished everybody a Happy Halloween this weekend. She reminded those who will be driving to keep a look out for kids and Trick-a-Treaters, as well as for everyone going around to be safe.

Boo Bash - Comr. McGee announced that the City of Pompano Beach will be doing a Boo Bash, a creepy carnival live and in-person on Friday, October 29, 2021 at the Pompano Community Park that is pet friendly with carnival and inflatable rides, stage performers, fortune tellers, fall pumpkin patch, hay rides, DJ music and dancing, a haunted trail and much more. There is a costume contest at 8:00 p.m. The event starts at 5:00 p.m. and goes to 9:00 p.m.

Commissioner Tom McMahon - No Report.

Vice Mayor Beverly Perkins - Broward Up and Let's Move Pompano Events - Vice Mayor Perkins announced that there are 2 events coming up in her District. The first event - Westside Paint and Body will be celebrating 54 years of business. The founder is Bob Phillips and this will take place on Saturday, November 6, 2021 from 3:00 p.m. to 6:00 p.m. at 691 NW 18th Avenue/B.J. McCormick Avenue.

In addition, Saturday November 6, 2021 the Blanche Ely Homecoming Parade will take place.

The second event - Rock Road Restoration Historical Group will be presenting, "An evening with our hometown Hero Esther Rolle." This reception will take place on Monday, November 8, 2021, 6:30 p.m. to 8:00 p.m. at the Ali Cultural Arts Center.

Mayor Rex Hardin - Community Town Hall Meeting - Mayor Hardin announced that they have a Community Town Hall meeting coming up on Monday, November 8, 2021, from 6:00 p.m. to 8:00 p.m. at the Pompano Cultural Arts Center. Broward Sheriff Gregory Tony will host a meeting to talk about ShotSpotter Technology, Public Private Partnership and Safer Watch App. A portion of the discussion will focus on encouraging citizens participation in helping to identify the ShotSpotter identifies that nobody else is calling in.

He urged the residents to attend where they can have meaningful discussions about public safety and the shot spotter technology.

G. ADJOURNMENT

The meeting adjourned at 9:10 p.m.

DocuSigned by:

Asceleta Hammond

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Asceleta Hammond, City Clerk

DocuSigned by:

Rex Hardin

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Rex Hardin, Mayor

DocuSigned by:

