



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor

Beverly Perkins, Vice Mayor

Rhonda Eaton, Commissioner

Cyndy Floyd, Commissioner

Andrea McGee, Commissioner

Tom McMahan, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceleta Hammond, City Clerk

Tuesday, December 8, 2020

1:00 PM

Commission Chamber

Virtual City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the Virtual City Commission meeting to order at 1:05 p.m.

ROLL CALL

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

APPROVAL OF MINUTES

[21-120](#) Virtual City Commission Meeting Minutes of November 10, 2020

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

APPROVAL OF AGENDA

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

CONSENT AGENDA DISCUSSION

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

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

A. PRESENTATION

[20-658](#) Strategic Plan 2019-2024 and Action Agenda 2019-2020 Quarterly Progress Presentation.
(Fiscal Impact: N/A)

(Staff Contact: Ernesto Reyes)

The Presentation was ACCEPTED.

PROCLAMATION

Proclamation presented to Robert "Bob" Shelley for his many years of distinguished services to the City of Pompano Beach.

Mayor Hardin mentioned that during this time of the City Commission meetings, proclamations are not presented due to the public being disallowed to meet as they would normally do. However, he wanted to take a moment of personal privilege to read this proclamation into the record, for a well deserving citizen, Robert "Bob" Shelley who has given a great amount of his life in serving not only the City of Pompano Beach but his country, the United States of America. He indicated he will personally deliver the proclamation to Mr. Shelley at his home.

Mayor Hardin noted that Mr. Shelley committed his selfless efforts to the advancement of the City and is one of those citizens who is the foundation of the community, as well as one of the City's most valuable individuals. Mr. Shelley has served the City of Pompano Beach, the State of Florida and the United States Army. He served as Firefighter, Fire Chief, State Representative, City Commissioner and a member of various City Boards.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. CONSENT AGENDA

Mayor Hardin asked for a motion to Approve/Adopt Consent Items 1-10, and 12-19.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton to Approve/Adopt CONSENT ITEMS 1-10 and 12-19. The motion carried unanimously.

1. [21-17](#) Approve ranking order for RLI E-24-20, Continuing Contract for Architectural Services, and authorize staff to negotiate contracts with the highest ranked firms, Bermello Ajamil & Partners, Inc., Cartaya and Associates Architects, P.A., Design Kollaborative Architects Planners, Inc., Dorsky Yue International, Gallo Herbert Architects, Jorge A Gutierrez Architect LLC, Saltz Michelson Architects, Inc., Synalovski Romanik Saye, LLC., and Walters Zackria Associates PLLC. (No cost at this time.)
(Fiscal Impact: N/A)

(Staff Contact: Tammy Good/John Sfiropoulos)

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

2. [21-115](#) Approve ranking order for RLI T-28-20, Continuing Contract for Construction Engineering Inspection (CEI) Services, and authorize staff to negotiate contracts with the highest ranked firms, Baxter & Woodman, Inc., Lakdas/Yohalem Engineering, Inc., R.J. Behar & Company, Inc., KCI Technologies, Inc., Rummel, Klepper & Kahl, LLC. (RK&K)., Calvin, Giordano Associates and Craven Thompson & Associates, Inc.
(Fiscal Impact: (No cost at this time.)

(Staff Contact: Tammy Good/John Sfiropoulos)

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

3. [21-110](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SCP POWERLINE, LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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

Enactment No: RES. No. 2021-28

4. [21-25](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PROJECT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FLORIDA INLAND NAVIGATION DISTRICT,

ACCEPTING A GRANT NOT TO EXCEED \$475,000 FOR THE ALSDORF PARK DOCK AND SEAWALL REPLACEMENT, AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$475,000; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$475,000.00)

(Staff Contact: Tammy Good/Anthony Alhashemi)

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

Enactment No: RES. No. 2021-29

5. [21-90](#) Approve ranking of RFP P-29-20, Micro-Transit Transportation Services, and authorize staff to negotiate a contract with the highest ranked firm, Circuit Transit Inc. (No cost at this time).

(Fiscal Impact: N/A)

(Staff Contact: Jeff Lantz/Suzette Sibble)

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

6. [21-91](#) Approve ranking order for RFP E-02-21 Pompano Beach Fire Rescue Medical Director, and authorize staff to negotiate a contract with the highest ranked firm, Richard J Paley MD LLC (No cost at this time).

(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

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

7. [21-104](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AN AGREEMENT BETWEEN THE CITY OF LIGHTHOUSE POINT AND THE CITY OF POMPANO BEACH FOR THE PROVISION OF FIRE CODE OFFICIAL/FIRE MARSHAL SERVICES, INCLUDING FIRE PLANS REVIEW, AND OTHER RELATED DUTIES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: \$2,000 monthly payments to Pompano Beach and fees for inspectable properties and plans review in accordance with our fire prevention fee schedule)

(Staff Contact: Chad Brocato)

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the

Consent Agenda. The motion carried unanimously.**Enactment No: RES. No. 2021-30**

8. [21-106](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A BUSINESS ASSOCIATE AGREEMENT BETWEEN THE POMPANO BEACH FIRE RESCUE DEPARTMENT AND THE COMMISSION ON ACCREDITATION OF AMBULANCE SERVICES FOR CONFIDENTIAL REVIEW OF RECORDS FOR ACCREDITATION PURPOSES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

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

Enactment No: RES. No. 2021-31

9. [21-114](#) Approve ranking order for RFP T-43-20, Emergency Rental of Tents and Canopies, and authorize staff to negotiate contract with the highest rank firm Elite Tent Company.

(Fiscal Impact: No cost at this time)

(Staff Contact: Kate Belcher/Mark Beaudreau)

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

10. [20-553](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND THE CITY OF LIGHTHOUSE POINT FOR USE OF THE CHARLOTTE J. BURRIE COMMUNITY CENTER IN THE EVENT OF A REQUIRED EVACUATION DUE TO A HURRICANE OR ACT OF GOD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City of Lighthouse Point to pay \$1.00 per annum as compensation for MOU.)

(Staff Contact: Mark A. Beaudreau)

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

Enactment No: RES. No. 2021-32

11. [21-40](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST EXTENSION AND AMENDMENT TO THE AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND SONATA KAZIMIERAITIENE DATED JANUARY 16, 2020; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: NA)

(Staff Contact: Laura Atria/Phyllis A. Korab)

Comr. McGee pulled the item for an update on the project delays that have impacted some of the art projects.

Laura Atria, Public Art Program Manager, reported that Sonata Kazimieraitiene works in the BaCa Building and due to COVID-19, the kiln room has been shut down for safety reasons, so all of her work that needs to be fired in the kiln had ceased, which has caused the delay. Consequently, they have reopened and they are cleaning it again.

There was no public input on this item.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2021-33

12. [21-70](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND WILLIAM SAVARESE, INC. FOR ASPHALT ART - THE CROSSROADS CONNECTION PROJECT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$34,000.00)

(Staff Contact: Laura Atria/Phyllis A. Korab)

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

Enactment No: RES. No. 2021-34

13. [21-76](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, ACCEPTING A GRANT IN THE MAXIMUM AMOUNT OF \$360,000 FOR DESIGN OF THE AIR TRAFFIC CONTROL TOWER, AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$90,000; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: \$90,000)

(Staff Contact: Steve Rocco/Robert McCaughan)

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

Enactment No: RES. No. 2021-35

14. [21-105](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DISTRICT FOUR (4) AMENDMENT NUMBER NINETEEN (19) TO LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS ON STATE ROAD A1A (NORTH OCEAN BOULEVARD); PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

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

Enactment No: RES. No. 2021-36

15. [21-48](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF MUNICIPAL LIENS BETWEEN THE CITY OF POMPANO BEACH AND CRISTOBAL VELOZ AND IRIS VELOZ TO RESOLVE PENDING CITY'S FORECLOSURE ACTION AGAINST 1620 NE 41ST COURT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$33,000.00)

(Staff Contact: Fawn Powers)

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

Enactment No: RES. No. 2021-37

16. [21-94](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REINSTATEMENT AND FIRST AMENDMENT BETWEEN THE CITY OF POMPANO BEACH AND A-EXCELLENT SERVICE, INC. TO PROVIDE HVAC MAINTENANCE AND REPAIR SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$200,000.00)

(Staff Contact: George Buenaventura/Brian Donovan)

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

Enactment No: RES. No. 2021-38

17. [21-116](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH PURSUANT TO CHAPTER 96 OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, ASSESSING COSTS FOR ABATING NUISANCES UPON CERTAIN LAND(S) LOCATED WITHIN THE CITY OF POMPANO BEACH AND PROVIDING THAT A NOTICE OF LIEN SHALL ACCOMPANY THE NOTICE OF ASSESSMENT; SETTING OUT ACTUAL COSTS INCURRED BY THE CITY TO ACCOMPLISH SUCH ABATEMENT IN LEVYING THE COST OF SUCH ABATEMENT OF NUISANCES; PROVIDING FOR AN EFFECTIVE DATE AND FOR A DUE DATE AND INTEREST ON ASSESSMENT; PROVIDING FOR THE RECORDING OF THIS RESOLUTION AND DECLARING SAID LEVY TO BE A LIEN UPON THE CENTRAL PROPERTY FOR UNPAID ASSESSMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Michael Rada/David Recor)

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

Enactment No: RES. No. 2021-39

18. [21-122](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO

BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PURE RESIDENCE RESORT POMPANO BEACH, LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jeff Lantz)

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

Enactment No: RES. No. 2021-40

19. [21-125](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING THE POMPANO BEACH WATER SUPPLY FACILITIES WORK PLAN 2020 UPDATE AS REQUIRED BY FLORIDA LAW; PROVIDING AN UPDATE TO THE PLAN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

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

Enactment No: RES. No. 2021-41

C. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that items 20 and 21 are listed under Quasi-Judicial Proceeding and are quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

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

20. [21-107](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE FIRST 95 DISTRIBUTION CENTER, PHASE II PLAT LOCATED WEST OF I-95 AND NORTH OF NW 10TH STREET; PROVIDING

AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department was sworn in by the City Clerk, and presented the item stating that the applicant is requesting plat approval for the 19.4 acres of First 95 Distribution Center Phase II Plat. This is located at 1001 and 1021 NW 12th Terrace, which is west of I-95 and north of NW 10th Street's right-of-way. The subject property has never been platted. She then described what the proposed item will accomplish by dividing the property in Parcels A and B, as well as the current use of the property, and that the buildings will be demolished. The applicant intends to construct two large warehouse buildings not to exceed 500,000 square feet. Surface parking and internal loading trucks operations are proposed between the two buildings. The Plat was unanimously recommended for approval by the Planning and Zoning Board on October 28, 2020. All conditions of approval have been met.

Keith Poliakoff, Esq., on behalf of the applicant, 20 E. Las Olas Blvd., Suite 1000, Fort Lauderdale, FL, indicated that he was sworn in prior when Ms. Dolan was being sworn in by the City Clerk. He indicated that Mike Vonder Muelen of Keith, prepared an in-depth presentation, but he did not believe he needed to do it. He mentioned that the subject property is the southern piece of the northern piece that the City Commission had already approved. Therefore, they have worked with staff to get this under contract and to clear the code violations there prior to closing. This step was needed to start the site planning and redevelopment of the entire area. Finally, Mr. Poliakoff indicated that they are looking forward to the major investment that they have made in Pompano Beach.

There was no public input on this item.

Vice Mayor Perkins enquired as to what type of distribution center is proposed for this area.

Mr. Poliakoff responded that it is intended to be like a standard industrial distribution center similar to what is seen for the Amazon industry, where trucks come into a warehouse for loading and unloading of their goods.

In response to Vice Mayor Perkins question regarding demolition of the current buildings, Mr. Poliakoff responded that once the tenants' leases end, the goal is to demolish everything there, redevelop it and include it in the site plans that will be presented to the City Commission. It will be tied together with the northern property, which site plan has already been approved and is currently under construction.

Vice Mayor Perkins asked for the current zoning for the area, since there is an elementary school near the area.

Ms. Dolan responded it is zoned Industrial (I-1).

Vice Mayor Perkins requested that the City Manager or Development Services Department inform her when these projects are coming up in her District prior to printing it on the agenda. She indicated she would like to know about these projects in her district before they appear on the Agenda.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2021-42

21. [20-552](#) **P.H. 2021-30: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TWO FOOT UTILITY EASEMENT LOCATED ADJACENT TO THE EAST SIDE OF NW 27TH AVENUE RIGHT-OF-WAY, JUST SOUTH OF NW 34TH PLACE AND COMMONLY KNOWN AS 3444 NW 27TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department was sworn in by the City Clerk, and presented the item stating that this is a request to abandon two feet of a 12-foot-wide utility easement, recorded as part of the Pompano Industrial Park Third Edition Plat. The requirement for an easement vacation stems from a site plan development order condition to dedicate two feet of right-of-way along NW 27th Avenue, which is Blount Road, as per the County Traffic Ways Plan. The proposed easement vacation is approximately 652 square feet in area and is necessary to enable the construction of three additional one-story warehouse buildings on the subject property, through the site plan approved in 2019. Utility access will continue to be accommodated by the remaining 10-foot utility easement.

Keith Poliakoff, Esq., on behalf of the applicant, 20 E. Las Olas Blvd., Suite 1000, Fort Lauderdale, FL, indicated that there are no further comments on this item.

There was no input from the public.

Vice Mayor Perkins asked if this would be east of the Festival Flea Market just off Sample Road.

Ms. Dolan responded that the Festival Flea Market is north and west of the subject property, and is also zoned Industrial area.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Quasi-Judicial/ Ordinance be

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

END OF QUASI-JUDICIAL PROCEEDING

22. [21-39](#) Approval of the FY 2020-2021 Annual Action Plan in the amount of \$1,042,671 of CDBG Funds, CDBG-CV \$842,961 and \$453,413 of Home Funds for a total of \$2,339,045. (Fiscal Impact: CDBG, HOME & CDBG-CV 3rd Round Funds - \$2,339,045)

(**Staff Contact:** Miriam Carrillo/Alexander Goldstein)

Alexander Goldstein, Program Compliance Manager, Office of Housing and Urban Improvement (OHUI), presented the item and stated that Kimberly Spence from the Florida Housing Coalition will make a brief presentation on items 22, 23 and 24. This will be the annual overview of the Annual Community Development Block Grant (CDBG) Action Plan, as well as the Consolidated Plan and Analysis of Impediments.

Kimberly Spence, Florida Housing Coalition, a state-wide non-profit organization based in Tallahassee, Florida. Ms. Spence indicated that the Florida Housing Coalition was selected to prepare the City's 2020-2024 Consolidated Plan and Analysis of Impediments to Fair Housing Choice (AIFHC). These planning documents are required by Housing and Urban Development (HUD) in order to receive CDBG and HOME (Home Investment Partnerships Program) funding. She then provided a background on the Consolidated Planning process. They were engaged to prepare a five-year consolidated plan, which is a long-term plan that outlines the strategies and priority needs in the community and also how the funds will be allocated to address those needs. The City must prepare an annual action plan, which is a more detailed plan, which will go into the annual budget specific to each fiscal year. In addition, the City must prepare an "AIFHC" a fair housing plan that outlines specifically how the City is going to meet its obligation to affirmatively further fair housing.

Continuing, Ms. Spence provided a background on the CDBG and HOME funding. Attached is **Exhibit 2** of the overhead presentation regarding the various programs under the two funding resources and the details.

Mayor Hardin enquired about the HUD high risk indicator as illustrated on one of the slides presented. He understands that HUD looks at low-income housing not being clustered in those areas; which Ms. Spence confirmed that is correct and elaborated on this. HUD requires a balanced approach to the location of affordable housing, meaning that low-income persons should be able to reside in high opportunity areas which are areas that have access to good schools, jobs, and things of that nature.

There was no input from the public on this item.

Vice Mayor Perkins asked about the number of homes being repaired for the year, which she heard was 30-40 per year. Ms. Spence confirmed that amount is correct.

Vice Mayor Perkins mentioned that there is a community with a lot of old homes built in the 1950's and those homes would need a lot of repairs, which the amounts mentioned do not cover half of what needs to be done in the community, and especially for the seniors of that community. Therefore, more must be done to get the word out and educating the public when some of these housing repairs opportunity become available.

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

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

23. [21-38](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY'S 2020-2024 CONSOLIDATED PLAN AND 2020-2021 ANNUAL ACTION PLAN AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE LOCAL GOVERNMENT CERTIFICATIONS, SPECIFIC CDBG CERTIFICATIONS, OPTION CERTIFICATION CDBG, SPECIFIC HOME CERTIFICATIONS, HOPWA CERTIFICATIONS, ESG CERTIFICATIONS, AND APPENDIX TO CERTIFICATIONS; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: CDBG, HOME AND CDBG-CV - \$2,339,045)

(Staff Contact: Miriam Carrillo/Alexander Goldstein)

Alexander Goldstein, Program Compliance Manager, Office of Housing and Urban Improvement (OHUI), presented the item and stated that items 22, 23, and 24 were all addressed in the presentation made by Ms. Spence. Therefore, if there are any further questions regarding this item it could be addressed individually. This is regarding the Consolidated Plan and the Annual Action Plan presented prior under item 22.

There was no public input for the item.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2021-43

24. [21-92](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY'S ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE ANALYSIS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: No Fiscal Impact)

(Staff Contact: Miriam Carrillo/Alexander Goldstein)

Alexander Goldstein, Program Compliance Manager, Office of Housing and Urban Improvement (OHUI), presented the item and stated that Ms. Spence touched on the Analysis of Impediments in her prior presentation under item 22. Therefore, any additional questions will be addressed accordingly.

There was no public input for this item.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2021-44

25. [20-481](#) **P.H. 2020-76: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR

REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A BOND; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 8, 2020, OCTOBER 27, 2020 & NOVEMBER 10, 2020

FIRST READING: JULY 28, 2020

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and apologized for the several months in between the Readings. However, they were working with the communications industry consisting of several entities to address their concerns, so additional time was needed. There have been some changes since First Reading but they are all minor in nature and nothing significantly changed according to the City's Code of Ordinances. This proposed code amendment is required in order to be in compliance with the recently amended State Statute. Finally, staff received assistance from outside counsel.

There was no public input for this item.

Mayor Hardin indicated that the Commission received communication from various attorneys thanking the various staff members and Mark Berman's office for working with them through this process. Therefore, he congratulated Mr. Sfiropoulos and Mr. Berman and thanked them for their efforts in this regard.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: ORD. No. 2021-28

26. [20-440](#) P.H. 2021-11: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3709., "EAST OVERLAY DISTRICT (EOD)," BY MODIFYING DEVELOPMENT REQUIREMENTS FOR BUILDINGS IN THE EAST OVERLAY DISTRICT (EOD) AND BY RELOCATING STEPBACK REQUIREMENTS IN THE CODE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 10, 2020

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

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated this is the Second Reading of the Ordinance and there have been no changes since First Reading. The Proposed Text Amendments were drafted by a member of the public and proposes to modify the height designation and tower regulations in the Transit Oriented Districts (TOD). At the June 2020 Planning and Zoning Board meeting the Board unanimously recommended approval for the Proposed Text Amendments. In addition, the Community Redevelopment Agency (CRA) provided an email of no objection to the proposed changes and staff does not object to the test amendments as presented.

Dennis Mele, Esq., 200 E. Broward Boulevard, Fort Lauderdale. FL, representing the applicant indicated that he had no presentation, but added that the matter was reviewed and recommended by the Planning and Zoning Board.

There was no public input for this item.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: ORD. No. 2021-29**27. [21-10](#) P.H. 2021-32: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 156, "SIGN CODE," BY AMENDING

SECTION 156.08, "OVERLAY DISTRICTS," TO PROVIDE FOR LIMITED DECORATIVE SIGNAGE IN OVERLAY DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that the Proposed Text Amendment before the City Commission seeks to provide an alternative sign type for properties within any of the City's Overlay Districts (OD). Currently, the code limits the sign types to either a flat sign, a free-standing sign, blades sign or bracket sign. Not all properties within the OD are entitled to a free-standing sign. If approved, the code amendment would provide businesses the opportunity to design a creative sign for their property where the commercial message is limited to 6 square feet. The CRA has provided an email of no objection to the proposed changes and staff is recommending approval of the amendments as presented.

There was no public input for this item.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

28. [21-43](#) **P.H. 2021-12: (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 LABOR AGREEMENT BETWEEN THE FEDERATION OF PUBLIC EMPLOYEES AND THE CITY OF POMPANO BEACH FOR THE CONTRACT PERIOD BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Est Savings \$200K)

POSTPONED FROM NOVEMBER 10, 2020

(Staff Contact: Brian Donovan/Ed Beecher)

Brian Donovan, Assistant City Manager, presented the item and stated that there are two related items being

presented to the Commission for their consideration. First item is an ordinance to approve a one-year agreement with the Federation of Public Employees and the other is an agreement that expires at the end of September 2020 and the proposed agreement will expire in September 2021. Staff and the Federation have successfully negotiated and agreed upon a new agreement and the detailed explanation and analysis can be found in the backup information provided.

Overall, the proposed agreement provides for an estimated savings of approximately \$200,000. The Federation approved the agreement on November 17, 2020. In addition, the Federation provided a written request to have a Second Reading today, to allow the agreement to go into effect before the end of the calendar year. Reasons for emergency readings for both items, are that the proposed agreements contain potential tax savings for employees that can be taken advantage of before the end of the tax year, which is in December. Staff supports this request.

There was no public input for this item.

Mark Berman, City Attorney stated the nature of the emergency reading which is due to the emergency conditions that the State of Florida is currently under a State of Emergency, Broward County is under a State of Emergency, as well as Pompano Beach has declared a State of Emergency. The City has had limited number of meetings and opportunities to work on these matters, and based on the nature of this matter, it needs to be concluded by the end of the calendar year. Also, due to the holidays and the emergency COVID-19 crisis there is no opportunity to have additional readings prior to the end of the year. Therefore, staff is requesting an emergency declaration be made that this item be read a second time as an Emergency Ordinance.

Brian Donovan, Assistant City Manager, presented the item and stated that this is an emergency Second Reading for an Agreement between the City and the Federation. There are no further changes since his first remarks made under First Reading.

There was no public input for this item.

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

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be Declared an Emergency for Second Reading. The motion carried unanimously.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: ORD. No. 2021-30

29. [21-44](#) **P.H. 2021-13: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE POMPANO BEACH CODE OF ORDINANCES; BY AMENDING THE GENERAL EMPLOYEES' RETIREMENT SYSTEM TO IMPLEMENT RECENT CHANGES IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FEDERATION OF PUBLIC EMPLOYEES AND THE CITY OF POMPANO BEACH FOR THE PERIOD BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021; AMENDING SECTION 34.010, "DEFINITIONS;" AMENDING SECTION 34.020, "NORMAL RETIREMENT BENEFIT;" AMENDING SECTION 34.025, "CONTRIBUTIONS;" AMENDING SECTION 34.0263, DEFERRED RETIREMENT OPTION PLAN; AMENDING SECTION 34.038, "PENSION ADJUSTMENTS;" PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.
(Fiscal Impact: \$1,023,111)

POSTPONED FROM NOVEMBER 10, 2020

(Staff Contact: Brian Donovan/Ed Beecher)

Brian Donovan, Assistant City Manager, presented the item and stated that this is a companion ordinance associated with the Collective Bargaining Agreement that was recently adopted. The provisions in that Agreement will be reflected and codified in these proposed Code of Ordinances. Similar to what was stated earlier in the prior item 28, for the Agreement, a request is being made for an emergency Second Reading to allow staff to take advantage of the potential tax savings that exist, which ends December 31, 2020.

There was no public input for this item.

Mayor Hardin enquired if the same reasons mentioned by Mr. Berman in the prior item applies to this request for Second Reading.

Mr. Donovan responded yes.

Brian Donovan, Assistant City Manager, presented the item and stated that there were no further comments to

what was already stated under First Reading.

There was no public input for this item.

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

A motion was made by Commissioner McGee, seconded by Vice Mayor Perkins, that the Regular Agenda/ Ordinance be Declared an Emergency for Second Reading. The motion carried unanimously.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: ORD. No. 2021-31

30. [21-102](#) **P.H. 2021-29: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, "PARKS AND PLAYGROUNDS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 98.10, "FEES," TO PROVIDE FEE SCHEDULES FOR ANNUAL AND SEMIANNUAL PASSES FOR THE MUNICIPAL FISHING PIER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

Mark Beaudreau, Recreation Programs Administrator, Parks and Recreation Department, presented the item and stated that the daily fishing rates were implemented in June 2020 and since that time the monthly average of fishing is approximately 1,832 patrons. In total the pier has had 9,164 fishermen for a total revenue package of \$54,984. Based on the monthly average projected monthly revenue for fishing could be approximately \$11,000 per month. Therefore, staff recommends that the resident annual pass to be \$547.50 the non-resident annual pass to be \$1,095, residents semi-annual pass to be \$273.75 and non-resident to be \$547.50. He mentioned the calculations are detailed in the backup information provided to the Commission. Mr. Beaudreau

emphasized that when looking at the annual residents' pass it actually equates to \$1.50 per day.

There was no public input for this item.

Comr. McGee mentioned that a lot of work has gone into this venture and the people are loving the new pier and there are lots of attraction out there. However, she suggested that on the residents' sightseeing pass, with having the veteran's free entrance and children under 10, instead of groups of 10 could come down to groups of 4. With the pass it would allow the City to manage and collect data and really know what is going on at the pier. Therefore, she requested that if staff could bring this back to further discuss what will be done to bring the annual pass to include groups of up to 4 people.

Mayor Hardin suggested that Comr. McGee meet with the City Manager to determine how best her request could be accommodated and the necessity of bringing this item back to the City Commission for approval.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

31. [21-103](#) **P.H. 2021-28: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 132, "PUBLIC PEACE AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 132.35, "FISHING FROM BRIDGES," TO MODIFY LANGUAGE FOR PROHIBITION OF FISHING IN CERTAIN AREAS WITHIN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

Mark Beaudreau, Recreation Programs Administrator, Parks and Recreation Department, presented the item and mentioned that a few months ago, staff recognized that the signage, especially on the pier was deficient and this ordinance will serve to correct those deficiencies and allow the City Manager, if he chooses, to prohibit fishing from bridges and certain areas and parks. In addition, Mr. Beaudreau indicated that there could be some interpretive differences on Sections C, therefore, he would recommend that the City Commission approve First Reading now and on Second Reading staff will bring back the approved changes.

Mayor Hardin asked if there would be a change between now and Second Reading.

Mark Berman, City Attorney, stated that he already made the changes and this will be in the next reading. He has made the language clearer, which was brought to light after the item was submitted in the Agenda Management System. Mr. Berman mentioned that this does not allow the placement of the signs anywhere as provided and prevented by law. So, we will not see more places popping up in the City. This is just a mechanism for the City to put it where needed and that it is lawful.

There was no public input for this item.

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

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

32. [21-117](#) **P.H. 2021-31: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ENACTING A 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 ALLOWING OR PERMITTING THE CONSTRUCTION OF LOW INCOME HOUSING TAX CREDIT PROJECTS (LIHTC) OR OTHER STATE, FEDERAL OR LOCALLY SUBSIDIZED AFFORDABLE HOUSING PROJECTS IN ORDER TO EVALUATE AND ADOPT HOUSING DECONCENTRATION POLICIES AND REGULATIONS; PROVIDING FOR VESTED RIGHTS DETERMINATION; 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)

(Staff Contact: David Recor)

David Recor, Director, Development Services Department, presented the item and stated that in 2016, the City hired the Lambert Advisory Group (Lambert) to evaluate the City's market rate and affordable housing

markets. Specifically, Lambert was asked to engage in providing evaluation of the City's inventory aimed at determining the rent restricted, subsidized and market rate housing inventory and the conditions citywide, the Community Redevelopment Agency (CRA), and the neighborhood level. Lambert completed the evaluation and furnished the City with a study entitled "Affordable Housing Study Summary Findings" dated May 17, 2017 (Lambert Study).

The concern raised by the Lambert Study is that "a large proportion of Low-Income Housing Tax Credit (LIHTC) units are being developed in census tracts where there is already a concentration of existing rent restricted or subsidized units;" and further concentration of low-income families has a real impact on families and neighborhoods." Coincidentally, earlier Ms. Spence mentioned about the concentration of low-income housing units and the effect it has on the community. The Lambert Study emphasized that policies which promote the production of rent restricted affordable housing must do so in a way which concurrently encourages deconcentration of that affordable housing type.

Therefore, based on the Lambert Study, the City has determined that there is a legitimate public interest to further evaluate and potentially bring forward additional recommendations, supplementing the Lambert Study to the extent practical or such other measures as they deem necessary by the City's analysis to further the City's deconcentration of affordable housing units.

Staff is proposing a temporary moratorium on the processing of applications for and the issuance of building permits, development permits, site plan approvals, requests for funding matches or any other official action of the City of Pompano Beach having the effect of allowing further concentration of LIHTC units and other state, federal or locally subsidized affordable housing projects (Subsidized Housing). This will allow the organization the time to review, study, analyze, hold public hearings and prepare and adopt an amendment or amendments to the City's Consolidated Plan, Zoning Code and Comprehensive Plan or other City regulations.

Similar to most significant and sensitive policy issues, there have been additional discussions and a number of questions raised since the backup material was prepared and included in the packet. Staff is proposing a revision to the ordinance that clarifies all residential and or mixed-use developments within an approved development order signed and dated to the prior passage of this ordinance and or active projects that have been reviewed by the Development Review Committee (DRC), which is the City's internal working group of participants in the City's review process. They shall be considered automatically vested and they do not need to apply for a vested rights determination. Therefore, staff determined that they could make these revisions between the First and Second Readings, if this is the will of the Commission.

In closing, Mr. Recor emphasized that the moratorium imposed by this ordinance is temporary and, unless dissolved earlier by the City, it shall automatically dissolve within six (6) months from the effective date of this ordinance, unless it is extended.

Mayor Hardin asked the City Attorney if it is permissible to fine tune between First and Second Readings in the manner in which Mr. Recor just outlined.

Mark Berman, City Attorney responded absolutely, and added that Mr. Recor may have intended to say that this change is recommended by staff, which Mr. Recor responded absolutely. So, Mr. Berman indicated it is

common practice to change between First and Second Readings.

Claudia McKenna, Esq., Community Redevelopment Agency (CRA) Attorney, was available to answer any questions on the policy being considered as it is important for the CRA.

Dennis Mele, 200 East Broward Boulevard, Fort Lauderdale, FL, stated he heard the discussion particularly he heard Mr. Recor's comments on recognizing projects that already have approvals. However, Mr. Mele indicated that he is working on a project that would be covered by this ordinance. It does have an approval of an RPUD and a site plan, which will need to be amended. Therefore, he wondered if this project has the approval of the development order but need to amend it, is the moratorium going to preclude them from being able to do that until the expiration of the moratorium.

Mayor Hardin asked the City Attorney to address this question.

Mr. Berman responded it might, if it is an extensive change, because the change may not reflect what was already approved, and elaborated on this response.

Ms. McKenna added that for Mr. Mele's benefit, this exercise is to ensure that the City does not compete with the policy that they are trying to promote. Therefore, applicants who come in whether it is for a new project or they want to substantially change a project, will sign an affidavit that basically says, "My housing project or my application does not involve or does involve subsidized housing as that term is defined in the ordinance." As mentioned by Mr. Berman, it will depend on what the application looks like and what the applicant is going to be able to represent to the City, what type of housing project it is whether it is at market or subsidized rate.

Mr. Mele mentioned one of his reasons to posing his question is the proposed change to the plan that were already shown to the staff and there has been some comparison about what was previously approved and what they are proposing. However, if it is too early to tell, he understands.

Mr. Recor stated that there are criteria in the zoning ordinance specifically for planned developments that identify criteria by which staff would make a determination whether a change would be a minor amendment or if it is such a significant change that it would have to go back through the process. So, there are criteria in the ordinance that guide the decision-making process.

Michael Moskowitz, Esq., Moskowitz Mandell Salim & Simowitz, 800 Corporate Drive, Fort Lauderdale, FL, representing Pompano Beach Living (PBL), with a project known as Highland Oaks, the same project Mr. Mele was addressing earlier. This is an affordable housing project. Also, PBL owns the property since 2007. In addition, Mr. Moskowitz mentioned that they submitted a letter via email today to the Mayor, Commissioners, City Attorney and City Manager at approximately 11:00 a.m., and requested that this letter be made part of the record which references their opposition to this proposed moratorium. He then provided a background of the various developments over the years that his organization have worked with the City to develop projects fully vested in the City to include the current proposed development of 138 townhomes, which is an affordable housing project. Therefore, they opposed the moratorium, which they believe has been poorly conceived, rushed and it is justified on a Florida housing study, which is three and half years old, and stale on any numbers that maybe contained within that housing study. They are also concerned that the

proposed moratorium is motivated by the City's openly stated opposition to Highland Oaks being developed as an affordable housing project. He then provided the reasons for his comments.

Mr. Moskowitz concluded that they believe the proposed moratorium discriminates against racial minorities, people with disabilities on the basis of age, as well as other violations of federal and local state laws. This exposes the City to all types of potential liabilities, injunctive relief, damages and punitive damages none of which they are interested to engage in. Therefore, he requested that the City table this issue at this juncture until further study can be done, justifying the action or that the City reject this outright.

Mayor Hardin indicated that Mr. Moskowitz referenced a letter he wants entered into the record that was emailed to the City Commission earlier today, however, they have been in meetings all day and have not seen such a letter.

Mr. Berman mentioned that he did not see that letter either and he cannot agree with much of what he says on the record. Therefore, since the mentioned letter has not been received, his response would be that there is a process in place and a fair process to ensure everyone's vested rights is recognized. If Mr. Moskowitz and his clients need to participate in that process, they can do so and will see what the outcome will be. He reiterated that this would not be held up under that process because it is a workforce housing or low-cost housing project. Rather it would be because there is an RPUD that is the basis for this project. Also, there is a site plan that is adopted as part of the RPUD. The goal is that the City will work through every application in process and determine that it is in fact vested. If that is impossible based upon the degree of change to the approved zoning, then the City would not be able to do that.

Comr. Eaton recalls this project coming before the Commission some time ago as mixed use and mixed subsidized housing and market level housing together. Nevertheless, she thinks this item is a good thing. The importance of how the City develops going forward, of course affordable housing is needed, but in providing affordable housing the City does not want to repeat the mistakes of the past. She cited a recent article in the Sun Sentinel newspaper of a project in Lauderhill where there is a stubborn crime problem, and they were perplexed as to why this is happening. The archaic grid pattern in District 2 and other areas throughout the City to include Collier City, of which she has been looking to find solutions to "take back our neighborhood." She found some information on creating defensible space and wanted to know more about this. The publication where she read up on this was published by the Department of Housing and Urban Development, which is a Rutgers University study. She will provide the study to City Manager Harrison to review and to ensure that members of the City Commission receive a copy, because this is a great read on affordable housing projects in Chicago, St. Louis and other areas throughout the United States citing some projects that did not work after investing millions of dollars for workforce/affordable housing that turned out to be locations that encouraged drive by shooting and drug operations within some of those cities.

Mr. Recor stated he heard the points made by Mr. Moskowitz, which are important considerations. This is why the working team was assembled to include attorneys, internal working group to include multiple departments and staff did recognize that the Lambert Study was somewhat outdated. This is the reason why Mr. Lambert was retained to perform follow-up work with the internal working group. This initiative is much bigger than one project. Hence the request for a temporary moratorium to afford the City the opportunity to review, study and return to the City Commission with recommendations.

Mayor Hardin mentioned that earlier the Commission heard from HUD and they alluded to Pompano Beach is of some concern with clustering. Under the Obama administration they had recommended de-clustering of communities.

Ms. McKenna noted that HUD has a deconcentration policy, which is embodied in the US Code. The City is not re-inventing the wheel in this case. In fact, staff and the attorneys are looking at what will be the best regulations that will accomplish what is needed for the City of Pompano Beach. It is important to understand that there are federal deconcentration policies, and as well Florida Housing Financial Corporation builds their deconcentration policy into their distance separation requirements when they issue various RFA's. This is not something that the City of Pompano Beach just quickly decided to do. Rather it is a natural progression of when the City decided to hire the Lambert Group to come in and look at this issue from a citywide perspective.

Vice Mayor Perkins enquired if it will take six months to review this matter.

Mr. Recor indicated that the six months is the specific time being asked for the moratorium to be in place. The review and recommendations can be completed within this timeframe.

An extensive discussion followed between Vice Mayor Perkins and Mr. Recor on the timing and reason for bringing this issue before the Commission for approval.

Vice Mayor Perkins indicated that she will not vote for the item, because of the tax credit section, which she has no knowledge of, as well as she is leery whenever the CRA is involved with certain matters.

Comr. McGee indicated that there is a lot of information and different articles that she has seen on the overdevelopment of any one industry whether it is housing or commercial. Therefore, she believes this is a smart move on the City's part to evaluate and see where we are and ultimately where things should be.

Mr. Berman indicated that Ms. McKenna and Mr. Recor covered most of what he wanted to add. He reiterated that staff does not get to decide what developers do with their properties, which is the basic tenet of the law. What needs to be done as per the Lambert Study, per the federal/state regulations is to determine what level of concentration of tax credit housing the City wants in certain areas. This is therefore, to ensure that where the tax credits are used, they are the most effective, and provide the most relief for the residents in the proper scheme of development. The item heard from both Mr. Mele and Mr. Moskowitz is in process to some extent from what they are saying. The City has provided a process where hopefully this will not catch them up. This has nothing to do with the type of project, whether it is taxed, low cost, or workforce housing. From what they are saying it is a change in their site plan, a change in their zoning, which is a different element that will be considered. In sum, this is to move forward and not to prevent progress from any individual developer including those that spoke earlier.

Mayor Hardin mentioned that he supports this effort, which is long overdue. He has stated before, continuously, that he is concerned with the amount and location of affordable housing projects in Pompano Beach. While there is a definite need for affordable housing throughout Broward County and Southeast Florida in many areas of the country, but Pompano Beach has stepped up much larger than many other communities in

South Florida with the quantity of affordable housing that the City has, especially the low-income tax credit housing. He is concerned about the clustering aspect of it and referred to studies that have documented the long-term effects for low-income residents who live in a low-income clustered area versus low-income residents who live in a moderate-income clustered area. The long term outcomes for those who live in a different area are much more positive than for all those grouped together in a low-income environment. In sum, he does not want people to be living in the projects in the City of Pompano Beach. The City is a leader in affordable housing and have recognized the need for it, however, other cities need to step up to assist in this regard, which will alleviate the clustering that Pompano Beach is experiencing at this time. This is a great step to put some guidelines in so that Pompano Beach does not become the only place for low-income tax credit projects.

Mr. Recor indicated that Habitat for Humanity has an approved site plan, an approved development agreement with the City and are moving forward with construction. He does not see any impact on the Habitat for Humanity housing development that was approved in 2017. Likewise, there have been potential discussions about potential housing authority projects. Therefore, any recommendations that they will bring forward to the Commission, the work group is cognizant of not wanting to have an adverse effect or non-intended consequence on any project that the Housing Authority maybe moving forward. In sum, he does not see an impact for Habitat for Humanity and they are ensuring that there is not an impact on Housing Authority initiatives that maybe forthcoming.

Mayor Hardin asked about the impacts this would have on the Sonata project on Dixie Highway.

Mr. Recor responded that they already have a development order and it is good to go. In fact, the revision requested between the First and Second Reading is specifically being recommended to address that vesting matter. Therefore, if a project has reached the level of the Development Review Committee (DRC) it is considered vested.

Comr. Floyd stated that she agrees partially with Mayor Hardin and Vice Mayor Perkins. She is aware that Pompano Beach has quite a bit of low-income housing, but because she is not fully knowledgeable on the low income tax credit project and how it works, she would like to be more informed before she vote yes/no to something that could negatively impact someone's life.

Mayor Hardin encouraged Comr. Floyd to contact City Manager Harrison and he will be able to get the right people to explain what the low-income tax credit is and how it works.

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

Yes: Eaton
McGee
McMahon
Hardin

No: Floyd
Perkins

33. [21-89](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MARK DARMANIN TO THE GENERAL EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH FOR THE TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON DECEMBER 6, 2023; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Mark Darmanin, **Incumbent** - Coral Springs

George M. Abraham - District 3

Kenneth A. Campbell - District 3

Susan M. Gingerich - District 5

Phillip Smith - District 1

Eve Lewis - District 3

(Staff Contact: Asceleta Hammond)

A motion was made by Mayor Hardin, seconded by Vice Mayor Perkins, that the Regular Agenda/ Resolution be ADOPTED and to insert the name MARK DARMANIN, who was nominated by Mayor Hardin. In addition, Vice Mayor Perkins nominated Kenneth A. Campbell. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Hardin

No: Floyd
Perkins

Enactment No: RES. No. 2021-45

34. [21-124](#) Appointing a City representative to be a member of the Board of Directors of the Broward Metropolitan Planning Organization to represent the City and attend monthly meetings.

(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

Greg Harrison, City Manager, presented the item and stated that the Executive Director is asking for a replacement for Vice Mayor Moss since he was not re-elected to the City Commission. Therefore, He placed the item on the agenda. He recalled that Comr. McGee had asked to serve on this Board when she first got elected and during his one-on-one sessions, Comr. Eaton informed him that she would also like to serve on this Board. This is a Commission decision to elect a member to serve on this very important Board.

Mayor Hardin asked about the time and duration of these meetings.

Mr. Harrison responded that they are held monthly, on a week day, and could last one hour and half to five hours, which depends on what is on the agenda.

Mayor Hardin asked for nominations for serving on the Metropolitan Planning Organization (MPO) as a representative from the City.

Comr. Eaton nominated herself and Comr. McGee nominated herself.

Comr. Eaton provided her reasons for wanting to serve on the Board and how she could make a difference representing the City.

Comr. McGee provided her reasons for wanting to serve on the Board and how she could make a difference representing the City.

Comr. Eaton withdrew her nominations after highlighting the need to ensure certain dollar amounts are identified for the internal projects such as bridges and neighborhood streets for the City of Pompano Beach, which Comr. McGee agreed with, and added the push for public transportation.

Mayor Hardin thanked both Commissioners for stepping forward to volunteer to represent the City, which is a tremendous commitment of time and resources.

Comr. Eaton mentioned that she would like to continue to represent the City on the Broward League of Cities, however, she is willing to share the responsibility with any other Commissioner wishing to serve on this Board.

Comr. McGee was nominated as the representative on the MPO, which was unanimously voted for by voice vote.

D. REPORTS

Gregory Harrison, City Manager - Annual Fire Chiefs Association Award Ceremony - Mr. Harrison reported that three City representatives were recognized at the Annual Fire Chiefs Association Award Ceremony, which was virtually held. Pompano Beach Medical Director, Dr. Michael Farrell was recognized as physician with outstanding contribution to emergency medical services. Retired Chief John Jurgle was given The Chief Donald DiPetrillo Paramedic Lifetime Achievement Award, and Kimberly Spill was recognized for her

role as Chair of the Emergency Management Sub-Committee.

Recognition of City Employees - Mr. Harrison gave a shout out to Finance Director, Andrew Jean-Pierre and his staff, Office of Housing and Urban Improvement (OHUI) Director, Miriam Carrillo and her staff who have abounded with efficiencies on the Cares Act Program by getting the funds out to small businesses and residents that needed rental assistance. Assistant City Manager, Suzette Sibble who is over this group was also recognized for her assistance. He said they have all done an excellent job. In addition, Mr. Harrison thanked Earl Bosworth and Chris Clemens who were the key players in working with the Small Businesses funds from the Cares Act.

Mayor Hardin also mentioned that Mr. Bosworth also heads up the Feeding South Florida and the distribution events that are held every other Thursday, which at Thanksgiving there was turkey give-away. Great effort from so many staff members.

In addition, Mr. Harrison recognized Public Communications Director, Sandra King, who has been working since last July on an antiquated analog communication system that the City has on Channel 78. Ms. King and her crew along with personnel she hired, have now changed this channel over to a completely digital format, which has not been easy. She also self-taught herself on how to conduct the zoom meetings for the City Commission and other Boards such as Planning and Zoning Board, Zoning Board of Appeals and others.

Best Wishes - Mr. Harrison wished everyone a Merry Christmas and a Happy New Year.

Mayor Hardin congratulated all those employees who have done and are doing a great job for the residents of the City of Pompano Beach.

Mark Berman, City Attorney - Best Wishes - Mr. Berman wished everyone a Happy Holiday.

Asceleta Hammond, City Clerk - Best Wishes - Ms. Hammond wished everyone a Merry Christmas, Happy Hanukah, Happy Kwanza, and a Prosperous and Healthy New Year.

Commissioner Rhonda Eaton - Best Wishes - Comr. Eaton wished everyone a Happy Holiday and a Happy New Year.

A Bill to Tallahassee for Cell Phone Signal - Comr. Eaton stated that on the agenda earlier subsidized housing was discussed, which she would like to add a comment on that has affected her. She indicated that she has a friend that is living in the Heritage Station, which is a government subsidized senior living building and they are having difficulty with cell phone service, where it is difficult to get signal in the building. This was brought to the attention of the City Manager, staff and the Fire Department. Due to the strict codes of the City the buildings are built solid with steel and impact windows that help to make it difficult to receive signal for cell phones, which is important to have in these types of buildings that provide housing for residents such as seniors and handicapped persons. Therefore, she suggested that the City re-examine the Codes to see if this could be amended. Also, if possible, to write a Bill to get one of the local representatives to get this to Tallahassee and require any development project that is provided with tax dollars, subsidies from either federal, state or local level, require adequate signal, which may mean putting a booster on the building, which is commonly accepted

and done in private projects. Therefore, she would like to see every low-income/subsidized and senior facility receive adequate cell phone service and free Wi-Fi.

MOTION: A motion was made by Comr. Eaton, seconded by Comr. McGee that this request be moved towards staff and see if a Bill can be sent to Tallahassee in the next year or two to get that legislation passed. The motion carried unanimously.

Comr. McGee added that there are other apartment buildings experiencing the same issue of low signal and suggested that this matter could go towards the building code. She suggested to defer this matter to staff for them to determine how this would best be structured and what is doable. The consensus of the Commission is that this should be for the building codes requirements in general. However, the City could start with the federally subsidized buildings.

Mayor Hardin mentioned that City Manager Harrison could commence work on this to figure how the City's local lobbyists could get involved.

Recovery Residences Regulation - Comr. Eaton offered kudos to the past Commission, Mayor Hardin, and former Vice Mayor Burrie, as well as City Attorney Mark Berman, and City Manager Harrison who all worked hard on the recovery residences regulation, which was expensive and took a long time to happen. The Fire Emergency Management Team (EMT) is aware of the residences and what is going on as there are times, they are called to a particular residence more than three times within a short period of time. Therefore, she would like to see if there is a way the City could interface with Fire's EMT to determine where their calls are going to those recovery residences. These should be checked out with Code to ensure these residences are run properly and in accordance with the City's code.

Mayor Hardin requested that City Manager Harrison meet with the Fire Chief and check into some stats to find out some of the incidents that Comr. Eaton mentioned earlier. Once the stats are determined, City Attorney's Office could liaise to ensure all legal steps are in place and to ensure the City can take whatever necessary action that can be taken.

Mr. Harrison indicated he will be happy to take this matter on, but cautioned that the City must be careful. He recalled several years the City started to be a little overly aggressive and found out quickly that the American Disability Act protects this class of sickness. Nevertheless, he will "tread lightly on that" and come up with information to share with the Commission.

Comr. Eaton suggested starting with the Business Tax Receipts (BTR) registered as recovery residence and then to determine if they are accredited by Florida Association for Recovery Residents.

Clubs in I-X Districts - Comr. Eaton indicated that the City has had issues with clubs in the I-X Districts, which she does not support. Now there are clubs in the I-1 Districts, which should not be. Currently, she has two of these in District 2, which is her district. Both of these abut up to single-family residential units. She would like to see if anything can be done regarding this situation.

Audience to be Heard - Comr. Eaton stated that as the City gets back to doing business post-COVID-19,

Audience to be Heard (ATBH) was done for approximately thirty minutes or speakers were limited to ten, whichever is less. Over the years she has heard accusations, anger expressed, and mostly the Commission does not get to respond to these comments. It is the Commission's responsibility to do the business of the City as well as have the obligation to staff members and does not think quasi-judicial proceedings should be conducted at the late hours of the night, which has been known to have happened over the years. Therefore, she suggested that Audience to be Heard should be moved to the end of the Commission meetings instead of the beginning. She believes the business of the City should be first on the agenda.

Mark Berman, City Attorney, pointed out that this matter is set forth by the Code of Ordinances and would require a change to the Code. Currently, there is Section 30.07 regarding the Rules and Conduct of Meetings, it is the only thirty minutes set aside in the beginning or ten members of the public to speak whichever is less, and then the remainder of ATBH is heard at the end of the meeting set with no time limit. If the Commission desires to make any changes to that it would require a change to the Code of Ordinances.

Comr. Eaton made a motion to move all ATBH to the end of the meetings.

The motion died for lack of a second.

Commissioner Cyndy Floyd - Appreciation for Assistance Received - Comr. Floyd thanked everyone for welcoming her with open arms and for being so helpful with her questions.

McNair Park Project - Comr. Floyd wanted to bring back discussion on the McNair Park project and stated that the community still has some concerns with some of the design aspects of it. She indicated that she spoke with City Manager Harrison about the matter and they both agreed that he, Horacio Danovich, a member of the design team and her will get together for a meeting to discuss this further.

Best Wishes - Comr. Floyd wished everyone a very Happy Holiday Season.

Commissioner Andrea McGee - Holiday Decorations - Comr. McGee applauded the City for its efforts, as she heard so many compliments and excitement regarding the holiday decorations this year.

Annual Boat Parade - Comr. McGee reminded everyone that Friday, December 11, 2020, at 7:00 p.m. there will be the 58th Annual Greater Pompano Beach Boat Parade. More information can be found at PompanoBeachChamber.com who is sponsoring the event. This will be a salute to the first responders and essential workers to thank American's every day heroes. She also suggested that perhaps a link could be done so everyone could have access to the information, as well as Public Communications Director, Sandra King could check if the Chamber will provide a video of the event.

Best Wishes - Comr. McGee wished everyone a Merry Christmas, Happy Holidays and Happy New Year.

Commissioner Tom McMahon - Recognition of doing a good job - Comr. McMahon stated that this has been a year like no other, and that everyone has gone through quite a bit. Special acknowledgement goes out to City Manager Greg Harrison for keeping the employees safe, and operating the City without any hitches or problems across the board. He also thanked Mayor Hardin for his leadership and doing a great job as mayor

during this difficult time. Also, he expressed thanks for the decorations and the great job the City did at the Lyons Park entrance.

Best Wishes - Comr. McMahon wished everyone a Merry Christmas and a Happy New Year.

Vice Mayor Beverly Perkins - Willie Clarke Celebrates Birthday at 108 Years - Vice Mayor Perkins announced that Mr. Willie Clarke from her district, will be turning 108 years old on Saturday, December 12, 2020. He resides in Liberty Park. He came to Pompano Beach in 1933. They plan to do a drive-by celebration for his birthday on Saturday, at 2:00 p.m. They will meet at 1:30 p.m. at Fire station 61; therefore, she invited anyone who would like to join in Mr. Clarke's Birthday celebration. Mayor Hardin plans to give him a Proclamation and she would like to recommend that a plaque be done as well due to the fact he is turning 108 years of age.

Best Wishes - Vice Mayor Perkins wished everyone Happy Holidays, Merry Christmas and a Happy New Year.

Mayor Rex Hardin - Nuisance Abatement Board - Mayor Hardin stated that the Nuisance Abatement Board was created to deal with some difficult issues throughout the City. This Board has been having issues in getting a quorum to meet. Therefore, he asked City Clerk Hammond to check into the situation. It is necessary to get that Board to function as they have legal issues to deal with, the City Attorney's Office is involved, as well as the Broward Sheriff's Office (BSO). Ms. Hammond will get a report for the Commission.

Sculpture at Cultural Center - Mayor Hardin reported that there is a sculpture in front of the Cultural Center and he thinks it is absolutely gorgeous. They are working to put lighting in there, which will be lit from below on all sides. It is a real signature sculpture. Laura Atria and the Public Art members are doing a great job. There is also a project coming up by the end of the week, to install another piece of public art on the Lucky Lady, the ship that the City sunk. It was originally envisioned when this ship was sunk, which was revolving art exhibits. New art would be displayed ever so often to make it a different dive location to keep the diving community engaged and showing up to the City of Pompano Beach. It is an economic opportunity where people would be encouraged to keep coming back to Pompano Beach to go diving. Hats off to Ms. Atria, and Phyllis Korab who oversees the public art efforts.

Best Wishes - Mayor Hardin wished everyone Happy Holidays, Merry Christmas, Happy Hanukah, Happy Kwanza and all those things.

E. NEXT SCHEDULED MEETING

The next virtual meeting will be on January 26, 2021 at 1:00 p.m.

Sandra King, Public Communications Director, announced that people can sign up to speak at the virtual meetings by going to the City's website on the Commission page. Instructions are also posted with every agenda. As soon as the agenda goes up the registration form goes up so the public can click one button to determine whether they want to speak on any item, and then the information is provided. Anyone can sign up until 9:00 a.m. the day of each virtual meeting.

Ms. King stated that registrations are required prior to the meeting to prevent cyber-attacks on the City's system during meetings.

Finally, Mayor Hardin welcomed Comr. Floyd to the Commission

F. ADJOURNMENT

The meeting adjourned at 3:44 p.m.

Rex Hardin, Mayor

Asceleta Hammond, City Clerk

PERFORMANCE REPORT

3RD QUARTER (APRIL 2020 – JUNE 2020)

5 YEAR STRATEGIC PLAN FY 2019 - 2024

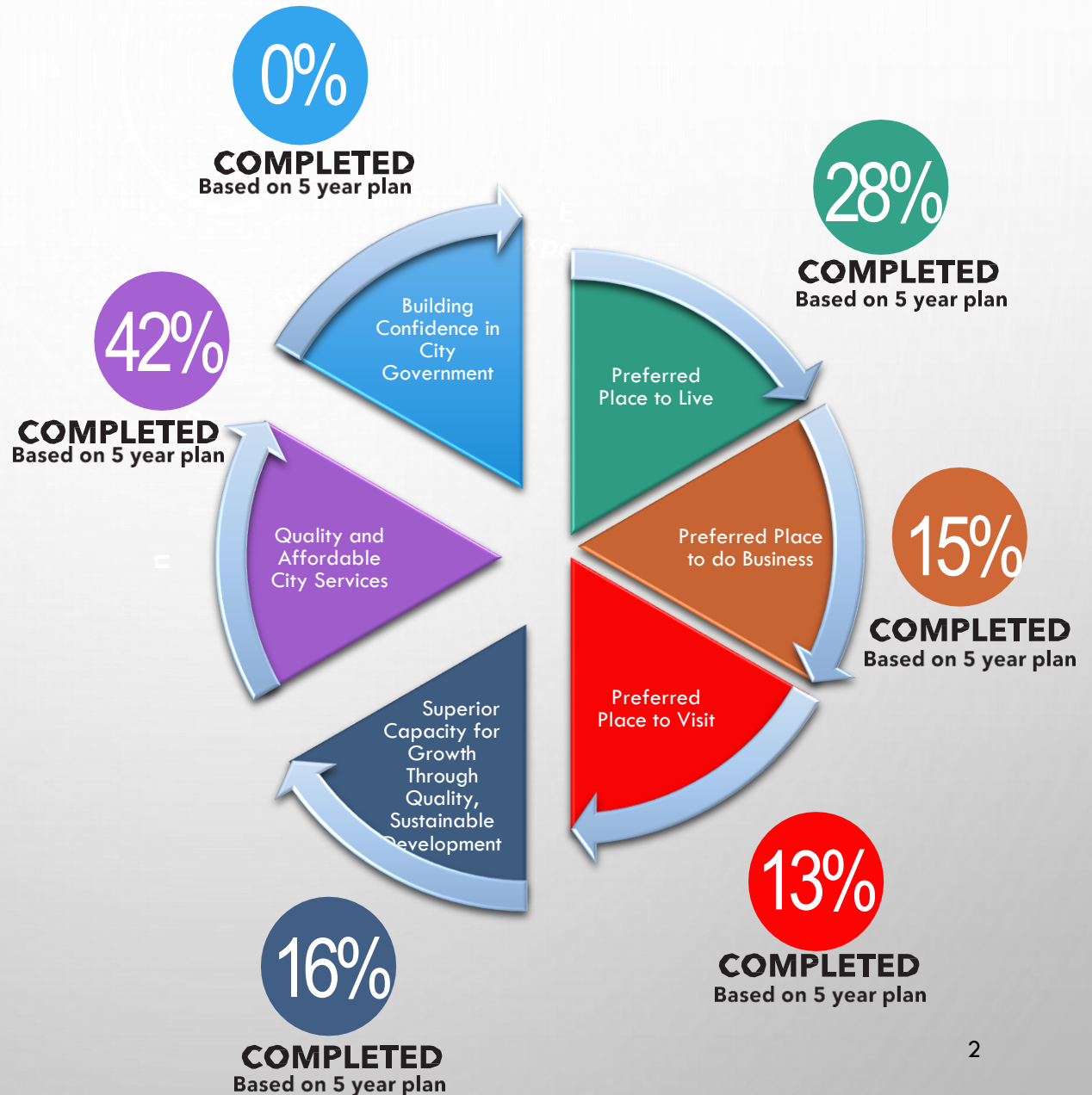


POMPANO BEACH VISION:

By 2034, Pompano Beach is a superior place to live, visit, and locate or expand a business along the Atlantic Coast of South Florida.

3rd Qtr. Progress Report

- The Local Complete Count Committee continued to meet virtually to discuss various strategies to promote awareness for the Census. Potential strategies discussed included: weekly posts on social media, published advertisements on local Channel 78, placing advertisements in local newspapers, posting a message on the electronic signs at the various Community Centers, utilizing a public service announcement agreement with the electronic billboard on the south side of the City on I-95, contacting property management groups, civic associations and home owners associations to ask them to partner with us, attend bi-weekly food distribution, organize volunteers to put notices on people's doors, coordinate robocalls & text messages to residents, promote paid advertisements of census videos on social media, and create a commercial with the Mayor.
- The Building division partnered with the Doug Williams Group to identify specific areas for improvement. The results of data reported from the Doug Williams Group has facilitated developing an action plan with specific strategies. The trending monthly results show significant progress towards achieving excellent customer satisfaction.
- Staff is developing a City Brand and Marketing plan in collaboration with the EDC's Strategic Communications Task Force. Tourism, CRA, Cultural Affairs, Economic Development, and Parks & Recreation. The marketing director is reviewing current City policy, procedures and assignments as the City's marketing function is consolidated into one department. Staff is conducting regular meetings across City departments to develop the City's marketing program, including new technology applications, enhanced social media presence and communications.





Florida's Warmest Welcome

PERFORMANCE REPORT



City of Pompano Beach
PY 2020-2024 Consolidated Plan &
Analysis of Impediments to Fair Housing Choice



PREPARED BY: THE FLORIDA HOUSING COALITION, INC.

Consolidated Planning

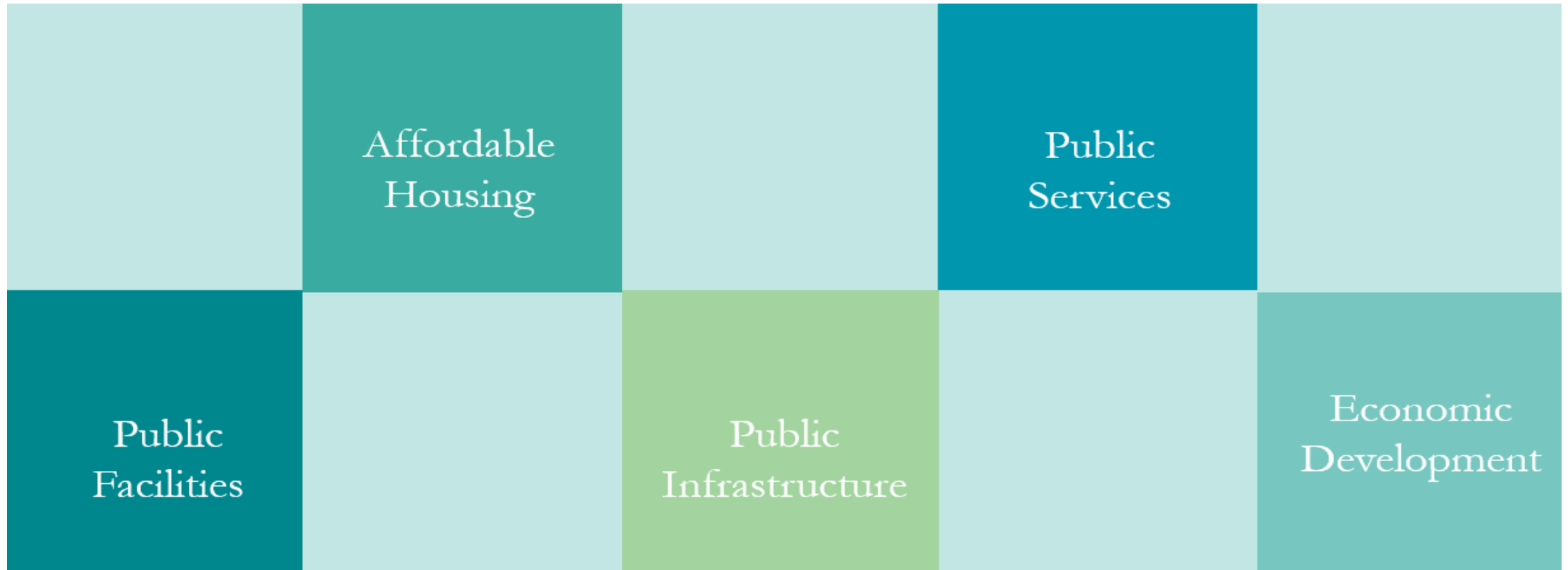
- City of Pompano Beach is a HUD Grantee
- Receives CDBG and HOME funding
- Engaged Florida Housing Coalition (FHC) to prepare required planning documents

Five-Year
Consolidated
Plan

Annual
Action Plan

Analysis of
Impediments
to Fair
Housing
Choice

CDBG and HOME Background



- CDBG must primarily benefit low-and moderate-income persons (<80% AMI).
- HOME funds are used for housing only and for households with incomes at or below 80% AMI.

Success Stories



OLD POMPANO STREETScape
BRP GRANT APPLICATION
NE 1st Street, just to the east of NE 1st Ave, facing East. The building on the right of the photo is the First Baptist Church



OLD POMPANO STREETScape
BRP GRANT APPLICATION
NE 2nd Ave at NE 2nd St St - North

Section 108

Loan proceeds were used to upgrade infrastructure in Old Downtown Pompano. The project is located in a Transit Oriented (TO) Special Zoning District and the Downtown Pompano Beach (DP) Overlay District. It is also adjacent to a Community Redevelopment Area that is part of the Downtown Pompano Transit-Oriented Corridor (DPTOC).

Success Stories



BEFORE



AFTER

Housing Rehabilitation

OHUI offers a Housing Rehabilitation program which serves Low-to-Moderate Income households in need of repairs. The program addresses code violations, health & safety issues, electrical, plumbing, roofing, windows and other structural items.

OHUI typically completes 30-40 residential rehabilitation projects each year

PY 2020-2024 Consolidated Planning Process



Citizen Participation and Consultation

- CDBG and HOME Workshops
- Community Development Advisory Committee (CDAC) Public Hearings
 - Public Hearing on housing and community development needs
- Resident/Stakeholder Survey
- Consultation with agencies/organizations

Determining Needs and Setting Priorities

- Data analysis – Needs Assessment & Market Analysis
- Conducting research
- Considering stakeholder and public input

Anticipated Resources

PY 2020-2021:

CDBG Allocation - \$1,042,671

HOME Allocation - \$453,413

Program Income:

Revolving Loan Fund - \$300,000

Other HUD funding:

CDBG-CV3 - \$842,961

	CDBG	HOME
PY 2020	\$1,042,671	\$453,413
PY 2021	\$1,042,671	\$453,413
PY 2022	\$1,042,671	\$453,413
PY 2023	\$1,042,671	\$453,413
PY 2024	\$1,042,671	\$453,413
	\$5,213,355	\$2,267,065

Annual Goals and Objectives

GOAL NAME	CATEGORY/NEED ADDRESSED	FUNDING	GOAL OUTCOME INDICATOR
Homeowner Housing Rehabilitation/ Emergency Repair	Affordable Housing	CDBG: \$377,737	11 Housing Units Rehabilitated
Public Services	Non-Housing Community Development	CDBG: \$156,400 CDBG-CV3: 758,665	1,000 Persons Assisted
Economic Development/ Section 108 Loan Repayment	Non-Housing Community Development	CDBG: \$300,000	2 Businesses Assisted
CHDO Activities	Affordable Housing	HOME: \$68,012	1 Housing Unit Added
Purchase Assistance	Affordable Housing	HOME: \$340,060	8 Households Assisted
Administration	Other – Planning & Administration	CDBG: \$208,534 HOME: \$45,341 CDBG-CV3: \$84,296	Other

Analysis of Impediments to Fair Housing Choice (AI)

- Community-driven fair housing planning document
- Identifies impediments to fair housing choice and actions to address them
- Provides essential and detailed information to elected officials, policy makers, housing providers, lenders, and fair housing advocates
- Linked to 5-Year Consolidated Plan and Annual Action Plan
 - Certify that the City will affirmatively further fair housing

Engage the community in fair housing planning

Analyze data and other information

Fair housing analysis

Identification of current impediments

Set fair housing goals

Certify that City will AFFH

Fair Housing Action Plan

FAIR HOUSING IMPEDIMENT

Lack of awareness by residents and landlords of fair housing laws, especially for Hispanics and foreign born.

High number of fair housing complaints on the basis of disability.

HUD High Risk Indicator:

The number of fair housing complaints and inquires HUD has received over the last 5 years, adjusting for population size, was deemed too high.

ACTIONS TO OVERCOME IMPEDIMENTS

1. Partner with a fair housing training/outreach organization by offering funding and programming support to provide fair housing training to landlords on fair housing laws specific to persons with a disability, foreign born and limited English proficient populations.
2. Provide fair housing trainings to the public and invited organizations, with special focus on the R/ECAP and census tracts with a large share of Hispanic and foreign-born residents.
3. Place flyers and fair housing information in public facilities.
4. Conduct targeted outreach and education to landlords in high opportunity/low poverty areas.
5. Advertise April Fair Housing Month and make public announcements regarding opportunities to learn about fair housing.
6. include the HUD fair housing logo on all housing program related documents.

Fair Housing Action Plan

FAIR HOUSING IMPEDIMENT

Insufficient supply of affordable rental and homeowner housing in high opportunity census tracts.

HUD High Risk Indicator:

More than 50% of developments that use CDBG or HOME funds for financing have a pattern of clustering low-income housing in low-income and high minority census tracts.

ACTIONS TO OVERCOME IMPEDIMENTS

1. Partner with a Community Land Trust (CLT) and support its operations with quality City-owned surplus lands, unrestricted operating funds, and development subsidies.
2. Once partnered, concentrate CLT investment in properties located in census tracts in the Eastern half of the City.
3. Execute on proposed Policy 03.01.08 in the Comprehensive Plan update (ADUs) and develop grant program for supporting development of ADUs in high opportunity neighborhoods on the Eastern half of the City.
4. Coordinate annual review of FHFC RFAs and identify deployable City and private resources to ensure applications are submitted to relevant RFA opportunities.
5. Prioritize allocation of infrastructure improvement projects in R/ECAP and majority-minority census tracts.
6. Research establishing a mandatory inclusionary zoning ordinance in high opportunity neighborhoods undergoing significant redevelopment.
7. Implement a rental assistance strategy for extremely low-income renters, including, households experiencing homelessness.

Fair Housing Action Plan

FAIR HOUSING IMPEDIMENT

Concentration of housing vouchers in segregated and high poverty neighborhoods.

HUD High Risk Indicator:

There are high or moderate levels of jurisdictional segregation in the City

ACTIONS TO OVERCOME IMPEDIMENTS

1. Conduct outreach and training to landlords in Pompano Beach on fair housing protections at the local level, especially on source of income discrimination.
2. Facilitate coordination between the HAPB and the City of Pompano Beach, with a focus on landlord recruitment and mobility counseling for voucher holders.

Fair Housing Action Plan

FAIR HOUSING IMPEDIMENT

Low median household income, high poverty rate, high unemployment for Black/African American and Hispanic households relative to White and Asian households.

ACTIONS TO OVERCOME IMPEDIMENTS

1. Establish formal task force on economic opportunity for minority households with a focus on developing, implementing, and sustaining City initiatives focused on economic development and economic opportunity for Black/African American and Hispanic households.

Fair Housing Action Plan

FAIR HOUSING IMPEDIMENT

Poor credit history and collateral as barrier to accessing traditional capital and wealth building through homeownership, especially for Black/African American residents.

ACTIONS TO OVERCOME IMPEDIMENTS

1. Expand access to credit counseling services for low-income and protected classes by partnering with a credit counseling agency and conducting outreach to R/ECAP and majority-minority census tracts.