

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor

Barry Moss, Vice Mayor

Rhonda Eaton, Commissioner

Andrea McGee, Commissioner

Tom McMahon, Commissioner

Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceleta Hammond, City Clerk

Tuesday, October 22, 2019

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Mayor Rex Hardin, called the meeting to order at 6:03 p.m.

ROLL CALL

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

Excused: Commissioner Andrea McGee

INVOCATION

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

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk.

APPROVAL OF MINUTES

[19-694](#) Regular City Commission Meeting Minutes of October 7, 2019

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

APPROVAL OF AGENDA

Mayor Hardin announced the following changes to the Agenda:

- 1) To strike Consent Agenda item 6.
- 2) To postpone Regular Agenda items 16, 18, 19, 20, 21, and 22 until the November 12, 2019, City Commission meeting.

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

CONSENT AGENDA DISCUSSION

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

Mayor Hardin announced that Consent Agenda item 5, would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION**[20-12](#) Presentation of the *Stop the Trash.....TALK!* Program**

A presentation was made by Russell Ketchem, Solid Waste Manager for the City of Pompano Beach, to unveil the new illegal dumping program called ***Stop the Trash.....TALK!***

Mayor Rex Hardin presented Janice Simmons, the first recipient of the program, with a check from the City for her efforts to combat illegal dumping in the City.

Russell Ketchem, Solid Waste Manager provided a historical background on the City's efforts to create a clean, bright and beautiful project. The intent is to improve the curb appeal within the communities by implementing specific programs and specialized teams to address and resolve issues and improve the overall visual appearance of the City. Mr. Ketchem indicated that illegal dumping is a problem throughout the nation and the City of Pompano Beach is not immune to such activities. In the past, the City used crime stoppers as a mechanism for people to call to report illegal dumping. However, while this mechanism is good at documenting other illegal activities, it is not the best fit for reporting illegal dumping. Therefore, the City developed a program in which the alert system becomes the greatest asset for fighting illegal dumping.

Continuing, Mr. Ketchem indicated that the "Stop the trash.....talk" program targets illegal dumping by providing an avenue for people to report what they have witnessed. The program provides monetary rewards to individuals who report and testify to the illegal dumping activities, in which offenders are successfully prosecuted and or fined. Therefore, he encouraged everyone to use their phones to take photos of individuals, vehicles, license plates, and then call (954) 786-STOP.

In order to showcase the program, he introduced the first reward recipient, Janice Simmons. Ms. Simmons in

taking a video of the offender, the vehicle and the license plate, she was able to provide the Broward Sheriff's Office (BSO) with information that allowed them to move the case to the State Attorney's office, where it is being processed as a felony crime.

Mayor Hardin thanked Ms. Simmons for what she has done and have started in the City of Pompano Beach, which is tremendous. He stated this is what is needed, to have people work with the City Commission and staff to try and clean up the communities. Therefore, what she has done sets an example that others can follow.

This matter was READ AND PRESENTED INTO THE RECORD

B. PROCLAMATIONS

20-15 Red Ribbon Week Observance

Mayor Rex Hardin proclaimed October 23rd through October 31st as Red Ribbon Week in the City of Pompano Beach. Melissa Sauer, representative for the PFC Bruce W. Carter Young Marines accepted the proclamation.

This matter was READ AND PRESENTED INTO THE RECORD

20-34 National Hunger and Homelessness Awareness Week

Mayor Rex Hardin proclaimed National Hunger and Homelessness Awareness Week in the City of Pompano Beach. Rebecca Mcguire, Broward County Human Services Administrator and Darrell Cunningham, Director of the Community Partnership Division accepted the proclamation.

This matter was READ AND PRESENTED INTO THE RECORD

Pastors Appreciation Month

Mayor Hardin stated that this proclamation was not on the agenda. However, he invited the local pastors to join him for this presentation.

Mayor Hardin proclaimed the month of October as Pastors' Appreciation Month in the City of Pompano Beach. The local pastors accepted the proclamation.

This matter was READ AND PRESENTED INTO THE RECORD.

C. AUDIENCE TO BE HEARD

Mayor Hardin 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 less, 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 (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session". (Effective May 28, 2019)

The following persons were called to speak:

Ongoing Criminal Behavior - Craig Turner, Comptroller, Edward Overseas, 160 NW 14th Street, Pompano Beach, FL, indicated that he is speaking on behalf of the Pompano Beach property and business owners in the neighborhood. He complained that there is a matter of great concern by these owners. They are fearful of the condition that exists at 157 NW 14th Street, Pompano Beach, where a group home for troubled young people operates under very dangerous conditions. He referred to the multiple police calls responding to the area, vandalism caused by the occupants, harassment of local residents, trespassing, and auto theft. On October 17, 2019, several residents from the home drove a stolen vehicle down NW 14th Street and attempted vehicular homicide of a mother and daughter walking their dog as she tried to videotape the aforementioned vehicle. They crashed through the fence of the property that his group manages and plowed head on into one of their tenant’s vehicle. The entire incident was captured on the surveillance cameras, which is frightening to watch. He said it is important for them to take whatever means they have to prevent any more crimes originating from that facility. Therefore, he encouraged the City not to grant the permit that the facility needs to continue its operations, until an investigation is done of that business and the threat it imposes on the neighborhood.

Mayor Hardin indicated that he spoke with somebody on this incident on Friday. Nevertheless, he encouraged persons in the area who sees any illegal type of activity or things that are not as they should, they should call BSO. The City has a nuisance abatement program, which is a specialized board that handles things of this nature. Drug activities and other activities must be documented, so he urged everyone to contact BSO regarding these incidents.

Suzette Sibble, Assistant City Manager, understands that in addition to BSO actively investigating the incident, Code Compliance is also actively involved. Additionally, the representatives from Department of Children and Families, who have authority over the facility is present at the meeting.

Purchase of Property on Dr. Martin Luther King, Jr. Blvd. - Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, stated that at the last Community Redevelopment Agency (CRA) meeting, a question was asked about 2000 Hammondville Road (MLK Blvd.). The sale was for \$2.1 million but the closing statement states \$1.65 million and he wanted to know where the difference is.

Mayor Hardin indicated that this is a CRA matter and perhaps he could meet with Nguyen Tran to get a response.

Mr. Skversky asked if anybody who works or is affiliated with the City had any business dealing with the subject property.

Mayor Hardin suggested that Mr. Skversky contact the City Manager's Office to get more information regarding his question.

Appreciation for Cleaning Street - Ralph Daniels, 630 NE 35th Street, Pompano Beach, FL, thanked the City Commission for everything they have done to get his street cleaned up.

Dumpsters Enclosures - Mr. Daniels mentioned that the shopping centers located in the older plazas such as Shoppers Haven, there are some stores with no dumpster pads. He wondered when these stores were reconstructed, how they were left out of having a dumpster pad built. Places such as Amscot, Save-A-Lot, and Shoppers' Haven. He wanted to know who was responsible for the dumpster pads for these stores.

Mayor Hardin responded that it was up to the plaza owners in most situations. However, some of the plazas are so old they were built prior to current zoning, so there may not be room for the dumpster pads in some situations. Nevertheless, as it relates to overflowing dumpsters or dilapidated dumpster enclosures, they do need to be addressed as soon as possible.

Mayor Hardin indicated that the City will try to get Code Enforcement to take a look at Shoppers' Haven situation.

Enough is Enough Event - Nikitra Jones, Keltron Goodwin, Jr. Foundation, 212 NW 14th Street, #2, Pompano Beach, FL, thanked the City of Pompano Beach for the event, "Enough is Enough" which was held on October 12, 2019. The City did an amazing job, She thanked Mayor Hardin for speaking at the event, Comr. Perkins and Comr. McMahon for their attendance. She reported that the Parks and Recreation Department did an amazing job especially Kate and Chelsea who were great team members that assisted her with setting up the event. She agrees with the Mayor's statement that the residents need to do more for their City and to assist with the issue that has been ongoing. Ms. Jones indicated that she has received a lot of feedback from the community from not only their community but also other communities. She thanked the Moms from Parkland who "showed up, and showed out," and contributed tremendously to the event as well. Ms. Jones promised not to give up, to continue working this event, and to build unity between communities.

Mayor Hardin expressed appreciation to Ms. Jones for coming forward, and while the City did help, it was Ms. Jones coming forward originally and getting the City to work together to cause the event to happen. He reiterated his thanks to Ms. Jones for her efforts to hold this event.

D. CONSENT AGENDA

Consent Agenda Items 1-4 and 7 were Approved/Adopted without any discussion.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVED THE CONSENT AGENDA. The motion carried unanimously.

1. [19-736](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND TIMOTHY ROBERT SMITH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$3,000.00)

(Staff Contact: Laura Atria/Phyllis Korab)

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

Enactment No: RES. No. 2020-37

2. [20-10](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FORCE MAIN MAINTENANCE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND VANTAGE HOMEOWNERS ASSOCIATION, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

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

Enactment No: RES. No. 2020-38

3. [20-11](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING AN ASSISTANCE TO FIREFIGHTERS GRANT FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE DEPARTMENT OF HOMELAND SECURITY FOR THE PURPOSE OF PURCHASING SELF-CONTAINED BREATHING APPARATUS AND EQUIPMENT FOR THE RAPID INTERVENTION TEAM; CONFIRMING THE CITY'S CONTRIBUTION; AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT; PROVIDING AN

EFFECTIVE DATE.

(Fiscal Impact: \$40,181.82)

(Staff Contact: John Jurgle)

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

Enactment No: RES. No. 2020-39

4. [20-35](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TERMINATION AND RELEASE OF SPECIAL EXCEPTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND 3400 ATLANTIC, LLC IN LIGHT OF DEVELOPMENT STANDARDS IN THE ATLANTIC BOULEVARD OVERLAY DISTRICT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

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

Enactment No: RES. No. 2020-40

5. **19-649** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO DECLARATION OF RESTRICTIONS BETWEEN POMPANO BEACH LIVING, LLC AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 10, 2019 & OCTOBER 7, 2019

(Staff Contact: Scott Reale/David Recor)

Comr. Perkins and Mayor Hardin pulled the item for City Commission discussion.

Jennifer Gomez, Assistant Director, Development Services Department, stated that in 2010, the property was originally rezoned for 138 units. They have kept the development approvals alive, and as part of the rezoning there was a voluntary restriction of uses, which required that the units could not be rented out for a period of less than one year. It also said they could not be rented until they were owned for a year. The original request was to remove that use restriction in its entirety. Since the backup was distributed to the City Commission, the applicant has requested to revise the original request and scale it back. Therefore, they are seeking to remove

the limitation that the units cannot be rented until somebody has owned them after a year. This means they will not be requesting that they be allowed to be rented for a period of less than one year, therefore, there will be no vacation rentals or short term rentals. They have also added language to create a homeowner's association to monitor it all.

Dennis Mele, Esq., 200 East Broward Boulevard, Fort Lauderdale, FL, on behalf of the applicant presented an overhead presentation of how they modified the language, which was presented by Ms. Gomez.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, asked that they put a provision that states, "You may not rent it for less than one year." He indicated what the problems are with most enabling documents, where there are no penalties. He suggested that they add some type of penalty should someone fail to perform as stated in the HOA rules or in the proposed document.

Mayor Hardin reiterated that is the reason for the change in the document that the units do not get rented prior to a year.

Comr. Perkins is aware that the project had commenced since 2010, but expressed her concerns with the 138 town units in the area, which is off NW 3rd Avenue. Nobody has met with the residents in the area to get their feedback or opinion. Therefore, she suggested that the developer meet with the residents that will be impacted by the units.

Mr. Mele, on behalf of the applicant, stated that at one point they had a contract to sell the subject property to a major home builder and at that point they were going to meet with everybody because they had something to show. They are planning to do so, but at this point they are dealing with the declaration and they are not ready to build anything yet. However, prior to building anything they will be meeting with the neighbors in the community to show what they have in mind and to get their input.

Comr. Perkins suggested postponing the item and explained her reasons.

Mayor Hardin asked if there were any time sensitivity with the item, should it be postponed until November 12, 2019, to which Mr. Mele responded that it would be okay.

MOTION: A motion was made by Comr. Perkins, seconded by Vice Mayor Moss to postpone the item until the November 12, 2019, City Commission meeting.

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

Yes: Perkins

Moss

Hardin

No: Eaton

McMahon

Excused: McGee

6. [19-633](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SEA TURTLE LIGHTING MAINTENANCE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 10, 2019 & SEPTEMBER 24, 2019

(Staff Contact: Horacio Danovich)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Consent Agenda/ Resolution be STRICKEN. The motion carried. by a unanimous voice vote.

7. [20-71](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO SUPPORT THE MEMBER BUDGET REQUEST TO APPROVE FUNDING TO THE EDWARD L. MYRICK STATE FARMERS MARKET IN POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark Berman/Suzette Sibble)

Enactment No: RES. No. 2020-41

E. REGULAR AGENDA

8. [20-03](#) **P.H. 2020-04: (PUBLIC HEARING 2ND READING)**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 801 NORTHEAST 33RD STREET, POMPANO BEACH, FLORIDA 33064 IDENTIFIED BY FOLIO NO. 4842-24-01-0090 AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES FOR THE PURPOSE OF REHABILITATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID
DESIGNATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 7, 2019

(Staff Contact: Chris Clemens)

Chris Clemens, Economic Development Manager, presented the item and stated that this is the second reading of the St. Elizabeth's brownfield resolution. At the last meeting all five different criteria was presented as required by State Statutes. There have been no changes since, and staff recommends approval.

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

Yes: Eaton

McMahon

Perkins

Moss

Hardin

Excused: McGee

Enactment No: RES. No. 2020-42

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that items 9-11 are listed under Quasi-Judicial Proceeding and are quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

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

9. [19-745](#) **P.H. 2020-02: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE SOUTHWEST CORNER OF WEST MCNAB ROAD AND SOUTH DIXIE HIGHWAY FROM B-4 (HEAVY BUSINESS) TO B-3 (GENERAL BUSINESS); PROVIDING FOR

SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 7, 2019

(**Staff Contact:** Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated it is the second reading of a rezoning from B-4 (Heavy Business) to B-3 (General Business) to allow a mixed-use development on the property that is currently being used as a junk yard at the corner of Dixie Highway and McNab Road. There have been no changes since first reading.

Vice Mayor Moss reiterated that this is a classic example of what is a good thing to do with flex units, where the City is taking a junk yard and turning it into an economically productive area, where people will live, work, shop and enjoy life. This is a perfect example how flex units should be allocated.

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

Yes: Eaton
McMahon
Perkins
Moss
Hardin

Excused: McGee

Enactment No: ORD. No. 2020-04

10. [20-46](#) **P.H. 2020-06: (PUBLIC HEARING)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ALLOCATING A MAXIMUM OF ONE HUNDRED (100) FLEX UNITS FOR A PROPOSED RESIDENTIAL DEVELOPMENT LOCATED ON THE NORTH AND SOUTH SIDES OF NW 8TH STREET ON THE WEST SIDE OF DIXIE HWY.; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: N/A)

(**Staff Contact:** David Recor/Jean Dolan)

Jean Dolan, Development Services Department, presented the item and stated that she wanted to hand out a revised page to the resolution, because there is a typographical error in the last whereas clause. It states 188 instead of 100.

Mayor Hardin declared that he has had ex-parte communications with the developer and the interested

residents in the area in support and opposition to this project.

Comr. McMahon declared that he has had ex-parte communications with people who were in support and against the project.

Continuing, Ms. Dolan indicated that this is a joint venture between the City of Pompano Beach, Community Development Agency (CRA) and the applicant, Power Florida, LLC and WTLG LLC. There is a proposal for a mixed income, mixed-use project on the vacant 6.87 acres property located west of Dixie Highway and north and south of NW 8th Street. Flex units are allocated to the project in two ways. The first is to allow residential development on the property with a land use designation of Commercial, where sixty-nine flex units are requested. The second is to allow an increase in density for property with a residential land use designation, which is a request of thirteen flex units. The low medium ten parcel has twenty-one units already by right. Should the flex request be approved, a total of 121 units would be allowed to be constructed on the property with 21 units by right and 100 flex units. Conceptual site plans have been provided in the backup to show the layout of the units. The CRA has placed a condition on it that there will be a mixture of incomes on the property, some will be for 70% or less and the others would be for 120% of median or more. Therefore, it will be a mixed use and mixed income property.

Michael Vonder Meulen, Keith and Associates, 301 East Atlantic Boulevard, Pompano Beach, FL, stated that Ms. Dolan provided a very good overview of the actual request and the technical requirements for it. He then briefly went through those portions and displayed some of the conceptual site plans that will be submitted with the application.

Vanessa Russell, 324 NW 8th Street, Pompano Beach, FL, stated that at the last meeting she expressed her opposition to the project. She then stated her reasons for opposing the building, which includes the fact that it will take away the history of Pompano Beach and its residents. This will take away from the natural environment. She suggested that the area needs more green space rather than housing.

Jahmonica Rolle, 3330 Spanish Moss Terrace, Lauderhill, FL, stated that she owns the lot on the southwest corner of NW 8th Street and 3rd Avenue and she voiced her opposition to the project being rezoned for flex units. She believes it is inappropriate to add flex units in the middle of single-family homes. She suggested that single-family homes be built on the property rather than flex units and mixed-use units.

Wilbur McNeil, 224 NW 9th Street Pompano Beach, FL, stated he has been residing in the area for 25 years. He spoke in opposition of the project, and cited a number of car accidents that currently happen in the area. Therefore, to add more units will only increase the traffic and accidents, as well as increase the crime rate. He also agrees to make the area into a park.

Thomas Drum, 2700 NE 8th Street, Pompano Beach, FL, reiterated that this is another case where it is set for 21 units and now the City is trying to add on another 100, while there are single-family homes all around the area. He spoke in opposition of the project and provided his reasons.

Bonita Green, 213 NW 9th Street, Pompano Beach, FL, expressed concern regarding the building of the high-rise units. She spoke in opposition of the project and agreed that the traffic is already too much. In fact,

she was involved in an accident during Hurricane Dorian. More beautification is needed for a safer environment.

In addition, Ms. Green complained that for over a year her street got dug up and no one has come back to smooth it over.

Mayor Hardin asked Horacio Danovich, CIP & Innovative Director to get the contact information from Ms. Green to get an update as to what is happening on her street.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, stated that a survey was done approximately one year ago, which he did not support because it was too expensive. However, in the survey that was done in the NW area, the majority of the people were not interested in new housing projects and were interested in commercial for future jobs. He spoke in opposition of the project.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, stated that long-term single-family property homeowners also have rights. They have the right to enjoy the peaceful environment of their property. He spoke in opposition of the project.

Bishop Douglas Russell, Jr. 324 NW 8th Street, Pompano Beach, FL, spoke in opposition of the project and requested that no more houses be built in the area.

Lenny Wolfe, 2100 Hollywood Boulevard, Hollywood, FL, indicated he is one of the applicants, as well as one of the developers of the property. He stated that he has heard all the issues that the residents in the community had just brought up and he is sympathetic and understands this as part of development. He then provided a brief historical background of their presence in the City of Pompano Beach, which has been over twenty years, and have rezoned several properties they own in the City. People are concerned about crime, traffic, congestion in just about any development that is brought into the community, which they do understand. However, he promised to meet with the community to address each concern as best as they possibly can. He indicated that the Pinnacle Group was approved the same amount of flex units similar to what they are requesting at this time. The primary difference was how they had their parking.

Tundra King, 124 NW 15th Street, Pompano Beach, FL, stated that she has the same concerns and she has been voicing for some time now, which is the City cannot keep putting redevelopment on top of "cancer." It is great to have development, and the people want to have redevelopment in the northwest area but this would have to be strategic in the type of development being done in the communities. She complained that the apartment type units encourages crime and it is difficult to hold the developers or apartment managers accountable for the influences that are attracted to the units. She spoke in opposition to the project.

Arnold Ledger, 229 NW 9th Street, Pompano Beach, FL, understands as a prospective business owner this will add businesses and bring jobs to the area. However, as a homeowner and seeing children at Pompano Beach Middle and High Schools, are not too far from this project site, and the excessive traffic already in the area, will be increased, is concerning to him because this increases the risk for the children. Therefore, he suggested reconsideration should be given for bringing such a project in the area.

Comr. Perkins stated that the subject property is adjacent to another property that was discussed earlier. As rightly stated by the applicant/developer earlier, meeting with the residents from the community is essential to gather their thoughts and opinions of what would be best for the neighborhood. Therefore, she suggested postponing the item to allow the developer to meet with the residents in the area. In addition, Comr. Perkins indicated that she received a letter from Janice Rolle, who was unable to attend the meeting, and who had expressed opposition to the project.

Mayor Hardin asked Comr. Perkins to hold her thought to postpone and allow for more discussion on the item.

Vice Mayor Moss asked if the buildings on NW 8th Street will be two and three stories, to which Ms. Dolan responded yes. He asked if the largest concentration would be on the parcel facing Dixie Highway. He asked what would the unit mix be like.

Mr. Wolfe responded it would be a mix of one, two and three bedrooms, mostly 20% one bedrooms with one bathroom, 50% two bedrooms two bathrooms, and 30% three bedrooms two bathrooms. The square footages range from 750 and 1,200, as well as some will be affordable. The cost for rent would range from \$400 plus up to \$1500 per month.

Vice Mayor Moss asked what kind of commercial enterprise does the developer envision along Dixie Highway.

Mr. Wolfe responded they have not yet identified any, but would like some small businesses. They will put in 3,500 to 4,000 square feet, so three or four small bays for small local businesses that will be of service to the neighborhood such as barbershops, etc.

Comr. McMahon asked for the actual acreage site for the entire development.

Mr. Vonder Meulen responded for both sites together it is 6.87 net acres and the gross would be 8.32, which includes going to the centerline of the road. He said the car lot is part of the Transit Oriented (TO) downtown Old Pompano. He further explained that there is a mixture of apartments, single-family homes, commercial on Dixie Highway, as well as a few churches.

Vice Mayor Moss asked what amenities would be included, such as a tot lot, a swimming pool, an exercise room, and community room.

Mr. Wolfe responded that there will be a pool, fitness center, business center, onsite management, and secured parking of two to one.

Mr. Wolfe answered Comr. Eaton's question that the ratio between market rate units and affordable is fifty/fifty.

Comr. Eaton indicated that she drives by the property frequently and has gone through the neighborhood that has smaller residences similar to her neighborhood. She does not agree with the mischaracterization of people who live in rental property are somehow they will be drug users or prostitutes or bring crime and violence to the

area. There will be a beautification project on Dixie Highway through the G.O. Bond Issue and will start on the south heading north, there is the transportation corridor and hub nearby this project. In sum, affordable housing is needed, jobs will be coming to the City, so it is not a matter of over development but providing people with a decent and affordable place to live. She would like to see something new that will revitalize the area and bring much needed living spaces and workforce apartments. Therefore, she will be supporting this item.

Mayor Hardin asked if this would be a tax credit project, which Mr. Wolfe responded that they will apply for this. In addition, Mayor Hardin indicated that this developer has done many projects throughout the City that have been well maintained to include areas such as Laguna Point and Captiva Cove. Mayor Hardin reasoned since this is not a new project for the company, he wondered why the community was not engaged at an earlier date.

Mr. Wolfe responded that it was an error on his part and explained that he did not reach out to the partners in time. Nevertheless, Mr. Wolfe indicated that they have a scheduled meeting Wednesday morning with one of the members of the community, and they plan to meet with the community to alleviate their concerns as much as they can, and if possible would lower the intensity of the site from three stories to two stories on the western side.

Mr. Wolfe stated that the tax credit applications are due before the next approval process even if they have meetings over the next few weeks. The approval is needed today because they will miss the tax credit deadline.

Mayor Hardin asked if the Northside of 8th Street would be altered since it is quite narrow.

Mr. Vonder Meulen responded it is to be determined at site plan approval and explained the process.

Vice Mayor Moss indicated that he agrees with Comr. Eaton that the notion that apartments are not a good place to live and would attract drugs and criminal activities is not necessarily true, and provided his personal experience living in apartments that was never classified as slum areas.

Comr. Perkins indicated that the Commission does not do a good job listening to the people as they speak. She said not all the persons who came to the podium spoke in support of the project. However, this developer is handled differently from the last developer. She encouraged the residents from the northwest to attend the meetings and to speak up for what they want in their neighborhood.

Mr. Wolfe indicated that the Pompano Beach Clergy Council is a co-developer on the project.

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

Yes: Eaton
McMahon
Moss
Hardin

No: Perkins

Excused: McGee

Enactment No: RES. No. 2020-43

11. [20-37](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE PARAMOUNT PARK PLAT LYING ON THE NORTHWEST CORNER OF NW 15TH AVENUE AND NW 18TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: David Recor/Jean Dolan)

Jean Dolan, Development Services Department, presented the item and stated the applicant is requesting approval of Paramount Park Plat for the property located at the northwest corner of NW 15th Avenue and NW 18th Street. The subject property has never been platted, as well as it is currently vacant. The plat totals approximately 4.12 acres and combines two parcels together with an eight-foot strip of land running between the two parcels. Adjacent to NW 18th Street right-of-way there is a City-owned 2,800 square foot lift station. The applicant purchased a portion of that property and included it within the plat.

Continuing, Ms. Dolan stated that the proposed plat would restrict the property to a maximum of 65,000 square feet of warehouse use. The Planning and Zoning Board recommended approval of the plat at their September 25, 2019 meeting. All conditions have been met.

Comr. Perkins understands they purchased a portion of the property from the City and enquired about the price they paid for that portion.

Elizabeth Tsouroukdissian, Agent for Pulice Land Surveyors, Inc., stated that it was approximately \$25,000 but will check into the exact amount and provide that to the Commission. She explained that the owner purchased the northern half of the lift station parcel; however, there is clear access to the station because they dedicated the right-of-way plus the five-foot strip that they already dedicated.

Suzette Sibble, Assistant City Manager, mentioned that she found the information on the cost and that they paid \$40,000, which was placed into the General Fund.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Resolution be ADOPTED.. The

motion carried by the following roll call vote:

Yes: Eaton
McMahon
Perkins
Moss
Hardin

Excused: McGee

Enactment No: RES. No. 2020-44

END OF QUASI-JUDICIAL PROCEEDING

12. [19-703](#) APPROVAL TO ROLLOVER FUNDING FROM FISCAL YEAR 2019 TO FISCAL YEAR 2020, FOR CAPITAL OUTLAY AND OPERATING EXPENDITURES TOTALING \$1,598,575.
(Fiscal Impact: \$1,598,575)

(**Staff Contact:** Erjeta Diamanti)

Erjeta Diamanti, Budget Manager, presented the item and stated that this is requesting City Commission's approval to rollover funding that have not been encumbered during the fiscal year 2019. The memorandum associated with the item provides for an itemized line item of all the items to be purchased in fiscal year 2020. The overall amount is approximately \$1.59 million. If the rollover does not take place, the money will fall in the Fund Balance for each fund associated with the line items.

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

Yes: Eaton
McMahon
Perkins
Moss
Hardin

Excused: McGee

13. [20-39](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT AMONG THE CITY OF POMPANO BEACH, POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND POMPANO PIER ASSOCIATES, LLC REGARDING THE PIER PLAZA AND ARCH ENHANCEMENT PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Nguyen Tran)

Nguyen Tran, CRA Director, presented the item and provided a brief background on the interlocal agreement among the City of Pompano Beach, Pompano Beach Community Redevelopment Agency (CRA), and Pompano Pier Associates, LLC. The City had entered into an agreement with Pompano Pier Associates, LLC in January 2013 for the pier development. The developer is responsible for the arch feature. However, with the transition of all the development on the beach area, the City and the CRA have demanded quality developments in iconic features of those beach enhancements. Consequently, the pier plaza and the archway are the last pieces of these iconic features. This will identify Pompano Beach and provide a sense of place.

Continuing, Mr. Tran mentioned that the CRA Board considered the interlocal agreement at their last meeting and recommended approval. He indicated that he provided an update to the Commission on the change regarding the orange acrylic letters. There will be a delay if they have to go back before the Architectural Appearance Committee (AAC). Therefore, staff is recommending that the City move forward with the original approval by the AAC.

Doug Gordon, 525 North Ocean Boulevard, Pompano Beach, asked if he could see what the proposed archway would look like.

Mayor Hardin, indicated that a copy is included in the backup material.

Mr. Gordon had several questions regarding the operation of the CRA, the funding and the compilation of the CRA Board, which Mr. Tran provided to him.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated that he loves the archway, however, his concern is with all the iconic structures already in place, which he would not support another \$400,000 towards this venture. Aesthetically yes but fiscally responsible no. He wanted to know what is the value to the residents.

Mayor Hardin indicated that he believes this will pay huge dividends to the residents of the City of Pompano Beach on long term. Tourism is a huge economic driver in the area and photos taken with these icons and being displayed around the world will benefit the residents.

Comr. Eaton noted that the \$400,000 is not specifically for the archway, but rather it is for the entire plaza area including the arch, and asked if initially this was done six years ago.

Mr. Tran responded correct, and that the agreement was done six years ago.

Vice Mayor Moss indicated that although he lives away from the beach area this is a delight to have in the City, it is beautiful, iconic and will bring many tourists, their money and tax dollars into the City.

Comr. McMahon agreed that this is very iconic, and he thanked staff for all of the projects, the current mayor, and the former commissioners for pushing for this. Many things done on the beach were first class and could

have been less expensive if a basic beach area was redeveloped. This is a true long-term investment and he is proud of staff for pushing to do the project the right way and not just try to get it done.

Mayor Hardin also thanked the advisory committee that are part of the process. He look forward for these types of improvements throughout the City in the northwest area.

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

Yes: Eaton
McMahon
Perkins
Moss
Hardin

Excused: McGee

Enactment No: RES. No. 2020-45

14. [19-579](#) **P.H. 2019-99: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT TEXT TO MODIFY LAND USE CATEGORY INTENSITY POLICY 1.07.20 RELATED TO HEIGHT AND LOT COVERAGE STANDARDS FOR CERTAIN LAND USE CATEGORIES; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JUNE 26, 2019; PROVIDING THAT A TRANSMITTAL HEARING AND AN ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 23, 2019

(Staff Contact: David Recor/Jean E. Dolan)

Jean Dolan, Development Services Department, presented the item and stated this is a second reading of the Comprehensive Plan Amendment for the policy that sets height limits for the Regional Activity Center (RAC) and the Local Activity Center (LAC), which is John Knox Village. Both of the height limits were lower than what already existed specifically for the John Knox Village. This amendment had gone through the State review with no comments and now it is before the City Commission for second reading.

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

motion carried by the following vote:

Yes: Eaton
McMahon
Perkins
Moss
Hardin

Excused: McGee

Enactment No: ORD. No. 2020-05**15. [19-488](#) P.H. 2020-01: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 113, "BUSINESS TAX RECEIPTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 113.28, "EXEMPTIONS," TO MODIFY PERSONS ENTITLED TO BUSINESS TAX RECEIPTS AND BY AMENDING SECTION 113.39, "BUSINESS TAX RECEIPT SCHEDULE," TO MODIFY FEES FOR SPECIAL EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Approximately \$1,000 less in BTR Fees collected / year)

FIRST READING: OCTOBER 7, 2019

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

Jennifer Gomez, Assistant Director, Development Services Department, presented the item and stated it is the second reading of an ordinance to include a cross reference to exemptions in the Florida Statutes related to Business Tax Receipt (BTR). Any exemptions to the Florida Statutes are also applied in the City's Code of Ordinances. Additionally, it removes the requirement for BTR fees for special events, which were considered inconsistent with the State Statutes.

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

Yes: Eaton
McMahon
Perkins
Moss
Hardin

Excused: McGee

Enactment No: ORD. No. 2020-06**16. 19-487 P.H. 2019-89: (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 CLARIFY LIMITATIONS OF PRINCIPAL USES INVOLVING SEXUALLY ORIENTED BUSINESSES; BY AMENDING SECTION 155.4224., "COMMERCIAL: SEXUALLY ORIENTED BUSINESSES," TO INCLUDE CUSTOMARY ACCESSORY USES; BY AMENDING SECTION 155.4302., "GENERAL," TO CLARIFY GENERAL STANDARDS FOR ACCESSORY USES IN CONNECTION WITH SEXUALLY ORIENTED BUSINESSES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM JULY 23, 2019, JULY 9, 2019 & SEPTEMBER 24, 2019

FIRST READING: JUNE 25, 2019

(Staff Contact: Jennifer Gomez/David Recor)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be POSTPONED. The motion carried unanimously.

17. 20-66 P.H. 2020-05: (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 GROUND LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DIVITO ENTERPRISES LIMITED PARTNERSHIP; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$4,000.00 per year)

(Staff Contact: Horacio Danovich/Jeff Lantz)

Horacio Danovich, CIP & Innovation Director, presented the item and stated that this is to seek the City Commission's approval for the City to enter into an agreement with Divito Enterprises Limited Partnership. He provided a brief background on the City's plan for Harbor Village to provide as much amenities as possible and create the area into a great destination. However, the challenges they ran into was related to parking. Consequently, staff looked around to find a place to extend parking spaces for the area. In sum, the City is leasing the parking area to assist the merchants located in the area.

Mayor Hardin asked if the lease would be increased from \$3,600 per year to \$4,000 per year, and are there escalation clauses in the lease for a five-year period.

Mr. Danovich responded it would be one check paid for \$4,000 per year for the next five years.

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

Yes: Eaton
McMahon
Perkins
Moss
Hardin

Excused: McGee

18. **19-651** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2023; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 10, 2019 & SEPTEMBER 24, 2019

APPLICANTS:

Willie Ruth Heath, *Incumbent* - District 4
Carmen Jones, *Incumbent* - District 4
Gary McLamore, *Incumbent* - District 4
Woodrow Poitier, *Incumbent* - District 4
Carolyn Rhone, *Incumbent* - District 5
Latoya T. Almonord, District 1
Lisa Ferreri, District 1
Michelle Rhoulhac, District 2
Charles H. Bechert, III, District 3
Monifa Aruwajoye, District 4
Marcus A McDougale, District 4
Mary S. Phillips, District 4
Shelton Pooler, District 4
Joseph Wells, District 4
Andy Cherenfant, District 5
Doreen L. Malcolm, District 5
Clovis B. Nelson, District 5
Wayne Vereen, District 5

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be POSTPONED. The

motion carried unanimously.

19. **19-652** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2023; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)\

POSTPONED FROM SEPTEMBER 10, 2019 & SEPTEMBER 24, 2019

PLEASE REFER TO FILE ID NO 2019-651 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be POSTPONED. The motion carried unanimously.

20. **19-653** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2023; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 10, 2019 & SEPTEMBER 24, 2019

PLEASE REFER TO FILE ID NO 2019-651 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be POSTPONED. The motion carried unanimously.

21. **19-654** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2023; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 10, 2019 & SEPTEMBER 24, 2019

PLEASE REFER TO FILE ID NO 2019-651 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be POSTPONED. The motion carried unanimously.

22. **19-655** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2023; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 10, 2019 & SEPTEMBER 24, 2019

PLEASE REFER TO FILE ID NO 2019-651 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be POSTPONED. The motion carried unanimously.

23. [20-57](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **DENNIS SMITH** TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE OCTOBER 25, 2022; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Charles H. Bechert, III, ***Incumbent*** - District 3

Richard Leys, ***Incumbent*** - District 3

Russell T. Adams, ***Incumbent*** - District 5

Phyllis Smith, ***Incumbent*** - District 5

Velma Flowers - District 4

Veronica Thomas - District 4

Ricardo Collings - District 5

Daniel P. Diaz - District 5

(Staff Contact: Asceleta Hammond)

Vice Mayor Moss indicated that ordinarily he would nominate the incumbent, but he understands that Mr. Charles Bechert, III, one of the incumbents, has only attended two meetings during the time he served, which would disqualify him from being reappointed. Therefore, he nominated the alternate, Mr. Dennis Smith to take the place of Mr. Bechert, III.

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

Enactment No: RES. No. 2020-46

24. [20-58](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **RICHARD LEYS** TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE OCTOBER 25, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 20-57 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

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

Enactment No: RES. No. 2020-47

25. [20-59](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **RUSSELL T. ADAMS** TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE OCTOBER 25, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 20-57 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

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

Enactment No: RES. No. 2020-48

26. [20-60](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **PHYLLIS SMITH** TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE OCTOBER 25, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 20-57 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

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

Enactment No: RES. No. 2020-49

F. REPORTS

Suzette Sibble, Assistant City Manager - Brownfield Designation - Ms. Sibble indicated that Chris Clemens, Economic Development Manager has requested that the statutory requirement of a public notice for application for brownfield designation, be read into the record as follows:

“On November 12, 2019, staff will be bringing forward at the first two public hearings, a request by Belmont Port and Investments LLC to designate property at 2700 Gateway Drive, Folio #4942-04-00-0391, and 1441 South West 27th Avenue, Folio #4942-04-09-0010, consisting of approximately 4.37 acres as a brownfield area, pursuant to Section 376.80(2)(a) Florida Statutes of Florida’s Brownfield Redevelopment Act. The second public hearing will occur on December 10, 2019.”

Veterans Breaking Barriers Empowerment Fair - Ms. Sibble distributed flyers to the City Commission, and stated that on November 5, 2019, from 10:00 a.m. to 2:00 p.m. at the Pompano Beach Amphitheater, the City in conjunction with the CRA will be sponsoring a Veterans’ Breaking Barriers Empowerment fair. The purpose of the workshop is to provide veterans with the resources they need to gain employment in the community.

Business Development Technical Series - Ms. Sibble stated that in the City’s Construction and Business Development Technical Series, on Thursday, November 7, 2019, from 6:00 p.m. to 8:00 p.m. at the Cultural Center they will sponsor an emerging contracted bonding and insurance workshop. There is a need for the small business in the community to understand the process of how to get bonded and insured. This is the second series of workshops that Dahlia Baker has coordinated.

Mayor Hardin mentioned that he has been informed by many people on how good these workshops are that Ms. Dahlia Baker coordinates.

Mark Berman, City Attorney - No Report.

Asceleta Hammond, City Clerk - No Report.

Commissioner Rhonda Eaton - District 2 Street light Plan - Comr. Eaton thanked staff for assisting her to get the street light plan for District 2 over the top. A design plan is now in the works for District 2 to start with Leisureville, Crystal Lake Middle School area, Cresthaven and the Highlands.

Commissioner Tom McMahon - Vagrancy Issues in the Community - Comr. McMahon reported that

today he rode with Captain Granville and expressed his concerns in the district. He has received numerous emails from different incidences and or vagrant issues. The Broward Sheriff's Office (BSO) has assured him that they are looking into these issues and they are taking care of the matter. There is a very good leadership in BSO, however, they need to work harder to handle the vagrancy issues as best as possible. He thanked BSO for responding to his concerns expressed in such a timely manner.

Old Pompano Beach Civic Association meeting - Comr. McMahon announced that on November 4, 2019, at 7:00 p.m. at the Emma Lou Olson Civic Center, the Old Pompano Beach Civic Association meeting will take place.

Proposed Changes to City Commission Meetings - Comr. McMahon indicated that he has been trying to come up with ways to encourage people to attend the City Commission meetings. He has observed other cities and the way they operate and some cities have one daytime meeting and one nighttime meeting. Further, people with responsibilities, such as children and their families needs, would perhaps benefit if the City goes to one daytime and one nighttime meeting. Therefore, this may encourage more people to attend the meetings to interact.

The City Commission discussed among themselves the possibility of trying to hold one daytime and one nighttime meeting.

MOTION: A motion was made by Comr. McMahon, seconded by Vice Mayor Moss, that the first City Commission Agenda meeting of the month be scheduled during the day to commence at 1:00 p.m. and the second meeting of the month at night to commence at 6:00 p.m.

Mark Berman, City Attorney indicated that he will check to ensure that this matter is outlined in the Code of Ordinances. Therefore, he will prepare an item for the next meeting.

Mayor Hardin directed the City Attorney to go ahead and prepare accordingly.

Commissioner Beverly Perkins - Missing Plaque - Comr. Perkins recalled that in 2018, Ms. Coley donated a plaque to the City and it was on display at the Cultural Arts Center. The community is trying to find this plaque as they were told it was lost. The plaque was giving a tribute to all the women in the City of Pompano Beach.

Assistant City Manager, Suzette Sibble indicated that she will look into the matter.

Lighting on Dixie Highway - Comr. Perkins requested an update on the lighting on Dixie Highway. The lights are out on Dixie Highway between Copans Road and NW 15th Street.

Homelessness and Drug Issues in the Community - Comr. Perkins indicated that she received a letter from Mr. Squeaky Car Wash, and asked for an update on the issues he mentioned in his letter. She stated that the problems he is having is the same complaints she has been receiving from City Vista that is located in front of the E. Pat Larkins Community Center as well as Madison Apartments located off Sample Road. It appears the homeless situation has escalated in those areas. This is a big problem with the homeless. It is not a crime to

be homeless but a different way to handle this situation needs to be innovative, along with the drugs and the needles left behind at these establishments.

Mayor Hardin indicated that he has requested a written response to Mr. Squeaky Car Wash email.

Major Wayne Adkins, Chief of Police, provided an update. He mentioned that Mr. Sasso (Mr Squeaky Car Wash) was met by Captain Matthes and Lieutenant Franks today and they had a long discussion and walked the property. In fact, as they were there somebody was trespassing and after being warned was arrested. The issues are interesting and recently his property was a victim of arson, which they do not think it had to do with the homelessness situation. Therefore, he urged the public if they have any information to contact the Broward Sheriff's Office (BSO) or Crime Stoppers on that particular case. The meeting they had today with Mr. Sasso is working towards resolving his issues. In fact, he indicated that he would send another email to everybody regarding the positive meeting he had with the BSO representatives. Finally, Major Adkins indicated that a formal response will be sent to everybody that was in the email chain.

Comr. Perkins reiterated that the same problem Mr. Sasso is experiencing is similar in other neighborhoods because she has received complaints from the area behind the Health Clinic located on NW 7th Street.

Major Adkins understands the challenging situation with the homelessness, which is a situation they cannot arrest the City out of. This is a social issue and everybody should be involved in from government and the private sectors. He said there are enablers out there that mean well but it is a draw to aggravate the problem when there are social services being offered to the folks. He agrees with Comr. Perkins suggestion that something more needs to be done with this type of issue.

Fiscal Year Report for Consultants - Comr. Perkins indicated that the City has hired several consultants over the last year and requested a copy of all the consultants that the City hired and was paid under \$75,000, since last October, which would be the last fiscal year. She would like to know how much they were paid, what were their duties, and the scope of work in general.

Campaign against Trash Issues - Comr. Perkins indicated that she has been promoting "If you see something say something," and they were proud to see Janice Simmons receive the award for catching someone illegally dumping. Therefore, she encouraged everybody to start to keep their eyes and ears open in the community and to try to take pictures or videotape these people dumping. She mentioned that they plan to have a huge campaign drive of just cleaning the northwest to include the Collier City. They will try to keep vigilant as to who is doing the dumping. Also, she encouraged residents to teach the children to stop throwing garbage out the window of cars and walking and throwing trash on the street. Trash bins are being placed in several areas throughout the City. The City is doing a great job to assist the residents but the residents need to help themselves. Therefore, Comr. Perkins encouraged the residents to stop throwing trash on the streets.

Vice Mayor Barry Moss - Street Lighting Issues - Vice Mayor Moss piggybacked on what Comr. Eaton mentioned earlier. He had spoken with City staff and the lights are on the planning board for Collier City. The number of street lights in Collier City will triple as a result of the agreement being worked out with FP&L.

Notification of Development to be expanded - Vice Mayor Moss indicated that periodically he gets

requests and letters from developers. There appears to be a number of them who just want to build warehouses in the City. Recently, he received a letter from one such developer who wants to build a warehouse on the Dr. Martin Luther King Boulevard (MLK Blvd.), in Collier City but just across the road from District 4. He shares the same concern as Comr. Perkins about the proliferation of industrial warehouses on important streets like MLK Blvd., Powerline Road, Atlantic Boulevard, NW 31st Avenue, and the streets that are the major entryways into the City. He had a meeting with the Development Services Department and expressed his frustration. He learned a lot of these areas are zoned for these types of buildings and indicated that warehouses are not needed in Collier City, MLK Blvd. intersection, and the Turnpike. There are fifteen wheelers coming in and out causing traffic pile up on Blount Road and MLK Blvd. Therefore, he requested that the City Commission agree to request that the Department "Put on their thinking cap" to find ways that the City could develop with some incentives for better developments than warehouses and self-storage units, as well as the type of commercial enterprises that do not serve the purposes of the neighborhood. He suggested certain things that the Collier City, MLK Blvd., and the northwest communities need, which should be things such as grocery stores, pharmacies, beauty parlors and commercial enterprises that serves the need of the community to make it a better place.

Continuing, Vice Mayor Moss indicated that another thing that goes hand in hand is the notifications sent out to residents about development in their neighborhood. Currently, it is 50 yards and in some areas 50 yards from certain sites is mostly strip clubs, churches and no residential properties. He cited the development at the intersection of Powerline Road and MLK Blvd., as well as the proposed Usman Group Development, which only went to two or three buildings out of hundreds of buildings. He asked if the 50 yards requirement is state mandated, because he believes this is not enough.

Mark Berman, City Attorney, responded that when it involves hodgepodge of different zoning this is the distance. However, in general, as set forth by State Statutes or by the City's Code of Ordinances, more can be done not less. Therefore, this is something that can be checked into.

Vice Mayor Moss requested that the responsible City staff work on expanding the 50-yard requirement to a wider area so the neighbors would be better informed as to what is going on with the development in their community.

Collier City Civic Association meeting - Vice Mayor Moss announced that the Collier City Civic Association will meet on Wednesday, October 23, 2019 at 7:00 p.m. at the Jan Moran Learning Library in Collier City.

Mayor Rex Hardin -Proliferation of Storage Units- Mayor Hardin indicated that the City has a self-storage moratorium in place; therefore, staff is looking at that issue. This has actually attracted national attention. He mentioned that he received a call from a reporter with the Wall Street Journal who wanted to chat about this situation. Apparently, the City is not the only one who has noticed this.

Unification of residents working together to resolves issues in the City - Mayor Hardin indicated that tonight was a great night, regarding, giving a big check to Ms. Simmons for stepping up and making a difference in our community. Also, Ms. Nikitra Jones who stepped up to the podium and talked about a community issue, thereafter, the Commission met with her and she put forth an effort to hold an anti-gun violence event, which

staff did a great job to assist her to organize. Mayor Hardin says, this brightens his heart to see this type of thing happening. This means the residents, staff, and the City Commission are working together. While we are not perfect, it is gratifying to him, to see the things happening in the City as far as working together on common issues.

G. ADJOURNMENT

The meeting adjourned at 8:46 p.m.

Rex Hardin, Mayor

Asceleta Hammond, City Clerk