

## 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*  
*Asceletha Hammond, City Clerk*

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Tuesday, October 23, 2018

6:00 PM

Commission Chamber

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### City Commission Meeting

#### CALL TO ORDER

Honorable Lamar Fisher called the meeting to order at 6:01 p.m.

#### ROLL CALL

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

#### INVOCATION

Pastor Nathan E. Austin of Mt. Zion Missionary Baptist Church offered the invocation.

#### PLEDGE OF ALLEGIANCE

Led by Ryan Dolan of the Boy Scout Troop 190.

#### APPROVAL OF MINUTES

[19-52](#) Regular City Commission Meeting Minutes of October 9, 2018

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

**APPROVAL OF AGENDA**

Mayor Fisher announced that under Regular Agenda item 30 would be heard after item 16.

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

**CONSENT AGENDA DISCUSSION**

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

Mayor Fisher announced that items 4, 10 and 13 will be pulled for City Commission discussion.

**A. SPECIAL PRESENTATION****19-49** Special Presentation

Garrett L. Southern, Senior Vice President for the Kaufman Lynn Construction Company, presented the Mayor and City Commission with the Project of the Year Award for Federal, State, County and Municipal from Design Build Institute of America for the design of the Pompano Beach Pier Parking Garage.

**THE SPECIAL PRESENTATION WAS READ AND PRESENTED INTO THE RECORD.**

**B. PROCLAMATIONS****19-28** Miles for Smiles Proclamation

Mayor Lamar Fisher proclaimed November 3rd as Broward Children's Center Miles for Smiles 15th Anniversary Celebration Day in the City of Pompano Beach. Marge Evans, CEO of the Broward Children's Center accepted the proclamation on behalf of the Center. Also in attendance from the Children's Center were Denise Rusnak, Program Director and Myrna Miott, Development and Marketing Manager.

**THE PROCLAMATION WAS READ AND PRESENTED INTO THE RECORD.**

**19-29** Domestic Violence Awareness Month

Mayor Lamar Fisher proclaimed October as "Domestic Violence Awareness Month" in the City of Pompano Beach. Richard McDuffee, Grants Specialist

with Women In Distress of Broward County, Inc. accepted the proclamation on behalf of the organization.

**THE PROCLAMATION WAS READ AND PRESENTED INTO THE RECORD.**

19-30 Red Ribbon Week Proclamation

Mayor Lamar Fisher proclaimed October 23-31, 2018 as Red Ribbon Week in the City of Pompano Beach. Sgt. David Sauer received the proclamation on behalf of the PFC Bruce W. Carter Young Marines.

**THE PROCLAMATION WAS READ AND PRESENTED INTO THE RECORD.**

19-38 Arbor Day Proclamation

Mayor Lamar Fisher proclaimed November 3, 2018 as Arbor Day in the City of Pompano Beach. City of Pompano Beach Arborist, Wade Collum, accepted the proclamation.

Mayor Fisher thanked Wade Collum for all he does every year to involve the schools to plant trees.

Mayor Fisher presented a Certificate of Appreciation to Ryan Dolan for volunteering 297.8 hours during the summer of 2018 towards acquiring his Eagle Scout designation.

**THE PROCLAMATION WAS READ AND PRESENTED INTO THE RECORD.**

**SPECIAL PRESENTATION**

Reverend Wylie L. Howard and Pastor George Rich of the Pompano Christian Clergy Council presented a Proclamation to Mayor Lamar Fisher and Vice Mayor Charlotte Burrie in recognition of their services and commitment to the City of Pompano Beach.

**THE SPECIAL PRESENTATION WAS READ AND PRESENTED INTO THE RECORD.**

**C. AUDIENCE TO BE HEARD**

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

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:**

**Future Commission Meetings among Commissioners** - Audrey Gregg, 1401 N. Riverside Drive, Pompano Beach, FL, stated recently she has been attending Commission meetings and has been struck by the animosity toward any commissioner who does not agree with unbridled development. She indicated that to watch incivility and bullying by supposed citizen advocates and developers is not what she wants to see. She admits that the Pompano Beach image has improved and it is a much more desirable place to live. However, she asked when does the mushrooming development overpowers the quality of life. She said she is grateful to Comr. Sobel for asking the questions. She referred to a 40 story building on the beach which comprises of developers dictating what the residents want, which involves a vote for \$200,000 to maintain a façade and buying \$2 million worth of land and buildings to add housing, which are in terrible shape.

In sum, Ms. Gregg indicated that she is glad there are a few commissioners with the foresight, courage and civic responsibility to question, dissent, and not to take donations from those who would gain from their election. She quoted Hubert Humphrey, who said, “Freedom is hammered out on the anvil of discussion, dissent, and debate.” She then asked, “Does the Chamber have room for respect, tolerance and civility?”

**Candidates for Election** - Angela Hill, 760 SE 22nd Avenue, Pompano Beach, FL, echoed the sentiments of the last speaker. She said there has been a number of misinformation put out on social media about Michael Sobel running for mayor and she highlighted some of the shortfalls of the other candidates and expressed her opinion on what truth needs to be told. Ms. Hill indicated that Mr. Hardin is petty and immature and bought all of the domain names of Mike Sobel before the election started to try and thwart him from having a viable Website online. She said he placed his signs in front of Mr. Sobel's and was caught by a passerby who snapped a picture of his pettiness with his son putting the sign in front. When he failed to get the endorsement of the Pelican, Paul Webb and he placed a truck with their banners in front of it for ten days. When the tire was marked with yellow to cite the truck, the signs were miraculously moved and the tire was replaced. Therefore, she said, “You should not vote for this man. He was fined by the election committee for campaign violations

\$1,300. He did not pay his mortgage, which was under \$1,000 for 18 months and was in foreclosure right before the election started.” Ms. Hill insisted that these are facts.

Ms. Hill continued to say that the Sun Sentinel and the Pelican endorsed Mike Sobel in part because of Mr. Hardin’s lack of ability to handle money and finances properly. She then asked the questions, “Why would we want him to manage our city? Why are so many developers, property management, and construction companies giving money to Rex Hardin? In addition, she said the Political Action Committee (PAC) is spending thousands to try to besmirch the integrity of Mike Sobel with slanderous false and misleading ads and flyers. Why? Because of the go-bond money. These companies think it is a windfall glory day where they can have their money in the piggybanks of Pompano Beach.

Continuing Ms. Hill indicated that they know Mike Sobel wants a full audit of the approximately \$90 million spent by the Community Redevelopment Agency (CRA) in the northwest. The people of Northwest Pompano do not see the improvement in their quality of lives in their part of the city. They are still blight and slum abound. Yet “RSM” lines their portfolios with real estate.

Ms. Hill alleged that Rex Hardin supported the \$180 million G.O. Bond, which when paid back with interest is going to be nearly \$370 million, and then approved a 3% raise of our millage rate. That G.O. Bond, which they say was overwhelmingly passed, was passed by a mere 8% of the population here in Pompano Beach.

Ms. Hill displayed a picture, which she indicated says it all. Therefore, if anyone wanted, they can see all of the campaign contributions and who they are from. She mentioned that engineering firms, development, PAC, developers, property management, and builders want their hands in, so he is not working for the people of Pompano Beach. He is working for the developers and people who want to gain from him.

**Agenda Items** - Tony Hill, 760 SE 22nd Avenue, Pompano Beach, FL, stated that he wanted to echo basically the same sentiment that Tom Drum discussed in the last meeting. He explained that it seems that every time there is an agenda item with a large number of audience to be heard, if that agenda item is controversial is always put at the end of the agenda. He said it seems to happen repeatedly at meetings. He said there are times he does not attend meetings, but does watch the meetings on TV, and almost at every single one of them, it is the same process. Therefore, he said he hopes there can be at least, maybe starting with a new administration, a better system of how the agenda is ordered. He said that in the past when the question has come up, the city manager responded, “I’m the one that has set the agenda.” So, Mr. Hill said he does not understand why the pattern is 99% of the time an item that is controversial or there is a lot of audience participation, it is placed at the end of the agenda.

**Harbor Village Development** - Carole Fielder, 2708 NE 12th Street, Harbor Village, Pompano Beach, FL, stated that she wanted the Commission to know how many people are opposed, in Harbor Village and the surrounding neighborhoods, to the requested land use change to the master plan that is coming up for a vote relative to Hidden Harbor. She stated that the negative impact of another overdeveloped crowded stack of concrete with the gridlock traffic, which is close to Federal Highway, is unnecessary for reasonable development of the vacant lot.

Continuing, Ms. Fielder stated that she and many others learned for the first time of this scheme when they received a postcard invitation for the August 14 informational meeting by the developer. She said she is a resident, a boat captain and sailing enthusiast, as well as many other fellow sailors and boaters and residents nearby oppose this unnecessary land use change. She indicated that it has one purpose, which is to overdevelop one area and consequently devalue the property and lifestyles of the current residents. She then recalled the embattled neighbors 16 years ago when they fought a similar sneak attack to change the land use. Therefore, the current land use plan is a big compromise that was really well fought prior to what is there now.

Ms. Fielder indicated that to betray the community trust in another sneak attack is not fair to the long-term residents. Therefore, she invited the final decision makers, to think in larger terms for the future of Pompano. She asked, "Do you really want to drive out the big boat sailors and fishing boats and change the nature of the neighborhoods on the east side?" To encourage another crowded pedestrian/bicycle-friendly area in their suburban auto-friendly neighborhood, Ms. Fielder believes this is to push the long-term aged residents like her out.

Furthermore, Ms. Fielder said with great angst, as a licensed boat captain and sailing enthusiast, the City would be eliminating one of the two remaining working boat yards in Pompano, Apex Marine, that can accommodate deep-draft vessels such as hers and those belonging to hundreds of others who have large boats behind residences in Pompano, Lighthouse Point, Deerfield, and Boca. All those people that normally use that marina will be spending their money in points north of Palm Beach or south of Fort Lauderdale. She then asked, "Is that your desired outcome?"

Finally, Ms. Fielder said upon entering Harbor Village, there is a sailboat, Insignia, on all the welcome signs. Therefore, she asked, "Should we just erase the sailboat sign?" Continuing, she said many of them fear this is just another nail in the coffin of our dream to have our boats at our back door and services for them nearby. Therefore, she urged the Commission to consider what putting a crowded bunch of rentals jammed into our neighborhood will do both to land values, and to the dangerously gridlock traffic that close to Federal Highway.

**Response to Dr. Mack's Report** - Pastor Norman E. Freeman, Jr., 420 NW 8th Avenue, Pompano Beach, FL, commended Mayor Fisher for his great work, and said he is confident that he will do greater things for the commission. Pastor Freeman, Jr. stated that they do not stand as a voice for the Pompano Christian Clergy Council, but just pastors who are united for a better Pompano community.

Continuing Pastor Freeman, Jr. indicated that as a leader of a congregation in the northwest community of Pompano Beach, he was concerned with the behavior of Commissioner Moss displayed towards Dr. Wilhelmina Mack, the owner of W. Mack Associates. He said he understands how intense dialogue can be common in the course of study and decision-making, and understands that some people can make false accusations without any research or support. However, he believes the way in which Commissioner Moss handled Dr. Mack was very inappropriate. Pastor Freeman, Jr. indicated that Commissioner Moss' temperament and tone could have been interpreted as downright degrading, especially as a male addressing a woman.

Continuing, Pastor Freeman, Jr. stated that although there may have been some tension, it does not give Commissioner Moss the right to address a consultant for District 4 in the manner he did. Furthermore, Dr.

Mack only stated the findings of her research and data that was collected. In addition, he stated that a number of residents that participated in the study were overjoyed that they were able to lend their voice of concern for the community that they love. Therefore, in spite of your tone and your temperament, Dr. Mack, whose work they do support, displayed nothing but class and dignity.

Finally, Pastor Freeman, Jr. mentioned that in the future, he believes it would be more appropriate for Commissioner Moss to consider how he exerts his power from the dais because it could be perceived as abusive. Furthermore, he believes Commissioner Moss owes Dr. Mack an apology. He said, "As a commissioner serving the Pompano Beach community, the behavior displayed from the dais is unacceptable as a leader."

**Handicap Parking** - Ron Boehl, Pompano Beach, FL, stated he had a few questions for Mr. Sobel, who is an attorney and who should know the laws. In addition, he said, "If he wants to get voted in, he will need the handicap people's vote as well." Mr. Boehl explained that he noticed that earlier in the day at the polls, Comr. Sobel seemed to have parked his car in a handicap spot, which appears that he is trying to keep people like him, who is 100% disabled to get up close to get in to vote. Mr. Boehl stated he does not think it is right. He then displayed a picture depicting a car with Comr. Sobel's sign on it, parked in a handicap space. He decided he would park in a handicap space at the polls, which Mr. Boehl said he does not think it is right and that he should respect the elderly. He continued to say Comr. Sobel has no respect for anybody, which he found out through his one and only term with the City.

Mr. Boehl said he thinks Mr. Sobel needs to apologize to the handicap people for parking in their space because handicap people go to the polls, and it is not right to park and go hand out literature.

**Semi-Pro Football in Pompano Beach** - DeBarris James, Broward Outlaws, semi-pro football team, 1305 NW 2nd Terrace, Pompano Beach, FL, stated they received information that they should not be in the City of Pompano Beach playing at Mitchell Moore Park, however, they are now going into their fifth season. He explained that they are under the Florida Champion Football League, which is based out of the City of Pompano Beach, but they have never had an issue at any of their games and at the park. He said they are a community-based organization. In addition, they have players, namely the quarterback, who come from as far as Port Saint Lucie. Also, there are Pompano Beach residents who play for their organization, including a US marine school teacher.

Mr. James explained their mission, which is to allow men from the community an opportunity to go to college. In addition, they offer life skills to them, they try to uplift them, as well as they base many of their activities from education. In fact, currently there is a Pompano Beach resident, a young man, at Independence University, who could not score a 12 on his ACT. After diligently working with him, he was able to score a 17, which resulted in him attending a university. He said they have worked to change those persons that committed felonies who people think could not go to college, which they have worked to change that concept. Therefore, Mr. James said they are just asking the community, and the City of Pompano Beach to embrace them, because they are trying to clean up the streets, which they have been doing for more than four years.

Finally, Mr. James thanked Mark Beaudreau and the Park and Recreation Department for giving them the opportunity; also, he thanked the City of Pompano Beach for embracing them as their semi-pro football team.

Mayor Fisher mentioned that someone in the audience came up at the last meeting and talked about the organization and the field itself and that is how it came up. Therefore, the City itself did not say that, rather it was a resident.

Mr. James then introduced one of the parents, Mary Flemings.

Mary Flemings, stated that it is great what the coach has been doing with the young men he has been mentoring. She indicated she has seen a lot of improvement with the young men, especially with her son. Furthermore, she thinks it is very great that Mr. James wants to get them off the streets and to get the kids out there from doing all these drugs and stuff. Therefore, it is great what he is doing because he is giving back to the community. Ms. Flemings thanked Mr. James and the City.

Mr. James added that every year they hold a “turkey bowl” where they raise turkeys and dinners for families that are in need. He said that in the package he distributed to the City Commission, it shows that they go to the children's hospitals and homeless shelters. He said during Christmas time, they have Toys for Tots bowl, which they fund with no support, as they are a non-profit organization. Furthermore, he said they institute and fund a martial arts program for the seniors at the E Pat Larkins Center. They work to make the community better and they desire to continue to do these things. Therefore, if anyone in the community has an issue with them, they would welcome the opportunity to sit down and work together versus be divided.

Mayor Fisher and the Commission thanked one of the members of the group for serving the country.

**Seawall Issues** - Patricia Russel Anderson, 2650 NE 24th Street, Pompano Beach, FL, displayed a piece of artwork she did with her heart of her backyard. She referred to a prior speaker comments about overdeveloping for people with waterways and they have their boats docked is important, because that is her backyard. She said next door to her, as indicated in the artwork, the bright yellow, is a peninsula that was supposed to be a seawall, which turned out to be a peninsula. It is a seawall 4-feet by 70-feet by 4-feet, landfilled 8-feet high elevation and then an extended dock 5-feet wide. Across the way is a beautiful new 55-foot Nordic trawler. She said she used to have a big sailboat and used that turning basin freely because Sail Fish Canal is known as the deepest, gorgeous canal with a cul-de-sac. Currently it is devalued, which is not her fault. She said she tried to stop it when it was first being built to 7 feet. It extended her property line. However, she called the building department to report that they could not do that, but they asked, “What do you mean?” She indicated that she had to get an attorney to say that it was 7 feet out, as well as paid \$375 for a survey to show that it was 7 feet out, but it was ignored.

Continuing, Ms. Russell Anderson stated she lived with it for a while. However, the destruction happened when Qualman Marine smashed her seawall because of the construction going on for the neighboring project making a commercial venture out of a residential area, which she does not understand. The problem is that Qualman did not admit to it and there was no record in the building department. She mentioned there was nothing



recorded about the destruction of her seawall until a year later when she got a code hearing from code compliance that her seawall was in disrepair. There was no record about it. She said she cannot get any insurance and she did not know what to do. Consequently, she went ahead and got another marine operator to build it to code. She reiterated that there was no records and she did not know what to do.

Ms. Russell Anderson mentioned that she will miss Mayor Fisher because he is so honest and open. He knew she was talking from her heart about her problem. Notwithstanding, she indicated that the City Attorney, Mark Berman was not given the right information. In addition, he was not given photographs that showed her property was in perfect condition. Therefore, he was not given true information. She indicated that she would leave the packets of documents with the City Clerk to ensure the record is straight.

**Dorothy Kelly Wooten Book** - Elijah L. Wooten, 135 NW 15th Street, Pompano Beach, FL, congratulated everybody on the dais and said, "it takes guts to take what I've heard since I have been here." He thinks everybody has problems, which all cannot be solved, so we have to do the best we can, which all of us do.

Mr. Wooten gave a gift (a book) to all the Commission and indicated that it was from him and his wife. He said his wife wrote the book, in which it took the last five years of her life to do it. He said his wife, who was from Dade County, was challenged to do something by one of the persons mentioned in the book. Therefore, she took the challenge of her last five years to do a biography of T. Stewart Grey, Jr., She did not live to see it completed, however, he saw to the completion of the book. He mentioned that he is giving the book to the Commission, which costs \$35.00.

Mayor Fisher enquired if the Commission could accept this as a gift.

Mark Berman, City Attorney indicated that it is under \$50 so there is no quid pro quo.

Mayor Fisher thanked Mr. Wooten.

**Sign for Colored School** - Mr. Wooten mentioned that there is something in numbers. He said he received on Friday number 13. He said the first graduating class from Blanche General Ely High School had 13 members. However, when he saw the information regarding the historic sign of the Pompano Colored School he wanted everybody to know that it is not exactly right. Therefore, he is asking the Commission to do one of three things. That is, leave it as it is and do nothing, take it down, or add to it. He said he had a bag to cover it up until it is fixed. He noted that the Pompano Colored School was the name until 10th grade. However, in 1950, the name was changed to Blanche General Ely High School.

He then provided a brief background on his participation at the school's first football team, as well as his journey to Waters College in Jacksonville and subsequently transitioned to the army. In sum, Mr. Wooten requested that the sign either has somewhere on it at the bottom or the top: "Blanche General Ely High School." This will give Mrs. Ely the recognition because he had the distinct honor to serve under her as a student, as well as to teach under her until they closed the school and bussed the kids all over the county where they were sent to different schools.

Mayor Fisher indicated that the City would definitely look into the matter for sure. Therefore, they would

contact Ms. Armbrister who he thinks would champion that and to ensure that something is going on.

Comr. Hardin and the rest of the Commission thanked Mr. Wooten for the book.

**Sentiments to Mayor Fisher and Vice Mayor Burrie** - Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, thanked Mayor Fisher and Vice Mayor Burrie for their years of service. He said they have been a champion for the community and the City and the citizens appreciate them. In addition, he stated that they have been serving since former Commissioner E. Pat Larkins served and have been a close friend of his. Therefore, if he was alive he would have expressed his appreciation for all that they have done. Also, Mr. Thrower thanked Mayor Fisher and Vice Mayor Burrie on behalf of his grandmother, Ms. Robinson, who wanted to thank them for their years of service. Special thanks to Mayor Fisher who did an honorable thing for his grandfather by naming a street after “Robert Lee Robinson”, as well as supported his grandmother and family during their bereavement. In addition, Mayor Fisher has attended just about all the anniversaries of the various churches within the City. Therefore, they look forward to his next role as a County Commissioner, as well as they are looking forward to the services of the next commission as a body, and who the people will choose as the next mayor. He then reiterated his thanks to Mayor Fisher.

**Sentiments to Mayor Fisher and Vice Mayor Burrie** - Whitney Rawls, 1529 NW 4th Avenue, Pompano Beach, FL, thanked Mayor Lamar Fisher and Vice Mayor Charlotte Burrie for the number of years and dedication to “this great city that we all call home.” He continued by saying, “As you can see by the number of folks in the audience, there are a lot of folks who would like to express their appreciation for you and their appreciation for the progress that you guys have helped bring to the City of Pompano Beach.” He said to Vice Mayor, “Your years of service as a City Clerk and as a City Commissioner are just remarkable, quite honestly. You moved from a government employee to an actual person of leadership, and we appreciate you wholeheartedly. I appreciate you wholeheartedly.”

Continuing, Mr. Rawls said that in 2005, prior to his moving back to Pompano Beach, Mayor Fisher attended his dad’s funeral, which is when he got to know one of his dad's best friends. In fact, his dad mentioned Mayor Fisher on his deathbed. Mr. Rawls said he was happy to say that the progress that the Commission was doing back then is what prompted him to move his family back home to Pompano Beach. He said he is proud to be a resident of the City of Pompano Beach and proud to have served in an advisory capacity under various boards under Mayor Fisher’s leadership and the great work that this city has been doing. God bless you all.

**Sentiments Expressed** - Melissa Curry, 341 SE 13th Avenue, Pompano Beach, FL, stated that as a resident, she wanted to thank Mayor Fisher for his leadership. She mentioned that when she moved to Pompano Beach in 2010, she did not know the groundwork that was done to begin the City’s transformation. She said much welcome change has occurred and since that time, her family owns four properties in Pompano Beach, of which they are proud to be residents. Ms. Curry thanked Mayor Fisher for his vision, ability to build consensus on difficult decisions and leading a City staff that is highly motivated to make the City better every day.

Continuing, Ms. Curry thanked City Manager Harrison for all he and his staff have done. She said every City employee she meets is polite, courteous and willing to help. The City’s buildings, parks, landscaping, street medians are clean and well maintained and manicured. The new fire stations are first rate facilities and well

deserved by the best in the class of fire departments.

Mr. Curry concluded that this type of leadership is needed to continue the work that is ahead of the City. She said they need courage to embrace change, not for perceived popularity or social status, not for fear of the worst. Change is inevitable. Stopping progress is not an option. Therefore, it is her wish that the City's incoming leadership will continue to move forward with the same courage and faith that a measured and fiscally responsible change will bring a better tomorrow for all of the residents of Pompano Beach.

**Expressed Sentiments to Mayor Fisher and Vice Mayor Burrie** - Barry Dockswell, Pompano Beach, FL, stated that this is the last meeting of the current Commission before the election and his group thought they had the unique idea that they would express their thanks and congratulate Vice Mayor Burrie and Mayor Fisher, but discovered they were not the only ones who thought of that. Mr. Dockswell added his personal congratulations and thanks for the many, many years that the two have served the City of Pompano Beach. They have done great jobs. Therefore, he hopes Mayor Fisher goes to Broward County Commission and takes care of the City from that level and to Vice Mayor Burrie he hopes she have many happy years of retirement.

**Citizens for Better Pompano Beach** - Mr. Dockswell mentioned some of the other people he served with on the Commission. He said he was the Commissioner from 2008 to 2016, at that time Lamar Fisher was the mayor and he was a commissioner from District 1, Charlotte Burrie was the commissioner and thereafter, Vice Mayor from District 2, Rex Hardin was commissioner for District 3 the entire time and who is now running for mayor. He said he served with Woodrow Poitier of District 4 followed by Ed Phillips and now Mr. Phillips is running to recapture the District 4 seat. In District 5, he served with George Brummer who was a commissioner and then became a Vice Mayor followed by Barry Moss, who is currently serving on the Commission. Mr. Dockswell mentioned his reason for mentioning all the people because he did not realize how lucky he was to serve with such a group, where they developed a consensus, and they got so many wonderful things done for the City of Pompano Beach. While they did not agree on everything, people do not remember that and talk about it because when they disagreed somehow they managed not to be disagreeable, they did not go into character assassination, or just going into innuendos and all the stuff that has been happening in the last two years on the Commission.

Mr. Dockswell indicated that since his retirement, the political posturing that has infected City Hall during the last two years have been dismaying to him. In fact, he decided to team up with Tom DiGorgio and formed a Political Committee called the Citizens for Better Pompano Beach. At first they advocated for the passage of the City's G.O. Bonds and they were successful in getting them passed. Currently, their job is to advocate for candidates who they feel will continue to lead the City in a positive direction the way the "Dream Commission" did over the last decade. In addition, Mr. Dockswell said as a group, one of the things they did earlier on was to do a voter survey of likely voters, and incredibly they had in their survey 80% felt the City was moving in the right direction over the last several years.

Mr. Dockswell concluded that if anybody is registered to vote in the City of Pompano Beach and likes the progress that has been made over the last ten years and you want to keep it going, Citizens for Better Pompano Beach urges the voters to vote for the candidates that they are endorsing. He said he will try to keep a certain amount of politicking out of the chamber by not mentioning the names of the candidates they are

endorsing. However, if there is any doubt, he encouraged the residents to check out Citizens for Better Pompano Beach. They can search Facebook, or on the Internet they are Citizens for Better Pompano Beach.com where they have listed the candidates and why they are endorsing them and more information regarding the group. Moreover, he said some people have tried to portray the group as a small, shadowy group of developers, lobbyists, and whatever. However, Mr. Dockswell said they have many supporters in their group and a few are attending the meeting dressed in yellow shirts.

Mr. Dockswell closed on the note of encouraging complete unity, as well as encouraged everybody to get out and vote. He said regardless of the outcome of November 6, especially those who have business in the Commission Chamber, he urged them to come back after the election, united and in a spirit of bringing Pompano Beach forward and continuing to enjoy the renaissance that they have been fortunate to have over the last ten years.

**Political Action Committee (PAC)** - Stephanie Steinberg, Pompano Beach, FL, stated that she just moved to the City a couple years ago and she loves living here, going to the ocean. She said they do beach cleanup and cares about her community quite a bit. She said they are friends with their neighbors and are very involved with many things. She mentioned that when she first moved into the City, she was excited to meet the commissioner, Mr. Dockswell, for the district she lived in. Therefore, she called him and said she really want to be involved and want to do more things as well would love to meet with him. He said to me, "I don't meet with my constituents;" therefore, she was hoping that was not going to continue to be the theme of what was going on in this city. She said later she told her husband about it, and she was very upset that he talked to her in that way.

Continuing, Ms. Steinberg indicated that since Mr. Dockswell brought up the PAC, she wanted to tell people that it is true and is public record that many contractors that do business with the city and depend on the Commission's votes fund Citizens for a Better Pompano Beach. She said Calvin Giordano is the contractor for code enforcement and they gave the PAC approximately \$7,500. Therefore, the PAC itself, maybe the name sounds great, but in real life, it is not. The list of thousands of dollars from engineers, architects, and developers that come to you for your vote have been paying into this PAC. Why? Because they wanted that G.O. Bond passed so they would vote for their projects. However, she wished that was not the case, because she believes in transparency, honesty, and in the integrity of a government. Therefore, the City cannot be in a situation where money is being poured into a special interest group to try to control how our elected officials vote. So, she wanted the Commission to know how she felt.

Ms. Steinberg in addressing Comr. Sobel, said, "I am sorry you are going through this. You have enlightened me to a lot of issues the city has. There is good things we have done and you support the growth of our city too. I have talked to you about that. It has been great. But, there is money issues going on that is unaccounted for. It is very important we have fiscal responsibility and honesty in our government."

Continuing, Ms. Steinberg indicated this is a bad situation for her, because Commissioner Moss berated her last week, talking as a citizen. The Pastors who were present, and who asked about why he talked to Dr. Mack that way, she totally agreed with them. She said he was so rude to that woman speaking about a study she did in Commissioner Perkins district. In addition, Ms. Steinberg said she respects Commissioner Perkins, who did not get involved, but held her tongue. However, Ms. Steinberg said she almost wished she had

spoken. She concluded that the disrespect in the city with our elected officials and the people in the Chamber happens all the time and she really wishes it would end.

**Parking Violation** - Dr. Joe McGee, 1341 NE 27th Way, Pompano Beach, FL, made two remarks. First, he felt that the parking violation does not necessarily condemn Commissioner Sobel to the lower reaches of the underworld. He said there are always mitigating situations that can occur when something like that happens, which has happened to me. He said he personally finds Commissioner Sobel to be a very fine, upstanding person of integrity. He is a very well educated, well-intended person and thinks he will make a fine Mayor for Pompano Beach should he achieve election, and wished him well.

**Hidden Harbor** - Dr. McGee stated that his second point is to talk just a moment about Hidden Harbor that was on the agenda last week, when he intended to talk ab

**Hidden Harbor** - Dr. McGee stated that his second point is to talk just a moment about Hidden Harbor that was on the agenda last week, when he intended to talk about it, but the item was tabled. He said he believes it is coming up at the next Commission meeting in November.

Mayor Fisher noted that it was tabled until the meeting in December.

Dr. McGee spoke against the development that is proposed for Hidden Harbor. He feels the City Commission in the past, has been a little bit too generous in allowing developers to develop Pompano Beach. Therefore, the City has become overdeveloped.

He said he has lived in the City 33 years, right on 14th Street Causeway, just right off Federal Highway. In that time, the City has had business, after business, after business be converted to a residential paradise. Perhaps, the most egregious one was when Bank United, which used to be at the end of intersection of 14th Street Causeway and A1A folded. The entire bank building and all of its parking lot were converted into condominiums. Also, during his residence, the entire area on the north side of 14th Street Causeway on just south of 23rd Avenue became a huge condo complex lining the canal on one side and the Causeway on the other.

Continuing Dr. McGee stated that across from his street, there was a small bank, which used to be Landmark Bank along with two or three other banks. Ultimately, it became condominiums. Now, the residents are faced with this thing at Hidden Harbor. He stated that the Hidden Harbor development threatens to constrict the northeast corridor that parallels US-1. It starts at Harbor Drive and ends up at Lighthouse Point Drive. It forms an alternative all the way from Atlantic Boulevard to Hillsboro Boulevard and allows residents to escape the congestion that is so serious on US-1, especially during rush hour. Therefore, he urged the Commission to consider what the population density will do to the existing residents, which is where their responsibility lies. He said they elected the Commission to represent the residents, not the developers in making their decision.

Finally, Dr. McGee stated that he believes the City needs to have another look at population density of Pompano Beach. It should be a prime factor in all of the Commission's considerations, especially on the eastside of US1.

**D. CONSENT AGENDA**

There was no discussion on items 1-3, 5-9, 11, 12, and 14.

1. [18-573](#) 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. 5 IN THE AMOUNT OF \$195,820.00 PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND TETRA TECH, INC. FOR HURRICANE HARDENING AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE WATER TREATMENT PLANT FILTER/ADMINISTRATION BUILDING WITH EXTERIOR TANKS AND MEMBRANE BUILDING; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$195,820.00)

**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. 2019-16**

2. [18-660](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN FDOT DISTRICT FOUR AMENDMENT NUMBER FOURTEEN (14) TO LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS ON PORTIONS OF STATE ROAD 845 (POWERLINE ROAD) FROM MCNAB ROAD (MILE POST 5.113) TO ATLANTIC BOULEVARD (MILE POST 9.612); PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**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. 2019-17**

3. [19-12](#) 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 POMPANO BASEBALL, INC. TO USE VARIOUS CITY OWNED FACILITIES TO PROVIDE A YOUTH BASEBALL PROGRAM; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**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. 2019-18**

4. [19-15](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM KENNY DAVIS CONTRACTING, LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

Comr. Perkins pulled the item for City Commission discussion. Comr. Perkins indicated she would be voting yes on this particular item. However, she was concerned about the back end of this item. She recalled mentioning it before, maybe several months ago. The City Commission always see the front end of proposals like this but never see the back end of it when it is completed. Comr. Perkins reiterated that she would like to receive the synopsis of this. She indicated that only part of the information would be provided but really it should be coming to the Commission with all of the information. Therefore, she requested to see the entire information once it is completed.

Mayor Fisher indicated that this is actually a right-of-way that is dedicated 10 feet to the City because of the code requirements; so, they are giving a special deed and a partial lease of mortgage for that. Therefore, it is a right-of-way dedication to the City.

Paola West, Principal Planner, Development Services Department, responded that is correct. Mr. Kenny Davis is the applicant for the item. He actually submitted a building permit for a single family home and one of the requirements is that there is adequate right-of-way. If there is not, then he has to dedicate. So, he is dedicating 10 feet of right-of-way for Northwest 8th Street.

Comr. Perkins indicated that she understands.

Ms. West asked if Comr. Perkins wanted to see the site plan?

Comr. Perkins responded yes. She explained she wants to see everything even when the entire process is completed. In other words, she would like to see the beginning and the end. In addition, she had brought this to staff's attention approximately nine months ago.

Ms. West stated they would comply with Comr. Perkins' request. However, she informed that the right-of-way portion they are dedicating is supposed to include a swale and a sidewalk.

**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. 2019-19**

5. [18-646](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF POMPANO BEACH FOR THE TAXIWAY DELTA REHABILITATION; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$500,000)

**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. 2019-20**

6. [19-47](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NW 8TH STREET TO A DUAL DESIGNATION OF NW 8TH STREET AND BISHOP D E RUSSELL SR STREET WITH A WESTERN BOUNDARY OF NW 10TH AVENUE



AND AN EASTERN BOUNDARY OF DIXIE HIGHWAY WITH THE NUMERIC DESIGNATION THE MORE PROMINENTLY DISPLAYED NAME ON THE SIGN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500 provided by requester)

**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. 2019-21**

7. [19-48](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NW 3RD TERRACE TO A DUAL DESIGNATION OF NW 3RD TERRACE AND EVANS TERRACE WITH A SOUTHERN BOUNDARY OF NW 3RD WAY AND A NORTHERN BOUNDARY OF NW 16TH STREET WITH THE NUMERIC DESIGNATION THE MORE PROMINENTLY DISPLAYED NAME ON THE SIGN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500 provided by requester)

**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. 2019-22**

8. [19-34](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SIENA PALM AIRE LLC; ACCEPTING A GRANT OF A PERPETUAL PUBLIC UTILITIES EASEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**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. 2019-23**

9. [19-35](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A UTILITY EASEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND OLDCASTLE APG SOUTH, INC; ACCEPTING A GRANT OF A PERPETUAL PUBLIC UTILITIES EASEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**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. 2019-24**

10. [18-563](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING 731 DR. MARTIN LUTHER KING, JR. BOULEVARD; ANNIE ADDERLY GILLIS PARK; THE E. PAT LARKINS CENTER; THE ALI CULTURAL ARTS CENTER; THE WEST SIDE OF THE BROWARD TRANSIT CENTER ON DIXIE HIGHWAY AND DR. MARTIN LUTHER KING JR. BOULEVARD; THE NORTH SIDE OF DR. MARTIN LUTHER KING JR. BOULEVARD AND DIXIE HIGHWAY; 3RD STREET AND FLAGLER AVENUE; THE NW CORNER OF 2ND STREET & 1ST AVENUE; 1ST AVENUE AND 2ND STREET; THE FRONT OF HOLY CROSS FAMILY MEDICAL CENTER LOCATED AT 114 N. FLAGLER AVENUE; THE FRONT OF THE BANK LOCATED AT 61 NE 1ST AVENUE; THE BAILEY CONTEMPORARY ARTS BUILDING; 50 NE 1ST STREET; THE CIVIC PLAZA; THE NORTH SIDE OF ATLANTIC BOULEVARD AND 1ST AVENUE; THE SOUTHWEST CORNER OF SW 1ST AVENUE AND ATLANTIC BOULEVARD; THE SOUTHEAST CORNER OF SW 1ST AVENUE AND ATLANTIC BOULEVARD; THE CULTURAL ARTS CENTER; CITY HALL; AND CITY COMMISSION CHAMBERS AS LOCATIONS FOR INSTALLATION OF THE MOSAIC TEAM TRAIL OF THE HONEY BEES PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Comr. Perkins pulled the item for City Commission discussion. Comr. Perkins indicated she pulled the item because she received several calls on the honeybees and requested an explanation to everyone regarding what it is and what it does.

Laura Atria, Public Art Program Manager, explained that the trail of the honeybees is part of a mosaic team project that was originally approved under Resolution No. 2016-78. The project is basically a lead artist working with five apprentices who are creating different honeybee type mosaic murals that vary in sizes. The smallest is about 6" x 6" and the largest is 3' x 3'. They are connecting over Dixie Highway in the Innovation District, starting at the building that is 731 NW 3rd Street, and then through there creating a kind of a scavenger hunt, which is creating dialogue while you are walking through it. So, you can look through it and try to find different art pieces. The trail will bring you all the way over to Dixie Highway onto 1st Avenue down across Atlantic Boulevard to City Hall and then all the way over to the Cultural Arts Center.

Comr. Perkins indicated that the honeybees are something that most people are questioning how did they come up with the honeybees? She recalled it being a discussion on the dais, and there was also a concern about the Holy Cross Family Medical Center at 114 North Flagler. There was a concern there, of course, because it is owned by Redevelopment Management Associates (RMA).

Ms. Atria responded that she spoke with Kim Briesemeister about that and it is not going on the actual building. Rather, for some of them they are putting in pillars, so it is going on a pillar near that. She said after speaking with Ms. Briesemeister she seemed to be "okay" with the project idea.

**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. 2019-25**

11. [19-05](#) 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 POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF POMPANO BEACH FOR CITY'S PLACEMENT OF MOSAIC ARTWORKS ON THE EXTERIOR WALLS OF BUILDINGS LOCATED AT 731 DR. MARTIN LUTHER KING, JR. BOULEVARD AND 50 NE 1ST STREET PURSUANT TO THE MOSAIC TEAM PROJECT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$10.00)

**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. 2019-26**

12. [19-50](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND THE OTHER PARTICIPATING AGENCIES RELATING TO PARTICIPATION IN THE 2018 EDWARD BYRNE JUSTICE ASSISTANCE LOCAL SOLICITATION GRANT PROGRAM; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$493,448 grant award)

**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. 2019-27**

13. [19-20](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY'S TITLE VI / NONDISCRIMINATION POLICY STATEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE ASSURANCE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

Comr. Perkins pulled the item for City Commission discussion. Comr. Perkins indicated she pulled the item for an explanation for the plat change.

Ed Beecher, Human Resources Director, explained that this is a resolution approving the City's Title VI Nondiscrimination policy. It is updating the policy as required by the existing and the City's local agreement with Broward County, which was passed by the Commission on September 23, 2014. The primary goal and objective of the City's Title VI Program are to assign roles, responsibilities, and procedures for ensuring compliance with the Title VI of the Civil Rights Act of 1964. The resolution formally adopts those procedures under the interlocal agreement.

Comr. Perkins explained that when she saw nondiscrimination, she was wondering why is it listed here? As well as what is its purpose?

Mr. Beecher explained that the City has a community bus circulator program, which the matter addresses. So, the City's circulator program as part of Broward County agreement for the community bus program, the City must adopt the Title VI Program, which will commit to having programs, policies, and procedures in place in case there are any kind of complaints of discrimination or someone does not have access to the City's circulator. Therefore, a formal process would be in place.

Comr. Perkins apologized about mentioning plat as she was looking at another item. She then thanked Mr. Beecher for his explanation.

Tom Tewilliger, Pompano Beach, FL, stated that his position is that this Title VI is not inclusive. He said the Hillsboro Inlet Fishing Fleet is located on city public property and offers similar transportation services which is offered to the public, yet the fishing fleet appears not to be included under this nondiscrimination resolution. Therefore, he urged the Commission to consider amending the resolution to include the Hillsboro Inlet Fishing Fleet, whereas, the operators of those fishing vessels offer public transportation services on city property. They should be included under the nondiscriminatory resolution language. Further, that language should be included in a land rental or use agreements because the City land is relating to transportation services very similar to a bus only on water from a city-owned property. Specifically, he asked that staff include the nondiscriminatory language on land that is commonly known as the Beatty land.

Mr. Beecher stated that the resolution relates only to federal funds. He said there is a process in place where they can have public meetings to discuss the inclusion of other locations within the city. However, he reiterated that this particular resolution deals only with the fact that the City is receiving federal funds and that the requirement for the Title VI Program is put in place in accordance with those requirements.

Mr. Terwilliger mentioned that in his review of the backup, granted it is referring to buses, but also in the backup, it specifically relates to federal state funds. And in the case of the Hillsboro Inlet, there is the US Coast Guard, the Corps of Army Engineers, and so on, as well as other federal regulations on that particular property that offers services to the public at large. Therefore, he is saying that if the City can offer nondiscriminatory language and protection to bus riders, they should also offer it to people that are using the water taxis, the fishing fleet, and anything that comes from public property that is offering services to the public that involves transportation.

**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. 2019-28**

**E. REGULAR AGENDA****QUASI-JUDICIAL PROCEEDING**

Mark E. Berman, City Attorney, advised that items 14-16 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.

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

14. [19-22](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE PREFERRED POMPANO PLAT GENERALLY LOCATED TO THE WEST OF INTERSTATE 95, EAST OF ANDREWS AVENUE AND SOUTH OF ATLANTIC BOULEVARD; PROVIDING AN EFFECTIVE DATE  
(Fiscal Impact: N/A)

Daniel Keester-O'Mills, Planner, Development Services Department, presented the item and stated that it is a proposed plat for a 2.5-acre property generally located to the west of I-95, east of Andrews Avenue and south of Atlantic Boulevard. The plat currently includes three parcels totaling 2.5 acres in size. The property is currently zoned I-1 (General Industry). The proposed plat subdivides the property into three distinct parcels. The plat proposes to restrict each parcel as follows. Parcel A will be limited to a maximum of 25,000 square feet of industrial use, Parcel B will be limited to a maximum of 110,000 square feet of self-storage use, and Parcel C will be restricted to open space.

Continuing Mr. Keester-O'Mills stated that when Andrews Avenue was recently extended to connect the racetrack road to Atlantic Boulevard using Southwest 12th Avenue, Parcel C was the leftover unplotted property that was not acquired by FDOT. It is a small property that is approximately 2,500 square feet and the size renders it unbuildable. It does not meet the minimum 10,000 square feet lot size required by code, thus the plat has been listed as open space. The agent Tara-Lynn Patton represents the owner of the property and is requesting that the plat be approved to develop the property. The plat was unanimously recommended for approval at the September Planning and Zoning Meeting with three conditions required prior to City Commission approval, and one to be completed prior to obtaining the Certificate of Occupancy. The three conditions that were required prior to City Commission review have been met.

Tara-Lynn Patton on behalf of the Applicant stated they had no further comments and that they concur with staff's recommendation.

**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. 2019-29**

15. [19-23](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING A LETTER OF NO OBJECTION FOR A PLAT NOTE AMENDMENT FOR THE POMPANO RACINO PLAT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

David Recor, Director of Development Services, presented the item and stated that Agenda Items No. 15 and 16 are related. Both agenda items seek to amend and update the plat notes previously approved by the City and Broward County. He said that these two plats were comprised of the area currently referred to as the Pompano Park South RAC or Regional Activity Center. He explained that a plat is a document that establishes property lines, access points, easements, and other public definitions, and describes land use entitlements for an effective parcel of land. Platting authority is the responsibility of Broward County that typically uses plat notes to determine the calculation of impact fees that are due at the time of actual construction or development. Platting is one of the very first initial steps in the development process. It is generally considered ministerial in nature. Therefore, with regard to plat note amendments on the agenda, there are no specific plans for development being approved at this time.

Continuing, Mr. Recor stated that Agenda Items 15 and 16 are both intended to update the plat notes to reflect the land use entitlements established by a land use map amendment approved by the City and Broward County in 2010. Although related, because these agenda items are quasi-judicial matters, they will be discussed separately.

Item No. 15 refers to the Pompano Racino plat. The applicant, PPI, Inc. is represented by Keith & Associates and Debbie Orshefsky, Esq., Holland & Knight. The current land use is RAC and the current zoning is CR, commercial recreation. The plat note amendment includes the following uses. Moreover, for purposes of the illustration, the first item refers to the area in blue, item No. 15.

Mayor Fisher confirmed that the item 15 is actually displayed in yellow not blue.



Mr. Recor confirmed that is correct. It is Item 11. The Item referred to in yellow is the Racino plat. And the plat note amendment will establish 464 plus thousand square feet of commercial, 714 plus thousand square feet of commercial recreation, 500 plus square feet of office, 550 residential mid-rise units, 500 hotel units, and 250 garden apartment units. The Development Services department recommends approval of the plat note amendment.

Mayor Fisher asked if the applicant wished to speak on this matter or just wanted to wait for questions? He invited anyone from the public to provide public testimony in this matter, and reminded the public this is a quasi-judicial proceeding, therefore, their testimony need to be germane to the issue.

Thomas Drum, 2700 Northeast 8th Street, Pompano Beach, mentioned that what they are actually asking for is to build more units in a cramped space, and that is what they are doing in this case. He offered his recommendation indicating that they can always build, but you cannot get the land back. He said the Commission will be allowing almost 1,000 units to go on a place now, and asked, "How many car trips? How much water? How much garbage going over to that landfill?" He said he thinks only two tiers are left. He asked, "What about infrastructure?" More fire people will be needed there as well. In sum, he urged the Commission not to allow this now because they would be allowing more development that the citizens cannot sustain.

Mayor Fisher reminded that with this issue, the zoning will need to be changed to correspond with the plat note amendment.

Mr. Recor clarified for the record that these entitlements have already been granted. In addition, he said they were authorized in 2010 by the land use map amendment. The plat note amendment does not increase the density or level of intensity of development that is already approved.

Mayor Fisher reiterated that in 2010, was when the land use amendment was accepted, so there is no more additional units. This is just an amendment to the plat.

Omar Williams, 320 Southeast Avenue, Pompano Beach, FL stated that he has lived in Pompano for the past 18 years and worked at the Isle Casino for the past 11 years. Since this is being built on Isle property, he felt he had to provide his comments on what is going on there. He said he is here today with many of his coworkers and fellow union workers because they have concerns about future development of the Isle property and its new ownership.

He said that when the Race Track was approved for slots many things were said, which include talk about good jobs and that there would be many local residents employed. However, they have just experienced a 200-person layoff. He said there are co-workers working for as little as \$8.90 per hour. Therefore, he wants to ensure that when this development comes forward, that the Commission standup for the employees. He said there is a need to enforce local hiring requirements and with living wages and permanent jobs that are created there. Moreover, they need housing onsite that they can afford instead of everybody else coming from cities such as Delray or Miami. He said people need jobs and not luxury condos or apartments meant for others. In sum, Mr. Williams said they will not sit by and accept words and hollow promises. Therefore, they expect more for the residents and deserve more from the City's largest employers. He concluded that this has been

taking place for the past eleven years.

Mayor Fisher mentioned that he wanted Mr. Williams to know that the county actually met this morning with hopefully increasing the living wage to get to that \$14 to \$15 an hour or so. He said he has been a proponent of that and will hopefully continue at that level to make that happen.

Comr. Perkins understood that this is the plat process, but moving forward, she enquired about approximately how many jobs do they plan to create?

Debbie Orshefsky, Esq., with Holland & Knight., representing the Applicant, responded she did not have those numbers accurately because they are not part of the plat evaluation. That was more the land use. However, she would expect that they would be talking about literally thousands of new jobs. There is an enormous amount of commercial both hotel, office, and other kinds of recreational and entertainment that employ an enormous amount of the workforce. So, they are hoping this will be both a job generator and an economic base that will help support the future of the City.

Comr. Perkins indicated that since she has been elected to office, she has heard many people come up to the dais and say that a developer will make sure they get a lot of jobs for the people in the community. However, she has not seen that happen. It has been said, but it does not happen. She indicated that she would love for once they are further down the road after the plat is passed that they would consider the local residents first, especially those that do not have jobs that were laid off.

Ms. Orshefsky stated that they would be happy to work with the city on a local preference. Given the nature and mixed use character of the future development, they will need all of the employees, and having a local workforce is certainly an addition to the success of any project.

Comr. Perkins asked to be contacted when they get to that point so she can get it out to the community as well.

Mayor Fisher reiterated that for the record the employment issues are outside the plat note. Therefore, he wanted City Attorney Berman comments on that and cautioned where they are going in it, because this is just a side note. It has had very successful projects in the past and a job fair has been done on site, to locate all of the local folks to be able to come in and enjoy some employment. He reiterated that is outside of the quasi-judicial currently being discussed.

Comr. Sobel stated that currently it is a site plan amendment, however, as he understands, it leads to land development, which leads to jobs. He said he was curious how they would respond to the union. Also, how this current company would do things differently than perhaps others that have led to broken promises to residents of Pompano Beach? He would like to hear on the record, assurances from Ms. Orshefsky, representing the company she represents, how they will make sure if the site plan, the land amendment, and the development in the future do take place, the individuals who live in Pompano Beach and are residents who care so much for the City would not experience more broken promises.

Mark Berman, City Attorney requested to make a comment prior to the counsel's response. He said no matter what the response is, it will not affect the Commission's decision on this quasi-judicial matter based on other

factors.

Comr. Sobel responded, no. But he thinks they are entitled to hear it and it does not affect his decision which he is in favor of this, however, he just wanted people to hear it.

Ms. Orshefsky clarified that the racetrack and the casino are still owned by El Dorado Resorts as separate from the joint venture, which is the owner of the property, which is the undeveloped parcels. In terms of the development team which is the joint venture that she represents. The most she can do at this time is take back a message. She has taken copious notes from both the speakers from unite here and having worked with them in the past in numerous hospitality environments. She understands the strength and support of the group as a set of employees and potential workers who are a resource to them. She could not tell what the commitment will be. However, what she can tell them is that they will certainly work with the City. They will be coming forward, as the Mayor mentioned, with a rezoning. At that time, they will work with the city and with the economic development personnel, and with the city manager's office to see how they can better coordinate the type of local hiring effort, which is the most she can commit to for the night.

**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. 2019-30**

16. [19-24](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING A LETTER OF NO OBJECTION FOR A PLAT NOTE AMENDMENT FOR THE ARVIDA POMPANO PARK PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

David Recor, Director of Development Services, presented the item and stated it refers to the Arvida Pompano Park Plat. Keith & Associates, as well as Debbie Orshefsky with Holland & Knight who also represents the applicant, Pompano Park Holdings. The current land use on the affected property is RAC, Regional Activity Center. The current zoning is PCI, planned commercial industrial development, which includes a mixture of B-3 and I-1 uses essentially. The plat note amendment includes the following uses: 300,000 square feet of commercial, 600,000 square feet of commercial recreation, 450,000 square feet of office, 500 mid-rise units, and 250 hotel units.

Continuing Mr. Recor stated that when factored in with what was just approved, as well as previous development, the entire parcel would be comprised of those uses including the existing facilities. The square footage and number of seats for the existing racetrack facility is 230,000 square feet for the casino, which will allow a modest expansion of the existing casino, the existing dormitories, and the additional community or commercial recreation office mid-rise hotel and garden apartments. That is the cumulative total of development allowed on the entire property.

**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. 2019-31**

**END OF QUASI-JUDICIAL PROCEEDING**

17. [19-55](#) P.H. 2019-09: (PUBLIC HEARING 2ND READING)  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.4201., "GENERAL," TO MODIFY SPECIFIC PROHIBITED USES; BY AMENDING SECTION 155.4211., "INSTITUTIONAL: OTHER INSTITUTIONAL USES," TO MODIFY CERTAIN PERMITTED ADDITIONAL USES; BY AMENDING SECTION 155.4215., "COMMERCIAL: BOAT AND MARINE SALES AND SERVICE USES," TO MODIFY CERTAIN ADDITIONAL PERMITTED USES; BY AMENDING SECTION 155.4225., "COMMERCIAL: VISITOR ACCOMMODATION USES," TO MODIFY CERTAIN PERMITTED ADDITIONAL USES AND ESTABLISH STANDARDS FOR SAME; BY AMENDING SECTION 155.4227., "INDUSTRIAL: MANUFACTURING AND PRODUCTION USES," TO MODIFY CERTAIN PERMITTED USES; BY AMENDING APPENDIX A: CONSOLIDATED USE TABLE TO CONFORM WITH MODIFICATIONS MADE FOR PERMITTED USES IN VARIOUS

**ZONING DISTRICTS; PROVIDING FOR SEVERABILITY;  
PROVIDING AN EFFECTIVE DATE.**

(Fiscal Impact: N/A)

**FIRST READING: OCTOBER 23, 2018**

Daniel Keester-O'Mills, Development Services Department, presented the item and stated this will clarify four separate uses and to use specific standards in Article 4. The first change deals with ammunition which is hazardous substance and prohibits the use outright, however this is in conflict with the state statutes and the City must provide for a district where this is permitted. Staff is recommending this be added to the existing use referred to as heavy manufacturing.

The second proposed change relates to density of hotels. This definition has been modified to be consistent with the comprehensive plan. Additionally, the third amendment clarifies the permitted location of the boat dry storage facilities where the use specific standard and permitted use table was inconsistent.

Finally, the last change adds clubs or lodges as permitted within the I-1, general industrial zoning district. At the August planning and zoning board meeting the Board recommended approval for the proposed text amendments and staff is recommending approval for this amendment.

**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

**18. [18-655](#) P.H. 2019-03: (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 FOURTH AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO PIER ASSOCIATES, LLC, RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE**

(Fiscal Impact: Additional base rent revenue of \$19,800 plus \$2.46/SF)

**TABLED FROM OCTOBER 9, 2018**

Adriane Esteban, Consultant, presented the item and indicated this is the Fourth Amendment to the Amended and Restated Development agreement on the pier development site. The major changes include extending some of the dates for the development timeline in particular for C2ER-1 and R-2 which would be completed in the year 2019. A second wave of completion would happen at the end of 2020 with R-3, R-5, and R-4. The other major change in the amendment includes increasing square footage for C2, which is also known as Oceanic, is related to storage and additional needs for that building, as well as for R-3 which includes a second story but keeping the same footprint. Finally, Ms. Esteban indicated that there are other minor changes related to the amendment which she could address. The item was presented to the East CRA advisory committee and they unanimously recommend approval of it. A representative of the development team, Tim Hernandez, is available for questions from the Commission.

Greg Harrison, City Manager, indicated that the item includes a very impressive prospect, therefore, he requested that the City Commission do both first and second readings tonight.

**A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to take the item off the table. The motion carried unanimously.**

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

**A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that second reading be declared an emergency. The motion carried unanimously.**

**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. 2019-03**

19. [19-11](#) Approval to rollover funding from Fiscal Year 2018 to Fiscal Year 2019, for capital outlay and operating expenditures totaling \$2,990,177.

(Fiscal Impact: \$2,990,177)

Erjeta Diamanti, Budget Manager, presented the item and indicated that it is a housekeeping item every year during this time. Staff presents the item to the Commission requesting approval to roll over funding that was not encumbered during the fiscal year 2018. If the funds are not rolled over they will fall under the fund balance.

Audrey Gregg, 1401 N. Riverside Drive, Pompano Beach, FL, enquired what was this originally designed to do. She has seen the lack of development in the northwest corner, and wondered could this be applied to some of the work there rather than be rolled over.

Mayor Fisher explained that these are funds that roll over from last year's budget into this year. Specific items are rolled over, which are listed in the backup. He said there are a number of items under contract that have not been completed yet, which need to move them forward anywhere from city clerk issues, cultural affairs, development services, fire, public works, parks and recreation, and non-departmental, which is laid out for each dollar amount.

Ms. Gregg asked if those dollars would be applied to similar funding streams?

Mayor Fisher responded, no, rather they will be applied to those specific projects that have been approved.

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

**Yes:** Hardin

Moss

Perkins

Sobel

Burrie

Fisher

20. [19-10](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AN AMENDMENT TO THE NORTHWEST CRA PLAN INCORPORATING THE TERMS OF THE INTERLOCAL AGREEMENT AMONG THE CITY OF POMPANO BEACH, THE CRA, BROWARD COUNTY, NORTH BROWARD HOSPITAL DISTRICT AND CHILDREN'S SERVICES COUNCIL OF BROWARD COUNTY, AND PROVIDING FOR EXPIRATION OF THE NORTHWEST CRA ON OR BEFORE DECEMBER 31, 2040; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Nguyen Tran, CRA Director, presented the item and indicated that this is pursuant to the interlocal agreement between the City of Pompano Beach, Broward County and Community Redevelopment Agency (CRA) as

well as pursuant to the settlement agreement. The CRA has 60 days to amend their northwest CRA plan according to the settlement agreement and to incorporate those terms in that amended plan. Last week the Commission heard the item at the CRA board level on October 16, 2018. The terms have been incorporated. The CRA board did approve the plan and the incorporation includes the expiration date for Northwest CRA, which is December 31, 2040.

Mayor Fisher noted that this was the same item on the agenda for approval at the CRA Board meeting.

Mr. Tran confirmed that it is now on the City Commission agenda to approve the plan.

Stephanie Steinberg, Pompano Beach, FL, stated what she has experienced as she learned the CRA along with the City have a thing where staff goes out to a property owner and establish a lease with that property owner, for the building that is on the property. So, the City is committed to paying that lease for whatever term it is, perhaps a four-year lease or so. CRA then goes out and tries to find someone to sublease it to. Many times there are buildings sitting vacant, because there is no tenant in there. Or they fall through, which she knows of a few instances where they fell through. However, the City keeps paying money to the property owner. Therefore, Ms. Steinberg suggest that the City secure the subtenant contract on or about the same time that the City is agreeing to pay a lease to a property owner so that taxpayer money is not wasted and continually paying leases on empty buildings.

Mayor Fisher mentioned that this is an amendment to the plan it has nothing to do with leasing property. This was part of the settlement that the City and CRA had with the Broward County.

Ms. Steinberg stated that the CRA is still in effect so she was addressing the CRA and things they do and the issue is more how the CRA operates that is what she wanted to say.

Mayor Fisher stated he understands that, but that question would be answered later to you. He reiterated that this is a litigation matter and the City will have to stay with the plan, which is part of the settlement of the litigation.

**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. 2019-32**



21. [19-43](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH (CITY), FLORIDA, APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY AND THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY (CRA) RELATING TO THE TRANSFER OF CRA-OWNED AND OPERATED CULTURAL FACILITIES TO THE CITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$362,269 - Budgeted in FY 2019)

Nguyen Tran, CRA Director, presented the item and stated it was seen last week on the CRA board agenda. It is an interlocal agreement between City and CRA to transfer the cultural facilities. The objective of the CRA has been to implement the Northwest CRA plan. As part of the plan, the restoration of the historical Ali cultural arts center and the Bailey contemporary arts are part of that. Those facilities have been restored and programming activities have begun and is in full operations. CRA has been responsible for the programming activities after the renovation activities. It has been the intent to have all cultural venues under one roof. Since there is a newly created Cultural division of the City, now is an appropriate time for CRA to transfer programming efforts and operations and maintenance of the cultural facilities. CRA board again saw the item last week and recommended approval.

Greg Harrison, City Manager added that all of the previous programming plus new programming will be taken over by the cultural affairs department and will continue in that capacity.

Mayor Fisher confirmed that the programming will not stop, but business will continue as usual. This is just a transfer of real estate over to the City.

Mr. Harrison responded that is correct.

Commissioner Perkins asked for clarification. She indicated that since the Ali and the BaCA Buildings are both under the umbrella of the City now, what would be the purpose of making it a separate entity for programming and operation.

Mr. Tran responded that they are going under the City's Cultural Affairs Division, which will handle all the programming, the operations maintenance, and staffing of these facilities.

Mayor Fisher clarified that there will now be a department head, which is Earl Bosworth and Phyllis Korab

who are part of the City. They will be taking over the responsibility of the programming of it. Therefore, the City itself will be doing it not the CRA.

**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. 2019-33**

22. [18-647](#) P.H. 2019-02: (PUBLIC HEARING 2ND READING)  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, AMENDING CHAPTER 151, "BEACHES AND WATERWAYS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 151.02, "PERMIT REQUIRED," TO ADDRESS CONDITIONS UNDER WHICH CERTAIN PERMITS ARE NOT REQUIRED CONSISTENT WITH STATE LAW; BY AMENDING SECTION 151.03, "STRUCTURES IN WATERWAYS," TO MODIFY THE DEFINITION OF SEAWARD MEASUREMENT REFERENCE LINE TO INCLUDE PROPERTY LINES EXTENDING INTO THE WATERWAY; AND BY AMENDING SECTION 151.07, "BACKFILLING SEAWALLS," TO ADDRESS POTENTIAL RUNOFF OR EROSION CAUSED BY SEAWALL RESTORATION PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

FIRST READING: OCTOBER 9, 2018

John Sfiropoulos, City Engineer, presented the item and stated there has not been any change since the first reading.

Pat Russel Anderson, Pompano Beach, FL, stated that she resides on "Sail Fish Canal" that has an unapproved peninsula built into her cul-du-sac that has ruined her view for over a year. She alleged it was not reported, recorded, inspected or listed in the building records by John Sfiropoulos.

Mr. Sfiropoulos responded, "I'm sorry, Ms. Anderson, that information is not correct at all." He said they have Broward County Environmental license that has been issued, City permitting has been issued, they have done the close out inspections, they have the engineer records certification letter, they have the seawall elevation certificate, they have the as built from the engineer record, and all that information was recently shared with Ms. Anderson about two weeks ago.

Ms. Anderson responded that is correct. However, he did not show any photographs of the way it looked before. He did not show any land survey of the way it is land built now with measurements. Do not waffle. It is a structure in a water way. She said many years ago, there was a city attorney by the name of Gordon Linn who used to say, "A waterway is like a street, we don't build in a street, so we don't build in a waterway." She said sail fish canal has 14 points of interest that were given to Mr. Sfiropoulos personally when he allowed a 7-foot extension of her property into the waterway. Connecting to a 70-foot diagonal seawall. It sounds okay.

Greg Harrison, City Manager respectfully asked to address the Mayor. He said he would not allow a citizen to attack one of our employees from the dais. He said if Ms. Anderson wants to come in again and meet with staff, he will be glad to entertain her in his conference room the way he did two weeks ago. Ms. Anderson had legal counsel present. Therefore, staff will do this in a professional and right way. Mr. Harrison indicated that Mr. Sfiropoulos has done nothing but try to help Ms. Anderson. This has gone far enough on this dais.

Mayor Fisher indicated that the City will continue dialogue with Ms. Anderson. He also noted that this ordinance is consistent with state law issues. Is that correct?

Mr. Sfiropolous responded that is correct.

Ms. Anderson respectfully suggested the item be tabled until discussion with Harbor Drive. What you are doing is taking away our recreational water and waterfront for the properties. She said the "ERL" was waffled and was surprised when she went over there and spoke with "Michelle." She did not know what was going on. When she talked to the zoning department of the city, the people there, "Laura" did not know the difference between a dock and a seawall. She did not know what backfill or landfill was. Scott Reale who was at the variance meeting, never knew about what was going on in the neighborhood. She said it has not been notified publicly to the residents. There is no transparency. It is out of code and it is not authorized by ACE.

Mayor Fisher asked if there is any issue of tabling the item that would cause any further harm on this.

Mr. Sfiropolous responded no reason to table it. It was reviewed and recommended by the Marine Advisory Board.

Ms. Anderson, added that she could not help but visit the inspector general and it is being looked into because of this. Contracts that they have "waffleized with Qualman and Sfiropolous."

Mayor Fisher requested that Ms. Anderson continue to have dialogue with Mr. Harrison.

**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. 2019-04**

23. [19-56](#) Approval to award Bid E-47-18 Sports Complex Remediation Service to the lowest responsive responsible bidder, Terracon Consultants., Inc., at a cost of \$896,724.00.

(Fiscal Impact: \$896,724.00)

Horacio Danovich, CIP Manager, presented the item and indicated that one year ago it was on the agenda for discussion. The City Commission designated a particular site, the Sports Complex located north of Atlantic Boulevard. As a brownfield site, it needs to be remediated before the sports complex can actually be designed and built. Mr. Danovich added that he had projected a year ago that the budget to do this would be approximately \$1.4 million and apologized for being wrong on the amount, as it would only be \$900,000, which is a big deal as it will save the taxpayers some money. He said by virtue of being on the agenda, and being able to move forward expeditiously, the city will hopefully be able to recover \$675,000 in tax credits by the year 2020-2021.

Mr. Danovich stated that there is a memorandum of understanding with Azure LLC to be able to build the site. There is a commitment to deliver the site clean by May 2019, and this item will allow the City to do this beyond time and hopefully to retrieve moneys back sooner than later. Mr. Danovich confirmed that there was \$100,000 in contingency monies just in case.

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

**Yes:** Hardin  
Moss  
Perkins  
Sobel  
Burrie  
Fisher

24. [18-650](#) P.H. 2019-04: (PUBLIC HEARING 2ND READING)  
AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND

SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 96.62, "SALE OR USE OF PLASTIC BEVERAGE STRAWS," TO PROHIBIT THE DISTRIBUTION AND USE OF PLASTIC BEVERAGE STRAWS ON CITY PROPERTY TO PROMOTE RESOURCE CONSERVATION AND TO REDUCE ENVIRONMENTAL HAZARDS FROM SOLID WASTE; PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: OCTOBER 9, 2018**

Mark Beaudreau, Recreation Programs Administrator, presented the item and indicated there are no changes since the first reading.

Angela Hill, Pompano Beach, FL, added that as a mother with small children she hope the City would have an alternative type straws for children that might be drinking on the property. She said without a sippy cup it is hard to drink out of a cup.

Mr. Beaudreau noted that there are some options, paper, sugar cane or bamboo straws.

**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. 2019-05**

25. [18-641](#) P.H. 2019-01: (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 LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HILLSBORO INLET FISHING CENTER, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$182,136 in annual revenue)

FIRST READING: OCTOBER 9, 2018

Robert McCaughan, Public Works Director, presented the item and indicated it is a lease agreement between the City and the Hillsboro Inlet Fishing Center. Since the first reading he noted the changes made. Specifically, in paragraph 7 on pages 4 and 5 of the lease, the change is highlighted in the backup. This adds termination for clause with a sixty days notification. The City has a couple more leases on the property, one is with William Beatty and the other is with the Submerged Land Lease with the State of Florida. The two leases are conditional to the lease and must be in place, so if they are cancelled then the subject lease will be terminated.

A motion was made to amend the Ordinance as submitted by Mr. McCaughan. The motion carried unanimously.

Since there was an extremely long and extensive discussion regarding this item among several residents, the City Attorney, who provided an update on the lawsuit involved and the termination clause in the lease with the property, and the City Commission. Therefore, in the interest of brevity of the minutes, the following persons spoke on the historical background of the Fishing Center, the pros and cons of the City keeping the Fishing Fleet, as well as the feasibility of the leases involved with the site. Details of this item can be obtained from the video posted on the City's website under City Commission meeting of October 23, 2018, Item 25, file ID-18-641.

- 1) Tom Terwilliger, Pompano Beach, FL
- 2) Angela Hill, Pompano Beach, FL
- 3) Dr. Joe McGee, Pompano Beach, FL
- 4) Stephanie Steinberg, Pompano Beach, FL
- 5) Brad Hunt, 1310 NE 27th Terrace, Pompano Beach, FL
- 6) Bill Gamper, 4411 NE 27 Terrace, Lighthouse Point, FL (President of the Hillsboro Fishing Center)
- 7) Shane Dunsen, Pompano Beach, FL
- 8) M. Ross Shulmister, 590 SE 12th Street, Pompano Beach (Sole stockholder of the Fishing Center/representative of the Fishing Center)
- 9) John Coselli, Lighthouse Point (Captain at the Fishing Fleet)
- 10) Tony Hill, Pompano Beach, FL

Discussion also involved the arrangements of the lease payments to the City by the Hillsboro Inlet Fishing Center and the impacts of the bidding process.

Under City Commission discussion, Comr. Sobel spoke at length regarding the facts on the long term lease and how it will impact the taxpayers, as well as the feasibility of putting the item out for competitive bid. Also, clarification was offered by City Attorney Berman regarding the proposed amended language and Mayor Fisher on certain aspects and historical background on the leasing of the site and the restrictions of the Beatty lease, as well as the Request for Proposal (RFP) process in 2014.

Comr. Hardin provided comments on the subsidizing of the fishing fleet and how it assists the City in paying the Beatty lease and one of the main reasons on why the item is before the City Commission for discussion.

Meeting went into Recess

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

**Yes:** Hardin  
Moss  
Perkins  
Burrie  
Fisher

**No:** Sobel

**Enactment No: ORD. No. 2019-06**

Meeting went into Recess

Meeting Reconvened

26. [19-06](#) P.H. 2019-05: (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 MTT AIRPARK HOLDINGS, LLC; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$5,829.78 to be paid to the city monthly)

SECOND READING: OCTOBER 9, 2018

**Meeting Reconvened.**

Robert McCaughan, Public Works Director, presented the item stating it is a lease between the City and MTT Airpark Holdings, LLC for Parcel Y. Since hearing the second reading there has been one change on page 8 of the lease, paragraph 3 (A) "Term." At the end of the sentence it was inadvertently stricken about the conditional statement, "If the payments are not made for the capital improvements then it could be cause for termination of the lease." The last part was left off, but it was always the intent, so it is being added. All parties are in agreement of this change.

Comr. Hardin with reference to the ranking portion asked was the level of improvements looked at as part of the ranking or was it just improvements.

Mr. McCaughan responded that it was looked at as the level of improvements. There was a three person review committee that reviewed the proposals and MTT stood out among the group. In the lease it does specify the box hangars a two story FBO executive building. In sum, Mr. McCaughan stated that it was noted.

**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

**Enactment No: ORD. No. 2019-01**

27. [18-621](#) P.H. 2019-07: (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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND TELE-VAC SOUTH INCORPORATED FOR INSPECTION AND CLEANING OF STORM WATER SYSTEMS AND UTILITIES JET-VAC ON CALL SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$250,000)

FIRST READING: OCTOBER 23, 2018

A. Randolph Brown, Utilities Director, presented the item indicating this is a contract with Tele-Vac South Incorporated who have been in service in Pompano Beach for over twenty five years. They will supply assistance to supplement the crews in cleaning stormwater and wastewater mains throughout the City as needed.

**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

28. [19-37](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, WAIVING FORMAL COMPETITIVE BIDS DUE TO URGENT CIRCUMSTANCES AND AWARDED A CONTRACT TO YOUNGQUIST BROTHERS, INC. TO CONSTRUCT A CLASS I DEEP INJECTION WELL; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND YOUNGQUIST BROTHERS, INC.; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$6,999,995)

**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. 2019-34**

29. [19-53](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING AN EMERGENCY IN ORDER TO PROCURE ENGINEERING SERVICES PURSUANT TO THE CONSULTANTS' COMPETITIVE NEGOTIATIONS ACT, SECTION 287.055, FLORIDA STATUTES, AND WAIVING COMPETITIVE SOLICITATION REQUIREMENTS; APPROVING AND AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AN AGREEMENT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND STANTEC CONSULTING SERVICES, INC. FOR DESIGN AND INSTALLATION

OF A CLASS 1 DEEP INJECTION WELL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$777,523.68)

A.Randolph Brown, Utilities Director, presented the item indicating there were issues with the previous deep well that had to be abandoned and sealed according to state standards. Upon the sealing of this well a new deep well was needed. Mr. Brown indicated that there is an emergency request for a contract with Youngquist Brothers, Inc. for the construction of the new deep well for the membrane water treatment plant. Currently, there are two drillers that can do this work in the State of Florida. Mr. Brown provided details on the reason why staff decided to go with Youngquist Brothers versus the other company.

Continuing, Mr. Brown indicated that without the deep well the City risk exceeding its consumptive use permit with South Florida Water Management District (SFWMD). Also, there are dry season withdrawals that can only take so much from the eastern wellfield, which the wells in the west must run requiring the membrane treatment plant. In sum, this will restrict the movement of water and makes it challenging in the treatment of the water. While it is safe it will put the City in a precarious situation sometimes with the water demands. Also, there is need to have the flexibility to operate both plants fully operational to meet treatment regulations. Mr. Brown indicated that there will be an overall increase in costs if they keep charging to Broward County Wastewater Plant, due to a recent 27% increase in their costs, the increased cost for chemicals of the lime treatment plant. Due to the limitation in the rigs within the State of Florida that can drill this type of well, Miami-Dade, Collier County and SFWMD will secure these rigs from 2019-2020. Therefore, if the City does not get in on this there will be significant wait before the next bid. The bids open up in November and December, therefore timing is critical to this. In addition, in February of 2019 there is a 350% tariff a combination of three tariffs that will be added to the Chinese steel over American steel.

Mr. Brown stated that the design of the last well lasted 14 years. Every five years testing is done to check the quality and structure of the well to ensure it is in good shape. In 2014 the well was televised and they noticed some wear. In 2017 when the contractors started working on the well it started falling apart, which ended up causing the City to abandon the well. He said the new well proposed to be designed will meet the needs of an expanded membrane treatment plant for future increased use. He said it will be safe and provided the details accordingly, as well as the City is operating with the best practices for membrane disposal of concentrate.

Mayor Fisher asked for the well not being used what is being done to secure it for environmental purposes.

Mr. Brown explained that the well was abandoned according to state's specifications and now has 2,200 feet of concrete to seal it off so there is no upward or downward migration or leak.

Tom Terwilliger, Pompano Beach, FL, asked if in the future rather than abandoning the well could they be relined as backup.

Mr. Brown explained that in 2017 when the process started, it was to be proactive to line the well and extend the life of it, which was done prior to DEP ordering the City to do so. However, when the equipment was

taken down in the well they discovered the amount of corrosion that occurred on the inner casing and the tool performing actually got stuck in the well.

Comr. Hardin thanked Mr. Brown for meeting with him and the other commissioners to brief them on what was going on and explain the details. He said there is a lot of work that goes on behind the scenes.

Comr. Perkins indicated she understands the urgency and asked how long ago was this determined.

Mr. Brown responded that staff knew they had to abandon the well since this summer, so according to state requirements, the City had to obtain a permit from the state to properly seal the well off and then start the application, which will be done after the approval of the item.

Comr. Perkins enquired why this is now being brought before the Commission for approximately \$7 million and it is not a guarantee that this will work for the City. In fact, she is not aware of a City paying \$7 million without a bid, and wanted to know why was this not done earlier for proper discussion by the Commission.

Mr. Brown stated that they were in full communication and have made the management aware and have worked to do this throughout the whole process. So, this went before the Commission who was aware of what staff was experiencing with the deep well process or lining it, abandoning it so it really was not something new. However, once they had to abandon it then it was determined that a new well is needed at that time.

Comr. Perkins asked if the City is being guaranteed that this will work.

Mr. Brown responded yes. He explained that it is a Guaranteed Price not to exceed and they will produce a well that meets all state's standards. The new liner is slated to last fifty years versus the twenty for the steel liner.

Comr. Perkins enquired if it is legal by Florida Statutes to expend this amount without a bid.

Mark Berman, City Attorney indicated that the CC&A comes up with the next item and he will read the Statutes for that and whatever law he was able to find to discuss with the Commission. However, this item is an emergency no bid contract. The emergency conditions have been stated. Numerous reasons provided, which this was needed months ago. If this is not done now and it goes out to bid the rigs may not be available, the price will double, and a multiple reasons were provided by Mr. Brown as to why this will require a no bid process, and it is legal. Because if the Commission as a whole determines that there is exigent circumstances.

In response to Comr. Perkins question, Mr. Brown responded that it will take nine months to complete the work.

Comr. Moss stated it seems like a classic, “Damned if you do and damned if you do not” situation. In the perfect world this would be put out to bid and do it the right way. However there is an emergency, and from his standpoint it is believing Mr. Brown’s reasons. He said Mr. Brown has done nothing but a stellar job as he has observed over the past four years as a commissioner. Therefore, he believes him and if it is not done the consequences are comprising the quality of the water and join some of those other cities that are currently experience problems with their water forcing people to boil their water. In sum, he believes this is absolutely needed.

Comr. Sobel stated that he is a fan of Mr. Brown and his expertise. However, he shares and echo what Comr. Perkins indicated. This sounds like a self-made emergency and he thinks the Commission should have known about it this summer. To ask the Commission on an emergency basis to spend \$7 million that was not budgeted on an issue that was known about this past summer, that theoretically it could have been budgeted for makes him uncomfortable. In addition, the City spent \$1 million out of the \$1.4 to figure out that the well in place was not usable, which leaves many questions in his mind. He would love to see Youngquist do the well, because they are a top notch company with great successes in Miami-Dade. But there are concerns as to why it took \$1 million to put a camera with tools to figure out that the deep well projected to be salvaged cannot be done.

Mr. Brown explained that subsurface corrosion cannot be seen in the metal. When issues were beginning to happen with the well the driller at that time, Lane, made a tool that was going to get the chads off the edges and smooth out the edge for lining but the tool got stuck and found out that it was unsalvageable.

Comr. Sobel indicated the while he understands the process of the lining, but he is concerned of why it took \$1 million worth of effort and asked how it was spent.

Mr. Brown responded that it was spent in bringing the rigs in from Texas, pay for the lining materials, the time it took to make the special tools as they went along to try and save the well. However, on the last attempt to ensure they had everything all shaved is when the tool got stuck.

Comr. Sobel engaged Mr. Brown in an extensive discussion regarding the environmental and climate change associated in replacing the well and the risks involved in contamination if something goes wrong. Mr. Brown explained the technical engineering involved in great detail.

Greg Harrison, City Manager explained the reason staff took the \$1 million estimate route was to avoid spending \$7 million. It did not start out being \$1 million but they ran into difficulties half way through the project. During this time the City was being advised by the engineering professionals and Lane, the other driller on trying to do the project for approximately \$1 million. As it relates to the current situation this is similar to drilling oil rigs, when the drill bits get stuck in the casing and there is nothing that can be done. So, this was what happened in this case. In essence, this was “buzzer luck” in getting the bit stuck 2,200 feet down. Currently, that well must be replaced when the plan was to repair and use. Moreover, several agenda items were presented to the Commission with regard to the experience as it was happening and the problems being

experienced. This is the first time staff is bringing an item regarding a full new well. He reiterated that if the down time that Youngquist is experiencing now the City may not be able to acquire their services should it go through a bid process. If this is done perhaps it will cost the City much more than what has been negotiated with Youngquist. The funds will be realized from the utility reserve, which is approximately \$25 million. This amount will have to be accounted for later on in the process.

Comr. Sobel indicated that this is the critical part of the government infrastructure and that is why it requires anticipation and planning. It should be more of a process than a 24 hour notice especially if it was recognized since June. Therefore, he suggested that there be a better option put in place. Comr. Sobel then shared his discussion with the County and Mr. Brown regarding the options available.

An extensive discussion followed among the City Commission and the City Manager regarding the emergency timing of getting this item before the Commission for approval. Mr. Brown then provided an outline of staff's activities from when the old well was sealed in July to acquire a service contract with Youngquist to bring before the City Commission at this time.

**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. 2019-35**

30. [19-31](#) P.H. 2019-08: (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 FOURTH AMENDMENT TO THE AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$1,504,870)

Greg Harrison, City Manager, presented the item and stated it will cover what they discussed at length during the budget process with regard to the seven school resource officers and the five community service aids that

will be added to Broward Sheriff Office (BSO) contract. He said they need to go through the process tonight, and he requested that the Commission consider first and second reading on the item. Thereafter, he will allow Chief Hale to explain why they need to have both readings at this meeting.

John Hale, Police Chief, BSO, stated the item memorializes the addition of seven school resource deputies, as well as five patrol Community Service Aid (CSA) positions in the contract. There is a Community Service Aid academy that starts the first week in November. Therefore, there are people lined up in human resources to be hired as the five new CSAs. He can get them into held positions in the CSA academy that is eight weeks long. If they go past that date it would not be until after the first of the year that another CSA academy comes about. That is why he is requesting the Commission's consideration and emergency second reading to allow him to get hires and get them into the academy.

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

**A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that second reading be declared an emergency. The motion carried unanimously.**

**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. 2019-07**

31. [19-36](#) P.H. 2019-06: (PUBLIC HEARING 1ST READING)  
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, SPECIALLY SETTING THE DATE AND TIME OF FUTURE MEETINGS OF NEWLY ELECTED COMMISSIONS FOR INDUCTION INTO OFFICE, IN ACCORD WITH SECTION 5 OF CHAPTER 76-336, LAWS OF FLORIDA, AND ARTICLE II, SECTION 16, OF THE CHARTER OF THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; PROVIDING

AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

**A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that second reading be declared an emergency. The motion carried unanimously.**

**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. 2019-08**

## **F. REPORTS**

**Gregory Harrison, City Manager - Two Recommendations** - Mr. Harrison stated that he had two items of recommendations to be included in the records.

- 1) The response to Dr. Mack's reported recommendations that he had previously emailed to the City Commission.
- 2) The recommendations that staff and management has considered regarding Pompano Beach Homeless Services. In addition, there is a report from the City's consultant, OrgCode Consulting, Inc.

Mr. Harrison indicated that both items could be brought back at any time under a Commission agenda, for further discussion. He said he would be emailing the City Commission a copy of the Homeless document after the meeting.

**Sentiments to Mayor Fisher** - Greg Harrison, City Manager, indicated that he was trying to forget that this was the Mayor's last meeting. He would be remiss by not going on record that on behalf of all the City

employees to wish Mayor Fisher well in his future endeavors and said, "We are going to miss you."

**Mark Berman, City Attorney - Sentiments to Mayor Fisher** - Mr. Berman assumed that he would address Vice Mayor Burrie at a later meeting. Nevertheless, he said that both personally and professionally it has been a true privilege and honor to work with Mayor Lamar Fisher through all the years. He then wished him the best of success in his future endeavors.

**Asceleta Hammond, City Clerk - Sentiments to Mayor Fisher** - Ms. Hammond echoed Mr. Berman's sentiments and thanked Mayor Fisher for a gallant job working with the City and for the many years he has provided excellent service. In addition, she said she would address Vice Mayor Burrie at a later time and thanked her as well for her services.

**Commissioner Rex Hardin - Sentiments to Mayor Fisher** - Comr. Hardin stated that Mayor Fisher has done a tremendous job over the past eleven years serving together with him. He said his leadership has taken the City to new heights. In addition, his integrity, honesty and exemplary leadership on the dais has made this Commission to be envied across the county and perhaps the state. Comr. Hardin added that for many years he has been pleased and proud to have served with Mayor Fisher. He said whoever takes the chair would have big shoes to fill; nevertheless, he is certain Mayor Fisher will do a great job for the City at the County level. He jokingly said, "Don't forget where you came from."

**Commissioner Barry Moss - Sentiments to Mayor Fisher** - Comr. Moss echoed Comr. Hardin's sentiments and thanked Mayor Fisher personally for being a role model and for having taught him a great deal about how things work and sometimes how it does not work. He wished Mayor Fisher the best of luck and hope to see him downtown.

**Commissioner Beverly Perkins - Grand Opening Day for Blanche Ely Museum** - Comr. Perkins announced that the Grand Opening for the Blanche Ely Museum. After meeting with staff it was suggested to have this done on the Martin Luther King Day, but after thinking on it would prefer to leave the Day for Martin Luther King. Therefore, she would desire to see the grand opening on the birthday of Ms. Blanche Ely, which is January 4, so if staff could possibly consider this date for the grand opening.

**Sentiments to Mayor Fisher** - Comr. Perkins wished Mayor Fisher the best of luck and also Vice Mayor Burrie. She said she will miss them both and although they have had their disagreements, she wanted to wish them well and hopes they will stay in contact from time to time.

**Commissioner Michael Sobel - Sentiments Expressed** - Comr. Sobel stated that this is the last meeting together and wanted to recognize and thank Mayor Fisher and Vice Mayor Burrie for their years at public



service, and for teaching him a lot about what it takes to be on the dais, as well as expressed wishes to both for all the best. Further, Comr. Sobel said this is his last pre-election meeting and wanted to thank the City staff, the department heads, the administration, Mr. Harrison, Broward Sheriff's Office (BSO), and the Fire Department who have assisted him immensely in his first term as City Commissioner.

**Vice Mayor Charlotte Burrie - Sentiments to Mayor Fisher** - Vice Mayor Burrie stated that years ago when Mayor Fisher's Mom and Dad used to hang out with her and her late husband, Donald, they would watch him play basketball, so who would think she would spend eleven years on the dais with him. She said it has been her honor to serve with Mayor Fisher and an honor to know his family. Vice Mayor Burrie wished him all the best in Broward County. However, she said his roots are still here in Pompano Beach. Further, she said he has been a great leader and his shoes will be very big to fill. She said there is more she would say but it would make her cry. While this is Mayor Fisher's last meeting it is not hers. She then wished Mayor Fisher good luck.

**Mayor Lamar Fisher - Reflection on Years of Service** - Mayor Fisher stated that he began his political career at the City of Pompano Beach seven years on the Planning and Zoning Board, then in 2002 he was blessed to be elected as the City Commissioner for District 3, where Comr. Hardin now serves. In 2007, he was elected Mayor at Large. So, in total it has been 24 years of political service to the City of Pompano Beach. He said he has served with great ones, including former Mayor E. Pat Larkins, Vice Mayor Herb Skolnick, and others such as Mayor Bill Griffin, Mayor Kay McGinn, Comr. Ed Phillips, Mayor John Rayson, Vice Mayor George Brummer, who was his mentor. In addition, Comr. Susan Foster, Comr. Barry Dockswell, Comr. Woodrow Poitier and now the current Commission. He thanked everyone and those over the past years for their service as elected officials.

Mayor Fisher then recalled City Managers such as Bill Hargett, whom he thought of getting rid of, but as time went out he found out what a genius he was and he made an impact on his life at that level, he thought of him quite a bit and is truly missed. He had a short time with City Manager Keith Chadwell and then Dennis Beach came along and ultimately Greg Harrison who is the current City Manager, which is a true blessing.

Continuing, Mayor Fisher said he worked with City Attorney Gordon Linn over the years who has retired, and now Mark Berman, which is quite a pleasure to serve with him. He said he served with City Clerk Mary Chambers and Asceleta Hammond who have been a blessing to the City. Internal Auditors he served with Barbara DeLeon for many years and currently DC is in the position and he is happy to see this. As it relates to Assistant City Managers, he recalls Mark Lauzier who is the City Manager in Delray Beach and T.C. Broadnax, who is the City Manager with the City of Dallas. Currently, Brian Donovan, who served as the financial person who went away for a year and returned to the City and Suzette Sibble who is a dynamic woman to do what she does in the financial world and Phyllis Korab, who was always there when the City went through transitions with Bill Hargett and Keith Chadwell, she was able to serve the City so well and continue to do so, which warms his heart. In addition, he said Shelley Bartholomew is so special and who steps in to assist him in areas that he needed help, she is good people. Sandra King as well and then the department heads, he said they are all amazing. It trickles down to the employees, to those persons who cut

the grass to make the City look good, and together, as well as to make the Commission look into the future, has been amazing. Therefore, he thanked all the residents of Pompano Beach for their trust in him. He said the journey has been so incredible that words could not explain the emotions now, nor could he possibly recap all of “Our Accomplishments” which it proved that it does take a team. He said he came into the arena saying that “together everyone achieves more,” and to achieve the City’s vision set forth over the years. He said it is not a goodbye but hopefully it is a new journey for him to continue to serve his City at a new level.

In conclusion, Mayor Fisher recognized the most important individuals of his life who provided him with the strength and the love to continue to serve others. His dad, his daughter Trish and husband Tom, and his son Paul, and most importantly his wife of 38 years Suzan. He wished God’s speed to the City and its future.

#### **G. ADJOURNMENT**

The meeting adjourned at 10:45 p.m.

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Lamar Fisher, Mayor

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Ascelela Hammond, City Clerk