



# City of Pompano Beach

100 West Atlantic Blvd.  
Pompano Beach, FL 33060

## Detailed Minutes - Final

### City Commission

*Rex Hardin, Mayor*

*Beverly Perkins, Vice Mayor*

*Rhonda Eaton, Commissioner*

*Cyndy Floyd, Commissioner*

*Andrea McGee, Commissioner*

*Tom McMahon, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Asceleta Hammond, City Clerk*

Tuesday, May 25, 2021

1:00 PM

Commission Chamber

### Virtual City Commission Meeting

#### CALL TO ORDER

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

#### ROLL CALL

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

#### APPROVAL OF MINUTES

[21-558](#) Virtual City Commission Meeting Minutes of April 27, 2021

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

#### APPROVAL OF AGENDA

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

#### CONSENT AGENDA DISCUSSION

The Commission may pull items from the Consent Agenda. 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).

Mayor Hardin announced that Item 11 would be pulled for City Commission discussion.

#### **A. AUDIENCE TO BE HEARD**

Mayor Hardin announced that it was time for "Audience To Be Heard" and asked Sandra King, Public Communications Director, to provide the list of persons who signed up to speak prior to the meeting. He instructed that each person should state their 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.

#### **The following persons spoke:**

**Youth Under Construction Youth Center Eviction Issues** - Delvin King - 178 N. Powerline Road, Pompano Beach, FL, stated that he was speaking on behalf of Youth Under Construction Youth Center, which is a private school and youth center located in Pompano Beach. They have been having some issues with the City and having a hard time to get their private school license. Currently, they have received their youth center license but not for the private school. He cited a prior incident of a shooting that took place at their Christmas party, however, they are still being held accountable for that and are now being "harassed" by the Broward County Sheriff's Office (BSO), as well as the City Attorney. Consequently, his landlord is trying to evict their establishment based upon false information provided by the City to his landlord. They are accusing him of possession of guns, and large sums of money, as well as serving alcohol at the establishment. He mentioned that at a prior address of 950 the same tactics were done to scare the landlord to evict his establishment. Therefore, he appealed to the City Commission for assistance to correct this matter. He is "tired" of the City and BSO feeding falsified information to his landlord.

Mayor Hardin indicated that the City Commission wants the best for all businesses operating in the City of Pompano Beach. He appreciates Mr. King bringing this matter to the Commission's attention. If the City Attorney is involved with this case and now that he has brought the matter to the attention of the Commission, they will have to find out what transpired.

Vice Mayor Perkins inquired from Mr. King if he has met with BSO on a one-on-one basis regarding some of the issues he is experiencing.

Mr. King responded that yes, they met with BSO, however they are receiving directives to go into his establishment's parking lot and every time an event is held they will come. Everything that is done at that location, they take pictures and write a report and send it to the City Attorney.

Vice Mayor Perkins asked what does Youth Under Construction Youth Center represent.

Mr. King responded that they are both a private school and a youth center and elaborated on the type of services they provide to the community. He said they are a fully accredited Elementary, Middle and High School, located at 178 North Powerline Road, Pompano Beach at the corner of Powerline and Atlantic Boulevard.

**Dedicated Volunteers** - Elle Wegman - 509 NE 11 Avenue, Pompano Beach, FL, shared some good news about a dedicated band of volunteers that contribute to helping the Pompano Beach neighbors. They are known as Love In Action. She then provided a list of things they do in the community to fulfill the needs of the people who require help. These volunteers provide the assistance to as many people that they can help from the donations they receive.

Mayor Hardin expressed appreciation for all the work the volunteers provide to the citizens of the City.

**Notification of City Commission Meetings** - Jorge Ruiz - 122 NE 10 Street, Suite 1, Pompano Beach, FL, opined that the City Commission meeting should be closed and offered his reasons. He mentioned that the meeting was unsatisfactorily noticed to the constituents of what the Commission is doing. He mentioned that notices should be done through flyers and letters sent to each household and for them to have ample time to attend the meetings to express their concerns. He cannot understand why City Hall remains closed and asked for an explanation.

Mayor Hardin noted that the City Manager has been working on plans to open up City Hall and other City facilities and that is imminent in the month of June. However, he assured Mr. Ruiz that the City has been in operation and City employees are working every day to provide the services that are needed for the residents and businesses. Nevertheless, City Hall will be opened next month.

Mr. Ruiz indicated that the City should allow people to come to City Hall to express their values and their concerns. Also, he believes the best way to notify the people of these meetings is to send them flyers.

Mayor Hardin mentioned that the City Commission encourage input from all residents and interested parties, which is why the meetings are opened for anyone wishing to participate under Audience to be Heard and otherwise.

## **B. CONSENT AGENDA**

Mayor Hardin requested a motion to Approve/Adopt Items 1 through 10 without City Commission discussion.

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

1. [21-529](#) 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 2021 THROUGH 2025 TO INCLUDE A PROJECT FOR THE RENOVATION OF THE PICKLEBALL COURTS AT COMMUNITY PARK; ESTABLISHING THE APPROPRIATE BUDGET FOR FY 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$250,000.00)

(Staff Contact: Hector R. Gandia/Tammy Good)

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

**Enactment No: RES. No. 2021-176**

2. [21-555](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MAG REAL ESTATE AND DEVELOPMENT, INC. FOR THE PURPOSE OF INSTALLING GROUNDWATER MONITORING WELLS IN THE CITY RIGHT-OF-WAY ADJACENT TO 1621 S. DIXIE HIGHWAY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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

**Enactment No: RES. No. 2021-177**

3. [21-556](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROADWAY IMPROVEMENTS ALONG SR-A1A FROM SUNSET LANE TO SE 1ST STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$679,153.00 - FDOT's contribution)

(Staff Contact: Horacio Danovich)

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

**Enactment No: RES. No. 2021-178**

4. [21-376](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 2021 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE CENT LOCAL OPTION GAS TAX ON MOTOR FUEL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Erjeta Diamanti)

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

**Enactment No: RES. No. 2021-179**

5. [21-377](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 2021 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Erjeta Diamanti)

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

**Enactment No: RES. No. 2021-180**

6. [21-500](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A UTILITY EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND HABITAT FOR HUMANITY OF BROWARD, INC., ACCEPTING A GRANT OF A PERPETUAL PUBLIC UTILITIES EASEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

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

**Enactment No: RES. No. 2021-181**

7. [21-502](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 2 IN THE AMOUNT OF \$98,760.00 PURSUANT TO THE AGREEMENT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MCCAFFERTY BRINSON CONSULTING, LLC FOR ENGINEERING SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$98,760)

(Staff Contact: A. Randolph Brown/Nathaniel Watson)

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

**Enactment No: RES. No. 2021-182**

8. [21-545](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING ALAN L. GABRIEL AS SPECIAL MAGISTRATE TO PRESIDE OVER CODE ENFORCEMENT PROCEEDINGS OF THE CITY OF POMPANO BEACH FOR A TWO-YEAR TERM; SAID TERM TO EXPIRE DECEMBER 7, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$130 per hour )

(Staff Contact: Mark E. Berman)

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

**Enactment No: RES. No. 2021-183**

9. [21-559](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING A SETTLEMENT AGREEMENT AND AUTHORIZING COUNSEL TO EXECUTE ANY ADDITIONAL DOCUMENTS RELATING TO THE SETTLEMENT OF THE PERSONAL INJURY PRE-SUIT CLAIMS BY CAROL AND DAVID SCHROEDER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$200,000.00)

(Staff Contact: Tracy Lyons/Mark Berman)

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

**Enactment No: RES. No. 2021-184**

10. [21-503](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NE 25TH STREET BETWEEN NE 3RD AVENUE AND DIXIE HIGHWAY TO A DUAL DESIGNATION OF NE 25TH STREET AND R. A. WOODS STREET WITH NE 25TH STREET TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500 Paid by the Requester)

(Staff Contact: Robert McCaughan)

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

**Enactment No: RES. No. 2021-185**

11. [21-527](#) 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)

(Staff Contact: Jeff Lantz)

Comr. Eaton pulled the item for City Commission discussion and stated she is not opposed to the Barnacle system, which was discussed last year. In addition, they had discussed the possibility of an amnesty program for some of the essential workers in the hospitality restaurant businesses. These businesses have worked through the pandemic and front lines, as well as get to work early and leave late. Therefore, she recommended an opportunity for some relief in the form of not charging for late fees for up to 5 or 6 tickets. They can make it right to provide them with the opportunity to get straight with their outstanding parking tickets for those people who work in the industry. Perhaps staff could take a look at this recommendation and return with a proposal to the City Commission to determine if the City could help some of those people who were hard hit during the pandemic.

Mayor Hardin agreed. He inquired if Mr. Lantz could provide a list of the programs that the City has in place.

Jeff Lantz, Parking Manager, responded that staff has discussed an amnesty type program, which would include staff notifying individuals with 3 or 5 additional unpaid citations. He then provided the details on how the program would work. He asked the City Attorney's advice on whether this could be brought back as a Resolution, which staff could put this together fairly quickly.

In sum, Mark Berman, City Attorney, stated that similar to the Code Enforcement Amnesty Program, which was reviewed and approved by the City Commission, staff may want to see the terms or either way they could put that in place and collect names to start dealing with it until formal approval is received from the City Commission. So, staff could put something together to allow for payment of the original fines, waivers, up to a certain amount of tickets and bring it back to the City Commission, which is the best way to ensure the Commission as a body approves.

Comr. Eaton expressed appreciation for considering her recommendation.

Mayor Hardin instructed staff to move forward with the program discussed.

There was no public input on the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: RES. No. 2021-186**

### **C. REGULAR AGENDA**

12. [21-563](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING THE TERM SHEET FOR A PUBLIC PRIVATE PARTNERSHIP INVOLVING A MASTER DEVELOPMENT OF CITY-OWNED PROPERTY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Suzette Sibble)

Suzette Sibble, Assistant City Manager, presented the item and stated that this is to request the City Commission's approval of a term sheet between the City and E2L Real Estate Solutions, LLC. (E2L), who selected the developer to develop the Oceanside surface parking lot located at 109 North Ocean Boulevard. She then explained that the term sheet lays out the general terms and requirements between the City and the developer. Should the proposed term sheet be approved today, it would provide a nod to the negotiation team to continue negotiating more specific requirements, which would be outlined in a development agreement to be brought back to the City Commission at a future date.



Continuing, Ms. Sibble introduced the team members, City of Pompano Beach negotiating team consists of Suzette Sibble, Assistant City Manager, Chris Brown and Kim Briesemeister (Redevelopment Management Associates), Jeff Lantz, City Parking Manager, Mark Berman, City Attorney along with a specialized legal counsel representing the City in this public private partnership deal as that is their area of expertise. In addition, there is Eric Singer who is with the firm of Bilzin Sumberg. Finally, the Development team members will be introduced later in the presentation.

Ms. Sibble then presented a Powerpoint presentation, which provided the details on the efforts made in Economic Strategy and Vision for the City, which commenced in 2009. The focus of the presentation was on Tourism as documented in the Lambert Study's recommendation. See **Exhibit 1** attached for detailed information.

Mark Hefferin, Founding Manager of E2L Real Estate Solutions, LLC, introduced his team, Kelley Hefferin, Owner of Parent Company E2L Holdings, and Antonio Balestrieri, Project Director, who recently finished the Boynton Beach project, which included the new City Hall, the Library, the Police Station, and Fire Station. Further, Mr. Hefferin stated that they created a new district energy system for chilled water, redeveloped the Art and Cultural Center, which was the historical high school, installed two major playgrounds, as well as the Amphitheater for the City of Boynton Beach. He provided a background on how they became interested to work with the City of Pompano Beach, as well as provided examples of projects they have worked on and their successes as a real estate developer. They are originally from the design and construction industry and have designed and built quite a few hotels. They decided to form their own company five years ago. They built the Westin hotel on the Fort Lauderdale beach, which is one of their projects. Also, they brought in the Shula restaurant - a five-star restaurant- to make the hotel work with that flag. He introduced a couple of their partners namely construction company Verdex that recently completed the Sabbia Condominium project in Pompano Beach.

In sum, Mr. Hefferin displayed a number of buildings namely hotels that they have either built or partnered with other companies to complete successfully. He has spoken with Mr. Lantz and several other persons in Pompano Beach to determine how they can build in the City of Pompano Beach. He displayed renderings of the proposed site targeted for development on the Oceanside Boulevard, which will include a grocery store on the Barrier Island. They promise to work closely with the City as they design and build on this property.

Ms. Sibble indicated that the tentative next steps for the project, assuming the City Commission approves the term sheet, they will continue to have community input. They have visited with the East Community Redevelopment Agency (CRA) advisory committee on several occasions to introduce the high-level concept. During the winter of 2021, they will bring back the development agreement to the City Commission which will highlight much more specific requirements in terms of obligations of the City versus the developer. Between the winter of 2021 through winter of 2022, they will bring back a Guarantee Maximum Price (GMP) contract to the City Commission. This will encompass cost associated with the City's portion of the project. They will also bring back financial documentation to the City Commission and the developer would be looking at site plan considerations, as well as going through a design phase. Continuation of community input through the East Advisory Committee will be engaged as all these processes are carried out. The City will be looking at executing air rights leases or subleases with the developer for the different uses of the project. Finally, they will

be looking to close on the respective financing governing the public and private sector components of the project.

There was no public input for the item.

Comr. McGee stated this is a huge undertaking and she is excited to see how this will be built and brought together. After talking with some of the residents on the beach the idea of bringing a grocery store on that side of the bridge to get fresh produce, milk, etc. will be convenient to the people residing on the Barrier Island, as well as cutting down of traffic and increasing walkability and being able to utilize "Circuit" transport, if the journey becomes too far. The only note she would like to make is whatever grocery store the City selects to ensure that it is not too tailored, as some of the small ones could not be as useful. She is excited and looking forward to seeing the specifics of the project come together.

Comr. McMahon echoed Comr. McGee's comments and thinks it is an exciting project. Going through the qualifications of the company and seeing what they have done and accomplished is really what the City is looking for, which is a professional developer and this company has done some incredible projects. Therefore, he is looking forward to the next steps of the project. The City could not have asked for better partners. He is excited to see the future of this project.

Mayor Hardin indicated that he was a bit taken aback with the term sheet just now being asked for approval, and thought this project would have progressed much further and asked about the proposed timelines being retained.

Ms. Sibble explained that over the last 10 months they have been doing a lot and negotiated a lot of terms that will make it to the development agreement. So, they will not start from point A at this time. They have been conducting numerous ongoing zoom meetings on both sides with legal counsel from both teams. They have already built the foundation for the development agreement to a certain point. Therefore, even though the projected date of winter 2021 to bring this back to the City Commission, they had configured a cushion in this. So, the plan is to get it back to the City Commission much sooner but they did not want to overstep and under deliver. Everyone is committed to get this back as soon as possible. As outlined in the Memo in the agenda backup, a number of things have been taking place, which is not the "glamorous stuff" associated with the project, but to getting the site ready and prepared to move forward. Once permits are in place, the project would take approximately 36 months to complete.

Mayor Hardin asked if the Boynton Beach project is complete.

Mr. Hefferin responded that the private sector is still ongoing, but the public sector is 100% complete. The City has moved into all the facilities. In fact, he was speaking to the City Manager in Boynton Beach to ask if he could bring Pompano Beach representatives to the site to do a tour of the facility. It has super charged their development efforts around the City. In sum, he said they are much farther ahead than the term sheet indicates.

Mayor Hardin understands the slowing down of things due to the pandemic situation, nevertheless, people are anxious to see things happening. However, it is a great concept and great location and he is excited to see this come to completion. It is a very important project for the City, as well as one of three key projects, which will

transform the City of Pompano Beach.

Comr. Eaton is excited to see this coming to fruition. The parking is needed with more and more people coming into the City. In addition, it was stunning to her to see all the accolades that the City has received starting in 2014. This can be attributed to the CRA Management, City Management, and City Staff. She provided a brief history of her coming to the City in 1989, when there was not much to the City. It is now wonderful and beautiful. This is truly fantastic with a well-qualified firm to develop and with Ms. Sibble's efforts and other staff this will be just as successful as other projects have been a success.

Comr. McGee indicated that she would love to check out the City of Boynton Beach project, whenever a schedule can be done.

Mr. Hefferin indicated that if the Commission will let Ms. Sibble know, she could coordinate the tour.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: RES. No. 2021-187**

13. [21-454](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NOS. 2003-38 AND 2020-113, AND APPROVING THE REVISED STREETS, PARK AND FACILITY NAMING AND DUAL-NAMING PROCEDURES AND CRITERIA FOR THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**POSTPONED FROM APRIL 27, 2021**

**(Staff Contact: Robert McCaughan/Mark Beaudreau)**

Robert McCaughan, Director, Public Works Department, presented the item and stated that at the previous City Commission meeting the item was postponed with a few issues that staff needed to review. The changes requested by the Commission at that meeting have been accomplished. Specifically, staff was requested to revise the guideline so that a segment of the street could be renamed and not the entire street as initially proposed. This change has been incorporated in paragraph 8 in the Criteria section. Another directive to staff

was to include Pompano Beach Historical Society in the application review process, which they have agreed to assist. Finally, the Commission asked staff to provide a report on what impact the proposed renaming criteria would have on the previous five applications that were approved. The analysis that staff did indicated that three of the five previous applications would have been approved. The two that would not have been approved did not meet the posthumously criteria.

Continuing, Mr. McCaughan stated that the revision is proposed as the current process for renaming of streets and facilities is not well defined and has very limited criteria. Staff does not believe the proposed criteria would significantly limit the application submitted for consideration.

There was no public input for the item.

Vice Mayor Perkins asked what is the process for the Historical Society reviewing the applications. In other words, what are they looking for when the names are submitted for renaming a street/facility.

Mr. McCaughan indicated that they will get the established criteria guidelines and they will review for things such as the historical significance in the community of the City of Pompano Beach.

Vice Mayor Perkins indicated she is unsure who serves on the Historical Society Board. She asked if there is a wide range of persons representing each Commissioner sitting on that Board.

Mr. McCaughan responded that he does not know about the selection of members for this particular Board. He is aware for the other City Boards but not this one.

Mayor Hardin added that he believes it is made up of all volunteers from the community who wish to serve as part of the Historical Society. It is a membership organization that is focused on the history of Pompano Beach. The Commission does not appoint anybody to this Board.

Comr. McGee understands they will get the posthumously situations, but at some point, sometimes it is nice to do a renaming outside of this criterion. She cited the time when the Commission approved the Charlotte Burrie Center, to be able to give honor to someone while they are alive to enjoy it. Perhaps the Commission could reserve the right to name facilities, if there is a reason or something like that, and suggested to add wording in the language of the ordinance or how to frame it. For these types of occasions such as that, there should be a mechanism to do it.

Mayor Hardin asked if some type of statement could be included such as, "Any of the criteria can be subject to be waived by the Commission." It might be a bit complicated but he asked the City Attorney how could this be accomplished.

Mark Berman, City Attorney, responded that they try to establish a standard that is solid so there is no argument or politics involved, or no issue that bears down on any one Commissioner. He would be happy to take a look and put some language in with some parameters that would be satisfactory for that purpose.

The Commission moved to postpone the item until June 22, 2021 City Commission meeting.

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**A motion was made by Commissioner McGee, seconded by Commissioner McMahon, that the Regular Agenda/ Resolution be POSTPONED. The motion carried unanimously.**

14. [21-560](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, INDICATING THE OFFICIAL INTENT OF THE CITY, SUBJECT TO SUBSEQUENT PROCEEDINGS, TO CAUSE TO BE ISSUED TAX-EXEMPT CERTIFICATES OF PARTICIPATION EVIDENCING UNDIVIDED PROPORTIONATE INTERESTS OF THE OWNERS THEREOF IN BASIC RENT PAYMENTS TO BE MADE BY THE CITY, AS LESSEE, PURSUANT TO A LEASE-PURCHASE AGREEMENT WITH THE POMPANO BEACH FINANCE CORPORATION, AS LESSOR, TO FINANCE CERTAIN COSTS OF ACQUISITION, CONSTRUCTION, EQUIPPING AND INSTALLATION OF A MUNICIPAL CHARTER SCHOOL WITHIN THE CITY, INCLUDING ACQUISITION OF THE SITE ON WHICH THE SCHOOL WILL BE LOCATED AND VARIOUS RELATED PUBLIC IMPROVEMENTS, AND TO CAUSE A PORTION OF THE PROCEEDS OF SUCH CERTIFICATES OF PARTICIPATION TO BE APPLIED TO REIMBURSE EXPENDITURES PAID OR INCURRED PRIOR TO THE DATE OF ISSUANCE THEREOF; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALING CLAUSES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

Andrew Jean-Pierre, Director, Finance Department, presented the item and stated that the Broward County School Board approved the City's Charter School application to open and operate a Municipal Charter School. This will serve grades Kindergarten through 8th grade. Staff is in the process of developing a finance plan for the Charter School as site assessment activities are ongoing. This item is requesting the City Commission's approval of a Reimbursement resolution and is necessary per Internal Revenue Service (IRS) regulations to allow the City to get reimbursed for expenditures incurred prior to the proposed issuance of the Certificates of Participation for the Municipal Charter School. Any financing documents will be subject to City Commission approval at a future date.

There was no public input for the item.

Mayor Hardin asked if this is setting the frame work so that the City can be reimbursed for expenditures now, if the decision is made to move forward with financing in the future.

Mr. Jean-Pierre responded that is correct.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be**

**ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: RES. No. 2021-188**

15. [21-554](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN THE CITY OF POMPANO BEACH AND CHRIST CHURCH UNITED METHODIST, INC. FOR THE PURCHASE OF SIX PROPERTIES LOCATED WEST OF FOUNDERS PARK BETWEEN NE 2ND AVENUE ON THE WEST, NE 3RD AVENUE ON THE EAST, NE 4TH STREET ON THE NORTH AND NE 1ST STREET ON THE SOUTH, FOR USE AS A MUNICIPAL CHARTER SCHOOL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$7,612,500.00)

(**Staff Contact:** Cassandra LeMasurier)

Cassandra LeMasurier, Real Property Manager, presented the item and stated that this is a purchase contract for development of the City's Charter School, which is a policy action item under the City's Strategic Plan as approved by the Commission. Staff has been working for approximately two years to identify the appropriate location available for this new Municipal Charter School. The property owner, Christ Church Untied Methodist, Inc., has obtained the necessary approval on their end to be able to sell their Pompano Beach campus, located directly west of Founders Park in the City of Pompano Beach for \$7,612,500.00 for the Charter School.

Continuing, Ms. LeMasurier stated that the City obtained two appraisals that ranged in value from \$7.25 million to \$7.85 million. The Church also obtained an appraisal valuing the property at \$8.1 million. The current Broward County Property Appraiser Just Market Value for the property is under \$6.6 million. Ms. LeMasurier displayed an aerial of the property depicting where the subject property campus is located, which consists of six separate folios. The folios total 4.96 acres in land area and have buildings totaling 55,159 square feet and some Transit Oriented (TO) within the downtown Pompano Overlay District.

The location was selected for the Charter School due to its large land area, central location in the City and proximity to City Hall, and the City's cultural and historic venues, which include the Cultural Center, the Bailey Contemporary Art Center, the Historic Ali Cultural Arts Center and the Pompano Beach Historical Society, Kester museums, and Pompano Fire museum at Founders Park, as well as the Broward County Public Library. Staff is requesting City Commission approval of the contract for the sale and purchase of the property.

Elle Wegman, NE 11th Avenue, Pompano Beach, FL, spoke in opposition of the sale and purchase of the property and provided several reasons why she disagrees. Therefore, she suggested that the City Commission postpone the item so that the community would have time to review the information, because of some inaccuracies in the location mentioned.

Jorge Ruiz, 122 NE 10th Street, Suite 1, Pompano Beach, FL, spoke in opposition of the sale and purchase of the property and provided several reasons why he disagrees. He complained that the outline provided of the subject property is incorrect.

Mayor Hardin indicated that both speakers from the public mentioned that the boundaries are incorrect, and asked Ms. LeMasurier to comment on this.

Ms. LeMasurier responded that the Sale and Purchase contract, Exhibit A legal description includes each of the six folios listed separately with an associated street address and full legal description. It was difficult for the City Attorney to capture the boundaries of this in the Resolution title. However, it is clear on the property being purchased as indicated in the Agenda backup. There is the Broward County Property Appraiser's information, as well as the aerials for each of the folios that are part of the Sale and Purchase contract.

Mark Berman, City Attorney indicated that he could take a look at the caption of the Resolution to see if it could be done more accurately.

Comr. McMahon indicated this is within his District and provided a brief history on the Church, which was founded in 1899 on the beach in Pompano and later moved to Lettuce Lake. In 1938 the chapel was built and served the community from 1899 to present. He does not see a better fit than opening the City's award-winning Charter School on a property that served the community for over 100 years. The property is suitable. There are some challenges with traffic, but staff has looked at it and assured him that this will get addressed. He has spoken to members of the church and there are some for and some against the sale. A vote was done with the membership and there might have been 58% of the Board decided it was time to sell the property. The proceeds from the sale of \$7.6 million will serve other Broward County residents. Overall this is an exciting prospect and he is looking forward to the next steps in this process.

Comr. McGee inquired about the churches that are currently leasing from the other church and asked what kind of time period would they have to relocate themselves after the purchase.

Ms. LeMasurier explained the way the existing lease was written. If there is a sale of the property to someone such as the City, the leases would terminate upon the closing of the purchase. St. Martins lease was already set to expire in October. The other leases that were being referenced are all month to month. She then provided a brief background on the outreach efforts of the church and the interested parties wanting to purchase the property, other than the City.

In sum, Ms. LeMasurier indicated that the City is allowing up to 120 days for closing, which is a month longer than normal. So, the closing date will be in September. The one church in question would be the Harbor Church. The City might be able to offer them a lease option for a short period of time. However, extensive

improvements will have to be done to the property and the City will have to get its Charter School up and running.

Comr. Eaton stated this is another great step forward for the City and she is looking forward to being a part of it, in bringing a quality Charter School to the residents of Pompano Beach. She likes the idea that it is centrally located.

Comr. McMahon inquired as to what is the process for announcing the items that would be on the agenda. He said he received the agenda on Thursdays and posted it through his social media platform. There are hundreds of people and community leaders that follow his page and he has received several likes and comments. He has even put all the Mayor and Commissioners email so people can contact to express their views on certain things. As of today, he has not received a single email towards this item. He received a couple phone calls, one for and one against. He said the City has a great process for advertising the meetings. They are posted on Thursday and they are very clear. The steps are clear as to how to speak at the meetings. Through social media and the City's website these meetings are quite transparent.

Mr. Berman mentioned that State Law requires a notice for any public meeting. Notice of the minutes must be taken and properly transcribed. Notice has to be normally, case law says, within 48 hours prior to any meeting. These posts are not required but it is something extra that the City does to outreach to the public. The City posts the notice on the website, as well as other media is used. There is a designated place in City Hall that the notices are posted normally on the Notice Boards. However, currently, without the public's ability to access City Hall, staff has placed these notices on the outer doors so the public can take a look when they come by City Hall. They are posted on the website, on television, and every place that the City can advertise a notice. This has been the practice of the City over the years, and it has been done in a timely manner with more than 48 hours notice prior to the meeting.

Asceleta Hammond, City Clerk confirmed that Mr. Berman's statement is correct and indicated that her office posts the Schedule of Meetings a week in advance, and this is done in several different ways as indicated by Mr. Berman. Staff tries to communicate to all the communities via the website, as well as posts paper notices in the Notice Boards. During the pandemic these have been posted on the doors of City Hall.

Sandra King, Public Communications Director, added that not only does staff post the agenda and the backup on the Thursday before the meeting, but those meetings are all listed under the meetings section of the website. There is a place holder with each Commission meeting prior to the Agenda being posted. In addition, it is on Channel 78 and on Facebook that is published a couple of days ahead reminding everyone not to forget the meeting is coming up and then the day before.

Comr. McMahon assured Ms. Wegman, one of his constituents, that this will be a great change for the community. The Church will be able to serve a lot more people with this type of money in their coffers and the future of Broward County, and maybe they will continue to serve the residents of Pompano Beach in a different manner even though they will not be located in the City.

Comr. Eaton indicated the way the City has been advertising the meetings has been done the same way for a very long time. With the pandemic, the outreach efforts have been done much more than normal. Certainly, if



the City was not within the law, it would have been shut down a long time ago.

Mayor Hardin reiterated that the City did not go out there and bully any church. The City is not forcing any church out. The church is a willing seller who was looking for a buyer and the church made a decision, as other churches in the community have. St. Martin Episcopal Church on the intercoastal made the decision to sell out. It may not please all the parishioners that attend these churches if a church decides to sell. Actually, he is a member of the St. Martin Episcopal Church so he understands. This church sold its property and they are now leasing from the Methodist Church, so they will not have a place to meet in the near future, which is unfortunate. In sum, the City cannot interfere with the Churches business. He is sorry some people are unhappy about the sale of the church property but it is not the City's doing. The church was going to sell the property either to the City or somebody else. He is happy it will be used for a purpose that will still be for the public good not simply a developer's profit.

Vice Mayor Perkins indicated that the item is listed as a Resolution and does not indicate it will come back as a second reading. So, if it passes, will it come back under Consent Agenda.

Mayor Hardin responded if it passes the sale is executed.

Mr. Berman confirmed that the City is authorized to execute the contract for sale and purchase.

Vice Mayor Perkins asked for an explanation why the value of the property was assessed at \$6.5 million yet the City is purchasing it for \$7.6 million.

Mayor Hardin responded that there were several appraisals that were done.

Ms. LeMasurier explained that the City had two independent different appraisals done and the City's range of value was \$7.25 million to \$7.85 million. The Church also had an independent appraisal done that had a valuation of \$8.1 million. The Broward County Property Appraiser Just Market Value which is typically at least 30% under an appraised property, had a value of approximately \$6.6 million. The BCPA is provided for reference purposes only.

Vice Mayor Perkins inquired about the funding for the project and wanted to know how much contribution will the City be giving towards the Charter School.

Ms. LeMasurier spoke briefly about the prior Agenda Item which was to approve the Certificates of Participation financing for the Municipal Charter School. This will allow for the reimbursement of the land acquisition cost as well as for the development of the School. Any further information will be deferred to the Assistant City Manager, Suzette Sibble.

Suzette Sibble, Assistant City Manager, explained that the City, as part of the application process, had to submit a very high level preliminary budget that was done two years ago. A final budget for the school will be presented to the City Commission round about May/June 2024. Legally, the City must have an adopted budget done prior to the start of the school year, which the first school year for the Charter School is scheduled for 2024. So, the finance plan is not yet completed but the initial budget did have a contribution from the City to

stabilize the school. The objective is to stabilize the school within three years. Primarily, the main funding sources will be realized directly from the State of Florida on a first student basis, and staff plans to aggressively pursue grant funding for the school such as capital outlay dollars. The grant team and the finance team will be looking at all the parameters to ensure that all the grant moneys are realized to get the school off to a good start and stabilized as quickly as possible. The City's contribution has not been finalized and they will have to redo the budget. Once most of the foundation has been set in place, that is to acquire the site, to determine what it will cost to develop the property and a finance plan must be developed to determine how much to borrow to get the initiative on the ground. Debt Service - they will have to look at the operations for the school. As the City approaches closer in the next few years and all of these things come to fruition, staff will be bringing back the finance plan to the City Commission and the School Board for approval. This is the first small step in the process as a lot more documentation will need to be brought back to the City Commission for approval.

Vice Mayor Perkins agreed with the two previous callers that this should be an open forum government type meeting so that people can walk up to the podium and give their opinion on it. So, she feels if they were meeting in the City Commission Chamber there would be more people walking up to the podium to voice their opinion on this, but they are unable to do so, especially those people in her district who do not own laptops or computers. This is a big decision being made and she believes the residents need to know what is being done.

Finally, Vice Mayor Perkins indicated her other concern is with the traffic that will be coming into a residential area where the school will be located. She is curious to know how traffic will be maintained with the students going in and out of the property.

Comr. Floyd stated that the two callers, Ms. Wegman and Mr. Ruiz were leery about the mapping presented, and asked if there was a way to hold the item until the next meeting to re-look at the mapping of the whole thing so they could be reassured that there is no mistake.

Mr. Berman indicated that the caption for the Resolution is accurate in terms of the boundary for the area involved from all directions North, South, East and West; however, it could be more specific as it gives an idea of the area, but staff feels this is not misleading in anyway. It is lawful and he believes it is an accurate description.

**MOTION: A motion was made by Comr. Floyd seconded by Vice Mayor Perkins to postpone the item until the next City Commission meeting. The vote was as follows:**

**No** Comr. Eaton  
**Yes** Comr. Floyd  
**No** Comr. McGee  
**No** Comr. McMahan  
**Yes** Vice Mayor Perkins  
**No** Mayor Hardin

Greg Harrison, City Manager, stated that staff has negotiated in good faith with the Church and have gone through all the scenarios as Ms. LeMasurier described earlier and all the way up through a vote of their congregation that was approved by 69% of the parishioners who were present to vote on this. The City

promised the Church a closing date and a time frame, which includes this action today. There is nothing wrong with any of the paperwork that is in this Agenda action for the Commission to take on. It would be detrimental if this item was to be postponed to a later date.

Mayor Hardin appreciated both Vice Mayor Perkins and Comr. Floyd's motion to postpone, but reiterated that he inquired of staff if the information presented was accurate and Mr. Berman and staff assured him that it was. Therefore, he will be forced to vote against the motion on the floor to postpone. Also, there are downsides in approving this motion, which Mr. Harrison pointed out earlier. The reasoning behind the motion to ensure it is accurate, it is accurate as per the legal staff.

Comr. Eaton provided her reasons why she would not vote to postpone. There are times when members of the public are tuning in for the first time, and is unaware of most of the processes that are in place that govern the actions of the Commission in government. Also, she would not want to take the word of a layperson over the recommendation of the City's expert legal team. Finally, the Church is a willing seller that wants to sell to the City of Pompano Beach.

**A motion was made by Commissioner Floyd, seconded by Vice Mayor Perkins, that the Item be POSTPONED until the next City Commission meeting, of June 8, 2021. The motion failed with Comrs. Eaton, McGee, McMahan and Mayor Fisher voting No and Comr. Floyd and Vice Mayor Perkins voting Yes.**

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED.**

**Additionally, later in the meeting under Reports a motion was made by Commissioner Floyd, seconded by Commissioner McGee to rescind the vote made earlier by the City Commission to adopt, and to have the matter reconsidered on Tuesday, June 1, 2021 at 5:30 p.m. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahan  
Perkins  
Hardin

**Enactment No:**

16. [21-462](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO

BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND SONATA APARTMENTS, LTD. TO BUILD A 121-UNIT MIXED USE, MIXED INCOME HOUSING DEVELOPMENT WITH APPROXIMATELY 3500 SQ. FT. OF RETAIL SPACE (“SONATA PROJECT”) ON UNIMPROVED VACANT LAND OWNED BY THE CITY LOCATED WEST OF DIXIE HIGHWAY BETWEEN NW 6TH STREET AND NW 8TH COURT, TO PROVIDE FINANCIAL ASSISTANCE IN THE FORM OF A \$783,250 LOAN WITH RECAPTURE PROVISIONS AND TO ACCEPT THE DECLARATION OF COVENANT AND RESTRICTIONS; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE BETWEEN THE CITY OF POMPANO BEACH AND SONATA APARTMENTS, LTD. RELATING TO THE CONSTRUCTION AND OPERATION OF THE SONATA PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Revenue \$50,000 (\$1,000 per year for term of lease); Expense \$783,250 Affordable Housing Loan)

**(Staff Contact:** Cassandra LeMasurier)

Cassandra LeMasurier, Real Property Manager, presented the item and stated that the development agreement was on the Community Redevelopment Agency (CRA) Agenda last week. The Sonata subject site for the apartment project, which has both the north and south portions. The eastern part of the project area abutting Dixie Highway are the six City folios that they would be entering into a lease. The developer has received site plan approval to construct a 121 mixed use and mixed income rental community at Dixie Highway NW 8th Street with 3,500 square feet of commercial space running along the west side of Dixie Highway, which would be on those City parcels they would be leasing. The project area consists of three privately owned parcels and a portion of those six City parcels.

Continuing, Ms. LeMasurier stated that the City would enter into a 50 year lease with the developer of the six City-owned parcels with the developer’s capital improvement being reconstruction of the project. The developer will pay \$1,000 per year during the lease term to the City for the lease of the City parcels. Currently, the City parcels are providing drainage to Dixie Highway and will be relocated further west by the developer with the Pompano Beach CRA reimbursing the developer up to \$420,000 for the relocation of the drainage area. She then provided some details on the project on the south portion. This is a great opportunity to develop this area of Dixie Highway. Therefore, to do this, the City, the CRA and the developer will enter into a development agreement that is included as Exhibit B to the lease. This formalizes the commitment of the City to lease the City-owned parcels to the developer, to provide a \$783,250 affordable housing loan from the City’s Affordable Housing Trust Fund to the developer. The CRA will reimburse the developer for the drainage location. The CRA contribution of \$1.5 million towards public infrastructure costs. It will also formalize the developer’s commitment to lease the retail space proposed in the project to the CRA and for the developer to construct and install to \$150,000 in tenant improvements as directed and required by the CRA.

The lease and development agreement are contingent upon the developer’s request for a funding application that was submitted and approved by the Florida Housing Finance Corporation for the tax credit funding being

approved for complete funding for the project. If the developer does not obtain the required funding the agreement and the lease would terminate effectively. The development of this project would provide much needed affordable housing, which is a Strategic Goal item Objective 7 have Quality Affordable Housing options for all family generations including senior living under Goal 1 - Preferred Place to Live. Ms. LeMasurier displayed the renderings of the north parcel consisting of the three story buildings.

There was no public input for the item.

Comr. McGee thanked staff for sending her more information on the parking. She suggested that the City looks at the realistic way in which people travel, work, store their vehicles, also with the retail spaces. Perhaps the City could look into these issues as we are looking at new developments to try and attract those developments offering substantial amount of spaces to attract young professionals and young families to the housing offered, especially in a two/three bedroom building in the City. In sum, the City is building itself short on the parking issues. Perhaps now is a time for the City to reassess what is being considered as City base standards, especially for multiple bedroom units and mixed use, to ensure we are not attracting buildings that are not up to par for what the needs are of its residents or its commercial agents.

Comr. McMahon brought up the security matter. He is aware that these projects being designed goes through CPTED (Crime Prevention Through Environmental Design) and things like that. When it comes to the parking garages having required security gates, locks, and things like that, needs to be looked at. He is aware that the building located next to his shop, the Heritage Square building, has an open parking garage and he heard they have had several problems of cars being broken into and stolen cars being parked in the garage. He inquired if there is anything in the development order or the City could do to require some sort of security at the buildings, gates or things of that nature. This would keep the parking garages and lots secured. He is aware that with the MLK project, the owners are planning to do double gates to their parking.

Ms. LeMasurier responded that she confirmed by looking at the approved site plan sheets in more detail and discovered that both the north and south parcels will be fenced and gated, so they are secured sites.

Vice Mayor Perkins asked for an explanation on the Commercial space.

Ms. LeMasurier responded that the Commercial space will be a little under 3,500 square feet in area and it is on the ground floor of the eight story building on the south parcel. As part of the development agreement the developer has agreed that they will lease that space to the CRA and also do \$150,000 in tenant improvements. The CRA can then sub-lease the space to be used by tenants, and offer an attractive lease rate than normal market price leases.

Vice Mayor Perkins asked if there is something more that the developer could do to make the buildings more attractive.

Ms. LeMasurier indicated that the Architectural Appearance Committee (AAC) has reviewed and approved this item but there was some notation about some of the architectural features that were minor in nature that they would revise. This rendering does not have the accurate color pallet that they have on their elevation sheets that were approved by the AAC. This is not necessarily what the final product will look like as far as some of

the architectural features and the color of the buildings.

Vice Mayor Perkins did not like the color pallet and asked if the full pictured rendering could be sent to her so she could see how the colors are broken up. In addition, Vice Mayor Perkins noted that there are five sets of apartments in the Northwest area and just one single-family development in the area. She would like to see more single-family homes because it looks like the future of the Northwest area will be all apartments and warehouses.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: RES. No. 2021-189**

17. [21-222](#) **P.H. 2021-61: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 70, "GENERAL PROVISIONS," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 70.11, "ILLEGALLY-PARKED VEHICLES," TO MODIFY FINES AND CLARIFY PROCEDURES FOR PARKING VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: APRIL 27, 2021**

(Staff Contact: Jeff Lantz/Suzette Sibble)

Jeff Lantz, Parking Manager, presented the item and stated it is the Second Reading of the Ordinance and there have been no changes since the First Reading.

There was no public input on the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2021-57**

18. [21-383](#) **P.H. 2021-64: (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 BILLING SERVICE AGREEMENT AND A BUSINESS ASSOCIATE ADDENDUM BETWEEN THE CITY OF POMPANO BEACH AND DIGITECH EMS BILLING, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$220,000.00)

**FIRST READING: APRIL 27, 2021**

**(Staff Contact:** Chad Brocato)

Chad Brocato, Fire Chief, Fire & EMS Department, presented the item and stated it is the Second Reading of the Ordinance and there have been no changes since the First Reading. This is the current ambulance billing provider, which is saving the City \$150,000 per year resulting in additional revenue sources.

There was no public input on the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2021-58**

19. [21-416](#) **P.H. 2021-63: (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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND REDEVELOPMENT MANAGEMENT ASSOCIATES, LLC FOR PROFESSIONAL CONSULTING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$936,000 over 3 years)

**FIRST READING: APRIL 27, 2021**

(Staff Contact: Greg Harrison)

Greg Harrison, City Manager, presented the item and stated that this is a Second Reading of the Ordinance and there are no changes made since April 27, 2021.

There was no public input on the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Hardin

**No:** Perkins

**Enactment No: ORD. No. 2021-59**

20. [21-460](#) **P.H. 2021-65: (PUBLIC HEARING 2ND READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 76, "PARKING METERS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 76.01 "PURPOSE," TO EXPAND SAME, BY AMENDING SECTION 76.02, "DEFINITIONS," TO PROVIDE ADDITIONAL DEFINITIONS; BY AMENDING SECTION 76.06, "PARKING METER ZONES AND FEES ESTABLISHED," BY DELETING TABLE 76(A) IN ITS ENTIRETY AND CREATING A NEW TABLE 76(A), "DESIGNATED PARKING METER ZONES AND METER FEES," TO MODIFY DESIGNATED PARKING METER ZONES, METER FEES, LOCATIONS AND RESTRICTIONS, AND TO MODIFY COSTS AND OTHER REQUIREMENTS FOR PARKING PERMITS; BY AMENDING SECTION 76.07, "TIME LIMITED PARKING ZONES," TO MODIFY HURRICANE PARKING PROCEDURE AND RATES, TO ESTABLISH DESIGNATED DELIVERY/LOADING ZONES AND REQUIREMENTS,



PIER GARAGE BULK PARKING PROCEDURES AND MODIFY RATES, AND PARKING FEE EXEMPTIONS; BY AMENDING SECTION 76.08, "ENFORCEMENT," TO PROVIDE FOR PARKING VIOLATIONS AND OTHER UNLAWFUL ACTS IN THE PIER GARAGE, BY AMENDING EXHIBIT A, RESIDENT ANNUAL PARKING PERMIT DECAL LOCATION MAP, TO REFLECT ADDITIONAL PARKING; BY ADDING EXHIBIT A-1, RESIDENT PARKING LPR PERMIT LOCATION MAP AND HOURLY PUBLIC PARKING AREAS WITHIN THE HARBOR VILLAGE AREA; AND BY AMENDING EXHIBIT B, PARKING METER ZONE LOCATION MAP TO REFLECT THE NEW PARKING METER ZONES AND HOURLY PUBLIC PARKING RATES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: APRIL 27, 2021**

(Staff Contact: Jeff Lantz/Suzette Sibble)

Jeff Lantz, Parking Manager, presented the item and stated it is the Second Reading of the Ordinance and there have been no changes since the First Reading.

There was no public input on the item.

Comr. McGee acknowledged the efforts and discussions that have gone into this matter to get us to this stage. The Commission has received emails since the last reading comparing other cities and how it could be made easier. Therefore, she wanted to ensure that the public is made aware that this is something being looked at continuously. The numbers are not where it was anticipated to be due to last year's operation being impacted by the pandemic. However, she would like to suggest that perhaps staff do a re-evaluation in another six months, to structure it to take the best care for both tourists and residents in making the parking available, safe and easy for residents to get permits and things of that nature. In sum, a formal report back in six months would be appreciated.

Suzette Sibble, Assistant City Manager, appreciated Comr. McGee's request for a six month report back and respectfully asked for a year. Discussion will still be going on before that time, but with the Hilton, Kilwins, and Burger Fi coming on board, staff would like to see a full 12 months of activity to allow for a historical look back as a benchmark is put into place. The data provided over this period would allow for adjustments to accommodate residents and other users of the parking services.

It was the expectation that monthly meetings could be done during this period to ensure everyone is aware of the parking issues and efforts to resolve.

Comr. McMahon thanked Ms. Sibble for her efforts with this project that has been discussed for sometime now. The City is fortunate to have somebody like her that really understands these numbers and reads them instead of just looking at them. Also, he agrees with Comr. McGee that within six months they can meet informally with Ms. Sibble to see where things are on this. There is the potential to bring in more income but the

pandemic truly hit hard financially last year.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2021-60**

21. [21-386](#) **P.H. 2021-62: (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 155.2401., "OVERVIEW," TO PROVIDE REQUIREMENTS FOR CERTAIN LAND DEVELOPMENT AGREEMENTS; BY AMENDING SECTION 155.3703., "ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)," BY AMENDING SECTION 155.3709., "EAST OVERLAY DISTRICT (EOD)," TO MODIFY DATES FOR REFERENCED BUILDING PERMITS; BY AMENDING SECTION 155.5203., "LANDSCAPING," TO PROVIDE THE DEVELOPMENT SERVICES DIRECTOR WITH AUTHORIZATION TO GRANT MODIFICATIONS FOR LANDSCAPING BETWEEN VEHICULAR USE AREAS PROVIDED SPECIFIC STANDARDS ARE MET; AND BY AMENDING SECTION 155.5301., "SCREENING," TO PROVIDE SPECIFIC EXEMPTIONS FOR CERTAIN SCREENING REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: APRIL 27, 2021**

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

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that it is the Second Reading of the Ordinance. The proposed Ordinance intends to clarify some procedures in the Zoning Code, clarify the applicability of some regulations, and extend a parking extension in the City's Code of Ordinances, to aid with redevelopment. There have been no changes since First Reading. At the January 2021 Planning and Zoning meeting the Board unanimously recommended approval of the Text Amendments. The Community Redevelopment Agency (CRA) has provided a memorandum of support for the proposed changes, as well as the Economic Development Council has offered their support to the parking extension exemption.

No input from the public on the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2021-61**

22. [21-528](#) **P.H. 2021-74: (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 AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND GIANNETTI CONTRACTING CORPORATION FOR THE LYONS PARK STORMWATER AND WASTEWATER IMPROVEMENTS PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$17,659,117.70)

**FIRST READING: JUNE 8, 2021**

**(Staff Contact: Matthew Kudrna)**

Matthew Kudrna, Project Manager, Engineering Department, presented the item and stated that he is the project manager on the Lyons Park Stormwater and Wastewater Improvement project. The City has identified Lyons Park as a critical area in need of drainage improvements, which is a top priority on the City's Stormwater Master Plan. The project include the construction of a Stormwater system and a Wastewater system, which are both estimated to take 18 months to complete. The project construction costs presented today is below the Engineer of Records Cost Estimate. At the April 27, 2021 City Commission meeting the ranking order was approved by the Commission and authorized negotiation of a contract with the highest ranked firm, Giannetti Contracting Corporation. City staff recommends approving this agreement with the highest ranked, responsive and responsible contractor, Giannetti Contracting Corporation.

There is no input from the public for the item.

Comr. McMahon indicated that he is happy to see this project moving forward, which is much needed as there are some critical problems in that District. There is severe flooding after the afternoon storms that are experienced in South Florida. Communication is key to indicate when it is happening and what is happening at

the neighborhood meetings, which he is sure is in the plans.

Mayor Hardin echoed Comr. McMahon's comments and indicated he grew up in Lyons Park and noticed that this has been a top priority project for a number of years and it is good that it has reached this level. He encouraged staff to move this forward, but as Comr. McMahon indicated earlier, communication is the key. He is aware that Mr. Sfiropoulos, City Engineer is top notch in that regard, but he wanted to ensure that communication is provided to all the residents as this goes on and when somebody has a complaint it should be addressed as soon as possible instead of saying "we will get to it later." He is confident that staff will stay on top of this issue.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2021-62**

23. [21-457](#) **P.H. 2021-75: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CORRECTING ERRORS ON THE FUTURE LAND USE MAP BY MODIFYING THE MAP TO REFLECT THE PROPER LAND USE DESIGNATIONS FOR THE PROPERTIES LOCATED AT 950 SOUTH CYPRESS ROAD AND 540 EAST MCNAB ROAD; 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 Land Use Map correction for 950 South Cypress Road was previously approved by the City Commission on March 23, 2021. However, the Department of Economic Opportunity requested the correction be done by an Ordinance rather than a Resolution, so that correction has been included in the proposed Ordinance being discussed today. Her presentation was focused on the second property in the Ordinance, which is 540 East McNab Road.

Ms. Dolan stated that recently it was brought to staff's attention that the LM-10 Residential Land Use and RM-20 Zoning Designation on the property of 540 East McNab Road, which has an existing and longtime Commercial use, does not match the existing use of the property or the County's Land Use Plan Designation of Commerce, thus it appears to be a map error. In sum, staff is recommending approval of this map correction

for both the Land Use and Zoning maps for this property, to bring them into compliance with the existing use and the County's Land Use Designation.

There was no public input for the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

24. [21-512](#) **P.H. 2021-70: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING, SUBJECT TO THE TERMS AND CONDITIONS HEREIN, THE ISSUANCE OF NOT TO EXCEED \$12,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF THE CITY'S WATER AND WASTEWATER REVENUE BOND, SERIES 2021 FOR THE PRIMARY PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF PROJECTS RELATING TO THE CITY'S WATER AND WASTEWATER UTILITY SYSTEM; PROVIDING FOR THE ISSUANCE FROM TIME TO TIME OF WATER AND WASTEWATER REVENUE BONDS OR NOTES; PLEDGING CERTAIN NET REVENUES OF THE WATER AND WASTEWATER UTILITY SYSTEM FOR THE PAYMENT THEREOF; PROVIDING FOR THE RIGHTS OF THE HOLDERS THEREOF; PROVIDING FOR THE ISSUANCE OF BOND ANTICIPATION NOTES; MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; REPEALING OTHER INSTRUMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$12,000,000)

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

Andrew Jean-Pierre, Director, Finance Department, presented the item and stated that this is for the funding of \$23 million needed for the construction of the Lyons Park project. This \$23 million is a not to exceed amount. The actual cost is estimated at \$19.8 million. The Lyons Park neighborhood suffers from flooding problems as documented in the City's Master Plan. The approval of this Master Bond Ordinance by the City Commission is the next step in the sequence of events necessary to facilitate the sale of the Bonds. This proposed Master Bond Ordinance (the "Bond Ordinance") authorizes issuance of the Bonds to pay the cost of financing the Lyons Park project. There are four items related to this project. The Stormwater funds and the Water and

Wastewater funds are separate, so for each funding sources there are two items on the agenda. This item is to authorize the issuance and the item following this one is the sister item. This will provide more details of the deal the City has with the Bank.

There was no public input for the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

25. [21-513](#) **P.H. 2021-71: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR THE ISSUANCE OF THE CITY OF POMPANO BEACH, FLORIDA, WATER AND WASTEWATER REVENUE BOND, SERIES 2021 IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$12,000,000 UNDER ORDINANCE NO. 2021-62 ENACTED ON JUNE 22, 2021, FOR THE PURPOSE OF FINANCING, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS OF THE ISSUER, THE ACQUISITION, CONTRUCTION AND EQUIPPING OF ALL OR A PORTION OF CERTAIN CAPITAL PROJECTS RELATED TO THE ISSUER'S WATER AND WASTEWATER SYSTEM AND PAYING COSTS OF ISSUANCE OF THE SERIES 2021 BOND; FIXING CERTAIN TERMS AND DETAILS OF THE SERIES 2021 BOND; AUTHORIZING EXECUTION AND DELIVERY OF THE SERIES 2021 BOND; AUTHORIZING THE NEGOTIATED SALE OF THE SERIES 2021 BOND TO CENTERSTATE BANK, N.A.; DIRECTING THE APPLICATION OF THE PROCEEDS OF THE SERIES 2021 BOND; APPOINTING THE ISSUER AS THE INITIAL PAYING AGENT AND REGISTRAR FOR THE SERIES 2021 BOND; AUTHORIZING OTHER REQUIRED ACTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$12,000,000)

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

Andrew Jean-Pierre, Director, Finance Department, presented the item and stated that this is for a Supplemental Water and Wastewater Bond Ordinance, which provides for the fixing of certain details and the amounts. It also describes in brief and general terms the portions of the projects to be constructed or acquired

and authorizing other required actions.

Some of key financial terms are as follows:

- 1) Amount: Principal amount not to exceed \$12 million.
- 2) Final Maturity: No later than March 1, 2041 for a 20-year maturity.
- 3) Fixed, tax-exempt interest rate of 2.57%.
- 4) Cost estimate for Water and Wastewater portion of the Lyons Park Neighborhood project (Exhibit A to Ordinance 2021- 63). Currently estimated to be \$10.5 million.

There was no public input for the item.

Vice Mayor Perkins asked for an explanation on the Bond and how the City is going to pay the \$12 million.

Mr. Jean-Pierre explained that this would work similar to a mortgage, where over the next 20 years the City will pay a fixed amount towards the principal to finance the project. The financing is done through a bank. Staff put out a bid to many banks but this one has the most favorable terms.

Mayor Hardin pointed out that in the cover sheet it references an Ordinance enacted on June 22, 2021, but the City is not there yet and asked how does this work.

Mark Berman, City Attorney, responded that it is contingent upon approval at that time.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

26. [21-514](#) **P.H. 2021-72: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING, SUBJECT TO THE TERMS AND CONDITIONS HEREIN, THE ISSUANCE OF NOT TO EXCEED \$11,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF THE CITY'S STORMWATER UTILITY REVENUE BOND, SERIES 2021 FOR THE PRIMARY PURPOSE OF FINANCING THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF PROJECTS RELATING TO THE CITY'S STORMWATER UTILITY SYSTEM; PROVIDING FOR THE ISSUANCE FROM TIME

TO TIME OF STORMWATER UTILITY REVENUE BONDS OR NOTES; PLEDGING CERTAIN NET REVENUES OF THE STORMWATER UTILITY SYSTEM FOR THE PAYMENT THEREOF; PROVIDING FOR THE RIGHTS OF THE HOLDERS THEREOF; PROVIDING FOR THE ISSUANCE OF BOND ANTICIPATION NOTES; MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; REPEALING OTHER INSTRUMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$11,000,000)

(Staff Contact: Andrew Jean-Pierre)

Andrew Jean-Pierre, Director, Finance Department, presented the item and stated that as with the prior Master Bond Ordinances, the only difference with this one, is that it is for the Stormwater portion, which the City is required to finance separately.

There was no public input for the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

27. [21-515](#) **P.H. 2021-73: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR THE ISSUANCE OF THE CITY OF POMPANO BEACH, FLORIDA STORMWATER UTILITY REVENUE BOND, SERIES 2021 IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$11,000,000 UNDER ORDINANCE NO. 2021-64 ENACTED ON JUNE 22, 2021, FOR THE PURPOSE OF FINANCING, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS OF THE ISSUER, THE ACQUISITION, CONTRUCTION AND EQUIPPING OF ALL OR A PORTION OF CERTAIN CAPITAL PROJECTS RELATED TO THE ISSUER'S STORMWATER UTILITY SYSTEM AND PAYING COSTS OF ISSUANCE OF THE SERIES 2021 BOND; FIXING CERTAIN TERMS AND DETAILS OF THE SERIES 2021 BOND; AUTHORIZING EXECUTION AND DELIVERY OF THE SERIES 2021 BOND; AUTHORIZING THE NEGOTIATED SALE OF THE SERIES 2021 BOND TO CENTERSTATE BANK, N.A.; DIRECTING THE APPLICATION OF



THE PROCEEDS OF THE SERIES 2021 BOND; APPOINTING THE ISSUER AS THE INITIAL PAYING AGENT AND REGISTRAR FOR THE SERIES 2021 BOND; AUTHORIZING OTHER REQUIRED ACTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$11,000,000)

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

Andrew Jean-Pierre, Director, Finance Department, presented the item and stated that this is a Supplemental Stormwater Utility Bond Ordinance. The prior item which was the Master Bond Ordinance, some of the key financial terms are as follows:

- 1) Amount: Principal amount not to exceed \$11 million.
- 2) Final Maturity: No later than March 1, 2041 for a 20-year maturity.
- 3) Fixed, tax-exempt interest rate of 2.57%.
- 4) Cost estimate for the Stormwater portion of the Lyons Park Neighborhood project (Exhibit A to Ordinance 2021-63). Currently estimated to be \$9.3 million.

There was no public input for the item.

Meeting went into Recess

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

28. [21-538](#) **P.H. 2021-66: (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 CONTRACTS FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND KIMLEY-HORN AND ASSOCIATES, INC., LAKDAS/YOHALEM ENGINEERING, INC., MASTER CONSULTING ENGINEERS, INC., AND WGI, INC., FOR CONTINUING CONTRACT FOR STRUCTURAL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

### Meeting Reconvened

John Sfiropoulos, City Engineer, presented the item and pointed out that at a previous City Commission meeting, the professional agreements for Civil, Architectural, Landscape Architectural and CEI services were approved. This item along with the next three are for different disciplines all together. This one is for Structural Engineering Services, and the rankings was previously approved by Commission enabling the City to enter into the five-year agreements.

There was no public input for the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

29. [21-541](#) **P.H. 2021-67: (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 CONTRACTS FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CALVIN, GIORDANO & ASSOCIATES, INC., COMPASS POINT SURVEYORS, PL, COLLIERS ENGINEERING & DESIGN, INC., CRAIG A. SMITH & ASSOCIATES, INC., CRAVEN, THOMPSON & ASSOCIATES, INC., ENGENUITY GROUP, INC., KCI TECHNOLOGIES, INC., KEITH AND ASSOCIATES, INC., MCLAUGHLIN ENGINEERING COMPANY, AND MUNSON DESIGN & CONSULTING, INC., FOR CONTINUING CONTRACT FOR SURVEYING AND MAPPING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and stated that this is similar to the previous item, except these are for Surveying and Mapping agreements.

There was no public input for the item.

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

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Hardin

**Absent:** Perkins

30. [21-536](#) **P.H. 2021-68: (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 CONTRACTS FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND DTM TECH, INC., PISTORINO & ALAM CONSULTING ENGINEERS, INC., SGM ENGINEERING, INC., AND TLC ENGINEERING SOLUTIONS, INC., FOR CONTINUING CONTRACT FOR MECHANICAL AND PLUMBING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and stated that this is similar to the previous item, except these are for Mechanical and Plumbing agreements.

There was no public input for the item.

**A motion was made by Commissioner McGee, seconded by Commissioner McMahon, that the Regular Agenda/ Ordinance be APPROVED FIRST READING.. The motion carried by the following roll call vote:**

**Yes:** Eaton  
 Floyd  
 McGee  
 McMahan  
 Hardin

**Absent:** Perkins

31. [21-537](#) **P.H. 2021-69: (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 CONTRACTS FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND AEM TECHNICAL SERVICES, INC., E SCIENCES, INCORPORATED, GFA INTERNATIONAL, INC., GLE ASSOCIATES, INC., AND TERRACON CONSULTANTS, INC., FOR CONTINUING CONTRACT FOR ENVIRONMENTAL TESTING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
 (Fiscal Impact: N/A)  
 (Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and stated that this is similar to the previous item, except these are for Environmental Testing agreements.

There was no public input for the item.

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

**Yes:** Eaton  
 Floyd  
 McGee  
 McMahan  
 Hardin

**Absent:** Perkins

32. [21-506](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JOHN R. CHAPMAN TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MARCH 23, 2024; PROVIDING AN

EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

John R. Chapman, Alternate #2 - District 1

Carlton Gillespie - District 1

Corey Staniscia - District 1

Eve Lewis - District 3

Gwendolyn S. Leys - District 3

Louis Riva, Alternate #1 - District 3

Lee A. Corson - District 5

(Staff Contact: Asceleta Hammond)

**A motion was made by Commissioner McGee, seconded by Commissioner McMahan, that the Regular Agenda/ Resolution be ADOPTED and to insert the name JOHN R. CHAPMAN. Commissioner McGee nominated John R. Chapman and Commissioner Floyd nominated Lee Corson. The motion carried by the following vote:**

**Yes:** Eaton

McGee

McMahan

Hardin

**No:** Floyd

**Absent:** Perkins

**Enactment No: RES. No. 2021-190**

33. [21-504](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ROBERT HOLMES** TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS ALTERNATE #1 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 22, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Robert Holmes, *Incumbent/Alternate 1* - District 4

Lisa Ferreri - District 1

Henry Lesburt - District 1

Eve Lewits - District 3

Louis Riva - District 3

Carmen Jones - District 4

Marcus A. McDougale - District 4

Daniel P. Diaz - District 5  
Danika Jackson - District 5

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name ROBERT HOLMES. Vice Mayor Perkins nominated Robert Holmes. The motion carried unanimously.**

**Enactment No: RES. No. 2021-191**

34. [21-505](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **HENRY LESBURT** TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS ALTERNATE #3 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 11, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 21-504 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name HENRY LESBURT. Commissioner McGee nominated Henry Lesburt. The motion carried unanimously.**

**Enactment No: RES. No. 2021-192**

35. [21-530](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **DONALD S. MCNEIL** TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Donald S. McNeil, **Incumbent** - District 1  
Philip C. DeSantis, **Incumbent** - District 3  
Russell R. Reichmann, **Incumbent** - District 3  
James B. Morehead, Alternate 1 - District 3  
Nancy Grant, Alternate 2 - District 5  
W.P. Davis, Jr. - District 1  
Richard Tobin - District 1  
Eve Lewis - District 3

Frank Sellers, Jr. - District 3

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name DONALD S. MCNEIL. Commissioner McGee nominated Donald S. McNeil. The motion carried unanimously.**

**Enactment No: RES. No. 2021-193**

36. [21-531](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING PHILIP C. DESANTIS TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 21-530 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name PHILIP C. DESANTIS. Vice Mayor Perkins nominated Philip C. DeSantis. The motion carried unanimously.**

**Enactment No: RES. No. 2021-194**

37. [21-532](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RUSSELL R. REICHMANN TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 21-530 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name RUSSELL R. REICHMANN. Commissioner Floyd nominated Russell R. Reichmann. The motion**

**carried unanimously.**

**Enactment No: RES. No. 2021-195**

38. [21-533](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JAMES B. MOREHEAD TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 21-530 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name JAMES B. MOREHEAD. Mayor Hardin nominated James B. Morehead. The motion carried unanimously.**

**Enactment No: RES. No. 2021-196**

39. [21-534](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING NANCY GRANT TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF M. ROSS SHULMISTER; SAID TERM TO EXPIRE ON MAY 27, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 21-530 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name NANCY GRANT. Mayor Hardin nominated Nancy Grant. The motion carried unanimously.**

**Enactment No: RES. No. 2021-197**

40. [21-550](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING NANCY OLSON TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON APRIL 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



**APPLICANTS:**

Nancy Olson - District 1

Tod Weston - District 1

Eve Lewis - District 3

Andrew J. Miller - District 3

Sharon Fornes, Alternate 1 - District 5

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name NANCY OLSON. Commissioner McGee nominated Nancy Olson. The motion carried unanimously.**

**Enactment No: RES. No. 2021-198**

41. [21-551](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ANDREW MILLER** TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE JUNE 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 21-550 FOR APPLICANTS.**

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name ANDREW MILLER. Commissioner McGee nominated Andrew Miller. The motion carried unanimously.**

**Enactment No: RES. No. 2021-199**

42. [21-552](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **EVE LEWIS** TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF SHARON TAMAYO; SAID TERM TO EXPIRE DECEMBER 9, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 21-550 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name EVE LEWIS. Commissioner**

**McMahon nominated Eve Lewis. The motion carried unanimously.**

**Enactment No: RES. No. 2021-200**

43. [21-553](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **TOD WESTON** TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF VERONICA THOMAS, ALTERNATE 2; SAID TERM TO EXPIRE ON JULY 1, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 21-550 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name TOD WESTON. Commissioner Floyd nominated Tod Weston. The motion carried unanimously.**

**Enactment No: RES. No. 2021-201**

44. [21-546](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **KENNETH C. ARNOLD** TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 25, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Kenneth C. Arnold, **Incumbent** - District 1

Molly Moor, **Incumbent/Alternate 1** - District 1

Philip J. Schulte, **Incumbent/Alternate 2** - District 3

Mary C. Antoine - District 1

Carlton Gillespie - District 1

Brooke Johnston - District 1

Tanya Manfredi - District 1

Bruno Munoz - District 1

Corey Staniscia - District 1

Eve Lewis - District 3

Sarahca Peterson - District 3

Monifa Aruwajoye - District 4

Lucretia Hicks - District 4

Marcus A. McDougle - District 4

Tony Parrish - District 4

Shelton Pooler - District 4

John Reed - District 4  
 Susan M. Gingerich - District 5  
 Frank Shulman - District 5

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name KENNETH C. ARNOLD. Mayor Hardin nominated Kenneth C. Arnold. The motion carried unanimously.**

**Enactment No: RES. No. 2021-202**

45. [21-482](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING SUSAN GINGERICH TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH, AS ALTERNATE 1; FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2023; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 2021-546 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name SUSAN M. GINGERICH. Commissioner McGee nominated Susan Gingerich and Vice Mayor Perkins nominated Molly Moor. The motion carried by the following vote:**

**Yes:** Eaton  
 McGee  
 McMahan  
 Hardin

**No:** Floyd  
 Perkins

**Enactment No: RES. No. 2021-203**

46. [21-483](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING PHILIP J. SCHULTE TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH, AS ALTERNATE 2; FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON

JULY 1, 2023; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 2021-546 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name PHILIP J. SCHULTE. Mayor Hardin nominated Philip J. Schulte and Vice Mayor Perkins nominated Lucretia Hicks. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Hardin

**No:** Floyd  
Perkins

**Enactment No: RES. No. 2021-204**

#### **D. REPORTS**

**Gregory Harrison - City Manager - Happy Birthday Wishes** - Mr. Harrison stated that Comr. Rhonda Eaton celebrated her birthday on May 16 and everyone wished her Happy Birthday.

**Congratulations to City Attorney Mark Berman** - Mr. Harrison announced that we have a “Celebrity among us” Mark Berman, City Attorney was recently honored by a Statewide Association, by being appointed to the Executive Counsel of the City/County Local Government Law of the Florida Bar. The City Commission offered their congratulations to Mr. Berman.

**Congratulations to Vice Mayor Beverly Perkins** - Mr. Harrison announced that there is another “Celebrity among us,” Vice Mayor Perkins was given a Proclamation by Broward County Mayor, Steve Geller, for her work on the John Lewis Voting Rights Advancement Day on May 8, 2021. Mr. Harrison and the City Commission offered Vice Mayor Perkins congratulations and commended her for doing a very nice work.

**Update on City’s Investment and Projects** - Mr. Harrison mentioned that a lot is said about what the City does and what the ensuing results are from the Private Sector. Therefore, he will provide the City Commission with a copy of a report he requested from staff, which he received today. This report clearly shows that with the City’s investment, in both General Obligation Bond contracts and the normal Capital Improvement Projects contracts that are “in the mill right now” to the tune of a little over \$177 million with all the jobs being created. The upside of this is, as of today, in all five districts they have on the books with the City of Pompano Beach to include permitting, planning and review \$2,242,000,000. The report breaks down each amount by districts. District 1 has approximately \$581 million in projects; District 2 \$70 million; District 3 \$156 million; District 4

\$51 million and District 5 \$1.4 billion. This was primarily done during the COVID pandemic; therefore, this is saying that there are a lot of people who believe in what the City is doing because they are investing in Pompano Beach.

**Mark Berman - City Attorney - Further Review of Item 15** - Mr. Berman stated that during the recess of the meeting, he went back and took a look at Item 15, which are the properties that are being purchased from the Christ Church United Methodist, Inc. The description described all the properties between the certain boundaries. However, on further review of the map as was pointed out to him, two of the properties are not west of NE 2nd Avenue but right on NE 2nd Avenue. It is not misleading to anyone who looks at it but because it could be considered to be misleading or inaccurate, he has prepared a revised Resolution that he would like to bring back before the City Commission and asked that the earlier action be rescinded and that notice be given to the public on the Resolution with the caption adding with two of the lots located on NE 2nd Avenue south of NE 4th Street. This way there will be no argument or concern or claim that there was any misleading that was done.

Mayor Hardin asked if Mr. Berman is asking the Commission to rescind its earlier action and bring the item back perhaps earlier than the next scheduled meeting.

Mr. Berman believes City Manager Harrison would have a better understanding of that. He understands there are some time constraints in closing and financing and things of that nature. The City will need at least 48 hours to advertise the next meeting that this item can be heard.

After in-depth discussion among the City Manager, City Attorney, and the City Commission it was agreed that the City Commission would call a Special Meeting for Tuesday, June 1, 2021 at 5:30 p.m. to consider the new Resolution.

**Asceleta Hammond - City Clerk** - No Report

**Commissioner Rhonda Eaton - In-person Chamber meetings** - Comr. Eaton mentioned that she is looking forward to the in-person meeting in the Chamber.

**Commissioner Cyndy Floyd - Request to Postpone Item 15** - Comr. Floyd mentioned that she was not questioning City Attorney Berman's legal expertise, but was merely asking that the City Commission postpone its decision until the next meeting to erase any doubts that the constituents may have had on Item 15.

Mr. Berman indicated that he did not take an issue with her actions. In fact, it was a good thing Comr. Floyd questioned it, which led him to take another look at the item. It was not necessarily an error but it could have been more accurate and in the interest of accuracy, he recommended it be redone. He apologized for taking everybody's time in this regard.

**Commissioner Andrea McGee - Update of activities on the Beach** - Comr. McGee provided an update on what is happening on the Beach.

- 1) Burger Fi is opened

- 2) Kilwins is also opened
- 3) The Circuit shuttles are moving around in the area and people are taking them up and down the beach.
- 4) The beach is in such great shape that the City is hosting birds that come to pick on the beach, as well as hosting the turtles that are nesting.
- 5) Congratulations to the new Condominium Solemar on their recent Ground Breaking event, which is at 80% capacity sold. They also set a record of over \$1,200 a square foot on one of their building locations.

This is a testament of how much people want to come to Pompano Beach.

**Commissioner Tom McMahon - G.O. Bond New Website Portal** - Comr. McMahon reported that for the G.O. Bond projects there is a new portal on the website. He is aware of the impact the renovation of the bridge is having on the residents in the area, so he encouraged them to contact him and he will connect them with the project manager. Also, the sports field on NW 10th Street there have been some impact there in getting the property ready. Any questions or concerns residents can reach out to him and keep tabs on the website on where the City is each month with each project.

**Speed Calming Requests** - Comr. McMahon stated he is working with Broward Sheriff's Office (BSO) because speeding is still a concern for the residents within his District, as well as cut through traffic. If a neighborhood is interested in slow down sign, feel free to reach out to him and follow him on Facebook and he would be happy to get one.

**Sidewalks on SE 3rd Street** - Comr. McMahon reported that there are some residents asking for sidewalks on SE 3rd Street. After a study was done and a mailer went out to the residents to determine who desires a sidewalk and it turns out that over 60% of the residents still wanted a sidewalk. The City Commission is listening to the residents and doing everything they can to make the residents happy.

**M. Ross Shulmister's Memorial** - Comr. McMahon announced that the City lost a longtime resident advocate for the City, M. Ross Shulmister. He really gave his heart to the Community and he served on several boards for the City. A memorial service will be held at the American Legion behind City Hall on Saturday, May 29, 2021 from 2:00 p.m. to 6:00 p.m. Anybody who knew him can come out and share your memories and thoughts with the family, and it would be greatly appreciated. He was one of the pioneers that got the City the increase to get the bridge raised on McNab Road. He fought very hard for the community. He will be missed. We need to remember him and definitely acknowledge his family on May 29th. He gave a lot to the City.

**Vice Mayor Beverly Perkins - Slow Down Signs for Speeding** - Vice Mayor Perkins asked Comr. McMahon to assist her with some slow down signs. She stated that this is the biggest complaint that she is getting in her District at this time. So, the information will be very useful to her.

**Reported Gas Leak in Liberty Park** - Vice Mayor Perkins indicated that while they were in this meeting she received information that there was a gas leak in Liberty Park. She asked, through the City Manager if the City could get Horacio Danovich to talk with FP&L because it was believed that it was a FP&L pole installation that caused the gas leak today. She was told that several people in the community have been calling about the

gas leak but no one in the City appeared to have responded to their request.

Gregory Harrison, City Manager, stated that since he received the note from Vice Mayor Perkins he called and inquired of the Fire Department and they were on the scene and Teco Gas is there as well and they have narrowed it down to a 50-foot area. They do not think it was as a result of the new FP&L poles. It is a “passive leak” and nothing pressurized. Between Teco Gas and the Fire Department they have things under control.

Vice Mayor Perkins indicated that she would still like to know that staff is returning calls as she understands people have been calling with no response from staff.

Mr. Harrison asked if Vice Mayor Perkins could provide him with information as to who were the residents calling and what number were they calling for this issue.

**Update on the Innovation District** - Vice Mayor Perkins asked if staff could sit with her to provide her with some details on the Innovation District and what is going on with it. She met with staff a few months ago regarding this but did not get any information on it.

**Mayor Rex Hardin - John Knox Village** - Mayor Hardin highlighted that at John Knox Village this past week he attended their ribbon cutting for the Center for Healthy Living. Comr. Floyd was also present, along with former Mayor and County Commissioner Lamar Fisher. It is great to see John Knox Village moving forward with all their initiatives and plans in getting things moving in order to make it a better and greater facility.

**Parents Information Resource Center** - Mayor Hardin reported that this past Thursday, he was at the Parents Information Resource Center with Janet Ward, Nick Khan, President of ITS3, a Xerox partner. He presented a check for \$25,000 as a donation to Janet Ward of the Parents Information Resource Center, to assist with her efforts to deliver mental health care and other care to the residents she serves on Dixie Highway.

**Ground Breaking of Solemar Condominium** - Mayor Hardin reiterated the information regarding the Solemar Condominium Ground Breaking, which Comr. McGee reported on earlier. Some of the Commission was there to include Comr. Eaton. This is a monumental achievement and they are setting records in Pompano Beach, which is impressive.

**Wahoo Bay** - Mayor Hardin reported that he met with Guy Harvey and Bob Wirer at Wahoo Bay gathering people for the project, as well as Ship Wreck Park. Brian Donovan, Assistant City Manager and Bill Gantz, Mayor of the City of Deerfield were present, as well as Roy Rogers who was there. They are getting together to try and make that project come to fruition. This is an exciting prospect for Wahoo Bay.

**Commuter Rail Station in Pompano Beach** - Mayor Hardin stated that there was a meeting on the Commuter Rail system. Assistant City Managers, Brian Donovan and Earl Bosworth, as well as Chris Clemens, Economic Development Department were attending a zoom meeting, which was specifically to update the City as far as the status of the commuter rail along the FEC lines. Pompano Beach is established as a location for a station, but they want to manage expectations. The way it is expected to roll out is joining up with Miami-Dade County, who is further ahead in Commuter Rail than the City. They plan to roll up from

Aventura in Miami-Dade to the New River in Fort Lauderdale. However, the New River is a real problem on how to either go under it or over it and not disrupt the boat traffic. This is a huge hurdle in the whole commuter rail for Broward County. Once this is figured out they will continue moving to the north. Nevertheless, Pompano Beach is identified as a station location going forward. It will not happen right away, but the City needs to start discussing ways to fund it as far as the capital costs and operational maintenance. In sum, the City of Pompano Beach is well positioned for a station. Upon receipt of the slide presented, Mayor Hardin indicated he will get this to all the other Commissioners.

**Road Resurfacing** - Mayor Hardin asked about a few budgeted items. The road resurfacing. He has received a number of complaints about the condition of the roads. There was a time when Pompano Beach used a slurry mix to resurface the roads, instead of actual asphalt over-layment. This has worn off badly in quite a number of areas. In checking with Mr. McCaughan, Public Works Director, they found the budget item for resurfacing roads has been \$200,000 per year for a very long time. In sum, due to insufficient funds most of the roads are not getting resurfaced. This is something that needs to be looked at, as the appearance of the community is paramount for the residents and visitors. Therefore, he requested that the City Manager look at this.

**Consultant to review City Policing** - Mayor Hardin indicated that what he is about to say is in no way an indictment of anything. However, he thinks it is time to have the City Manager hire a consultant to take a look at the City's policing versus other coastal communities. BSO does a great job in the City of Pompano Beach. This analysis to be conducted would include looking at the number of officers and the coverage the City has, the clearance rate, the crime rate and all the different matrix that can be used to find out if the City is adequately serviced with its police services. Mayor Hardin reiterated that this is in no way an indictment of BSO in any shape, form or manner. They are doing a great job for the City and he would not want to change their services.

In response to Mr. Harrison's question regarding policing, Mayor Hardin indicated that he is not looking to replace BSO. However, he would like to look at the City's policing versus other communities. In other words, if the City is spending thousands of dollars and somebody else is spending the same amount of dollars for policing, he wants to know if the City is getting comparable amount of services for that dollar amount and is the City at the right size for what is needed.

**High School Graduations** - Mayor Hardin mentioned that the couple of High Schools in the City will be celebrating their graduates with a couple of drive-by graduation ceremonies. Pompano Beach High School graduation will take place Thursday, May 27, 2021 at 7:00 p.m. at Pompano Beach High School. People can line up around the school and wait for the graduates to drive by. The same with Ely High School, which will be on Thursday June 3, 2021 at 5:00 p.m. BSO will be involved with a route mapped out. All the Commissioners are invited and encouraged to attend.

#### **E. NEXT SCHEDULED MEETING**

The next scheduled In-Person City Commission meeting will be held on Tuesday, June 8, 2021 at 1:00 p.m.

A Special Virtual City Commission meeting is scheduled for Tuesday, June 1, 2021 at 5:30 p.m.



**F. ADJOURNMENT**

The meeting adjourned at 4:58 p.m.

\_\_\_\_\_  
Rex Hardin, Mayor

\_\_\_\_\_  
Asceleta Hammond, City Clerk