



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor

Barry Moss, Vice Mayor

Rhonda Eaton, Commissioner

Andrea McGee, Commissioner

Tom McMahan, Commissioner

Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceleta Hammond, City Clerk

Tuesday, March 10, 2020

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the Regular City Commission meeting to order at 1:00 p.m.

ROLL CALL

Present: Commissioner Rhonda Eaton
Commissioner Andrea McGee
Commissioner Tom McMahan
Commissioner Beverly Perkins
Vice Mayor Barry Moss
Mayor Rex Hardin

INVOCATION

Elder Harold Westley of the Newborn Holiness Church offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk.

APPROVAL OF MINUTES

[20-266](#) Regular City Commission Meeting Minutes of February 25, 2020

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

APPROVAL OF AGENDA

Mayor Hardin announced that item 7 would be postponed until March 24, 2020 City Commission meeting.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, 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 Hardin announced that item 13 would be pulled for City Commission discussion.

A. PROCLAMATIONS**[20-318](#) Bean and Pepper Jamboree**

Mayor Rex Hardin proclaimed March 29, 2020 as Bean and Pepper Day in the City of Pompano Beach. Fred Segal, President of the Broward County Farm Bureau received the proclamation.

Fred Segal stated they will have a lot of activities for the youth in the community. Admissions to the event for children up to 14 years old will be free. They will be doing a dog show at the event, as well as a Miss Bean and Pepper pageant, which will be a sanctioned qualifier for the Florida State Arlo Miss competition. Mr. Segal invited everyone to come out to enjoy the event and to “get back to your agricultural roots.”

The Proclamation was READ AND PRESENTED INTO THE RECORD.

[20-329](#) Women’s History Month

Mayor Rex Hardin proclaimed March as Women’s History Month in the City of Pompano Beach and recognized the Women’s Suffrage Centennial being celebrated across the nation for the ratification of Amendment 19. Melissa Shiff accepted the proclamation on behalf of The Broward County Commission on the Status of Women Advisory Board.

Melissa Shiff thanked the women serving on the City Commission for their services and for taking the chance to run for something and to do something. They are taking a step in paving the path for other young women.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. AUDIENCE TO BE HEARD

Mayor Hardin 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.

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

The following persons were called to speak:

Election Day - Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, reminded everyone that March 17th is the election day for the Charter amendments for the City of Pompano Beach, as well as those voting for their presidential candidate. He indicated that on March 17th people can vote at their local precinct between 7:00 a.m. to 7:00 p.m. Additionally, anyone wishing to vote early they could do so at the E. Pat Larkins Center and the Emma Lou Olson Center, from 10:00 a.m. to 6:00 p.m. from now through March 15, 2020. He specified that the voters should vote no, no, no and provided his reasons.

Fire Protocol - Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, enquired about the protocol if there is a fire at a house or building and a citizen wants to go back in the burning building. He then related an incident where he tried to get in a house that was on fire near his house and he was disallowed. He is unsure whether the dogs would have been saved if he was allowed in the building, nevertheless, two dogs died.

Tiger Trail Festival - Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, Chair of the Tiger Trail Festival Committee thanked the City Commission, the City Manager and the Assistant City Manager, Earl Bosworth, as well as the Mayor, who were the front runners of everybody that assisted in making the event successful. He said the City stepped up to make Black History significant as part of the American History, which was the theme for this year’s festival.

Additionally, Mr. Phillips indicated that even though there were some hiccups, overall the event was successful. They did raise approximately \$1,000 during the silent auction activity for the Markham Elementary School and the Pompano Beach Express for young kids.

Mayor Hardin thanked Mr. Phillips and the entire committee who did a great job to make everything happen and is happy the City Commission worked together on this. In addition, he thanked City Manager Harrison and Assistant City Manager Bosworth for their participation.

Finally, Mr. Phillips announced that those people who won T-Shirts can contact him for it.

Speeding Issues - Greg Phelps, 247 SW 6th Place, Orchid Grove Townhomes, Pompano Beach, FL, requested that the City Commission assist with controlling the excessive speeding that they have on SW 6th Street from Dixie Highway to Cypress Road. He said he has seen vehicles going in excess of up to 60 miles an hour on the street. The posted sign is 35 miles an hour. He commented that within the vicinity is the Orchid Grove residential community with a school and several businesses that have heavy pedestrian traffic. In addition, he has called several times to the Broward Sheriff's Office to complain but has not seen their presence on the street. Therefore, he urged the Commission to see what they could do to get traffic to slow down on SW 6th Street.

Mayor Hardin directed Captain Martin Hedelund of the Broward Sheriff's Office to follow up with Mr. Phelps to acquire more information.

Fishing Fee Consideration - George H. Berlenge, 41 Havenwood Drive, Pompano Beach, FL, requested the City Commission's consideration with an issue. He indicated he sent an email to his Commissioner, Rhonda Eaton and to the City Manager, Greg Harrison, to consider granting an annual pass for the fishermen at the City's pier. He said the \$6 fee is reasonable, but when you factor in \$1.25 per hour to park most of the regular fishermen stay six to eight hours and some retirees would stay from sunrise to sunset. Therefore, for fishing and parking it could cost approximately \$20 and those on fixed income would find this an expensive hobby for the month. Therefore, an annual pass would be more beneficial and affordable to the locals and especially for those on fixed income.

Mr. Berlenge thanked Commissioner Eaton for responding to his email. He indicated that in his email he mentioned ideas where the City could get alternative revenues. He also thanked the Commission for coming together and looking out for the best interest of the residents.

Grant Contribution to Esther Rolle Play - Sarahca Peterson, 305 SW 1st Court, Pompano Beach, FL, thanked the Pompano Beach Cultural Department for assisting Ms. Makiba Foster, Director of the African-American Research Library & Cultural Center (AARLCC), who has procured a grant for the Esther Rolle Centennial celebration that will be happening November 6-8, 2020. She stated that this is a matching grant. Also, she has been selected to be a playwright for the play. Therefore, as a Pompano Beach resident she is requesting that the City matches ten percent (10%), which would be \$3,700.

Mayor Hardin asked Ms. Peterson to meet with the City Manager about this to decide on the financing and the particulars. He also indicated that this would tie in with the plans for the Esther Rolle House that the City has been considering.

Commissioner Perkins indicated that it is an honor that the City will be celebrating Ms. Rolle's birthday on such a big level this year. Therefore, she asked that the City Manager look into how the City could fund the matching fund as soon as possible to promote and assist this effort, since Ms. Rolle is from Pompano Beach. Also, she asked for an update on putting a sign at the Esther Rolle's house to acknowledge where she once resided.

C. CONSENT AGENDA

Items 1 through 6 and 8 through 12 were approved without City Commission discussion.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the be APPROVED THE CONSENT AGENDA. The motion carried unanimously.

1. [20-294](#) Approval to Piggyback the Savvik Buying Group Contract 2018-01 “Medical Supplies, Equipment and Pharmaceuticals” as needed, from Henry Schein Medical, and Medline Industries, Inc., in the estimated annual amount of \$125,000.00
(Fiscal Impact: \$125,000.00)

(Staff Contact: Frank Galgano/John Jurgle)

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

2. [20-299](#) Approval to piggyback the City of Sanford, Florida contract 18/19-44 for as-needed purchases of “Water Meter Testing, Calibration, and Repairs,” from RWRS East, LLC, in an estimated annual amount not to exceed \$150,000.00.
(Fiscal Impact: \$150,000.00)

(Staff Contact: A. Randolph Brown)

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

3. [20-315](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN FDOT DISTRICT FOUR MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO INSTALL AND MAINTAIN THE BLACK COLOR COATED PAINTED MAST ARM ASSEMBLIES AT THE INTERSECTION OF STATE ROAD 834/SAMPLE ROAD AT NW 5TH AVENUE AND SR-5 (US1) AT NE 10TH STREET; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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

The motion carried unanimously.

Enactment No: RES. No. 2020-145

4. [20-326](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2020-140, AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT SUBCONTRACT AGREEMENT BETWEEN ADOPT A HURRICANE FAMILY, INC. D/B/A CRISIS HOUSING SOLUTIONS AND THE CITY OF POMPANO BEACH TO ADMINISTER FLORIDA DIVISION OF EMERGENCY MANAGEMENT HURRICANE LOSS MITIGATION PROGRAM FUNDING ALLOCATED FOR MITIGATION RETROFIT IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$194,000 Hurricane Loss Mitigation Program (Sub-Grant))

(Staff Contact: Alexander Goldstein/Miriam Carrillo)

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

The motion carried unanimously.

Enactment No: RES. No. 2020-146

5. [20-214](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING SURPLUS AND EXPRESSING THE DESIRE OF THE CITY OF POMPANO BEACH TO SELL THE REAL PROPERTY LOCATED AT 1207 E. ATLANTIC BOULEVARD, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Cassandra LeMasurier)

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

The motion carried unanimously.

Enactment No: RES. No. 2020-147

6. [20-314](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Cassandra LeMasurier)

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

The motion carried unanimously.

Enactment No: RES. No. 2020-148

7. [20-320](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING A DEED OF GIFT FOR THE KESTER COTTAGES FROM POMPANO BEACH HISTORICAL SOCIETY, INC.; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: N/A)

(Staff Contact: Cassandra LeMasurier)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Consent Agenda/ Resolution be POSTPONED until March 24, 2020 City Commission meeting. The motion carried unanimously.

8. [20-280](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING THE CITY'S FISCAL SUSTAINABILITY PLAN FOR THE AVONDALE STORMWATER IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Tammy Good/Anthony Alhashemi)

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

Enactment No: RES. No. 2020-149

9. [20-281](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING THE CITY'S FISCAL SUSTAINABILITY PLAN FOR THE ESQUIRE LAKE NEIGHBORHOOD STORMWATER IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Tammy Good/Anthony Alhashemi)

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

Enactment No: RES. No. 2020-150

10. [20-307](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE SERVICE AND PRODUCT USAGE TERMS AND CONDITIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH

AND ITSA SOLUTIONS, LLC RELATING TO THE BARNACLE PARKING ENFORCEMENT SYSTEM; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$700.00)

(Staff Contact: Jeff Lantz)

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

Enactment No: RES. No. 2020-151

11. [20-308](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND STEVEN LUTZ AND A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY FOR INSTALLATION OF THE ARTWORK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$3,000.00)

(Staff Contact: Laura Atria/Phyllis A. Korab)

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

Enactment No: RES. No. 2020-152

12. [20-317](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE RUSSELL LIFE SKILLS AND READING FOUNDATION, INC. TO UTILIZE VARIOUS CITY FACILITIES TO PROVIDE LIFE SKILLS AND READING SERVICES FOR YOUTH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

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

Enactment No: RES. No. 2020-153

13. [20-328](#) 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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND NEW HORIZON COMMUNITY DEVELOPMENT CORPORATION, INC., TO PROVIDE SUMMER YOUTH EMPLOYMENT TRAINING PROGRAM SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$152,000.00)

(Staff Contact: Bobby Bush/Ed Beecher)

Commissioners Perkins and McGee pulled the item for City Commission discussion. Comr. Perkins stated that this is an awesome program and it specializes in assisting the disadvantaged students in the City of Pompano Beach. Therefore, she wanted the public to be informed about what the program offers for the summer.

Bobby Bush, Human Resources, stated that this is a wonderful program being offered to the kids of Pompano Beach. He explained this is a second amendment for a service agreement between New Horizon Development Corporation (New Horizon) and the City of Pompano Beach to offer a summer youth employment program. He provided a brief background information on New Horizon and the excellence of the program they provide, which includes mentoring, learning opportunities for employment and introducing them to the workforce, as well as educating them on how to manage their funds.

Comr. Perkins enquired if the program is renewed each year whereby, they would apply for funding.

Mr. Bush responded yes and explained the Commission approved for every three years.

Greg Harrison, City Manager, stated that it is a three-year contract renewable every year. Therefore, this is the second renewal in the three-year contract.

Comr. Perkins indicated that she has attended a few of the classes offered by New Horizon and thinks the program is important especially regarding the life skills and how to manage their funds. Therefore, she would recommend that the program is renewed every three years rather than every year within a three-year period.

Bessie Showers, Program Director, 1518 NW 17th Avenue, Pompano Beach, FL, reiterated that the program is very good. She explained that the kids learn "quite a bit." Life skills is something they need. She invited the Commission to stop by when they have orientation to greet the kids, even though she is aware it is during the time the Commission is on their hiatus. She then explained some of the segment of the program that teaches the kids life skills.

Mayor Hardin suggested that Ms. Showers send an email to the Commission regarding the upcoming orientation and committed, if available, will stop in to greet the kids.

Comr. Perkins thanked Ms. Showers for doing a great job with the kids, and reiterated that the City Manager look into renewing the program every three years rather than every year.

Comr. McGee indicated that the program seems amazing, which she supports summer internship programs.

However, she does not understand why during last year's program the City only employed fifteen interns out of a group of one hundred. The remaining were employed by businesses throughout the City, which is great because it lends to diversity. The City is paying the enrollment fees and salaries for the kids working at the private businesses, and one who works with a charity that the City already donates to them. Therefore, her concern is more with why the City is paying private businesses to employ the kids.

Mr. Bush explained that there is a safety issue regarding some of the kids. These kids range from ages 13 to 15 years old, so they cannot be allowed to work in some of the City's department for example Utilities and Public Works, so most get the opportunity to work with the Parks and Recreation Department.

Comr. McGee understands the City is unable to accommodate all the kids but reiterated she was more interested in why the City is paying private businesses to employ the kids to work at their establishments.

Mayor Hardin reiterated the question as to why the City is paying for the interns salary as opposed to the private businesses that is deriving the benefit from the interns.

Comr. McGee is concerned as to why the private businesses are not allowed to pay their portion while the City pay its portion rather than the City having to pay for all the interns.

Ed Beecher, Human Resources Director, stated that the program was formally initiated five years ago. Prior, it was the brain child of the City Commission, and staff was directed to create a youth opportunity program that the City solicited through competitive bid for the current program. The intent of the program was to encourage private participation in providing work experience for the kids. So, their contribution is to give the students an opportunity to experience the workforce, which is their in-kind contribution to the program. The City would then pay salaries at minimum wage plus administrative costs associated with it.

Comr. McGee indicated that she would like to see the program evolve to where the businesses, at the very least, would cover the salaries for the youths and in the long-term covering administration. They will be investing in the kids as well, instead of the City paying the entire bill for the program.

Comr. Perkins indicated that she agrees with the City paying the bill, as this is important for the youth of the City and it is a worthy cause.

Mayor Hardin understands the investment in the kids and the program where the businesses are actually participating in accommodating the kids for working experience.

Comr. Eaton indicated that the program could be expanded to include more kids if the participation from businesses increased.

Katilia Walker, 2029 NW 14th Avenue, Fort Lauderdale, FL, indicated that the program is based on the model of the Federal Workforce Investment Act. The children who work with employers have been hired by those employers, which is an incentive for the employers. Nevertheless, a long range plan in five or ten years is feasible for those businesses, who will be able to sponsor two or three students and pay them a salary.

Tundra King, 124 NW 15th Street, Pompano Beach, FL, supports the program and provided her reasons for support. She volunteered to assist with the program if necessary, as she sees the value this kind of program provides for the youths of the community.

Vice Mayor Moss indicated that there is no doubt that the program is excellent, but Comr. McGee comments are valid, and as the City moves forward, perhaps, they could try to convince some of the private businesses to help with the costs, and maybe expand the program to accommodate more youths. Therefore, instead of 100, it could be 200 kids in any one year.

Comr. McGee suggested that perhaps putting their website on Channel 78 and the City's website would be helpful to get the word out to more parents who are residents.

Additionally, Comr. Eaton suggested it would be good to recognize some of the businesses that are willing to participate and do the paid internship.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-154

D. REGULAR AGENDA**QUASI-JUDICIAL PROCEEDING**

Mark E. Berman, City Attorney, advised that items 14-17 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.

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

14. [20-213](#) P.H. 2020-43: (PUBLIC HEARING)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A MAXIMUM OF FORTY ONE (41) RESIDENTIAL FLEX UNITS FOR A PROPOSED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF NW 31ST AVENUE AND NW 7TH STREET; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: N/A)

POSTPONED FROM JANUARY 28, 2020

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item stating that SH Brandt & Associates on behalf of the HUS Group, LLC, is requesting flex allocation of approval of a forty-one-unit affordable rental apartment community to be located on a 1.1-acre property that has a commercial land use designation. The property is located on the NE corner of NW 31st Avenue and NW 7th Street, which is currently vacant. The zoning designation of B3, allows the multi-family residential use as long as a flex allocation is approved to provide the residential entitlements. The applicant provided a conceptual plan depicting two- and three-story buildings that are committed to be affordable, moderate workforce housing units. In addition, the Planning and Zoning Board unanimously recommended approval of the flex units at their November 18, 2019 meeting.

Vice Mayor Moss indicated he asked the representatives of the company to go before the Collier City Civic Association meeting, which they did and presented their plans and people were enthusiastic about it. Therefore, he reiterated that this is a classic example of what flex units should be used for, and urged the Commission to vote for the item.

Comr. Perkins indicated that she supports the flex units. However, she enquired about building any extra facility that will be associated with the units. For example, a meeting room or a playground.

Steve Graham, 5010 North Federal Highway, Lighthouse Point, FL, responded that they will be building on-street parking, but there will be no public facilities. However, there will be a clubhouse that could be utilized, upon residents' approval.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-155

15. [20-219](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE HUS PLAT LYING ON THE EAST SIDE OF NW 31ST AVENUE BETWEEN NW 7TH STREET AND NW 8TH STREET; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JANUARY 28, 2020

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item stating that it is the companion item to the flex allocation for the same property. The applicant is requesting plat approval for the property that will be titled the "HUS Plat" and is located at the east side of NW 57th Avenue, between NW 7th and NW 8th Streets. The plat will restrict the property to a maximum of 41 garden apartments dwelling units. The applicant submitted a conceptual site plan for the project. In addition, the Planning and Zoning Board unanimously recommended approval at their hearing on November 18, 2019.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-156

16. [20-282](#) **P.H. 2020-48: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TEN-FOOT WIDE UTILITY EASEMENT LYING ON THE EAST SIDE OF NW 31ST AVENUE APPROXIMATELY 350 FEET SOUTH OF DR. MARTIN LUTHER KING, JR. BLVD. WITHIN PROPERTY LOCATED AT 1350 NW 31ST AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 25, 2020

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item stating that it is a request to abandon a 10-foot wide utility easement on behalf of the Aviara Corporate Park, LLC. The property is located at 1350 MW 31st Avenue. This is the Second Reading of the ordinance and there has been no changes since the First Reading.

Vice Mayor Moss indicated that to the south of the location the Commission had already approved the building of a Office Park with Commercial in the front and Retail/Warehouse in the back. The plan is to have this to be a office building to accompany the other project. He is pleased that one of the entrances into the City, which is on NW 31st Avenue, will be getting an improved appearance and at the same time provide a place for people to work.

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

Yes: Eaton
 McGee
 McMahan
 Perkins
 Moss
 Hardin

Enactment No: ORD. No. 2020-44

17. [20-283](#) **P.H. 2020-50: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE EAST SIDE OF POWERLINE ROAD, APPROXIMATELY 300 FEET SOUTH OF NW 18TH STREET AND COMMONLY KNOWN AS 1750 N. POWERLINE ROAD FROM GENERAL INDUSTRIAL/PLANNED COMMERCIAL DEVELOPMENT (I-1/PCD) TO GENERAL INDUSTRIAL (I-1); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 25, 2020

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item stating it is a request to rezone the property from General Industrial/Planned Commercial Development (I-1/PCD) back to General Industrial (I-1) to remove the master plan requirements from the property. There have been no changes since the First Reading.

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

Yes: Eaton
 McGee
 McMahan
 Perkins
 Moss
 Hardin

Enactment No: ORD. No. 2020-45

END OF QUASI-JUDICIAL PROCEEDING

18. [20-269](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENT PLAN FOR THE

CITY OF POMPANO BEACH FOR FISCAL YEARS 2020 THROUGH 2024 TO INCLUDE A PROJECT FOR THE DESIGN AND CONSTRUCTION OF A NEW BSO SUBSTATION; ESTABLISHING THE APPROPRIATE BUDGET FOR FY 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$874,500)

(Staff Contact: Vince Wooten/Tammy Good/Suzette Sibble)

Vince Wooten, Office of Housing and Urban Improvement, presented the item stating it is a request to amend the Capital Improvement Plan (CIP) to accommodate a project for a Broward County Sheriff's Office (BSO) substation, located at 441 NW 27th Avenue. He provided a brief background regarding the property that was deeded by the Community Redevelopment Agency (CRA).

Tundra King, 124 NW 15th Street, Pompano Beach, FL, asked if this is the substation that is taking the place of the previous substation that was closed down.

Mayor Hardin indicated that it is the substation being constructed in the Collier City area, which Mr. Wooten confirmed that is correct.

Ms. King enquired if there will be training and meeting rooms available at this substation, as well as citizens can go in to make reports. In sum, she wanted to know what kind of service would be used for this site.

Mr. Wooten responded that he would reach out to Major Adkins, Police Chief, to answer the questions raised.

Mayor Hardin indicated that since this is undetermined at this time the information would be conveyed to Ms. King.

Comr. Perkins indicated she is aware it is a CIP plan, however, she enquired as to what the BSO substation would be named and who will it be named after. She wanted it noted that after the second substation is built for it to be named after Braggs and Crisswell as it stands right now, and for it to remain in District 4.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-157

19. [19-581](#) P.H. 2019-98: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE OCEANSIDE PARKING LOT AT 109 NORTH OCEAN BOULEVARD; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JUNE 26, 2019; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 23, 2019

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

Jean Dolan, Development Services Department, presented the item stating it is a city sponsored Land Use Plan Amendment for the Oceanside Parking lot. She indicated that Daniel Keester-O'Mills and her have worked on it, as well as Suzette Sibble and Chris Brown to get this project underway. John McWilliams from Kimley-Horn, assisted with the traffic analysis.

The parking lot is located north of the Oceanside Plaza between the Plaza and the new Fire Station on the beach. The proposed entitlement for the land use plan will allow the City to build a 750-space parking garage, approximately 50,000 square feet of retail use, which will attract a local grocery store for the beach area, and up to 300 hotel rooms. This will support the activity already ongoing on the beach. The pier parking lot area is so successful that more parking is already in demand. Therefore, this parking structure would assist in that area. The process has been long and it has been six months since the Land Use Plan First Reading was presented to the City Commission, Thereafter, it went before the County for their approval as the City's Plan must be consistent with the County's Plan. Consequently, the City is now doing the Second Reading, after which it will go before the Department of Environmental Protection (DEP) for the state to review for compliance, and then back to the County for recertification, at which time it will become effective around June of 2020.

The City is in the process of getting a developer to build the parking garage, the hotel and the retail space. The expectation is to have the garage completed in June 2022 and 2023 for the remainder of the project.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, complained that a parking lot was built with not enough spaces and most of the spaces were given away to Oceanic and to the Beach House. This was not a good plan and prior Commission made a bad decision because now another garage will have to be built.

Mayor Hardin recalled the development of the original parking garage. The Commission was sensitive to the neighbors that live adjacent to the property, which was one reason the City decided to cap the height of the parking garage, which limits the spaces.

Vice Mayor Moss indicated he was around when the plans were made for the beach front garage and plans to

build a second garage. Many years the plan was already in the making, so this is not a surprise to the Commission, nor does it constitute bad planning.

Comr. McGee indicated quite a number of people on the beach have indicated to her that they are looking forward to the grocery store option. In fact, over the years as she followed with the plan it has always been the intent to put a second garage in place to spread out the traffic and the need to park close to where people are going. She understands the City is looking at traffic management, sidewalks and other things for Riverside Drive, but she requested that they ensure the road is safe for pedestrians and bicyclists and useful for cars.

Comr. Eaton concurred that this was all part of the plan for quite some time and she is pleased that they are moving forward with it.

Comr. McMahan indicated that he was aware of the parking garage for many years ago for the future parking needs for the area, so it is not new and it was planned. There is a need for a grocery store on the barrier island. The project is exciting and he looks forward to seeing it completed.

Comr. Perkins indicated that she is pleased to hear the neighbors were contacted regarding the project and what to expect in the future.

Mayor Hardin recalled that the Commission has been criticized when the first parking garage was being built and that it would be a “white elephant.” He then provided the reasons for the development in the garage. He reiterate the benefits of having a grocery store on the barrier island.

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

Yes: Eaton
McGee
McMahan
Perkins
Moss
Hardin

Enactment No: ORD. No. 2020-46

20. [20-287](#) **P.H. 2020-47: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, “ZONING CODE,” BY AMENDING SECTION 155.2303., “APPLICATION SUBMITTAL AND ACCEPTANCE,” AND SECTION 155.2304., “STAFF REVIEW AND ACTION,” TO MODIFY TIME PERIODS FOR REVIEW OF APPLICATIONS FOR DEVELOPMENT PERMITS FOR CONSISTENCY WITH NEW STATE REQUIREMENTS; BY AMENDING APPENDIX

C: FEE SCHEDULE, TO ESTABLISH A FEE FOR A WITHDRAWN APPLICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 25, 2020

(Staff Contact: Jennifer Gomez/David Recor)

Jennifer Gomez, Assistant Director, Development Services Department, presented the item stating that on July 1, 2019, the State adopted House Bill 7103, which created specific review time frames for all development applications excluding building permits. The text amendment presented to the Commission is the Second Reading of the ordinance, which revises the codes to reflect the new States Statute requirements. Finally, there have been no changes since the First Reading.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2020-47

21. [20-285](#) **P.H. 2020-49: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 34.057, "DISABILITY," TO PROVIDE FOR SERVICE INCURRED DISABILITY STATUS TO MEMBERS WHO SERVED AT THE "9/11 GROUND ZERO" SITE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 25, 2020

(Staff Contact: Ed Beecher)

Ed Beecher, Director, Human Resources Department, presented the item stating that this is the Second Reading of the ordinance and there have been no changes since the First Reading.

Tom Johnston, 2335 East Atlantic Boulevard, Pompano Beach, FL, stated that two weeks ago the City Commission graciously listened to his comments. Therefore, he wanted to convey his profound thanks and gratitude for Mr. Wolfe, Sheriff's Deputy, who could not attend the meeting. He did try to come but his doctor indicated he is too frail to make the trip. Mr. Wolfe expressed thanks to the City for considering him in this regard.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2020-48

22. [20-313](#) **P.H. 2020-51: (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 FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOB LORING ENTERPRISES, INC. FOR PROFESSIONAL GOLF SERVICES AND THE OPERATION OF THE POMPANO BEACH MUNICIPAL GOLF COURSE PRO SHOP; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$49,098 annually with 3% increase per year for professional services and \$81,386.88 per year for personnel related expenses for driving range staff.)

(Staff Contact: Earl Bosworth/Brian Campbell)

Earl Bosworth, Assistant City Manager, presented the item stating that this is the First Amendment to the current five-year agreement for professional golf services for operating the Pompano Municipal Golf Course Driving Range and the Pro Shop. The original agreement was executed on March 2015 and will terminate on March 31, 2020. This is an extension for one additional five-year period with the same scope as the original agreement. Therefore, other than some housekeeping and administrative revisions to reflect updated accounting methods, procedures, record keeping and sovereign immunity limits for the Florida Statutes. There is only one substantive change in the scope, which is the requirement that the City cashier will now collect for the driving range tokens, which will make for better customer service and cut down on the reporting back and forth between the City and the Pro Shop.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be APPROVED FIRST

READING. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

23. [20-305](#) P.H. 2020-52: (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 REINSTATEMENT AND FIRST AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND WEST CONSTRUCTION, INC. FOR THE BEACH LIFEGUARD HEADQUARTERS RENOVATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$98,210.00)

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP and Innovation District Director, presented the item stating that the item seeks the City Commission's approval to reinstate an existing agreement with West Construction that expired because of the City's desire to have them investigate the ability to expand the existing ocean rescue building. West Construction was hired separately to do a due diligence, which is to go to the Florida Department of Environmental Protection (FDEP) and process paperwork to define whether FDEP would allow the City to go to a second floor in the existing ocean rescue building. This was done as a parallel work that they were retained to assist the City with the G.O. Bond line item of the ocean rescue building and the lifeguard stations.

FDEP has approved the City's request to expand to a second floor, which will be used for meeting rooms, training and things of that nature. The City had agreed to pay West Construction for the design services, with a "Add Alternate" condition that would allow the City, if funds are available and the activity approved, then the City would retain them to assist with the design, as well as they would assist with building out the second floor.

Vice Mayor Moss enquired what is the likelihood the City will find the funding to build the second floor, and will this be done.

Greg Harrison, City Manager responded that they will be able to find the funding. Also, Mr. Danovich indicated that the approximate cost would be \$1 million.

Comr. McGee requested clarification on the design, which Mr. Danovich explained in details about the building of the second floor and roofing, which structurally, would not undermine the existing facility.

A motion was made by Vice Mayor Moss, seconded by Commissioner

McGee, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

24. [20-325](#) **P.H. 2020-53: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," BY AMENDING SECTION 152.10, "DOUBLE FEES; REINSPECTION FEES; CERTIFICATE OF OCCUPANCY," TO MODIFY REINSPECTION FEES; BY AMENDING SECTION 152.12, "BUILDING PERMIT FEES," TO MODIFY THE FEE STRUCTURE FOR BUILDING PERMITS AND TO PROVIDE FOR A TECHNOLOGY FEE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jennifer Gomez/David Recor)

Jennifer Gomez, Assistant Director, Development Services Department, presented the item stating that this is a Text Amendment to amend the City's building permit fees found in Chapter 152 of the Code of Ordinances. The City's utility department periodically conducts a utility rate study and adjusts the fees based on the recommendations. This is a similar process. She provided a brief background on the steps taken to arrive at the City's rate structure. The project originated from the City Manager's Office and was completed with collaboration among Development Services, Finance, Budget, and City Attorney's Office.

The text amendments are designed to comply with the existing and recently adopted state legislation related to building permit revenues, and to assure the revenues cover all expenditures. The text amendments will reduce the base building permit fee from 2.6% to 2.5% of the project value. The study also provides for minor increases to a few more miscellaneous charges. Over the last three years, the City has experienced a surge in building permit activities particularly in the high value - high feed projects resulting in a surplus. The use of permit fees is strictly regulated by the Florida Statutes, which specifies that it can only be used for enforcing the Florida Building Code. This means this revenue cannot be applied to some other government purpose. Therefore, the recommended rate structure will result in a reduction of approximate \$489,000 annually, which will slowly lower the surplus. Finally, Ms. Gomez indicated that they have been requested to do a minor amendment and with the Commission approval between First and Second Readings, they will clarify the term to add a two-year restriction to the timeframe applicants can apply their dry run fees toward the principal building permit.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, enquired what the dollar amounts are in the building fund and the target amount for the building fund to maintain a segregated account for future operations.

Mayor Hardin indicated that staff could get all that information to him.

Mr. Terwilliger asked upon receipt of the information he would like to present it at the next public meeting.

Comr. Eaton indicated that at the State level they were concerned about building departments in general regarding the time it took for plans to be reviewed. Prior to the change of the ordinance last year, where the funding for the building department had to be just that. This is interesting and should be taken into consideration as to why the state stepped in and required local municipalities to make these type of changes.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

25. [20-321](#) **P.H. 2020-54: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN OPERATING AND MANAGEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE POMPANO BEACH HISTORICAL SOCIETY, INC. FOR THE OPERATION AND MANAGEMENT OF THE HOOD CENTER AND KESTER COTTAGES AND RELATED PROGRAMMING AND EXHIBITS FOR THE BENEFIT OF THE PUBLIC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$20,000 annually)

FIRST READING: MARCH 24, 2020

(Staff Contact: Cassandra LeMasurier)

Cassandra LeMasurier, Real Property Manager, presented the item stating that the City has partnered with the Pompano Beach Historical Society (Society) for several years in support of the Society's mission to collect, preserve, and publicize the history of Pompano Beach. She then provided a brief background of the Historical Society activities and programs.

In sum, this is an operating and management agreement with the Society to formalize their operation of the historical museum, which is being presented for the City Commission's approval. The Society will convey its ownership of the Kester Cottages to the City via a Deed of Gift. The City will continue to maintain the Kester

Cottages and the Hood Center, the personal properties, furnishings and artifacts currently archived and maintained by the Society and will remain the property of the Society. The City will compensate the Society for its operation and management of the historical museum and associated programs in the annual amount of \$20,000. The agreement will be for a term of five years with one additional five-year term. Therefore, staff is requesting City Commission's approval to enter into the operating and management agreement with the Pompano Beach Historical Society for the museum and its associated programs.

Comr. McGee indicated that she had a tour of the cottages and found them to be very "cool." Therefore, she would highly recommend anyone watching who has not gone to see them to check out their website to find out their schedule to visit as it is a very interesting piece of Pompano Beach's history.

Vice Mayor Moss echoed Comr. McGee's comments and thanked the Historical Society for all the good, hard works they have done over the years.

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

Yes: Eaton
 McGee
 McMahan
 Perkins
 Moss
 Hardin

Enactment No: ORD. No. 2020-49

26. [20-323](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LOUIS RIVA TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF DENNIS SMITH, ALTERNATE #1; SAID TERM TO EXPIRE ON NOVEMBER 14, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Louis Riva - Alternate #2 - District 3
 Velma Flowers - District 4
 Veronica Thomas - District 4
 Ricardo Collings - District 5
 Daniel P. Diaz - District 5

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED and to

insert the name LOUIS RIVA. Commissioner Perkins nominated Velma Flowers and Mayor Hardin nominated Louis Riva. The motion carried by the following vote:

Yes: Eaton

McGee

McMahon

Moss

Hardin

No: Perkins

Enactment No: RES. No. 2020-158

27. [20-324](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MARIANNE Q. EDGE TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF TOBI AYCOCK, ALTERNATE 1; SAID TERM TO EXPIRE ON JUNE 12, 2022; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS

Anthony Coletti, District 1

Justin Cromartie, District 1

Lisa Ferreri, District 1

Carlton Gillespie, District 1

Henry Lesburt, District 1

Kerry-Ann Parsons, District 2

Marianne Q. Edge, District 3

Carmen Jones, District 4

Marcus A. McDougle, District 4

Tony Parrish, District 4

Andy Cherenfant, District 5

Deidra Daisey, District 5

Daniel P. Diaz, District 5

Luciene Gomes, District 5

Linda Houston Jones, District 5

Clovis B. Nelson, District 5

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED and to insert the name MARIANNE Q. EDGE. Mayor Hardin nominated

Marianne Q. Edge. The motion carried unanimously.

Enactment No: RES. No. 2020-159

E. REPORTS

City Manager Greg Harrison - Customer Service Training - Mr. Harrison reported that the Human Resources Department currently has 201 employees signed up for Customer Service training. This is done on an annual basis for all the employees that come into contact with residents doing business with the City.

McNab House Move - Mr. Harrison gave a shout out to Nguyen Tran and his Community Redevelopment Agency (CRA) staff and all the employees who were involved in the McNab House move. They did a super job and asked the Commission to recognize them by applause, which they did.

Mr. Harrison also recognized Allan Bhagwandeem in Public Works, who also did a great job in this venture. They went above and beyond on the project.

Cypress Golf Course - Mr. Harrison reported that the Commission's investment on Cypress on the Golf Course is paying off. In 2015, for the year there were 9,374 rounds of golf with revenue of \$336,000, this year during the same time period comparing February to February, there were 10,991 rounds of golf with revenue of \$384,000. This will only get better as a similar project is planned for the Palms course, which will be closed in April to commence construction.

Mr. Harrison yielded the rest of his report time to Kimberly Spill-Cristiano who commented on the Coronavirus situation.

Kimberly Spill-Cristiano, Emergency Manager, Pompano Beach Fire Rescue, provided an update on the Coronavirus (COVID-19). Ms. Spill-Cristiano stated that as they continue to monitor the situation on hand, the City is taking COVID-19 very seriously. At this time, there have been no identified cases of COVID-19 in the City of Pompano Beach. However, in the abundance of caution, last Wednesday, Mayor Hardin issued a proclamation for declaration for public health emergency. This will allow the City to begin taking protective actions in any and all measures necessary to protect the employees and the public to the best of its ability. The City will continue to lean forward by collaborating with the local and state partners including the Florida Department of Health, Broward County Emergency Management, as well as many others.

Ms. Spill-Cristiano reported that they were notified, as of noon today, that the County did declare a public health emergency as well, and the level 2 partial activation of the Emergency Operation Center (EOC). This will allow the City to coordinate those efforts and assist the public health officials and experts in coordinating the public health emergency response, similar to what they do during hurricanes. They are implementing financial tracking mechanisms and documentation, in the hopes that if any of the costs incurred are reimbursed down the line from the state or federal. She reported that they are continuing to implement mitigation strategies to lessen and or prevent the virus from spreading.

Comr. Perkins asked if they have hand sanitizers for all the City facilities including Parks and Recreation.

Ms. Spill-Cristiano responded they do have supplies currently, however, they are limited. Nevertheless, there are some channels that they have in line to order additional supplies.

Comr. McMahon asked if the County has identified those cities with cases.

Ms. Spill-Cristiano responded that four cases came up today and it considered as presumptive, which means the first level of testing has shown positive. However, it has to get verified by the Centers of Disease Control (CDC). Those cases that are showing is from the port where some were identified through the Port Everglades.

Mayor Hardin thanked Ms. Spill-Cristiano and City Manager Harrison for staying on top of the situation for all the residents and visitors to the City. It is important for people to maintain vigilance and to pay attention.

City Attorney Mark Berman - Club Cinema v. City of Pompano Beach - Mr. Berman reported that on Monday, he received an order from the United States District Judge Rodolfo Ruiz, a judge in the United States District Court for the Southern District of Florida. In the case of USA Entertainment Group, Inc., d/b/a Club Cinema, v. the City of Pompano Beach Lamar Fisher and Charlotte Burrie. That order granted the City of Pompano Beach Lamar Fisher's and Charlotte Burrie's motion for summary judgment. There is a final judgment closing out the case. The case was previously dismissed but was re-filed and currently a final order has been issued closing the case for good. However, the involved party has thirty days to appeal to file for a new hearing, but based on the way the order has overwhelmingly written in favor of the defendants in this case they perhaps will have a difficult time.

In sum, they were seeking between \$20-30 million from the City of Pompano Beach. They will not settle the case or resolve in any way.

City Clerk Asceleta Hammond - Report on Advisory Boards - Ms. Hammond distributed a copy of a report that she did regarding a request from the City Commission at its last meeting for a listing of the advisory boards, specifically the criteria that drives the membership. The report is comprehensive and two lists were created to capture those board members that are appointed by the Commission at large and those that are nominated/appointed by the Mayor and the Commissioners from each district.

Comr. McMahon expressed concerns in reference to the Boards/Committees as there are times there are applications and he does not know personally the residents willing to serve. So he asked if there are any type of background check done on the members prior to appointing them to a board.

Ms. Hammond responded that no background checks are done and several times attempts have been made to put a background check in place but the Commission has not approved this action.

Mayor Hardin indicated that a background can be done and he is unopposed to that, however, without some mechanism to act on the background check, it is fruitless. There ought to be some type of rule to say if someone is a convicted felon they cannot search on a particular board or if somebody is a convicted child molester, they cannot serve on a particular board.

Mark Berman, City Attorney, responded that there is a section in the City's code that deals with boards and some are created and they are not in that section. However, he suggested that there could be a general requirement and set general rules and put it in the code.

Comr. McMahon indicated that it would be helpful to the Commissioner if they knew a little more about a person prior to appointing him/her to a board.

Vice Mayor Moss does not think it is a bad idea to do a background check. However, the Commission would have to define the type of background check, for example would it be criminal background, or credit checks. It would have to be defined prior to conducting the check.

Comr. McMahon suggested that it could mirror what is being done for the City through the Human Resources Department.

Mayor Hardin cautioned that the Commission is requesting these people to come forward and volunteer and once anything is done, it becomes part of the public record. Therefore, some people may decide it is more trouble if a background check will be done and perhaps appear in the news media, which would have a chilling effect to get applicants to serve.

Comr. McGee stated that it would be interesting to see how more information could be received on the applicants more than just a resume. As well as some applications were submitted four to five years ago. Also, for background checks it depends on what type. Criminal and credit checks could run approximately \$35 per application.

Vice Mayor indicated that on the application the question is asked about criminal background.

Comr. Perkins indicated that she does not see the need for a background check. Personally, she thinks it is good enough that the person is a registered voter and a resume or background is asked to be provided already. Over the years the City has not had any issues with this in place and wanted to know if there is a problem recently. The residents are giving a lot of information that the public can be informed about them.

Vice Mayor Moss suggested that if an application has been on file for more than three years prior to appointment they are asked to update their application.

Comr. McMahon suggested that the Management staff perhaps could check with other cities to see how they are handling their board members.

Mayor Hardin indicated that there may be a long list of applicants that are presented but personally, he will not nominate just anybody unless he knows something about the person he is nominating, and it is true of most Commissioners on the dais. He understands that more information is good, but just because a name is placed on the list does not necessarily mean they will get appointed to the Board. However, the Commission could ask City Manager and his staff to look into what other cities are doing if they do anything. Also, he asked that in looking at how other cities handle their boards, to look at the potential of removing a person from serving on boards.

Mr. Berman indicated that certain boards do have their own rules and regulations to remove persons from board in the code. For example, malfeasance or failure to attend is detailed in the rules. Malfeasance covers a variety of things such as conduct at the meeting and comments made outside. However, a general rule for everybody can be organized and put in place.

Vice Mayor Moss asked if all applicants are considered not worthy of appointment, what then?

Mayor Hardin responded that because an item is on the agenda it does not mean it has to be filled. The Commission does not have to appoint a person to a board. Usually they choose persons because they want their input, but it is not mandatory to choose somebody that is a known unlikely applicant to serve on any particular board.

Commissioner Rhonda Eaton - Relocation of McNab House - Comr. Eaton stated that the McNab House is stunning and beautiful. In fact, it has changed the entire landscape sense. It is a jewel and it changed the area overnight. The entire Atlantic Boulevard has changed and it will be fantastic. Overall a great job done to move the house and she is proud to be a part of this move.

Fishermen Pass at the Pier - Comr. Eaton indicated that a previous speaker who spoke on the fishing pier, brought back an issue about the pier fishing for Pompano Beach residents for an annual pass. Perhaps this could be limited. She thinks it is a nice idea for the residents. Therefore, she suggested that City Manager Harrison could look into setting an annual pass for fishermen, and to provide the cost and things of that nature.

Grand Opening of the Burrie Center - Comr. Eaton is excited for the Grand Opening of the Burrie Center, which will be Thursday, March 12, 2020 at 10:00 a.m. She is very glad for the much needed Community Center for the area. She invited the public to come out and enjoy the event.

Commercial Vehicles Parked in Single-Family neighborhoods - Comr. Eaton indicated that there is an ordinance prohibiting parking motor vehicle or trailer that has attached to it a visible on exterior an open bed or commercial lettering, tools, building equipment, merchandise, ladders, pipe racks, emergency flash lights or rotating lights or an altered or removed tool box. Comr. Eaton noted that within her district and throughout the neighborhoods there are many "dirty job guys" these are the tradesmen, plumbers, carpenters, electricians living in this affordable place. The City needs these types of trades. Therefore, the prohibition against a van with a ladder on top, which could be a plumber being called at the wee hours of the night to get on the roof to clean out a stack and has access to his ladder, which is their job. They should have the right to park their vehicle that is their livelihood in their driveways. Notwithstanding, there will be those persons who keeps their yard unkempt and affecting the neighborhoods, and there is code enforcement that can handle those cases. However, for the working-class residents, is warranted, because there may be a bit of over-reach. Therefore, she would urge the Commission to consider this ordinance whether to allow a commercial type vehicle to be parked in a single-family residence on their own private driveway. It should be restricted to a work vans and not any big rigs or flatbed trucks.

Mayor Hardin indicated that he received an email from a resident who was cited by code enforcement for commercial vehicles, perhaps it could be the same case Comr. Eaton is referring to, which she confirmed yes.

He said this comes up often enough where normally a neighbor gets mad at somebody and calls code enforcement on him or her. Code Enforcement is rarely out looking for a nice-looking vehicle at somebody's home. They are looking for the blatant commercial vehicles. While the subject is sensitive for various reasons, he would caution everyone. The Code Enforcement is the backbone of the community, and without the proper tools for code enforcement, the neighborhoods could end up not being maintained, as they should.

Comr. Eaton concluded that she just wanted to get a debate going among the Commission to get their opinion on this matter.

Commissioner Andrea McGee - March 17, 2020 Special Municipal Election - Comr. McGee echoed comments made earlier, which is to encourage everyone to take advantage of early voting in the City and to vote on March 17th. In addition, she indicated that the full amendments are available on the website at pompanobeachfl.gov and there is a link to the amendments. She indicated that she has received numerous emails where people are confused with the amendments and their relations to development issues.

Commissioner Tom McMahon - Cypress Civic Association Meeting - Comr. McMahon announced that the Cypress Civic Association meeting will take place on Wednesday, March 11, 2020, at 7:00 p.m. There will be discussion about the two bridge projects in District 3. Therefore, he encouraged residents to attend.

McNab House - Comr. McMahon indicated that he was impressed to see a 420-ton house in the middle of Atlantic Boulevard and Federal Highway as it was relocated to its current location. The Broward Sheriff's Office, staff, as well as the City Manager and most of the Commission were present to see this exciting event of preserving Pompano's character and history. He thanked the Historical Society for advocating for preserving history.

Commissioner Beverly Perkins - Men of Excellence Group - Comr. Perkins announced that the Men of Excellence group will be having a celebration on Friday, March 13, 2020, at 6:30 p.m. at the Sheraton Suites Hotel. This will be their 20th year Gala event. Mr. Anthony Campbell started this group a few years ago teaching young men to have respect and to demonstrate responsibility, as well as good leadership and brotherhood. In addition, they will be honoring her as one of their friends along with the Mayor of Broward County and Mr. Demello.

Unsung Hero Ceremony - Comr. Perkins extended invitation to all to join her on Saturday, March 21, 2020, at 10:00 a.m., at the E. Pat Larkins Center for the unsung hero ceremony. They will be honoring the outstanding residents past and present.

Vice Mayor Barry Moss - Moving of the McNab House - Vice Mayor Moss echoed comments made earlier about the moving of the McNab House event. It was a very impressive feat, and he extended congratulations to all who were involved. He is looking forward to see what will happen once it is put into its permanent place and gets the renovation work it needs.

Special Municipal Election - Vice Mayor encouraged everyone to go out to early voting and to ensure that they do vote on March 17th.

Grand Opening of the Charlotte Burrie Center - Vice Mayor is looking forward to the opening of the Charlotte Burrie Center, which has been many years in the planning. She is a lovely lady who deserves it, and he plans to be at the grand opening.

Mayor Rex Hardin - Moving of McNab House - Mayor Hardin echoed all the prior speakers sentiments on the McNab House. It was a great project and a great job, great execution that went off without a “hitch.” It was fantastic to see that bit of history for the City of Pompano Beach rolling down the street. It is good to know that it will be saved for people to remember some of the history of the City. Great job by everybody to include Community Redevelopment Agency (CRA) and BSO.

Sea Oats Planting Event - Mayor Hardin reported that the City had a great sea oats planting event this past Saturday, March 7, 2020 behind the Breakers Condominium on the beach. People from the Audubon Society and Lee Gottlieb adopt a dune, Tim Hogans with FP&L team of volunteers to help with the planting. Broward County participated and gave grants to pay for the sea oats. It was a great project and environmental boost for the City’s coastline. Overall a nice event.

Residential District Advisory Board Meeting - Mayor Hardin announced that there is a meeting coming up on March 30, 2020 at 6:30 p.m. at the E. Pat Larkins Center, which is the Residential District Advisory Board meeting. This group under the auspices of Broward County is looking to spend \$10 million in the northwest residential areas. They are looking for the resource advisory board to the Broward County Commissioners, created to make non-binding recommendations of appropriate projects and programs to directly eliminate residential slum and blight in the geographically area that composes the northwest district of the Pompano Beach Community Redevelopment Agency (CRA). He invited everybody to attend to provide their thoughts and ideas for the things that can be done in the northwest residential area to eliminate slum and blight. These funds are different from the CRA funds. These funds can be used for any number of things. There are no restrictions on the types of projects or programs that they can be used on.

Special Municipal Election March 17th - Mayor Hardin encouraged everyone to get out and vote on March 17th.

Census 2020 - Mayor Hardin reminded everybody about the upcoming census and that it is vitally important that everybody respond to the census, which will pay dividends for the next ten years. Everybody needs to be counted.

F. ADJOURNMENT

The meeting adjourned at 3:20 p.m.

Rex Hardin, Mayor

Asceleta Hammond, City Clerk