



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor
Andrea McGee, Vice Mayor
Rhonda Eaton, Commissioner
Alison Fournier, Commissioner
Barry Moss, Commissioner
Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager
Mark Berman, City Attorney
Kervin Alfred, City Clerk

Tuesday, March 14, 2023

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

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

ROLL CALL

Present: Commissioner Rhonda Eaton
Commissioner Alison Fournier
Commissioner Barry Moss
Commissioner Beverly Perkins
Vice Mayor Andrea McGee
Mayor Rex Hardin

INVOCATION

Rabbi Tzvi Dechter of Chabad of North Broward Beaches offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-365](#) Regular City Commission Meeting Minutes of February 28, 2023

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Minutes be APPROVED. The motion carried by a unanimous voice vote.

APPROVAL OF AGENDA

Mayor Hardin announced that Item 14 will be stricken from the agenda.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, 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. PRESENTATION

[23-301](#) Strategic Plan 2021-2026 and Action Agenda 2021-2022, 2nd Half FY 22 Progress Presentation.
(Fiscal Impact: N/A)

(Staff Contact: Ernesto Reyes)

Ernesto Reyes, Strategic Performance Manager, confirmed that the FY 22-Second Half Progress Report is available on the City's website and noted that he will be sharing updates from April 2022 -September 2022 as well as the backup, which contains all strategies for the 5 Year Strategic Plan FY 2021-2026. He reviewed the cumulative percentage for all strategies in each of the six community goals, including 1.1.1 Pompano's Voluntary Community Court; 1.3.48 Public Service Non-Profit Organizations Partner (1,000 Residents); and 5.5.77 SHINE (Serving Health Insurance Needs of Elders) Partnership.

The Presentation was READ AND PRESENTED INTO THE RECORD.

B. AUDIENCE TO BE HEARD

Mayor Hardin announced that it was time for "Audience To Be Heard". The following speakers were called to speak before the Commission:

David Miller, 2621 NW 13th Street, Pompano Beach, addressed the commission regarding the Historical Perseveration Board vacancy and advised that he would like to be considered for membership. He shared a story on early farming in Pompano Beach and spoke about preservation and the historic Pompano Beach landmark, the George Foster Chapel moving to the Sample-McDougald House. Mr. Miller announced PET, an upcoming event taking place May 20th, which he will be hosting at the Dillard Museum about historical black high schools.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, made requests of the commission for additional pressure cleaning of the MLK corridor as well as the use of rakes vs. leaf blowers in regards to Public Works and the efficiency of clean up post cut. He stated that the City needs to take pride in cleaning the sidewalks and streets, so people feel welcome, and developers are interested. He also recommended the Commission research the economic investment of other cities with casinos. Mayor Hardin after conferring and affirming with City Manager Greg Harrison advised that the casino pays a yearly fee to the City, as well as tax dollars in

property taxes. Mr. Thrower cited that the extra income could help pay for more law enforcement needed in Collier City.

Eric Clarke, 215 NE North Pompano Boulevard, Pompano Beach, intended to address the traffic pattern in the fishing village and agreed to speak when the item is presented.

Saracha Peterson, 103 NW 7th Avenue, Pompano Beach, asked the commission if loitering is an arrestable offense in the City of Pompano Beach. City Attorney Berman said yes and clarified it is more than just standing around. Ms. Peterson noted there is chronic loitering occurring at the convenience stores and recommended corrective action such as ticketing or arrest for loitering. Ms. Peterson addressed businesses that profit in poor communities that effectively have become slum lords and use threats.

Comr. Perkins acknowledged significant loitering at the NW 3rd Avenue convenience store and asked BSO for increased monitoring. City Attorney Berman explained that BSO has authorization to move people off the property when the business is closed. The businesses need to authorize BSO to remove trespassers during business hours. He noted that he met with BSO to develop new ideas to address the loitering issue.

Andrea Ferguson, 1237 SW 46th Avenue, Pompano Beach, read a call to action for advocacy for sexual trauma. She outlined currently available resources but added that they are limited and do not provide specialized care. She shared her personal experience and the impact of trauma noting that there is no universal system to report sexual abuse outside of jurisdiction.

Jocelyn Jackson, no address provided, recognized minority business owners in the audience and thanked them for their support. Mrs. Jackson advised that she attended the Community Meeting on March 9th held at the E. Pat Larkins Center and wanted to add a convenience store, the 2 O'clock store 7th Avenue/ MLK Boulevard not listed as one of the many convenience stores in need of law enforcement monitoring as well as store owners taking on the responsibility to help the loitering situation. She recommended corrective actions such as warnings, tickets, fines perhaps even an ordinance to assist with the problem. Lastly, she recognized the passing of BSO Deputy Kevin James McCullough, a friend and a community activist who participated in the Pompano Beach Trailblazers.

Comr. Perkins clarified that the 2 O'clock store on 7th Avenue/MLK Boulevard was indeed listed in her packet that was issued at the meeting.

C. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Consent Agenda Items 1-4 and 9-13 without City Commission discussion.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT Items 1-4 and 9-13 under the Consent Agenda. The motion carried unanimously.

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

1. [23-341](#) Consideration of a request by Zocletta Guest to transfer ownership of Block 09, Lot 8, Plot 4 in the North Lawn back to the City of Pompano Beach.
(Fiscal Impact: \$400.00)

(Staff Contact: Robert A. McCaughan)

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

2. [23-364](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES FOR THE PURPOSE OF OBTAINING FUNDS FOR CYBERSECURITY TECHNICAL ASSISTANCE; AND, IF AWARDED, AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE ALL APPROPRIATE DOCUMENTS;; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Gene R. Zamoski)

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

Enactment No: RES. No. 2023-104

3. [23-354](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN APPROPRIATIONS CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY SHERIFF'S OFFICE TO SUPPORT THE SUMMER G.R.E.A.T. PROGRAM IN PREVENTING YOUTH VIOLENCE, GANG PARTICIPATION, ANTI-BULLYING AND THEIR LEGAL CONSEQUENCES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$20,000.00)

(Staff Contact: Erjeta Diamanti)

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

Enactment No: RES. No. 2023-105

4. [23-357](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A HURRICANE IAN FEDERALLY FUNDED SUB-AWARD AND GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT AND THE CITY OF POMPANO BEACH, AND AUTHORIZING THE MAYOR OR VICE MAYOR, CITY MANAGER AND CITY CLERK TO EXECUTE ALL APPROPRIATE DOCUMENTS REQUIRED FOR GRANT APPLICATION, CONTRACT, MODIFICATION AND OTHER GRANT RELATED DOCUMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kimberly Cristiano)

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

Enactment No: RES. No. 2023-106

5. [23-353](#) 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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND NEW HORIZON COMMUNITY DEVELOPMENT CORPORATION, INC., TO PROVIDE SUMMER YOUTH EMPLOYMENT TRAINING PROGRAM SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$109,664.00)



Strategic Plan Initiative

(Staff Contact: Bobby Bush/Ed Beecher)

Vice Mayor McGee noted that while reviewing the contract only four schools in the Pompano area that receive flyers/advertisement were listed and asked that the City Manager provide Ms. Katilia Walker with a list all of the middle schools in the area with students age eligible for this program.

Mrs. Katilia Walker, 1518 NW 17th Avenue, Pompano Beach, Mrs. Walker expounded on the program and the schools currently listed and accepted the Vice mayors recommendation to expand the school listing. She also addressed those in attendance in regard to youth hiring to please contact her. The age range of the program is 13-15 years old.

Human Resources Director, Mr. Ed Beecher confirmed the information for the youth hire program can be found on the City's website as well as all of the Community Centers through Parks and Recreation.

Comr. Perkins commended New Horizon Community Development as it is an excellent program for our youth noting its focus on life skills and effectiveness in the community.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-107

6. [23-302](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT FOR PROFESSIONAL/CONSULTING SERVICES NO. 1842 BETWEEN THE CITY OF POMPANO BEACH AND STEGIA LLC FOR VARIOUS ONGOING GO BOND CONTRACTS, BROWARD COUNTY TRANSPORTATION SURTAX PROJECTS AND OTHER ASSIGNED PROJECTS; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: \$189,540)

(Staff Contact: Suzette Sibble)

Comr. Perkins advised that she pulled the item on behalf of a resident.

Mayor Hardin opened the floor to public input.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, addressed the commission with his concern

regarding the consulting contract amount for a company that was formed last year owned by former City employee Horacio Danovich to do part-time work. He opined that the contract is unnecessary and unneeded.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, disagreed with the previous speaker. Mr. Thrower advised that the management team and in particular Mr. Danovich's work on the GO Bond Project and the parks has been a framework for other cities such as the City of Hollywood looking to achieve the same results. He cited several parks and added without the assistance of Mr. Danovich the project would probably be behind schedule noting that Mr. Danovich is a good employee and the city is lucky to have him.

Jocelyn Jackson, no address provided, seconded Mr. Thrower's sentiments regarding Mr. Danovich who in her opinion has done a great job for the City of Pompano Beach and has accomplished some "awesome things".

Mayor Hardin closed public input and invited further Commission discussion on the motion.

Comr. Fournier expressed her appreciation for the work Horacio has done but advised that she did have concerns about the contract and asked for clarification on the bid process and the contract amount determination.

Suzette Sibble, Assistant City Manager, advised that as previously stated the contract was not bid but noted Horacio has extensive historical knowledge of the City and this was for continuation purposes of the multitude of obligation projects that he has been working on, citing the city's 30 million dollar surtax fund project, his assistance in garnering \$600,000 dollars for an FEC Safety Fence along Dixie Highway and his anticipated assistance in applying for approximately 6 million dollars in appropriations through the federal process. Assistant City Manager Suzette Sibble stated she does take offense to the implication that we are greasing someone's palms and that it is absolutely ridiculous. Addressing the Commission, she acknowledged that Mr. Danovich's has been instrumental in traveling with the Mayor and other staff to Washington D.C. to lobby on behalf of the city and described him as "the hardest worker ever" who readily assists her outside of the contract working hours whether it be Fridays or weekends working for the residents of the City of Pompano Beach.

Comr. Perkins agreed Horacio is a great worker and a good communicator who is effective within the community. She asked why he left the CRA and started a consulting business.

Horacio Danovich, Stegia LLC, said he still serves the CRA but does not charge them.

Comr. Moss made comment that Mr. Danovich likely cost more as a City employee with pension and benefits than a contractor.

Comr. Eaton voiced her agreement adding, Mr. Danovich is great with follow up with extensive knowledge about the City and is an integral part of the team.

Vice Mayor McGee added that a consultant route seems like a natural progression.

Mayor Hardin advised that he has no concerns with Mr. Danovich or his work ethic.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-108

7. [23-356](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ASSIGNMENT AND ASSUMPTION CONSENT AGREEMENT AMONG THE CITY OF POMPANO BEACH, DINA AND EMAN, INC., AND THE LOVELY CORNER, LLC RELATING TO A REVOCABLE LICENSE AGREEMENT DATED OCTOBER 11, 2018; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

Comr. Perkins expressed her concerns about the well monitoring.

John Sfiropoulos, City Engineer, reported that this is an existing revocable license agreement for existing wells and noted this is just a transfer to the new owner with private monitoring of the wells.

Comr. Perkins asked for clarification about the revocable license. City Attorney Berman said they have a written agreement with the previous owner, and it is being transferred to the new owner.

Mr. Sfiropoulos confirmed the wells are being maintained by the property owner, The Lovely Corner, and noted that there is a termination clause in the agreement.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, he closed public input and invited further Commission discussion on the motion.

Comr. Moss inquired about the maintenance. Mr. Sfiropoulos described the small well.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-109

8. [23-348](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR AMENDMENT OF NOTATION ON PLAT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH RELATING TO THE P.B.P.F. PLAT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Tammy Good/Hector Gandia)

Comr. Perkins asked if this is regarding the 911 Center.

Hector Gandia, Project Manager, said it is the Emergency Operation Center at the Public Safety Complex. He confirmed it will increase the square footage on the property and will be able to include the 911 Center amenity.

City Manager Harrison clarified the item does not include the 911 Regional Dispatch but instead is for the Emergency Operation that is currently being operated out the water treatment center in the event of a disaster.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-110

9. [23-360](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER 1 TO SCHEDULE OF PROPERTY NO. 1 TO MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT BETWEEN THE CITY, AS LESSEE AND BANC OF AMERICA PUBLIC CAPITAL CORPORATION, AS LESSOR; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

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

Enactment No: RES. No. 2023-111

10. [23-361](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER 1 TO SCHEDULE OF PROPERTY NO. 2 TO MASTER EQUIPMENT LEASE/PURCHASE AGREEMENT BETWEEN THE CITY, AS LESSEE AND BANC OF AMERICA PUBLIC CAPITAL CORPORATION, AS LESSOR; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

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

Enactment No: RES. No. 2023-112

11. [23-332](#) 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 ON VACANT LAND LOCATED AT SE 2ND STREET ON THE WEST SIDE OF BRINY AVENUE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: 50/50 Revenue Split)

(Staff Contact: Jeff Lantz)

A motion was made by Vice Mayor McGee, seconded by

Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2023-113

12. [23-329](#) 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 ON VACANT LAND LOCATED AT SE 2ND STREET ON THE EAST SIDE OF BRINY AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: 50/50 Revenue Split)

(Staff Contact: Jeff Lantz)

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

Enactment No: RES. No. 2023-114

13. [23-368](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE AMONG THE CITY OF POMPANO BEACH, KAUFMAN LYNN CONSTRUCTION, INC. AND TK ELEVATOR CORPORATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$105,000 to the City plus repairs.)

(Staff Contact: Mark E. Berman)

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

Enactment No: RES. No. 2023-115

D. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

14. [23-346](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE CROATIAN AMERICAN SOCIAL CLUB 175-195 B PARCEL "A" PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Quasi-Judicial/ Resolution be STRICKEN. The motion carried by a unanimous voice vote.

END OF QUASI-JUDICIAL PROCEEDING

15. [23-334](#) Approval to award ITB E-10-23 Construction of BSO Substation to the lowest responsive, responsible bidder, Shiff Construction & Development, Inc., at a cost of \$2,077,453.41.
(Fiscal Impact: \$2,077,453.41)

(Staff Contact: Tammy Good)

Tammy Good, C.I.P. Manager, said they solicited for competitive bids and received three bidders. She confirmed the lowest responsive bidder was Shiff Construction (Shiff) and they recommend awarding the contract to Shiff.

Mayor Hardin opened the floor for public input.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, addressed the commission with his question. How come the same few builders/developers constantly get the contract? Mr. Skversky suggested instead of bidding online he recommended a bid process that involves putting the bid inside of a sealed envelope that is opened in front of the public.

Mayor Hardin closed public input and invited further Commission discussion on the motion.

Comr. Moss appreciates that they are local Broward County companies.

Comr. Eaton asked if the bids are part of public record.

Carla Byrd, General Services Director, clarified for all present that the city goes through an electronic third-party bidding system which is customary practice for most if not all governmental entities. She explained in detail that the solicitations are released to the public at the same time and the public has an opportunity to respond by the due date and time that is posted. The process is open to the public, it's open to everyone to respond and cordially invited everyone to respond.

Comr. Fournier asked about the tabulation process. General Services Director Carla Byrd clarified that it depends on the solicitation methods used and in this case it was an Invitation to Bid (ITB). An Invitation to Bid looks at the lowest responsive responsible bidder based upon the solicitation that is released that meets all the requirements. Noting that the Responsive Review is reviewed through the Purchasing Team and the

Responsibility Review is reviewed from the technical experts in house in this case Engineering. Because this was an ITB if the bidders are responsive and responsible then the city will look to the lowest price. Ms. Byrd cited an ordinance instituted by the city commission in 2018 which tasks staff to apply local preference, encouraging local bidding.

Comr. Perkins asked what year the District 4 Substation was torn down. Ms. Good said approximately five years ago.

Comr. Perkins outlined projects in her district and the NW that have had no movement or have not yet been completed. Ms. Good said it is an issue across the State and how contractors are backlogged with work. She said some projects are receiving zero bids and the market conditions are creating delays in all projects.

Mayor Hardin clarified that the bids were opened February 9, 2023, as part of an ongoing process, and not as a response to the Collier City incident.

Comr. Perkins reiterated her belief about the timing of the BSO Substation being placed on the agenda today.

Comr. Moss spoke about the prioritization of projects that have the most importance to the public's safety and health.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Approval Request be APPROVED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

16. [23-296](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 1 IN THE AMOUNT OF \$794,336.00 PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND EMERALD CONSTRUCTION CORPORATION FOR THE WATER TREATMENT PLANT HURRICANE HARDENING; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$794,336.00)

 **Strategic Plan Initiative**

(Staff Contact: Tammy Good)

Tammy Good, C.I.P. Manager, stated the City currently has a project underway at the Water Treatment Plant involving four buildings that are being hardened. During the course of construction, city staff learned of some deficiencies at another building that was not a part of the original scope. Therefore, staff recommends adding scope to the existing contract to address the deficiencies. In doing so, the City will maintain the current contractor on site, which will reduce mobilization costs.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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

Yes: Fournier
Moss
Perkins
McGee
Hardin

Absent: Eaton

Enactment No: RES. No. 2023-116

17. [23-317](#) A RESOLUTION 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 COUNTRY CLUB SERVICES INC., TO PROVIDE RE-GRASSING AND ADDITIONAL RELATED SERVICES AT THE POMPANO BEACH PINES GOLF COURSE; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: \$1,553,370.00)



Strategic Plan Initiative

(Staff Contact: Tammy Good)

Tammy Good, C.I.P. Manager, presented the item and stated this is one of the projects that was advertised for competitive bidding, however the City received zero bid responses. She said the project consists of replacing all of the bermudagrass turf with paspalum grass, which is much more resilient to the high sodium content water that is used to irrigate the golf courses. The paspalum grass has been installed at a couple sites and it is performing very well. Also, she believes this will not only make for a much nicer golf course, it will reduce the burden of maintenance, watering, et-cetera. In closing, Ms. Good stated since no bid responses were received, city staff is requesting to waive the competitive bidding process and enter into a service contract with the proposed contractor (Country Club Services, Inc.)

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor

closed public input and invited further Commission discussion on the motion.

Vice Mayor McGee spoke favorably on the item, stating that she is very excited to see this item move forward, which will help to beautify the City's golf course.

Comr. Fournier inquired about the bidding process. She asked if bids are not received, does the City negotiate with someone or look into an existing relationship with a company that has done work there before? If so, how does the City get to the contracted price? Ms. Good responded stating her department submits the request to the Purchasing Department which negotiates the price. Also, she briefly explained the process of how they reached the proposed contracted price. Therefore, she believes the City received a fair price from the proposed contractor.

Mayor Hardin asked how did staff determine a good price for the service when the City did not receive any bids? Ms. Good replied stating she contacted other golf course contractors, who shared some of the challenges they were experiencing, as well as she talked to the contractor that built the Greg Norman golf course back in 2012. During those discussions, she obtained informal quotes that helped her determine a fair price for the service.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-117

18. [23-355](#) 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)

John Sfiropoulos, City Engineer, reported the traffic challenge between NE 2nd Street and NE 3rd Street, stating it is due to delivery and valet services in the area.

Jeff Lantz, Parking Manager, displayed an image of the backup in front of restaurants south blocking northbound lane. He continued by showing images of delivery vehicle parked in the southbound lane; 6pm traffic shutdown; 7pm northbound traffic; 11am northbound lane block for deliveries; 11am vehicle parked at Kilwins; vehicles making u-turns from southbound lane blocking northbound traffic for valet; 3pm northbound traffic backed up to NE 2nd Street; 4pm northbound traffic; and deliveries in northbound lane.

Mr. Sfiropoulos reviewed the recommendation and noted 75% of the traffic travels in the northbound. He added this proposal is supported by Broward County Traffic Division, BSO and Fire, ECRA, and several establishment and condos.

Mayor Hardin opened the floor for public input.

Andy Fox, local restaurateur, spoke in support of the resolution.

Eric Clarke, local restaurateur, spoke in support of the resolution but noted traffic and safety issues. He spoke about Misner Park enacting a similar change in the 1990s.

Mayor Hardin closed public input and invited further Commission discussion on the motion.

Vice Mayor McGee said she knows the danger on the corner well as someone who lives nearby. She recommended keeping an eye on the impact and making additional changes in the future if necessary. She suggested looking at the sidewalk at the right turn on 2nd Street to A1A south. She also recommended additional "Don't Block the Box" campaigns for Atlantic A1A and Atlantic Riverside. She noted the timing at the light at Atlantic and A1A southbound does not make sense.

Comr. Fournier asked if there was public outreach. Vice Mayor McGee noted she met with many area businesses and Boards. Mr. Lantz stated they received letters of support from the Jamaica House, Ocean Monarch, and Sea Monarch.

Comr. Fournier asked if it was reversible. Mr. Sfiropoulos described next steps. Comr. Fournier encouraged additional public outreach.

Comr. Eaton noted the improvement of the area and growing pains are natural.

Mayor Hardin suggested continuing to look at the valet service and delivery trucks in the area.

Vice Mayor McGee added that the delivery trucks should not be driving up on the sidewalks.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-118

19. [23-315](#) **P.H. 2023-49: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," BY AMENDING SECTION 34.010, "DEFINITIONS," TO EXPAND THE DEFINITION OF EMPLOYEE; BY AMENDING SECTION 34.025, "CONTRIBUTIONS," TO PROVIDE FOR CONTRIBUTIONS BY CERTAIN ADDITIONAL PARTICIPATING EMPLOYEES; AND BY AMENDING SECTION 34.0266, "RETIREMENT BENEFITS FOR MANAGEMENT SUPPORT EMPLOYEES," TO CREATE AN ADDITIONAL CLASS OF EMPLOYEE PARTICIPATING IN THE RETIREMENT SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 28, 2023

(**Staff Contact:** Bobby Bush/Tracy Lyons)

Bobby Bush, Human Resources Department, presented the item and stated this the second reading of the Ordinance and there has been no changes since the first reading.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: ORD. No. 2023-41

20. [22-552](#) P.H. 2022-87: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 154, "PLANNING," BY AMENDING SECTION 154.61, "REDEVELOPMENT AND FLEXIBILITY UNITS," TO CREATE AN EXPEDITED APPROVAL PROCESS FOR PROJECTS USING COUNTY POLICY 2.16.3; AND AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.2424., "APPEAL," TO PROVIDE FOR APPEAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 27, 2022 & FEBRUARY 14, 2023

FIRST READING: SEPTEMBER 13, 2022

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item stating this is the City's proposed Flex Redevelopment Unit Allocation Process code amendment. She pointed out there was a gap between first and second reading. First reading was held in September of 2022, and today is the second reading of the Ordinance. Stating that the gap was due to the County amending the language in their policies and just today, they approved the language that would allow the City to move forward with this expedited review.

Continuing, Ms. Dolan stated in the past the City adopted a policy that if a project is eligible to apply Policy 2.16.3 or 2.16.4, it would help the City's flex units last longer and provide mixed income housing. The City desires mixed income housing to avoid concentration of poverty in affordable housing projects. Moreover, she reviewed the incentives that applicants would receive if they agreed to use one of aforementioned policies. Also, she noted if an Applicant desires flex unit(s) and takes advantage of Policy 2.16.3, the Applicant can receive flex units in conjunction with a site plan submission through the Planning and Zoning board review. In closing, Ms. Dolan reiterated that the County Commission approved language of the modified policy, as a result this would allow the City to adopt the proposed Ordinance. City staff recommends approval. Also, the Planning and Zoning Board recommended approval back in July 2022.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: ORD. No. 2023-42

21. [23-295](#) **P.H. 2023-50: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, "BY AMENDING SECTION 152.13, "FORTY YEAR SAFETY INSPECTIONS," TO MODIFY THE INTERVALS, REFERENCES AND PROCEDURES FOR BUILDING SAFETY INSPECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Michael Rada/Carpelo Jeoboam)

Michael Rada, Building Official presented the item and stated that a provision in Section 152.13 of the City's Ordinances will be amended to remove the prefix, "40-year" from the Building Safety Inspection Program. This amendment will accurately reflect the Broward County Board of Rules and Appeals Policy 05-05. This policy is included in Chapter 1 of the Florida Building Code, which mandates compliance from all municipalities in Broward County since the collapse of the condominium in Surfside, Florida in 2021.

Recent changes to this policy have been adopted, most notably an increased inspection interval of 30 years for structures with a floor area of more than 3,500 square and 25 years for threshold buildings of three stories in height. In closing, Mr. Rada stated the Building Division continues to follow the guidelines and procedures outlined in the inspection program to support life safety through a safe built environment, to protect lives and property.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the motion.

Comr. Moss noted that he will have more to say on this matter at Commission Reports, but he confirmed that the purpose of this item is to align our requirements with the County's requirements.

Mayor Hardin advised that this information should be placed on the City's website and if the public desire more information, a link to the Broward County Board of Rules and Appeals' Page can be made accessible from the site, to which Mr. Rada replied he can definitely make that happen.

A motion was made by Vice Mayor McGee, seconded by

Commissioner Eaton, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

22. [23-298](#) **P.H. 2023-51: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 154, "PLANNING," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 154.61, "REDEVELOPMENT AND FLEXIBILITY UNITS," TO MODIFY REQUIREMENTS TO PROVIDE INCENTIVES FOR MIXED INCOME RESIDENTIAL DEVELOPMENT; AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.3302., "LIMITED BUSINESS (B-1)," SECTION 155.3303., "COMMUNITY BUSINESS (B-2)," SECTION 155.3304., "GENERAL BUSINESS (B-3)," AND SECTION 155.4202., "RESIDENTIAL: HOUSEHOLD LIVING USES," TO CLARIFY AND AMEND STANDARDS FOR MIXED INCOME RESIDENTIAL DEVELOPMENT USING BROWARD COUNTY LAND USE PLAN POLICIES 2.16.3 AND 2.16.4; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, provided a history on the Ordinance. She reviewed various lessons learned, proposed code changes, and noted the Planning and Zoning Board recommended approval on January 24, 2023.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the motion.

Vice Mayor McGee asked if studies were conducted on mixed housing. Ms. Dolan said there is no difference between workforce housing and affordable housing. She stated they want to encourage homeownership projects. Vice Mayor McGee said it makes sense to mix housing and not concentrate poverty in any one geographic area.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be

APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

23. [23-331](#) **P.H. 2023-52: (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 POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 98.09, "ALSDORF PARK," TO MODIFY REQUIREMENTS AND TO SET NEW PROHIBITIONS AND REGULATIONS FOR USE OF PARK FACILITIES; PROVIDING FOR VIOLATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Mark A. Beaudreau)

Mark Beaudreau, Recreation Programs Administrator, stated, based on complaints, they are asking the Commission to consider reducing the timeframe for docking from four hours to 30 minutes; prohibit fishing on the dock; prohibit fish cleaning within the park; and prohibit rentals, including pickup and drop-off of any vessel or watercraft.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the motion.

Comr. Fournier expressed concern about the recommendation of prohibiting fish cleaning. City Attorney Berman clarified it would be prohibited unless at designated facilities provided by the City. Mr. Beaudreau confirmed there are no fish cleaning facilities at the park, with no current plans to have facilities in the future.

City Manager Harrison stated the park did have fish cleaning equipment in the past, but the use of it became a chronic problem due to inappropriate use.

Comr. Fournier made comment that she is interested to know how Boca Raton and Boynton Beach run their fish cleaning stations successfully asking about enforcement. Mr. Beaudreau stated they are asking for voluntary compliance, but fines could be possible in the future for non-compliance.

Vice Mayor McGee asked when the stations were removed. Mr. Beaudreau replied that they were removed 3-4 months ago. She said a lack of fish cleaning stations may lead to more issues and recommended identifying

a specific area or having a fish station.

Mr. Alfred informed Mayor Hardin a member of the public requested to speak on the item.

Mayor Hardin re-opened the floor to public input.

Jessica Dipilato, 2795 NE 15th Street, Pompano Beach, asked whether the ordinance limits charter fishing pickups. City Attorney Berman said the ordinance limits the amount of time that people can use the docks.

Mayor Hardin closed public input and invited further Commission discussion on the motion.

Comr. Eaton stated they should filet the fish on their boats, noting that the few people who abuse it are ruining it for others.

Vice Mayor McGee asked where the fish stations were located. Mr. Beaudreau said the latest one was on the western side of the dock, close to the BSO substation. Vice Mayor McGee reiterated her concern that not having a cleaning station will exacerbate the problem.

Mayor Hardin stated if the Commission wants to direct staff to install fish cleaning stations, they can.

Vice Mayor McGee reiterated her recommendation to provide a fish cleaning station right on the water.

Comr. Moss commented on residents and visitors accountable for tidiness in all parks within the City.

Discussion ensued about fish cleaning stations and disposal of entrails.

City Attorney Berman said the complaints received were of people cleaning fish in the parking lot and further explained the Ordinance.

Major Wayne Adkins, Chief of Police, provided additional historical background on the cleaning stations. He noted the pelicans “divebombing” people in the area was another nuisance.

A motion was made by Vice Mayor McGee, seconded by Commissioner Fournier, to put out a new fish cleaning station by the water with proper signage.

City Attorney Berman said a waste station may need to be installed as well. He recommended the motion is for staff to review the options and bring the findings back to the Commission.

An amended motion was made by Vice Mayor McGee, seconded by Commissioner Fournier, to have staff bring back to the Commission logistics to install fish cleaning stations(s) at the park, as close to the water as possible.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

The amended motion carried by the following vote:**Yes:** Eaton

Fournier

McGee

Hardin

No: Moss

Perkins

The motion passed (4-2)

The original motion, as amended, was as follows:

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

Yes: Eaton

Fournier

Moss

Perkins

McGee

Hardin

24. [23-359](#) **P.H. 2023-53: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND PFM FINANCIAL ADVISORS, LLC, TO PROVIDE FINANCIAL ADVISORY SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

Allison Fuertado, Finance Director, stated this is the first reading of an Amendment to the Service Contract with PFM Financial Advisors, LLC (PFM), to extend the Contract for an additional 5 years. The City has competitively bid for this service in 2009 and 2017, and PFM was selected in each case. PFM has served the City well over past years. In addition, the City is currently involved in ongoing discussions on several potential financings and would like to continue its relationship with the firm. PFM has agreed to keep their fees the same as the previous contract, and is typically compensated from debt proceeds as part of the cost of issuance. In closing, Ms. Fuertado noted that PFM remains the largest and top ranked financial advisor nationally and in

Florida.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

25. [23-345](#) Consideration of authorizing staff to engage in formal negotiations with Lauderdale-By-The-Sea regarding fire rescue services.
(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

Chad Brocato, Fire Chief, provided an overview on the concept noting that this is not a contract, rather, an opportunity to gain revenue. Per the Fire Chief, Lauderdale-By-The-Sea needs staffing and the benefit to the City is likely a revenue generation of \$500K-\$800K. Advising that their call volume is 1651 and the land coverage area for Lauderdale-By-The-Sea is .88 land miles so the impact should be minimal.

Mayor Hardin asked if there is pushback. He said there was no real pushback, but he noted the enthusiasm of the volunteers. He said their Commission voted unanimously to move forward with the discussion.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the motion.

Comr. Eaton commented that in reading the back up material she found all of the achievements done within the Fire Department very impressive.

Comr. Moss advised that this was a topic of discussion at his meeting last Saturday and that some of his constituents expressed concerns about the City spreading itself too thin.

Chief Brocato described the Closest Response Program and spoke about realizing efficiencies.

Comr. Moss asked if EMS and the Fire Station would answer calls to Pompano Beach as well and shared an emergency response experience of one of his residents in which the response time for a station house that was in close proximity took approximately 30 minutes to arrive. The Comr. Also spoke about resident flustered over the permitting process and noted that there is a bottleneck in the online system with approval from the Fire

Department. Chief Brocato responded that there is a 10-day process for permits and their Department is consistently within the 7-day approval period.

Peter McGinnis, Assistant Fire Chief, acknowledged that there have been some delays in permitting responses because they are short by three staff members but reiterated that they are consistently within the 7-9-day period. Comr. Moss advised that he would like to sit down with the Department and to see their statistics.

Comr. Fournier asked about the condition of the Lauderdale-By-The-Sea station. Chief Brocato said it is not great, but they are building a new facility.

Mayor Hardin is in support of providing excellent service to neighboring communities.

Comr. Perkins expressed concern about spreading themselves too thin. She asked if they share with BSO Chief with Lauderdale-By-The-Sea. Major Adkins said Lauderdale-By-The-Sea has their own Police Chief. He explained his regional position. Comr. Perkins stated she cannot support the item.

Vice Mayor McGee said the idea is innovative and appreciates the potential net gains.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Item for Consideration/Discussion be APPROVED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
McGee
Hardin

No: Perkins

26. [23-366](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF CARLTON GILLESPIE; SAID TERM TO EXPIRE ON JUNE 16, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

James Morehead, **Alternate 2** - District 3
Robert Whitsett - District 3
Sarahca Peterson - District 4
Danika Jackson - District 5

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-119

E. ADDITIONAL AUDIENCE TO BE HEARD

There were no additional speakers to speak under Audience to be Heard.

F. NEXT SCHEDULED MEETING

Mayor Hardin announced that the next scheduled meetings are as follows:

March 28, 2023 at 6:00 p.m. - Regular City Commission Meeting

April 11, 2023 at 1:00 p.m. - Regular City Commission Meeting

April 25, 2023 at 6:00 p.m. - Regular City Commission Meeting

G. REPORTS

REPORTS

City Manager's Report:

No report.

City Attorney's Report:

No report.

City Clerk's Report:

No report.

Comr. Eaton's Report:

No report.

Comr. Fournier's Report:

Comr. Fournier asked the City Clerk to look at the meeting times of boards and committees noting that the

Education Advisory Board only meet once in 2022 due to a lack of quorum.

Comr. Fournier advised that other cities with active boards are hiring Chief Education Officers and that they should be advocating for Pompano Beach schools, to make sure to get the Education Advisory Board up and running again and to ensure that they are meeting at minimum once a month. The Commissioner proposed that similar to the most recent amendment to the Zoning Board of Appeals that the commission appoint alternates to help to ensure a quorum for the Education Advisory Board meetings and suggested having a comprehensive review of the Board.

Comr. Moss agreed with Comr. Fournier that attendance is an issue with this board but with others as well and suggested that board and committee members be held accountable for their attendance or removed.

Vice Mayor McGee suggested the meetings times may be the issue for some boards and recommended reviewing when each Advisory Board meets.

Comr. Eaton disagreed and said she questions the purpose of the Education Advisory Board since there is a School Board.

Comr. Fournier read the Education Advisory Board objectives to clarify the purpose of the board and what its' creation was intended for. She also cited the discussion of the creation of a Charter School expressing that there are a lot of issues related to education that involve a city and that great schools are one of the foundations of a city to be a great place to live.

Comr. Moss agreed with Comr. Eaton that all the power is within the School Board but noted the importance of the Education Advisory Board commenting that much like a PTA it would our benefit schools and provided an example of a reading support group.

Vice Mayor McGee shared Comr. Eaton's concern about the lack of power of the Education Advisory Board and would prefer a "deep dive" to explore the possibility of combining this board with another one. Commenting that review of the advisory boards and what times that they meet stating the lack of attendance might be a scheduling issue, sharing that she herself has had difficulties in filling board positions because of scheduling.

Vice Mayor McGee expressed agreement for a review of the advisory boards and what times that they meet stating the lack of attendance might be a scheduling issue, sharing that she herself has had difficulties in filling board positions because of scheduling. made a call to the public to reach out if anyone has a passion for education or is interested in serving on the board.

Comr. Eaton inquired who from staff attends the meetings, who takes minutes and who is responsible for meeting date and time? She also clarified for the record that she does not believe that having an Educational Advisory Board is a bad idea but that that there was a lack of information.

Mayor Hardin inquired of the City Clerk Kervin Alfred as to any minutes, to which Mr. Alfred responded there were no minutes available as the board has not been able to due to lack of quorum.

A motion was made by Commissioner Fournier, seconded by Commissioner Moss, to each nominate an alternate to the Education Advisory Board.

The motion carried by the following vote:

Yes: Eaton

Fournier

Moss

Perkins

Hardin

No: McGee

The motion passed (5-1).

City Attorney Berman said he will further research on the formation of the Education Advisory Committee and report back to the Commission if anything else needs to be done by way of Resolution or Ordinance. If not, he noted, the vote will stand as is.

Comr. Fournier spoke about the recent shooting in the Northwest and recommended that the City take a stand and double the reward for any credible information leading to the arrest using the BSO Forfeiture Fund.

A motion was made by Commissioner Fournier, seconded by Commissioner Moss, to increase the award by \$5,000 using the BSO Forfeiture Fund.

City Attorney Berman reviewed the statute and clarified the monies are State funds not Federal funds citing use in regard to protracted investigations and in his interpretation of the statute would be an allowable use under state law. He advised that they would work with BSO to use the funds as they have in the past and that a resolution or in this case a vote would be adequate.

Major Adkins said he spoke with the homicide unit supervisor and confirmed this is not an unusual request. He confirmed it can be done without any issues.

Assistant City Manager Sibble asked for authorization of the Finance Department to review the balance of the account.

Comr. Fournier expressed her concern that the increase in the reward amount would not be as effective if the city waits months to do so and clarified that the monies to which she suggested, are only spent if there are credible leads generated that lead to an arrest.

Discussion ensued about utilizing funding from the City's General Fund.

Major Adkins noted that Crime Stoppers can receive funding from other entities.

Vice Mayor McGee asked for clarity on the funds available by the next meeting. Assistant City Manager Sibble

said they can look at the account and provide historical information on what has been utilized year to year.

Mayor Hardin recommended to direct staff to determine if it is possible and, if so, bring it back as a resolution at the next meeting.

Comr. Fournier advised that the sources of funding from two sources was acceptable commenting that crime is something we all are fighting against in the city and this is about justice.

City Manager Harrison referenced contingency funding. City Attorney Berman said, from a legal perspective, it is justified.

Comr. Eaton recommended if they do not receive funding from the State, they can utilize the Contingency funding.

An amended motion was made by Commissioner Fournier, seconded by Commissioner Moss, to increase the award by \$5,000 using the City's Contingency Fund if the BSO Forfeiture Fund cannot be utilized.

City Manager Harrison clarified said they need to specifically identify the source in the motion.

Vice Mayor McGee expressed concern if this is the best way to spend \$5,000.

Comr. Moss described other things they have funded in the past from the Contingency Fund.

Comr. Perkins agreed that time is critical, and the families and community are desperate for answers. She supports raising the reward and utilizing the Contingency Fund.

Vice Mayor McGee asked about the time period for the reward. Major Adkins said the funds remain available until the case is solved. Vice Mayor McGee stated that if it prevents \$5,000 in funding for the SROs, she prefers it is saved for SROs.

An amended motion was made by Commissioner Fournier, seconded by Commissioner Moss, to increase the award by \$5,000 up to a total of \$10,000 using the City's Contingency Fund.

Yes: Eaton

Fournier

Moss

Perkins

Hardin

No: McGee

The motion passed (5-1).

Comr. Fournier announced a neighborhood meeting for the Old Town Two Project on March 16, 2023, at the Pompano Beach Women's Club. She said the meeting is to introduce the project and obtain community

feedback.

Comr. Moss' Report:

Comr. Moss spoke about the issue of increased insurance for condominium associations and noted the financial burden of the Surfside incident and new legislation. He also spoke about the State legislature requirement of fully funded reserves for condominium associations. He recommended asking the State legislature to lengthen the period of time for condominium associations to fully fund their reserves, as well as he suggested creating a fund at the State level where condominium associations could borrow from at a low interest rate.

Mayor Hardin does not support any recommendation to slow down the process that identifies building deficiencies. Comr. Moss agreed and stated he is asking for ways to help with financing.

Vice Mayor McGee spoke about seniors on fixed incomes and agreed with Comr. Moss on creative funding options.

A motion was made by Commissioner Moss, seconded by Vice Mayor McGee, for a resolution to the State legislature to examine all possible ways to alleviate the financial burden that their prior actions have imposed on residents who live in condominiums.

In a voice vote, the motion passed unanimously.

Comr. Perkins' Report:

Comr. Perkins spoke about the homelessness in Annie Adderly Gillis Park and City Vista. Major Adkins reviewed police efforts. City Manager Harrison said that staff is meeting with City Vista management on Thursday to discuss security.

Comr. Perkins stated she has received calls from residents regarding the construction noise at the Highland Oaks project. She recommended the construction company connect with the community and be more considerate of neighbors. City Manager Harrison said they will visit with the contractor again.

Comr. Perkins spoke about the March 9 meeting regarding the recent shooting and confirmed she is compiling information of suggestions. A follow up meeting is scheduled for April 19 at 6:00 p.m. at the E. Pat Larkins Center.

Comr. Perkins said she recently helped install a new food garden at Charles Drew Elementary School.

Vice Mayor McGee's Report:

Vice Mayor McGee wished everyone a safe St. Patrick's Day. She spoke about the impending Sargassum Bloom.

Mayor Hardin's Report:

Mayor Hardin asked for an update on the McNabb road GO Bond project, raising of the bridge, and Fort Lauderdale's contribution. City Manager Harrison advised that he will have an update on total project cost in approximately a month. City Manager Harrison said one Fort Lauderdale District Commissioner is open to dialogue with more accurate costs.

H. ADJOURNMENT

The meeting adjourned at 4:32 p.m.

Rex Hardin, Mayor

Kervin Alfred, City Clerk