



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, May 26, 2020

1:00 PM

Commission Chamber

Virtual City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the 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

APPROVAL OF MINUTES

[20-403](#) Virtual City Commission Meeting Minutes of April 28, 2020

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

APPROVAL OF AGENDA

Greg Harrison, City Manager indicated that there were no changes to the agenda.

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

CONSENT AGENDA DISCUSSION

The Commission may pull items from the Consent Agenda. A person may request an item be pulled from the Consent Agenda for discussion on the Regular portion of the agenda upon advance written request, as per the instruction under Speaking About an Agenda Item (Remotely) above.

Mayor Hardin announced that items 5, 10, 11, 14 and 15 would be pulled for discussion.

A. PRESENTATIONS

[20-398](#) Presentation of the City of Pompano Beach Comprehensive Annual Financial Report, Single Audit Reports and Management Letter for the fiscal year ended September 30, 2019 and the results of the annual audit by Marcum LLP, Independent Certified Public Accountants (Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

Andrew Jean-Pierre, Finance Director presented the item stating that the Comprehensive Annual Financial Report (CAFR) prepared by the Finance Department is presented in conformity with accounting principles generally accepted in the United States of America. It is audited by an independent firm of certified public accountants, Marcum LLP as mandated by Florida Statutes, Chapter 218.39, *Annual Financial Audit Reports*. Finally, Mr. Jean-Pierre introduced the presenters of the audit report, Michael D. Futterman and Moises D. Ariza from the external auditors, Marcum LLP.

Michael D. Futterman introduced their presentation on the reports of the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended September 30, 2019. He then referred to Pages 1-3, as one of the few pages in the report that belongs to the auditors, which is the Independent Auditor's Report and it mentions what they have audited, management's responsibility for the financial statements, and for the preparation and fair presentation of the financial statements in accordance with the accounting principles generally accepted in the United States of America. Also, it refers to the auditor's responsibility to express their opinions on the financial statements based on their audit. Also, it states that they did not audit the financial statement of the City of Pompano Beach General Employees' Pension Plan which is audited by other auditors. Their audits are performed in accordance with generally accepted auditing standards, as well as they are required to follow another set of audit standards called the Government Auditing Standards.

Continuing, Mr. Futterman indicated that listed on page 2, is one of the most important paragraphs for the City, which is the Opinions paragraph. It states, "In our opinion, based on our audit and the report of other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund and the aggregate remaining fund information of the City, as of September 30, 2019, and the respective changes in financial position and, where applicable, cash flows thereof for the fiscal year then ended in accordance with accounting principles generally accepted in the United States of America." This is known as an unmodified opinion or a clean opinion, which is the only opinion the City would like to be associated with.

Finally, Mr. Futterman recommended that in the extensive CAFR document, the Commission should read the management discussion analysis which is outlined on pages 4-18.

Moises D. Ariza indicated that aside from the CAFR the City received their compliance reports, which stand alone. He referred to several pages within this fifteen-page document.

- Page 1 - Lists the independent auditor's report, internal controls or financial reporting and compliance.
- Page 2 - Reports that they did not identify any deficiencies in the internal controls that they considered to be of material weakness. Also, on the page there is reference to compliance. They did not identify any instances of non-compliance or other matters that are required to be reported under government auditing standards.
- Page 3 - Under the Compliance section - it reports on compliance for each major federal and state project. The City has met two different sets of thresholds to qualify for this audit. The City qualified for a single audit because it received federal funding of approximately \$8.6 million, and state funding of \$3.6 million. Three major programs were identified.
- Page 4 - As external auditors, in their opinion, the City complied in all material respects with the types of compliance requirements referred to the above that could have a direct material effect on its major federal programs and state projects for fiscal year ended September 30, 2019. So, there was a clean opinion in regards to the grants the City received.
- Page 13 - In sum, when the City was analyzed in comparison to its peers, that is, cities that are similar in size, the auditors did not have any financial condition assessment deterioration to report to the Commission.
- Page 15 - References Florida Statutes 218, which requires the external auditors to compare the City's investment portfolio to its investment policy. The City complied in approximately all respects with section 218.

The Management letter directed to the elected officials summarizes any audit findings or recommendations for improvement, which none were being reported. This letter would also document any issues that they found with Management and the Finance Department with regards to the audit, and assisting them throughout the process. There were no issues with management and they were very helpful. He thanked Finance Director, Andrew Jean-Pierre and his team for providing requested information in a timely manner even during the COVID-19 situation with people required to work remotely.

Mayor Hardin thanked the auditors for their presentation and the thorough overview of what has been going on in the City. He indicated that it sounds like the City of Pompano Beach could not ask for a better audit than what has been received. He asked if this would be an accurate assessment.

Mr. Ariza responded yes and explained what the highest standards involved with a financial audit having an

unqualified opinion with non-compliance issues. He informed that they audit over forty government agencies in South Florida and it is not common not to have any instances of non-compliance and general recommendations for improvement.

Comr. Perkins asked for a paper copy of the audit.

Mayor Hardin congratulated and thanked Mr. Jean-Pierre and his entire staff, as well as City Manager Harrison for their efforts to keep the City in a great financial state. Once again it is a true testament to the entire team in the City of Pompano Beach to receive these types of audit results.

The Presentation was READ AND PRESENTED INTO THE RECORD.

[20-394](#) Update on the self-response rate for Pompano Beach for the 2020 Census.
(Fiscal Impact: N/A)

(Staff Contact: Daniel Keester-O'Mills/David Recor)

Daniel Keester O'Mills, provided a brief presentation and talked about the Census 2020, as well as to provide an update on the self-response numbers. He provided a brief overview that the City Commission appointed members of the Local Count Committee and he has been working with them, the County and the Census staff to try to formulate plans to ensure that every household in the City of Pompano Beach is counted and completes their census. The goal of the Census Committee is to ensure everyone gets counted once, and in the right place. The map produced by the Census Bureau as to where everyone is responding was presented to the Commission. The map is updated every day.

Mr. Kester O'Mills reported that the national response rate is at 60%, Florida is at 57%, Broward County is at 55%, and Pompano Beach is at 47.9%. He mentioned that the federal bureau considered census day to be April 1, 2020, however, with the online capability people were able to start responding since March 23, 2020. Due to the COVID-19 pandemic situation the census schedule has been pushed back. People still have the opportunity to respond to the census online, but the opportunity is not limited to the internet. People can call, or send in a paper mail questionnaire that was sent to every resident in the City of Pompano Beach. Next month the enumerators will be going out to leave paper questionnaires on people's door as another reminder. They are trying to encourage self-response as much as possible to ensure everyone responds to the census. He then provided the information that will be asked on the census and indicated that no personal information will be required, no money or pin codes.

In sum, the presentation is to inform the public that the City's response rate is less than other cities and the national rate, and that it is important that everyone knows the importance of responding to the census. Also, this is to provide information on what the committee has been doing and to solicit any assistance or ideas in sharing the message to the respective communities and the social constituents. They have been making weekly posts on social media about the census, placed advertisements in the local newspapers, posted messages on the City's electronic signs at the various City centers, included flyers and information in the food boxes that have been distributed at the Isle Casino and have designed and created door hangers to target certain areas in the City as

a reminder to those residents to respond to the census. Finally, they have an advertisement that is posted on the electronic bill board within the City limit and have been coordinating with the City's marketing team to try to devise new ways to improve the self-response.

Mayor Hardin thanked Mr. Keester-O'Mills and the entire Local Complete Committee for their efforts. He is aware that these volunteers have been trying to get residents to answer the call to the census.

Comr. McGee asked if posters and flyers were given to the condominiums at the beachside, because she noticed they have been slacking behind. Therefore, she suggested distributing information about the census in their elevator banks and mail areas.

Mr. Keester-O'Mills responded that they have information that can be distributed to the condominiums. When they were doing the door hangers drop offs for the beach area, they went into the condominiums and gave them some of the door hangers.

Comr. McGee indicated that perhaps Mr. Keester-O'Mills could meet with her afterwards to strategize ways to reach the residents in the condominiums in the beach area.

Mayor Hardin indicated that he had a conference call with Wilbur Ross the secretary from Washington about the City's response rate. So, it is important to try and get out the census message for everyone to respond, because it is vital to the future of the community.

Comr. Perkins requested a few extra door hangers. She reported that she has sent out letters to some of the churches, the homeowners' associations and all of the organizations that she could think of to inform them about the importance of responding to the census. So, the door hangers will help the reach-out efforts in the community.

Mayor Hardin thanked Comr. Perkins for her efforts and indicated that the more people try to get the word out the better it will be for the City.

Mr. Keester-O'Mills stated that the last day for self-reporting is October 31st but people should not wait for the last minute to do this.

Mayor Hardin encouraged anybody who may have questions or ideas could coordinate with Mr. Keester-O'Mills, the coordinator for the City.

Finally, Mr. Keester-O'Mills responded to a few questions from Mayor Hardin and indicated that once the census time is completed, they will not assume the number of residents in the City, but they will be using the data collected by self-reporting and the enumerators. In addition, the final date of completion will be in October.

The Item for Consideration/Discussion was READ AND PRESENTED INTO THE RECORD.

B. CONSENT AGENDA

The following items were Approved/Adopted without discussion 1-4, 6-9, 12 and 13.

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

1. [20-395](#) Approval to award Bid P-14-20, Canal Dredging - Phase I to the lowest responsive responsible bidder, Brance Diversified, Inc., at a cost of \$185,010.00.
(Fiscal Impact: \$185,010.00)

(Staff Contact: Anthony Alhashemi/Tammy Good)

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. [20-337](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DRAINAGE AND ACCESS EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND MICRO TYPING SYSTEMS, INC., ACCEPTING A GRANT OF A DRAINAGE AND ACCESS EASEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$10.00)

(Staff Contact: Matthew Kudrna/Tammy Good)

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. 2020-175

3. [20-381](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT AN APPLICATION TO THE FLORIDA INLAND NAVIGATION DISTRICT WATERWAYS ASSISTANCE PROGRAM FOR REPLACEMENT OF THE DOCK AND SEAWALL AT ALSDORF PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$475,000)

(Staff Contact: Anthony Alhashemi/Tammy Good)

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. 2020-176

4. [20-359](#) 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 ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND HOLA MUNDO!, LLC FOR TEMPORARY DISPLAY OF RECYCLED ARTWORK AT 100 POMPANO BEACH BOULEVARD, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Laura Atria/Phyllis 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. 2020-177

5. [20-379](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING MOSAIC MURAL FLOOR DESIGN AND INSTALLATION IN THE BEACH SIDEWALK STARTING AT THE GREAT LAWN AND STRETCHING NORTHWARD TO THE POMPANO MUNICIPAL PIER PURSUANT TO TERM TWO OF THE MOSAIC TEAM PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Laura Atria/Phyllis Korab)

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL requested pulling the item for discussion. He enquired if this is for a special type of concrete all along the walkway, and provided the reason for the question. He stated that there was an issue when the pier sign was redone. Therefore, he enquired if this was always in the plan or is it an add-on after the sidewalk concrete has been poured and now have to be drilled by a private contractor.

Mayor Hardin responded that this was not part of the original plan when the City envisioned the Pompano Beach Boulevard improvements. This is a public arts project that has come along since then. The concrete used along the promenade is a specialized product.

Mr. Drum suggested that the contractor create small sample boxes and have it drilled to determine if it would crack prior to doing the entire sidewalk, only to find out that it would crack if it is drilled. This project is a beautiful idea.

Comr. McGee indicated that she had concerns about the concrete as well, because it is a very expensive and special thing to do. Therefore, she enquired if the City has the time and ability to implement Mr. Drum's suggestion to have a test run done prior to commencing drilling in the big area.

Laura Atria, Public Art Manager, responded that the artist is responsible for hiring a licensed contractor that will do the concrete core drilling. In order to do a separate testing, they will have to pay extra to the contractor, which does not seem feasible on her end because she pays by day. However, they have met with the City's Public Works team and discussed the expertise of the contractor. They will be going just a few inches deep. In addition, they will ensure the contractor has insurance in the event any cracking should take place. The idea to do the testing is a great idea.

Vice Mayor Moss indicated that one contractor should be used for the different artists, rather than have each artist with his/her own contractor. Therefore, the Public Works Department should find a contractor that they have confidence in and stipulate that each artist uses the one specific contractor.

Ms. Atria indicated that it will only be one artist, Sonata Kazimieraitiene, who did the Mosaic Team Term 1, and she has been working with the licensed contractor recommended by Public Works.

In response to Comr. McGee's question on the number of images, Ms. Atria responded that there are approximately 100 different tile mosaics, so they will vary in different images with one overall theme. So, there will be 100 different styles of aquatic theme tile mosaics.

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. 2020-178

6. [20-389](#) 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 AGREEMENT TO PURCHASE ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND LINDA SERRAO; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Laura Atria/Phyllis 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. 2020-179

7. [20-390](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE LETTERS OF UNDERSTANDING FOR COMMISSIONED ARTWORK FROM VARIOUS ARTISTS AND APPROVING THE DESIGN AND INSTALLATION LOCATIONS REFERENCED THEREIN, FOR PARTICIPATION IN ROUND THREE OF THE UTILITY BOX WRAP PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$4,600.00)

(Staff Contact: Laura Atria/Phyllis 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. 2020-180

8. [20-373](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, ACCEPTING A GRANT IN THE AMOUNT OF \$360,000 FOR A NEW AIR TRAFFIC CONTROL TOWER (ATCT) SITING STUDY, AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$90,000; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$90,000)

(Staff Contact: Robert McCaughan/Steven Rocco)

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. 2020-181

9. [20-386](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A STAGING AREA AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

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. 2020-182

10. [20-368](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING AN EXPENDITURE FROM THE CITY OF POMPANO BEACH LAW ENFORCEMENT TRUST FUND (LETF) FOR THE PURCHASE OF TWO VARIABLE MESSAGE BOARDS AND FIVE PATROL BICYCLES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$39,440.65)

(Staff Contact: Andrew Jean-Pierre)

Comr. Perkins pulled the item for Commission discussion and enquired if the message boards are portable.

Andrew Jean-Pierre, Finance Director, indicated that Major Adkins would respond to the question.

Major Wayne Adkins, responded yes, they are moveable, similar to the current ones on the streets.

Comr. Perkins asked if there are any patrol bicycles, to which Major Adkins responded there are currently twenty-five (25) patrol bicycles. He would like to add to the 25, which would allow him to have bicycles on each patrol shift, which are eight (8) in total.

Comr. Perkins indicated that approximately one-year prior, training was done to utilize the bicycles but she has not seen them being utilized in the City. Therefore, she wondered why would they increase the bicycles when they are not being utilized.

Major Adkins indicated he could provide statistics to the Commission on this matter. He stated that the core team has been specifically out in the northwest area and particularly in the area of NW 15th Street and 8th Avenue, prior to the COVID-19 pandemic. Hopefully, as the City gets back to some type of normalcy many more will be seen.

Mayor Hardin asked if the message boards and bicycles will remain with the City and not Broward Sheriff's Office, to which Major Adkins responded that is correct.

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. 2020-183

11. [20-405](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE AMENDMENT TO THE CITY'S DEBT MANAGEMENT POLICY RELATING TO CONDUIT BONDS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-pierre)

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL pulled the item for Commission discussion and indicated that he wanted to inform the audience that the item is a companion to item 21, which will be discussed later. He stated that John Knox is and has been a very valued part of the City of Pompano Beach. He is in no way disparaging or negating their good works. He then provided a brief overview of the preferential borrowing utilizing the credit of the City of Pompano Beach by utilizing the conduit bond. In other words, John Knox is utilizing the City's credit rating to receive discounted rate for borrowing over \$30 million in 2010. In 2015, John Knox was allowed to borrow an additional \$40 million using the City's credit rating to get a lower borrowing rate. Currently, they would like to increase the amount to \$90 million. He questions the idea that this borrowing arrangement does not hurt the City and explained his reasons.

Andrew Jean-Pierre, Finance Director, stated that the statements made by Mr. Terwilliger earlier are incorrect. John Knox is not using the City's credit rating, rather they are using their own rating to secure the bonds. John Knox has to prove to the investors that they are capable of making their payments on their own. If they should default on the payments it would have no impact on the City. The City is only providing its name to this transaction, which the IRS has created a rule if they partner with the City, they would receive a tax-exempt weight, which will result in a lower interest rate to them. He confirmed that the City has been a conduit for John Knox since 2010, and there have not been any issues with any of their payments. Therefore, staff recommends approval of the policy. Also, Mr. Jean-Pierre reported that the City's investment financial advisor and the bond counsel have provided input and have approved the City making this change.

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. 2020-184

12. [20-374](#) 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 HOLA MUNDO!, LLC TO PROVIDE A BILINGUAL SUMMER CAMP FOR BOYS AND GIRLS AGES FOUR TO THIRTEEN YEARS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City will receive \$3,000 as compensation for the use of Bach Pavilion 2)

(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. 2020-185

13. [20-375](#) 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 LIVING WATER SURF SCHOOL LLC TO PROVIDE INSTRUCTION IN OCEAN AWARENESS AND SURFING FUNDAMENTALS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City will receive \$4,500 as compensation for use of N. Ocean Park Pavilions 4 & 5.)

(Staff Contact: Mark Beaudreau)

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

Enactment No: RES. No. 2020-186

14. [20-391](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING AGREEMENTS ENTERED INTO BY THE CITY DURING THE COVID-19 CRISIS DURING THE ABSENCE OF CITY COMMISSION REVIEW; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: BSO 7th Amendment - Fiscal Impact: \$191,102; County Water Discount Agreement - Fiscal Impact: County shall calculate the total cost of discount to be reimbursed by the City.)

(Staff Contact: Greg Harrison/Major Wayne Adkins)

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL pulled the item for Commission discussion and indicated that this item will increase the Broward Sheriff's Office (BSO) payment by \$191,102, which appears to be a small amount of money in the total scope of the City's \$308 million budget, but he wanted to provide the rest of the story, which he did. He is concerned that for the \$48.5 million paid to BSO the City is not getting the services that it should get, and options should be explored to get BSO to be more proactive than reactive.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated that the contract states five details, which costs a lot for City sponsored events, which would include those that were not held due to the COVID-19 situation. Therefore, since these were not held, he cannot understand why the money could not be used to buy the two signs and five bicycles.

Mayor Hardin indicated that the comments made by Mr. Drum are not germane to the item and perhaps he may want to contact Major Adkins to provide an explanation to the comments he has made.

Comr. Perkins stated that the budget detail indicates approximately \$48 million of the budget is paid to the BSO and enquired if that is being paid annually.

Greg Harrison, City Manager, responded that is correct.

Comr. Perkins indicated that the City of Pompano Beach is the largest served City by BSO and felt that the \$191,102 is not necessary, since the City already pay a lot of money to the tune of \$48 million. There are numerous complaints regarding BSO and they can do a lot better, which they are working on but has not gotten there yet.

Mr. Harrison explained that the \$191,102 is the balance to create the core team that the City came up with in this year's strategic plan, which was done because she had requested more coverage for the northwest district. This is one of the items that Major Adkins have recommended and this is now being presented to the Commission for the completion of that item.

Comr. Perkins indicated she did not request the dollar amount and that her district is still in the same predicament they have been for years.

Mayor Hardin requested that Major Adkins meet with Comr. Perkins and discuss the issues she is outlining as it relates to police presence to deter the crime in her district.

Major Adkins indicated that they have had traffic studies that were presented to Broward County Traffic Engineering to put the traffic counters down. As they are moving along, he is updating Comr. Perkins and the City Manager on their activities. In mid-March, due to the pandemic they had to put a halt to the actual traffic

studies. There were nine to ten streets brought to BSO's attention that they are addressing. In fact, two weeks ago Comr. Perkins forwarded him an email to add to the list NW 7th Terrace. In sum, they will start to pick up more steam as the COVID-19 situation allows them to get back to what they had started.

Comr. Perkins requested a copy of the traffic study that has been done to date.

Major Adkins explained the reasons for the core team. They are not road patrol deputies. They are specific for addressing the hot topic items that are taking place in the City. They are trying to go into the areas to address the problems and concerns that keep driving the calls up for service.

Comr. Perkins asked if the core team will be positioned at the 731 Building.

Major Adkins responded no. That area is just an outreach office, for when they need to meet with people that do not feel comfortable going to the police station or the police going to their location.

Mayor Hardin indicated that the updates can be a bit frustrating when a shooting happens where no one says anything. The person who got shot does not want to communicate what is going on. He asked if Major Adkins could provide any insight why this happens.

Major Adkins responded that it is a myriad of issues, such as fear of retaliation, retribution, taking the law into their own hands and there is the matter of trust, which comes both ways. The core team will be out there. Also, the road patrol deputies will be partnering with the core team to work side by side. The core team was handpicked by him and the Commands of both areas.

Comr. Perkins reported that there are prostitutes walking up and down Dixie Highway. However, she has been working with Captain Stallings to assist with this problem as well as one of the Colonels in the corporate office of BSO. They have removed the prostitution on Dixie Highway but those persons have now gone into the communities of Sanders Park, Liberty Park and those areas. More needs to be done and she urged the residents to please call the non-emergency number of the police when they see them in the neighborhoods.

Mayor Hardin indicated that this problem is not limited to Dixie Highway but across the City.

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
Moss
Hardin

No: Perkins

Enactment No: RES. No. 2020-187

15. [20-392](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING AN AMENDMENT TO THE FY 2019-2020 ANNUAL ACTION PLAN APPROVED BY THE CITY DURING THE COVID-19 CRISIS DURING THE ABSENCE OF CITY COMMISSION REVIEW; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$613,463)

(Staff Contact: Miriam Carrillo/Alex Goldstein)

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL pulled the item for Commission discussion and indicated that he wanted to express appreciation to the Federal Government that as part of the Cares Act for wanting to assist those in Pompano Beach in need for payments of their rent or mortgage. They have provided the City with a grant of \$613,463. He expressed concern that in this time some of the people in the community are hungry, and may have lost their jobs and most likely would lose their homes or place of residency. Therefore, the City should have distributed 100% of this grant to those who are in need. Instead, it applied \$122,261 of the grant toward administration.

Comr. Perkins enquired about the qualifications for the emergency rental assistance.

Alex Goldstein, Program Compliance Manager, Office of Housing and Urban Improvement, responded that they posted, on the City's website, all the necessary direction and instructions as it relates to the application process and what is needed. However, he could provide a direct copy of this information to the Commission for distribution to their constituents.

Comr. Perkins indicated that she has been providing the information to the residents regarding the Broward County program and would like to provide the City's information to the residents as well.

Mayor Hardin indicated that for weeks he has been promoting the emergency rental program.

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. 2020-188

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

Mark E. Berman, City Attorney, advised that items 16-20 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, will be sworn in individually, and must state his or her name and address, and must remain on standby at the conclusion of his/her comments for any cross examination so desired. 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 individually, all persons, including staff, addressing the City Commission in the following matters.

16. [19-712](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE SUMMAN WESTERN INVESTMENT PLAT LOCATED WEST OF NW 31ST AVENUE, APPROXIMATELY 500 FEET NORTH OF WEST ATLANTIC BOULEVARD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 24, 2019 , NOVEMBER 12, 2019 , JANUARY 14, 2020 & JANUARY 28, 2020

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that the applicant is requesting plat approval for the Summan plat on the property located on the west side of NW 31st Avenue, approximately 850 feet north of Atlantic Boulevard. The Subject property includes a portion of the platted property along with unplatted property.

The proposed plat divides the property into two parcels. The larger of the two is 3.09 acres and labeled as Parcel A. The remaining 383 square feet will be dedicated for an access easement. The plat proposes to restrict the property to a maximum building of 120,000 square feet of General Commercial use. The subject property of 3.09 acres is currently vacant with the exception of a cell tower and an associated 90 square foot utility building, which will remain after future development of the property is completed. The Planning and Zoning Board recommended approval of the plat on July 10, 2019, and all conditions of approval have been met. In addition, the applicant met with the Collier City Homeowners' Association and changed the plat note from self-storage to general commercial to address the residents' concerns.

Mike Vonder Muelen, Keith and Associates, 301 East Atlantic Boulevard, Pompano Beach, FL, is available for any further questions.

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. 2020-189

17. [20-345](#) **P.H. 2020-62: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE NORTHWEST CORNER OF NW 33RD STREET AND NW 27TH AVENUE AND COMMONLY KNOWN AS 2900 W. SAMPLE ROAD FROM GENERAL INDUSTRIAL PLANNED INDUSTRIAL OVERLAY (I-1/PCI) TO GENERAL INDUSTRIAL (I-1); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that the applicant is requesting to rezone the rear parking lot of the Festival Flea Market from General Industrial Planned Industrial Overlay (I-1/PCI) to General Industrial (I-1), to remove the master plan requirements from the property. The subject property includes 10.23 acres. The rezoning was recommended for approval by the Planning and Zoning Board on February 26, 2020.

Christopher Collins, Urban Design, 696 NE 125th Street, North Miami, FL, is available for any further questions.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he is aware there are other ways to find out the answer, but because items 17 and 18 ask for the same thing, and due to the holiday, he could not get an answer. He noted that since it was mentioned about removing the master plan for ten acres, he wanted to know what is the benefit for this item and the following item of changing the zoning from the I-1/PCI to I-1. Does it allow for more or less building?

Ms. Dolan responded that when there is a PCI Overlay it is for a specific master plan. Therefore, if they do not want to build that specific plan anymore, they would have to get rid of it in order to go back to the general zoning district. So, it is not providing any more or less rights, it is just taking a specific plan and indicating that it is not necessary any more. She then explained that the original plans were to build an outdoor bazaar.

Comr. Perkins understood they wanted to remove the master plan and asked if they had any idea what they plan to do with this in the future.

Ms. Dolan indicated that they only indicated that they did not want to use the previous plan.

Mr. Collins was sworn in by the City Clerk and he responded that he understood from an original master plan approval that was completed through the previous owner that this parking was constructed in the early 90's, with the intent of providing surplus parking to the Festival Flea Market for additional parking for guests, as well as to have some type of outdoor sales and outdoor activities such as car shows. Since his client purchased the property over the last few years, or a decade or two, it has not been used the way that they had envisioned it. The current parking is not required to meet the parking requirements for the Flea Market building. Therefore, their intention is to remove the master plan approval and eventually construct something compatible with the I-1 industrial use, which was the original zoning category for this parcel. Most likely they will construct a warehouse, which will be compatible with the south and east of the property.

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

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Absent: Moss

18. [20-344](#) **P.H. 2020-63: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE SOUTHEAST CORNER OF SW 6TH STREET AND SW 9TH TERRACE AND COMMONLY KNOWN AS 650 SW 9TH TERRACE 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)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that her presentation is located on the third page of the Planning and Zoning report, for those who needed to follow along on her verbal presentation. The applicant is requesting to rezone the subject property located on the southeast corner of SW 6th Street and SW 9th Terrace from General Industrial/Planned Commercial Development (I-1/PCD) to General Industrial (I-1), in order to remove the master plan requirements from the property. The subject

property includes 1.7 acres. The rezoning request was recommended for approval by the Planning and Zoning Board on February 26, 2020.

Christina Bilenki, 14 SE 4th Street, Boca Raton, FL, on behalf of the applicant, HGreg Automotive, was sworn in by the City Clerk. She provided that the property is located on the west side of I-95 with Atlantic Boulevard to the north and Cypress Creek Road to the south. In 2013, the City actually approved a rezoning to add a master plan to the specific site. The master plan allowed for an additional story to the structure and it allowed for parking on the roof deck and various waivers from the City's code. She mentioned the intent at that time was to use the building for vehicle sales with a storage component as well. Since that time, the applicant has re-evaluated their business and opened up the HGreg Lux Automotive site, which is a vehicle sales center on Sample Road, within the City. The subject site is intended to be used for the storage of their vehicles. In sum, they intend to comply with the City's code and all the development regulations within the I-1 zoning district. The existing structure will be used, however, they will make significant enhancements to the landscape in the area and to the building itself. In essence, they will revitalize the building. The proposed zoning of I-1 will be consistent with the surrounding properties in the area to the north, south and west that share the same zoning standard.

In response to Mayor Hardin's question regarding the displayed proposal, Ms. Bilenki responded that it was the latest proposal. They plan to revitalize the exterior of the building, add more windows and the tower feature, which is a new component. Also, they will enhance the existing building façade. It is a similar look of what was proposed in 2013.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, declined further discussion because Ms. Dolan answered his question about the difference between the two classifications, which he now understands.

Vice Mayor Moss enquired if this is the old Sultan and Son building, to which Ms. Bilenki responded it is that building. Vice Mayor Moss stated that it is an improvement to what is currently in place.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

19. [20-383](#) **P.H. 2020-69: (PUBLIC HEARING 1ST READING)**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2019-226 AND ALLOCATING A MAXIMUM OF ONE HUNDRED EIGHT (108) FLEX UNITS FOR A PROPOSED

RESIDENTIAL DEVELOPMENT LOCATED WEST OF SOUTH DIXIE HIGHWAY ON THE NORTH AND SOUTH SIDES OF SW 11TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that the request is for the Aloha 1 flex allocation to allow a change to the conceptual site plan, by approving a resolution rescinding the prior Resolution No 2019-226, passed on July 9, 2019, and replacing it with a revised resolution with the new conceptual site plan attached. The applicant has developed a superior design which increases the green space and provides additional recreational area for future residents by eliminating a roadway between the buildings. A companion request, which is the next item on the agenda is for a revision to the fire access easement that has been necessitated by the removal of the roadway between the two buildings. Finally, none of the changes proposed affect the number of flex units requested. The revised conceptual site plan is a superior of the Aloha 1 development.

Mike Vonder Meulen, Keith and Associates, 301 East Atlantic Boulevard, Pompano Beach, FL, indicated that Ms. Dolan covered all that needed to be presented and he is available to answer questions.

Vice Mayor Moss pointed out that this is what flex units are for, that is, to take a neighborhood that is in need of workforce housing, build it, to make the neighborhood better than it is, not to make the neighborhood worse than it is. He congratulated the developer on this and said it will be a big asset to the community.

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. 2020-190

20. [20-385](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2019-27 AND ACCEPTING A PERPETUAL FIRE ACCESS EASEMENT AND NONEXCLUSIVE UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated this is the companion item to the Aloha 1 conceptual site plan modification. The change in the design of the project removes the roadway between the proposed buildings, which had previously been designated as a fire access easement. The easement is being modified by rescinding the prior Resolution No. 2019-243, passed on July 23, 2019, and replacing it with the resolution currently under consideration. Staff recommends approval of this revised fire access easement to support the change and the conceptual plan, which is a superior design for the Aloha 1 development. The previous easement went through the central area where it used to be an extension of SW 11th now it loops around the top and through into Captiva Cove area.

Mike Vonder Meulen, Keith and Associates, 301 East Atlantic Boulevard, Pompano Beach, FL, indicated he is available to answer questions.

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, 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. 2020-191

END OF QUASI-JUDICIAL PROCEEDING

21. [20-407](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE FORM OF A PRELIMINARY AGREEMENT FOR ISSUANCE OF REVENUE BONDS BY AND BETWEEN THE CITY AND JOHN KNOX VILLAGE OF FLORIDA, INC. AND AUTHORIZING EXECUTION THEREOF; PROVIDING FOR CERTAIN OTHER MATTERS WITH RESPECT THERETO; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Andrew Jean-Pierre)

Andrew Jean-Pierre, Finance Director, presented the item and stated that the City received a letter from John Knox Village of Florida, requesting that the City serves as a conduit for the issuance of revenue bonds series 2020, not to exceed \$90 million. The City is actually lending its tax-exempt status, not its credit rating. This status will allow John Knox to pay a lower interest rate should the market deem their qualification for the bond. The passage of the resolution, as well as the execution of the attached agreement will outline the roles and responsibilities of both the City and John Knox with regards to the proposed conduit bond issue. Approval of

the item does not constitute an approval of formal bond issuance or the approval of other official financing documents. Such financing documents shall be presented to the City Commission as a separate agenda item at a later date this year for formal Commission action. The City has served as conduit for John Knox in 2010 and 2015 and there have been no issues to date.

Gerry Stryker, President/CEO, John Knox Village of Florida, 651 SW 6th Street, Pompano Beach, FL, expressed thanks to this partnership with the City and John Knox Village, currently in its 33rd year of operation. He provided a brief background on the operations of the John Knox Village organization, being one of the largest employers in the area, and through the last three months they have exercised innovativeness to keep their team members from being furloughed or unemployed. He indicated that as they continue to use the partnership of the bond conduit, they will be executing on their master vision plan, which began in 2015. He mentioned that they are the only skilled nursing greenhouse model that is in the State of Florida. They continue to engage and innovate their lifestyles with the pavilion and the aquatic complex that they are looking forward to celebrating later this fall and into next year. He extended an invitation to everyone to visit their campus to celebrate as they continue to transform the community. Finally, he expressed appreciation and thanks to Andrew Jean-Pierre, Finance Director, Suzette Sibble, Assistant City Manager, Greg Harrison, City Manager and his team for working with them to make this bond issuance a win-win situation.

Mayor Hardin expressed appreciation of Mr. Stryker's input and the partnership with John Knox Village in the community.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, indicated that the resolution increases the John Knox conduit bond to approximately \$90 million from its current \$50 million. He mentioned the City has issued conduit bonds to only one business, John Knox Village and they have done well with it. However, he asked, if the City believes this kind of financing supports the local businesses, then especially during this economic time of the corona virus, perhaps the Commission could open this type of local financing to other sound businesses to allow them to use the tax advantages of the City to gain advantage in the financial world.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, indicated that Mr. Terwilliger captured most of what he needed to say and added that with some of the businesses struggling within the City, could the Community Redevelopment Agency (CRA) funds be used to assist those smaller restaurants that are struggling.

Vice Mayor Moss enquired if in the past, the City received requests from other businesses to enter into this type of partnership of conduit bonds.

Greg Harrison, City Manager responded that as far as he knows there has been none. If they had, it has not come to his attention.

Mr. Jean-Pierre mentioned that the City provided a conduit bond to Sheltair Aviation a few years back, and they paid off their bonds so the City does not have to disclose them anymore. In addition, he stated that this type of financing is open to any business that qualifies.

Vice Mayor Moss indicated that he is proud of the relationship the City has with John Knox Village II, which employs in excess of 900 people who mostly live in and close to Pompano Beach. In sum, they continue to be

an important part of the community, and he is pleased that the City is able to assist them in a venture like this.

Mayor Hardin asked if this conduit financing is in any way an unusual type of event for a municipal government around the country.

Mr. Jean-Pierre responded no. There are other conduit organizations in the State of Florida that are actively involved in facilitating this type of transaction. In addition, this type of conduit transaction is done at both the County and State level as well. Also, there is no impact on the credit rating of the City and the City is in no way encumbered by this type of financing.

Mayor Hardin pointed out that this is all good and the City would be happy to entertain any business that wants to come forward and request this. Therefore, he invited anyone who desires to get this type of financing to come forward and apply through the staffing of the City.

Vice Mayor Moss added that there are some financial benefits coming to the City, as fees would be collected for administering the paperwork.

Mr. Jean-Pierre noted that the IRS has strict guidelines on what type of business and project would qualify. Generally, this applies to a massive project that benefits the public and some subset of the public. So, there are some stringent requirements.

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. 2020-192

22. [20-397](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND VARIOUS PARTICIPATING AGENCIES, AND SUBRECIPIENT AGREEMENTS BETWEEN THE VARIOUS PARTICIPATING AGENCIES AND THE CITY OF POMPANO BEACH, RELATING TO PARTICIPATION IN THE 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE LOCAL SOLICITATION GRANT PROGRAM; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$501,886)

(Staff Contact: Andrew Jean-Pierre)

Andrew Jean-Pierre, Finance Director, presented the item and stated that the City is serving as a lead agency for eighteen cities for the Edward Byrne Memorial Justice Assistance Grant. The City's application for this grant was approved and ratified by the City Commission on October 7, 2019. Pompano Beach's portion of the grant is approximately \$111,000, of which \$50,000 would be for administering the grant and approximately \$60,000 applied towards the community outreach response and enforcement. As a condition of the grant, the City is required to execute a Memorandum of Understanding (MOU) with all the participating agencies.

Comr. Perkins asked if these programs provide funds each year to the City, to which Mr. Jean-Pierre responded yes, it is an annual receipt of the funds.

Comr. Perkins requested a breakdown of the budgeted spending.

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. 2020-193

23. [20-347](#) **P.H. 2020-58: (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 A GROUND LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FIRST BAPTIST CHURCH OF POMPANO BEACH, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$95,256)

FIRST READING: APRIL 28, 2020

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Manager, presented the item and stated it is a Second Reading of the ordinance and there

have been no changes since the First Reading.

Comr. Perkins noted that the last time she voted no on the item because she has concerns about the five year timeline for this lease. She has no problem to lease the property for parking for one year.

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
Moss
Hardin

No: Perkins

Enactment No: ORD. No. 2020-54

24. [20-362](#) **P.H. 2020-67: (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 A FIRST AMENDMENT TO THE CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY, FOR THE CONSTRUCTION OF THE DR. MARTIN LUTHER KING, JR. BOULEVARD IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$5,700,000.00)

FIRST READING: APRIL 28, 2020

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District, presented the item and stated that there are 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. 2020-55

25. [20-327](#) **P.H. 2020-56: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.5203., "LANDSCAPING," TO PROVIDE FOR COMPLIANCE WITH APPROVED LANDSCAPE PLAN; BY AMENDING SECTION 155.7502., "APPLICABILITY," TO REMOVE REQUIREMENTS TO UPGRADE EXTERIOR FOR INTERIOR RENOVATIONS ONLY; BY DELETING SECTION 155.7504., "INTERIOR AND EXTERIOR REMODELING OF STRUCTURES," IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: APRIL 28, 2020

(Staff Contact: Jennifer Gomez/David Recor)

Jennifer Gomez, Assistant Director, Development Services Department, presented the item and stated that the primary purpose of the Text Amendment is to remove the requirement for non-conforming site features, most notably landscaping, to be brought into compliance with the zoning code when properties undergo interior remodeling projects. This is the Second Reading of an ordinance, which has no changes from 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. 2020-56

26. [20-342](#) **P.H. 2020-59: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.2414., "ZONING USE CERTIFICATE," TO PROVIDE ADDITIONAL STANDARDS FOR APPROVAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Daniel Keester-O'Mills/David Recor)

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that this Text Amendment proposes to refine the review standards for a zoning use certificate. This is the first step in starting a business. Individuals looking to start a business makes many financial decisions based on this application. If the application is approved, prospective business owners may sign leases and enter into real estate contracts for other financial obligations based purely on whether or not a business is allowed within a zoning district. The goal of the text amendment is to provide clarity to the development community and public as to what other requirements may be relevant before making those decisions. In addition, for the zoning review use certificate, two of the review standards have been practiced for the past couple of years, the other two are new to the process. The first is to make sure the proposed use is in conformance with the zoning code, which is not a new review standard. The second is a review by the Building Division to ensure it is not an unsafe structure or fire hazard. For the past couple of years staff has been reviewing the occupancy certificates, also known as CO's for the buildings to ensure that the proposed use is consistent with the building's CO. The third is the new standard for review by the Fire Prevention department to ensure it does not constitute a hazard or propose immediate danger to the occupants. The last review is by Code Enforcement and Broward Sheriff's Office (BSO) to ensure they are reviewing the new or expanded business and it is not a public nuisance. At the January meeting of the Planning and Zoning Board, the proposed text amendment was unanimously approved, as well as staff recommends approval.

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

27. [20-343](#) **P.H. 2020-60: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE

POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.4223., "COMMERCIAL SELF-SERVICE STORAGE UNITS," TO MODIFY THE PROCEDURES AND APPROVALS REQUIRED TO LOCATE SELF-STORAGE UNITS; AND TO MODIFY REQUIREMENTS FOR SELF-STORAGE UNITS LOCATED IN B-4 AND I-1 ZONING DISTRICTS; BY AMENDING APPENDIX A: CONSOLIDATED USE TABLE, TO CONFORM TO CHANGES IN THE ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Daniel Keester-O'Mills/David Recor)

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated this is for amendments to the self-storage use standards and requirements in the City's zoning code. He then provided a brief overview of the purpose and findings of information on self-storage facilities in the City. Earlier this year, the Planning and Zoning Board met and reviewed a proposal as presented in the proposed ordinance and established zoning in progress. The proposed amendment to the zoning code would require that new self-storage facilities in B-4, I-1 or O-IP, due to the large coverage of these zoning districts in the City, that require special exception before it would be approved from a zoning certificate or a new site plan or concurrent prior to any sort of development.

The new self-storage facilities will be considered commercial uses, which they are, but there will be design standards for those commercial uses and they would have to abide by certain building standards already adopted in the City's code for commercial and mixed-use buildings. Upon approval by the Zoning Board of Appeals for a special exception, new developments shall abide by these new specific standards and ensure that the self-storage buildings do not appear as what a self-storage facility may look like. Consequently, based on the self-storage analysis report and staff analysis as competent and substantial evidence, staff recommends approval of the text amendment.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, stated that he does not have any association with any self-storage building. He complained that the ordinance is discriminatory against one business segment in the City performing a legal business activity, and provided his rationale on the issue, where he felt the City is regulating this type of business. Therefore, he urged the City Commission not to regulate any business type that is a legal business.

Vice Mayor Moss disagrees with Mr. Terwilliger's argument not to regulate. The City has the right and obligation to the citizens to restrict certain types of businesses. He mentioned that some of these self-storage units are big, ugly concrete boxes that employ very few people, occupy a lot of space and do not bring very much in the way of economic activity into the City. Therefore, he congratulated staff for doing a good job in doing what is possible to ensure that it is not so easy to come into the City in record numbers, also if they come in, they will have an obligation along with other businesses to adhere to certain visual standards. This proposal is a nice compromise.

Comr. McMahon echoed the comments made by Vice Mayor Moss and indicated that he knows staff worked

hard on this issue. Public storage places have turned into quite a few in the City. Also, the Planning and Zoning Board provided a lot of input into this matter and thanked them for their hard work.

Comr. Eaton also echoed the sentiments of her colleagues. She thanked staff for doing a thorough and well-done job and supports the proposed ordinance.

Mayor Hardin echoed the comments made by Vice Mayor Moss, Comrs. McMahon and Eaton. He thanked staff for making this happen, as well as thanks to the Planning and Zoning Board members and all the volunteers that put their time and effort into the City. As pointed out by Vice Mayor Moss, the City regulates so many businesses and to say it should not regulate a business does not make much sense.

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

28. [20-402](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TEMPORARILY SUSPENDING PENALTIES FOR LATE PAYMENT OF BUSINESS TAX RECEIPTS FOR ALL EXISTING AND NEW BUSINESSES THROUGH SEPTEMBER 30, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$26,000)

(**Staff Contact:** Daniel Keester-O'Mills/David Recor)

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated this resolution is requesting the City Commission's approval to temporarily suspend all penalties and late payments related to Business Tax Receipt (BTR). The proposed resolution would suspend the processing and requirements to pay the late payments that go back to October. In spite of the COVID-19 pandemic, the City would not want to exceed any type of requirement unnecessarily and to put any burden on the business community.

Mayor Hardin thanked staff for bringing this forward and have gone out of their way to try and help the businesses in Pompano Beach. These are difficult times that we are all going through and anything the City can do, such as reduction in the water rates just to help the residents and businesses to make it through these tough times.

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. 2020-194

29. [20-400](#) **P.H. 2020-70: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.35, "BUILDING OR OBSTRUCTION ON PUBLIC STREETS, SIDEWALKS, AND RIGHT-OF-WAY SWALE AREAS," TO ADDRESS STREET AND SIDEWALK SAFETY, OBSTRUCTIONS AND RESTRICTIONS; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Mark E. Berman, City Attorney, presented the item and stated that the ordinance would amend Section 100.35, which previously was known as the building obstruction on public streets and sidewalks or right-of-way swale areas. These amendments will also be known as the pedestrian median safety. The backup attached and incorporated in the ordinance is a list for the past two years of accidents at intersections involving vehicles and motorists and also statewide incident involving vehicles for the past several years. There is danger out in the streets; therefore, the City is doing all it can to make it safer for pedestrians that use the streets and for motorists as well.

It will be unlawful for persons to stand in medians that are unpaved and any median of less than three feet on a street. If the street is larger and has three or more vehicular travel lanes, it has to be a minimum of five feet wide. There must be some protection if they are going to stand in the middle of the street. For a roadway with three or more vehicular travel lanes in any one direction, and at the point of intersection, it is unlawful to transmit by hand or receive anything from a person who operates or occupies a motor vehicle.

Mr. Berman continued to list a number prohibitions that the City is establishing to try and get this use out of the middle of the street for safety at certain locations, and overall making the streets safe for pedestrians and motorists.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, supports the ordinance, however, he needed clarification regarding the reference to “Obstructions on the sidewalks.” He could not find anywhere specifying what would happen as far as a motor vehicle parked across or obstructing a pedestrian crossing or sidewalk. This is a common problem in many neighborhoods.

Mr. Berman indicated that item is listed somewhere else in the code of ordinances. This is not amending any section dealing with blocking of the sidewalks by vehicles.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he thought this addressed restaurants being able to extend their girth out onto the sidewalks in the open space due to COVID-19. He wondered if this ordinance affected this at all.

Mayor Hardin responded that it does not. However, staff is handling this situation administratively to aid the businesses during this COVID-19 time. They are working individually with businesses that would come forward.

Comr. McGee asked staff if they could possibly look at the intersection at Dixie Highway and NE 10th near the airport.

Mr. Berman indicated that is addressed in the upcoming ordinance.

Mayor Hardin thanked Mr. Berman for bringing the item forward. He said so many times he had to dodge people/pedestrians out there. This will help keep them safer and keep the motorist safer as well.

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

30. [20-401](#) **P.H. 2020-71: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, “STREETS AND SIDEWALKS,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.41, “STREET SOLICITATION,” TO REDEFINE AND MODIFY REQUIREMENTS FOR PEDESTRIAN SOLICITATION ACTIVITY ON CITY STREETS AND SIDEWALKS TO ENSURE THE SAFETY OF PEDESTRIANS AND MOTORISTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;

PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Mark E. Berman, City Attorney, presented the item and stated that the ordinance would amend Section 100.41, previously identified as street solicitation. The amendment now refers to it as pedestrian and motorist intersection safety, which is the goal of the amendment. The current ordinance has posed some challenges, so it is being amended, which is necessary, based on changes in federal case law by the United States Supreme Court. The City is actively moving forward to amend the ordinance dealing with pedestrian and motorist intersection safety.

Mr. Berman stated that these recommended changes he is bringing to the City Commission today are not content based restrictions. In his opinion, it regulates non-expressive conduct. At the very least, it is a reasonable content neutral time, place and manner regulation, which furthers a very important governmental interest. It also leaves open ample opportunity for alternative means of communication by those who traverse the City's right-of-way.

In sum, motorists must pay attention at the railroad crossings. Also, eight intersections have been added to the list where no pedestrian solicitation should take place. This includes Copans Road and Andrews Avenue, Atlantic Boulevard and Dixie Highway, Sample Road and Powerline Road, Copans Road and Powerline Road, Atlantic Boulevard and Federal Highway, Copans Road and Federal Highway, Atlantic Boulevard and Powerline Road and Sample Road and Dixie Highway, plus all the intersections where there are train tracks running through and crossings where there is no solicitation allowed. These were selected based upon what has been presented in the backup material, which is the last three years of traffic accidents and considered the most dangerous.

Mr. Berman reiterated that by law, the City cannot prevent every single location in the City and name every street in the City. There are ample opportunities for alternative means of communication and locations, but they picked the most dangerous and some of the most dangerous actions where soliciting would not be warranted at accident scenes. At road construction when there are barriers all over and people have to change lanes and move around to avoid the construction, and where motorist's attention should not be diverted for the purposes of safety.

Mayor Hardin thanked Mr. Berman for bringing this forward. It is important to keep the public, pedestrians and motorists safer. Therefore, he looks forward to the passing and to enforcing it on the streets.

A motion was made by Commissioner McGee, 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

31. [20-340](#) Consideration for choosing a Director, Alternate and Second Alternate to attend and vote at any Board of Directors or General Membership Meeting of the Broward League of Cities Meetings where he/she represents his/her municipality.
(Fiscal Impact: N/A)
(Staff Contact: Greg Harrison)

Greg Harrison, City Manager stated that the existing slate of officers was appointed by the City Commission on April 19, 2019. Commissioner Rhonda Eaton as Director, Commissioner Tom McMahon as Alternate and Commissioner Andrea McGee as Second Alternate.

Vice Mayor Moss nominated the existing slate made up of Comr. Eaton, Comr. McMahon and Comr. McGee.

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Item for Consideration/Discussion be ACCEPTED to keep the existing slate of officers. Therefore, Vice Mayor Moss nominated Commissioner Rhonda Eaton as Director, Commissioner Tom McMahon as Alternate and Commissioner Andrea McGee as Second Alternate. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

E. NEXT SCHEDULED VIRTUAL MEETING

D. REPORTS

City Manager Greg Harrison - Restaurants Expanding on Streets and Sidewalks - Mr. Harrison reported that he checked with the City Attorney's Office and the Development Services department staff to be able to work administratively with restaurants on expanding their seating outdoors on to streets and sidewalks. Staff is actively working administratively in accomplishing that for any of the restaurants in the City of Pompano

Beach who so desires.

Activity that the City is engaged to assist businesses - Mr. Harrison indicated that the Sheltair conduit bond was done in 2008, so he was unaware of it as he started with the City in 2014.

Notwithstanding, he believes it was a big step that the City Commission took to approve the item for John Knox Village. They are investing huge amounts of money in the City of Pompano Beach in creating more jobs than what they already have been doing.

Follow-up to a number of items for the Commission - Mr. Harrison indicated that Comr. Perkins had requested him to check into what it would cost for postcards to send out to the residents with regard to how to use the Zoom platform. The cost would be from \$30,000 to \$33,000.

Comr. McGee had requested him to check into the fireworks and would respectfully ask her to share that information when she is providing her report later.

Appreciation Expressed - Mr. Harrison recognized Kimberly Spill-Cristiano, who has done excellent work in this COVID-19 crisis with her staff and working with Fire Chief John Jurgle and Chief Frank Galgano on all of the different sites going on in the City of Pompano Beach and the area around us. So, kudos to Ms. Spill-Cristiano for a job well done.

City Attorney Mark Berman - Commendation and Appreciation of staff - Mr. Berman reported that they have been working on the plans for the restaurants to expand their uses based on when the County put out their orders. Therefore, working with Assistant City Manager Earl Bosworth, Assistant Director Jennifer Gomez of Development Services, and with Major Adkins with the Broward Sheriff's Office (BSO) and working with everybody else and staff on weekends and doing whatever it takes to get the job done. It is really a pleasure and a professional privilege to work on the weekends with everybody involved. He said this holiday weekend they worked, as another order was done to open the beaches and the City needed to be ready with signage and instructions. So, working with Major Adkins of BSO, Fire and the entire staff to include Mark Beaudreau was a pleasure. He said everyone is working hard behind the scenes to get the City back and recover as quickly as possible. He has been happy working with everyone during these off periods and wanted to inform the Commission of how great staff has been.

City Clerk Asceleta Hammond - Reminder of Qualifying for Elections - Ms. Hammond reminded everyone that Qualifying for the November 3, 2020 General Election will commence on June 8th at noon and continue to June 12th at noon.

Commissioner Rhonda Eaton - Commendation and Appreciation - Comr. Eaton stated that staff, City Management, Mayor Hardin and everyone has done a great job. It is a true saying that when the going gets tough the tough gets going. She commended everyone that has been holding the City together and thanked them for their efforts.

Food Giveaway - Comr. Eaton expressed thanks to the City and Feeding of South Florida for the food giveaways that have helped a lot of people. She truly enjoyed participating in this event. People have been

expressing their appreciation as they went through the car lines.

Outdoor Seating Area - Comr. Eaton indicated that there is an interesting outdoor seating area at the NE 24th Street Publix Shopping Center and encouraged others to drive by and take a look.

Commissioner Andrea McGee - Commendation and Appreciation of Staff - Comr. McGee commended and thanked City staff for all the hard work that has gone into keeping everything moving, such as going through regulations and figuring out what is best for the citizens.

Fourth of July Celebration - Comr. McGee stated that she heard that most cities were cancelling their 4th of July celebrations, and after all that everybody has gone through with this pandemic in the country, it was sad that people would not be able to celebrate the nation's birthday. So, to think outside of the box in discussion with the Fire Marshall and the City Manager on how the City could still celebrate Independence Day safely and within parameters, there are no details worked out yet, but they are doing their best to give the holiday the observation it deserves. More information will be forthcoming.

Beach Guidelines - Comr. McGee indicated that this morning, it was nice that she could take a walk on the City's beach, which is a relief along with the pier opening up. The residents have been very impressed with this and everyone were commenting on how beautiful it is. The opening was well received and went very smoothly.

Comr. McGee indicated that with the beach guidelines she hopes that as a coastal City to keep ourselves at the forefront pushing Broward County to bring the City to the level of openness that most of the state is currently enjoying. She fails to see the science of how two people walking is safer than two people sitting and she hopes the City can move along more quickly than it took to get here.

Commissioner Tom McMahon - Commendation - Comr. McMahon commended City Manager Greg Harrison, Mayor Hardin, and the economic response team, who have been doing an incredible job of trying to get businesses back in order. He encouraged all the residents in District 3 to get out and support the local restaurants as they are open but are still struggling to operate their businesses through the lack of people coming into the restaurants.

Connect with Residents - Comr. McMahon stated that he feels disconnected with his residents, since he has been unable to attend Homeowners' Association (HOA) and Advisory board meetings. Therefore, he invited his residents to call his cell phone that is on his Facebook page or they could email him with any concerns or any other information. He is working on setting up a virtual HOA meeting in the near future so they can connect with different concerns that the community has and to give an update on some of the G.O Bond projects, the bridges and things of that nature.

Commissioner Beverly Perkins - Testing Sites - Comr. Perkins reminded everybody about the testing site at Mitchell Moore Center that is still open and available to the residents for testing.

Expressions of Appreciation - Comr. Perkins expressed special thanks to Mr. Myrick, of the Farmers' Market for continuing to feed the community during this pandemic.

Comr. Perkins thanked the Fire, Police Department and Mayor Hardin for joining in the celebration of Ms. Ma Jo Fulton's 103 birthday. The Mayor came with a proclamation and the community with balloons and flowers and did a drive by birthday party for her. Hats off to the Fire Department and Police for their help as the community did show up in numbers for the celebration.

Comr. Perkins wanted to know if \$30,000 is the amount that the City Manager indicated earlier was the cost for the mailout of brochures regarding the virtual meetings, to which City Manager Harrison responded that is correct. Comr. Perkins asked if she could get the amounts paid for the last election mailouts. Also, how much was spent for the mailouts for the G.O. Bond issue. Finally, Comr. Perkins enquired if there would be a cost to send this information out through the water bill.

Mr. Harrison responded that there would not be any additional cost. However, he is unsure how all the items would fit in order to use zoom on the water bill.

Mayor Hardin indicated that the water bill should be the first form to put information as he believes there is a spot for information. Perhaps it would not be for the entire instruction on how to operate with zoom, but information that could direct residents to another site or a number to contact for further information.

Mr. Harrison indicated he was just responding to Comr. Perkins' question as to what it would cost to mailout postcard. Nevertheless, there is the ability that a separate mailout could go out with the water bill if the Commission so desires. He will check into how this can be accomplished.

Vice Mayor Barry Moss - Commendation and Appreciation - Vice Mayor Moss indicated that he would add his comments to those of his colleagues, and to congratulate staff for a very good work they are doing under the difficult circumstances. They have "really grabbed the bull by the horns" and things seem to be moving pretty smoothly.

Food Distribution - Vice Mayor Moss reported that he was also at the Isle Casino for the last food distribution, which went smoothly, although the turnout was less than before. He then asked if there are plans to have any more of this event.

Mr. Harrison responded yes, and that they plan to have the food distribution at the Isle Casino site every other Thursday. The first effort was very large in turnout but it has become less and less and they can only hope that the food suppliers to Feeding South Florida will continue to the point where the City can still provide meaningful food to the residents that come to the Isle.

Tragic Motor Vehicle Accident in Palm Aire - Vice Mayor Moss indicated that on Channel 10 news yesterday, they carried a story about a freakish car accident in Palm Aire on the street where he lives. The speed limit is either 20 or 30 miles an hour depending on what end of the street you are traveling. Friends of his, Mr. & Mrs. Robinson were on their way home last week, from the hospital where Mr. Robinson was admitted for twenty days after having received open heart surgery. They were on his street when a car smashed into them and unfortunately Mr. Robinson did not survive this accident. Therefore, he sent his deepest condolences to Mrs. D. Robinson, who is such a wonderful person, and he extended that others join in keeping that family in their thoughts and prayers. The accident was freakish, it was sad and an unusual occurrence in

the Palm Aire area.

Mayor Hardin expressed and sent his condolences to Vice Mayor Moss' neighbor Mrs. Robinson, for the loss of her husband.

Mayor Rex Hardin - Commendation and Appreciation - Mayor Hardin echoed all the statements from his colleagues and thanked City Manager Greg Harrison, City Attorney Mark Berman, City Clerk Asceleta Hammond, Public Communications Director Sandra King, Emergency Operations Coordinator Kimberly Spill-Cristiano, Assistant City Manager Earl Bosworth, and everybody who were involved from the City's staff, have been astounding. He said he brags about his staff to other Mayors, but he really does not have to do it as other mayors and communities have heard about Pompano Beach and point to the City and say, "That's the kind of place that really gets things done." So, hats off to all the people who work in the City of Pompano Beach and thanks to all for all of their efforts, which show other cities how to get things done.

Pier Opening - Mayor Hardin indicated that he has received nothing but good response regarding the pier. Everybody loves it and it is great having the pier open. He is looking forward to even greater responses from having the beach open. The County has allowed the City to open the beach on a limited basis and this is a great start.

Finally, Mayor Hardin thanked all the residents for all the things they have done and continue to do. So, between the face masks, the social distancing, the staying home, staying away from the beaches are still now as important as they were six weeks ago. He indicated that the COVID-19 situation is not over and everyone must stay vigilant to protect themselves and those they love. He urged everyone to continue with those type of precautions.

City Manager Greg Harrison - Mayor Hardin announced that City Manager Harrison is the chairman of the Broward County City Managers' Association. He is doing a lot of juggling of things in the air because he has to work with the six bosses that he has in Pompano Beach, as well as all the City Managers across the County. Therefore, he commended and thanked Mr. Harrison for all that he is doing. He thanked Mr. Harrison for his leadership Countywide.

Drive by in Palm Aire - Mayor Hardin indicated that they had also done another drive by in Palm Aire for one of the Citizens and Observer Patrol (COP) person, Ms. Edith who had a birthday as well. Comr. Perkins had already mentioned the drive by for Ms. Fulton who celebrated her 103rd birthday. It is great to have these celebrations within the dark times we are experiencing currently.

Additionally, Mayor Hardin mentioned there were a couple great graduations, one for Blanche Ely High School and one for Pompano High School for the graduating seniors of both schools. There were a couple of parades, which were organized and he thanked the Commissioners who attended. The children were very appreciative of lifting their spirits in such a special way.

Mayor Hardin announced at the Cultural Center there are a number of new public art projects that are a part of the crosswalks. People have been giving positive feedbacks on this project. A lot of good things are coming down the pipes, so to speak. It is not all doom and gloom. The City is doing all it can to assist the businesses to

help them to come back. He is aware it will be difficult and some businesses will not be able to make it back, which is unfortunate. Nevertheless, the City is trying to do all it can to assist with the come back from the disaster that we are facing. There are major projects that will be coming into Pompano Beach. Particularly, the Cordish Group for the Isle Casino project, who recommitted to the City their interest to move forward. He ended that there is life after COVID-19 that has impacted the country and the world at large.

Finally, Mayor Hardin thanked the residents and business owners for having to go through what they have gone through and the sacrifices made.

Additional Reporting from City Manager Harrison

Lifeguard Towers - Mr. Harrison added that all eight of the new lifeguard towers have been added to the beach. He thanked Comr. McGee for her suggestion on matching the colors, which made them look better.

Budget Workshop Schedule - Mr. Harrison announced that they are tentatively scheduling the first budget workshop for June 22, 2020 at 9:00 a.m.

Frank Furman Demise - Mr. Harrison announced that the City lost one of its pioneers last week, Mr. Frank Furman. So, all our thoughts and prayers are with his wife, Martha Jane and their children.

Mayor Hardin indicated that he inadvertently forgot to mention this terrible loss to the community of Mr. Furman. His heart goes out to everyone who is affiliated to Frank Furman.

F. ADJOURNMENT

The meeting adjourned at 3:58 p.m.

Rex Hardin, Mayor

Asceleta Hammond, City Clerk