

## Detailed Minutes - Final

### City Commission

*Rex Hardin, Mayor*

*Barry Moss, Vice Mayor*

*Rhonda Eaton, Commissioner*

*Andrea McGee, Commissioner*

*Tom McMahon, Commissioner*

*Beverly Perkins, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Asceleta Hammond, City Clerk*

---

Tuesday, March 12, 2019

6:00 PM

Commission Chamber

---

### City Commission Meeting

#### **CALL TO ORDER**

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

#### **ROLL CALL**

Mayor Hardin indicated that Comr. Andrea McGee was out of town, in Tallahassee for Broward Days, therefore, she will not be present at tonight's meeting.

**Present:** Commissioner Rhonda Eaton  
Commissioner Tom McMahon  
Commissioner Beverly Perkins  
Vice Mayor Barry Moss  
Mayor Rex Hardin

**Absent:** Commissioner Andrea McGee

#### **INVOCATION**

Rev. Dr. Greg Fitch, Psychology and Hospital Chaplain offered the invocation.

#### **PLEDGE OF ALLEGIANCE**

Led by Asceleta Hammond, City Clerk

#### **SPECIAL RECOGNITION**

Mayor Hardin recognized and welcomed elected representative, Fred Segal, Broward Sewer and Water Conservation Commissioner.

**APPROVAL OF MINUTES**

[19-294](#) Regular City Commission Meeting Minutes of February 26, 2019

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

**APPROVAL OF AGENDA**

Mayor Hardin announced that items 3, 6 and 9 would be postponed to the March 26, 2019 City Commission Meeting. Also, item 14A would be added to the Agenda.

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

**CONSENT AGENDA DISCUSSION**

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

**A. PROCLAMATION**

[19-291](#) **Bean and Pepper Jamboree Proclamation**

Mayor Hardin proclaimed March 31st as Bean and Pepper Jamboree Day in Pompano Beach.

The following representatives accepted the proclamation on behalf of the co-sponsors of the Jamboree: Lee Waldo for the Sample McDougald House and Fred Segal for the County Farm Bureau and Gwendolyn Leys for Pompano Beach Kiwanis Club

Ms. Leys invited everyone to the historic Sample McDougald House that represents the agricultural history in the community.

Mr. Segal thanked the City for the proclamation and indicated that the event will remind us of the agricultural history in the area. This will be a fun family event. Admissions for adults is \$5 per person and children are free.

**The Proclamation was READ AND PRESENTED INTO THE RECORD.**

**B. AUDIENCE TO BE HEARD**

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

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is 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:

**Introduction of Keep It Klean Business** - Paris Prince, President, Blanche Ely High School JA Fellows, Keep It Klean, 1201 NW 6th Avenue, Pompano Beach, FL, and Frantz-Jean Jules, Vice President of Finance, Keep It Klean, 1201 NW 6th Avenue, Pompano Beach, FL. Ms. Prince introduced their business Keep It Klean, where they promote environmental cleanup around the school to reduce pollution and prevent the ongoing process of global warming.

Mr. Jules stated that in order to promote environmental cleanup they are hosting their first annual cleanup event on March 16, 2019. He commented on the means by which they are being funded.

Ms. Prince, on behalf of Keep It Klean, thanked the City’s Solid Waste and Recycling team, Russell Ketchem and Beth Dubow, CRA staff and JA Fellows advisor, Dahlia Baker, Nicole Wilson and Amy Deseller, sponsors, as well as Dodie Keith who sponsored lunch for their event. She invited everyone to the Keep It Klean kick off ceremony at 8:30 a.m. on Saturday, March 16, 2019, she provided flyers to the Commission with information regarding the time and date of the event.

**Parking Code Issues** - Dr. Katheryn Gillis, 220 NW 15th Place, Pompano Beach, FL, expressed a concern she has with the City’s code as it relates to resident parking cars in some of the neighborhoods, where specifically, she cannot park her car on the side where there is grass. She said for the years she has lived in that community there were no restrictions. Therefore, she wanted to know if there was a code, and when did it come into effect, and why were the residents not notified of this code. She said in Sanders Park they are experiencing problems with complying with the code, which they are being asked to build a driveway for parking.

Mayor Hardin suggested that Dr. Gillis provide Mario Sotolongo, Code Compliance Manager, her contact information and they could set up a meeting so that code could be explained in detail.

**Blanche Ely Educational Museum** - Dr. Gillis announced that on March 20, 2019 at 10:00 a.m. the Blanche Ely Education Museum Ribbon Cutting will take place.

**Pompano Beach Housing Authority Project** - Mary Phillips, Executive Director, Small Biz, CEDC, 169 N. Powerline Road, Pompano Beach, FL, indicated that the City Commission should reconsider the project, and provided her reasons, which included the property was zoned accordingly, as well as it is slated for low income senior citizens. In sum, she believes it would provide jobs for the people in the community. Therefore, it would be appreciated if the City Commission would allow the developer to build the type of housing that the residents desire to see in the community.

**Community Service Awards** - Ms. Phillips announced that they will be having their "I care" community service awards dinner on April 27, 2019 at the Skolnick Center. They will be honoring some people that have done some great things in the community to include Darlene Ponder, Vince Johnson, Carolyn Mann, Edwin Hopkins with AA, Rodriquez Charities, Anita Chapman and Willie Brown who works with the youth. Brian Walton has been working with the kids to get into the tire business, Gwendolyn Hoch who coordinates the senior picnic annually, and Nevin Gussett, prior employee with the Northwest Library. She indicated that she will be distributing the sponsorship package to the City Manager, Greg Harrison.

Comr. Eaton indicated that she had planned to bring up this issue under Reports, but thought it is appropriate to do so at this time. She indicated that at the last Commission meeting regarding the plat application for the Housing Authority, she listened to a number of impassioned residents, however, she was torn and decided to do further research on the item. Also, she met with the Housing Authority to tour some of their properties. Comr. Eaton indicated that she learned that this is strictly a ministerial action that the Commission does not have any legal ground to deny such an item. This creates a situation where the City Attorney, as well as the Housing Authority would have to spend money on something that seems to have a foregone conclusion. This was not an approval of a particular project or a development project. Therefore, Comr. Eaton indicated that she did not feel her vote was correct, and it is not in the best interest of the City to have voted the way she did and hopes for a second to motion to rescind the action to deny the plat to the Housing Authority under file Id 19-87 that went before the Commission on February 26, 2019.

Mayor Hardin asked if the City could rescind an earlier action in this manner.

Mark Berman, City Attorney, responded you can. He explained that further action cannot be taken at this meeting, rather the item would be further noticed and placed on another agenda.

**MOTION:** A motion was made by Comr. Eaton, seconded by Vice Mayor Moss to rescind the action that was taken previously on Item 19-87. The motion carried by the following vote:

**Yes:** Comr. Eaton  
Comr. McMahon  
Comr. Perkins  
Vice Mayor Moss

**No:** Mayor Hardin

**Absent:** Comr. McGee

Comr. Perkins indicated that what the Commission had to consider upon receipt of the backup for the Housing Authority was only to agree to a platting. So what was confusing to people was when they started discussing

what they would actually put on the property. In sum, the backup contained just the information regarding the plat and that was the reason she voted for the item.

Comr. Eaton added that nothing can be done to the property until it is platted.

Mayor Hardin indicated that at the last meeting when the item was discussed, he was fully aware of what was being voted on but he was also aware of the public's desire of what they wanted to see on that particular piece of property.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, asked if it would be inappropriate to discuss the motion on the floor with the absence of Comr. McGee.

Mr. Berman concluded that the motion is not inappropriate without Comr. McGee attending the meeting.

Ms. Phillips stated that the Housing Authority attended her Homeowner's Association meeting and presented the project to them. Thereafter, the Association provided them with a letter of support. Also, she indicated that the reference to the units would be called villas in another neighborhood, not duplexes.

**Florida Gun Expo Permit** - Hillary Dougherty, President, Old Pompano Beach Civic Association, 716 NE 4th Street, Pompano Beach, FL, requested that the City do not renew an events permit that was issued to the Florida Gun Expo. She indicated that they use the permit to host gun shows at the Emma Lou Olson Civic Center, which is located in her neighborhood. She then relayed an experience she had last summer as it relates to the City allowing a gun show to be held next door to a children facility, which was lacking in security at the time the gun show expo was taking place. Consequently, Ms. Dougherty indicated she found an ordinance in Broward County that closes a gun show loophole, Ordinance 18-96 and 18-97, which requires any private gun sales in Broward County and gun sales at gun shows must have a background check and a five day waiting period. In addition, Ms. Dougherty noted that the ordinance is not enforced. In sum, Ms. Dougherty is against gun shows being held in a public facility.

Mayor Hardin asked City Attorney Mark Berman to provide an update on the lawsuit in Fort Lauderdale, and what options does the City have and to address the question about the City being responsible for background checks.

Mark Berman, City Attorney responded that the City is not responsible for background checks but it is a law enforcement issue. He understood from the gun show promoters that they do not conduct sales at the gun shows held in the City. In addition, in the lawsuit of Florida Gun Show Inc. v. City of Fort Lauderdale injunctions recently decided by the Federal Court in Broward County and the Federal Magistrate held a few things that are important to the City of Fort Lauderdale.

- 1) The City's decision not to renew the lease agreement was proprietary in nature and not "a law" in their law making capacity, therefore, it was okay to deny acting in their proprietary capacity.

- 2) The Court found that excluding that gun show, was plaintiff's commercial speech was okay because it was in a non-commercial forum, which was a forum where people purchased tickets to get into the event, making it a non-public forum.
- 3) The Court also held the decision to exclude the gun show as reasonable.
- 4) There were testimonies during that trial from the City Manager and from other witnesses, similar to what the City of Pompano Beach has in place, where only a few miles from Marjory Stoneman Douglas High School, the City's recreation center is in the residential neighborhood. In the case of Fort Lauderdale it was commercial. In the case of the City of Pompano Beach, there is the high school approximately 1,000 feet away. So, there are arguments that are very similar and the "wounds" are still open from the incident.

Mr. Berman provided a very detailed explanation as to how the decision was made by Fort Lauderdale, and what it would mean for the City of Pompano Beach going forward in leasing its facilities for gun shows. He said there are still two shows left under the permit and he advised that the City allows those two shows to continue to avoid damages and things of that nature. Similarly to what City of Fort Lauderdale did under their leases where they allow the remaining shows that had been agreed to, to continue under their lease.

Mayor Hardin summarized Mr. Berman's earlier comments to mean that under parallel of expensive lawsuits the City could but should not try and stop the two remaining gun shows at the Civic Center. However, going forward after those shows that are being dealt with strictly under special event permits, we will be dealing with lease situations and with that type of situation, the City Commission could make it a policy for the City not to allow gun shows at the recreation centers.

Mr. Berman responded that is correct and provided details on this matter.

Mayor Hardin asked if a motion could be made to direct staff not to lease the recreation centers for gun shows. In fact, he wanted to know the mechanism needed for the City to move forward if gun shows would be prohibited from being held in the Civic Centers.

Mr. Berman indicated that the Commission could move to direct staff not to enter into a lease. However, if the leases are brought before the Commission they can deny them.

Mayor Hardin stated that he is open for a motion to direct staff to prohibit any future gun shows at the City's civic center facility or any other City facilities, with the exception of the two remaining shows that are part of the special event permit.

**MOTION:** A motion was made by Vice Mayor Moss, seconded by Comr. Perkins to direct staff not to enter into any lease agreements to allow any gun shows at any City facilities in the City of Pompano Beach going forward.

Discussion continued on the motion.

Ms. Dougherty promised to go to a County Commission meeting to find out when they will create some kind of task force or mechanism to ensure something is put in place, so cities are not put into any kind of situations similar to what the City of Pompano Beach is experiencing. She said nobody is currently doing any kind of background checks.

Dania Sanchez Quist, volunteer for Brady United Against Gun Violence, stated that they have rebranded for the last 20 years, and she would like to add that the only people selling guns that are required to do a Brady background check are federally licensed fire arm dealers. According to the law recently passed, background check is mandatory for any gun sale.

Mr. Berman advised that there is no need for a motion, rather it should be a question stating, "Does the City want to utilize its facility for this purpose."

Mayor Hardin asked for the motion to be rescinded, which Vice Mayor Moss moved to rescind the motion seconded by Comr. Perkins.

Additionally, Mayor Hardin stated that the City Attorney has requested that the Commission hold a voice vote on whether or not the Commission desires to have City facilities utilized for gun shows going forward.

**No:** Comr. Eaton  
Comr. McMahon  
Comr. Perkins  
Vice Mayor Moss  
Mayor Hardin

**Absent:** Comr. McGee

Greg Harrison, City Manager asked for clarification regarding City Attorney's statement regarding the adopted motion.

Mr. Berman stated that the Commission has just stated, by majority present, that it does not wish to have its facilities to be utilized for this purpose. Therefore, it is up to staff to act accordingly. He reiterated that it is a proprietary decision.

**Gun Shows in Pompano Beach** - Kate Kahn, 307 NE 8th Court, Pompano Beach, FL, expressed sadness and horror at the fact that the City rents space to major gun show organization. She said she emailed the City a few weeks ago regarding question about the lease and the response she received was that the Commission hands were tied because of the preemption law. So now this is no longer an excuse. She understands the major players and laws that threaten to impose fines and remove elected officials from office, but in this case it cannot happen as the preemption laws are not applicable.

Ms. Kahn expressed concern for the next two shows and wanted to know how they could be assured that the City is abiding by the ordinance in making sure that the people who are buying these guns are not going to end up on the streets without some kind of background check, and if Broward Sheriff's Office (BSO) would be present at the shows.

Mayor Hardin stated that as it relates to the background checks that are held or not, he is unsure if BSO have detailed officers that are present, but whose responsibility is it to ensure that takes place.

Major Wayne Adkins, Broward Sheriff's Office (BSO) confirmed that the responsibility for the background checks are from the dealers, who are bound by the federal and state laws.

An extensive discussion followed among Major Adkins, Ms. Kahn and the Commission regarding some of the issues involved where at prior gun shows, children were in the same building that the gun show is taking place.

Major Adkins promised to reach out to ATF to get an opinion for the operations that will take place for the remaining two shows.

**Gun Shows** - Sarah Leonardi, 717 SW 2nd Drive, Pompano Beach, FL, thanked the Commission for making the change regarding future gun shows in the future.

Mayor Hardin indicated that the Commission has not been "sitting on our hands" as it relates to the gun issue. In fact, until the latest lawsuit issue that came up from Fort Lauderdale, all of the Commission has been concerned and wanted some way to act but they have been prohibited.

**Congratulations** - David Miller, Pompano Beach, FL, congratulated the staff and the Commission for handling the sewer pipe burst.

Mr. Miller offered congratulations on fixing the parking lot to allow for a pickup truck to get into the spaces not just compact cars.

**Agricultural Opportunities** - Mr. Miller indicated that he represents the community garden and they are coming to the end of the growth season. He indicated that there are a lot of warehouse spaces on NW 31st Avenue and perhaps it would be a good idea to keep the City's history of being an agricultural city alive and utilize the warehouses for indoor agriculture. To consider new methods of growing would keep the City's heritage alive, as well as feeding local areas as "food deserts." Agriculture could be a nice incentive for the City, since the County is taking notice of the City, especially in the Collier City area.

Mr. Miller thanked everyone for coming out to the unveiling of the mural in Collier City.

**Crime Rate in Pompano Beach** - Tundra M. King, 124 NW 15th Street, Pompano Beach, FL, stated that she was proud to see the number of changes that have gone forth in the City. However, as a retired police officer, there are many things that have been of some concern to her for quite a while in the City. There is a "broken window" theory in law enforcement which is seen more often in the northwest section of Pompano Beach. Particular in the areas off NW 15th Street, 14th Street, and 3rd Avenue, 12th Court it has been documented that a lot of crime has occurred. She indicated that there is a property at 14th Street and 3rd Avenue that needs to be cleaned up to discourage the crime that has taken place there. She indicated that the TV news has reported that Pompano Beach is 24th in the nation as it relates to crime. She is appalled that the City is ranked so high and something must be done about the situation.



Ms. King suggested that a Committee could be formed comprising of the Fire Department, Code Enforcement, a police officer, a person from parks and recreation and somebody from the senior division who could address the concerns of the citizens. Upon receipt of the concerns the Committee members could ride around together to handle those concerns, which may involve the fire department because there are a host of abandon cars that potentially could start a fire. She said this was done in the City she served in as a police officer. She indicated that she would be happy to join any board or committee in the City to assist with the issues facing those residents.

Mayor Hardin instructed Mario Sotolongo, Code Enforcement Director, to meet with Ms. King to determine the specifics regarding the issues in the respective roads. He does agree that the areas mentioned does need help as he experienced it first hand when he walked the streets during his campaign efforts.

Comr. Perkins stated that Ms. King brought up the crime statistics about the City of Pompano Beach, which has been a concern of hers, because there has been another shooting in Golden Acres, and this has been happening often. She indicated that in Golden Acres where the shootings have been taking place, across the road is a dormant police substation that has not been utilized for over ten years. Comr. Perkins asked if anything can be done with this location to assist the area in decreasing criminal activities.

Major Adkins indicated that the Braggs Crisswell substation is utilized by the deputies to do their paperwork, work on the computer, and to process a prisoner prior to taking them to the County jail. The building was assessed approximately one year ago with the hope of turning it into a community outreach building. However, because it is not ADA compliant and there are serious issues with the building, with it being dilapidated, it would cost too much to retrofit and refurbished it for the community use due to the value of the building and the property.

Greg Harrison, City Manager indicated that there is a contract on the property, and the plan is to find another location for the substation and build it to code requirements. The property being considered is City property located off NW 27th Avenue, in Collier City.

Comr. Perkins commented that two substations is needed one in Collier City and one on the other side of town.

Mayor Hardin asked Major Adkins to check into what is going on with the subject substation, and plans for any other substations and provide a report to the City Commission.

In response to Mayor Hardin's question regarding the shooting at Golden Acres, Major Adkins stated that there are two suspects in that particular shooting and that it is an active investigation. However, people are reluctant to come forward who probably witnessed it, which is creating some issues. Hopefully, more arrests will be made in the future.

Comr. Perkins asked that Major Adkins have the Sheriff call her, as she indicated that if they continue to do the same thing as done over the years regarding crime, it will continue. In sum, she mentioned that they have to do something different. The biggest problem is that there is no visibility of the police officers. So, something must

be done to stop the shooting.

Mayor Hardin indicated that for some time he has been asking the question if there are enough police resources in Pompano Beach, which should be discussed with the Sheriff and the City Manager.

**Crime Rate in Pompano Beach** - W. Ervan Miller, 3051 N. Course Drive, #801, Pompano Beach, FL, stated that he recently moved from Miami Gardens to Pompano Beach and to hear that the crime rate in Pompano Beach is approaching the Miami Gardens level has left him thinking what type of choice he made to move to Pompano Beach.

Mr. Miller stated that he attended a meeting last night hosted by Comr. Perkins with Code Enforcement. There are issues that were brought out and discussed, however he wanted to bring these to the City Commission as a whole. There are issues with chickens running around, junk and trash, junk vehicles parked in yards, uncomfortable citizens with sober homes in the neighborhood, and commercial vehicles parked on the right-of-way. In sum, in the northwest area, changes are needed to create a safe and clean neighborhood, because currently there are too many issues that are not only police related but rather majority is related to Code Enforcement. He reiterated that a change is needed in the neighborhoods.

Mayor Hardin mentioned that to have tractor trailers parked in residential neighborhoods has been his “pet peeve” for years. He asked if a tractor trailer is parked on the road or in the swale can BSO ticket that vehicle.

Major Adkins responded yes.

Mayor Hardin indicated that since BSO can ticket those tractor trailers, it is the most effective method of enforcement by the police not Code Enforcement. However, if a tractor trailer is parked on a private property lot (vacant) BSO cannot do anything.

Major Adkins confirmed that is correct.

Mayor Hardin indicated in this case, Code Enforcement will have to get involved, which is a much slower method because they cite the property owner, who may not necessarily be the owners of the tractor trailers. Nevertheless, he encouraged people to call BSO if they see trailers on the road or in the swales, because they do not belong in the City in that manner, so let’s get them ticketed.

Comr. Perkins stated that the tractor trailers can park at the Farmer’s Market at no cost.

**Update of NW 2nd Street** - Pamela Hightower, 3028 NW 2nd Street, Pompano Beach, FL, provided a short presentation on the status of the NW 2nd Street project. She said the streets are cleaner and they are appreciative of the trees being cut down and the new lighting that they received for the area. Everybody has been showing a sense of pride. BSO has been coming through regularly, patrolling and getting rid of the undesirable influences, as well as they have been coming out to the communities to meet with the residents. She said they met with Captain Matthes, as well as Major Adkins, and Officer Shamaroo, and they have been coming in when the residents needed them to be around. She mentioned about the abandoned lot located between a commercial duplex and a home. The neighborhood is approximately seven miles from the nearest

park and there are about fifteen school age children that do not have a safe place to play. Therefore, she put a presentation together, which she displayed that she would desire to see done with the empty lot. She is aware that the lot does not belong to the City currently, but she has contacted County Commissioner Mark Bogen to see if the City could acquire the lot to make that park possible with simple playground equipment with a few benches. Therefore, she is requesting the assistance of the City, as well as the residents to make this happen.

Finally, Ms. Hightower thanked Vice Mayor Moss, Commissioner Perkins, Latoya Evans, and everyone that have come in to help with making the streets safe and clean.

Mayor Hardin indicated that the Commission is also working with County Commissioner Bogen regarding the subject lot.

Gregory Harrison, City Manager, indicated that Earl Bosworth, Assistant City Manager has a meeting in the works with Commissioner Bogen's staff about that lot and several other lots that belong to the County that could be used for pocket parks or housing.

### **C. CONSENT AGENDA**

The following Consent Agenda items were Approved/Adopted without discussion: 1, 2, 4, 5, 7 and 8.

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

1. [19-275](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 1 IN A NOT TO EXCEED AMOUNT OF \$104,929.00 PURSUANT TO THE CONTINUING CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND KIMLEY-HORN AND ASSOCIATES, INC., TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE N. RIVERSIDE DRIVE AND NE 14TH STREET CAUSEWAY DRAINAGE IMPROVEMENTS PROJECT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$ 104,929.00)

(Staff Contact: Anthony Alhashemi/Tammy Good)

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

**Enactment No: RES. No. 2019-125**

2. [19-282](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE RUSSELL LIFE SKILLS AND READING FOUNDATION, INC. TO UTILIZE VARIOUS CITY FACILITIES TO PROVIDE LIFE SKILLS AND READING SERVICES FOR YOUTH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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

**Enactment No: RES. No. 2019-126**

3. [19-286](#) A RESOLUTION 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 BROWARD COUNTY FOR THE CONSTRUCTION OF TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTION OF DR. MARTIN LUTHER KING, JR. BLVD. AND NORTHWEST 27TH AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Consent Agenda/ Resolution be POSTPONED until March 26, 2019 City Commission meeting. The motion carried unanimously.**

4. [19-222](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT AMONG THE CITY OF POMPANO BEACH AND OTHER BROWARD COUNTY CITIES FOR SHARING THE COST OF THE DEVELOPMENT OF A BACTERIA POLLUTION CONTROL PLAN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$44,644, City share of \$8,928.80)

(Staff Contact: A. Randolph Brown)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda.**

**The motion carried unanimously.**

**Enactment No: RES. No. 2019-127**

5. [19-285](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING SURPLUS AND EXPRESSING THE DESIRE OF THE CITY OF POMPANO BEACH TO SELL THE NORTH 56 FEET OF THE PROPERTY LOCATED AT 1549 NW 18TH STREET, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Cassandra LeMasurier)

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

**Enactment No: RES. No. 2019-128**

6. [19-288](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MAINTENANCE AND CONSTRUCTION EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Consent Agenda/ Resolution be POSTPONED until March 26, 2019 City Commission meeting. The motion carried unanimously.**

7. [19-289](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTIGUOUS SHARED COMMON DOCKING AGREEMENT AMONG MICHAEL AND MARY LEPERA, AND MICHAEL AND MARY SCLAFANI, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda.**

**The motion carried unanimously.**

**Enactment No: RES. No. 2019-129**

8. [19-293](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **KELLY ANN MAGUIRE** TO THE CULTURAL ARTS COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER TOM MCMAHON; SAID TERM TO COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

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

**Enactment No: RES. No. 2019-130**

**D. REGULAR AGENDA**

9. [19-290](#) Presentation of Internal Audit Memorandum 19-03 Activity Report for completed and ongoing audit projects as well as follow up for implementations from previous audit projects covering the 14 month period from January 2018 through February 2019.

(Fiscal Impact: N/A)

(Staff Contact: Deusdedit (DC) Kiyemba)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Presentation be POSTPONED until March 26, 2019 City Commission meeting.. The motion carried by the following vote:**

**Yes:** Eaton

McMahon

Perkins

Moss

Hardin

**Absent:** McGee

10. [19-287](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY'S OVERHEAD TO UNDERGROUND CONVERSION POLICY FOR UTILITY LINES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Subject to annual appropriation. Not to exceed \$500,000 each fiscal year.)

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and stated that at the January 22, 2019, City Commission meeting, staff presented a reimbursement agreement between the City and Sheehan Cadillac to approve 40% reimbursement for proposed undergrounding of aerial facilities. This item did not pass and it was requested at that time to bring forth a policy for review. Therefore, this item is for the proposed overhead to underground a conversion incentive policy that was developed to establish some criteria for eligibility. One of the criteria is that regardless of the policy all proposed reimbursement agreements will still be required to come before the Commission for approval.

Vice Mayor Moss asked if the \$500,000 will come out of the General Fund.

Mr. Sfiropoulos responded that it would come from the fund balance or working capital reserve within the General Fund.

Mayor Hardin understands that staff did what the Commission asked them to do to come back with a policy, which indicates what will be done along with a threshold of a dollar amount. However, he asked if there are plans to put this in effect now or at the next budget fiscal year. He thinks \$500,000 is a significant impact. He also asked how it would impact the City's millage rate, if the City should increase by \$500,000.

Greg Harrison, City Manager responded that there is no request to increase the City's millage rate, and explained how the \$500,000 would be funded for each year.

An extensive discussion followed among the City Manager and the Commission regarding how this amount would be funded for each budget year, which will impact the City's revenues.

Mr. Harrison indicated that the current amount would come from available funds in the City's budget and there would be no increases. In sum, Mr. Harrison indicated that staff is responding to the request to come up with a policy with an incentive of up to an amount of \$500,000 per year. So, if a request should come before the Commission for approval, the City would participate to assist in funding for the undergrounding of the utilities.

Vice Mayor Moss indicated that this year it is good that the money is available to fund it, however, for the following year if a line item is not placed in the budget for it, and someone comes along requesting assistance to do it, if the money is available, the Commission would approve, and if not, it would be a no.

Mr. Harrison responded that is correct.

Vice Mayor Moss indicated that it does not necessarily mean that a line item should be placed into the budget for this. If at certain time of the year moneys that was not spent and can be allocated toward it, then it would be possible, and if there is no money and someone requests funding then it is a matter of the Commission saying no and they could try again next year.

Mayor Hardin asked should the policy get passed tonight, will there be a \$500,000 line item in the City's budget.

Mr. Harrison explained that the Commission is passing a policy that will say the amount would go up to \$500,000 each year. The City Engineer would bring to the Commission each proposal for the use of the moneys for undergrounding utilities. So, the Commission have the ability to say yes or no every time this is brought to the Commission. However, if the policy is passed, the language in place does not mean \$500,000 would be spent every year.

Mayor Hardin understands that concept but felt the potential is there to spend up to \$500,000 each year.

Andrew Jean-Pierre clarified that the City is not making any commitment of City funding at this time. So, in the event an item is brought forward, at that time, finance would be responsible to identify the funding source. So, going forward if any project is eligible as per the policy, the City Manager and Commission would be notified whether there is money available or not to move forward, or they could decide to put the project on hold because of unavailable funds at the time of request due to the demand of other priorities.

Suzette, Sibble, Assistant City Manager, added that staff recommended that the term "up to" be placed in the policy and she explained the reasons for including this language in the policy.

Comr. Perkins indicated that her concern is with the selection process as the backup indicates that there are



several areas already in the ground, for example Old Pompano and Briny Avenue.

Mr. Sfiropoulos responded that the criteria for selection is on the second page of the backup, which itemizes the eligibility. Staff will not be the ones deciding, rather the entities would come to the City and request it.

Comr. Eaton indicated that when the applications come before the Commission whether the decision made could be perceived as arbitrary or capricious, in that if there are excess funds, the City would have to provide up to \$500,000. Therefore, she indicated that she could not support this.

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

**Yes:** Moss

**No:** Eaton  
McMahon  
Perkins  
Hardin

**Absent:** McGee

11. [19-247](#) **P.H. 2019-32: (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 INVESTMENT ADVISORY AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND INSIGHT NORTH AMERICA LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Estimated annual cost is \$84,420.00)

**FIRST READING: FEBRUARY 26, 2019**

**(Staff Contact:** Andrew Jean-Pierre)

Andrew Jean-Pierre, Finance Director, presented the item and stated that it is the second reading for the investment advisory agreement. There were a few changes to add some clarification in the language from the first reading.

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

**Yes:** Eaton  
McMahon  
Perkins  
Moss  
Hardin

**Absent:** McGee

**Enactment No: ORD. No. 2019-31**

12. [19-248](#) **P.H. 2019-33: (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 FOURTH AMENDMENT TO THE AGREEMENT FOR CODE COMPLIANCE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CALVIN, GIORDANO & ASSOCIATES, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$85,000)

**FIRST READING: FEBRUARY 26, 2019**

(**Staff Contact:** Jennifer Gomez/David Recor)

David Recor, Director, Development Services Department, presented the item and stated that there have been no changes to the ordinance since first reading.

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

**Yes:** Eaton  
McMahon  
Perkins  
Moss  
Hardin

**Absent:** McGee

**Enactment No: ORD. No. 2019-32**

13. [19-235](#) **P.H. 2019-34: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK

BETWEEN THE CITY OF POMPANO BEACH AND DONALD GIALANELLA;  
PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$35,000.00)

**(Staff Contact:** Laura Atria/Phyllis Korab)

Laura Atria, Public Art Manager, presented the item stating that this was approved under the Public Art Master Plan and approved under the annual plan for fiscal year 2018. The program will take place every two years until 2025. Each time an artist or artist team will design and fabricate a sculpture that will be displayed on the beach for one year. It will then be submerged into the ocean and attached to Lady Luck as a part of the Ship Wreck Park. This first piece is by Donald Gialanella and it will be placed on the second southern beach entrance on the sand east of the Great Lawn near the ADA walkway.

Mayor Hardin mentioned that it is a “cool looking statue.”

Ms. Atria thanked everyone who attended the unveiling last Friday and reported that it was a great event.

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

**Yes:** Eaton

McMahon

Moss

Hardin

**No:** Perkins

**Absent:** McGee

14. [19-246](#) **P.H. 2019-35: (PUBLIC HEARING 1ST READING)**

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

(Fiscal Impact: \$500,000)

**(Staff Contact:** Eugene R. Zamoski)

Eugene R. Zamoski, Chief Information Officer, presented the item stating that the amendment is for a five-year service agreement with Sitesecure, LLC, will not exceed a million dollars and is for the purchase, installation, and maintenance of Automatic License Plate Recognition (ALPR) for video security, equipment and services. The original agreement had a maximum not to exceed \$500,000. Therefore, this amendment provides an additional \$500,000, which is presented to the City Commission as an ordinance for bid waiver due to

standardization that is allowed in the General Services manual.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, stated that this is only a technical issue but in the agenda the item has a fiscal impact of \$500,000 and the first amendment to the contract it states \$1 million. Therefore, the agenda does not match the amendment.

Mr. Zamoski explained that the amendment is for an additional \$500,000 that totals it to \$1 million. In reality, the first \$500,000 has already been spent and the amendment is asking for a maximum of \$1 million, which will be for an additional \$500,000.

Comr. Perkins asked for the reason for requesting an additional \$500,000.

Mr. Zamoski explained that the City has a five year agreement with Sitesecure that was chosen through a bid. Currently, the City is already two years into the contract, which will end in 2022. In the original contract entered into during 2017, they thought they would not spend over \$500,000, so there was a limit placed on the contract. However, as time went by more video security was placed in many different places, parks and other similar areas, the City reached the limit but the contract is not over until 2022. Therefore, he cannot spend any more even if he found the money because there is a maximum of \$500,000. Therefore, he estimated that it should not bring it beyond another \$500,000.

Vice Mayor Moss mentioned what this would mean is that if he or Comr. Perkins request a camera for one of the parks Apollo or McNair or other areas, they would be able to get them. So they are for enhancements to the security of the City's public areas.

Mr. Zamoski stated that once the location to place the camera is determined there is a mechanism already with a vendor to start doing the job as soon as they receive a purchase order.

Mayor Hardin cautioned all the commissioners to try not to announce where they would like the cameras placed.

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

**Yes:** Eaton  
McMahon  
Perkins  
Moss  
Hardin

**Absent:** McGee

14A. [19-315](#) A RESOLUTION APPROVING AND AUTHORIZING THE PROPER CITY

OFFICIALS TO EXECUTE AN ADDENDUM TO CONTRACT FOR SALE AND PURCHASE BETWEEN NATIONAL RETAIL PROPERTIES, LP AND THE CITY OF POMPANO BEACH FOR THE PURCHASE OF PROPERTY LOCATED AT 2671 N. FEDERAL HIGHWAY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Mark E. Berman, City Attorney, presented the item and stated that it is for property located formerly known as Denny's on Federal Highway. The City Commission already approved the purchase of the property and there is a signed contract. Closing was set for Monday, March 11, 2019, however, a pending lien was still found. The total value was undetermined so the City could not put moneys in escrow, therefore, the City Commission is being asked to extend the contract for sixty days to allow for closing within the next sixty days once the lien is removed. It is not a City lien but it is a lien from another city that cross attached to the property, which prevents the City from obtaining a good title.

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

**Yes:** Eaton  
McMahon  
Perkins  
Moss  
Hardin

**Absent:** McGee

**Enactment No: RES. No. 2019-131**

#### **E. REPORTS**

**Gregory Harrison, City Manager - Brownfield Designation** - Mr. Harrison reported that the Management and staff will be participating in a team build for Broward Habitat for Humanity in April and May. Currently, approximately 30 employees have signed up to help on the project on NW 6th Avenue and 16th Street.

Mayor Hardin asked if the City Manager could email the Commissioners on when this will take place so they could have an opportunity to participate. He would love to be there should there be time in his schedule to participate.. Other commissioners expressed a desire to participate in this opportunity.

**Mark Berman, City Attorney** - No Report.

**Asceleta Hammond, City Clerk** - No Report.

**Commissioner Rhonda Eaton - House Bills 3 and 9 - Broward League of Cities** - Comr. Eaton reported that she attends the Broward League of Cities and that the legislature is in session. The League is great at looking at some of the legislation that comes down the pipe. Sam Goren, an established and distinguished attorney in Broward represents the League. He is concerned about House Bill 3 that he has highlighted and they have discussed it at a number of Broward League of Cities meetings. He has written a resolution regarding the Bill, which he is urging support to oppose. "Whereas, the membership of Broward League of Cities, the League with 31 municipalities in Broward along with dozens of associate members, and Whereas, the League supports home rule and right of local governments to impose reasonable regulations within their jurisdiction."

Mayor Hardin asked if this is a resolution opposing House Bill 3, which Comr. Eaton replied yes.

Comr. Eaton explained that what it does is, it seeks to preempt the regulation and licensing of occupations and professions to the state. Prohibits the enforcement of any regulation of a business unless the regulation expressly authorized by general law. So, it will limit the City from having its rental properties inspected, the sober homes inspected, fire etc. Therefore, Comr. Eaton urged the Commission to do a resolution to support the League's stand on this.

**MOTION:** A motion was made by Comr. Eaton, seconded by Vice Mayor Moss to place a resolution on the next City Commission agenda regarding House Bill 3.

Comr. Eaton stated that House Bill 9 needs more research to be done on it, which is about CRA's that may affect all of Chapter 163, F.S., and she is concerned about that as well. She will get the questions answered later.

**Cresthaven Civic Association** - Comr. Eaton announced that on Wednesday, March 13, 2019, at 7:00 p.m. the Cresthaven Civic Association monthly meeting will be held at the Moose Lodge located at NE 31st and Dixie Highway.

**Commissioner Tom McMahon - Expression of Appreciation** - Comr. McMahon expressed special thanks to Horacio Danovich and his team, as well as Greg Harrison, City Manager because tonight was a big day and the City is making progress with the ball rolling. There will be some huge capital improvements made in the City. So, without the hard work of Mr. Harrison's team and Mr. Danovich the City would not be where it is today. Therefore, he thanked them for their hard work.

**Commissioner Beverly Perkins - Mayor's Chest Challenge** - Comr. Perkins stated that she desires for

the City to get involved in the Mayor's Chest Challenge. She stated that she received information regarding the Mayor's Chest Challenge, which is very interesting especially for the young people to get involved. All the cities in Broward County are involved except the City of Pompano Beach. This challenge was started by the mayor of the City of Sunrise.

**Code Enforcement Empowerment meeting** - Comr. Perkins indicated that she hosted the Code Enforcement Empowerment meeting at the E. Pat Larkins Center and approximately 90 people showed up that wanted to be informed and educated about code enforcement. So, hats off to Mario Sotolongo who did a wonderful job informing the residents exactly how code compliance works. Comr. Perkins stated that she realized after he spoke with the community regarding code compliance, they are doing all they can do with code compliance, but they need more inspectors. This is the problem/issue that is current in the northwest area. They are doing a good job but do not have enough manpower to take care of the problems and concerns that the neighborhood is having with cars and the building structure. Therefore, she would like to speak further with the City Manager to try and get funds budgeted to acquire more inspectors.

**Congratulations to Blanche Ely Basketball Team** - Comr. Perkins congratulated the Blanche Ely Basketball team, because they have won the state champions again. They are planning for a small parade on March 23, 2019. So, "hats off to Coach Randall" as they are doing a great job with the Blanche Ely High School Basketball team.

**Sewage Spill** - Comr. Perkins reported that where the sewer spillage occurred, between NW 15th Street and I-95, the road was dug up and she suggested that the City Manager coordinate to get the road levelled as the road is a bit bumpy.

**Vice Mayor Barry Moss - New Businesses** - Vice Mayor Moss welcomed three new businesses to the City. Two are located in District 5. One is a consignment store in District 4, located on Atlantic Boulevard near the Post Office. The store is high end with very nice furniture and household articles. He promised to bring more information at the next meeting regarding the name and address of the stores. He encouraged everyone, to include younger people who are just starting out, to go look at it.

Vice Mayor Moss reported that the Mayor and he attended the ribbon cutting of a new beauty academy in District 5 owned by a Brazilian company. They have opened a state-of-the-art cosmetology beauty school, which is the first by the company in the United States. This is a large company that owns 360 facilities in South America and they have decided to have their first American facility in the City of Pompano Beach.

A new restaurant was opened on the south side of Atlantic Boulevard named Crazy Cajun Fish located at the intersection of NW 27th Avenue and Atlantic Boulevard. The Sun Sentinel newspaper gave it very good reviews. He encouraged everybody to "go and chow down."

**Mayor Rex Hardin - Chess Challenge** - Mayor Hardin thanked Comr. Perkins for bringing up the Chess Challenge topic because he has always wondered why Pompano Beach was not involved in it. He stated that this relates to kids in school who are involved in chess, which is a tool that would help them in critical thinking. He plans to find out from the City Manager how to get involved in the Mayor's Chess Challenge, which is a worthy program.

**Unveiling murals in Collier City** - Mayor Hardin said, "Hats off" to the newest piece of art in the City of Pompano Beach. Many were at the Jan Moran Collier City library for La Ya Ford's art unveiling. He said it is wonderful to see public art taking place throughout the City.

**Runette Williams Demise** - Mayor Hardin announced all our prayers go out to the family of Ms. Runette Williams who passed away recently. Both he and Comr. Perkins attended the funeral this past weekend.

**Blanche Ely High School Basketball State Championship** - Mayor Hardin congratulated the Blanche Ely basketball team for winning two in a row state championships. In fact, they have a total of eight championships under coach Randall. The kids and everyone should be proud of this accomplishment. He said if the City could organize a parade it would be fantastic.

**Brazilian Consul Quarterly Event** - Mayor Hardin indicated that the City is very involved with the Brazilian community. The City of Pompano Beach has joined with the Brazilian Consul, located in Miami, who will take care of all the issues that the Brazilian residents need in this area. The Brazilian Consulate will be holding a branch consul event in the City of Pompano Beach each quarter to start in April in the City Commission Chamber. They will be operating on the weekend. In addition, there will be a Brazilian Senator visiting the City of Pompano Beach on Wednesday, March 13, 2019, on the Fourth Floor of City Hall in the City Manager's Office. They wanted to meet with the Broward Sheriff's Department and want to stop by to see how things are done in the City of Pompano Beach. So a lot of exciting things are happening with the Brazilian residents and people in this area.

**Lauderdale-By-The-Sea Sewer Project** - Mayor Hardin indicated that the City received a request from State Representative Chip LaMarca, who is asking that the City participates in a project in another City, Lauderdale-By-The-Sea, who are currently operating on septic tanks. The County has pledged a matching of \$150,000 to help with the project, through a letter sent to the City by County Commissioner Lamar Fisher. Representative LaMarca is looking for funding from Tallahassee for the bulk of the cost, but has asked the City of Pompano Beach as a good faith effort, since the City would be the entity that services this area. In other words, if they put in sewers, they will be hooked up to Pompano Beach sewers and water. Eventually, they will be the City's customers, therefore, Representative LaMarca is requesting if the City would be willing to pledge \$150,000 towards this project if it gets funded. This would be a three-year payback from the water and sewer fees that the City would be charging them. This is a good return on investment if the City could be part of the process to help them get sewer services. Also, it would help with several aspects, to include the environmental aspect and if it would help wedge some more funds from Tallahassee for the local area it would be a plus. He asked if the Commission would be willing to entertain the suggestion for an item for discussion for the next agenda.

Vice Mayor Moss indicated that he would not as he could not go to the people in Palm Aire to say a small entity outside of the City wants some of their money to put in sewers. It is hardly a depressed neighborhood, so he could not in good consciousness spend Pompano Beach's money in another political jurisdiction. He does not understand the request.

Comr. Eaton stated that the way she would look at it would be from an investment purpose, where the City spend \$150,000 that would be paid back and they would become the City's life-long customers.



Mark Berman, City Attorney indicated that he would need some time to do some research to allay his legal concerns with regard to this, as well as find the valid public purpose case law on this issue.

#### **F. ADJOURNMENT**

The meeting adjourned at 8:00 p.m.

---

Rex Hardin, Mayor

---

Asceleta Hammond, City Clerk