

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, January 23, 2018

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Lamar Fisher called the meeting to order at 6:02 p.m.

ROLL CALL

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

INVOCATION

Pastor Don Worden, First Baptist Church of Pompano Beach, offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[18-175](#) Regular City Commission Meeting Minutes of January 9, 2018

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

APPROVAL OF AGENDA

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Agenda be APPROVED as submitted. The

motion carried by a unanimous voice vote.

CONSENT AGENDA DISCUSSION

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

Mayor Fisher announced item 2 will be pulled for City Commission discussion.

A. SPECIAL PRESENTATION

18-176 Recognition of Pompano Cowboys Football Team & Cheerleading Squads

The Parks, Recreation and Cultural Arts Department, due to most members not present, was unable to recognize the following Gold Coast Pop Warner Super Bowl football team and Regional cheerleading squads from the Pompano Cowboys Program:

Pompano Cowboys Football Super Bowl Champion

Jr Mity Mites - Coach Rodney Adams

Pompano Cowboys Cheerleading Teams at Regionals

Jr Peewee - Coach Nartisha Taylor

Varsity - Coach Felicia Heath

B. 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.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is longer, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission meeting in the event that individuals wishing to speak are not reached during the first session." (Effective November 27, 2007)

The following persons were called to speak:

Expressions of Appreciation - Emma Ellington, 137 NW 15th Street, Pompano Beach, FL, thanked the

City Commission for their thoughtfulness and support of one of the saddest moments of her life, which was the loss of her beloved Charles Ellington, Sr. She also thanked Chief John Jurgle and the Fire Department and the young men and women who tried to rescue her husband after he went into cardiac arrest. Also, she thanked the Broward Sheriff's Office (BSO) personnel who she said was on point doing everything they could to save her husband.

Speeding on NW 15th Street - Mrs. Ellington complained about the dangerous traffic and noise conditions that occur on NW 15th Street, which she mentioned has actually become a "death trap" for the residents who have resided on the street for a long time. She stated that trucks have been travelling at sometimes speeds of 100 miles per hour every day, at times as early as 5:30 a.m. along with large tractor trailers traveling at very high speeds.

Additionally, Mrs. Ellington indicated several years ago she brought this matter to the attention of the City Commission and consequently a police officer was in the area to gauge the traffic for approximately one week, but it did not work. The following week someone placed a sign in the area that read, "Junction 811." She was told nothing could be done because it was a state highway. Therefore, she requested that the City Commission consider attaining roundabouts, speed bumps or anything else that would slow down the traffic on that street.

Mayor Fisher requested that Chief of Police John Hale, BSO, meet and visit with Mrs. Ellington at her house to commence the speed enforcement or perhaps to consider some type of traffic calming devices, as well as to explain about how the speed bumps are acquired for the neighborhoods. Nevertheless, Mayor Fisher requested that Chief Hale try to get some enforcement in the area as soon as possible.

Comr. Perkins indicated that the speeding issue and acquiring speed bumps was discussed at the Sanders Park Civic Association meeting, and they were trying to determine if NW 15th Street is a state or city road.

Mayor Fisher confirmed that it is a Broward County road. Therefore, the City can place speed bumps on the road working through BSO and with the Broward County Traffic Engineering Division.

Tiger Trail Festival and Black History month - Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, thanked the City for all the assistance provided to reactivate the Tiger Trail festival, which is a significant endeavor. He indicated that he would provide the City Commission with a video of the City's pioneers of the community that was filmed during the centennial period. Therefore, for the Black History month the video would be significant. He suggested that perhaps this could be shown on Channel 78 during the month of Black History.

Mayor Fisher indicated that Mr. Phillips provide the video to the City Clerk.

Additionally, Mr. Phillips informed that there are a number of events that are taking place during the Black History month sponsored by the Tiger Trail festival. To name a few, the 5K Run, the entertainment committee event on February 17, 2018, a Gala planned for February 2, 2018, where residents of the City will come together. In addition, the Collier City Trail Blazers have determined that in yesteryear there were a lot of pioneers from the Collier City area who had not been recognized, so an event is planned for February 3 along with the 5K run. Also, a car show is being planned led by Ric Green, Pompano Beach Chamber of

Commerce. He said the Chamber of Commerce has been outstanding to get sponsors for the events.

Finally, Mr. Phillips encouraged everyone to go to the Tiger Trail Festival website which is: tigertrailfestival.org for additional information. Also, flyers will be left at the front table of the City Commission Chamber. He announced that the tickets for the Gala has been sold out.

Political Corruption - Debresia LeSane, Pompano Beach, FL, stated that she has read about political corruption and expressed her opinion on the subject matter. She alleged that the Broward Sheriff's Office is protecting the illegal operations of Mayor Fisher, Rex Hardin, Barry Moss, Charlotte Burrie, Kim Briesmeister and the rest of them. She said there are illegal operations during elections to use officers as intimidation and threat of arrest as well as stalking, to prevent supporters from opposing parties who wish to cast a new name on the ballots. In addition, Ms. LeSane stated that it is not uncommon for officers to accept bribes, hence the known reputation of "strike breakers." She said since reading about this subject in her younger years, this is the first time she is experiencing it in her first run in politics. Therefore, Ms. LeSane requested that the police not be used as an instrument of social control by the politically and economically powerful interests. She complained that the public is unfamiliar with the specific tasks of officers as is. Therefore, she asked that they stop imposing their own standards on the citizens of Pompano Beach and Broward County, and provided her opinion in this regard.

Next Door Post - Angela Hill, 760 SE 22nd Avenue, Pompano Beach, FL, stated that she would like to provide clarity around the post she made on "Next Door" that was read aloud for her. She stated that she has received an outpouring of support and thanked everyone. She indicated that the sentiments expressed in her post is still the same today and she provided a brief background on when she ran for commissioner in 2014 and received 35% of the vote against a longtime incumbent. She alleged that if a person disagrees with the majority of the City Commission, then they will try to have that person silenced, and provided a few examples in detail. This included her and her husband who have offered multiple times to sit on boards within the city when there have been multiple vacancies and rarely people step up to the task, yet she nor her husband has been selected.

Finally, Ms. Hill stated that she cares for the City and will continue to be an outspoken voice for the citizens like her that would like their suggestions incorporated to the ongoing decisions made by the City Commission.

Disheartening Experience - Terry A. Williams Edden, 757 NW 15th Street, Pompano Beach, FL, stated that she is disheartened about the non-ethical practices of some of the City Commission. She complained that last week she attended a meeting and felt demoralized because of twelve people. In addition, she indicated that she was told that the Mayor had the police department visited Ms. LeSane's home to tell her that he feared her, which she is unsure of the facts. Ms. Williams Edden understood that the law enforces leveled intimidation. She concluded that this is a matter for Sheriff Scott Israel to deal with and she was told that she could take the matter to Internal Affairs (IA) by completing a form. Therefore, Ms. Williams Edden requested Chief Hale to provide the necessary information to Ms. LeSane so she could file a report on her treatment by members from the Broward Sheriff's Office (BSO).

In sum, Ms. Williams Edden stated that no one should be intimidated at any level young or old. She said she heard what had happened and recalls the days of Dr. Martin Luther King when he was taped, Malcolm X, her grandfather as a business man who died, and her family members who built the Whitehouse. She concluded

that “we cannot silence the negro in this community.” She also reminded Comr. Moss not to forget how he got to where he is.

Mayor Fisher indicated he wanted to set the records straight since Ms. Williams Edden mentioned his name with Ms. LeSane’s. He indicated that Ms. LeSane utilized her social media just after hurricane Irma and provided extremely threatening thoughts and comments concerning the burning of his house, and killing his family. Therefore, a police report was taken. Furthermore, Mayor Fisher indicated that he takes threat to his family and to him seriously and will not tolerate it. He said he does not fear Ms. LeSane, but would rather avoid her presence at times. Moreover, the documents are available that were clear and very disturbing to his wife, his children and to him. The police officers were doing their job to protect him and the threats leveled at his family.

Vice Mayor Burrie reported that Ms. LeSane also added her name into that and she had no idea what she was talking about. Furthermore, Vice Mayor Burrie indicated that she has never sent a police officer to Ms. LeSane’s house.

Mayor Fisher had to warn Ms. LeSane that she was out of order after she attempted to speak out of turn several times during the meeting.

Comments made by Comr. Moss - Willie L. Lawson, III, 510 East McNab Road, Pompano Beach, FL, provided a brief background on his relocation to Pompano Beach from Georgia. He stated that last week he attended a meeting and felt really concerned. He said prior to being elected, Comr. Moss sent out letters to the community to ask them to vote for him as commissioner as a gay citizen. However, he now wants to count how many people were in the audience that were black. Mr. Lawson indicated that he takes exception to Comr. Moss’ action. He concluded that all people should be accepted and “not count how many black folks are in the audience.” He declared that he is a citizen of the great City of Pompano Beach and as discussion is taking place to make the City a better place to be, “we cannot have a situation where there is a count of how many people is out there of 12.”

Mr. Lawson expressed his disappointment when Comr. Moss tried to “curse him out” and nobody said anything. Moreover, he indicated that there are over 25,000 people residing in Comr. Moss’ district that are African-Americans, which he is unaware of these people.

C. CONSENT AGENDA

There was no discussion on Consent Agenda items 1 and 3.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to APPROVE/ADOPT items 1 and 3 under the Consent Agenda. The motion carried unanimously.

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

1. [18-172](#) Request of ratification by City Commission for Emergency Change Order for E-31-17 Deep Well Relining project from awarded vendor Layne Christensen Company in the amount of \$577,500.00.
(Fiscal Impact: \$577,500.00)

(Staff Contact: 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.

2. [18-156](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PROSERVE CONCEPTS, INC.; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$20,000 minimum annual net revenues to the city)

(Staff Contact: Mark A. Beaudreau)

Comr. Sobel pulled the item for City Commission discussion. Comr. Sobel noted that originally in 2012, there was an agreement for five years with two - two-year extensions, but the contract was amended in 2015 for the first time and he wanted to know why. In addition, the second amendment was at the end of the five-year term, but currently, there is a request for another extension. He indicated that the third extension runs through to early 2019, but the insurance in the backup only runs through to June 2018. In sum, Comr. Sobel indicated he wanted to know the reasons for the amendments to the contract and what are the future plans for the City's tennis program.

Mark Beaudreau, Recreation Programs Administrator, indicated that the insurance issue has been corrected and updated. Currently, the City is at the end of the agreement but he would like to see in the future, prior to the expiration of the agreement early next year, to put out an RFP (Request for Proposal) for the same services and the current vendor can respond to the RFP.

Additionally, Mr. Beaudreau mentioned that the program has been unprecedented in what has been done at the tennis facility.

Mayor Fisher indicated that he has received glowing reports of the City's tennis pro over the years.

Comr. Perkins asked what are the goods and services provided at the municipal tennis courts.

Mr. Beaudreau responded that he provides all the scheduling, and from his tennis shop he provides supplies and equipment, as well as he has a ball machine, and a number of instructors. He does occupy the facility well, which he has completely turn the nature of the facility around.

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. 2018-70

3. [18-168](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, FINDING THAT THE CITY'S CONVEYANCE OF RIGHT-OF-WAY ALONG A PORTION OF NE 51ST STREET TO BROWARD COUNTY SATISFIES THE CRITERIA OF SECTION 253 OF THE CITY'S CHARTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Brian Donovan)

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. 2018-71

D. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that items 4-6 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. Asceleta Hammond, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in the following matters.

4. [18-148](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE TOP SELF STORAGE THREE PLAT LOCATED ON THE NORTH SIDE OF DR. MARTIN LUTHER KING, JR. BOULEVARD BETWEEN BLOUNT ROAD AND NW 27TH AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Maggie Barszewski/David Recor)

David Recor, Development Services Director, presented the item, which is a Top Self Storage Three, LLC plat approval to allow 225,000 square feet of warehouse storage space on property located on the north side of Dr. Martin Luther King, Jr. Boulevard, (MLK) between Blount Road and NW 27th Street. The 7.24 acres property is currently vacant and zoned B-4 Heavy Business. The property has a future land use designation of Commercial (C). On August 23, 2017 the Planning and Zoning board recommended approval of the proposed plat and on November 15, 2017 granted major site plan approval to allow construction of an 181,018 square foot self-storage facility. Therefore, staff recommends approval of the proposed plat as presented.

Ron Beasley, introduced himself as representing the property owner and had no additional information.

Debresia LeSane's comments were voided because she refused to be sworn in for a quasi-judicial matter.

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

Sobel

Burrie

Fisher

No: Perkins

Enactment No: RES. No. 2018-72

5. [18-162](#) 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 ANDREWS PREMIER BUSINESS PARK PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Maggie Barszewski/David Recor)

David Recor, Development Services Director, presented the item and stated the applicant is proposing to update the findings of adequacy, amend the plat note, and adjust the non-vehicular access line on the Andrews Premier Business Park plat that was originally approved in 2016. The 6.1 acres property is currently vacant

and is located in the northeast corner of NW 15th Avenue, and North Andrews Avenue extended. The approved plat is limited to 140,000 square feet of industrial use with additional restrictions for ancillary office, commercial/office use per bay or single tenant at the buildings. In addition to updating the findings of adequacy, the proposed plat note would permit commercial recreation use and 6,000 square feet of accessory training facilities. No free standing offices would be permitted. The applicant is also requesting that the non-vehicular access line on the plat be adjusted to allow a 50-foot wide opening on the southernmost portion of North Andrews Avenue frontage. Staff recommends that the City Commission authorizes staff to transmit the letter of no objection to Broward County as presented.

Heidi Segal, Keith & Schnars, 65 North Andrews Avenue, Pompano Beach, FL, introduced herself on behalf of the applicant.

Comr. Perkins asked if the location is north of the elementary school on NW 15th.

Ms. Segal responded that it is north of the elementary school and south of Copans Road.

Comr. Perkins asked how far are they located from the Markham Elementary School.

Ms. Segal responded that she did not have the proximity on hand but indicated that it is closer to the industrial area than it is to the school.

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. 2018-73

6. [18-161](#) **P.H. 2018-35: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TWELVE FOOT UTILITY EASEMENT LYING SOUTH OF SAMPLE ROAD AND EAST OF POWERLINE ROAD WITHIN PROPERTY LOCATED AT 1800 WEST SAMPLE ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

David Recor, Development Services Director, presented the item and stated that Costco Wholesale Corporation is requesting to abandon a 12-foot utility easement located on its property at 1800 West Sample

Road. In September 2017, the Corporation was granted major site plan approval from the Planning and Zoning board to allow construction of a new 61,092 square foot gas station and canopy, a 110 square foot controller building, and an expanded parking lot. Abandonment of the 12 foot utility easement was a condition of approval of the major site plan. Staff has determined that the review standards for abandonment have been met by the applicant and recommends approval of the request as presented.

Christina Bilenki, Esq., 14 SE 4th Street, Boca Raton, FL, indicated she is representing Costco Wholesale Corporation and that she was available for any further questions.

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

END OF QUASI-JUDICIAL PROCEEDING

7. 18-174 P.H. 2018-34: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 54, "REUSE WATER AND CROSS-CONNECTION CONTROL," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 54.05, "CONNECTION CHARGES AND RATES," TO REMOVE THE TIME LIMIT FOR NEW CUSTOMERS TO RECEIVE NO COST CONNECTION TO THE REUSE SYSTEM; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

A. Randolph Brown, Utilities Director, presented the item and stated when the program was started in 2015 a sunset date was established, which date will be this month. The program started with 73 connections and currently there are 900 connections for residential reuse. He said the program has been very successful and requested approval to remove the end of the sunset and leave it indefinite.

Mayor Fisher congratulated Mr. Brown for doing a good job on this program.

Comr. Hardin congratulated Mr. Brown for doing a great job on the reuse water and said that the program is doing its job.

Mayor Fisher recalled when the program started and the cost to hookup. So, when a no-connection cost was introduced it was a brilliant idea and suddenly it started flowing.

Vice Mayor Burrie stated that her constituents are watching the meeting and hearing about the free hookups, which may not happen with the County. She then asked how is the County doing in getting the reuse water for the Highlands area.

Mr. Brown responded that the County is working on it. The line is charged and available but they are working on the residential program.

Comr. Hardin recognized the efforts of former City Attorney Gordon Linn who worked on this program along with current City Attorney Mark Berman.

Comr. Sobel offered his congratulations. He asked if the City is continuing on the appropriate time path for the reuse pipes that were mentioned approximately one year ago, and that they were going to West Palm Beach, which would affect the Broward outfall issue.

Mr. Brown stated that Broward County is progressing with their plans and designs for the connection to Palm Beach County. In fact, they have reduced their outflow to the ocean outfall already. The work is in progress and will be achieved by 2025.

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

8. [18-170](#) Approval to award Bid E-02-18 Asphaltic Concrete Pavement Surfacing Annual Contract to the lowest responsive responsible bidder, Weekley Asphalt Paving Inc., at an estimated annual cost of \$766,260.00.
(Fiscal Impact: \$766,260.00)

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director, presented the item and stated that the contract with Weekley Asphalt Inc. provides asphalt pavement to support the City's annual citywide paving project. The cost of \$760,000 is based on what is reserved in the project to do the paving citywide.

Mayor Fisher mentioned there was a 16% participation by local companies with this company, which Mr. McCaughan responded that is correct. Mayor Fisher thanked Mr. Thomas, General Services Director for going out to sixteen local companies for this project.

DeBrescia LaSane, Pompano Beach, FL, stated that the company is not a regular company, and provided a brief history on the company, which included when it was formed and who were its owners. She mentioned that there are asphalt companies in the City of Pompano Beach, namely Atkins Paving that did not get an opportunity to be a part of the bid. She alleged that with the current company, they have already extracted millions of dollars in overpayment and asked what would make them a more responsible company than someone else that is actually in the City of Pompano Beach.

Additionally, Ms. LaSane complained that the selected company has established and abused their market power illegally and has done so through a common scheme that strips local competitors of a chance to bid.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, asked if side streets are included in the project.

Mr. McCaughan responded that all streets in the City are included, specifically, all the residential roads, not the state roadways.

Comr. Perkins asked how is the decision made as to which streets will be resurfaced.

Mr. McCaughan responded that it is done through approval by the City Manager and based on a citywide assessment program where a quantitative value is determined of each street. This provides a Pavement Condition Index (PCI) and from that a ten year paving plan is developed. To ensure residents are not inconvenienced, a whole neighborhood is done at one time. Therefore, it is based on the evaluation where the worst streets are to be done first.

Comr. Sobel asked if the lowest bid was the primary factor, to which Mr. McCaughan responded correct. Comr. Sobel then asked if the second lowest bidder was approximately \$3,000 more than Weekley Asphalt Inc., which Mr. McCaughan replied that is correct.

Additionally, Comr. Sobel asked if Weekley Asphalt Inc., was the same contractor that performed asphalt services for the MLK Blvd., which Mr. McCaughan replied it is, and that they have not completed this job. He was unclear as to the reasons why the job is not completed. He understood there were some lighting and landscaping issues, as well as there may be other items.

Comr. Sobel indicated that upon driving on MLK Blvd., he noticed some patches in the road and enquired why there appears to be swales in the newly patched roads, along with dips in the roadways that needed to be repaired under warranty or part of the punch list. The impaction studies were inadequate so there are areas with sewer lines under it and the road appear to be dipping. This is a concern to him as this should not be the case with a new roadway. Therefore, he is questioning the caliber of work performed by the same company now being awarded to continue servicing the roadways throughout the City.

Mr. McCaughan responded that staff looked into the issues and indicated both Weekley Asphalt Inc, the highest bidder and Hard Drives the second highest were used before successfully. Currently, Hard Drives is working on the Air Park installing the new taxi-way. Moreover, Mr. McCaughan indicated that he is aware of the issues on the MLK Blvd. and provided the reasons why the roadway is defective, which is due in part to

Weekley Asphalt managing other subcontractors from various professions such as electrical, landscapes, utility, and so forth that are installing the drainage lines. Proper compaction was not done on the new construction underneath the drainage, which is critical to the reconstruction of the roadway. Mr. McCaughan stated that the current contract with Weekley Asphalt is strictly limited to asphalt overlay. They will not be managing other subcontractors. Therefore, based on the job they will be doing, and since they have proven to perform well in the past, as well as it is a small amount and they were the lowest bidder, there was no reason to reject them.

Comr. Sobel asked who is responsible for overseeing the compaction of the roadways and to verify at each stage of the project that these types of problems are not experienced at the advanced stage of the completion of the project.

Mr. McCaughan indicated that for the MLK Blvd. project the City hired an additional firm to perform construction management services to oversee the construction, to take densities samples, samples of the compaction of the roadways, and things of that nature. The contractor was closely monitored and as it is now, it is unfortunate and disruptive but they are going to make repairs of the roadways before the City accepts and pays them for the job.

Comr. Sobel asked what if the roadways turned out to be defective with a check and balance of another consultant to oversee them.

Mr. McCaughan responded that it appears they missed one of the areas and while the details are unknown, it appears the asphalt was placed over new underground piping and the materials failed.

Mayor Fisher advised Mr. McCaughan to provide the City Commission with a final report on the issues under discussion instead of guessing as to the reasons behind the defective roadways.

Greg Harrison, City Manager stated that the City has not paid for the work that was performed on this project because the city has not accepted it as completed. Staff is on top of the issues to ensure the job is done properly prior to paying for it.

Comr. Sobel understands that the City will ensure the job is properly done prior to payment. However, he was concerned that the City Commission is being asked to select the same firm that did not perform well in their current job.

Comr. Perkins stated that less is not always better, and based on some of the questions and answers, she is concerned about the quality of work performed by this company. She asked if the item could be tabled to provide time to investigate what happened with the company on the job under discussion.

In response to Mayor Fisher's question regarding timelines, Mr. McCaughan responded that there are no tight timelines to get this item approved tonight.

A motion was made by Commissioner Perkins, seconded by Commissioner Hardin, that the Approval Request be TABLED for 30 days, which will be heard at the February 27, 2018 City Commission

meeting. The motion carried unanimously.

9. [18-146](#) **P.H. 2018-25: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REINSTATEMENT AND FIRST AMENDMENT TO A PARK LEASE AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF THE FLORIDA INLAND NAVIGATION DISTRICT AND THE CITY OF POMPANO BEACH RELATING TO EXCHANGE CLUB PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JANUARY 9, 2018

(Staff Contact: Mark A. Beaudreau)

Mark Beaudreau, Recreation Programs Administrator, presented the item and stated that there were no changes since the previous meeting.

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

Perkins

Sobel

Burrie

Fisher

Enactment No: ORD. No. 2018-24

10. [18-131](#) **P.H. 2018-26: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MICHAEL FARRELL, M.D. FOR MEDICAL CONSULTING AND ADVISORY SERVICES TO THE FIRE DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$65,004.16 per fiscal year for 3 years)

FIRST READING: JANUARY 9, 2018

(Staff Contact: John Jurgle)

Frank Galgano, Emergency Medical Services (EMS) Chief, Pompano Beach Fire Rescue, presented the item and indicated that there was nothing further to add to the second reading of the ordinance.

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
Perkins
Sobel
Burrie
Fisher

Enactment No: ORD. No. 2018-25

11. [18-157](#) P.H. 2018-27: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT FOR EXTENSION OF THE PARKING MANAGEMENT SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DENISON PARKING, INC. PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$543,867)

FIRST READING: JANUARY 9, 2018

(Staff Contact: Suzette Sibble)

Suzette Sibble, Assistant City Manager, presented the item stating that there were no changes to the proposed ordinance from the first reading.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, stated that approximately two years ago when the parking enterprise fund was being created, he had asked a question about Denison being employed as a private contractor to provide physical plan operations and maintenance plus a specialized service of issuing citations, booting cars, and receiving the authority to have cars towed. He was promised by the prior City Manager that he would reply to his question and provide information as to how a private, for-profit company, became the City's parking police force. However, he has yet to receive any communication showing they have any police powers.

Additionally, Mr. Terwilliger mentioned that part of the Denison contract allows them to issue citations. However, previously, parking citations were issued by the Broward Sheriff's Office (BSO). He then explained in details how the citation process is currently being operated as it relates to appeals and extra fees added for the procedure. He believes there is an issue of due process. He wanted to know if Denison's employees have been certified to execute the City's Ordinances. Also, the question arose regarding the legalities of ceasing a person's property through booting or impounding vehicles by a company that does not have any police powers. He said by the agreement the City only requires Denison to operate and maintain the physical parking facilities.

Finally, Mr. Terwilliger suggested that the agreement be modified so that the writing of citations and auto impounding revert back to the power of the BSO, who are the real police.

Ms. Sibble clarified that Denison does not boot vehicles. She said Denison is familiar with the City's ordinance and is an agent of the City. They do not make rules or laws. Even though the City does not utilize BSO anymore, whatever the process was previously, which is amended from time to time, they are subject to follow the policies of the City of Pompano Beach, therefore, nothing has changed in that regard.

Additionally, Denison is required to have the proper training, which is part of their contract with the City that allows them to write citations.

Mark Berman, City Attorney, reiterated that the Denison representatives do not boot or tow away very often, but they are authorized by statute to do what they do. Moreover, their employees have taken the appropriate courses for certification, which was done years ago when the City looked into these rights. In addition, they know the City's codes, they consult with the City's staff continually to ensure that the process they have undertaken is a fair one. In fact, if someone complains or contest citation received, which they felt was unfair there is enough due process. In sum, Denison does have the right to issue citations.

Mr. Terwilliger wanted to know why the City does not use BSO instead of Denison for the parking.

Ms. Sibble indicated that Denison is an expert in the area and have the resources to dedicate to the growing parking infrastructure needs in the City.

Michael Skversky, Pompano Beach, FL, indicated that on the week-ends he sees approximately three (3) BSO vehicles from Atlantic Boulevard to the Pier and asked why, since the City is not using their services for parking enforcement.

John Hale, Chief of Police, BSO, stated that the parking enforcement by Denison was assigned by contract for areas just east of Federal Highway, along the Atlantic corridor and the beach area. However, BSO still does traffic parking enforcement in other areas of the City. The deputies are present for law enforcement purposes for nuisance issues on the beach to include the homelessness and people violating the City ordinance by walking their dogs and things of that nature.

Mr. Berman clarified that the City is utilizing an independent company to perform traffic enforcement in certain areas and does not divest the BSO of issuing parking citations when it is deemed appropriate. Rather, it allows them to concentrate on other criminal activities within the city.

Comr. Moss indicated that he would prefer to have private companies issuing parking tickets rather than have the police force to do it. He congratulated BSO for issuing this week, 78 speeding tickets on Cypress Boulevard in District 5, which is what they should be doing not putting parking tickets on cars in a garage or in a parking lot. He thanked Chief Hale for his attention to the speeding matter in District 5.

Comr. Sobel indicated that according to the backup it appeared that two months of the insurance is missing where the contractor's Certificate of Insurance expires on 12/1/18, but the contract expires on 1/29/19.

Therefore, staff should check into those timelines.

Comr. Sobel asked why was there an amendment to the initial three (3) year term, because this is the second amendment.

Ms. Sibble provided a historical background regarding the process. She indicated that the City issued a solicitation in 2014 and was looking for someone to assist with the parking enforcement, managing the future garage and eventually valet services, to accommodate the two future restaurants coming on board. Therefore, as staff was evaluating the contract development process, the garage was still in fruition being developed. So, the City moved forward with the first contract to encompass parking enforcement, and as the garage came on board it was amended to add the service. Hence the reason for the first amendment for a three year term.

Comr. Sobel indicated he has had good experience with Denison, however, he has received some harsh citizens' complaints that he has referred to the City Manager and City Attorney and wondered if anything came from those email or investigations.

Mr. Harrison indicated that he has responded to all the emails that Comr. Sobel sent to him and Mr. Berman agreed he has done the same. Nevertheless, Mr. Harrison indicated that he will check his in basket to ensure he did not miss any, as well as get back to the Commission regarding the follow-up.

Ms. Sibble added that Denison has been very accommodating, and while she did not have exact numbers on hand, she is aware that they have issued quite a number of citations for the year and most of them were either voided or they issued warnings. Also, upon residents' complaints to the City, when they are contacted they would void the tickets or issue a warning.

Ms. Sibble reported that the citation tickets issued amounted to \$300,000 for the last fiscal year.

Comr. Perkins requested that the Mayor reopen the public hearing to accommodate a resident who wanted to speak after it was closed.

Mandy Striggles, 1871 NW 5th Terrace, Pompano Beach, FL, asked if the City is one of the cities within the Broward Sheriff's Office (BSO) district that pays the most for services.

Mayor Fisher indicated that the City of Pompano Beach is the largest district in the BSO district.

Ms. Striggles, reasoned that the City pays BSO enough money and should not have a privately owned company to come in to write tickets for approximately \$300,000 citations per year.

Ms. Sibble added that when the service was outsourced this was removed from BSO line items to remove the parking enforcement function.

Mr. Berman mentioned that BSO also reduced personnel and used their parking personnel for other law enforcement purposes.

Comr. Perkins indicated that there is security on Martin Luther King Jr. Blvd. and that should also be included in the BSO service being provided.

Comr. Sobel asked how many BSO officers were reduced in the line item.

Mr. Berman recalled perhaps at least two parking specialists that were moved to other duties.

Chief Hale, confirmed two parking enforcement personnel and one meter mechanic that was doing meter repairs. He said they were not deputies, rather they were civilian personnel similar to a community service aide, which has been repurposed handling crashes and crime scene processing to assist the deputies.

Comr. Sobel asked for a dollar value in the reduction of the personnel, but Chief Hale was unable to provide this information and indicated that a research of the information would be necessary to provide to the City Commission.

Ms. Sibble indicated that she would get the information and provide it to the Commissioner.

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

Burrie

Fisher

No: Perkins

Sobel

Enactment No: ORD. No. 2018-26

12. [18-112](#) **P.H. 2018-28: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO REAL ESTATE LEASE BETWEEN THE CITY OF POMPANO BEACH AND FEC ROW, LLC F/K/A FDG FLAGLER STATION II, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$13,264 Annual Rent; \$2,500 Security Deposit)

FIRST READING: JANUARY 9, 2018

(Staff Contact: Pamela Stanton/David Recor)

David Recor, Development Services Director, presented the item and stated it is the second reading of the ordinance and there are no additional comments from staff.

Comr. Perkins asked for a breakdown on what is the impact on the Flagler station.

Mr. Recor indicated that late 2017, the City Commission approved a developer's agreement with the developer of Heritage of Pompano station, which consists of 116 units for affordable senior housing project located on North Flagler Avenue. As part of the developer's agreement, specific offsite improvements for parking, landscaping, lighting, and drainage were required of the developer who will pay for the offsite agreements. However, the City agreed to obtain FEC's approval to be the applicant, and stipulated that the City would obtain the approval within six months. The City has obtained approval from FEC and they have adjusted their rent based on the amount of pervious and hardscape improvements that are proposed within the leased area.

Comr. Sobel indicated he had the same question that Comr. Perkins had as there was no information in the backup to provide an explanation. He also asked why is the City getting a monthly payment.

Mr. Recor explained the City is not getting the monthly payment, rather the City is responsible for the payment to FEC for the privilege of improving the right-of-way, which will increase the payment to FEC of approximately \$13,000. This will allow the privilege of improved drainage, improved on-street parking, lighting, and the ability to make those improvements within the FEC leased parcels.

Mayor Fisher stated it will enhance the project for heritage station.

Vincente Thrower, Pompano Beach, FL, indicated that he would like to see this company exercise the same process when Landmark City Vista had their job fairs and hired several local people, along with local contractors, which encompasses the public private partnership.

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

Perkins

Sobel

Burrie

Fisher

Enactment No: ORD. No. 2018-27

13. [18-150](#) P.H. 2018-29: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN ADDITIONAL THREE MONTHS' TEMPORARY MORATORIUM ON ISSUANCE OF DEVELOPMENT ORDERS AND PERMITS FOR THE CONVERSION OF MULTI-FAMILY APARTMENT BUILDINGS WITH FIVE (5) OR MORE UNITS, TO SHORT-TERM RENTALS; PROVIDING FOR VESTED RIGHTS, APPEALS, AND EXHAUSTION OF ADMINISTRATIVE REMEDIES; AND

PROVIDING FOR EARLY TERMINATION UPON PASSAGE OF ORDINANCES REGULATING APARTMENT CONVERSIONS TO SHORT TERM RENTALS IN THE CITY PRIOR TO EXPIRATION OF THE MORATORIUM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JANUARY 9, 2018

(Staff Contact: Jennifer Gomez/David Recor)

David Recor, Development Services Director, presented the item as the second reading of the ordinance and that there were no additional comments from staff.

Comr. Sobel asked if staff was requesting a three months extension.

Mr. Recor responded that the item is for a ninety-day extension, which will allow staff to complete the review of the study with Mr. Lambert, whom each Commissioner had met and discussed individually.

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

Perkins

Sobel

Burrie

Fisher

Enactment No: ORD. No. 2018-28

14. [18-159](#) **P.H. 2018-30: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND DUDE SOLUTIONS, INC. D/B/A FACILITYDUDE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$59,614.17)

FIRST READING: JANUARY 9, 2018

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director presented the item and stated that there are no changes from the

first reading to the amendment to the contract.

Comr. Sobel asked why the City is amending the agreement that is only several months old.

Mr. McCaughan responded that the agreement is for the work order management system that Public Works Department uses to manage all the City's maintenance. So, this item will modify the contract through an amendment to accomplish the City's facilities condition assessment. The data will be collected and fed into the work order management system. In essence, it is the facility assessment that is the amendment of a contract recently renewed. He then explained in details how the process works.

Debresia LeSane, Pompano Beach, FL, indicated that Comr. Moss counted the "black people that come here" but she is "counting how many of the 12 contracts "he" (Mr McCaughan) is signing and he does not know much about one."

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
Perkins
Sobel
Burrie
Fisher

Enactment No: ORD. No. 2018-29

15. [18-166](#) **P.H. 2018-31: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA AUTHORIZING THE APPROVAL OF A CONTRACT WITH AUSTIN TUPLER TRUCKING, INC. AND FLORIDA SUPERIOR SAND, INC. FOR THE PURCHASE OF AGGREGATES, TOP SOIL AND SAND, AS NEEDED PURSUANT TO THE PRICING, TERMS AND CONDITIONS AS PROVIDED FOR IN CITY OF MARGATE, FLORIDA, BID NO. 2018-001, ISSUED ON BEHALF OF THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE, IN THE APPROXIMATE AMOUNT OF \$130,000 PER YEAR; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: 130,000)

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director presented the item stating that the item was procured by the City of Margate. He mentioned that there are a number of commodities that the City purchases collectively with other cities. Aggregate sand and top soil are two of those commodities that other cities need. Specifically, twenty other cities are involved with this co-op that was done by the South East Florida Governmental

purchasing cooperative. Therefore, two different firms are being awarded; Austin Tupper Trucking and Florida Superior Sand. Based on the City's needs the fiscal impact will be \$130,000.

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

16. [18-143](#) **P.H. 2018-33: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA AUTHORIZING THE APPROVAL OF A CONTRACT WITH SITEONE LANDSCAPE SUPPLY, HOWARD FERTILIZER & CHEMICAL CO., INC., SUNNILAND FERTILIZER CORP., HELENA CHEMICAL CO., RESIDEX LLC, DIAMOND R FERTILIZER CO. INC. AND HARRELL'S, LLC FOR THE PURCHASE OF FERTILIZER AS NEEDED, PURSUANT TO THE PRICING, TERMS AND CONDITIONS AS PROVIDED FOR IN TOWN OF DAVIE, FLORIDA, RFP NO. B-17-124, ISSUED ON BEHALF OF THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE, IN THE APPROXIMATE AMOUNT OF \$35,000 PER YEAR; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$35,000.00)

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director presented the item and stated that similar to the previous item discussed, this is also a co-op agreement procured by the City of Davie. He said multi firms submitted bids and he announced that the job was being awarded to Sunny Land Fertilizer, which is a local firm in the City of Pompano Beach.

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

17. [18-165](#) **P.H. 2018-32: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA INLAND NAVIGATION DISTRICT FOR ALSDORF PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

Mark Beaudreau, Recreation Programs Administrator, presented the item and stated that this is the second of three agreements that the City has with Florida Inland Navigation District (FIND) regarding Alsdorf Boat Ramp. He mentioned that for the property there is a five year agreement with a five year renewal option.

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

E. REPORTS

Gregory Harrison, City Manager - Reporting - Mr. Harrison reported on the following matters:

- Demolition of Fire Station 24 - On January 29, 2018 at 10:00 a.m. Fire Station 24 will be demolished. He invited anyone interested to witness this event.
- Habitat Humanity Volunteers - Fire Emergency Medical Services (EMS) has a volunteer group from Chief Jurgle's department that are Habitat builders and they will be volunteering on a project with Habitat.
- Drones - Broward Sheriff's Office (BSO) along with the Fire Department will be experimenting with drones. More information will be forthcoming about using drones for crime scenes, as well as disasters, fires, etc.

Mayor Fisher stated that on National Television it was shown where a drone dropped a raft where two young people were caught in a rip current in Australia. Because of the drone, the raft was able to inflate as it hit the water and they were able to save the two young lives, which is very important.

John Hale, Police Chief (BSO), commented on their drone experimentation. He indicated that there is one pilot in Pompano Beach and explained in detail how the drones are utilized and the efficiency of getting to a crime area without waiting for a helicopter when aerial support is needed immediately to track crimes like missing persons or children.

John Jurgle, Fire Chief, also provided his views on the cutting edge technology of utilizing the drones. In fact, he will be sending one of his employees to become a certified drone pilot. In addition, he had discussed with Chief Hale the possibility of conducting joint training.

- Financial Literacy Program - Mr. Harrison noted that Suzette Sibble, Assistant City Manager has been working with Chase Bank on a financial literacy program at some of the City's Elementary schools, namely, Markham and Pompano Beach Elementary schools. Approximately eighty 5th graders have participated through the community programming with Chase.
- Registration of Vendors - Ms. Sibble is working with Otis Thomas, General Services Director, as well as other personnel in the purchasing department on a "Meet and Greet" to get vendors registered to do business with the City. This will take place on February 7, 2018.
- Effects of Social Media - Mr. Harrison stated that they have been going through the process of learning more about the effects of social media. Therefore, he provided an example of what Sandra King and Mark Beaudreau have been working on as it relates to one hit on social media about the Nautical Flea Market that occurred this past weekend, which reached 20,000 people. He said this was impressive considering this was just one hit.
- Signs for illegal trash Dumping - Mr. Harrison indicated that the City Commission instructed him to start a rewards program for people reporting illegal trash dumping in the City of Pompano Beach. He displayed the signs that will be going up throughout the neighborhoods similar to Crime Stoppers, which the City will be paying a reward of up to \$1,000 for people that are apprehended and prosecuted for illegally dumping in the City of Pompano Beach. A person can remain anonymous when reporting.

Vice Mayor Burrie indicated that she would like about 100 signs put up in the Cresthaven and Highland areas.

Comr. Perkins asked if the cameras have been set up.

Mr. Harrison indicated that they have been set up in undisclosed areas.

Mark Berman, City Attorney - No report.

Asceleta Hammond, City Clerk - No report.

Commissioner Rex Hardin - G.O. Bond Education - Comr. Hardin reported that last night he was at the Sanders Park Homeowners' Civic Association and the week prior he had visited at the Cypress Civic Association. He said staff is educating the public about the G.O Bond and doing a great job. He encouraged staff to keep up the good work and to continue to educate people on what it is all about. In addition, he has indicated that he supports the G.O. Bond and will continue to support it.

Community Garden Opening - Comr. Hardin reported that he had a great event this past weekend at the Community Garden ribbon cutting ceremony. He said it was fantastic and it has been a long time coming for

the community garden. People throughout the City are excited about this program and would like to see more community gardens throughout the City. Comr. Hardin encouraged people to sign up for the plots.

Commissioner Barry Moss - Police Substation in Collier City - Comr. Moss reported that people will be excited when they see the 450 building on NW 27th Avenue gone. The plan is to take a repurposed shipping container and put doors and windows in and make it a police substation, which will be placed on the main street in the Collier City neighborhood.

Collier City Civic Association Meeting - Comr. Moss announced that the Collier City Civic Association will conduct its next meeting on January 31, 2018, at 7:00 p.m., at the Jan Moran Learning Library. The developer building the commercial warehouse facility on NW 31st Avenue will be attending the meeting to make a presentation to the community. Therefore, he encouraged everyone interested to attend.

G.O. Bond Presentation - Comr. Moss thanked the City Manager and City staff for their presentation of the G.O. Bond at Palm Aire. He said they did a good job and he heard nothing but positive responses. The people were enthusiastic about the presentation, therefore, he encouraged staff to keep up the good work.

Commissioner Beverly Perkins - Comr. Hardin's attendance at Community Meeting - Comr. Perkins reported that on Monday, the Sanders Park Civic Association held a meeting regarding the G.O. Bond and the City Manager was in attendance. She said the community was surprised to see Comr. Hardin in attendance trying to encourage and persuade the residents to vote for the G.O. Bond. She thought it was unusual because when Comr. Hardin sits on the dais he does not vote in favor of hardly anything for the northwest Pompano district. However, he showed up at the Sanders Park Civic Association meeting, supporting the G.O. Bond and she assumes he was campaigning for Mayor at the same time. Comr. Perkins said the people in the community are paying attention and they see what is going on the dais. Therefore, she indicated that he is not "fooling the people" by voting one way on the dais and going into the community to persuade those same people.

Sale of Surplus Property on Powerline Road - Comr. Perkins stated that in 2010 the City acquired 1.13 acres of property located on Powerline Road. However, in October 2017, she had asked the City Manager to put the item back on the agenda to request that the monies received from the property, approximately \$1 million, could be earmarked in the general fund for district 4. However, to date the item has not been put before the City Commission.

Greg Harrison, City Manager reported that the property has not been closed on, therefore, an item cannot be placed on the agenda until the transaction is complete.

Vice Mayor Burrie indicated that she had seconded the motion to get this item on the agenda as well.

Mark Berman, City Attorney, reported that the City only just received the signed contracts and staff will be taking care of it to getting everything cleared up to move things along.

In response to Comr. Perkins' question, Mr. Harrison responded that the only reason the item will go back on the agenda was because Comr. Perkins and Vice Mayor Burrie have requested for it to be placed on the agenda. Therefore, he will bring the item back on the agenda for the City Commission's discussion on how to utilize the funds.

Comr. Sobel noted that a special meeting was called because time was of the essence with regard to the sale of the property, as it was a cash sale. He said the City Commission was advised it had to be done quickly and they came in for the special meeting. Therefore, he asked why the City has not closed.

Mr. Berman responded that immediately after the meeting, staff got with the purchaser, who wanted to form a new corporation and consummate the sale. Mr. Berman said he told them it was not possible and the City must deal with the entity that actually bid on the property. Therefore, they reworked their corporate situation, which took some time. The City has been ready, willing and able to move it along. The purchaser's urgency was that they needed to have a deal done to get their financing in place. Therefore, he estimated that closing will take place within the next two weeks. He said the City has not contributed to the delay in any way.

On a separate note, Comr. Hardin responded to comments made by Comr. Perkins earlier regarding his attendance to the association meetings. He said he is not trying to "fool" anybody, as stated. The fact that he is advocating for the G.O. Bond is his personal feeling. He supports it and he thinks it is a good thing and as a City Commissioner he can show up for meetings within the City. He added that his vote on the dais is public and he is not trying to fool anyone.

Comr. Perkins noted that if Comr. Hardin was not running for Mayor he would not have attended that meeting in the community.

Comr. Hardin stated that Comr. Perkins does not know his motivation and why he does things. The fact is he supports the G.O. Bond and as a City Commissioner he goes to meetings to advocate for it, which is part of his job as a City Commissioner. He goes out to advocate for what is the best interest of the City.

Commissioner Michael Sobel - Facts - Comr. Sobel indicated that he wanted to talk about facts, which he thinks are critically important for critical thinking. He said he asks a lot of questions, which some people like and some do not. He mentioned that he has been disheartened, because over the last few months, he has grown close to some members of staff. Periodically, he would ask questions, ask for some facts and how things are going, however, more than one staff member told him that they have been advised not to provide him with information. He said he does not want to put an employee in any type of situation. Notwithstanding, he declared that City Manager Harrison has been unbelievably responsive to his every request particularly, recently, when he has asked for information.

Additionally, Comr. Sobel indicated that he was taken aback, as a public official, to hear staff's response. He understands the protocol in the City Charter that he must go through the City Manager and he would ask questions of staff and so on and so forth. But the truth is in reality, with each day going by and there is a closeness established as they are working on projects, the City Commission talks to people on different events,

so it is natural to ask questions about one thing or another to try to follow up. He cited one such incident that he had an opportunity to attend a staff resident meeting at the District 1 Riverside library this past week. The staff that was present, along with Mr. McCaughan, Mr. Sfiropoulos and Denison's representative was there. The reason for the meeting was that some residents were very upset that there had been preferential treatment given to some residents at some buildings over others, with regard to parking permits. Therefore, it was important to him to be in attendance to ask why these rules were promulgated, why was the ordinance there, and what was the basis for it, and how did it develop over the period of time.

He thanked staff for answering his why questions and for answering the questions of a very upset group of residents which resolved the problem. But that comes from fact finding and communicating and making sure that everything is done the way it should be. He encouraged the residents to pursue the facts to get the information and to hold the City Commission as well as City staff accountable.

Comr. Sobel stated that there was an issue, and even though it took place at the last CRA meeting approximately one week ago, he wanted to bring it up again because it could be heard from some of the speakers who spoke under audience to be heard, their angst and anger that still exists. The Mayor, CRA, City Commissioners and City Manager received an email from Mr. Don Patterson regarding the facts. There was a discussion at that CRA meeting that triggered the argument that the City Vista was not intended or represented to be an art loft type project. However, he had indicated to Mr. Patterson at the time that was not what he had recalled being said. So, apparently, Mr. Patterson reviewed the CRA meeting and he responded with some facts in an email to the City Commission, which Comr. Sobel read in its entirety.

Comr. Sobel mentioned that when residents had come up to speak at that meeting, he felt some residents may have been minimized at the meeting, as he had said at the time, they were speaking the truth. Therefore, Comr. Sobel encouraged residents to hold the City Commission accountable, to ask for the facts, to get the copies of whatever is needed and he will continue to ask the questions as well.

Update on Cultural Arts Center - Comr. Sobel asked for a report on how the Cultural Arts Center (CAC) is doing, which has opened now just under one year. There has been some transition and financial issues therefore, he wanted to know how everything is going.

Greg Harrison, City Manager responded that a staff meeting is scheduled for Thursday, January 25, 2018, to review the Cultural Arts Center transition. Therefore, once the meeting has ended staff can disseminate a briefing from the meeting to the City Commission.

On a separate note, Mr. Harrison mentioned a prior statement that Comr. Sobel made that "staff had been instructed not to give you any information" and as the City Manager, he said all staff works for him; therefore, he is assuming that the indication was that he had given those instructions.

Comr. Sobel replied no, not at all. He said he had made it clear that the City Manager was not part of it. He said there are several levels of employees and it did not involve City Manager Harrison. He indicated that the City Manager has always provided him with whatever he has asked for and has done so diligently, thoroughly

and quickly, which he appreciates.

Email Reponses - Comr. Sobel apologized to those people who emailed him but he was unable to get to them while he was out ill. He mentioned that since he got back online he had over 342 City emails to respond to, which he has almost completed going through them.

Vice Mayor Charlotte Burrie - No Report.

Mayor Lamar Fisher - City Local Preference Ordinance - Mayor Fisher asked for an update on the City's ordinance on local preference.

Mr. Harrison reported that the ordinance is in the City Attorney's office.

Mark Berman, City Attorney stated he just met with members of the Economic Development Council and have recently received their comments and will be working on the ordinance to come before the City Commission in February.

Community Garden - Mayor Fisher commented on the community garden dedication that took place during the weekend, which was dedicated to Patricia Davis. He said there was a great turnout from the community and Mr. Davis was there from Collier City. He noted that two young African-American gentlemen who were interns/apprentices at the garden, who spoke amazingly about their goals. Therefore, he would like Mr. Davis to make contact with himself or the City Manager, and to have these young men, who attends Blanche Ely High, to come to a City Commission meeting to reiterate what their goals are, which the City needs to hear.

Opening of Broward County Library - Mayor Fisher announced that the Broward County Library, located across the street from City Hall, was opened on Friday, January 19, 2018, which was a great success. He said a number of government officials were in attendance to include County Mayor Beam Furr, and Commissioner Chip LaMarca, the library representatives, City Commissioners Hardin and Perkins. Mayor Fisher said it is a great venue for everybody to enjoy.

F. ADJOURNMENT

The meeting adjourned at 7:58 p.m.

Lamar Fisher, Mayor

Asceleta Hammond, City Clerk