



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Lamar Fisher, Mayor
Charlotte J. Burrie, Vice Mayor
Rex Hardin, Commissioner
Barry Moss, Commissioner
Beverly Perkins, Commissioner
Michael Sobel, Commissioner

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

Tuesday, September 26, 2017

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Lamar Fisher called the meeting to order at 6:00 p.m.

ROLL CALL

Present: Commissioner Rex Hardin
Commissioner Barry Moss
Commissioner Beverly Perkins
Commissioner Michael Sobel
Vice Mayor Charlotte Burrie
Mayor Lamar Fisher

INVOCATION

Elder Whitney Rawls from Christ Fellowship Church of God in Christ offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[17-658](#) City Commission Budget Workshop Minutes of July 17, 2017

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

[17-597](#) Regular City Commission Meeting Minutes of July 25, 2017

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

APPROVAL OF AGENDA

Mayor Fisher stated that the Agenda would be amended as follows:

Item 26 will be pulled from the table and tabled for the December 12, 2017 City Commission meeting.

Item 27 will be tabled for the November 14, 2017 City Commission meeting.

Item 28 will be tabled for the December 12, 2017 City Commission meeting.

Item 29A has been added to the Agenda.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Agenda be APPROVED AS AMENDED. 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 Fisher announced that items 1, 4, 8, and 10 will be pulled for City Commission discussion.

A. PROCLAMATIONS

[17-620](#) Tribute to Reverend Albert E. & Matriarch Elizabeth R. Johnson

Mayor Lamar Fisher presented the Johnson family with a proclamation in remembrance of Reverend Albert E. and Matriarch Elizabeth R. Johnson honoring their service to the community.

Reverend Oliver A. Johnson, Associate Minister of Bethel AME Church and founder of Christian Awareness Mission of Hope expressed his family's gratitude for making this a very historic moment in the City of Pompano Beach. He also indicated that he was the fifth child of ten children and that the house his father built in 1938 is still standing on 635 NW 8th Avenue.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. AUDIENCE TO BE HEARD

Mayor Fisher announced that it was time for “Audience To Be Heard” and offered the following guidelines: Once your name is called, please come forward to the podium in front of the commission, state your name and address for the record. Speakers will be limited to three minutes to speak on any item of concern or interest, including those items pulled from the Consent Agenda. In addition, he asked speakers not to speak on any items on tonight’s agenda, as they will have that opportunity to do so when that item comes forward. Lastly, he requested that speakers refrain from any emotional outbursts in either support or non-support of the speaker’s comments. 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.

The following persons were called to speak:

Runette L. Hill Williams Street - Senator Perry E. Thurston, Jr., Florida Senate, 2151 NW 6th Street, Fort Lauderdale, FL, stated that there are a number of individuals who would like to speak on Consent Agenda Item 2, file number 17-594. However, on behalf of his staff and others they wanted to thank and honor Ms. Runette L. Hill Williams, which is the corrected name to rename Northwest 16th Street. He also thanked Rob McCaughan for his efforts in working to get this request accomplished, and said it was a pleasure to work with him.

Senator Thurston indicated that Ms. Hill Williams was his elementary school teacher. In addition, Senator Thurston indicated that there are a few people who knew Ms. Hill Williams over a longer period than he did who will be speaking later on her behalf and he reiterated his thanks to the Commission for considering the request to rename Northwest 16th Street with the corrected name Runette L. Hill Williams.

Mayor Fisher indicated that it will be official tonight.

City Business - Joe Ryan, 427 NE 24th Avenue, Pompano Beach, FL, made several comments and complained about his dissatisfaction regarding the administration of various City business, which included:

- The Clean Up of the City after Hurricane Irma. Do not depend on “freebies” from FEMA and grants as there is a long line ahead of the City.
- Some City programs will have to be eliminated.
- Crime, Drugs, Homeless and all kinds of illegals are affecting the City.
- Shortages of Police and Fire personnel.
- All kinds of problems in other departments that cannot be filled. There is a need to get people with advanced degrees to fill some jobs, as well as to have Human Resources check certain employees’ files for their credentials.
- FEMA will not pick up trash from the Hurricane as St. Thomas, San Juan and Houston are ahead of the City of Pompano Beach for assistance.
- Federal Case is coming up and must be adjudicated, as well as the City is paying fees for outside counsel to handle.

Hurricane Debris - Pastor Gary McCleod, Pompano Christian Clergy Council, 2649 NW 9th Court, Pompano Beach, FL, expressed his thanks to the City Commission, as well as his concern regarding the hurricane debris situation. He said there are numerous complaints regarding the debris that is still stacked up not only in the City but also Countywide and Statewide.

Pastor McCleod suggested that the commission consider using the City's own resources, because there are ample people who could carry out the work of this magnitude. He said there are people with lawn and contractor services, who reside in the City who could assist with the pickup of the debris. Therefore, the Commission and Administration of the City could consider some help and give those people who can do the work a chance to come in and clean up the City.

Mayor Fisher stated that he has received calls from approximately 50% of the Mayors throughout the cities of Broward County. They wanted to know what Pompano Beach is doing to get so many trucks in to get its debris moving so quickly. They indicated to him that they may still have debris on their streets up until December to be removed. However, the City of Pompano Beach staff was able to mobilize quickly to gain the momentum. In fact, the City of Lighthouse Point has two trucks whereas Pompano Beach has forty trucks. He then asked City Manager Harrison to provide an update to the residents.

Comr. Hardin requested the City Manager to include an update on the local issue because he wanted to get information since the first day of the incident.

Greg Harrison, City Manager, stated everyone who has expressed an interest to offer their manpower or equipment, they have been referred to contact the City's contractor, Ashbritt. He explained that everything being done in the debris removal process needs to be certified to be FEMA eligible, to include equipment being used. In the end, the City will be able to get reimbursed. Therefore, the City must be careful in its hiring of people to assist with the job. Continuing, Mr. Harrison said Ashbritt is the hurricane disaster company that the City has engaged to clean up the trash throughout the City. Consequently, he encouraged Pastor McCleod to refer anyone he knows who is interested, to contact his office and he will ensure they are in contact with Ashbritt.

Additionally, Mr. Harrison reiterated that there are forty trucks that are "combing the streets," in fact, there are twenty seven different routes that sanitation uses, which are the same being covered by the debris trucks. These trucks have already gone through some parts of the community and as people are continuing to clean out more from their back yards to the streets, it is just as fast going through the first sweep, which is not yet completed and should be done by the latest Monday.

Mr. Harrison also addressed the debris pile on NW 16th Street, which is being hauled off 100 yards at a time to the land fill.

Pastor McCleod indicated that he spoke to some of the local contractors who indicated that they are certified, licensed and insured and are willing and ready to assist.

Mr. Harrison added that the majority of the trucks that the City has been using are from Eastern Waste, which

is a Pompano Beach company.

Comr. Perkins said she thought it a good idea when Pastor McCleod called her with the idea to utilize some of the local people with lawn services and at the same time they could earn some money.

Aftermath of Hurricane Irma - Robert Alexander, Sanders Park, Pompano Beach, FL, stated that he has lived in the City of Pompano Beach for sixty six years. He enquired about the hurricane and why there was no evacuation places in the Northwest area east of I-95 to Dixie Highway and from Atlantic Boulevard to Copans Road. He heard that Pompano High School and Coconut Creek was the evacuation places. However, his neighborhood did not have any place to go. He mentioned that Blanche Ely used to be an evacuation location at one time.

Mr. Alexander also enquired about utilizing the E. Pat Larkins Center, which was used for a command center for Broward Sheriff's Office (BSO). He mentioned that Sanders Park, where he resides, is one of the oldest residential suburbs in the City. He stated there are a lot of professionals residing in that community and most have retired and some do have medical conditions. However, the E. Pat Larkins Center that was powered with a generator could not accommodate some of these residents. Therefore, he questioned if the Center could only be used for banquets and serving meals or could it be used during a disaster situation. He was concerned to see the older people in the community who did not have any power for air conditioning, yet, the senior citizen bus did not pick them up to take them to the Center so they could get some cool air.

Mayor Fisher responded to Mr. Alexander's question regarding the evacuation. He explained that everything east of US1 was the evacuation zone, therefore, anywhere west of US1 was not considered an evacuation zone, as determined by the Hurricane personnel. Moreover, Broward County is the agency that organizes and sets up the shelters, to include Pompano Beach High School, Coconut Creek and so forth.

With regard to the E. Pat Larkins Center operating as the BSO Command Center he is unfamiliar with that operation, therefore, he asked City Manager Harrison to respond to that question. In addition, Mayor Fisher indicated that he is aware that some weeks ago, Comr. Perkins talked about utilizing the Braswell Building to make it a place people could go to get questions answered and get assistance with services and things of that nature. BSO along with the City did an assessment of the building. Unfortunately, the facility is not hurricane proof and is in deplorable shape, so BSO could not use it as a command center.

Mr. Harrison stated that BSO did use the E. Pat Larkins Center as a temporary command center for approximately three nights.

Captain Wayne Adkins, BSO, stated that the E. Pat Larkins Center prior to the hurricane was not designated a command center, rather it was a backup plan if they went to "full lock down" and he explained how the operation works. However, he said with the intensity of this storm and the potential of catastrophic situation at the eleventh hour the emergency operation center sent out an order which resulted in having all deputies come in to be housed in the City, which added approximately 100 deputies not planned for to be hunkered down until the storm passed. The command centers to house over 200 deputies were the E. Pat Larkins Center and the Skolnick Center, along with the Public Safety Building at 100 SW 3rd Street.

Mayor Fisher asked for an update on the senior program as to how soon it was restarted and if there were any attempts to bring in senior citizens after the storm.

Mark Beaudreau, Recreations Program Administrator, reported that they occupied the E. Pat Larkins Center for BSO, as well as the Skolnick Center. They assessed the City right after the all clear notification. However, he does not recall when exactly the Center was opened for the senior program, but it was opened as soon as they could to commence the regular senior program. Nevertheless, up to last Saturday the Center was opened until 10:00 p.m. outside of the normal operating hours and staff was trying to accommodate those people who wanted to get in to use the facility.

Mayor Fisher indicated for future storm situation, perhaps some consideration could be given to bus in those senior citizens as soon as possible to the facility to get them air conditioning and food if needed.

Comr. Sobel agreed with Mr. Alexander's comments. He stated that some things went very well and some did not go so well. He indicated that whether it was within the evacuation zone or west of it, Broward County mandatory evacuated over 20,000 people and the only facility available was Pompano Beach High School with room for 280 people. Purportedly, the criteria by Broward County for determining which sites are going to be used for shelters during the storm was based on statistics that maybe outdated at this time.

Clearly, in the future, after an evaluation of the storm is completed, things could be made better, whether it is utilizing the E. Pat Larkins Center or the new Cultural Arts Center, which sat empty and could house 1,000 cots. Therefore, whether it affects persons from the barrier island east of Federal Highway or west of Federal Highway and the Northwest Area from I-95 to Dixie Highway, there needs to be more places for people to seek shelter, particularly if it is under mandatory evacuation order. Comr. Sobel indicated that while it may have been the County's obligation to determine what areas/facilities and how to supply them, it is the City's obligation to work with the County to ensure that the facilities are properly accommodating and there is better protection for the residents in the event another disaster happens.

Comr. Perkins recalled during Hurricane Andrew at that time, Blanche Ely High School was one of the designated shelter and at least five to six buses were used to take people to the facility. She is unsure why the process changed to relocate to Pompano Beach High School. On the other hand, Comr. Perkins said she spoke with the City Manager regularly regarding opening the E. Pat Larkins Center and Mitchell Moore Center to assist those people with air conditioning needs, which he did, as well as he opened all the other centers throughout the City. Therefore, she thanked the City Manager for his efforts in this regard.

Mayor Fisher indicated that the Mitchell Moore Center was the designated shelter facility for City employees, which had damages during the storm. Overall, Mayor Fisher stated the blessing of it all was the storm did head west and no lives were lost, as well as it could have been far worse than it was.

Tiger Trail Festival - Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, stated he initially wanted to talk about the Tiger Trail festival and that they only have \$40,000 and will need another \$40,000 in order to get Fantasia. However, based on the current and past events of the last two weeks he added his voice to a number of concerns.

Hurricane Debris - Mr. Phillips personally commended the Public Works Department of the City for an outstanding job done to try to get things back to normalcy. He stated he had enquired about the removal of the debris and learned that it was Ashbritt, but they would need to come up with a plan. Overall, this incident was a great learning tool. He suggested that the City formulate some type of emergency management committee, only for disasters, and to select two representatives from each district to serve on the committee. The length of time and when to activate and deactivate would be determined by the City Commission.

Secondly, Mr. Phillips agreed with Pastor McCleod's suggestion and would also suggest that in the event of emergencies the criteria are relaxed, in terms of hiring people from the neighborhood to assist with the cleanup. He suggested that the disaster committee could facilitate this aspect of that operation.

Mr. Phillips indicated that there is a lot of activities in the City and opportunities that can mean hope for the people.

Post Hurricane Activities - Bishop Dr. Ivory Wilson, Pompano Beach, FL, introduced his sister and commented on the numerous promises made. He stated that the people were promised that the trash would be taken away last Tuesday. However, he has seen trucks coming into the neighborhood but there were no drivers, but the trucks had trash on them but were not moving.

Mr. Wilson expressed his dissatisfaction on how the City has been handling certain issues, and especially when it is dealing with people of color being contracted to perform services in the city. He complained that the trash is not being moved as promised.

Mayor Fisher indicated that the City did promise the debris would leave the site in one week and asked City Manager Harrison to provide an update on the situation.

Mr. Harrison responded that staff had indicated that the debris would be moved within a week from the day started. The trucks were ready to go on Sunday, but the neighborhoods did not want work done on a Sunday, therefore, worked commenced on Monday morning and by next Monday morning the debris will be gone.

Renaming of NW 16th Street - Barri McMillon, President, Delta Sigma Theta Sorority, 456 NW 1st Terrace, Deerfield Beach, FL, introduced herself along with Former State Representative Gwendolyn Clarke-Reed, who urged the City Commission to pass item 2 on the Agenda. She explained it is very important to their sorority and that Ms. Runette Hill Williams has served with her through the years. She has been active in the City of Pompano Beach. Consequently, she is requesting that the recognition be given to Ms. Williams.

Mayor Fisher responded that it will be done.

Ms. McMillon also requested and urged the City Commission to recognize Ms. Runette Hill Williams, and provided statistical information of how Ms. Hill Williams served the Community, since 1951 as a teacher. After nine years as a teacher, Ms. Hill Williams was promoted to be the first principal of Sanders Park Elementary School. She has been instrumental in teaching and mentoring children who has now become teachers, lawyers, doctors, nurses, federal judges, state representatives, senators and every occupation imaginable. She faithfully,

worked for the Broward County School for thirty years and later retired to take care of her husband and mother. Ms. McMillon then listed several of Ms. Hill Williams' accomplishments. She concluded that the Delta Sorority sisters join in the support of Senator Thurston for the Commission's favorable consideration of the request to rename NW 16th Street as Runette L. Hill Williams.

Comr. Perkins stated that the City Manager has commenced resurfacing the road on NW 16th Street in honor of Ms. Williams and stopped on NW 3rd Avenue. Nevertheless, he will continue resurfacing the road to the entrance of Sanders Park Elementary School. Comr. Perkins mentioned that Ms. Williams was her elementary school principal as well.

20th Year Anniversary for Curtain Call Playhouse - Kris Coffelt, Curtain Call Playhouse, 2500 SE 3rd Street, Pompano Beach, FL, indicated that she has a three minute video to present to the Commission. She thanked everyone for their support and wanted to show Curtain Call Playhouse's 20th Year Anniversary celebration. She indicated it was an amazing experience and thanked all who attended and supported the event. She also expressed special thanks to Mayor Lamar Fisher for being their guest speaker, Mark Beaudreau, Recreation Programs Administrator, and Nick Lazazzara.

Finally, Ms. Coffelt provided the plans for Curtain Call Playhouse 21st season at the new Pompano Beach Cultural Center and their commitment to give back to the community. She invited the Commission as well as the audience to join in the activities planned. Due to technical difficulties the video was cut short.

Firefighter Orientations - Bruce Britton, Vice President, Progressive Firefighters' Association of South Florida, Plantation, FL, commented on their partnership formed with Pompano Beach Fire Rescue. He indicated that on April 2014 Broward County Commissioner Dale Holness sent out letters to elected officials and fire chiefs throughout the County regarding the increase of diversity and inclusion within the fire departments. He stated that Chief John Jurgle of Pompano Beach Fire Department was one of the first to respond. In addition, Mr. Britton stated that since October 2014 Chief Jurgle has held twelve (12) firefighter orientations in the City of Pompano Beach. He then provided detailed information on firefighter orientations.

Finally, Mr. Britton stated that Pompano Beach has been one of the leading fire departments since 2013, and Chief Jurgle has been very supportive of their efforts. He said his Association plans to conduct another orientation before the end of year, as well as they are conducting an orientation in the City of North Lauderdale.

Pompano Beach Baseball Program - George Martos, Coach, 4131 NW 17th Avenue, Oakland Park, FL, stated he has been involved with the City's baseball program for the last four years and was instrumental in bringing the RBI program into the City in 2015. He complained then about the lack of leadership from the Pompano Beach Baseball Board members and wanted to alert the Commission on this. He then provided a historical background regarding an email sent by the Regional Director of the National Pony Baseball Program admonishing the Board for not having certain criteria in place to operate as a youth baseball program. He said they were being threatened that their charter would be taken away if they did not start complying with the Pony Baseball rules. He reported that a lot of families are leaving the Pompano Beach Baseball League because they are "fed up" with the operation of the Board.

In conclusion, Mr. Martos indicated that the RBI (Reviving Baseball in the Inner Cities) program came from the Miami Marlins. However, this Board is denying all the inner city kids the opportunity to play in the summer program because they are bringing in their outsider ringers from other cities to play in the travel league. There is no website available. The ballfields being used are owned by the taxpayers, but is used for personal agendas. Mr. Martos requested that the City conduct an investigation into the lack of compliance with the state and federal laws. He also requested that the City of Pompano Beach Parks and Recreation Department take control of the Board until a new Board is elected as mandated by the regional Director and until By-laws are established to meet the justice and equity of all youth baseball family members in the City of Pompano Beach.

Mayor Fisher directed City Manager Harrison, as well as Mark Beaudreau, Parks and Recreation department to meet with Mr. Martos. He indicated that this is out of the Commission's purview, however, the City Administration and staff could find out what the allegations are and what can be done.

Comr. Sobel referred to the Charter Section 10 (7), which states, it is incumbent upon the Commission to "inquire into the conduct of any office, department or agency of the city and make investigations as to municipal affairs." Comr. Sobel requested a copy of the email Mr. Martos referred to earlier. Also, he suggested making a motion to have an investigation done so that the City Manager can bring back to the Commission an evaluation and a written report as to what he recommends.

Mr. Harrison asked if the Board is a 501(c)(3) organization.

Mr. Martos responded that it is part of the City's baseball program in the City.

Mr. Harrison recommended that prior to using the term investigation, could the Commission allow him to check with the City Attorney, meet with Mr. Martos and determine what parameters the City can legally enter regarding this issue.

Expression of Appreciation - Ron Boehl, 29 Havenwood Drive, Pompano Beach, FL, thanked the City Commission and Administration for all they have done for the City after the hurricane. He indicated that he has heard complaints in the City from different areas. However, some of the complainants need to move to cities such as Miami and Hollywood where the houses cannot be seen due to piles of debris. He said he has discovered that in the City the trash is being picked up but is replaced by more trash the next day or the day after. He believes people from other areas are bringing trash into the City and leaving piles all over. He also believes currently, the City is one of the cleanest city between Dade and Broward counties.

Recognizing Runette L. Hill Williams - Deetra Sands Durham, Family member of Runette L. Hill Williams, 2491 NW 16th Street, Fort Lauderdale, FL, on behalf of the family of Runette L. Hill Williams thanked the City Commission for bestowing honor upon her. She said, as stated earlier, Ms. Williams have lived her adult life in the City of Pompano Beach as a leader and a community servant. Therefore, she reiterated the family members thanks to the Commission for recognizing Ms. Williams' contributions to the community, and asked the members of family present to stand in agreement, which they did.

C.. SPECIAL ANNOUNCEMENT

Mayor Fisher announced that FEMA Mobile Registration Intake Center will have disaster survivor team members at the E. Pat Larkins Community Center, 520 Martin Luther King, Jr. Blvd., on Wednesday, September 27, 2017 through Tuesday, October 3, 2017 from 8:00 a.m. to 4:00 p.m. He said they will be assisting individuals with the household program registration process for those seeking assistance due to Hurricane Irma. The FEMA's individual and households program provide financial help or direct service to those who had necessary expenses and serious needs that are unable to meet those needs through other means.

D. CONSENT AGENDA

There was no discussion on Consent Agenda Items 2, 3, 5-7, 9, 11-14.

1. [17-582](#) Approve ranking order for RFP E-35-17 Fixed Base Operations at the Pompano Beach Airpark Parcel Y [Rebid], and authorize staff to negotiate a contract with the highest-ranked firm, MTT Airpark Holdings, LLC (No cost at this time.).
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

Comr. Sobel requested pulling the item for discussion because he needed more information regarding the ranking. He said it appears Steve Rocco, Air Park Manager, voted in favor of US Construction, however, the recommendation to the Commission is to approve the other contractor and he wanted to know if that was correct.

Robert McCaughan, Public Works Director, replied it is correct and explained that the proposals were first reviewed and then the presentations were done, but Mr. Rocco can verify the accuracy of the information.

Comr. Sobel indicated that after reviewing the Selection Committee it did not appear anybody from the Air Park Committee was involved in the ranking for this important selection. Mr. Rocco was essentially the only one with experience of aeronautics or with the air park itself, which is critical for decision of this type of operation. Notwithstanding, it is a long-term lease with significant amount of money involved. Therefore, he asked why were the members of the air park committee advisory board not included on the selection committee.

Mr. McCaughan responded that at a prior proposal to hire a consultant for the revision of the Air Park Master Plan, the Air Park Advisory Committee had turned down the invitation to sit on the Selection Committee but they left it up to the Air Park Manager's decision. They were very clear to say that they would prefer to see the results and afterwards would get involved. However, prior to staff presenting anything to the City Commission for approval concerning that plan, they wanted to be involved to review that. Based on the prior proposal, they appeared to be disinterested in the aspect of the review process, but wanted to be involved in the other issues.

Comr. Sobel is unsure of the process to assist in the decision making of the Commission, as once they approve the item, the City is “stuck with it.” He said there were some criticism by other Committee members who were on the committee of three regarding the financial wherewithal of the top ranking, MTT Airpark Holdings, LLC, and the nature of their business for this Fixed Base Operation (FBO). He asked if they will be building or proposing to build jets that involve runways that will require longer length than what is actually in place currently.

Mr. McCaughan replied no and explained the process. He said there will not be any revisions to air field configuration. It will still be a Class B Runway.

Comr. Sobel asked if staff could ensure that legal counsel for the city shortens up the time period so that the leases can be put together within a ninety day period, and that the loan commitment from the banking is within ninety days, rather than wait for a two year period before the opportunity arises, only to find out that there is no qualified contractor available.

Mark Berman, City Attorney, explained that the City cannot change the current Request For Proposal (RFP), but the terms could be changed in the future to make Comr. Sobel’s recommendation possible. The City Attorney’s office is willing and able to assist staff and the commission in the event there are suggestions for future changes of RFP’s. Nevertheless, he would be happy to discuss further with Messrs. McCaughan and Rocco to see if there are any necessary changes to be made.

Comr. Sobel wanted to ensure that the Commission agrees that a lease be executed as soon as possible in order to trigger the financing commitments to ensure it does not go on for the potential two year or longer period.

Mayor Fisher responded that everybody wants it to happen sooner rather than later to include the bidder.

Mr. McCaughan indicated that they had coordinated with Tracy Lyons of the City Attorney’s Office. In the future they will require financial documentation that the prospective bidder has the financial capabilities to secure the loan. Nevertheless, Comr. Sobel’s point has been noted and going forward they will accommodate it.

Mayor Fisher thanked the Committee for the 2 point difference between the two firms, which is one of the closest rankings he has seen for a long time. He also thanked the highest ranked firm for their 70% local participation and 50% SBE. He thanked Greg Spatz for what he has done for the Air Park, as well as Sheltair.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Approval Request be APPROVED. The motion carried by the following vote:

Yes: Hardin
Perkins
Sobel
Burrie
Fisher

Absent: Moss

2. [17-594](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NORTHWEST 16th STREET BOUNDED BY SANDERS PARK ELEMENTARY SCHOOL ON THE WEST AND DIXIE HIGHWAY (STATE ROAD 811) ON THE EAST TO A DUAL DESIGNATION OF RUNETTE L. WILLIAMS STREET AND NW 16TH STREET WITH NW 16TH STREET TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500.00 provided by requester)

(Staff Contact: Robert McCaughan)

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

Enactment No: RES. No. 2017-319

3. [17-613](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING A GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION ACCEPTING THE GRANT TO UPDATE THE AIRPORT MASTER PLAN STUDY AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Amount is \$373,167.00; City Cost Share is \$19,817.00)

(Staff Contact: Robert McCaughan/Steve Rocco)

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

Enactment No: RES. No. 2017-320

4. [17-637](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE AMENDED RESIDENTIAL AND NON-RESIDENTIAL FLEX RECEIVING AREA MAP; PROVIDING AN EFFECTIVE

DATE.

(Fiscal Impact: N/A)

(Staff Contact: David Recor/Jean E. Dolan)

Comr. Sobel pulled the item for City Commission discussion. He wondered about the County proposed changes for this area map in amending the flex zones with the exception of the barrier island. He asked if there are any additional density being allowed for the barrier island in District 1.

Jean Dolan, Development Services Department, replied that is correct and explained that the flex receiving area has always excluded the barrier island since the City compressed the flex zones in 2011. She indicated that the County changed their rules to allow all cities to be one flex zone.

Comr. Sobel asked for an explanation of what the purpose is of the provision and what the County hopes to accomplish in terms of the City's applicability. Also, because there are so many moving parts to the ETOC (Eastern Transit Overlay Corridor) being proposed, was this taken into consideration.

Ms. Dolan replied that flexibility is not related to the ETOC and explained flexibility in detail.

Mayor Fisher pointed out that this is a Broward County Land Use Plan Amendment that they are looking to every city to make this amendment to their land use amendment.

Ms. Dolan responded that is correct and said it is necessary to become compliant. However, the City can be more restrictive, which is what staff has chosen to do.

Ed Phillips, 385 NW 19th Street, Pompano Beach, FL, questioned if this item 4 would have any correlation with item 29 and flex units.

Ms. Dolan replied yes. She explained item 29 is the text amendment that goes along with the map amendment. Therefore, Chapter 154 is the code that rules how flex is distributed so it relates directly to the map.

Mr. Phillips expressed concern because the flex units correlate with low to moderate income housing and affordable housing. He asked if a fee still applies with flex units.

Mayor Fisher indicated that it deals with when there are more than 100 units involved. There is a requirement to provide certain portions of those to be affordable and there is an opportunity to do a buyout, which Ms. Dolan confirmed it is correct.

Joe Ryan, Pompano Beach, FL, expressed his concern regarding zoning and asked why the City has been so lax in enforcing it long before the storms.

Bishop Ivory Wilson, Pompano Beach, FL, asked if there are plans to use the flex zoning on the properties on NW 27th Avenue. He said he has heard about proposed plans to build low income houses on the corridor of

NW 27th Avenue, between NW 5th Street and 7th Street, which is currently commercial property. He said he would not want to see low income come to the area rather for it to be used for commercial.

Mayor Fisher clarified that Comr. Moss has been working to get that area in NW 27th Avenue zoned to single family, so it would not be multi-family, which Comr. Moss confirmed that is correct.

Mr. Bishop stated he along with the people of the community wants commercial, however, Mayor Fisher recommend he meets with the community because they have expressed that they want single family in that corridor.

Comr. Moss explained the plan is not for low income but affordable housing. Also, the Collier City Civic Association and neighbors in a recent meeting with the CRA, made comments and he understands it will be brought to a meeting on Wednesday, September 27,2017.

A motion was made by Commissioner Hardin, seconded by Mayor Fisher, that the Resolution be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-321

5. [17-633](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND INDUSTRIAL DEVELOPMENTS INTERNATIONAL, LLC FOR SITE IMPROVEMENTS AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST COPANS ROAD AND BLOUNT ROAD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: David Recor/Scott Reale)

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

Enactment No: RES. No. 2017-322

6. [17-638](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY

OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND INDUSTRIAL DEVELOPMENTS INTERNATIONAL, LLC FOR SITE IMPROVEMENTS AT THE WEST END OF NW 33 STREET ADJACENT TO FLORIDA'S TURNPIKE, SOUTH OF SAMPLE ROAD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: David Recor/Scott Reale)

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

Enactment No: RES. No. 2017-323

7. [17-603](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

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

Enactment No: RES. No. 2017-324

8. [17-631](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DENOUNCING HATE, EXTREMISM AND BIGOTRY; SUPPORTING STEPS TO COMBAT HATE, EXTREMISM AND BIGOTRY; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Comr. Perkins pulled the item for City Commission discussion, and she questioned about the meaning and purpose of the resolution.

Mark Berman, City Attorney, explained this would be consistent with resolutions that were prepared in most cities in Broward County. It is a united effort with request from one city to another to adopt the resolution. Furthermore, it would set some goals and standards to reduce the amount of bigotry, hatred and racism in the communities. Therefore, all communities in Broward County is standing together to make a statement that this would not be tolerated and would make a joint effort to stamp it out of Broward County.

Comr. Perkins wondered why this is now being placed on the agenda if there were any known extremists.

Mayor Fisher indicated he requested City Attorney Berman to place the item on the agenda as all the cities in Broward County are participating in this effort, as well as those cities across the country. This is a statement declaring the City will not tolerate hatred, bigotry and racism. This is not targeting anyone specific, and it would declare that the City will stand up for residents from all “walks of life.”

Ed Phillips, Pompano Beach, FL, agree to put this type of statement in writing. He indicated for the things that have been happening within the country over the last couple of years, it behooves the government to respond not just with lip service but to put it in writing. The second stage would be to enforce it. He commended the Commission for putting it in writing.

Mayor Fisher stated that it is most important for the people of the communities to embrace it and to become one and ensure those actions will not be tolerated in the City of Pompano Beach. Therefore, we will come together as one city and one unit to do it.

Patrick Jovanov, 411 NE 18th Avenue, Pompano Beach, FL does not understand how the resolution was formulated, however, he suggested adding to the resolution some things that are specific to Pompano Beach, such as child abuse, human trafficking, elder abuse and derogatory terms, which he commented on in detail.

Carmen Jones, 721 NW 16th Street, Pompano Beach, FL, reminded the community and the City Commission that residents have already began to make painful steps in stamping out bigotry, hatred, anti-Semitism, etcetera. She stated that the City of Pompano Beach hosted a meeting of a national organization of black elected law enforcement officers by the name of Knoble in a unified effort across the law enforcement board, the state attorney Broward County, the City’s Vice Mayor was there giving a proclamation. They came together uniformly saying that they stand against this sort of thing in the City of Pompano Beach. She then cited two cases that were painfully, actively, and quickly stamped out this type of thing when there was a police shooting. There was another incident that resembled an incident with the noose in the Fire Department and Chief John Jurgle started a quick investigation to stamp that out.

Finally, Ms. Jones commended the Mayor and the Commission for putting this in writing after some painstaking steps have been taken.

Tom Terwilliger, Pompano Beach, FL, stated that minorities will agree that the problem has existed many years. He said it does not mean we do not want to make Pompano Beach a better place. He said it means the resolution is a lot of words with no power to back it up and has no authority. He stated that the Commission needs to fix its own house before it tries to influence national politics. He then commented on the various lack that continues to be evident within the City, and that the City Commission should focus on getting these issues resolved. Therefore, he stated that the Commission needs to enforce the many resolutions and ordinances on the books rather than create new ones.

Mayor Fisher concluded that “no good deed goes unpunished” when trying to get the City to stand together as one against such hatred, bigotry and anti-Semitism and all those things. Mayor Fisher indicated that he supports and hopes the Commission would support the effort of no tolerance for hatred and so forth in the City and to do everything to ensure it is not tolerated.

Mandy Striggles, Pompano Beach, FL, stated it is a great resolution. However, she challenged the Mayor and Commissioners to ensure they are setting the example. She indicated that cultural sensitivity and so forth is in alignment with this resolution. She mentioned that she has attended numerous meetings and felt insulted as a professional, a woman, and as an African-American, by some of the words and statements that have been said from the dais. Therefore, this resolution is great.

Bishop Ivory Wilson, Pompano Beach, FL, inquired about the meaning and level of extremism as stated in the resolution and provided his interpretation of the meaning of extremism and bigotry and how it has affected the citizens of Pompano Beach.

A motion was made by Commissioner Hardin, seconded by Commissioner Perkins, that the Resolution be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-325

9. [17-617](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, WAIVING FORMAL COMPETITIVE BIDS FOR THE PURCHASE OF THREE HYDRAULIC STRETCHERS, SEVEN POWER LOAD SYSTEMS AND COMPATIBILITY KITS TO UPGRADE FOUR HYDRAULIC STRETCHERS FROM STRYKER SALES CORPORATION IN THE AMOUNT OF \$195,728.00; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$195,728.00)

(Staff Contact: John Jurgle)

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

Enactment No: RES. No. 2017-326

10. [17-623](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2017-258; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT AND A DISTRICT FOUR MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF IMPROVEMENTS TO BE INSTALLED UNDER

CONSTRUCTION AGREEMENT NUMBER 2016-C-491-0004 ON STATE ROAD 814 (EAST ATLANTIC BLVD.), BRIDGE NO. 860157, BEGINNING FROM WEST ABUTMENT AT MILE POST 7.65 TO EAST ABUTMENT AT MILE POST 7.72; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

Comr. Perkins pulled the item for City Commission discussion. She asked for clarification on District 4 Maintenance Memorandum of Agreement with the City, and questioned whether two different subjects is addressed in the one resolution.

Horacio Danovich, CIP Manager, explained the Commission approved one resolution authorizing the City to start the process with Florida Department of Transportation (FDOT) for staff to sign on one particular document. This is one of three documents that FDOT requires the City to sign to acquire permits to perform the work that needs to be done on Atlantic Boulevard, controlled by FDOT District 4.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-327

11. [17-601](#) 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 ROTARY CLUB OF POMPANO BEACH - LIGHTHOUSE, INC. FOR THE USE OF FIELD #2 AT FOUR FIELDS COMPLEX AT COMMUNITY PARK FOR A PET RESCUE AND ADOPTION EVENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$696 in-kind services waived - Exhibit E)

(Staff Contact: Mark A. Beaudreau)

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

Enactment No: RES. No. 2017-328

12. [17-646](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BEACH EAGLES, INC. TO OPERATE THE CONCESSION STAND AT A NEW LOCATION IN NORTH POMPANO PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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

Enactment No: RES. No. 2017-329

13. [17-648](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO COWBOYS BOOSTER CLUB, INC. TO OPERATE THE CONCESSION STAND AT MCNAIR PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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

Enactment No: RES. No. 2017-330

14. [17-649](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO CHIEFS FOOTBALL TEAM, INC. TO OPERATE THE CONCESSION STAND AT MITCHELL/MOORE PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

A motion was made by Commissioner Hardin, seconded by Vice

Mayor Burrie, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2017-331

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that items 15-19 are listed under Quasi-Judicial Proceeding and are 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.

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

15. [17-619](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE RICK CASE HABITAT COMMUNITY PLAT GENERALLY LOCATED ON THE SOUTHWEST CORNER OF NW 15TH STREET AND NW 6TH AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

David Recor, Acting Director of Development Services Department presented the item as an application proposing to plat the 10-acre property located at the southwest corner of NW 15th Street and NW 6th Avenue. Habitat for Humanity, Inc. desires to plat the property in order to construct 77 single family residential dwelling units. The property was rezoned to RPUD (Residential Planned Unit Development), which included the developer's agreement as a Land Use Designation of M (Medium Residential). In addition, the plat request is in compliance with both the RPUD master plan as well as the developer's agreement. The Planning and Zoning Board granted the major site plan approval on April 26, 2017 and listed the plat approval as a condition of its approval. At its June 18, 2017 meeting, the Planning and Zoning Board approved the plat after the three conditions specified were met. They had to provide a title certificate made out to the City of Pompano Beach less than six months old, obtain a letter submitted by all service providers and the plat cover page must be signed and sealed by the surveyors. Staff recommends approval of the plat as submitted.

Donna West, HSQ Group, Inc. 1489 W Palmetto Park Road, Suite 340, Boca Raton, FL 33486, was available to answer questions.

Comr. Perkins indicated that she would vote for the plat but is still awaiting the traffic study report.

William Hughes, 5957 SW 112 Street, Cooper City, FL, Habitat for Humanity, indicated that they are engaging the traffic consulting but will commence right after school began after the hurricane break.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-332

16. [17-557](#) **P.H. 2017-83: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF THE RIGHT-OF-WAY CONSISTING OF VARIOUS WIDTHS ADJACENT TO SW 9TH AVENUE, LYING EAST OF I-95 AND NORTH OF THE INTERSECTION OF SW 9TH AVENUE AND SW 8TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

TABLED FROM JULY 25, 2017

(Staff Contact: Maggie Barszewski/David Recor)

David Recor, Acting Director of Development Services Department presented the item as an application abandoning a portion of unimproved public right-of-way (ROW) located at SW 9th Avenue between SW 8th Street and SW 7th Street. The width of the ROW varies from 30-60 feet. The applicant desires to construct a duplex structure on the property that lies adjacent to the proposed abandonment. Staff has determined that the request meets the review criteria for abandonment, namely that the ROW or easement is not now or in the foreseeable future will be of any public benefit to the City or its inhabitants. In addition, the vacation or abandonment of the ROW or easement is consistent with the City's Comprehensive Plan.

On October 6, 2016, the Planning and Zoning Board unanimously recommended approval of the full abandonment subject to two conditions. 1) Comments are received by each service provider or until sixty days from the date of the recommendation whichever occurs first, as well as 2) the easement shall be recorded in the ordinance that satisfies the engineering and utility departments. The utility easement is divided among three property owners, which is reflected in Exhibit B with three separate legal descriptions. The three property owners were notified and they have concurred. Staff recommends approval of the abandonment as presented.

Jean Emanuel, 7107 NW 47th Lane, Coconut Creek, FL, 33073, was available to answer questions.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to remove the item from the table. The motion carried

unanimously.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

17. [17-558](#) **P.H. 2017-84: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING ORDINANCE NO. 2005-45 TO MODIFY EXHIBIT 'A,' LEGAL DESCRIPTION, TO INCLUDE ADDITIONAL AREAS IN THE ABANDONMENT OF THOSE CERTAIN UTILITY EASEMENTS AND RIGHTS-OF-WAY WITHIN THE FERNANDER/WRIGHT SUBDIVISION RECORDED IN PLAT BOOK 159, PAGE 6 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING NORTH OF NORTHWEST 15TH STREET AND WEST OF ROBERT MARKHAM ELEMENTARY SCHOOL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

TABLED FROM JULY 25, 2017

(Staff Contact: Maggie Barszewski/David Recor)

David Recor, Acting Director of Development Services Department presented the item as a legal description modification request for the Fernander Wright Subdivision to enable a previously approved abandonment to follow through with the Broward County phase of the abandonment approval process. On April 26, 2015 the City Commission approved an ordinance to abandonment the ROW in the Fernander Wright Subdivision. The applicant at that time was unaware of the County's approval requirement. Therefore, the County is requiring minor modifications to be added to the legal description. Mr. Recor mentioned the intent of the original abandonment as well as the omission in the legal description on the map. He concluded that the modified legal description has been attached to the ordinance to ensure that the small pieces do not remain on the plat as public ROW. Staff recommends the approval of the modified legal description as presented.

Donna West, HSQ Group, Inc. 1489 W Palmetto Park Road, Suite 340, Boca Raton, FL 33486, representing the property owner was available to answer questions.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to remove the item from the table. The motion carried unanimously.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

18. [17-614](#) **P.H. 2017-89: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA REZONING PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD AND NORTH POMPANO BEACH BOULEVARD, BOUNDED ON THE NORTH AND SOUTH BY NE THIRD STREET AND NE SECOND STREET, TO AMEND THE PD-I (PLANNED DEVELOPMENT INFILL DISTRICT) WITHIN THE ATLANTIC BOULEVARD OVERLAY DISTRICT, BY AND THROUGH MODIFICATION OF THE CURRENT APPROVED MASTER PD PLAN; PROVIDING FOR CONFORMANCE TO A PLANNED DEVELOPMENT PLAN AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Daniel Keester/David Recor)

David Recor, Acting Director of Development Services Department presented the item as a City initiated rezoning request for the pier. The subject property is approximately 4 acres in size, platted and located west of Pompano Beach Boulevard between NE 3rd Street and NE 2nd Street. In 2015, the City Commission adopted an ordinance to rezone the subject property to a PDI (Planned Development Infill) zoning district with an approved master plan for the construction of a new parking garage, several retail and restaurant spaces, onsite ground level parking and the development of Pier Street. The current rezoning request seeks to expand the list of permitted uses within the Planned Development. The original PDI application included restaurants and retail as permitted uses. The revised master plan proposes changes to the area identified as R-5. Parcel R-5 on the master plan proposes a five story hotel with a 23,000 square foot building foot print. On June 18, 2017, the Planning and Zoning Board unanimously recommended approval of the rezoning request. Staff recommends approval of the rezoning as presented.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Hardin
 Moss
 Perkins
 Sobel
 Burrie
 Fisher

19. [17-655](#) **P.H. 2017-93: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING AT THE SOUTHEAST CORNER OF N.W. 27TH AVENUE AND N.W. 34TH PLACE FROM I-1 WITH A PCI (PLANNED COMMERCIAL/INDUSTRIAL OVERLAY) to I-1 (GENERAL INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David L. Recor)

David Recor, Acting Director of Development Services Department presented the item as a request for rezoning by Exit 69 LLC. The applicant is proposing to rezone the subject property from I-1/ PCI (Planned Commercial Industrial/Overlay) to I-1 (General Industrial). The property is located at 3420-3456 NW 27th Avenue, which is approximately 9 acres in size. The property currently has two existing one-story warehouse buildings totaling 19,210 square feet. In January 1998 the City Commission approved a modification of an I-1 PCI zoning district. Mr. Recor mentioned the intent of the PCI/Overlay was to restrict the usage of the property to self-storage and parking in accordance with the approved master plan. The applicant proposes to revert to the underlying general industrial zoning district to allow additional permitted uses on the property. The Planning and Zoning Board reviewed the zoning request at its July 26, 2017 meeting and voted 6-1 to recommend approval. Staff recommends approval of the rezoning as presented.

Tara Lynn Patton, 10805 Gleneagles Road, Boynton Beach, FL, concurs with staff's recommendation and indicated she was available to answer questions.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Hardin
 Moss
 Perkins
 Sobel
 Burrie
 Fisher

END OF QUASI-JUDICIAL PROCEEDING

20. [17-549](#) **P.H. 2017-81: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO

BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 32.47, "PUBLIC-PRIVATE PARTNERSHIPS," AND BY CREATING SECTION 32.48, "UNSOLICITED PROPOSALS," TO CODIFY THE PROCUREMENT PROCEDURES TO BE USED FOR PUBLIC-PRIVATE PARTNERSHIPS AND UNSOLICITED PROPOSALS CONSISTENT WITH SECTION 255.065, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 26, 2017

(**Staff Contact:** Greg Harrison/Suzette Sibble)

Greg Harrison, City Manager presented the item and indicated that in July 2016 Governor Rick Scott signed two bills into law that provided for public private partnerships throughout the State of Florida in an effort to provide additional guidance to local governments to implement P3 type projects. He had recently attended a conference regarding these type of projects and learned a lot more about the process. Therefore, he feels that eventually the City would come across the right private partner and come up with a way to finance needed unfunded projects. Prior to discussing with any entity, this ordinance must be adopted, as per legal advice, so that the local ordinance will coincide with the state law.

Mayor Fisher indicated that the City really need the P3 type projects to get going.

Comr. Hardin understands the City has nothing on the books regarding the P3's and that some legal framework is necessary to proceed. However, regarding the unsolicited portion of the ordinance, the City has dealt with unsolicited proposals in the past, and asked if something changed in this regard.

Mr. Harrison responded that the only thing that would be changed would be if the unsolicited proposal had something to do with a construction project, for example, under the Florida State rules approved in July 2016. He understands that the ordinance is necessary to get the City in sync with state law.

Mark Berman, City Attorney, indicated that City Manager is correct in his explanation. However, he added that an unsolicited project that would qualify as a P3 project under Section 255 of the Florida Statutes is different from just any unsolicited proposal. It deals with financing mechanisms, and payment over the years. Normally, for example, a parking garage being built, the City would not put out any money for it, but the City would pledge the revenues from the garage. In other words, it is a different mechanism of financing, which are often the ones where the local government does not have to "reach into their pockets" yet they get the facility needed and someone else gets the benefit from the income from that facility. He provided some examples of similar projects, to include I-595 improvements that was recently done.

Additionally, Mr. Berman explained the proposed ordinance is similar to ones utilized by the City of Miami and other cities that have P3 ordinances in place, which will get the City into the game.

In sum, Mr. Berman stated that this would be for unsolicited proposals under the P3 section of the ordinance and only deals with P3 type projects. In fact, the ordinance provides for multiple opportunities as the City

Manager can turn it down and nothing gets approved or done until it is brought for two readings at a public hearing to the City Commission. It is fully vetted and if the City Commission does not like it then it goes no further. The City Commission would have control over it. The ordinance is designed to allow for a person to make a proposal and if the City Commission like or does not like the proposal, it will take the appropriate action.

In response to Comr. Hardin's question, Mr. Berman replied that the Florida Statutes existed for years but the last signed bill modified it and changed some of the conditions based on the use and history of earlier projects.

Comr. Sobel asked if the Florida Statutes procedural changed them, because it looks like a number of procedural changes were made in the statute that the City Attorney is currently implementing into the local City ordinance and asked if that was correct.

Mr. Berman responded that is correct and it takes care of the changes in the law.

Comr. Sobel indicated that his only concern was with the \$25,000 minimum application fee required and asked if that was in the state statute that the City carried forward.

Mr. Berman recalled that the state statute provides that a municipality can charge the cost of staff's review, which some of the larger projects will take that. The ordinance provides that if the \$25,000 is not utilized a refund is given. If it costs more money and staff's time as well as other expenses then the City can seek additional funds. Moreover, the amount is consistent with other cities throughout South Florida.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie to remove the item from the table. The motion carried unanimously.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

21. [17-657](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE PROFESSIONAL SERVICE AND LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CREATIVE CITY COLLABORATIVE OF POMPANO BEACH, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$629,341.00)

(Staff Contact: Phyllis Korab/ Mark Beaudreau/ Terrell Fritz)

Phyllis Korab, Assistant City Manager, presented the item, which is for a third amendment to extend an agreement between the City and Creative City Collaborative (CCC) of Pompano Beach who is currently responsible for programming, operating and maintaining the City's Cultural Center as well as the Amphitheater. The extension would be for a six month period, which would run from October 1, 2017 until March 30, 2018. The CCC current agreement expires on September 30, 2017, therefore, the extension would provide a transitional period to allow for the programming and operation commitments currently in place at the Cultural Center and the Amphitheater.

Additionally, Ms. Korab provided a list of activities that the extension period would facilitate.

- 1) To allow the City to complete its negotiations and present the City Commission with a proposed agreement with AEG Live SE, LLC for the enhancement, programming and operation of the Amphitheater.
- 2) To assist staff to continue to determine the optimal use and community impact of the arts at the Cultural Center.
- 3) To assist staff to continue to work toward the buildout of the Cultural Center's Digital Media Center component.
- 4) To allow staff to continue to participate actively in the National Endowment for the Arts, (NEA) Our Town "Pompano Beach Crossroads" grant program recently awarded to the City.
- 5) To assist staff to continue strengthening the Community Outreach and partnerships.
- 6) To enable staff to establish and appropriately staff a new cultural department in keeping with the City's commitment to keep cultural arts within the City and the region.
- 7) To enable the hiring of a Cultural Affairs Manager to lead the department and direct the City's cultural activities into the future.

Finally, Ms. Korab indicated that the item is in compliance with the Great Place of Strategy of the City's Strategic Plan, which is intended to develop, and promote cultural and heritage tourism opportunities for the City. In addition, it supports the goals and initiatives of the adopted cultural arts master plan. Therefore, staff recommends approval of the item. Mark Beaudreau, Recreation Programs Administrator and Terrell Fritz, Cultural Arts Consultant, are both available to answer questions.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-333

22. [17-656](#) Approval to award Bid #E-37-17 Reuse System Northeast Expansion Phase I to the lowest responsive, responsible bidder, DBF Construction, LLC, in the amount of \$1,735,001.00.
(Fiscal Impact: \$ 1,735,001.00)

(Staff Contact: A. Randolph Brown)

A. Randolph Brown, Utilities Director, presented the item as the construction project that staff is requesting the City Commission to approve. He said it will allow the building of approximately 10,000 feet of pipe, which is the backbone for the reuse system from NE 14th Street up through to Lighthouse Point. Staff has acquired three grants in the amount of \$700,000 to assist with the funding of the project.

Comr. Hardin noted that the low bid is a little longer proposal and asked if it would create problems for the schedule.

Mr. Brown responded that they will be working with the bidder on that.

Mayor Fisher indicated that the bid was awarded to a local firm.

In response to Comr. Sobel's question Mr. Brown responded it is scheduled for completion on September 1, 2018.

Mayor Fisher thanked the City of Lighthouse Point officials who worked closely with the City's team and even though they encountered rocky roads they worked through them and the residents were excited with the results. He also thanked Mr. Brown and his team for making it happen.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Approval Request be APPROVED. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

23. [17-523](#) **P.H. 2017-70: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, AMENDING CHAPTER 151, "BEACHES AND WATERWAYS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 151.05, "SEAWALLS," TO MODIFY REQUIREMENTS FOR CONSTRUCTION OR REPAIR OF SEAWALLS AND BY MODIFYING REFERENCES; AND BY AMENDING SECTION 151.08, "STRUCTURES ON WALLS," TO MODIFY THE TYPES OF STRUCTURES THAT MAY NOT BE ERECTED ON TOP OF OR OVER SEAWALLS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 11, 2017

TABLED FROM JULY 25, 2017

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer presented the item and indicated that there were no changes since the first reading before the City Commission.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie to remove the item from the table. The motion carried unanimously.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: ORD. No. 2017-69

24. [17-524](#) **P.H. 2017-71: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 91, "BOATS AND WATER RECREATION," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 91.10, "DOCKING AND LIVING ABOARD BOATS," TO PERMIT NON-PARALLEL DOCKING OF UP TO FOUR PERSONAL WATERCRAFT STORED OUT OF THE WATER ON A FLOATING PLATFORM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 11, 2017**TABLED FROM JULY 25, 2017****(Staff Contact:** John Sfiropoulos)

John Sfiropoulos, City Engineer presented the item and indicated that there were no changes since the first reading before the City Commission.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie to remove the item from the table. The motion carried unanimously.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: ORD. No. 2017-70

25. [17-632](#) A RESOLUTION APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN POMPANO CAPITAL PROPERTIES, LLC AND THE CITY OF POMPANO BEACH FOR THE PURCHASE OF PROPERTY LOCATED AT 223 NE 13TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$313,000.00)

(Staff Contact: Greg Harrison/Chris Brown)

Greg Harrison, City Manager presented the item and indicated that both Comrs. Perkins and Sobel were not on the Commission when the first property was purchased and the explanation was given regarding the security for the water treatment plant. Therefore, he provided a detail explanation of the total plan for the area. He indicated that the City will continue to acquire surrounding properties for ultimate control and protection of the area.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-334

26. [17-547](#) **P.H. 2017-82: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 96, "HEALTH AND SAFETY," BY CREATING SECTION 96.61, "STYROFOAM/POLYSTYRENE FOOD SERVICE ARTICLES," PROVIDING FOR PROHIBITIONS REGARDING SALE OR USE OF EXPANDED POLYSTYRENE FOOD SERVICE ARTICLES BY CITY CONTRACTORS AND SPECIAL EVENT PERMITTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

TABLED FROM JULY 25, 2017

(Staff Contact: David Recor/Jean Dolan)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie to remove the item from the table. The motion carried unanimously.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be TABLED to December 12, 2017 City Commission Meeting. The motion carried unanimously.

27. [17-618](#) **P.H. 2017-90: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO MODIFY RATES AND SERVICE CHARGES FOR COLLECTION OF RESIDENTIAL AND COMMERCIAL GARBAGE AND BULK WASTE IN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A (Pass Thru))

(Staff Contact: Robert McCaughan)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be TABLED to the November 14,

2017 City Commission Meeting. The motion carried unanimously.

28. [17-621](#) **P.H. 2017-91: (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 MASTER SOLAR ENERGY AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: City to receive payments of \$18.00 per Kilowatt from Canopies)

(Staff Contact: Horacio Danovich)
A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be TABLED to the December 12, 2017 City Commission Meeting. The motion carried unanimously.

29. [17-651](#) **P.H. 2017-92: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 154, "PLANNING," BY AMENDING SECTION 154.60, "DEFINITIONS," TO BE CONSISTENT WITH THE CHANGES MADE THROUGH THE "BROWARDNEXT" PROCESS AND ADOPTED INTO THE 2017 BROWARD COUNTY LAND USE PLAN; BY AMENDING SECTION 154.61, "RESERVE AND FLEXIBILITY UNITS," TO REMOVE REFERENCES TO RESERVE UNITS; DEFINE HOW THE NEW FLEXIBILITY AND REDEVELOPMENT UNITS ARE ALLOCATED TO PROPERTIES WITHIN THE CITY OF POMPANO BEACH THROUGH ADOPTION OF A RESIDENTIAL AND NONRESIDENTIAL FLEXIBILITY RECEIVING AREA MAP AND A REDEVELOPMENT UNIT RECEIVING AREA MAP; TO CLARIFY THE APPLICATION AND PROCESSING PROCEDURE AND THE REVIEW STANDARDS FOR APPROVAL OF A FLEXIBILITY ALLOCATION; TO ADD REDEVELOPMENT UNITS TO THE AFFORDABLE HOUSING REQUIREMENTS AND TO PROVIDE FOR AN IN LIEU OF FEE OPTION FOR THE AFFORDABLE HOUSING REQUIREMENT; BY CREATING SECTION 154.62, "NONRESIDENTIAL FLEXIBILITY," TO PROVIDE FOR THE USE OF NONRESIDENTIAL FLEXIBILITY; BY AMENDING SECTION 154.80, "AFFORDABLE HOUSING CONTRIBUTIONS," TO ADD AN IN LIEU OF FEE CONTRIBUTION FOR AFFORDABLE HOUSING REGULATIONS WITHIN CHAPTER 154.; AND BY AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING APPENDIX C: "FEE SCHEDULE," TO REVISE THE FEE SCHEDULE TO CONFORM TO AMENDMENTS MADE BY THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: David Recor/Jean E. Dolan)

Jean Dolan, Development Services Department, presented the item and indicated that as discussed earlier on item 4 with the map amendment, the County and the "BrowardNext" process has modified the flex allocation

provision through the “BrowardNext” planning process and the City has revised Chapter 154 to reflect the changes, so that the next flex application will be done in accordance with the new procedures.

Additionally, Ms. Dolan indicated that they created a buyout provision for the affordable requirement in Chapter 154 and explained in detail what was done in the past as well as the proposed provisions for the future. She indicated that they modified the fee schedule and explained the reasons.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, asked how much of a dollar buyout the developer would have to pay if the City desired to remove affordable housing from a project.

Ms. Dolan replied it is \$2,333 per unit and it can be revised every three years based on City ordinance adopted.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

29A. [17-667](#) AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TO TEMPORARILY SUSPEND BUILDING PERMIT FEES FOR DAMAGE CAUSED BY HURRICANE IRMA SUBJECT TO SPECIFIC CONDITIONS; MAKING FINDINGS AND ESTABLISHING REQUIREMENTS RELATED TO SAID SUSPENSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Meeting went into Recess

Meeting Reconvened

Mark Berman, City Attorney presented the item and he apologized for bringing the item as an addendum to the agenda. He indicated that last week the City Manager in consultation with other cities, as well as the Mayor and or Commissioners made a determination that it was appropriate to suspend building permit fees to repair damages for at least a limited amount of time. Also, for structural damages caused to the City’s residences due to Hurricane Irma. The announcement was made and appeared on the City’s website. However, after researching the issue Mr. Berman stated he determined that the City Manager’s action should be formalized

and approved by the Commission to ensure the action is not challenged by any organization. There are entities that receive percentages of City's fees and since there will be no fees during this period he just wanted to ensure the Commission acted as a whole and provide the Commission with the opportunity to ratify the decision of the City Manager made under these emergency circumstances.

Additionally, Mr. Berman indicated that the ordinance is clear that it would have to be documented that damages were caused by Hurricane Irma to its extent. It is a temporary suspension, and it does not waiver or abrogate requirements to follow the Florida building code to include obtaining a building permit. It waives the fees and helps the residents by making it more affordable to effectuate needed repairs to their homes.

Mayor Fisher thanked City Manager Harrison for his action.

Greg Harrison, City Manager noted that he did visit each member of the Commission on the matter, prior to making the administrative policy.

Tom Terwilliger, Pompano Beach, FL, applauded the City Manager on his efforts. He asked since it was a temporary ordinance was there a length of time associated with the duration.

Mr. Berman responded that it will continue on a month to month basis until the City Manager provides a written declaration that the suspension is no longer necessary to protect public health safety and property and general welfare.

Comr. Sobel thanked City Manager Harrison and City Attorney Berman for taking these steps on behalf of the residents to act so quickly to assist in times of need to help residents get back on their feet.

Mr. Berman indicated that it is permissible under Florida Statutes as an emergency ordinance and asked for a second reading as an emergency item, as well as two thirds vote will be required for the passage of the ordinance. He noted that the advertisement provision was waived, because of the emergency nature.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that 2nd Reading be declared an emergency reading and that the Ordinance be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: ORD. No. 2017-71

30. [17-625](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING PATRICIA A. DESANCTIS TO THE GOLF

ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 27, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Patricia A. DeSanctis, District 1

Gene Pridemore, Coral Springs/District 3

Richard Sasso, Lighthouse Point/District 4

(Staff Contact: Asceleta Hammond)

Mayor Fisher indicated that there are two applicants who reside outside the City and asked City Attorney Berman to clarify how members are appointed to this board.

Mark Berman, City Attorney, stated that as per Section 33.051 of the Pompano Beach Code of Ordinances, subsection reads, "The Golf Advisory Board shall consist of six members who are residents and real property owners of the City and shall be appointed by resolution to the Commission."

Mayor Fisher indicated that there is an application from Patricia DeSantics that would qualify for the position.

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name PATRICIA A. DESANCTIS, and that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-335

31. [17-626](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____ TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF GARY S. RUDERMAN, ALTERNATE 1; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-625 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

Mayor Fisher requested tabling the item for thirty days for the next meeting to obtain more qualified applications to fill the spot.

Comr. Hardin suggested that City Clerk Hammond send out letters to the two applicants informing them that they could not be considered for appointment to serve on this particular board, due to the membership provision in the Ordinance.

A motion was made by Commissioner Hardin, seconded by Commissioner Moss, that the Resolution be TABLED for thirty (30) days. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

32. [17-628](#) 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, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Gladys M. Sutton, District 2, *Incumbent*

Jimmie L. Glenn, District 4, *Incumbent*

Latoya T. Almonord, District 1

Lisa Ferreri, District 1

Michelle Rhoulhac, District 2

Sharon Stone-Walker, District 2

Charles H. Bechert, III, District 3

Whitney Ann Metevia, District 3

David Baumwald, District 4

JaMeesha Bernadin, District 4

Marcus A McDougale, District 4

Shelton Pooler, District 4

Whitney Rawls, District 4

Mary S. Phillips, District 4

Jessie Walker, District 4

Joseph Wells, District 4

Andy Cherenfant, District 5

Bridget Jackson, District 5

Doreen L. Malcolm, District 5

Clovis B. Nelson, District 5

(**Staff Contact:** Asceleta Hammond)

Mark Berman, City Attorney stated that the Pompano Beach Housing Authority is a separate body politic not

affiliated with the City of Pompano Beach and was not an agency of the City. However, the Florida Statutes Section 421.05, which stipulates the appointment qualifications for public housing and it states specifically, "When a governing body of a City adopts a resolution forming a housing authority, the Mayor with the approval of the governing body shall promptly appoint no fewer than five persons, and no fewer than seven persons as commissioners of the authority created for such city. Each housing authority, shall have at least one commissioner who is a resident currently in rent and housing project or a person of lower or regular income who resides within the housing authority's jurisdiction and is receiving a rent subsidy through a program administered by the authority."

In sum, the procedure is the Mayor with the approval of the governing body appoints to the Board.

Mayor Fisher noted that two additional applications were submitted to the City Commission, one from Andy Cherenfant as well as Whitney Ann Metevia, who are both qualified for the position. Therefore, Mayor Fisher nominated Whitney Rawls name to be inserted for item 32, seconded by Comr. Hardin. Comr. Perkins indicated that she would abstain from voting and indicated that she has a family member that is the Executive Director of the Housing Authority. While it may not be a conflict of interest, she chose to recuse herself from voting to make it fair.

A motion was made by Mayor Fisher, seconded by Commissioner Hardin to insert the name WHITNEY RAWLS and that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin
Moss
Sobel
Burrie
Fisher

Recused: Perkins

Enactment No: RES. No. 2017-336

33. [17-629](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING WHITNEY ANN METEVIA TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-628 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Mayor Fisher, seconded by Commissioner Hardin to insert the name WHITNEY ANN METEVIA and that the

Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin
Moss
Sobel
Burrie
Fisher

Recused: Perkins

Enactment No: RES. No. 2017-337

- 34. [17-641](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CLAUDIA MCMAHON TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2019; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Joan Kovac, District 1, *Incumbent*
Claudia McMahon, District 3, *Incumbent*
Alice Chattman, District 4/Alternate 1
Keith Haag, District 1/Alternate 2
Mary C. Antoine, District 1
Claudia Mazzocchetti, District 1

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name Claudia McMahon and Commissioner Sobel nominated Keith Haag. The Resolution was ADOPTED by inserting the name CLAUDIA MCMAHON. The motion carried by the following vote:

Yes: Hardin
Moss
Burrie
Fisher

No: Perkins
Sobel

Enactment No: RES. No. 2017-338

- 35. [17-642](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JOAN KOVAC TO THE RECYCLING AND

SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-641 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Moss, seconded by Commissioner Hardin to insert the name JOAN KOVAC and that the Resolution be ADOPTED. The motion carried by the following vote:

- Yes:** Hardin
- Moss
- Perkins
- Sobel
- Burrie
- Fisher

Enactment No: RES. No. 2017-339

- 36. [17-643](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING SALAH ELROWENY TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

- Joby Balint, *Architect, Incumbent*, District 1
- Robert Zbikowski, *Real Estate Appraiser, Incumbent*, District 1
- Salah Elroweny, *Architect/General Contractor, Incumbent*, District 3
- Ray Lubomski, *Civil Engineer*, District 3/Alternate 1
- Walter Syrek, *Licensed Architect*, District 2/Alternate 2
- Charles H. Bechert, III, *Attorney* - District 3
- David Baumwald, *President Construction Co.* - District 4
- Brian Anthony Campbell, *Architecture/Minister* - District 4
- Marcus A. McDougale, *President Sports Organization* - District 4
- Russell Adams, *Property Manager* - District 5
- Andy Cherenfant, *Business Consultant* - District 5

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Hardin, seconded by

Commissioner Moss to insert the name Salah Elroweny and Commissioner Perkins nominated Brian Anthony Campbell. The Resolution was ADOPTED to insert the name SALAH ELROWENY. The motion carried by the following vote:

Yes: Hardin
Moss
Burrie
Fisher

No: Perkins
Sobel

Enactment No: RES. No. 2017-340

37. [17-644](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOBY BALINT** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-643 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name Joby Balint and Commissioner Perkins nominated Brian Anthony Campbell. The Resolution was ADOPTED to insert the name JOBY BALINT. The motion carried by the following vote:

Yes: Hardin
Moss
Burrie
Fisher

No: Perkins
Sobel

Enactment No: RES. No. 2017-341

38. [17-645](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ROBERT ZBIKOWSKI** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JULY 27,

2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-643 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

Vice Mayor Burrie asked if the applicants being nominated for this Committee should have a specific profession. Perhaps in the future the Resolution should specifically state the profession being nominated.

Asceleta Hammond, City Clerk explained that the list of applicants had the various profession next to their names to include the incumbents.

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name Robert Zbikowski, Commissioner Perkins nominated Brian Anthony Campbell and Commissioner Sobel nominated Andy Cherenfant. The Resolution was ADOPTED to insert the name ROBERT ZBIKOWSKI. The motion carried by the following vote:

Yes: Hardin

Moss

Sobel

Burrie

Fisher

No: Perkins

Enactment No: RES. No. 2017-342

F. REPORTS

Gregory Harrison, City Manager - Staff Presentations - Mr. Harrison reported that he asked several staff members to share some information with the City Commission and the public. Thereafter, he asked Horacio Danovich to provide his information.

Changes to Turnpike Toll Plaza - Horacio Danovich, CIP Manager, related two items to the City Commission. First, he stated that there is an upcoming event on Thursday, September 28, 2017, at 6:00 p.m. at the Cultural Arts Center. The City will be hosting the Florida Department of Transportation (FDOT) mini workshop to explain to local residents, particularly in District 5 and the vicinity of the Turnpike about the plans to make changes to the Toll Plaza. City staff will be in attendance to explain the plans for Blount Road, which is one of the items being applied to the Metropolitan Planning Organization (MPO) for a grant.

Additionally, Mr. Danovich stated that on October 17, 2017 at 5:30 p.m. there will be a formal presentation at the Coconut Creek Community Center at 1100 Lyons Road, which will be the same presentation being made on Thursday to the City of Pompano Beach. For this meeting a public notice and invitation will be sent out to both affected communities in Pompano Beach and Coconut Creek.

Hurricane Irma Relief Fund - Second, Mr. Danovich stated he received a call from a vendor who offered to donate funds to the city for the purposes of helping those in Pompano Beach that are in need as a result of the

impacts of Hurricane Irma. Therefore, he suggested to the City Manager that perhaps the City could create a "Hurricane Irma Relief Fund" or "Relief Program" and he could talk to other vendors, engineers, and professionals that may be able to lend a hand by offering some assistance to those in need. It could be in the form of money, labor, services, and so forth in a voluntary manner. Donated funds could be managed by the Office of Housing and Urban Improvement (OHUI) on a first come first serve basis, and they will have to communicate the problems being experienced. Should there be a balance from these funds it could go into an escrow account for future emergency events.

Mayor Fisher stated that Mr. Danovich may want to have some type of guidelines drawn up to qualify residents and not just on a first come first serve basis.

Mark Berman, City Attorney said he fully appreciates the need to assist the community, but he thinks it would bring to light several questions of reporting, maintaining funds, providing services, as City employee - coverage with insurance, professional liability, and so forth. This is something to be discussed further, because while this will be for a good cause there are certain liabilities associated with working as an employee.

Mayor Fisher suggested that perhaps the funds could be directed to an established organization such as the Red Cross, which already would be set up for this type of mechanism. Another cautionary note, the City would not want to solicit vendors so they feel obligated.

Comr. Hardin stated that it is a great idea but in practicality the City's hand is almost tied. If the vendor wants to go directly into the community then they could and perhaps work through local churches or social organizations.

Mr. Danovich indicated that he could communicate that information if that is the desire of the Commission.

Performance Evaluation - Mr. Harrison stated that several months ago the Commission directed the Administration to ensure they advise them when a charter official, that is the City Attorney, City Manager, City Clerk and City Auditor came up for performance evaluation. Consequently, City Attorney Berman was due an evaluation on September 18, 2017, therefore, he asked Eddie Beecher, Human Resources Director to make a presentation to the Commission on the matter.

Ed Beecher, Human Resources Director, stated that staff was directed by the Commission to establish a procedure whereby the Charter Officers would receive an annual merit evaluation similar to that received by other city employees, department heads and exempt employees. He indicated that he provided a performance evaluation data sheet showing the City Attorney's current earnings and for other staff that the City Commission has approved up to a merit increase of 3% as a maximum. Subsequently, he has broken out an increase ranging from 0%, 1%, 2% and 3%. In addition, Mr. Beecher explained that General Employees can receive up to 3% merit increase and the Firefighters can receive up to a 4% merit increase.

Mayor Fisher stated that Mr. Berman has really settled in the seat very well. He has the Commission and the City best interest. He is cautious, he does his research, and therefore he would be interested to offer him a 3%

merit increase.

MOTION: Comr. Hardin made a motion, seconded by Vice Mayor Burrie to offer City Attorney Berman a 3% merit increase. On roll call the Commission vote unanimously.

Comr. Sobel mentioned that during Hurricane Irma several instances arose where legal counsel was needed, whether it was a review of a contract for debris hauler that was suddenly “baulking,” or some other emergency, and in his experience, every time there is an emergency or sudden incident when he needed Mr. Berman he has responded immediately with clear decisive and succinct legal advice. While he does not always hear what he wants, but that is what make it good legal advice.

Comr. Perkins commended Mr. Berman and stated that he is very informative, very updated and provides her with a lot of information. Therefore, she would recommend he is given an increase as well.

Do Good T-Shirts Day - Mr. Harrison stated that several weeks ago he made a statement in a department head staff meeting that he would like to meet all the employees, which is approximately 1,000 persons. Since March he has met all the employees and has been visiting several departments and city facilities to meet the employees. He introduced a simple theme as he met with them so they could remember the occasion and also remember what he wanted to convey to them and that is to “Do Good” when they are working with each other, when they are providing services in general and in dealing with the residents. It has been very well received.

Additionally, Mr. Harrison stated he wanted each Commission member to have a T-Shirt because this coming Monday, on October 2, 2017, the first working day when the budget goes into effect, the employees will be wearing the Do-Good T-Shirts. He is hoping to have a picture taken to post in the City’s Tradewinds magazine.

Highlights on Staff Activities - Mr. Harrison provided the following highlights:

- The City Budget has just been completed and the Finance Department did a great job
- After David Recor took on his acting director position in the Development Services Department they met with some developers to get their suggestions on what they would like to see done, what can be improved upon and where to go from here to get Mr. Recor started on the right track. It was very well received and staff is now working on suggestions that they have provided.
- CAC Agreement was presented earlier by Assistant City Manager Phyllis Korab, who is excited and who is the “rock in charge” and doing a wonderful job in getting it organized from the people and a finance perspective. In the next six months, the Administration will bring before the City Commission the plans to have that function currently being contracted out, to become a City Department.
- There is a lot going on and everything is as positive as he has seen it. He is proud of the way the employees are working.
- Going through the Hurricane experience with everyone, even though there has been some warlike experience, nevertheless, it has been a morale booster.

Mayor Fisher on behalf of the City Commission recognized Kimberly Spill, Emergency Manager, who did an

outstanding job at the City's EOC preparing everyone through the storm, as well as the employees from the various departments were organized. In addition, Mayor Fisher thanked Fire Chief John Jurgle for having Ms. Spill as the leader and she was a leader from the beginning to the end. Finally, Mayor Fisher said he hopes she will be able to get some sleep after the many weeks of being up and making sure everything was being organized.

Mark Berman, City Attorney - Expression of Appreciation - Mr. Berman thanked the Mayor and the Commissioners for their sentiments and expressed his sincere appreciation. In addition, Mr. Berman stated that this month will start his twenty third year with the City. He said he is privileged, proud, and pleased to be able to continue and provide the Commission with legal advice and representation as well as working on the problems of the City and its residents. He thanked the Commission for the increase and indicated that he values his time and takes it seriously and in that regard. He invited the Commission to feel free to contact him with any questions they may have at any time and if there is any dissatisfaction, he encouraged them to speak with him or his staff so he can rectify the situation. In closing, Mr. Berman reiterated his thanks to the Commission for allowing him the privilege to serve.

Finally, Mr. Berman relayed a life changing experience he had when he visited Barcelona, Spain, during the time the country had a terrorist attack, and he witnessed some of the tears and prayers of the people, as well as he saw a tragedy of that magnitude. His return home to listen to the problems and complaints made at the meeting has truly put things in a different perspective for him. Therefore, he appreciates being in the City of Pompano Beach and serving the people. He ended with expressing his appreciation of the Commission's confidence being placed in him.

Asceleta Hammond, City Clerk - No Report.

Commissioner Rex Hardin - Hurricane Irma - Comr. Hardin commended everyone in the City for doing a great job after the Hurricane. He understands that there will be that need that you cannot get out there fast enough or do things quick enough, and people are going to complain, nevertheless, he believes a great job was done during this event. Of course, he believes we can always improve and do better.

Comr. Hardin is mindful that City Manager Harrison has plans to debrief and set up planning sessions and so forth to determine what went wrong and what can be done better next time. The residents of the Cypress Creek Civic Association will be meeting on this very topic as well. Outlandish as some things may appear, for example lobbying FEMA, there are people who may want to lobby them to inform them that in situations like this there are not enough people to do what needs to be done.

In sum, Comr. Hardin recommended that there needs to be people thinking outside the box to come up with ways to minimize the disaster impacts from the next one. Therefore, he encouraged everyone, staff and residents, to think about ways that we could do it better next time. In addition, he thanked the City for performing admirably and concluded that great people do work for the City of Pompano Beach and its residents.

Commissioner Barry Moss - Piles of Debris - Comr. Moss reported that the piles of debris are getting higher and higher on the grounds of the Isle Casino. He is happy to report that he did not get one complaint from a constituent about it.

Additionally, Comr. Moss reported the area that was hardest hit was Palm Aire with the most trees being destroyed. However, the City has done a very good job in getting the streets cleared first, getting things piled up and starting to remove the debris. Kudos to the City for doing a great job.

Collier City Civic Association Meeting - Comr. Moss announced that on Wednesday, September 29, 2017 at 7:00 p.m., the Collier City Civic Association will meet at the Jan Moran Learning Library in Collier City, and invited all residents of Collier City to attend because they will be discussing the results of the meeting with the Community Redevelopment Agency (CRA) and some of the ideas that the community is putting forth.

Internal Auditor Search - Comr. Moss asked about the status on the search for a new Internal Auditor.

Ed Beecher, Human Resources Director, reported that there is an Executive Committee that will be interviewing the top ten ranked candidates. However, he requested if the Commission could allow the Committee to interview the top five candidates it would expedite the process. Originally, staff had presented a recommendation to interview the top ten candidates and bring them forward. After carefully vetting all the candidates the Committee would recommend reducing the ten to the five top ranked candidates to be selected for an interview.

MOTION: Comr. Hardin made a motion, seconded by Comr. Sobel to move the candidates to the top five ranked for interview. By voice vote the motion carried unanimously.

Commissioner Beverly Perkins - Recognition of Jimmie Glenn & Gladys Sutton - Comr. Perkins commended Jimmie Glenn, for serving on the Housing Authority Advisory Board for approximately 44 years and expressed great appreciation for his faithful service. She encouraged Mr. Glenn, who was her mentor, to stay involved as the community needs his help in other areas. In addition, Comr. Perkins commended Gladys Sutton a member of the Housing Authority Advisory Board who served on this board for a very long time as well, and thanked her for her services.

Runette L. Hill Williams - Comr. Perkins said, "hats off" to Mrs. Runette L. Hill Williams, who was a true educator, and for the City honoring her by naming NW 16th Street after her. Comr. Perkins said Mrs. Williams was her principal when she graduated from Sanders Park Elementary School and was instrumental in encouraging her to attend college to acquire her degree, which she did listen to her. Comr. Perkins said her heart goes out to Mrs. Williams and offered a special thank you to her.

Commissioner Michael Sobel - Post Hurricane Irma - Comr. Sobel indicated that the hurricane is not over for many residents. He reported that his law office was without power today for the third time and FP&L indicated that they are working on the problem. In the meantime his client business will be without phones for a

month, because the box blew out and AT&T cannot find the circuits to repair it for at least another month. Nevertheless, he commended City staff and the administration to include Russ Ketchem, Rob McCaughan and Greg Harrison for the job they are doing to get the City back on track. However, when the dust settles a few months from now and everybody has returned to normalcy, City Manager Harrison will pull together a group of employees and residents and study what could be done better and make recommendations on how the City could handle things in the future.

Notwithstanding, the various obstacles encountered with post emergency activities, the city staff and Mr. Harrison in particular, rose up and did what was needed at the time. He agrees with Mayor Fisher and Comr. Hardin that the Commission does not run the day to day operations of the City. In addition, Comr. Sobel indicated that when he has no power to operate he along with the Administration have no way of reaching the residents.

Additionally, Comr. Sobel stated that there are a lot of complaints, but there are also a lot of people in Pompano Beach who appreciate what all of us have undergone and how blessed and lucky we are. We pray for those people in Puerto Rico and the Caribbean Islands as well as Texas and places that got hit so much harder than us. Moreover, when police and fire personnel describes some of the sacrifices they had to go through during the emergencies, even though it is their job, in the end they are also worried about their families they have to leave behind and the security of their property.

In sum, Comr. Sobel stated that things continue to be worked on and he urged everyone to be as patient and grateful for the gift that Pompano Beach was given by the storm passing us as much as it did.

Charter Amendment Advisory Board Recommendations - Comr. Sobel reported that he along with the rest of the Commission had received an extensive recommendation from the board in July. He said the members had spent quality time discussing and making proposals regarding term limits for the Commissioners and the Mayor and alternating terms. Therefore, he asked for a status on those recommendations.

Mayor Fisher responded that it is up to the Commission to decide to take interest and to discuss those recommendations. In March, there are plans to place the General Obligation (GO) Bond before the voters. Some people did not want to convolute that election with other items, but the Commission can discuss it.

Comr. Sobel indicated that everyone received a copy, but he was unsure of the intent according to what he had received in July, which was to put it on the March ballot along with potentially the GO Bond, with the idea that the incentive to the residents would be that there would be more issues of importance that it would increase the potential voters, as opposed to a confusing issue because it would include three potential ballots on the GO Bond.

Mayor Fisher indicated that the discussion must take place at the Commission level to decide whether they even want to put certain items on the ballot. So maybe a future workshop needs to be set to discuss these items.

Mr. Harrison indicated that he will check with the Board's Chairman, M. Ross Shulmister to ensure they are

ready for a Commission discussion on the recommendations. Thereafter, he will bring the item back for discussion under an Agenda item.

Save Our Boys - Comr. Sobel thanked Andy Cherenfant for what he has done with the Save Our Boys program. He reported that on the first day of school in August, they were at the Blanche Ely High School working with the boys. It was amazing to see the kids and to talk to them and to help encourage them. So, he thanked Mr. Cherenfant for his efforts for organizing the event.

Ship Wreck Park - Comr. Sobel said it was an incredible experience in the sinking of the Okinawa and to see the amazing tourist destination that so many people have put their efforts into making it so successfully. It was a perfect sinking and he looks forward to diving down to the Okinawa.

Reading Program at Pompano Beach Elementary - Comr. Sobel announced that on Wednesday, September 27, 2017 at 9:00 a.m., the Pompano Beach Elementary School starts the volunteer program, particularly the reading program, and urged everyone to volunteer tomorrow morning. Therefore, he invited those with any interest in going one on one trying to help some of the children of the City better themselves, and in the process benefit from the experience. He recommend all who can participate to make an effort to do so. The principal of the school has put together a great program and it continues to grow.

Pompano Beach Fishing Pier - Comr. Sobel reported that earlier this week he met with the developers of the Pompano Beach Fishing Pier with regard to updates and information. He said progress is being made for the City for what will be a destination place like no other in Broward County. He was impressed with the professionalism and efforts. He believes in the next few years everyone will see tremendous progress in the area of Pompano Beach in District 1. He concluded that what is good for one district in Pompano Beach is good for all of us because we are one City.

Homeless Facilities - Comr. Sobel reported that during the commission's hiatus he had the honor of spending some time at the St. Laurence Chapel, the homeless shelter, which operated only at day but is now taking on residents at night for Broward County.

Additionally, Comr. Sobel stated that at The First Baptist Church of Pompano Beach on Saturdays they take care and feed so many. He promised to continue to read the City Charter more regularly. In it, Article 2, Section 10 paragraph 12 it states, "City Commission shall provide for the safe and sanitary housing accommodations for families of low income and adopt and carry out plans for the clearance of slum districts and rehabilitation of blighted areas."

Comr. Sobel noted that there is so much need at the St. Laurence shelter, which has been operating for the benefit of Pompano Beach residents for over 30 years and the First Baptist Church which has been operating there for over 20 years feeding the homeless on Saturdays, whether it be clothing, shower, food, and anything necessary to make lives a little better. He appealed to everyone to assist by donating money, goods, and whatever is required. He urged everyone to go and experience it and can either send him an email or if needed, he will go with you.

Outdoor Art - Comr. Sobel proposed a new ordinance under the building code that will require all new private development to produce some type of outdoor art in the City of Pompano Beach, when they develop in the City. Therefore, he wondered if the Commission could request staff to consider this and promote an ordinance for the Commission's consideration, which would require a private development being built in the City that those developers in some capacity level, whether it is on their property, public property or park in the City, should pay privately for some type of art work so it would be on the dime of the developers who want to come to the City but simultaneously continue to enhance it.

Mayor Fisher indicated that when there is private property involved, the concern would be what type of art would be acceptable. He mentioned that once the City had a wonderful piece of art along the intercostal waterway for many years at a private home that was in the shape of a middle finger. This was not tasteful art. So, the City needs to be careful if it forces developers to pay for art, and in that part of the process how do we ensure it is tasteful to the entire community.

Comr. Sobel stated that Mayor Fisher made an excellent point and that was the reason for his bringing up the matter for discussion. Perhaps the art committee could be involved in the process. This could be like the flex rule in the housing development. In other words, there would be a need for some effort made towards putting more art into Pompano Beach should a developer desire to develop.

Comr. Hardin would support checking into it, but would not support a motion to have staff bring back an ordinance.

Mayor Fisher concluded that it would be best to have the art committee look into Comr. Sobel's suggestion and have the administration bring back some recommendation for the Commission's consideration.

Pompano Rocks - Comr. Sobel stated that there is an anonymous Facebook page called "Pompano Rocks." It is local, and it is "catching fire" because if you like art and like to paint whether you are young or old it is free and it promotes Pompano businesses. There are art parties starting up citywide, people are painting rocks and putting them at their favorite coffeehouse or brewery or cultural arts center. He indicated that he spoke earlier to Phyllis Korab, Assistant City Manager and they talked about the possibility of having a little plot at the Cultural Arts Center for a Pompano rocks garden and where adults, children and the community can visit their painted rocks. He believes anybody can do it, it builds togetherness within the community and it is free. Actually, there will be a first rock painting party generously sponsored at Auto Tech and Body on Saturday, October 28, 2017 from 9:00 a.m. to noon. Also, another rock painting party will be held at Juke Box diner on Saturday, November 18, 2017 from 2:00 p.m. to 3:00 p.m. Anyone interested can go to the Facebook, Pompano Rocks and post it.

Walmart position on DACA - Comr. Sobel stated that there are two Walmart stores in the City of Pompano Beach and a third is being proposed. He received a letter from Walmart regarding their position on DACA, which he read as follows:

"We encourage Congress to work on a bi-partisan resolution that provides clarity to those involved and recognizes those who have strong ties to their communities and came to the United States in a

way that was outside their control. As a company, we have come to highly value many of these individuals as our customers and fellow associates. Any legislative solution needs to avoid disrupting families, our communities and the economy.”

Comr. Sobel stated this is a good thing by Walmart.

Northwest CRA Audit - Comr. Sobel asked about the Broward County forensic audit of the Northwest CRA. He stated that the City Commission unanimously approved the action in May 2017 and it took several hours of discussion over a few meetings. The Commission supported the County’s effort to go ahead and audit approximately \$89 million spent since the beginning of the Northwest CRA, but he has not heard anything about it since. Comr. Sobel stated that it is critical to the residents for the City to move forward with credibility and that the information be brought to light.

Mayor Fisher suggested that this item should be brought up at the CRA meeting not at the City Commission level.

The Commission directed the City Attorney Mark Berman to meet with the CRA Attorney Claudia McKenna who could send a letter to the County Commissioners or Ms. Bertha Henry as to where they are with this matter.

Vice Mayor Charlotte Burrie - Hurricane Irma -Vice Mayor Burrie personally thanked City Manager Greg Harrison and Russ Ketchem who she had on the telephone every two hours throughout the entire storm. Aside from everything else, she received more heat over trash outside the front of people’s houses, than thanking the good Lord that they still have a home to live in. It was rude, it was abusive and it was totally unnecessary. She hopes those residents are watching the meeting to hear the Mayor and Comr. Sobel say the Commission does not have control over that part of the government, rather it is the administration.

Vice Mayor Burrie stated that there were problems with trash pickup and in her area she drove around with the City Manager, as well as on her own and saw the streets all cleaned off. She then went to the grocery store and went back down the same street and there were piles of trash on it again. She is unsure if this was put there by the residents living there or by outsiders. The bottom line is, it appears that a lot of illegal dumping is taking place in the Cresthaven and Highlands areas.

Additionally, Vice Mayor Burrie reported that one thing that affected her during the storm and she hopes the City can work it out with FP&L next time the power goes out. She reported that from the Leisureville community, there were at least two elderly persons who suffered from dehydration due to lack of power. While the situation was not as bad as in the City of Hollywood, where eleven elderly people died due to the facility being out of power; however, she had sleepless nights trying to get to talk to someone at FP&L to respond to the emergency situation, and all she received was automated responses. Consequently, she suggested that the City Manager should be able to receive a FP&L direct contact number to call in the case of a real emergency. Furthermore, people were trying to pay some of the men working for FP&L who came in to assist from out of town, to get them to turn their power on first or to pick up their garbage first. So, there were little glitches with the City but there was also a lot of glitches with certain people not everybody.

Vice Mayor Burrie reported that she had the opportunity to go to the EOC when they were having the problems with the generators, but Kimberly Spill, Greg Harrison, Chief Jurgle and everyone that worked there “took the bull by the horns” and did a unique thing of getting communication going when it was extremely challenging. The City Manager had to use his cell phone to contact people who were calling in but the only way to get their number was to take it from the caller ID and provide it to the City Manager who then contacted the person utilizing his personal cell phone.

Vice Mayor Burrie concluded that for all the complaints made, everyone should thank the deity he or she believes in that we were not hit with the eye of the storm, we all have our homes intact and we have people that care. She thanked the City staff and the administration from the bottom of her heart for all that they have done during the difficult time of the hurricane.

Mayor Lamar Fisher - Upcoming Events - Mayor Fisher announced that there will be a fundraiser event that will be taking place at Galuppi’s on Saturday, September 30, 2017 from 9:00 a.m. to 1:00 p.m. The fundraiser will be on behalf of the Firefighters’ Benevolent Association. It will be a fundraiser for the three young boys who were severely injured by fireworks in the Collier City area. The cost is \$10 per person to include brunch, bounce house and a dunk tank, where Chief Jurgle will get dunk.

City Highlights

- The City of Pompano Beach welcomed WaWa to the City. They are located at Sample and Federal Highway. A sandwich making contest was part of the opening event, and the Firefighters and the Broward Sheriff’s Office participated. The Firefighters group won the contest. Interestingly, Mayor Fisher stated that WaWa had 40 new positions and they hired within the local market.
- Mayor Fisher thanked Dwayne and Sandy Francis who live on NE 42nd Court and East Pompano, who had a neighborhood driveway initiative that was successful. He encouraged more of these initiatives to take place to get the neighbors together, be focused on crime and what to do and how to handle it.
- Mayor Fisher thanked EtaNu Benefit for their fund-raising efforts, but most importantly, they honored a pioneer of the City, James Jones, who has given so much to the Community.
- On August 21, 2017 the City welcomed the new Markham Elementary principal.
- On August 31, 2017, there was the mobile shower unveiling, and Captain Adkins from BSO attended. He spoke of the unique design of the shower for the homeless and even those who are handicapped. Finally, he thanked George Trembli for what they are doing.
- Mayor Fisher thanked Russ Ketchem for his efforts and said that before the hurricane a large amount of recycling bags were donated to McNab Elementary. The kids were learning about recycling at a very early age.

- On September 1, 2017 there was NBC Channel 6 morning team visiting at the Bailey Contemporary Arts and the event was great. They provided super coverage.
- Mayor Fisher thanked Andy Cherenfant for the boys back to school effort.
- In mid-August there was the annual community Back to School Fun Day which was a success. They gave out over 1,200 school bags.
- Thanks to Public Works and Broward Sheriff's Office (BSO) for pitching in and making the Commission part of the Community to help the children in their education, which is most important.

G. ADJOURNMENT

The meeting adjourned at 9:33 p.m.

Lamar Fisher, Mayor

Asceleta Hammond, City Clerk

BALANCE IN CONTINGENCY

Oct. 1, 2016	Beginning Balance	\$10,000.00
May 9, 2017	Blues & Sweet Potato Pie Festival	\$2,000.00
May 9, 2017	Travel expenses to Disney World (Embracing Team, Inc.)	\$4,500.00
May 23, 2017	Eccentric Displays LLC (Live stage play titled "Made in Pompano: Live Theatre Co.")	\$2,000.00
May 23, 2017	The Round Table Project LLC ("Teen Happy Our" to book DJ's during the summer)	\$500.00
June 13, 2017	Back To School Fun Day Event	\$1,000.00
	Total:	\$0.00

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Beverly Perkins, hereby disclose that on September 26, 20 17:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Under the provisions of Florida Statutes, Section 286.012 and Section 112.3143, at the Pompano Beach City Commission Meeting held on September 26, 2017, I abstained from voting on the following Agenda Items:

- Item 32 - 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, 2021; PROVIDING AN EFFECTIVE DATE.
- Item 33 - 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, 2021; PROVIDING AN EFFECTIVE DATE.

The nature of the conflict, which I orally disclosed prior to the vote on this item, is that I have a family member who is the executive director of the Housing Authority of the City of Pompano Beach.

Oct. 5, 2017
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.