

Detailed Minutes - Final

City Commission

Lamar Fisher, Mayor

Charlotte J. Burrie, Vice Mayor

Rex Hardin, Commissioner

Barry Moss, Commissioner

Beverly Perkins, Commissioner

Michael Sobel, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceleta Hammond, City Clerk

Tuesday, May 23, 2017

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Lamar Fisher called the meeting to order at 6:00 p.m.

ROLL CALL

Present: Commissioner Rex Hardin
Commissioner Barry Moss
Commissioner Beverly Perkins
Commissioner Michael Sobel
Vice Mayor Charlotte Burrie
Mayor Lamar Fisher

INVOCATION

Dr. Louis B. Fisher, Jr., - First Baptist Church, Pompano Beach offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Jada Mann, Nyla Mann and Dwayne James from Sanders Park Elementary School.

APPROVAL OF MINUTES

[17-433](#) Regular City Commission Meeting Minutes of May 9, 2017

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

APPROVAL OF AGENDA

Mayor Fisher announced Item 4 will be tabled until June 13, 2017 City Commission meeting.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, 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. No items were pulled for discussion.

A. SPECIAL PRESENTATION

[17-447](#) Unity in the Community Scholarship Awards Presentation

Mayor Lamar Fisher and Carolyn Mann, President of Unity in the Community of Pompano Beach, presented the Reverend William Clark Memorial Scholarship to the following recipients:

KASSANDRA ST. FLEUR, graduate of Blanche Ely High School will attend Florida State University

MANOUCHKA ETIENNE, graduate of Blanche Ely High School will attend Barry University

ALICE MATHIEU, graduate of Blanche Ely High School will attend Florida State University

BAKYANNA ANTENOR, graduate of Blanche Ely High School will attend Florida A&M University

JANAY BANNER, graduate of Blanche Ely High School will attend Grambling State University

TYDAZNJA FRANCOIS, graduate of Blanche Ely High School will attend Florida A&M University

SHEMAR BAZILE, graduate of Blanche Ely High School will attend Florida Atlantic University

THERESA JEAN LOUIS, graduate of Deerfield Beach High School will attend Bethune Cookman University

SHERLINE BERTRAND, graduate of Deerfield Beach High School will attend University of Florida

This matter was READ AND PRESENTED INTO THE RECORD

B. PROCLAMATIONS**17-420** Recognition to BSO Deputy George Wesolowski

Mayor Lamar Fisher recognized BSO Deputy George Wesolowski for his many years of service to the citizens of Pompano Beach and Broward County.

This matter was READ AND PRESENTED INTO THE RECORD

17-421 Emergency Medical Services Week Proclaimed

Mayor Lamar Fisher presented a proclamation to Pompano Beach Fire Chief John Jurgle and Pompano Beach Division Chief of EMS Frank Galgano proclaiming May 21 through May 27, 2017 as “Emergency Medical Services Week” in the City of Pompano Beach.

This matter was READ AND PRESENTED INTO THE RECORD

17-448 Pompano Beach Fire Rescue Receives Recognition for ISO Class 1 Rating

Pompano Beach Fire Chief John Jurgle received a proclamation on behalf of the Department from Mayor Lamar Fisher in recognition of their ISO (Insurance Service Organization) Class 1 rating.

This matter was READ AND PRESENTED INTO THE RECORD

C. AUDIENCE TO BE HEARD

Mayor Fisher announced that it was time for “Audience To Be Heard” and offered the following guidelines: Once your name is called, please come forward to the podium in front of the commission, state your name and address for the record. Speakers will be limited to three minutes to speak on any item of concern or interest, including those items pulled from the Consent Agenda. In addition, he asked speakers not to speak on any items on tonight’s agenda, as they will have that opportunity to do so when that item comes forward. Lastly, he requested that speakers refrain from any emotional outbursts in either support or non-support of the speaker’s comments. 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.

The following persons were called to speak:

Made in Pompano Cultural Arts – Sharonda Richardson, Eccentric Displays, LLC, 700 NW 17th Street, Pompano Beach, FL, provided an update on the cultural arts programs made possible by the cultural arts organizations. She stated that Made in Pompano consists of youth team (12 – 18 year old) participating in slam poetry. She then mentioned some of the upcoming activities planned for June 21, 2017 through August 2017. Ms. Richardson distributed an itemized budget and requested funding

assistance to enable their organization to provide a free program to the youth.

Mayor Fisher asked if the total budget would be \$3,000, to which Ms. Richardson responded yes.

MOTION: Comr. Hardin made a motion, seconded by Vice Mayor Burrie, that the Commission donate \$2,000 towards the program. The motion passed unanimously by voice vote.

Police Patrol – Ms. Richardson stated that things are quieter and calmer in Liberty Park, where she resides. She expressed appreciation for the added patrolling by the Broward Sheriff's Office (BSO) and the efforts in getting to know people.

Speed Bumping - Ms. Richardson complained that speed is a problem in the area especially on NW 17th Street and the back street, where children gather to play.

City Related Items – Terry A. Williams-Edden, 757 NW 15th Street, Pompano Beach, FL, brought the following items to the City Commission's attention:

- 1) **Code Enforcement** – Ms. Williams-Edden indicated that she spoke with Mario Sotolongo, Manager of Code Enforcement about a staff member named Mr. Murray, who is reportedly going to the back of resident's homes, which he should not be doing. Nevertheless, Ms. Williams-Edden mentioned she would be writing a letter to the Commission regarding the matter.
- 2) **Public Works Department** - Ms. Williams-Edden stated that there are concerns in the Collier City area regarding the responsibility of cleaning of the swales and the area outside of the sidewalks. She indicated that residents have been informed that they are responsible for cleaning the area outside the sidewalk. However, historically that was not the case.
- 3) **Police Department** – Ms. Williams-Edden mentioned that the Police contract would be coming up for renewal. She said Sheriff Scott Israel is the man at the helm and he is making phone calls and he is threatening when he cannot have his way. Therefore, she indicated that when the City decides to renew the police contract, she wanted to inform that there is a verdict to come down regarding Gregory Frazier, very soon, which will be coming from Miami. She wanted to ensure that there is no civil unrest in the community when the verdict comes out regarding the Frazier case. She mentioned that some law enforcement and individuals have told them that the verdict will be "not guilty."

Teen Happy Hour Financial Assistance – Alaya Peterson, 305 SW 1st Court, Pompano Beach, FL, referred to the flyer distributed to the City Commission regarding a program that the CAC has put together for teens. The program has been designed for teens to come together on a monthly basis to do constructive things. Ms. Peterson requested financial assistance in the amount of \$1,500 to remain consistent, as well as enable them to offer the program over the summer. However, when school returns, they will return to monthly meetings, with their Teen Happy Hour.

Mayor Fisher asked if the CAC is putting the program on, which she answered yes. He asked if they did not have any money in their budget to assist the youth, since they are contracted with the City for these types of program. Therefore, he wanted to ensure funds are provided for this program.

Sarahca Peterson responded that currently the CAC has allocated \$250 for this program. However, the program is receiving numerous in-kind donations. For example, a DJ donated his time for the first event, as well as BoJo's donated food. For the upcoming event, they had Shauna Benson donated cupcakes, and currently they are looking for a DJ and photographer to donate their time on a more consistent basis, which is a bit challenging especially during the summer months. She said they are planning to put this program on consistently in the summer so the kids would have somewhere to go. The Teen Happy Hour is a place identified where the teens can go to have fun, to be introduced to the Art at a reasonable price. They will be charging \$5 per person and these funds will go directly back to fund the program.

Mayor Fisher asked how much would it cost for a DJ. Ms. Peterson responded that it ranges from \$200 to \$350.

Mayor Fisher indicated that the City Commission Contingency Fund balance is at \$1,500 and suggested donating \$500 towards the DJ portion.

MOTION: Comr. Hardin made a motion, seconded by Vice Mayor Burrie, that the Commission provide \$500.00 towards the program. The motion passed unanimously by voice vote.

Recycling Program – Stephanie Steinberg, 3256 NE 15th Street, Pompano Beach, FL, indicated that she is an environmental advocate and has been communicating via email. She commended the City Commission and staff regarding the increased efforts with recycling throughout the City. There are recycling bins placed at areas for the first time. Nevertheless, there is a lack of recycling, especially at events sponsored by the City. Therefore, she offered her services to assist in engaging the process of increased recycling.

Mayor Fisher requested that City Manager Harrison coordinate with the Recycling Committee to do an analysis on the City's current recycling efforts and to do a study to improve it, especially as it relates to special events. Perhaps, they could make some recommendation to the Public Works Department to come up with some reactive opportunities for the City.

Public Relations (PR) for Cultural Venues – Kay Renz, President, Kay Renz PR, 1185 Sea Grape Circle, Delray Beach, FL, reported she is responsible for the Public Relations (PR) for the four amusing cultural venues. She indicated that the City has proven that it is super well connected as well as "cool." She mentioned that there was extensive media coverage on the opening of the new cultural arts center, and she has two pages of links to all the media. Among some of the many media coverage were, NBC 6 Telemundo; Pompano Beach Magazine dedicated seventeen pages for commemorative issue; the Life Style media group, which has nine publications in South Florida gave a page in each one for an immediate sponsor; PBS from the Keys to Vero Beach featured the Cultural Arts Center; Channel 10 News attended the opening and went live; in addition to many other stories throughout.

Ms. Renz stated that there are a lot of excitement going on and people are coming to Pompano Beach. The BaCa and Ali have been on TV three times in the past few months. The Amphitheatre, which has been dormant, is currently "rocking" and it has been done through building connections with the media. She indicated that the City is covered from Miami to Palm Beach on a regular basis. Moreover, every week the outreach is growing. She reported that Gator Rocks did their first acoustic performance in their studio in West Palm Beach and featured the Pompano Beach Amphitheatre. She mentioned that George Thorogood was there live in their studios for an acoustic concert and they were promoting the City's show

all day.

Ms. Renz stated that Channel 5 news in West Palm Beach is trying to figure what is hot and happening in South Florida, and the Amphitheatre show on Sunday was featured. Finally, Ms. Renz stated that thanks to the City Commission's vision and thoughts there are many exciting things happening in the City, and she is excited to be working for the City.

Personally, Ms. Renz mentioned there are many large corporations "eyeing" the Amphitheatre and could possibly take it over; however, she hopes the City remembers the relationships, the connections, and the personal focus on Pompano Beach that has happened due to building of relationships. She stated that they are focused on the people, diversity and the programming that Pompano Beach really loves.

Mayor Fisher thanked Ms. Renz for all the positive public relations and said it is amazing.

City Beach and Pier – Sandy Von Staden, 3201 Beacon Street, Pompano Beach, FL, indicated that yesterday was an exciting time in the City with the launching of the building of the new pier. She recalled the various charrettes they attended when the great visions were discussed of what was going to happen at the beach with the promenade, the restoration of the beach, the new pier, the new library, the community center, vistas and ample parking and a parking garage. She said most of the visions have been realized. However, there were some things they did not get and perhaps they will come later, but they had to make adjustments, which she mentioned in detail. In looking to the future, she does have a few concerns, which is that the fishing pier and the beach remain accessible and affordable for the residents and visitors. She mentioned that they need to keep in mind open vistas and green space now that the City was successful in getting the scenic A1A designation after a ten-year grassroots effort. She urged the Commission to consider the parking, to keep it for the public, and to limit what goes on the public space for public purpose.

Mayor Fisher encouraged Ms. Von Staden not to give up on the Beach Community Center.

Low Achievement of Pompano Elementary Schools – Patrick Jovanov, 411 NE 18th Avenue, Pompano Beach, FL, mentioned that there are 2,075 Elementary schools in Florida, and indicated that the rankings for the ones in Pompano Beach are: Cypress Elementary is 1790th, Pompano Elementary is 1973rd, Palmview is 1428th, Norcrest is 1584th, Cresthaven is 1681st, Markham Elementary 1949th, Tedder is 2002nd, Drew Elementary is 2005th, and Park Ridge is 2008th.

He indicated that these represent the bottom 10% of all Florida Elementary Schools. He stated that while many good things are happening in the City the kids are not being helped in the school system.

Comr. Perkins inquired if Sanders Park Elementary was included on the list.

Mr. Jovanov replied no, but it does not make that much of a difference.

Comr. Perkins indicated that it would have been fair if Mr. Jovanov listed all the schools rather than being selective.

Homeless Issues – Randy and Lori Degler, 2745 SE 2nd Court, Pompano Beach, FL, stated that Pompano Beach is a wonderful place with many opportunities. However, when he and his family moved to Pompano Beach they were not expecting to see the homeless situation currently happening. Nevertheless, he has had

the opportunity to speak with Comr. Hardin, Mayor Fisher, and Comr. Sobel regarding the matter. He mentioned that he and his wife spent many years in Africa and Asia on humanitarian projects, school projects, women empowerment projects, water projects, built homes to take children from prostitutes and provide them with safe homes. Therefore, they are aware first hand with problems associated with homelessness and poverty, due to their international involvement over the years. Mr. Degler indicated that what is happening in the City of Pompano Beach is not a solution, while the efforts being made are well intended it is counterproductive. It is heartbreaking to see some of the people living in the parking lots as homeless because nothing is being done to assist them. He said the homeless situation has worsened over the past few years. In fact, his wife enjoys running, but does not feel safe due to the conditions of the homelessness.

Mr. Degler indicated that the police captain was kind enough to come to Cypress Point Homeowner's Association, and they learned for the first time the type of issues residents are experiencing with the homeless situation. He stated that while the yellow jackets security is helpful, the problem remains serious and he wanted to bring this to the City Commission's attention.

Mayor Fisher expressed interest to meet with Mr. Degler to discuss some of his experiences he has had and suggestions that he may have regarding this situation. City Clerk Hammond will ensure Mr. Degler's contact information is forwarded to the Mayor. In addition, Mayor Fisher indicated that there is a monthly coalition group meeting that he would desire for the Degler's to get involved with them.

Mayor is Prayer Breakfast Committee Appreciation – Sharon Stone Walker, President, Mayor's Prayer Breakfast, and P.O. Box 1821, 300 NW 2nd Street, Pompano Beach, FL, read a letter of thanks, to those who attended the Mayor's Annual Prayer Breakfast, in its entirety.

"On Thursday, May 18th at the brand new Pompano Beach Cultural Center, the annual Prayer Breakfast was held. The theme was Reclaiming God's City. On behalf of the committee, we want to thank the Mayor for casting the vision, the Commission for their attendance and support, the Pastors who so graciously served the guests, the many sponsors, the business community, to all the State elected officials and most importantly the residents of Pompano Beach. This was a time of unity, and authentic fellowship under the banner of faith. Different religions, diverse races and multiple generations came together on the premise of what unifies us, faith, in a power that is greater than our own. So, with over 400 people in attendance it was sold out with standing room only. People are already asking how they can reserve for next year. Thank you again to the committee, well done and God bless you."

Arts Program in Pompano Beach – Sarahca Peterson, 305 SW 1st Court, Pompano Beach, FL, commented on the information provided by the earlier speaker regarding the rankings of the elementary schools, who commented that the Cultural Center will not help the children. However, she has a program, "That's Art," with the CAC, which is an art education program, to educate people of the importance of the arts in the City of Pompano Beach. Ms. Peterson indicated that students who study art are four times more likely to be recognized for academic achievements and three times more likely to be awarded for school attendance. In addition, arts and music education programs are mandatory in countries that rank consistently among the highest in Math and Science test scores, such as Japan, Hungary and Netherlands. Therefore, statements made that the arts will not help the children will put the City back. She mentioned that the arts must be brought into the community for education. Therefore, investment in the arts program is an investment in our children and their academic future.

Teen Happy Hour – Ms. Peterson clarified that she submitted the Teen Happy Hour program under the direction of Ms. Sharon Stone-Walker to provide the teens in Pompano Beach with something to do. She indicated that Magnetic is not a part of the City, but is where they house the programs. Therefore, CAC cannot use City funds to program Magnetic. She indicated that they have utilized the in-kind services they provided to use the space, as well as they accepted a donation for the \$250 to keep the program moving forward.

D. CONSENT AGENDA

1. [17-439](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HOLA MUNDO!, LLC TO PROVIDE A BILINGUAL SUMMER CAMP FOR BOYS AND GIRLS AGES FOUR TO THIRTEEN YEARS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$2,000.00 to be paid by Licensee as compensation for use of Beach Pavilion #2.)

(Staff Contact: Mark A. Beaudreau)

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

Enactment No: RES. No. 2017-243

2. [17-432](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE CITY OF MARGATE TO PROVIDE BULK POTABLE WATER DURING TIMES OF EMERGENCY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$79,024.00)

(Staff Contact: A. Randolph Brown)

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

Enactment No: RES. No. 2017-244

3. [17-446](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM TSATAS ACQUISITIONS, LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/Robin Bird)

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

Enactment No: RES. No. 2017-245

4. [17-449](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$41,150.00)

(Staff Contact: Horacio Danovich)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be TABLED until June 13, 2017 City Commission meeting. The motion carried unanimously.

5. [17-453](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MUTUAL AID AGREEMENT AMONG THE CITY OF LIGHTHOUSE POINT, FLORIDA, CITY OF POMPANO BEACH, FLORIDA AND THE BROWARD SHERIFF'S OFFICE RELATING TO EXCHANGE CLUB PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau/John Hale)

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

Enactment No: RES. No. 2017-246

6. [17-441](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **BRIAN ANTHONY CAMPBELL** TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

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

Enactment No: RES. No. 2017-247

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that item 7 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 then Commission's discussion.

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

7. [17-437](#) 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 HAAS ADDITION PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/Robin Bird)

Robin Bird, Development Services Director, presented the item and stated that the property owner VTGAT Properties, LLC has requested to amend the plat note on the Haas Addition plat to build 17,000 square feet of industrial development. The property is located at 351 South Andrews Avenue, Pompano Beach. The existing note limits the plat to 40,000 square feet of office use, and commercial retail uses. Freestanding banks or banks with drive thru facilities are not permitted within the office use without the approval of Broward County Board of Commissioners, who shall review and address uses for increased impacts.

Additionally, Mr. Bird indicated that the note would permit 17,000 square feet of industrial use. Industrial buildings may have 30-50% ancillary office or 30% ancillary commercial office use per bay or single tenant building upon satisfaction of impact and concurrency fees. Freestanding office use is not permitted within the plat without approval from the Board of County Commissioners who shall review and address these uses for increased impacts. The applicant is also requesting an extension of a five (5) year Findings of Adequacy. Finally, he stated that staff has no objections to the change in square footage, use, nor the Findings of Adequacy.

James McLaughlin, PLS, McLaughlin Engineering Company, 1700 NW 64th Street, Suite 400, Fort Lauderdale, FL 33309, on behalf of the applicant, 400 NW 17th Street, Fort Lauderdale, FL, indicated that he is available to answer any questions.

Comr. Moss asked what product would the industrial company be making.

Mr. McLaughlin responded that this is the first phase and the site plan is still being developed before they can proceed with the building permit. He is unaware of the intended use by the owner.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-248

END OF QUASI-JUDICIAL PROCEEDING

8. [17-341](#) P.H. 2017-55: (PUBLIC HEARING 1ST READING)
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 153, "RENTAL HOUSING CODE," OF THE CITY OF POMPANO BEACH TO PROVIDE FOR AMENDMENTS TO SECTION 153.05, "DEFINITIONS"; BY AMENDING SECTION 153.08, "SHORT TERM RENTAL PERMIT REQUIRED," TO REQUIRE ANY OWNER WHO OPERATES A SHORT TERM RENTAL TO FIRST OBTAIN A SHORT TERM RENTAL PERMIT, AND PROVIDING FOR PENALTIES FOR VIOLATIONS; BY AMENDING SECTION 153.11, "INSPECTIONS," TO PROVIDE FOR ADDITIONAL INSPECTIONS; BY CREATING SECTION 153.26, "MINIMUM STANDARDS FOR SHORT TERM RENTALS," TO PROVIDE FOR REGULATIONS RELATING TO SHORT TERM RENTALS; BY AMENDING SECTION 153.33, "RESPONSIBILITIES OF OWNERS," TO REFERENCE EXISTING PROHIBITIONS ON RENTALS AND PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$60,000.00)

(Staff Contact: Robin Bird)

Jennifer Gomez, Assistant Development Services Director, presented the item and indicated that the proposed ordinance are amendments to Chapter 153, "Rental Housing Code," which will create short-term rental housing program. This is one of the short-term goals of staff's task force, which has had several ongoing meetings to draft the appropriate regulations. The short-term rental permit would be required for single-family, duplex, triplex and quadplex dwellings that are available for rent for a period of six (6) months or less. Subsection 509 of Florida Statutes, provides that laws, ordinances or regulations may not prohibit vacation rentals or regulate the duration or frequency of vacation rentals. Furthermore, the short-term rental would be required to comply with additional standards regarding off-street parking, garbage receptacles, and responsibilities of the 24-hour contact. In addition, there will be requirement of inspections prior to issuance of the license.

Ms. Gomez continued to state that based on the anticipated increase in the administrative staff time to create and implement this program for the first time, staff is requesting a new position in the amount of \$60,000, which will be offset by the revenues created by this program.

Sandy Von Staden, 3201 Beacon Street, Pompano Beach, FL, stated that over the past forty years (40) she and her husband have owned in Pompano Beach, several condominiums, a quadplex, and single-family homes, which they have rented out. Also, they have resided in the City for the entire period of time. Ms. Von Staden indicated that she has followed the issue, attended the meetings with staff, and commended them for their effort. However, she has some issues as it relates to the matter that she requested the Commission consider. The rationale is understood, but staff has put together two separate issues, one relating to sober homes, which she had to deal with problems impacting a few of her properties, and the other is a vacation rental. They do cause different problems and she thinks they should be dealt with separately. She then explained her reasons.

Additionally, Ms. Von Staden indicated that in putting a program together where the city will monitor six (6) months or less is excessive. She said it would amount to a whole lot of rentals in the City. At the same time, it is “a stretch” to say it is a vacation rental if it is six (6) months. She indicated that the major portion of the problems and issues that they are trying to tackle with garbage, parking, and so forth, is thirty (30) days and less rentals. In fact, she could understand monitoring ninety (90) days or less, but it is worth rethinking, as it is a bit of over-reach to regulate six (6) months. She concluded that staff needs to take a closer look in terms of the timeframes and the two different issues involved with vacation rentals and sober homes.

John Graziano, Terra Mar Island, Pompano Beach, FL, thinks this matter is a wonderful idea. He stated that his area is a single-family neighborhood with everyone looking for the protection that the zoning code provides. However, he does not understand the overnight stays that are vacation rentals. The short-term rentals classified in his neighborhood means an overnight stay, which causes problems that he explained. In sum, Mr. Graziano indicated that they have expended money in anticipation of a quality of life and asked the Commission to consider those.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, agreed with the first speaker in making short-term stay to be thirty (30) days or less. He then explained what was happening in his neighborhood with people renting out their homes to people for some time as short as three days for the week and these short-term renters are causing chaos for the homeowners living in the area.

Comr. Moss reiterated that this ordinance does not apply to condominiums because in Palm Aire and Cypress Bend approximately four thousand units that are rented per season and the City would not be able to police this situation.

Vice Mayor Burrie indicated that the previous speakers brought up a good point and she backtracked on how the ordinance was brought about. People have been renting out their houses for two and three-day periods during times like holidays. Kids are using some of these mansions on a very short-term stay. Therefore, it would affect those people who rent for a longer period such as three to six months. Due to the problems of people wreaking havoc in the neighborhoods when they stay in these houses on very short term-basis, she would be inclined to have this ordinance at a much shorter distance than six months.

Mayor Fisher asked if the committee studied the short period of time.

Ms. Gomez replied yes. She stated that both options are legitimate and it is the Commission’s direction whether they want to allow those with less than six months or those that are thirty days. She then explained that the Broward County tourist tax is done on less than six months, hence, staff listed it as an option. Nevertheless, if the Commission desires, staff could change it to the definition of the Florida Statutes of public lodging establishment. This would be, “any group of units, dwelling, or group of buildings in a single complex, which is rented to guests more than three (3) times in a calendar year for a period of less than thirty (30) days or one calendar month, whichever is less; or is advertised or held out to the public as a place regularly rented to guests.”

Robin Bird, Development Services Director, mentioned in his study of the problem, looking at it for several years, and his working and living experiences with coastal cities, there is a problem with what someone does with the other six months when they rent for six months out of the year. He then provided the various options available to them. Therefore, he mentioned that when the decisions are made, he would remind the Commission that if they agreed to use six months to be in line with the bed tax or use thirty days that is fine. However, those six months people will sign up for six months and in the summer time if they get a chance to rent for a week they will do so.

Mayor Fisher indicated that he understands the situation, and the task force did study all the various scenarios. While he agrees with the thirty-day period, but at the same time this has been a prolific problem and there is a need to do all that is necessary to protect the residents.

Mark E. Berman, City Attorney commented on the time of six months or less would include the thirty days for short termers. However, the proposed ordinance addresses the negative secondary effects on the residential neighborhoods, seen from the short-term rentals of six months or less. Therefore, he would suggest the Commission try the six months or less option, and if necessary, it can be amended. However, something should be put in place. The other problem with the sober homes is currently being worked on separately, and something will be forthcoming to address those issues.

Comr. Sobel emphasized Comr. Moss' statement, as there are several exclusions, which are not only condominiums but also time-shares and other specific exclusions to the ordinance. He is concerned as well in going with the lesser time period initially and then having a difficult time with some inconsistencies on how it is going to apply legally. In general, the ordinance is evidence that the City of Pompano Beach can accomplish almost anything it sets out to do with the right motivation. In sum, kudos to the City Attorney and his team as well as the Development Services staff for coming up with a solution that will ultimately assist with the safety of the residents of those short-term rentals as well as the safety of the community at large. The ordinance is geared towards abusers of short-term rentals and vacation homes and it encourages the Commission to tackle other problems such as the schools or the homelessness.

Comr. Hardin asked for an explanation on the concern for people renting their home for six months during the season and then not renting for shorter term during the off-season.

Mr. Bird responded that he was referring to the difference between six months and thirty days. It should be noted that even if they rent for three months at a time, some of those same deleterious side effects from those people are felt, and he provided examples.

Comr. Hardin asked if the ordinance covers town-homes. Mr. Bird replied that it covers only single-family through quadplex.

Comr. Moss agrees with going with staff's recommendation and if necessary change at a later time. He also asked about the homes that will remain vacant for six months, and asked if staff factored in the "cousin" coming to stay equation. He mentioned that they have over 700,000 cousins that visit in the

Palm Aire community. He asked if there would be any restrictions of an owner renting their home for six months but allowing cousins or family members to come in and stay for the remaining time in shorter periods.

Mr. Bird responded that staff is unsure of the answer to this question.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Hardin

Moss

Perkins

Sobel

Burrie

Fisher

9. [17-444](#) P.H. 2017-58: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE CG HILLSBORO SHORES, LLC REQUEST OF PROPERTIES LOCATED AT 2507 N. OCEAN BLVD. AND 2629 N. RIVERSIDE DRIVE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON APRIL 26TH, 2017; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/Robin Bird)

Robin Bird, Development Services Director, presented the item and stated that this item is being redone and that somethings have not changed. This is a modification to the Hillsboro Shores Land Use Plan Amendment application previously approved at first reading at the December 13, 2016 Commission Meeting with a 4-2 vote. However, after transmittal to the County the Planning Council staff ruled the gross acreage could not include the intercostal waterway and required the following amendment to the request:

- Change to gross acreage from 4.2079 to 3.4256 acres. As a result of the modifications the application is for high residential, irregular 35.7 instead of irregular 29.

Additionally, Mr. Bird stated that staff's analysis on the recommendation of denial to the Planning and Zoning Board did not change. The property is located at 2567 N. Ocean Boulevard and 2629 N. Riverside Drive. The property is currently zoned B-3. In addition, at the April 26, 2017 Planning and Zoning Board meeting they unanimously recommend for approval with the condition of implementation, which was to

consider the Broward County affordable housing requirements, which is included in the ordinance as Exhibit B.

The Zoning uses of adjacent properties are north of the intercostal waterway, to the south commercial shopping center plaza, the Hillsboro Inlet Plaza, east is commercial but it has a condominium and to the west is medium high residential with a condominium vacant lot and it also has a partial land use of commercial.

The applicant is proposing for the proposed development, a maximum of 122 dwelling units with an overall density of 29 units per acre, and the conversion of the commercial marina to the residential marina. Also proposed is a 5,115-square foot of commercial use as accessory use.

Mr. Bird indicated that staff did not do a new analysis since it was a simple change by the Planning Board, but it did move back through the process.

Ilene Michelson, Esq, Attorney for the Hillsboro Shores, LLC, stated that the Improvement Association are in favor of the suggested changes. She explained that they met with the developer and his counsel and he has worked with the community to mitigate any concerns. The Association endorses and supports the comprehensive plan amendment. She indicated that attending the meeting are the president, vice president, one of the directors of the association who are willing to testify in support of the adoption of the comprehensive plan amendment.

Additionally, Ms. Michelson indicated that the developer does not want to have contention in the community and have worked with the concerns for the association and they look forward to the project coming to fruition.

Patrick Jovanov, 411 NE 18th Avenue, Pompano Beach, FL, indicated that the land has been cleaned up and the area has been derelict and something needs to be done there.

Mayor Fisher explained that the land was zoned hotel, but the developer is wanting to make it residential.

Matt Herren, 2600 North Riverside Drive, Pompano Beach, FL, president of the Hillsboro Shores Improvement Association, indicated that they support the project and has worked diligently for the last two years with the developer and have a development agreement in place that supports all facets of the project as previously outlined to the Planning and Zoning Board, as well as the City Commission.

Sandy Von Staden, 3201 Beacon Street, Pompano Beach, FL, stated she supports the project and explained her reasons, which included the traffic, the developer's effort to preserve a promenade along the intercostal that is accessible strolling the scenic A1A, and there will be a small amount of retail space fronting A1A. She indicated that it is a win for the neighborhood and it will be good for the City.

Samuel Tedesco, 3203 Norfolk Street, Pompano Beach, FL, Vice President, reiterated the 100% approval and support of everybody in the community for the project.

Comr. Moss pointed out that while this item was approved by the Planning and Zoning Board, the Economic Development Council and City staff did not approve it. He asked of the 122 dwelling units proposed, how many units would they require for affordable housing according to the county's requirements.

Mr. Bird indicated that the applicant chose to do in lieu of fees instead, which is 100% of the units versus providing 10%. In sum, there will be no affordable housing at this location.

Mayor Fisher thanked Ari Pearl, developer/applicant for his efforts to provide a winner for this property.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Hardin
Perkins
Sobel
Burrie
Fisher

No: Moss

10. [17-430](#) P.H. 2017-56: (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 SOVEREIGNTY SUBMERGED LANDS FEE WAIVED LEASE MODIFICATION TO EXTEND TERM BETWEEN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA AND THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

Robert

Robert McCaughan, Public Works Director, presented the item, which is an ordinance for the revision to the submerged land lease that the City has with the State of Florida. This will be for the municipal pier. The only revision to the lease is the terms. Currently, it is a five (5) year lease and the City is requesting a twenty five (25) year lease with an expiration date of April 1, 2041. He indicated that the City is looking for flexibility for future alternatives of financing of the pier. Currently, it is at a no cost lease. Should the pier earn direct income from the lease, 6% of the total will be paid to the state.

Mayor Fisher offered kudos to staff for getting the five-year lease changed to 25 years.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

11. [17-452](#) P.H. 2017-57: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 33.001, "GENERAL REQUIREMENTS," TO ESTABLISH STANDARD REQUIREMENTS FOR ALL MEMBERS SERVING ON CITY BOARDS AND COMMITTEES AND ESTABLISHING STANDARDS AND PROCEDURES FOR REJECTION OF NOMINEES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Mark E. Berman, City Attorney, presented the proposed ordinance, which is pursuant to the Commission's request for an ordinance outlining the procedures and requirements to alleviate issues with the boards/committees. Therefore, this proposal represents some type of balance to encourage much-needed volunteers, but at the same time to ensure that people who are selected can properly serve in their appointed positions.

In sum, the ordinance requires that all persons appointed, provide proof of their legal name along with a photo identification, which can take several different forms as long as it is valid and reliable. As well as provide proof of residency and any other relevant information that the City Clerk may require to establish any specific information for service on a board or committee, as set forth by ordinance, or rules adopted by such boards/committees if they exist. For example, some boards require a member to be a resident while some do not, also some require engineers, certified architects and so forth. Therefore, any material change in the initial information provided to the clerk, which changes during the term it should be reported to the City Clerk. Failure to report or on the provision of false information that person could be removed from the position upon a motion and majority vote of the City Commission.

Consequently, any such person who is put into this situation has the right, pursuant to the ordinance that, "Any such person will first be informed in writing of any proposed action for removal, and provided notice of the City Commission meeting when the matter will be discussed, and shall be provided an opportunity to respond or otherwise be heard at such meeting prior to any vote on the removal taking place."

Additionally, Mr. Berman indicated that Section (C) being referenced was slightly modified after it was distributed in the backup. It should read, "The City Commission may, upon motion and majority vote, disqualify a nominee or remove an appointee to any board or committee when it is determined the person has a conflict of interest or when such person has a pending legal matter, financial liability, or involvement in any other matter which is adverse to the city's interest as determined by the City Commission. The procedures set forth in (B)(2) above shall be applicable for disqualification or removal."

Finally, Mr. Berman indicated that the proposed ordinance is subject to amendments or suggested changes as desired by the Commission.

Doug Matthes, 500 NE 6th Street, Pompano Beach, stated that the item is a good start on standardizing city boards and committees. However, he has some questions. As stated in Section (A)(1), "Proof of legal name along with a valid photo identification – he asked, "how does one provide proof of legal name?" Next, "Proof of residency." He said the ordinance does not say if the residency is city, state or some other residency. Therefore, the locale needs to be defined. He asked if the City would allow someone from another state to serve on a board. He indicated that a utility bill or a voter's card could not be considered proof of residency and explained in what circumstances this may apply. Finally, Mr. Matthes indicated that the proof required must be kept private, as state law requires a copy of a driver's license cannot be provided to anyone else.

Mr. Matthes stated it is necessary to standardize the board and committee rules. He said there is a major issue with attendance. If a board member misses three (3) consecutive meetings within a 12-month period or misses four (4) meetings, their membership should be automatically terminated, with no questions asked. Further, they should not be appointed to that board for five (5) years after termination. This will eliminate problems with board members occupying a board or committee rarely, or if ever attending meetings thus creating a difficulty to obtain a quorum.

Mr. Matthes suggested that each elected official should appoint one member to each board to run concurrently with their elected term. All boards and committees should have two alternates. Finally, he said term limits for board/committee members should be considered.

Mayor Fisher asked if the City Clerk would accept copies of proof of identification presented.

Asceleta Hammond, City Clerk responded that copies may be taken, for verification purposes, but her office would not make it available to the public.

Mr. Berman stated that copies could be taken and a note made of the type of identification presented. In other words, there would not be a need to keep copies of the identification presented, just a note of what was presented.

Comr. Perkins asked if the City Clerk request a copy of the voter's registration card.

Ms. Hammond replied currently, she does not, but with the new law, she could request a copy be shown.

Mr. Berman indicated that no one specific type of identification was mentioned in the proposed ordinance, because some people may not be a registered voter or someone might not have a valid driver's license. However, it allows someone to present some form of valid proof of identification in whatever form the City Clerk would deem acceptable. In addition, Mr. Berman cautioned against having one standard rule for every board, as each have different requirements.

Patrick Jovanov, 411 NE 18th Avenue, Pompano Beach, FL, stated he has knowledge of the boards and committees and indicated that he served for five (5) years on the Education Advisory Committee, and it took him that long to find out that he was the sole parent serving on the committee. In addition, he said there were members who had a conflict of interest representing a school that did not include Pompano Beach children. He indicated that approximately 90% of the children at Pompano Beach High School are not from Pompano Beach.

Additionally, Mr. Jovanov indicated that the Budget Review Committee was abolished because of lack of attendance. He complained that there does not appear to be any transparency.

Mr. Jovanov stated that for approximately six years, he has been volunteering on the Fire Rescue CERT, yet he does not qualify to serve on the Emergency Medical Services Committee. Therefore, he believes there is a conflict of interest if someone wants to do something good for the City.

M. Ross Shulmister, 560 SE 12th Street, Pompano Beach, FL, indicated that he is concerned with some of the provisions and wanted to know what was being accomplished. He suggested that perhaps the City might want to do a comprehensive ordinance that provides all the procedural details of what is allowed and what is not allowed. He asked why would there be a suggestion to remove a nominee. In addition, as it relates to residency, it is true in some cases, you do not have to be a resident of Pompano Beach, but perhaps the language could state that you need to be a resident unless the residency is waived, which could be done by another ordinance or by the Commission as they make the appointment.

Mr. Shulmister further suggested that it should be clear as to who appoints a member. For example, each commissioner is entitled to a nomination on each board. Therefore, he does not support the idea of term limits and explained why. In sum, he recognized some gaps and suggested that the ordinance could be improved a bit. He indicated that he has some ideas and thought perhaps, the City Attorney would be interested in allowing him to be involved, with the Commission's approval, to work with the City Attorney and others of similar interest and to come up with something that everybody would not complain about.

Mr. Berman indicated that there was a typo in Section C, "disqualify a nominee or remove an appointee" but in his change prior to the meeting it resulted in a typo, which will be corrected by staff for the next reading.

Comr. Hardin indicated that he had requested that this proposed ordinance be brought forward and he did not want it to be too complicated. Currently, a Commissioner cannot request to remove a person from a board/committee, as there are no provisions for removal.

Mr. Berman replied that is correct.

Comr. Hardin indicated that because there is no rule regarding removal even if the member does not attend the meetings, this would be an attempt for a little leeway to get somebody off the board/committee per chance there was a mistake made initially when they got appointed, or if they refused to attend the meetings after appointed, then there would be a mechanism to change things. Comr. Hardin remarked on Section C, "financial liability, or involvement in any other matter which is averse to the city's interest." This he indicated is debatable and suggested adding, "*as determined by the City Commission*" at the end.

MOTION: Comr. Hardin made the motion, seconded by Vice Mayor Burrie, to add to Section C, the language after the city's interest, "*as determined by the City Commission.*" The motion carried by a majority vote, with Comr. Sobel voting nay.

Comr. Sobel indicated that originally, he had some concerns that the ordinance might be an over-reaction of bad facts creating bad law. On the other hand, he does not have a problem per se with some reasonable standards being set so that the public understands what is to be expected when they are serving on the board/committee; at the same time, the Commission has some criteria that is reasonable for purposes of denying or removing. Therefore, he is unsure the amendment, "*as determined by the City Commission*" will provide any more of a criteria to the ambiguity of it being adverse to the city.

In sum, Comr. Sobel understands that the ordinance is stating that they will deny someone's appointment or remove somebody who has already been appointed based on a conflict of interest, financial liability, a pending legal matter or something that is adverse to the city's interest. These are broad criteria and is not defined. Therefore, his concerns are fourfold.

Comr. Sobel asked if the proposed ordinance is retroactive, which is not addressed anywhere. Mr. Berman replied that it would be applicable to any board member once it is passed. Therefore, it could be applied retroactively. Mr. Berman explained that if a condition existed previously it is now retroactive. In addition, he said the issue is one of fairness. In fact, this is not to catch anyone by surprise. It is designed if a situation comes up, especially one where there is a question as to whether, the Commission would determine the service that person is performing can be relied on that person's recommendation, or that they are serving the city's best interest in the position that they were appointed.

Comr. Sobel asked what are the grounds for removal if an incident occurs after an appointment.

Mr. Berman responded that if they end up in a financial liability or it could be code enforcement violations, or other financial problems such as loans, a legal matter that was initiated after they were appointed, which would be against the city's interest. This ordinance would allow the Commission to hear the situation and decide then what to do.

Comr. Sobel asked about the due process provision that should be stated in the ordinance regarding appointments being able to clarify facts brought against them to disqualify them serving. There is a provision for after the fact if there is notice of a disqualifying event, then they can be given written notice and they have an opportunity to be heard, but this same due process is not seen upfront in the appointment of the member.

Mr. Berman indicated that for the second reading he could amend the ordinance to include the word disqualification in Section (C) last sentence, which states, The procedures set forth in (B)(2) above shall be applicable for disqualification or removal.

MOTION: Comr. Sobel made a motion, seconded by Comr. Hardin to add the word "disqualification" in the last sentence of Section (C). Therefore, it would read, "The procedures set forth in (B)(2) above shall be applicable for disqualification or removal." The motion carried unanimously by voice vote.

Comr. Sobel indicated that he did not see where any specific research of databases by staff to determine if any of those disqualifiers exist.

Mr. Berman responded that staff will not research it. However, when someone is appointed and there are certain requirements for a board/committee, an applicant applies and verifies who he or she is by providing proof. If it involves residency they provide that proof, if there are any disqualifiers there will be the opportunity to discuss and resolve.

Comr. Moss indicated that the proposed ordinance is logical and that the Commission should pass it. However, if in the future it becomes a problem, then it could be dealt with at that time, instead of being too hyper analytical at this point.

In conclusion, Section (C) will be amended for second reading and will read as listed below with the words underscored added accordingly.

(C) The City Commission may, upon motion and majority vote, disqualify a nominee or remove an appointee to any board or committee when it is determined the person has a conflict of interest or when such person has a pending legal matter, financial liability, or involvement in any other matter which is adverse to the city's interest as determined by the City Commission. The procedures set forth in (B)(2) above shall be applicable for disqualification or removal.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING AS AMENDED. The motion carried by the following roll call vote:

Yes: Hardin

Moss

Sobel

Burrie

Fisher

No: Perkins

12. [17-419](#) P.H. 2017-52: (PUBLIC HEARING 2ND READING)

AN ORDINANCE AMENDING CHAPTER 36, "TAXATION AND FINANCE", OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 36.032, "INSURANCE SERVICES FUND," TO PROVIDE FOR PROCEDURES AND AUTHORITY TO RESOLVE VARIOUS EMPLOYMENT CLAIMS AND TO INCREASE THE COMBINED AUTHORITY FOR SETTLEMENT OF CLAIMS BY THE RISK MANAGER, CITY ATTORNEY AND CITY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 9, 2017

(Staff Contact: Ed Beecher)

Ed Beecher, Human Resources Director, presented the item and indicated that there had been no changes since first reading on May 9, 2017. The request is in alignment with the City's policy as it relates to the Strategic Plan Initiative 4.2, which is instituting practices to improve productivity and quality standards. In sum, this is a cleanup item.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin

Moss

Burrie

Fisher

Absent: Perkins

Sobel

Enactment No: ORD. No. 2017-48

13. [17-381](#) P.H. 2017-53: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPAÑO BEACH, FLORIDA, ENACTING A TEMPORARY MORATORIUM TO PROHIBIT THE ACCEPTANCE OR PROCESSING OF ANY APPLICATION FOR A PERMIT, DEVELOPMENT ORDER, OR ANY OTHER OFFICIAL ACTION OF THE CITY HAVING THE EFFECT OF PERMITTING OR ALLOWING THE CONSTRUCTION OF WIRELESS COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY CONTROLLED BY THE CITY; PROVIDING FOR A SIX MONTH TERM TO BE EXTENDED IF NECESSARY BY THE CITY COMMISSION; PROVIDING FOR EARLY TERMINATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 9, 2017

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer presented the item, and indicated that there had been no change since the first reading. The moratorium is required to review and modify the City's existing codes to be consistent with the new law that goes into effect July 1 pertaining to wireless communications in the public right-of-way.

Comr. Hardin noted that at the Florida League of Cities Wrap Up session, somebody asked an interesting question about this particular law passed by the State, whereby, if underground utilities are in place what will happen if wireless companies want to come in, which it has to be proposed.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Hardin

Moss

Sobel

Burrie

Fisher

Absent: Perkins

Enactment No: ORD. No. 2017-49

14. [17-445](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING SURPLUS AND EXPRESSING THE DESIRE OF THE CITY OF POMPANO BEACH TO SELL A CERTAIN PARCEL OF REAL PROPERTY LOCATED AT 1841 N. POWERLINE ROAD, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Suzette Sibble)

Suzette Sibble, Assistant City Manager, presented the item that is requiring the Commission's approval to declare as surplus, City-owned property located at 1841 North Powerline Road. The City's Charter does require that the Commission approve declaration of city-owned property as surplus. It also requires that the City advertise for bids and that the City Commission open the bids publicly within thirty (30) to sixty (60) days of the approval of the declaration of said surplus. She then provided a brief background on the property. The City acquired the property in 2010 and zoned it industrial. It is approximately 1.13 acres or 49,000 square feet in area. Based on the condition of the structure on the property, as well as the location, the City has not identified a feasible use for the site for public purpose. In addition, over the past year, there has been significant interest directed at City staff for the use of the property for development purposes. Therefore, staff is recommending surplussing the property at this time.

Vice Mayor Burrie indicated that it is interesting that when the City acquired the property it was valued at \$3 million and the appraisal of said property at today's value is \$950,000.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin

Moss

Perkins

Sobel

Burrie

Fisher

Enactment No: RES. No. 2017-249

15. [17-451](#) Approval to award Bid #E-31-17 Deep Well Relining Project to the lowest responsive responsible bidder, Layne Christensen Company, at a cost of \$1,088,350.00.
(Fiscal Impact: \$1,088,350.00)

(Staff Contact: A. Randolph Brown)

A. Randolph Brown, Utilities Director presented the item and indicated that the item is an acceptance of a bid award for relining the City's deep well as part of the membrane treatment plant, which sends the concentrate water down 3,000 feet into the boulder zone. In addition, the lining that protects the other aquifers is worn and need to be replaced.

Comr. Hardin inquired how long it is anticipated to last.

Mr. Brown responded that the liner has an extremely long life on it. Moreover, this is one of the last fiberglass liners made prior to change in practice.

Mayor Fisher thanked the Purchasing Department for the inclusion of the six locals.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Approval Request be APPROVED. The motion carried by the following roll call vote:

Yes: Hardin

Moss

Perkins

Sobel

Burrie

Fisher

16. [17-434](#) Consideration to designate NW 8th Avenue as a dual named road "Rev Albert E. Johnson Ave."
(Fiscal Impact: \$500.00 provided by applicant)

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director, presented the item regarding the City Commission consideration of dual naming NW 8th Avenue by adding the name "Reverend Albert E. Johnson to the street name. The street would be bound by Dr. Martin Luther King, Jr. Blvd. on the south and NW 10th Street on the north. The City received a letter from Reverend Olivett Johnson, Th.D., explaining what the contributions were by Reverend Albert and Mrs. Johnson. If the Commission approves moving forward, the next action would be to formalize the action through a resolution brought back to the City Commission for approval at the next Commission meeting.

Reverend Olivett Johnson, Th.D., 635 NW 8th Avenue, Pompano Beach, FL, indicated that he represents the Johnson family, and he expressed appreciation for the Commission's consideration, and felt this would sustain the legacy that his parents left in the City of Pompano Beach.

Comr. Perkins stated that she personally knew Reverend Albert Johnson, who was one of the pastors at Bethel A.M.E. church where she was born and raised. The family house, which was built in 1938, remains in place. Therefore, she acknowledged that Reverend Johnson is considered a pioneer in the community and it is in the City's best interest to acknowledge him for his role.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Item for Consideration/Discussion be APPROVED and for staff to create a Resolution for City Commission adoption. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

17. [17-442](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RAY LUBOMSKI TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 FOR A PERIOD OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JUNE 8, 2019; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

APPLICANTS:

Ray Lubomski - Incumbent/Alternate 1 - District 3
Charles Bechert, III - District 3
David Baumwald - District 4
Brian Anthony Campbell - District 4
Marcus McDougle - District 4 Russell
Adams - District 5
Andy Cherenfant - District 5

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to insert the names Ray Lubomski, or Brian Anthony Campbell nominated by Comr. Perkins. The Resolution was ADOPTED to insert the name RAY LUBOMSKI. The motion carried by the following vote:

Yes: Hardin

Moss

Sobel

Burrie

Fisher

No: Perkins

Enactment No: RES. No. 2017-250

F. REPORTS

City Manager Gregory Harrison – Update on Water Taxi – City Manager Harrison reported that last Friday, May 19, 2017, they started on the City's Water Taxi project. The contractor will remove sections of the seawall and replace it with concrete structures. In addition, the work will take approximately four weeks to complete. Horacio Danovich is managing the project.

Financial Literacy Program – Mr. Harrison reported that upon Comr. Moss' referral of a member from the Education Committee, Suzette Sibble, Assistant City Manager has coordinated a financial literacy program for elementary schools with the City's primary banking partner J.P. Morgan Chase. The program is designed to teach kids about "a want versus a need and how to save." The City of Pompano Beach is the first in Broward County to have such a program for fifth graders. In fact, both Ms. Sibble and Erjeta Diamante, Budget Assistant, met with representatives of Markham Elementary School regarding the program. Therefore, he thanked Ms. Sibble for working on this with the financial institution and schools, as well as thanks to Comr. Moss for getting this started.

Comr. Moss thanked Sue Ford Patrick who introduced the idea to him.

City Attorney Mark E. Berman – Advisory Boards/Committees Training – City Attorney Berman reported that last Monday, May 15, 2017, his office collaborated with the City Clerk's Office to provide training presentation to all the board/committee members on Ethics for Board members and Sunshine Law.

All attendees signed in and received certificates. Carrie Sarver, Assistant City Attorney made the presentation and he participated in the interaction with the group. The presentation provided basics to those who may not have known about Florida Ethics and Sunshine law, as well as questions were answered during and after the session. Positive feedback was received from the members who attended and they expressed appreciation for this. The City Clerk provided State of Florida booklets on Ethics and Sunshine laws to each attendee. There is a makeup session scheduled for Friday, June 2, 2017 at 4:00 p.m. in the Commission Chamber. City Clerk Hammond indicated that approximately 68 persons attended the first meeting and approximately 12 have RSVP for the makeup session. Finally, Mr. Berman indicated that staff would work towards providing making this an annual presentation for the advisory boards and committees.

Mr. Berman thanked the Commission for the suggestion that the City undertake this endeavor.

Mayor Fisher indicated that the Commission could attend, which will give them an extra one-hour credit towards the State requirement of the four hours required each year. In fact, he had attended to make up his last hour needed to complete his four hour. He indicated that the League of Cities did a session but lacked one hour for the state level.

City Clerk Asceleta Hammond – Advisory Board/Committee Training Session – City Clerk Hammond thanked City Attorney Mark Berman and Assistant City Attorney Carrie Sarver for putting the training material together, as well as commended Ms. Sarver for doing an excellent job with the presentation. She also reminded everyone that the makeup class would take place on Friday, June 2, 2017 at 4:00 p.m. in the City Commission Chamber.

Online Accessibility to Agenda Backup – Ms. Hammond indicated her office have received requests regarding the ability to access the City Commission Agenda Backup material online. She then provided step-by-step instructions on how to locate the backup online. She concluded with offering further assistance to the public who could contact the City Clerk's Office at 954-786-4611.

Commissioner Rex Hardin – Document on Camping in Parks – Comr. Hardin reported he received an interesting document from one of his constituents concerning camping in parks. This document was issued some time ago in Colorado. However, he will pass the document onto City Attorney Berman to determine if any information could be utilized from the document to handle those persons currently sleeping in the City's parks. He said he is aware the City has done a lot regarding the homeless situation in many of the parks, but more needs to be done, because there are still issues with people literally "camping in our parks." Therefore, if any information from the Colorado ordinance passed in 2004 can be incorporated in the City of Pompano Beach ordinance to help with the problem, it would be "great."

Mark E. Berman, City Attorney indicated that he had seen a copy of the referenced document, which is actually from Minnesota.

Homelessness and Panhandling at Intersections – Comr. Hardin stated he has mentioned the issue prior, regarding the homeless and people begging at the intersections, and the overall Broward Sheriff's Office (BSO) staffing. He indicated the Commission is not in charge of the overall BSO staffing; rather it is the City Manager and the Chief of Police who must work on these type of situations. Nevertheless, there seems to be problems that are not being addressed out there. He recalled several years ago that the City did not have so many people standing at the intersection of I-95 and Atlantic Boulevard. Currently, there are times as much as four to six people standing on both sides in all directions holding up signs of being homeless and requesting help. He stated there are laws against this type of behavior. Moreover, it does not look good for the City; he does not like it, as well as his constituents who have contacted him. Overall, the homeless situation has become intolerable. He is aware the City is trying, but things are not getting any better. In fact, earlier, people were present talking about it and expressing that they do not feel safe. Just to take a run at the beach people do not feel safe. Moreover, the City has invested millions of dollars to make it inviting to the residents and visitors, but people are not feeling safe to go out to enjoy the amenities that so much money has been spent on. It is wrong, and something more has to be done about the situation, as it is intolerable as it is. He is unaware of the answers, but he is requesting staff, administration, legal, and BSO to come up with a resolution to this problem. Therefore, whatever action is needed to assist with resolving the problem must be communicated to the Commission, because public safety is the core responsibility of government.

Commissioner Barry Moss –Homelessness And Panhandling Issues – Comr. Moss echoed Comr. Hardin's comments and stated that recently they had a problem at the Palm Aire Marketplace Shopping Center with homeless people, as well as panhandling. In fact, his car was broken into and his briefcase was stolen. Also, within the last few weeks, a resident of Palm Aire was held up at gun point. While the property where it happened is private and the City's police is not responsible to patrol, but he would like to meet with the City Manager to see if the management company could be held accountable for what is going on at their property.

In sum, these issues are huge in the Palm Aire and Collier City areas.

Thanks to Code Enforcement – Comr. Moss thanked Code Enforcement for the stupendous job that they did in making the owners of the Shopping Center on Powerline Road, between the Walgreens and the Family Dollar Stores locations, clean up their mess behind the stores and replant the original landscaping. Finally, Comr. Moss indicated there are 1,963 happy people in Cypress Bend, and expressed thanks on their behalf for the good work done.

Commissioner Beverly Perkins – Visible Trash Cans – Comr. Perkins reported that upon driving down NW 6th Avenue, the location of numerous apartments, there are trashcans visible on the side of the road on a consistent basis, which the owners need to remove when they are outside the regular days of trash pickup. These are visible upon entrance to Blanche Ely High School, as well as the community.

Communicating with African American Males – Comr. Perkins indicated that she has received several complaints regarding the Building Department and Code Enforcement and how they are relating to African American males who are trying to build in the City of Pompano Beach. The complaints were that these men felt they were being treated disrespectful as well as harassed. She cited an incident with a person trying to build or remodel a home in the City, which resulted with her meeting with Assistant City Manager Brian Donovan. Comr. Perkins indicated that she is aware of the City's code and laws that must be adhered to. However, she is requesting that the Code Enforcement and the Building Department staff be more sensitive when requesting any customer to comply with requirements. The goal is to invite people into Pompano Beach not to deter them.

Bands up Guns Down Event – Comr. Perkins reported that both the Mayor and she attended on Sunday, May 21, 2017, the Bands up Guns Down event at Blanche Ely High School, which was a nice event with no known incidents occurring. She said approximately 3,000 people were in attendance. Travis, a/k/a "TDog" did a great job in bringing the children together.

Broward Sheriff's Office (BSO) Relationship with Community – Comr. Perkins stated that she attended a Mothers' Day Event at the Ali Building, sponsored by the group Uptown Promotions, who informed her that they paid for Broward Sheriff's Office (BSO) detail but they did not show up for the event. Therefore, she is requesting a meeting with Major Hale regarding the Uptown Promotions organization, which people within the community have to work with them. There is the need to communicate with these younger generation groups instead of harassing them when they are having an event, and at times are just standing around to talk. There is still a need to build a relationship with BSO and the community to avoid any incidents. Moreover, in the next few weeks a decision will be received on the death of the young man killed in Pompano Beach, and everyone need to come together within the community to keep calm. There is a strong need to communicate to everyone what is taking place, what has transpired and what is actually happening.

Agenda Backup available Online – Comr. Perkins thanked City Clerk Hammond for bringing up the matter regarding how people can find the agenda backup online. In addition, she indicated that the same material that the Commission receives is available to the public online.

Commissioner Michael Sobel – Homeless Issue in the City – Comr. Sobel indicated that he would like to make a motion to create a staff Task Force in Pompano Beach to address the homeless issue and direct the appropriate staff to come back to the Commission with specific recommendations. He indicated that he has attempted to get his “arms around the issue” since he was elected. However, he is convinced that there is nothing the Commission cannot “get done as a team” in combination with City staff. Furthermore, he said it has been proven with the sober home issue. He mentioned that the homeless is a complex, ongoing, legally and constitutionally sensitive issue. He stated that he has attended the Broward County Consortium of Care and discovered that Pompano Beach is one of the three leading cities in the Consortium, in terms of donation of money to a countywide effort to try the help the homeless problem. He observed that there was countywide discussion taking place at the meeting, but nothing specifically addressed the problems that Comr. Hardin and Moss mentioned earlier.

Additionally, Comr. Sobel said one of the reason he voted in opposition to the “nice concept of the yellow shirts security walking up and down the street” was because of the amount of dollars that the City put into an effort like that. However, he said it maybe just one piece of the puzzle, which leaves him to question, what else could be done with sums of money that large, which could assist the homeless with a variety of services that they may need. This would include, food, bus tickets to help them get back to their homes, provide counseling on site or on the streets with accompanying trained BSO officers to assist with the situation, provide housing, education on veteran’s benefits, as well as there will be the ongoing problem of those who refuse help and want to stay on the streets. Nevertheless, the City can do something about the problem with the homeless situation.

Comr. Sobel indicated that Assistant City Manager Brian Donovan provided him with a summary of the Homeless Consortium attempts over the past six years. The intentions are good, but he did not see from the details what have been accomplished within the six years that has specific remedies to what has already been expressed as problems. Therefore, he is interested to see whatever the semantics are, to get a task force on the homeless specifically designed by staff to make recommendations of the kind he mentioned earlier such as provide food, bus tickets, housing and so forth.

Mayor Fisher indicated that he agrees with Comr. Sobel’s motion for a Task Force, but he wanted to dovetail into reporting that over the last six to eight months there has been a homeless coalition meeting once a month at St. Martin-in-the-fields church. This consists of St. Laurence Chapel, people from the Ad Hoc, residents, pastors, those who are feeding the homeless, which has been an issue, in addition, those churches that want to feed them. Therefore, the coalition is coming up with some long-term solutions. The key is to try to acquire a facility, and even Broward County has moved forward with the Ad Hoc facility on Blount Road that did not have a full kitchen in it, which they are currently funding to add. Once it is completed hopefully they will get the various churches that are feeding them on their own property to go out once a day to coordinate with the hope to provide other services such as health, welfare, and those mentioned by Comr. Sobel earlier. He concluded that food is available for the homeless who are being fed; therefore, housing is the crucial requirement for them.

In sum, Mayor Fisher indicated that homeless is a complex issue and City administration, as well as the County have been involved. Therefore, if the proposed Task Force were to start he would want them to incorporate their efforts with the homeless coalition group and to continue that momentum to realize the long-term goals and solutions to a very difficult problem.

Vice Mayor Burrie indicated that prior to the Mayor's comments, she wanted to second Comr. Sobel's motion for a task force and that they work together with those already working on the issue. However, she added that there are many veterans on the streets that are either embarrassed, ashamed and do not want to go out to ask for help. Finally, she knows persons who volunteer and are very good with this type of situation. Therefore, she could get them to become involved with the Task Force, if it would consist of people from the community, as well as staff.

Comr. Sobel responded that it could be whatever the Commission chooses to do. However, he thought they could start with staff making the recommendations or others who are already in place, but it should be specific to Pompano Beach.

MOTION: Comr. Sobel made the motion, seconded by Vice Mayor Burrie to get a Task Force in place and they will work, alongside those persons that are part of the coalition, based on all the comments made previously. The motion carried unanimously by voice vote.

Well Maintained City Beach Front – Comr. Sobel read an email he received from President Steve Snyder of the Bermuda House Condominium. It states, "Pompano Beach is probably the best maintained beach in Florida due to the excellent city workers I see working hard every day. Too often beach residents only file complaints. Please see that these workers get proper recognition, and if possible, a bonus for their good work." Comr. Sobel agreed with this comment because the beachfront is beautifully maintained. Therefore, he thanked the Parks and Recreation Department, Public Works Department and whoever it is that continues to do a phenomenal job on "our jewel."

Rotary Club Event – Comr. Sobel thanked the Pompano Beach Lighthouse Point rotary club who invited him to speak. He commended the group for their engaging attitude to want to make the cities and communities better.

City Commission Direct Staffing – Comr. Sobel indicated that he receives non-stop calls on the city phone line about things that need to be done and people asking his staff to call them back. However, Comr. Sobel indicated that he, as well as any of the other Commission members do not have direct staff. Therefore, he is easiest to reach by email, which he will respond as quickly as possible.

Pending Legislation for Condominiums – Comr. Sobel reported that several months ago he, the Fire Marshal and the Fire Department met with many of the condominiums on the beach who were concerned over a Bill for the emergency lifesaving systems. There was a deadline pending in legislation that would require a monumental expense and change to occur as of June 1. This did not pass in the legislature. Therefore, it is solely in the individual condominium boards to decide what their life safety plan should be for their building.

Additionally, Comr. Sobel indicated that he spoke about the complete comprehensive overall change of condominium law in the State of Florida, which affect so many buildings in District 1 and throughout the City. They have taken civil remedies, and issues of ethics, contracts, purchasing accountability and the state legislature has passed a law criminalizing potential bad behavior and conduct of condominium boards that were previously civil in nature. One of the things in the law is that there are now term limits of eight years maximum in condominiums in the State of Florida.

New Fishing Pier Ground Breaking Event – Comr. Sobel invited everyone to the new pier ribbon cutting January 2019. He may be getting ahead of himself, but he was excited and pleased to attend the groundbreaking event on Monday, May 22, 2017, at the new one of a kind Pompano Beach fishing pier. It was a wonderful event and he congratulated Horacio Danovich for doing a great job with this.

Water Taxi – Comr. Sobel stated that he has received positive responses about the water taxi coming to life. People are excited at the idea that they will be able to travel to Fort Lauderdale and surrounding areas and has been asking about the routes. Congratulations to the City for getting the water taxi station number one.

Sledge Hammer Presentation – Comr. Sobel stated that someone gave him the sledgehammer from the groundbreaking and all the Commission signed it along with City Manager Harrison. Therefore, he wanted to present it to Mr. Harrison and Mr. Danovich for the great honor in breaking ground for the pier rebuild.

Vice Mayor Charlotte Burrie – Cresthaven Civic Association Meeting – Vice Mayor Burrie thanked Captain Adkins for attending a Cresthaven Civic Association meeting at the last minute invite. The new group wants to clean up Cresthaven and have already contacted Code Compliance regarding those neighbors that are in violation of keeping their lawns mowed and maintained.

Broward Sheriff's Office (BSO) – Vice Mayor Burrie thanked Major John Hale, BSO, for providing police service at the Cresthaven Park on such short notice. She mentioned that a group of people desired to get together and needed to have a deputy present, which the Chief provided.

Additionally, Vice Mayor Burrie requested that BSO keep the current lieutenant assigned to the Cresthaven and Highlands area and hopes he is not rotated out of the area, which is a common practice by BSO when someone retires.

Solar Speed Signage – Vice Mayor Burrie asked who is responsible for signage on the roads. She stated that a resident in Cresthaven brought her some information on solar speed signs, which are solar operated and permanent. Due to the speeding that goes through the neighborhood it was suggested that perhaps those signs could be used in their area, as an alternative to speed humps on every street. She was unsure whether it was the City or Broward County who had to purchase them.

Captain Adkins, BSO, responded that he has been having discussion with Robert McCaughan, Public Works Director regarding the solar powered flashing lights. In fact, he has two quotes from different vendors, which would have to be purchased by the City of Pompano Beach. In addition, he stated that the lights are semi-permanent so they can be moved around to different areas where there are speed problems, in addition to the trailers BSO use.

Vice Mayor Burrie asked if Captain Adkins could find out the cost so she can plan to put it in the City's upcoming budget.

Mayor Lamar Fisher – Opening of the new Cultural Arts Center – Mayor Fisher thanked everyone who participated in the opening of the Cultural Arts Center on May 11, 2017. He said, "It was off the charts." City staff, CAC, and the many volunteers made it a spectacular event.

Mayor's Annual Prayer Breakfast – Mayor Fisher stated the next day, May 12, 2017, Horacio Danovich, Kayla and Tierra joined him at the Board of Realtors Mayor's Annual Prayer Breakfast. This was in support of, as well as promoted the City. All packets were taken, because the realtors know that the City is number one throughout the County. He thanked everyone who organized and attended the event.

Broward Sheriff's Office (BSO) Meeting on OPIODS – The following day, on May 13, 2017, Chief John Hale along with Dave Scharf, Executive Director of BSO Community Programs, Don Maines BSO Community Programs, Wally Eccleson of BSO, Tim Donnelly State Attorney's Office, Craig Mallak, J.D., M.D., Chief Medical Examiner, Heather Davidson United Way, Tom Albano Broward School Board Prevention Intervention, and especially Nora Rupert, Broward County School Board Member who presented the opportunity to talk about synthetic drugs in the community. The average is three to four persons die per

day from synthetic drugs. He recalled the drug “flakka” came to ground zero to Pompano Beach and the City and County did what it could to get rid of this drug. However, the synthetic drug is here and it is scary what this drug is doing to our City, County and Nation. He thanked everyone involved for bringing this awareness. Notwithstanding, more meetings will be held at the community level, perhaps at the Blanche Ely High School so people can hear what they can do. Overall, it is education on everyone’s part to get people off these drugs, because it has become a horrific problem.

Advisory Board/Committee Training – Mayor Fisher thanked Carrie Sarver and Mark Berman for the education on the Sunshine Law to the members of the Boards and Committees.

Heisman Trophy Winner Lamar Jackson – Mayor Fisher indicated that on May 19, 2017, the City honored Lamar Jackson, who was born and raised in Pompano Beach and played for the Pompano Cowboys. Currently, he plays football for Louisville, and finished his year by winning the Heisman trophy. In addition, he said City staff Scott Moore, and Mark Beaudreau were fantastic. The scoreboard at the McNair Park Football has complete pictures of Lamar Jackson and inside the facility, it has a trophy case with his jersey and helmet. Mayor Fisher indicated that it is phenomenal what this young man has accomplished and remain a humble person. He will become a big name in the NFL circle, and the City is very proud of him. Notwithstanding, he has a great name, “Lamar” Jackson.

Annual Fishing Rodeo Event – Mayor Fisher reported that on May 18-20, 2017, the annual fishing rodeo event took place and he thanked John Good for his dedication to this event. Particularly, on Friday night the first responders were honored from the Fire Department and the Broward Sheriff’s Office. Thanks to Captain Adkins for being there for this event.

Battle of the Bands – Mayor Fisher stated that on May 21, 2017 the Battle of the Bands that Comr. Perkins mentioned earlier was great and “Travis T Dog” was fantastic.

Pier Ground Breaking Event – Mayor Fisher indicated that on May 22, 2017, the ground breaking of the new pier was great.

Scholarship Endowment Program – Mayor Fisher indicated that last evening, at the Collier City Library, it was interesting that the Will Make It Endowment Scholarship program honored and gave out scholarships to about seventy plus students. In fact, a few of the same students also received scholarships earlier from Unity in the Community. Mayor Fisher thanked Dr. Will because he is a lifetime resident of Pompano Beach, who has taken it upon himself to make this foundation happen and provide scholarships to the youth which was very exciting. Mayor Fisher offered thanks for making this happen.

Upcoming Events

Mayor Fisher announced the following upcoming events:

Staff Retirement – This coming Wednesday, May 24, 2017, one of Robin Bird’s employees, Diane Taylor, retires and he wanted to thank her for her many years of service to our City. Mayor Fisher invited everyone to stop by the Development Services Department to wish Ms. Taylor best wishes on her retirement and for being a great asset to the City.

Budget Workshop – On Thursday, May 25, 2017, at 9:00 a.m. the City will hold its first budget workshop in the City Commission Chamber, to hear about the first opportunity for the 2018 budget.

Memorial Day Celebration – On Monday, May 29, 2017 at 9:00 a.m., the annual Memorial Day celebration will take place. Mayor Fisher invited everyone to come out to the Westview Cemetery. A ceremony will be held there followed at 11:00 a.m. a gathering at the McNab Park for a parade into the Pompano Beach Cemetery and followed by an opportunity to honor those persons on Memorial Day. He therefore urged everyone to come out and join in the activities planned for the day. Every year the Veterans and the Legion get together. Special thanks to Andy Buglione for what he does with the Boy's Scout. He was honored in the Pelican newspaper few weeks ago. Thanks to Anne Siren for that article. He is an incredible person who continues to serve even at the age of 90 plus.

Short Term Rentals – On June 5, 2017 at 6:00 p.m. there will be another meeting on Short Term Rentals in the Commission Chamber.

Job Fair – On June 6, 2017 from 11:00 a.m. to 2:00 p.m., the Pompano Beach Community Redevelopment Agency (CRA) will be hosting a job fair. Mayor Fisher invited those who are looking for job opportunities to attend.

Panhandling at Intersections – Mayor Fisher concurred with Comr. Hardin's comments regarding the panhandling at the intersections. He said Major Hale is well aware of this issue, because he calls him consistently on it. He is now tired of this situation. He mentioned that he had championed an ordinance several years ago concerning this issue. Panhandlers on major streets and corridors were not allowed for safety reasons. Mayor Fisher emphasized it is intolerable and he had told Chief Hale if it was not addressed he would be speaking out about it from the dais.

Mark E. Berman, City Attorney stated that they are working on a revised ordinance for solicitation based on changes in federal case law affecting the City's ability to deal with the situation.

Mayor Fisher understands the need to amend the ordinance, but he believes the City ordinance is strong and desires to see it enforced.

Chief Hale reported that they had an operation a few months ago resulting in the arrest of 27 people who were charged with state charges. However, the Broward State Attorney's Office dropped every one of the 27 charges, citing the federal case law. Therefore, they are now in a position where they need the laws and ordinances that they know are federal case law against the offenders. Therefore, he will rely on the City Attorney's office at this point.

Mayor Fisher stated it has been discussed prior, the ordinance is there, but we need to enforce the City's ordinance in place. In sum, this situation must stop. Therefore, he thanked Comr. Hardin for bringing this matter to attention once again. Finally, Mayor Fisher indicated that Mr. Berman will need to work hard on this.

Comr. Sobel asked if in the next ordinance amendment, could they include language prohibiting the drop-off of homeless people in the city, because he understands that this practice has been frequently done.

Mr. Berman indicated that this is not found in the solicitation ordinance. However, staff can explore the possibilities of enacting an ordinance for this.

G. ADJOURNMENT

The meeting was adjourned at 9:10 p.m.

Lamar Fisher, Mayor

Ascelela Hammond, City Clerk