



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, July 27, 2021

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the Regular City Commission meeting to order at 6:00 p.m.

ROLL CALL

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

INVOCATION

The Honorable Rex Hardin, Mayor offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[21-736](#) City Commission Meeting Minutes of July 13, 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

Mayor Hardin announced that Item 18 will be postponed until the September 28, 2021, City Commission meeting. In addition, Items 12, 27 and 28 will be struck from the Agenda.

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

CONSENT AGENDA DISCUSSION

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

A. SPECIAL PRESENTATION

[21-710](#) Yolanda Cash Jackson and LaToya Sheals from Becker, the City's lobbyist, gave a Legislative Update for 2021.

(Fiscal Impact: N/A)

(Staff Contact: Earl Bosworth)

Yolanda Cash Jackson, City Lobbyist from Becker and Poliakoff thanked the Mayor, Commissioners, City Manager and his staff for the very hard work that was done during the Legislative session. She mentioned that the session was "tough" and they had to work virtually. She mentioned that they were not successful in getting \$1 million for the City of Pompano Beach. However, after looking for other sources, they were able to put together a series of workshops which resulted in the City obtaining some funding that got appropriated in the budget, and she provided the details. The Secretary of Commerce presented funds that were available through the Office of Economic Opportunity, as well as for infrastructure projects, and the City applied for said funds. This is not only for infrastructure, but to support growth and employment in the Pompano Beach area to include areas of aviation and aerospace, clean space, defense and homeland security, financial professional services headquarters, information technology, and life sciences. In sum, this is a broad pot of dollars to be accessed. In addition, they were able to identify another pile of dollars for the first time, an approved African-American cultural and historical grant, which could be used for the E. Pat Larkins Center, or anything that has been named after an African-American is entitled for a grant of up to \$1 million, if the City is willing to put in \$500,000. The direction has not been realized as yet, but it is available up to \$30 million.

Additionally, there was another pot of money of \$100 million available in the Department of Environmental Protection, which would be for water projects. This is providing opportunities beyond the legislative process. She mentioned a number of dollars that the City received that was not well publicized but it was received. These were State Housing Initiatives Partnership (SHIP) program dollars granted to the City in a total amount of \$1,585,000.00, and the Cultural Affairs received another \$73,000. She mentioned some of the substantive issues that were affected during this session. There was a lot of emphasis in taking away the local home rule, which it was not as bad as it could have been. However, the Governor signed some of those bills, which were the Local Occupational License Bill signed into law, public works projects were signed into law, as well as home based businesses, utility and communications services tax and county and municipal code enforcement.

Ms. Jackson mentioned that the new session will start in January, and they are expecting to work as hard as they did for this session. She urged everyone to stay as involved as they were last year as these bills are going to be around again.

Finally, Ms. Jackson thanked the City's representatives and Senator Thurston for their hard work. She also thanked the Commission for their support, and the opportunity to represent the City of Pompano Beach.

Mark Berman, City Attorney, thanked Ms. Jackson for her report. He stated that this may have been one of the worst legislative session in terms of challenging home rule power. Not everything passed, most did, and many more can be brought back next year as Ms. Jackson indicated. He mentioned that there were additional firearms preemptions and cost. He concluded that he has a complete list in a 50-page summary of everything that was passed, and can provide a copy of this to the City Commission if interested for their personal reading.

Mayor Hardin requested that Mr. Berman supply this summary copy to all the Commissioners. Going forward, it has been shown that even though it appears the state will steam roll what the local municipalities do, to a large extent, it is important that they hear from people from the local level.

Greg Harrison, City Manager conveyed Assistant City Manager Earl Bosworth's regards, who is absent due to illness. He indicated that Mr. Bosworth worked hand in hand with Ms. Jackson and her staff throughout this session.

Mayor Hardin expressed appreciation for Ms. Jackson's report and for representing the City in Tallahassee.

This matter was READ AND PRESENTED INTO THE RECORD

B. AUDIENCE TO BE HEARD

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

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

The following persons spoke:

Speed Bumps - Richard Elam, 2361 NW 3rd Street, Pompano Beach, FL, stated that he has a concern regarding speed bumps in his area on NW 3rd Street, off Atlantic Boulevard and Powerline Road/NW 3rd Street. He complained that every day cars come out of the Jaymar store at very rapid speeds from the east to the west sides. There is a stop sign in the middle of the street to the next side of the street, however, cars just run right through the stop signs. Kids are unable to play outside safely. He has witnessed a number of stray

animals being run over in the street right in front of his house. In addition, prostitution takes place in front of his house every day.

Mr. Elam stated it is time to put an end to the speeding, and concluded that speed bumps are necessary. There is the Macedonia church not far from his house and people continue to speed down the street even during church services. He reasoned that it should not take somebody getting killed or someone running off the road into somebody's house/vehicle before putting an end to the speeding issue. There is a need to end the speeding in his area before someone gets injured or even killed.

Mayor Hardin thanked Mr. Elam for attending this meeting to express his concerns, as this is the forum for this type of matter. He asked him to meet with Captain Darryl Stallings of Broward Sheriff's Office (BSO) to start the process of looking into the matter, to get some speed enforcement out in the area. This needs to be addressed and BSO handles this for the City.

Homelessness Issue - Mr. Elam also mentioned that there are a lot of homeless people who camp out at the vacant lots in the area. In fact, they found a dead man under one of the trees in the area. Even though the police are surveying the area, something better needs to be done to stop this practice.

Mayor Hardin encouraged Mr. Elam to get the names of the point of contact with BSO, their numbers, and to get his neighbors to join in contacting them whenever they see these activities.

Appreciation Expressed - Jocelyn Jackson, Pompano Beach, FL, thanked staff that participated in Ms. Walden's situation. She thanked the Mayor for acting expeditiously on this matter.

Slum and Blight in the Northwest District - Ms. Jackson mentioned the same concerns the prior speaker expressed, need some attention. She indicated that in the NW district, when a person is living in slum and blight you will find homelessness, raping, and drugs. She mentioned that in order to find some resolution to these issues, moneys need to be put in the area to bring awareness to the community residents that funding is available. She stated that the City has grant money available but the people need to take the initiative to complete the application and apply for it. There is rental assistance available, therefore, staff needs to be aware of the community and provide the information on what is available to the residents.

She mentioned that she was unaware of the meeting earlier regarding Waste Management. She complained about the unkept areas throughout the community and mentioned that the City must do better. The NE side is beautifully done and it is time to bring beautification to the NW district.

Trash Cleanup - David Miller, 2621 NW 13th Street, Pompano Beach, FL, mentioned that the trash cleanup recently done on July 22, 2021, in District 5, was very good.

Mr. Miller indicated that he worked at the Cultural Center when it opened in 2017. He stated that he has been working with the public art committee. He provided a brief background on his involvement with art work. He complained that when he sends emails to the City Commission or County Commission, he never receives a response, and he is not sure of the reason, as he is now well known in the community. He stated that he does historical exhibits which is a Segway to heritage.

Speeding Signs Visible - Mr. Miller complained he got pulled over recently, however, the speeding signs were not visible, and should be made visible. In addition, he agrees with the prior speaker regarding the slum and blight in the NW area, and making things brighter. He suggested that fencing would assist as he has witnessed people sleeping on the front porch.

Community Redevelopment Agency (CRA) \$10 million budget - Mr. Miller stated that he was at a County Advisory Board meeting and he made a comment on late resident Dorothy Jones having the blue print to the 1989 Community Redevelopment Agency (CRA) board from its inception. He said he mentioned that at the meeting because he wanted them to know that the residents invested in the quality of life in the NW area, and money was invested in what the residents of the area would want in their community.

Comr. Floyd stated that she is aware that Mr. Miller is an artist, and an ambassador for cultural arts. She enquired if any of his work was ever displayed in the Blanche Ely Museum.

Mr. Miller responded that he has never had any of his work displayed in a City facility. They were in the Sample McDougald House, and all the libraries but never in a City facility.

Comr. Floyd indicated that perhaps something could be done about that.

Comr. Eaton stated she would welcome an email from Mr. Miller and asked him to email her.

COVID Vaccination Issue - Rose Puerto, 525 North Ocean Blvd., Pompano Beach, FL, read her comments with respect to the City's COVID vaccination incentive program, which offers \$200 gift cards to residents that become fully vaccinated. She believes the program is well intentioned, however, it reads like a bribe for getting a potentially dangerous injection. On July 20th she sent an email to the Mayor, Vice Mayor and Commissioners outlining her concerns about the program, which incentivizes those most in need of money to subject themselves to a vaccination that is not FDA approved and is issued for emergency use only. She then provided a few points that caused her to question the heavy push for the COVID vaccines.

Finally, Ms. Puerto mentioned that she would be happy to share with anyone interested, information and new sources that she found, from a website "Millions against medical mandates."

Broward Sheriff's Office (BSO) Issue - Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, stated that he has an issue with BSO regarding Deputy Ron Thurston who is a son of Pompano Beach. Currently, he is without a job, on leave with BSO. He stated the Sheriff does not have the right to make a constitution office political. He alleged that the former Vice Mayor was wrong in what he did to Deputy Ron Thurston, in writing a letter to instigate an investigation against a good person, who was on his own time, and not there to harass the former Vice Mayor. Therefore, he suggested that Deputy Thurston should be reinstated in his job. In sum, Mr. Thrower indicated that Deputy Thurston did nothing wrong to be treated the way he has been, and subjected to what he is currently under. He urged the City Commission to assist in this effort because he is "our son," and he has done a lot for the Commission.

Comr. Floyd mentioned that she knows Deputy Thurston who coached her boys in the days of football, and

assisted them along with other neighborhood kids. He is a great guy, and she agrees that something should be done to assist him to get his job back.

Speed Bumps - Elizabeth Boyd, 2161 NW 10th Court, Pompano Beach, FL, stated that she is here regarding the speed bumps. She mentioned that Northwest 10th Court exists from Powerline Road, which is constantly being used as a short cut. Numerous people cut through from Powerline Road to NW 10th Court, and end up going back onto Martin Luther King Boulevard so that they can skip the traffic light. In addition, many of the bus stops for the elementary, middle and high schools are also on NW 10th Court. She has witnessed where some of the cars pass by the buses, and would continue on. There was an incident where a car actually hit her palm trees due to a speeding car being chased by the police. Luckily no one was outside at that time. Therefore, she would like to find out the process to get speed bumps for the neighborhood.

Weaver Park Women's Restroom Safety Issue - Ms. Boyd indicated that she walks regularly with other residents at Weaver Park, and she has noticed that the women's restrooms do not have locks on the doors. They literally have to hold the door when using the bathroom. She brought this to the attention of City staff workers who promised to put in a work order, however, it is now approximately three months since reporting this and nothing has been done. This is a safety issue for the residents utilizing the bathroom in the park.

Mayor Hardin thanked Ms. Boyd for attending the meeting, and bringing this matter to the City Commission's attention. He hopes City Manager Harrison has noted the complaint at Weaver Park with the restroom.

In addition, Mayor Hardin suggested that Ms. Boyd meet with the Broward Sheriff's Office (BSO) personnel, Major Wayne Adkins, Chief of Police, Broward Sheriff's Office (BSO) regarding the speeding issue, to start the process and to look at what can be done to take care of the traffic concerns on her street.

C. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1 through 8, without City Commission discussion.

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

1. [21-721](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOUCHER BROTHERS MANAGEMENT, INC. TO OPERATE THE RENTAL OF BEACH EQUIPMENT AND CABANAS TO THE PUBLIC PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Licensee shall remit 30% of gross revenue, minus sales taxes and tips on a monthly basis. The total amount to be received by the City during this agreement shall be no less than \$25,000.)

(Staff Contact: Mark Beaudreau)

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. 2021-264

2. [21-722](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE MCDUGLE FAMILY FOUNDATION, INC., TO UTILIZE VARIOUS CITY PARKS TO PROVIDE AN ATHLETIC COLLEGE PREPARATORY PROGRAM; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City to receive 10% of non-resident participation cost.)

(Staff Contact: Mark Beaudreau)

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. 2021-265

3. [21-674](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HANSA AND GIRISH PATEL TO PROVIDE PARKING AT SE 2nd STREET ON BRINY AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: 50/50 Revenue split)

POSTPONED FROM JULY 13, 2021

(Staff Contact: (Jeff Lantz)

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. 2021-266

4. [21-699](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE POMPANO BEACH FIRE RESCUE STRATEGIC PLAN: POST-PANDEMIC FOR 2022-2026; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

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. 2021-267

5. [21-720](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN EVENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SVAP POMPANO CITI CENTRE, L.P. FOR USE OF THE PROPERTY KNOWN AS POMPANO CITI CENTRE FOR A COVID-19 VACCINATION DRIVE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

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. 2021-268

6. [21-705](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY IN SUPPORT OF FIRE STATION 114 LOCATED AT 1499 SW 36TH AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(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. 2021-269

7. [21-711](#) 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 DUKE REALTY LIMITED PARTNERSHIP TO INSTALL, OPERATE AND MAINTAIN STORMWATER CONNECTION SYSTEM IN THE CITY RIGHT-OF-WAY ALONG NW 17TH LANE AND BROWARD COUNTY CANAL 101-42B; 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. 2021-270

8. [21-707](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BLUEWATER MOVEMENTS, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

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. 2021-271

D. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

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

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

9. [21-643](#) **P.H. 2021-85: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING IN LAKE SANTA BARBARA LOCATED AT 300 AND 400 CIRCLE DRIVE, FROM SINGLE-FAMILY RESIDENCE 1 (RS-1) TO SINGLE-FAMILY RESIDENCE 2 (RS-2); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: N/A)

FIRST READING: JULY 13, 2021

(Staff Contact: Jean Dolan/David Recor)

Mayor Hardin declared that he had ex parte communications with the property owner, and the representatives concerning the future plans for the property.

Comr. Eaton declared that she has had ex parte communications with the property owner, and the representatives concerning the future plans for the property. She mentioned this at the First Reading, and the same thing applies for this meeting.

Comr. McGee declared that she has had ex parte communications with the property owner, the representatives, and the neighborhood people concerning the future plans for the property. She mentioned this at the First Reading and the same thing applies for this meeting.

Comr. Floyd declared that she has had ex parte communications with the property owner and the representatives concerning the future plans for the property. She mentioned this at the First Reading and the same thing applies for this meeting.

Vice Mayor Perkins declared that she has had ex parte communications with the property owner and the representatives concerning the future plans for the property.

Comr. McMahan declared that he has had ex parte communications with the property owner and the representatives concerning the future plans for the property.

Jean Dolan, Development Services Department, presented the item and stated that this is the Second Reading of the Ordinance to rezone two lots on Circle Drive from RS-1 to RS-2. There have been no changes since First Reading and staff and the applicant are available for further questions.

Michael Vonder Meulen, Keith, 301 East Atlantic Boulevard, Pompano Beach, FL, mentioned that Mr. Russo, property owner, was not well and sends his regrets, otherwise he would be present. He had nothing else to add.

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

Yes: Eaton
Floyd
McGee
McMahan
Perkins
Hardin

Enactment No: ORD. No. 2021-79

END OF QUASI-JUDICIAL PROCEEDING

10. [21-687](#) **P.H. 2021-90: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR THE ISSUANCE OF THE CITY'S GENERAL OBLIGATION BONDS, SERIES 2021 IN AN AGGREGATE PRINCIPAL AMOUNT NOT EXCEEDING \$81,625,000 TO BE APPLIED, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS OF THE CITY, IF ANY, TO FINANCE, REIMBURSE AND REFINANCE THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING CERTAIN PROJECTS APPROVED BY THE QUALIFIED ELECTORS OF THE CITY VOTING IN A BOND REFERENDUM HELD IN THE CITY; PROVIDED, HOWEVER THE AGGREGATE PRINCIPAL AMOUNT OF THE GENERAL OBLIGATION BONDS, SERIES 2021 TO BE ISSUED IN CONNECTION WITH (1) THE PUBLIC SAFETY PROJECTS (DEFINED HEREIN) SHALL NOT EXCEED \$30,115,000, (2) PARKS, RECREATION AND LEISURE PROJECTS (DEFINED HEREIN) SHALL NOT EXCEED \$12,465,000, AND (3) THE STREETS, SIDEWALKS, BRIDGES AND STREETSCAPING PROJECTS (DEFINED HEREIN) SHALL NOT EXCEED \$39,045,000; FIXING CERTAIN TERMS AND DETAILS OF THE GENERAL OBLIGATION BONDS, SERIES 2021; AUTHORIZING EXECUTION AND DELIVERY OF THE GENERAL OBLIGATION BONDS, SERIES 2021; DELEGATING AUTHORITY TO DETERMINE WHETHER TO INCLUDE CERTAIN PROJECT COMPONENTS IN THE PROJECTS TO BE FINANCED BY THE GENERAL OBLIGATION BONDS, SERIES 2021; AUTHORIZING THE PUBLIC SALE OF THE SERIES 2021 BONDS AND THE USE OF THE PRELIMINARY OFFICIAL STATEMENT, OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE IN CONNECTION THEREWITH; DELEGATING AUTHORITY TO THE CITY MANAGER OF THE CITY, IN CONSULTATION WITH THE CITY'S FINANCIAL ADVISOR, TO ACCEPT, PURSUANT TO A COMPETITIVE PUBLIC SALE PROCESS, THE BID OR BIDS OF THE LOWEST QUALIFIED BIDDER OR BIDDERS FOR THE PURCHASE OF THE SERIES 2021 BONDS, SUBJECT TO CERTAIN PARAMETERS AND OTHER MATTERS SET FORTH HEREIN; DIRECTING THE APPLICATION OF THE PROCEEDS OF THE GENERAL OBLIGATION BONDS, SERIES 2021; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE DEEMING THE PRELIMINARY OFFICIAL STATEMENT FINAL; DELEGATING AUTHORITY TO THE CITY'S FINANCE DIRECTOR, IN CONSULTATION WITH THE CITY'S FINANCIAL ADVISOR, TO APPOINT THE INITIAL PAYING AGENT AND BOND REGISTRAR FOR THE GENERAL OBLIGATION BONDS, SERIES 2021; APPROVING THE FORM OF AND AUTHORIZING EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE WITH RESPECT TO THE GENERAL OBLIGATION BONDS, SERIES 2021; PROVIDING FOR THE APPOINTMENT OF A DISSEMINATION AGENT; PROVIDING FOR A MUNICIPAL BOND INSURANCE POLICY OPTION;

AUTHORIZING OTHER REQUIRED ACTIONS; AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE MATTERS PROVIDED FOR HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

Andrew Jean-Pierre, Finance Director, presented the item and stated that the voters initially authorized the issuance of “Not to exceed \$181 million in General Obligation (G.O.) Bonds.” The City issued not to exceed \$99,375,000 in Bonds on October 2, 2018, which has been referred to as Phase 1. The not to exceed \$81,625,000 for this second and final Phase, represents the remaining authorized G.O. Bonds to be issued. The City broke the authorized G.O. Bonds in 2 Phases in order to manage and rollout the 25 G.O. Bonds project throughout the City, facilitate timely completion of the projects from the funding of the Bond proceeds, and avoid unnecessary carrying costs for debt service ahead of the projects completion.

Continuing, Mr. Jean-Pierre stated that the passage of this Series Bond Ordinance is necessary in order to provide for certain parameters governing the eventual sale of the G.O. Bonds. He then provided some key financial terms.

- 1) Public Safety projects shall not exceed \$30,115,000; Parks, Recreation and Leisure projects shall not exceed \$12,465,000; Streets, Sidewalks, Bridges and Streetscaping shall no exceed \$39,045,000.
- 2) Final maturity will be no later than July 1, 2051, which will make it a 30-year loan.
- 3) Interest rate is to be determined after the competitive sale of the Bonds, scheduled for September 28, 2021.

Mr. Jean-Pierre stated that they are conservatively estimating an interest rate of 3.67% but think it will be lower. In addition, staff anticipates the final sale of the G.O. Bonds to take place in October 2021. Any further questions can be answered by staff or the Bond Counsel.

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 roll call vote:

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

Enactment No: ORD. No. 2021-75

11. [21-708](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS THROUGHOUT THE INCORPORATED AREA OF THE CITY OF POMPANO BEACH, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR EXEMPTION; PROVIDING FOR A VACANCY ADJUSTMENT FOR MOBILE HOME PARK PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$22,605,688)

(Staff Contact: Erjeta Diamanti)

Erjeta Diamanti, Budget Manager presented the item and stated the purpose for the fire assessment program is to provide a dedicated source of funding for the fire operations. The fees paid to the City under this program cannot be used for any other purpose. The preliminary fire assessment rate Resolution is required to be passed by the City Commission as part of the annual process of adopting the fire assessment fees for fiscal year 2022. The recommended fire assessment fees for fiscal year 2022 did not change from the adopted fiscal year 2021 fire assessment rates. The rates are \$220 per residential unit, \$0.314 for commercial, \$0.168 for industrial and \$.338 for institutional properties per square foot. The City anticipates to collect approximately \$22.6 million in total assessment fees for fiscal year 2022. The final public hearing to adopt the annual rate Resolution has been scheduled for Monday, September 13, 2021 at 5:15 pm, which is the first budget public hearing to take place in the City Commission Chamber.

Delvin King, 178 North Powerline Road, Pompano Beach, FL, prior to making his comments, stated that it is quite different coming into the Chamber versus when there is a Code Enforcement hearing. He then proceeded to complain that he was not treated fairly at those meetings.

Mayor Hardin asked him to stay on the item being discussed, however, Mr. King proceeded to repeatedly say, "You are all not fair."

It appeared Mr. King did not want to discuss the item that was being discussed. He left the meeting without any comments regarding the subject item.

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
 McMahan
 Perkins
 Hardin

Enactment No: RES. No. 2021-272

12. [21-712](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CHANGE IN TRAFFIC CIRCULATION ON POMPANO BEACH BOULEVARD BETWEEN NE 2ND STREET AND NE 3RD STREET FROM TWO-WAY TO ONE WAY NORTHBOUND; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be STRICKEN. The motion carried unanimously.

13. [21-693](#) **P.H. 2021-84: (PUBLIC HEARING 2ND READING)**
 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING SECTION 34.053, "NORMAL RETIREMENT DATE" OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES RELATING TO THE POMPANO BEACH POLICE AND FIREFIGHTERS RETIREMENT SYSTEM, TO ESTABLISH A ONE-TIME EARLY RETIREMENT INCENTIVE FOR ELIGIBLE FIREFIGHTER MEMBERS BASED UPON LENGTH OF SERVICE AND ATTAINED AGE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$15,004)

FIRST READING: JULY 13, 2021

(Staff Contact: Ed Beecher/Peter McGinnis)

Ed Beecher, Human Resources Director, presented the item and stated this is the Second Reading of the Ordinance and there have been no changes since the First Reading.

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

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

Enactment No: ORD. No. 2021-80

14. [21-657](#) **P.H. 2021-82: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CORRECTING THE FUTURE LAND USE MAP BY MODIFYING THE MAP TO REFLECT THE PROPER LAND USE DESIGNATION FOR THE PROPERTIES LOCATED AT 2639 NORTH RIVERSIDE DRIVE AND 1340 SOUTH OCEAN BOULEVARD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 13, 2021

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that this is the Second Reading of the Ordinance to correct the Future Land Use Map for the Hillsboro Light Towers Condominium located at 2639 North Riverside Drive, and the Claridge Condominium located at 1340 South Ocean Boulevard. These will be corrected from a Commercial Land Use designation to a Residential Land Use designation. There have been no changes since the First Reading.

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

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

Enactment No: ORD. No. 2021-81

15. [21-658](#) **P.H. 2021-83: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.730,

"RECONSTRUCTION OR REPAIR AFTER DAMAGE," TO MODIFY REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 13, 2021

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that this is the Second Reading of the Ordinance to modify the non-conforming structure code requirements in Chapter 155.7304 to allow for reconstruction of the Hillsboro Light Towers condominium in case of damage over 50% of value, regardless of their non-conforming status based on their current Commercial zoning. There have been no changes since the First Reading.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: ORD. No. 2021-82

16. [21-650](#) **P.H. 2021-86: (PUBLIC HEARING 1ST 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 155.4221., "COMMERCIAL: RETAIL SALES AND SERVICE USES - PERSONAL SERVICES TO MODIFY PERMITTED USES IN THE B-2 ZONING DISTRICT BY ADDING LAUNDROMAT AS A USE; AND AMENDING APPENDIX A: "CONSOLIDATED USE TABLE," TO REFLECT SAID ADDITIONAL USE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that the proposed Text Amendment was submitted by the public and the applicant is requesting to amend the

zoning districts for a Laundromat as a permitted use to include B-2 as the zoning district. Currently, the City's zoning code permits a Laundromat by right in 5 zoning districts, B-3 (General Business), B-4 (Heavy Business), M-1 (Marine Business), TO (Transit Oriented) and the LAC (Local Activity Center). The code may permit the use as permitted within certain plan developments as well. Upon approval of the amendment, Laundromats will be permitted to operate in B-2 zoning districts, which are generally located between Commercial and Residential zoning districts. At the May Planning and Zoning Board meeting, the Board recommended approval of the Text Amendment with a vote of 4 in favor of the amendment and 1 opposing. The Community Redevelopment Agency (CRA) has provided a memorandum of no objection to the proposal.

George Gentile, 1907 Commerce Lane, Suite 101, Jupiter, FL, 2JHO Inc., President/Senior Partner and planner of record for the project, stated they made the request for the change and provided his reasons for the requests. He said for all the B-2 zoning districts, there are 11 areas on the zoning map, and they are all closely adjacent to the B-3 and B-4 districts which allow this use. It also allows for dry cleaning and other laundry services already in the B-2 district, so this will provide another benefit to the public and visitors, as well as residents in the area.

Jocelyn Jackson, Pompano Beach, FL, stated that Mr. Gentile's residence is in Jupiter, and asked where exactly will his Laundromat business be located.

Mayor Hardin stated this request will be citywide impacted. However, this requestor asked that the City change the use where it is allowed, and for the City to allow this use in all the B-2 zoning districts.

Ms. Jackson asked what area was the problem recognized for this person to request the City to change the district.

Mr. Gentile responded that he is representing the Pompano Beach Realty LLC group and it is located in the Palm Aire Marketplace.

Mayor Hardin reiterated that the zoning change would allow Laundromats throughout the City wherever there is a B-2 zoning.

Comr. Eaton stated she has no issue with the B-2 zoning for a Laundromat. She mentioned that there are many B-3 districts abutting residential areas. She do not see where it will have any specific impact as the zoning map shows many of the B-2's being located next to B-3's.

Continuing, Comr. Eaton mentioned that personally she has difficulty with the 24-hour element of a Laundromat. Therefore, she wondered if there was anything that could be done to regulate it, which she doubts. Perhaps, the City could institute Crime Prevention through Environmental Design (CPTED) criteria, emergency exit alarms or avenues where the people who need to utilize these facilities during the early morning, can have a sense of safety and security. Therefore, she would like staff to check into and report back with what could be done to create a safer environment for those users.

Mr. Keester O'Mills stated that there is a section in the Code of Ordinances that addresses 24-hour businesses to include convenience stores, commercial and retail, so there are some standards. For example, the code

mandates the use of video and security cameras to help with law enforcement in the event, also to ensure window signage are clear. Notwithstanding, if there is another option for additional regulations to readdress that code section, it can be done.

Comr. Eaton requested that Mr. Keester O'Mills send her, as well as the Commission, that section of the code.

Greg Harrison, City Manager reported that after a follow-up with the property manager, she assured him that they have their own security from 7 pm to 7 am for the entire complex, but in this particular case the Laundromat proprietors will have their own security from 7 pm to 7 am.

Comr. McGee enquired why the City is choosing to change the entire code since Mr. Gentile is representing a specific location.

Mr. Keester O'Mills responded that the reasons why the City is not rezoning B-3, would be an option for the applicant to rezone the property from B-2 to B-3, which would only address the one property to allow the additional use. However, it would bring with it an additional package for additional uses that are allowed in B-3 but not in B-2. He then provided more details as to the practicality of making this amendment citywide versus just for this applicant.

Comr. McGee asked for a link to the zoning maps for her use.

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 roll call vote:

Yes: Eaton
 Floyd
 McGee
 McMahon
 Hardin

No: Perkins

17. [21-697](#) **P.H. 2021-87: (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 AN INTERLOCAL AGREEMENT FOR THE CREATION OF THE METRO TRANSPORTATION ENGINEERING & CONSTRUCTION COOPERATIVE AMONG THE CITY OF POMPANO BEACH, BROWARD METROPOLITAN PLANNING ORGANIZATION, AND SEVERAL LOCAL MUNICIPALITIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$100,000 first year for initial fee and \$25,000 per year thereafter)

SECOND READING: JULY 13, 2021

(Staff Contact: Greg Harrison)

Greg Harrison, City Manager, presented the item and stated that the Second Reading was approved on July 13, 2021, at which time an explanation was provided regarding the Metropolitan Planning Organization (MPO). In addition, Comr. McGee had provided the history behind the City support of the item. The situation remains the same and nothing has changed since that information was provided.

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

Enactment No: ORD. No. 2021-77

18. [21-706](#) **P.H. 2021-88: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, "PARKS AND PLAYGROUNDS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 98.01, "DEFINITIONS," TO MODIFY THE DEFINITION FOR DEPARTMENT; BY AMENDING SECTION 98.02, "PROHIBITED ACTS," TO MODIFY PROHIBITED CONDUCT IN CITY PARKS AND RECREATIONAL FACILITIES, AND TO PROVIDE FOR POSSESSION AND CONSUMPTION OF ALCOHOLIC BEVERAGES IN SPECIFIED RECREATIONAL FACILITIES UPON APPROVAL; BY AMENDING SECTION 98.07, "PUBLIC EVENT," TO UPDATE THE NAME OF THE DEPARTMENT REFERENCED, AND TO PROVIDE EXCEPTIONS FOR THE LENGTH OF CERTAIN PUBLIC EVENTS; BY AMENDING SECTION 98.071, "PARK RECREATIONAL FACILITY RENTAL; PERMIT APPROVAL; RIGHT OF APPEAL," TO PROVIDE REQUIREMENTS FOR USE OF INFLATABLE BOUNCE HOUSES IN CITY PARKS; BY AMENDING SECTION 98.10, "FEES," TO UPDATE THE NAME OF THE DEPARTMENT REFERENCED, TO ADD LOCATIONS FOR SPECIFIC USES, TO CLARIFY THE NATURE OF THE REQUIRED DEPOSIT FOR SPORTS TOURNAMENTS, TO MODIFY FEES FOR USE OF VARIOUS CITY

PARKS AND RECREATIONAL FACILITIES, AND TO AUTHORIZE PERMIT REVOCATION FOR VIOLATIONS; BY AMENDING SECTION 98.45, "FUNCTION AND PURPOSE," AND SECTION 98.46, "HOURS OF OPERATION," TO UPDATE THE NAME OF THE DEPARTMENT REFERENCED; BY AMENDING SECTION 98.47, "FEES," TO UPDATE THE NAME OF THE DEPARTMENT REFERENCED, AND SETTING FEES FOR THE CULINARY KITCHEN PROGRAM; AND BY AMENDING SECTION 98.50, "CENTER STAFF," SECTION 98.80, "CITY-OWNED SHOWMOBILE," AND SECTION 98.81, "CITY-OWNED PORTABLE STAGE," TO UPDATE THE NAME OF THE DEPARTMENT REFERENCED; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be POSTPONED until September 28, 2021 City Commission meeting. The motion carried unanimously.

19. [21-685](#) **P.H. 2021-89: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REINSTATEMENT AND AMENDMENT NO. 1 TO AGREEMENT FOR DISASTER RECOVERY MANAGEMENT SERVICES BETWEEN THE CITY OF POMPANO BEACH AND WITT O'BRIEN'S LLC, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

Andrew Jean-Pierre, Finance Director, presented the item and stated that the Agreement was in place during Hurricane Irma. Based on Federal Emergency Management Agency's (FEMA) review of the agreement, it is necessary to reinstate, amend, and insert certain clauses solely for the purpose of reimbursement. Since FEMA owes the City money, they wanted to see some changes prior to payment. No additional duties are required from the parties under the agreement and it shall terminate upon reimbursement to the City.

Continuing, Mr. Jean-Pierre asked if the City Commission would allow for an emergency Second Reading to take care of this matter.

Mayor Hardin requested a motion to declare an emergency Second Reading for item 19 for the purpose of getting reimbursement from FEMA.

Mark Berman explained the emergency nature for the item is for the reason that the funds may not be available, and since the City Commission will be on hiatus for the month of August, this would not be addressed until the month of September. Mr. Jean-Pierre did not want to risk losing out on these funds as he indicated earlier.

Therefore, the item is being declared an emergency Second Reading.

Andrew Jean-Pierre, Finance Director, presented the item for Second Reading and stated that there are no changes from the First Reading.

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

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be DECLARED AN EMERGENCY SECOND READING for the purposes of getting reimbursement from Florida Emergency Management Agency (FEMA). The Motion carried unanimously.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, 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. 2021-83

20. [21-713](#) **P.H. 2021-91: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FEC ROW, LLC FOR BUS STOPS LOCATED WITHIN RAILWAY RIGHT-OF-WAY ALONG THE EASTERN BORDER OF DIXIE HIGHWAY BETWEEN SW 4TH STREET AND SAMPLE ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$76,123)

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and pointed out that the ordinance title should read as NW 3rd Street rather than SW 4th Street. He apologized for catching this error late, however, it will be corrected

prior to Second Reading.

Mr. Sfiropoulos indicated that in 2016, the City acquired a portion of Dixie Highway as part of the Florida Department of Transportation (FDOT) transfer agreement. One of the requirements of the agreement was for the City to assume the Bus Stop lease agreement with Florida East Coast (FEC), which was previously between the FDOT and FEC. This is the lease agreement for 5 years with a total of \$76,123.00 for 13 bus stops residing within the FEC right-of-way between NW 3rd Street and Sample Road.

Mayor Hardin enquired if the total cost of \$76,123.00, would have been for the 5-year lease previously with FDOT.

Mr. Sfiropoulos responded that it was increased by 5%.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

21. [21-714](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MARCIA L. KEHL 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 SEPTEMBER 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Marcia L. Kehl, **Incumbent** - District 3
Mary Ann Barker, **Incumbent** - District 1
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 MARCIA L. KEHL. Commissioner McGee nominated Marcia L. Kehl. The motion carried unanimously.

Enactment No: RES. No. 2021-273

22. [21-715](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MARY ANN BARKER TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE SEPTEMBER 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 21-714 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 MARY ANN BARKER. Vice Mayor Perkins nominated Mary Ann Barker. The motion carried unanimously.

Enactment No: RES. No. 2021-274

23. [21-716](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JOAN KOVAC TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2023; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Joan Kovac, **Incumbent** - District 1

Claudia McMahan, **Incumbent** - District 3

Brooke Johnston - District 1

Tanya Manfredi - District 1

Mary Lou Ruderman - District 1

Eve Lewis - 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 JOAN KOVAC. Commissioner McGee nominated Joan Kovac. The motion carried by the following vote:

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

Enactment No: RES. No. 2021-275

24. [21-717](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CLAUDIA MCMAHON TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH; FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2023; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2021-716 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 CLAUDIA MCMAHON. Commissioner McGee nominated Claudia McMahan. The motion carried unanimously.

Enactment No: RES. No. 2021-276

25. [21-718](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING DONALD JOSEPH TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD OF THE CITY OF POMPANO BEACH AS GENERAL CONTRACTOR; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 12, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Donald Joseph, **Incumbent/General Contractor** - District 1

Gail A. DeAngelis, **Incumbent/Real Estate Property Manager** - District 1

Dedrick Watkins, **Resident** - 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 DONALD JOSEPH. Vice Mayor Perkins nominated Donald Joseph. The motion carried unanimously.

Enactment No: RES. No. 2021-277

26. [21-719](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **GAIL A. DEANGELIS** TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD OF THE CITY OF POMPANO BEACH AS REAL ESTATE PROPERTY MANAGER; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 12, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 21-718 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 GAIL A. DEANGELIS. Vice Mayor Perkins nominated Gail A. DeAngelis. The motion carried unanimously.

Enactment No: RES. No. 2021-278

27. [21-733](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Whitney Rawls, ***Incumbent*** - District 4
 Whitney Anne Metevia, ***Incumbent*** - District 3
 Latoya T. Almonord, District 1
 Justin Cromartie, District 1
 Lisa Ferreri, District 1
 Tanya Manfredi, District 1
 Michelle Rhoulhac, District 2
 Derek Lewis, District 3
 Monifa Aruwajoye, District 4
 Marcus A McDougale, District 4
 Tony Parrish, District 4
 Mary S. Phillips, District 4
 Shelton Pooler, District 4
 Janice Anne Simmons, District 4
 Mandie Striggles, District 4
 Quenton Thompkins, District 4
 Corey Thompson, District 4

Joseph Wells, District 4
 Andy Cherenfant, District 5
 Wayne Vereen, District 5
 Dedrick Watkins, District 5

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be STRICKEN. The motion carried unanimously.

28. [21-734](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2021-733 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be STRICKEN. The motion carried unanimously.

29. [21-672](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING THE CITY MANAGER AUTHORITY DURING THE CITY COMMISSION'S AUGUST HIATUS TO PERFORM AND FINISH SUCH MATTERS AS MAY HAVE BEEN BUDGETED AND AUTHORIZED, SUBJECT TO RATIFICATION THEREAFTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

Greg Harrison, City Manager, presented the item and stated that this is a repetitive item each year when the City Commission goes on hiatus, so this is a formality pursuant to the City Charter and the Code of Ordinances.

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

Enactment No: RES. No. 2021-279

E. NEXT SCHEDULED MEETING

Mayor Hardin announced that the City Commission would be on hiatus for the month of August and that the following scheduled meetings would be for the month of September:

September 13, 2021 at 5:15 p.m. - Special City Commission Meeting - EMS Taxing District

September 14, 2021 at 1:00 p.m. - Regular City Commission Meeting

September 20, 2021 at 5:15 p.m. - Special City Commission Meeting - EMS Taxing District

September 28, 2021 at 6:00 p.m. - Regular City Commission Meeting

F. REPORTS

Greg Harrison, City Manager - Birthday Wishes - Mr. Harrison announced that Comr. Floyd will celebrate her Birthday on August 6, 2021. Since the City Commission will be on hiatus in August, a preliminary wish for a Happy Birthday was extended by the Commission and everyone attending the meeting.

Vaccination Site Update - Mr. Harrison introduced Kimberly Spill-Cristiano and Major Wayne Adkins to provide updates to include the Vaccination Site.

New Area 1 Captain - Major Wayne Adkins, Chief of Police, stated that Captain Holly Green, who was the Area 1 captain for several years has retired, which left an opening for the Area 1 Command captain's position. Subsequently, he introduced the newly promoted Captain Efrain Torres from the Broward Sheriff's Office. He is now the Area 1 commander for everything east of Dixie Highway. He is a military veteran of the US Marine Corp.

Captain Efrain Torres provided a brief history of his background. He is a resident of the City of Pompano Beach. Most of his career has been in the City. All the specialized units he has worked in to include robbery, violent crimes, homicides, motor unit, role patrol sergeant, and criminal investigator in charge of the criminal investigating unit in the City. Most recently, he was the Lieutenant for Holly Green as her executive officer and was subsequently moved to central Broward for one year. Now he is back, he said he is grateful to be home. He has a vested interest in the City, and how business is done to protect and serve the communities. He is available to each member of the City Commission, and desires to know each personally to share his visions for the agency and what he wants to see done with the Sheriff's Office and how they perform their duties in the City.

The City Commission welcomed aboard Captain Efrain Torres.

Mayor Hardin stated that anything the City Commission can do to assist Captain Torres to do his job better he is welcome to reach out to them as well.

Update on Vaccination Site - Kimberly Spill-Cristiano, Emergency Manager, reported that they started the vaccination site on St. Patrick's Day, March 17, 2021. To date, since the opening of the site, they have provided 35,844 vaccines between first and second doses. It has been successful but is waning at this time, but it is still seen as a success. With the new vaccination incentive program, which does have a financial incentive, they feel confident with the safety of the vaccine with all the official sources of information being received. Since the announcement of the program on June 19, 2021, there was an additional 113 qualified residents who have

taken the incentive and another 157 applications that are being processed for approval. Ms. Spill-Cristiano mentioned that they will continue with their outreach efforts by sending mailers out. Thanks to City Manager Harrison who approved this last week. Through the Marketing Department and Sandra King's team they are working on sending these out.

Mayor Hardin asked if there is a number for the City of how many residents still remain unvaccinated.

Ms. Spill-Cristiano responded that she tried to find out how many of the City's residents are being vaccinated utilizing the City's site, but unfortunately, they do not track that data at that level. They do track the data in general terms and the City has a high percentage of about 60% plus, which is a good number. In fact most people are looking to the City as a model. Therefore, she applauds the Mayor and Commission for that.

Mark Berman, City Attorney - No Report.

Asceleta Hammond, City Clerk - No Report. However, Ms. Hammond wished the Commission a relaxing hiatus.

Commissioner Rhonda Eaton - No Report.

Commissioner Cyndy Floyd - Solid Waste Services Clean Streets - Comr. Floyd thanked the Solid Waste Services for the Clean Streets movement and encouraged them to keep up the good work.

Speed Bumps - Comr. Floyd mentioned that they should re-evaluate the criteria for speed bumps to make the process a little less difficult. She has received quite a number of complaints, and the requests for the speed bumps.

Bereavement - Comr. Floyd reported that last Saturday, she lost a beloved member of her family. She urged everyone to "Don't sweat the small stuff, husbands love your wives and wives love your husbands and tell them you do, and tell your family, loved ones, friends that you love them every chance you get."

Mayor Hardin expressed his condolences to Comr. Floyd for her loss. Also, he instructed City Manager Harrison to meet with Comr. Floyd to discuss with her the speed hump procedures and to determine her needs and to try to come up with a softer way to resolve the issues.

Commissioner Andrea McGee - Condolences - Comr. McGee expressed her condolences to Comr. Floyd for her loss.

Best Wishes - Comr. McGee wished everyone a great August hiatus.

Nature Events - Comr. McGee reported that City Manager Harrison stated the last of the least terns have started their nesting site on the beach and it has been a successful bird colony event.

Comr. McGee mentioned this week starts the "Mini season" and she cautioned all the divers to be safe and follow the rules. She suggested that perhaps the Parks and Recreation Department could look into the City of

Pompano Beach joining in next year and “lobster something for kick-off.” Lauderdale-By-The-Sea is doing one for the mini season by having little tents and things of that nature.

Mayor Hardin suggested that Assistant City Manager Bosworth could come up with something on this.

Commissioner Tom McMahon - No Report

Vice Mayor Beverly Perkins - Speed Humps for Speeding Traffic - Vice Mayor Perkins indicated that there have been numerous complaints regarding the speed humps. She has repeatedly mentioned that there is a problem with speeding because there is not enough police visibility. She believes if police are present there will not be anyone speeding past a police car. Therefore, the Broward Sheriff’s Office (BSO) must come up with some type of solution. While everyone is requesting speed humps for their neighborhood, it might not be the resolution for all areas, so BSO could check into this and come up with the best resolution for each speeding issue throughout the communities.

Esther Rolle House - Vice Mayor Perkins asked the City Manager to provide her with an update on the Esther Rolle house.

Greg Harrison, City Manager reported that the Historical Society asked Dan Hobby to do an in-depth research with regard to the house when the family lived there, on NW 3rd. Hopefully, they should be getting a report to the Commission by the next week or two.

Census 2020 Results - Vice Mayor Perkins enquired about the Census 2020 results and whether the numbers have changed significantly since the last census.

Mr. Harrison indicated that he has not seen the numbers yet. The last time he enquired about it, the City’s staff representative for this Daniel Keester O’Mills, mentioned that it would be September or October before the preliminary numbers would be received.

Update on Westview Cemetery - Vice Mayor Perkins mentioned that she has received numerous calls and complaints about why she is not cleaning up this cemetery, and what is she doing about the matter. She wanted it noted that she does not serve on the Westview Cemetery Board. However, she would like to see the Board meet with the public and provide the residents with an update on what is actually going on at the cemetery. Everybody needs to be on the same page about the activities of the Cemetery because many people have their loved ones buried there and would like to be involved with the improvement plans for the cemetery.

Comr. Floyd thanked Vice Mayor Perkins for bringing this item up for discussion, because she has also received numerous calls about the cemetery. She would like someone to direct her to the right path as to what information she may provide to the residents.

Mayor Hardin stated that the Westview Cemetery has been a topic of conversation for many years. The Westview Cemetery is a privately-owned organization and the City has no say in their affairs. He mentioned that he had personally reached out to the Westview Cemetery Board in 1998, to ask if there was something the City could do together to try and improve the cemetery, and received no response. Things may have changed,

but he wanted it known that it has been a “sticky issue” because it is a private cemetery.

Mayor Rex Hardin -Gift Card Vaccination Incentive - Mayor Hardin reminded everybody about the \$200 gift card and to go out and get vaccinated. This is for the City of Pompano Beach residents who are vaccinated after June 22, 2021. A person will be eligible to receive a \$200 gift card to get vaccination done. The numbers are still rising due to the different variations of the COVID virus and people are still dying. The medical authorities have mentioned that the people most at risk are those who are not vaccinated. Therefore, he urged everybody to take advantage of this opportunity.

National Night Out Against Crime - Mayor Hardin stated that the next National Night Out Against Crime will take place on Tuesday, August 3, 2021, from 6:00 pm to 9:00 pm, with the Broward Sheriff’s Office (BSO).

Captain Marty Hedlund, BSO reported that on Tuesday, August 3, 2021 they are hoping to get the National Night Out on Crime off the ground. Due to bad weather the 2019 event was cancelled and 2020 was cancelled due to COVID. On August 3 they are hoping to rollout the plans for the Community event where they will partner with the City. The Public Works will be out there, Pompano Beach Fire Rescue, and BSO will be coming out with their assets. This is a chance for the community to meet its local law enforcement, first responders and people who assist with running this fine City. He reiterated that the event will take place on Tuesday, August 3 from 6:00 p.m. to 9:00 pm at the Cultural Arts Center, 50 West Atlantic Boulevard. There will be a kid’s zone, food trucks and lot to do with local vendors. He urged everyone to come out and participate and get to know City officials. The event is free. There will be both inside and outside activities.

Best Wishes - Mayor Hardin encouraged both Commission and staff to enjoy the August break and time with family.

G. ADJOURNMENT

The City Commission meeting adjourned at 7:41 p.m.

DocuSigned by:
Rex Hardin
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Rex Hardin, Mayor

DocuSigned by:
Asceleta Hammond
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Asceleta Hammond, City Clerk

