

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, July 28, 2020

1:00 PM

Commission Chamber

Virtual City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor. called the Virtual City Commission meeting to order at 1:00 p.m.

ROLL CALL

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

APPROVAL OF MINUTES

[20-429](#) Virtual City Commission Meeting Minutes of June 23, 2020

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

APPROVAL OF AGENDA

Mayor Hardin announced that item 33 would be postponed until September 8, 2020 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. A person may request an item be pulled from the Consent Agenda for discussion on the Regular portion of the agenda upon advance written request, as per the instruction under Speaking About an Agenda Item (Remotely) above.

Mayor Hardin announced that items 6, 9-14, 16-19 and 21 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION**[20-444](#) Broward County Sheriff Gregory Tony to address the Mayor and City Commission**

Broward County Sheriff Gregory Tony will brief the Mayor and City Commission on BSO community initiatives.

Mayor Hardin announced that Broward County Sheriff Gregory Tony will be providing a special presentation, which will address the Broward Sheriff's Office (BSO) issues and community initiatives.

Broward County Sheriff Gregory Tony thanked the City Commission for the opportunity to speak to the City as well as the individual Mayor and Commissioners relating to numerous different things that have been "moving during the current year in the agency," which is approximately nineteen months (19) since he accepted the command of one of the largest public safety organizations in the State of Florida. While it has been challenging, it has been rewarding for what the BSO have accomplished. Therefore, he thought it relevant to speak to the community and the City officials about some of the important accomplishments they have introduced to the community from the standpoint of public safety and community relations. The timing is vital as they are taking on two major challenges that are impacting not only this community but the entire nation. The first aspect is COVID-19, a pandemic medical crisis and how it has been impacting the entire county. The second aspect is what is on the new surface as it relates to police reform, and what the community expects out of the public safety professionals that serve them. This is a by-product of what is seen occurring in Minneapolis when George Floyd was brutally murdered by the hands of a law enforcement officer.

Sheriff Tony provided a brief synopsis of what has been occurring in the agency since he accepted command. One key thing he wanted to ensure is that the men and women who serve the organization for decades would be given an opportunity to serve in leadership roles and capacities. They were able to promote the most diverse command staff in the agency's 105-year history. This includes members from the Hispanic and Black communities, as well as promoting the first female Deputy Sheriff. This has had a significant impact on how they perform their policing and how they are perceived within the communities. It has also broadened their vision in terms of what they need to do as it relates to policy, policing, and community engagement. In fixing a few intense issues they have gone from an agency that is recognized across the country as the agency that failed and allowed for over two dozen people to be killed. Currently, they are the top credential organization not just in the County of Broward and the State of Florida, but in the entire United States.

Moreover, BSO has acquired crossover certifications through the Federal Bureau of Investigation (FBI) Homeland Security and some of the core private sector entities that prepare for crisis training and management

as it relate to active shooting preparedness. They have partnered up to ensure they implement the necessary radios that were vital to the operations to answer calls for service. He has worked with the County Administrator to rectify the communications issues that were occurring and plaguing the County for over a decade.

Furthermore, they have looked at how they can better serve the community as it relates to capacity, and he has been working to fill approximately 230 plus vacancies of the law enforcement positions. As he toured the City of Pompano Beach along with other cities within the BSO organization, he continues to hear the cry for more deputies, for wanting to see more patrols, and to see the men and women out of their cars engaging with the community. This is difficult to do when you are short the equivalent of a police department with over 200 vacancies to be filled. On a weekly basis they were operating with 75 unfilled details, which is small businesses and movie theaters that solicit deputies to work a few hours for safety. Consequently, he created a new department of Human Resources, a recruitment bureau, which has taken on those challenges. Coming into the onset of COVID-19, they went from 230 plus vacancies minimized to 59, which puts the agency for the first time in its history to be on track at capacity for the end of this year. However, due to the COVID-19 situation things have slowed down somewhat, nevertheless, they are still on track.

Continuing Sheriff Tony indicated that they looked at what could be done in terms of the agency's employment practices to be fairer and more equitable as it relates to black and brown people. So, they reviewed the recruitment pool of men and women and were able to give some men and women a second opportunity to come into the organization, which is quite successful.

Community policing practice was also looked at, and a neighborhood support team has been created and managed at every district level. There is a sergeant and deputy assigned to the City of Pompano Beach who are responsible for coordinating the community stakeholders from passive business owners, teachers, etc. to ensure they are communicating on a more frequent basis and feeding the information to the command staff in terms of needs and things they can do to support Pompano Beach and all the other cities in Broward County. He mentioned that each City has their own unique issues that must be addressed accordingly.

He then reported on the impacts of the COVID-19 on the various communities, which has ravished employment opportunities, causing people to make tough decisions regarding putting food on the table versus getting their utilities turned off. Consequently, they have partnered with Feeding South Florida and have put together a multitude of feeding sites, which Mayor Hardin had joined with him at one such site. For the first ninety days they have issued over 16 million pounds of food throughout the communities.

Sheriff Tony commented on the hot topics that are facing the country currently as it relates to police reform issues. The "Black Lives Matter" movement has been out in the community and has exercised their right to protest, and have done so in a responsible manner. There was a minor incident that happened in the Fort Lauderdale area, but overall the protest went well.

BSO, as an organization, has been focused on providing the community with an agency that lives by the idea of accountability and transparency. Sheriff Tony indicated that he refuses to have an incident such as the George Floyd take place under his command in Broward County and provided the detailed steps he has put in place to avoid such an incident, as well as to help mitigate any type of rioting that would take place in the communities.

In addition, he introduced the BSO agency's first use of force review board, comprised of a dedicated group of subject matter experts and use of force who are currently analyzing every use of force that occurs at each district level.

Sheriff Tony then provided a detailed account of some of the things that BSO has done to build a better bridge with the people within the community, to include the youths.

Mayor Hardin thanked Sheriff Tony for providing the update to the City and also thanked him for all that he has done for the agency and for the City of Pompano Beach. He understands that Sheriff Tony, his officers and deputies do have a tough job on the streets, as well as the civilian employees of the agency. So, the City Commission appreciates his efforts in all regards.

Comr. Perkins indicated that sometime ago, she had mentioned to the Sheriff that she was receiving complaints regarding the Pompano Crime Suppression team, and that there were no African-Americans on this team. Therefore, she reminded Sheriff Tony to take a look into this matter.

Sheriff Tony indicated that they took Comr. Perkins' challenge and are diversifying their specialized units. It was not just a matter of the Crime Suppression teams but also the managerial side of first line supervisors with sergeants and lieutenants. As the agency continues to grow, they have had approximately 400 promotions since he took command, which half of those promotions include women. Currently, they do not have a fair pool to pull from minority candidates as it relates to sergeants, lieutenants, specialized units and detectives.

Comr. Eaton thanked Sheriff Tony for recognizing that the solution to the problem is not just to leave it as a status quo. Also, she thanked him for taking on the complex and difficult problems that are seen, and she recognizes that the solutions are not cookie cutter pure and simple. She appreciates he is working with numerous moving parts and organization history. Therefore, she reiterated her thanks for his service and what he is doing within the agency.

Comr. McGee thanked Sheriff Tony and his officers and staff for a very interesting few months. She recognizes that he has numerous challenges to overcome. So, she expressed appreciation for the professionalism and the way he has been improving the Sheriff's office, as well as keeping Pompano Beach safe.

Sheriff Tony added that he is proud to say that BSO has worked toward getting back its accreditation that it lost, and to date the assessors who completed their evaluation of all the different policies and programs introduced, and have unanimously recommended that they acquire a full accreditation one year in advance. Therefore, in October he will be coming before the City Commission to finalize the accreditation approval.

Mayor Hardin congratulated him and said it was great news. He said the City knows the importance of accreditation as the City's Fire Department is accredited. So, congratulations are in order to Sheriff Tony and his entire organization. In addition, Mayor Hardin indicated that the George Floyd incident has really galvanized the country and the world. It has, in his mind, regrettably provided the true opportunity for everyone to look at the way we do things, the way we police, the way we conduct ourselves, and it is not just the law enforcement, but everyone overall.

Further, systemic racism has existed for a long time, but the point must not be belabored. However, he has done his research and has found that BSO is well aware of the “hate camp wait campaign” and is almost fully in compliance with the “hate camp wait.” Also, he has personally taken the Obama pledge and has been doing a lot of research. While Sheriff Tony and his team are doing a great job, more attention must be paid to this issue and more input must be received from the community. Therefore, he has made a commitment to his community that he will not forget about the incident and ignore what exists in the City's communities. So, everyone needs to do a better job, to step up more and try to make changes, and engage the communities to talk about what is going on. He expressed appreciation to the Chief for what he has done with the department. He is aware of the challenging times for everyone, but reiterated his thanks to BSO and for the changes implemented, as well as the processes worked on to get people back in the agency. Most importantly, to acquire accreditation is great news.

Finally, Mayor Hardin thanked Sheriff Tony for addressing the City Commission and the residents of Pompano Beach.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

B. CONSENT AGENDA

1. [20-489](#) Approve ranking order for RFQ E-04-20 “Master Plan Update, Design, and Consulting Services for Water Treatment Plant 5 KV Electrical System,” and authorize staff to negotiate a contract with the highest ranked firm, Carollo Engineers, Inc. (No cost at this time.).
(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.

2. [20-468](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY’S FACILITY PLAN FOR THE SW 2ND STREET DRAINAGE IMPROVEMENTS PROJECT, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF); PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Tammy L. Good)

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

Enactment No: RES. No. 2020-208

3. [20-487](#) Transfer of Burial Rights - Virginia Garcia is requesting to Transfer Ownership of Block 6, Lot 14, and Plots 2 & 1 in the Central Lawn back to the City of Pompano Beach Burial Right Agreement 6800. Maria T. Lacki Franklin is Requesting to transfer ownership of Block 44, Lot 10, Plot 2 in the North Lawn back to the City of Pompano Beach, Burial Rights Agreement 2415
(Fiscal Impact: \$6,909.62)

(Staff Contact: Robert McCaughan)
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.
4. [20-432](#) Approval to award Bid P-17-20, Concrete Ready Mix - Delivered, to the lowest responsive responsible bidder, Cemex Construction Materials FL, LLC, at a cost of \$222,700.00.
(Fiscal Impact: \$222,700.00)

(Staff Contact: Robert McCaughan)
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.
5. [20-491](#) Approval to award Bid E-09-20, Asphalt, Picked Up As Needed, to the low responsive bidder, Hardrives, Inc. (Items 1, 2, 3, and 4) as prime contractor, and to Weekley Asphalt Paving, Inc., as the alternate contractor, for annual open-end contracts, at an estimated annual cost of \$254,644.00.
(Fiscal Impact: \$254,644.00)

(Staff Contact: Robert McCaughan)
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.
6. [20-477](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE FDOT DISTRICT FOUR (4) AMENDMENT NUMBER EIGHTEEN (18) 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 IN THE RIGHT-OF-WAY OF STATE ROAD 845 (POWERLINE ROAD); PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, asked if this was for the current Powerline Road or for the flyover at Powerline Road and Atlantic Boulevard, which was being discussed.

Mayor Hardin responded that this has nothing to do with any flyover plans. This is for the current landscaping and the current roads. It is for a standard agreement with Florida Department of Transportation that allows the City to take care of the state roads within the designated area.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-209

7. [20-490](#) Approve ranking order for RFP E-08-20, Disaster Recovery Management Services, and authorize staff to negotiate a contract with the highest ranked firm, Witt O'Brien's, LLC. (No cost at this time.).
(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre/Kimberly Spill-Cristiano)

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.

8. [20-488](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A HURRICANE DORIAN FEDERALLY FUNDED SUB-AWARD AND GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT AND THE CITY OF POMPANO BEACH, AND AUTHORIZING THE MAYOR OR VICE MAYOR, CITY MANAGER AND CITY CLERK TO EXECUTE ALL APPROPRIATE DOCUMENTS REQUIRED FOR GRANT APPLICATION, CONTRACT, MODIFICATION AND OTHER GRANT RELATED DOCUMENTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$106,970)

(Staff Contact: Andrew Jean-Pierre/Kimberly Spill-Cristiano)

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

Enactment No: RES. No. 2020-210

9. [20-493](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COVID-19 FEDERALLY FUNDED SUB-AWARD AND GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT AND THE CITY OF POMPANO BEACH, AND AUTHORIZING THE MAYOR OR VICE MAYOR, CITY MANAGER AND CITY CLERK TO EXECUTE ALL APPROPRIATE DOCUMENTS REQUIRED FOR GRANT APPLICATION, CONTRACT, MODIFICATION AND OTHER GRANT RELATED DOCUMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre/Kimberly Spill-Cristiano)

Comr. Perkins pulled the item for City Commission discussion stating that the funds of \$1.2 million are a result of the COVID-19 for public assistance from FEMA. Therefore, she enquired what will these funds be used for as it relates to public assistance.

Andrew Jean-Pierre, Finance Director, responded that the \$1.2 million are expenses that the City have to date, and this amount will continue to grow as the event continues. The current amount is targeted for payroll, personnel protective equipment, the disinfection of the public facilities, COVID-19 test site, and the telework expenses.

Comr. Perkins wanted to understand that these funds are not directly for the public, but funds for the City to assist the public.

Mr. Jean-Pierre mentioned that there are additional grants distributed through the Housing and Urban Improvement Department that will assist the public.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-211

10. [20-492](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO

BEACH, FLORIDA, APPOINTING A HEARING OFFICER AND CALLING FOR A TELEPHONIC PUBLIC HEARING REGARDING THE ISSUANCE BY THE CITY OF POMPANO BEACH, FLORIDA, OF ITS REVENUE AND REVENUE REFUNDING BONDS, IN AN ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$90,000,000, IN ONE OR MORE SERIES, FOR THE PURPOSE OF MAKING A LOAN OF FUNDS TO JOHN KNOX VILLAGE OF FLORIDA, INC., TO REIMBURSE, FINANCE AND/OR REFINANCE CERTAIN SENIOR LIVING AND HEALTH FACILITIES ON THE CAMPUS OF JOHN KNOX VILLAGE OF FLORIDA, INC. AND TO REFUND CERTAIN INDEBTEDNESS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated that a citizen asked him to pull the item for City Commission discussion, and wanted to verify that it is indeed \$90 million and not \$90,000. He also asked if the City is guaranteeing these Bonds for John Knox Village.

Mayor Hardin responded it is \$90 million as stated in the Agenda and backup. In addition, this is a notice conduit financing, and the City is not guaranteeing the Bonds. Further, it does not reflect in the credit of the City of Pompano Beach, also, the City is not responsible to repay the bonds. He explained that this is strictly the Internal Revenue Service (IRS) allowing the City to be a conduit for John Knox Village to issue their bonds, which they are responsible for repaying and are the ones who will guarantee it.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-212

11. [20-427](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, EXTENDING THE CODE ENFORCEMENT AMNESTY PROGRAM AND MODIFYING PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

Comr. Perkins pulled the item for City Commission discussion stating that the City is extending this program and enquired if anybody from code enforcement could provide an update on the response that they have been receiving, letters sent out, and the participation thus far.

Andrew Jean-Pierre, Finance Director, responded that the program is doing quite well. To date, 100 cases have been qualified to take advantage of the program. He then explained how the program works where a fine can be reduced to \$1,000. When the program started each property owner with an open citation was sent an email regarding the availability of the program.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-213

12. [20-438](#) 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 PROFESSIONAL/CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND KIMLEY-HORN & ASSOCIATES, INC. FOR DESIGN AND CONSULTING SERVICES FOR THE SE 6TH TERRACE BRIDGE REPLACEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$335,400.00)

(Staff Contact: Hector R. Gandia/Tammy Good)

Janice Griffin, 310 SE 6th Terrace, Pompano Beach, FL, pulled the item for discussion stating that she owns property right next to the bridge and has concerns about the project for either replacement or renovation of the bridge, etc. She enquired if the design for the bridge has been set or is this design scope is to determine what is feasible for replacement or removal of the bridge. In addition, she asked at what point would public input be taken on both the design and the function of the bridge once completed.

Hector Gandia, Engineering Department, responded that in terms of the design, Kimley-Horn & Associates has been designated for the design and this item is for the approval of that contract. There is no design of the bridge so this is what this item will address. Once this is approved by the City Commission then the bridge will be designed with all the parameters set forth in the contract. Periodic public input will be done to allow the public to see the design as the City goes through the design process.

Ms. Griffin asked if the intent is to raise the height of the bridge or just straighten it out to eliminate the current curve.

Mayor Hardin responded that both will take place.

Ms. Griffin indicated that there is a concern with the plans to raise the bridge. According to her understanding, to raise the bridge one must extend the foot print of the bridge itself, both north and south. She said her house sits directly on the southeast corner of the bridge. However, as long as public input will be accommodated that will be appreciated. In addition, Ms. Griffin enquired what has created this "push now." She has resided at the location for over twenty years and this has been a topic of discussion for years, however, each time it has been determined it is not feasible to raise the bridge.

Mayor Hardin indicated that for quite a few years the community has expressed safety concerns and to get the bridge raised. In fact, it is yet to be determined if the bridge can be raised. So, this is what this initial process is about. This is a Capital Improvement Project (CIP) that has been in the books for a number of years and this involves safety.

Mayor Hardin indicated that he also pulled the item for some of the same reasons that Ms. Griffin mentioned earlier. He is also aware that Comr. McMahon has similar issues as he has followed this issue for quite awhile.

Continuing Mayor Hardin stated it is great to be moving forward and a step in the right direction, but he is concerned that during this current COVID-19 situation, the amount of public input and the way public input would be received is truncated. Therefore, "we should drag our feet on this, go ahead and approve," but do not rush to get it completed. Prior to design and coming up with construction drawings, first they will need some kind of thumbnail concepts that can be shown to the public of what can be done. That is, can they raise the bridge, can it be straightened out, what will it take and all these different things that can be done. He does not believe they can adequately talk to the public at this time without getting the thumbnail concepts in place. It is important to speak with the public on this matter and currently there is limitation to meet with the public on this matter due to the pandemic situation. This is a very important and high-profile project for the Garden Isles and Cypress Harbor area and both Comr. McMahon, who represents the area, and he are aware of the importance of full public input. In sum, there needs to be some ideas that they need to present to the public prior to going down this road.

Comr. McMahon echoed the concerns mentioned by Mayor Hardin, which is true. All information must be given to the residents, prior, so in the event the bridge must be pushed back a bit, which is inevitable, however the residents' input is very important since this is one of the major arteries into the district. Also, to ensure the City does not place a huge burden on the lives of the people living around the bridge, for two years, with the construction of the project. It should be done the proper way and getting all the information out to the residents during this time is very challenging.

Comr. McGee mentioned that perhaps the department could coordinate with Sandra King, Public Communications director to get a page on the website that has a schedule of upcoming outreach meetings like this, where people can follow along and know how to contact staff and incorporate the individual meetings on

to the Website, Facebook page, Channel 78 on the rotating advertisements and really try to be open to the public as much as possible. This will assist the City to getting use to being Zoomed and providing their opinions on the whole process.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-214

13. [20-456](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTIGUOUS SHARED COMMON DOCKING AGREEMENT AMONG MARCELO VILA, JOHN E. & GAIL F. BARR AND THE CITY OF POMPANO BEACH, AND A CONTIGUOUS SHARED COMMON DOCKING AGREEMENT AMONG ANDRE & HELEN BRAZEAU, MARCELO VILA AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he pulled this item and item 14 for City Commission discussion due to the issues with a dock from the Planning and Zoning of Lake Santa Barbara. However, after reading the backup he has nothing to disagree with nor the people who discussed it with him. Therefore, for items 13 and 14 they are good to go.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-215

14. [20-457](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SHARED COMMON DOCKING AGREEMENT AMONG WOLFGANG M. KLANTE, AND KEITH BUSCH, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

Mr. Drum indicated he has no further comments on this item.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-216

15. [20-459](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN UNDERGROUND EASEMENT TO FLORIDA POWER AND LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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

Enactment No: RES. No. 2020-217

16. [20-480](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO FORD LINCOLN, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$24,600 Annual Revenue)

(Staff Contact: Cassandra LeMasurier)

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he pulled the item for City Commission discussion because he does not understand why the ingress and egress was not thought out beforehand. He opined this is an embarrassment to him of development services and engineering that somebody did not think of this before. Therefore, he said this item is just to clean up a mess.

Tom Terwilliger, Pompano Beach, FL, stated he pulled the item for City Commission discussion, and indicated that last meeting the City Commission approved to pay Pompano Ford Lincoln (Ford) \$820,000 for a land lock property. So, at this meeting the City is leasing back majority of that property for \$24,600 per year. He opined that the deal appears dirty and explained his reasons, by providing a historical background on the subject property and the unlikely chain of events that lacked some coordination, and especially as it involves the zoning issue, which is a serious violation of the law. He said last month City Attorney Berman denied that there were any violations, but he felt he had to bring this matter up again for the record.

Mark Berman, City Attorney, responded that the bottom line regarding this subject matter is that initially there were no rear entrance to the Charlotte Burrie Center (Burrie Center). Ford had the property at the time the City purchased the other properties and the rezoning took place. There was no discussion or deal made, or anything that had to do with the selling of the property. Ford now needs income to build a garage and offered to sell the City the rear property to allow for access to the Burrie Center from the community. Therefore, it was determined by the management team that this should take place.

Continuing, Mr. Berman indicated that this item is for a parking agreement that Ford will use a portion from off Federal Highway to park cars until they build their parking garage, which was going to be developed, and there is a public purpose to purchase. However, with the availability now to pave and develop the entrance in the rear, the development of this property will go into the Capital Improvement Program (CIP). The City in the meantime will realize some income of that property which is not going to be developed by leasing it back to Ford until the garage is open. Therefore, one has nothing to do with the other. He confirmed that there was no contract, and there was no discussion at the time of the zoning. In addition, the property was unavailable to sale, but suddenly the City Manager received a call that they would like to sell to realize some income to build their garage. Of the entire property it is the minor unused portion that will be used. The slant being placed on this is improper and incorrect.

Cassandra LeMasurier, Property Manager, stated that Mr. Terwilliger was speaking about the purchase price for the Pompano Ford Lincoln property that was purchased at an independent appraised value. It is common to see a difference between what is listed as a "just market value" by Broward County Property Appraiser (BCPA) for property, versus an appraised value, especially a property that was owned for a significant period of time. Broward County had deeded the Ford property over to them in 1981 and they retained ownership the entire time. So, it is not surprising to see that lower market value on the BCPA than what the true market value for real estate resale purpose is. The City did conduct an appraisal of the property.

Mayor Hardin stated that he pulled the item for City Commission discussion as well because he will abstain from voting on this out of an abundance of caution. He has had a prior printing business relationship with

Pompano Ford Lincoln, although not current. Therefore, he will file the appropriate forms (see attached) required for this action.

Comr. Eaton mentioned that Mr. Terwilliger has a history of revisionist and fuzzy math very often. She recalls that the Burrie Center wanted to have an opening to the neighborhood for many years that was not obtainable and they were not going to sell the property to the City or give an easement. The Burrie Center for District 2, which is one of the very few CIP projects that have gone into District 2, since annexation of the community. Therefore, the center was built without the entrance. However, when the Denny's came over, it presented a great opportunity to expand the center and have some outside things. This only serves the community, therefore, when Ford approached the City that they are interested to sell the property, and since the vision was always to have the access in the neighborhood, this proposal was ideal for the City to pursue. The City has reserve funds, managed by the City Manager very well, for situations such as this, which is a great opportunity. The City Manager and his team could capitalize on it without budgeting for it. Therefore, she thanked the City Manager, staff and Commission for their fiscal management to place the City in a position to purchase this property within the intended appraisal. There is nothing wrong with this action.

Comr. McGee indicated that she is happy that the City is thinking outside the box and will be able to find a tenant to rent the property. The City does not have to put the money out to develop at this time to make the center and with new land it is the best it can be. There is no need to rush to develop the one side because now the City has its wish list, that is accessibility to the neighborhood. The fact that the City can get back funds through renting the space in the meantime, shows great fiscal management by staff.

Vice Mayor Moss echoed the comments of his colleagues on the Commission. He pointed out that the possible land that faces Federal Highway, the City will not be using for now, in the future it will be worth more money and may wind up being a financial boom for the City. He commended City Manager Harrison for doing a great job with these real estate deals, which he has been able to get for the City. Therefore, the way this was all unfolded will be beneficial for the community in District 2.

Mayor Hardin pointed out that now that the City has the back property, quite likely the City will not need to sell the other property until later as Vice Mayor Moss mentioned earlier. In sum, Mayor Hardin stated that he is glad this need that the City had in the past will now be met.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss

Abstain: Hardin

Enactment No: RES. No. 2020-218

17. [20-483](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PROPERTY EXCHANGE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Cassandra LeMasurier)

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he pulled the item for City Commission discussion because this was the wrong place from the beginning. In this case it is the lift station that the City is going after, and to him it appears like an exchange where the lift station should have been thought of as well. So, this signifies "poor planning from day one."

Mayor Hardin pointed out this has nothing to do with taking over any lift station. This is simply a swapping of land with Broward County. At some point in the future for their possibly expansion of the sewer lift station, which is necessary for the area. In sum, this is a win win situation for both the County and the City.

Comr. Eaton concurred with Mayor Hardin's comments.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-219

18. [20-439](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING CITY OF POMPANO BEACH RESOLUTION NO. 2019-224 RELATING TO THE BEACHFEST ENTERTAINMENT LICENSE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau/Earl Bosworth)

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he pulled the item for City Commission

discussion and indicated that in the future, due to COVID-19, once it passes, they could have the event. However, he enquired if there is any legal liability to the City for cancelling this contract.

Mark Berman, City Attorney, responded that the City contacted the company and they indicated that right of first refusal was satisfactory to them at that time. The City will give them that right if there will be any type of events such as this in the future. In sum, this does not put the City in any legal liability. Since they have not taken any efforts or measures to spend any money at this point toward any type of event, the contract is not being cancelled rather the City Commission is rescinding its action in approving the contract.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-220

19. [20-471](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING AN UPDATED STRATEGIC PLAN FOR 2020-2025 AND AN ACTION AGENDA FOR 2020/2021; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JULY 28, 2020

(Staff Contact: Ernesto Reyes)

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he pulled the item for City Commission discussion because as he reviewed the policy agenda for 2021, he noted that the City has the community rail station at top priority. In reviewing all the documents for the Eastern Transit Oriented Corridor (ETOC), he believes the City “bamboozled” all of the residents. Florida Department of Transportation (FDOT) indicated to the City’s proposal that it was not within a quarter mile of a rail line and that the closest rail line was the Tri-rail. The City was hoping for Brightline, which he does not think will happen. Currently, there is only one main bus line and the shuttle routes. FDOT specifically said that was not enough to handle the density that the City proposed in ETOC. In this instance, the City will now have a circular bus go around to mobilize people with all of this development, which is based on the false premise of a rail station at Atlantic Boulevard and Dixie Highway, which is not going to happen and the residents need to know this.

Mayor Hardin asked staff to clarify what rail station is being presented at this time. He believes this is regarding the Tri-Rail stop at the location of the Isle of Casino property, and asked if that is correct.

Greg Harrison, City Manager responded that is correct.

Comr. Eaton pulled this item for City Commission discussion and stated that there are two documents, the five-year Action Plan and the Strategic Plan. While she has no objection or problem with the process, which was great to organize things as the City is moving forward, however, there is an error on page 24 of the Action Plan. She had spoken with City Manager Harrison about it and it is something that should not be in there because it is no longer applicable. Therefore, she recommended that the item be postponed to allow the City Commission to have a thorough review of the document to ensure there is no inconsistencies or errors in the document that is fairly large.

A discussion followed among the Commission and City Manager Harrison regarding the consequences of postponing the item.

A motion was made by Commissioner Eaton, seconded by Commissioner McGee, that the Consent Agenda/ Resolution be POSTPONED until September 8, 2020 City Commission meeting. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

20. [20-496](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CORONAVIRUS RELIEF FUND (CRF) SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA HOUSING FINANCE CORPORATION; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$435,000 CRF)

(Staff Contact: Miriam Carrillo/Alexander Goldstein)

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. 2020-221

21. [20-497](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RECOGNIZING AND ACCEPTING THE BROWARD COUNTY

PUBLIC SCHOOL DISTRICT'S APPROVAL OF THE CITY OF POMPANO BEACH'S MUNICIPAL CHARTER SCHOOL APPLICATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Suzette Sibble)

Comr. Perkins and Mayor Hardin both pulled the item for City Commission discussion. Comr. Perkins stated that she is aware the City is in the application process with the School Board, but she has some concerns and enquired when would the City Commission be discussing the Board that would be representing the school. Specifically, the timeline since COVID-19 has delayed a lot of things.

Greg Harrison, City Manager, explained that the application was approved last week by the School Board and he had sent an e-mail to the Commission with this information. Therefore, to document this action through a resolution, this is the "first baby step" being taken in this process. This will be a long procedure that the City will have in connection with meeting with the School Board staff responsible for charter schools. Currently, there is no timeframe he can provide to the Commission, but as soon as more information is gathered on the School Board's timetable the City will be able to fit a timetable to share with Commission on how that will transpire.

Mayor Hardin stated he wanted to inform the public as to what is taking place on this matter. There has been some misinformation about the City's Charter School application and the desire to move forward in opening the charter school in the City of Pompano Beach. He clarified that this is in no way an attempt to open a private school in the City of Pompano Beach. This is a public charter school for the City and is planned to pattern what is being done in the City of Pembroke Pines. This school has been opened for sometime now and is an "A" rated charter school. It is a school that serves the residents of Pembroke Pines and this is what the City of Pompano Beach is designing to do with this charter school here. This will serve the residents of Pompano Beach. Unfortunately, there are some schools in the City that are not "A" rated but hopefully the School Board and the School Superintendent will continue to work on that and he plans to continue working on boosting up the local schools. In the meantime, it was a Commission consorted decision it was time to give a different educational opportunity for the residents of the City. He then elaborated on the opportunities this will provide to the residents, which is designed to get the City's children better educated at a Cambridge level.

Mayor Hardin thanked City Manager Harrison, Assistant City Manager Sibble and Dr. Earlene Smiley who were all involved in getting this process to where the School Board has approved the City's application for the charter school. This is just the first step as indicated by City Manager Harrison earlier and there are many other steps to be taken, but the City is on track to create a charter school in Pompano Beach, which will be run by the City for the City with its residents in mind.

Vice Mayor Moss gave a "pat on the back" to City Manager Harrison for getting this through. There were some levels of opposition in the community because they did not understand it. However, he put together a very good team that gathered all the information and they presented it in a clear way. He is delighted that this is happening and provided his reasons. In sum, the residents and children residing in District 5 will get an opportunity to attend a quality school in the City rather than being sent to other schools outside the area of

Pompano Beach.

Comr. McMahon stated he wanted to piggyback on the Mayor's and Vice Mayor's comments regarding the school. This is truly an exciting time for the City and the prospect to provide a Class A education for the residents of the City. For many years the City has struggled with its own entry and middle schools. He commended the City Manager and Assistant City Managers for the willingness to do whatever it takes to capture the City Commission's plans for the best interest of the City.

Comr. Eaton concurred with all that was said earlier by her colleagues. She thanked staff, the City Manager and all for their efforts in this and she is extremely proud to be part of it all.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-222

C. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that item 22 is listed under Quasi-Judicial Proceeding and is 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 the 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 matter.

22. [20-446](#) P.H. 2020-80: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY OF POMPAÑO BEACH, FLORIDA, ABANDONING A FIFTEEN FOOT UTILITY EASEMENT LOCATED ON SW 13TH COURT APPROXIMATELY ONE-HALF MILE WEST OF SOUTH ANDREWS AVENUE AND

COMMONLY KNOWN AS 1899 SW 13TH COURT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Principal Planner, Development Services Department, presented the item and stated that items 22 and 23 on the agenda will be presented as companion items, therefore one presentation will be given, but separate votes will be taken for each item individually.

Continuing, Ms. Dolan explained this item is a request to abandon a 15-foot wide utility easement, located on property situated at the end of southwest 13th Court, west of South Andrews Avenue, at 1899 SW 13th Court. The applicant proposes to construct a 153,000 square foot warehouse building without being encumbered by the easement. A site plan was approved at the February 26, 2020, Planning and Zoning Board meeting. In addition, the City's Utility department conditionally approved abandonment on the applicant executing an agreement to reroute the existing water line in this easement, which is presented as the next item 23, on the agenda. The relocated easement generally runs along the perimeter of the subject property.

Deena Gray, Esq., Greenspoon Marder, 200 East Broward Blvd., Suite 1800, Fort Lauderdale, FL, speaking on behalf of the applicant, indicated that as Ms. Dolan explained they have a site plan approval from February 2020, from the Planning and Zoning Board and they also recommended vacation of the easement that is being discussed with the City Commission today. The applicant agrees to the conditions of approval regarding submitting an executed agreement for the relocation and replacement of the water main.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

END OF QUASI-JUDICIAL PROCEEDING

23. [20-455](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT REGARDING UTILITY EASEMENT AND INSTALLATION BETWEEN THE CITY OF POMPANO BEACH AND BRE POMPANO INDUSTRIAL OWNER, LLC, ACCEPTING A GRANT OF A NON-EXCLUSIVE UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Principal Planner, Development Services Department, presented the item and stated as was previously stated, this is the companion item to item 22, which relates to the prior presentation. This is the agreement and the new easement to replace the water line and the easement that just got abandoned.

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

Yes: McGee
McMahon
Perkins
Moss
Hardin

Absent: Eaton

Enactment No: RES. No. 2020-223

24. [20-476](#) **P.H. 2020-82: (PUBLIC HEARING 1ST READING)**

A ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING AN UPDATE TO ALL ELEMENTS OF THE COMPREHENSIVE PLAN; TO INCLUDE A NEW CLIMATE CHANGE ELEMENT; TO INCORPORATE THE CONCEPT OF SUSTAINABILITY THROUGHOUT ALL ELEMENTS OF THE PLAN; AND INCLUDE AMENDMENTS RESULTING FROM CHANGES TO THE POPULATION PROJECTIONS FOR THE 2040 PLANNING HORIZON AND CHANGES RESULTING FROM THE 2017 ADOPTION OF THE UPDATED BROWARD COUNTY LAND USE PLAN; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JUNE 24, 2020; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Principal Planner, Development Services Department, presented the item and stated this is the update to the 2010 Comprehensive Plan (Comp Plan/Plan). She then made a presentation to the City Commission. She indicated that the Comp Plan has not been fully updated since 2010 and it is time for an overhaul. The timing is now because the County recently adopted "Broward Next" which is the update of the County's Plan and this is time to update the City's population projections and bring sustainability more into the Comp Plan as the City commences its sustainability program implementation.

Continuing, Ms. Dolan indicated that there are fourteen (14) elements in the Comp Plan as listed in the overhead presentation she provided, and they are currently adding the Climate Change element. Ms. Dolan went on to explain in details the components of the elements and how the process works with each one. In addition, Ms. Dolan mentioned that there were some staff members present at the meeting who are from CGA, the City's consultants who performed the background data and analysis sections. They are available to answer any questions.

Ms. Dolan indicated that the objectives and policies were prepared by staff as well as the required maps. At this First Reading the City Commission will be voting to adopt the elements of the Plan. The required maps include the future Land Use Map, however, there are no changes to the maps as part of the Comp Plan update.

The most important part of the data inventory analysis section of the Comp Plan is to look at the population projections expected in the next planning horizon to 2040, to ensure there are enough public facilities and services to serve the population. She mentioned that currently there are 115,000 people in 2020 and the projection is for 135,000 by 2040. They have found with the concurrency requirement, all requirements can be met with what is available in capacity for today. There is a nice inventory of recreation property for the City, with a five acre per 1,000 level of service considered higher than the County's three acre per 1,000 standard, which most cities adopt this standard. The City has an excellent park system which it plans to keep that way.

The sanitary, sewer, and portable water is also sufficient in capacity to serve the 2040 population projection. However, with sewer it is getting a little closer as the City reaches buildout into 2040. Therefore, the City will be keeping an eye on this situation, however, the County has additional capacity to allow the City to buy more capacity, if needed. With regards to water, recently the City bought 2 million gallons a day from the C51 basin, which provides enough portable water to serve the population through 2040.

The most urgent is solid waste. The agreement for solid waste disposal is up to 2022. However, the City is already looking into the process of alternatives for this service. This will be one of the first amendments to the Plan, once there is a new contract and a new projection on how long that capacity can be accommodated.

Ms. Dolan then spoke in details on the difference between the current 2010 Plan in terms of the vision for the future and the 2020 Plan that will be adopted after First Reading today.

A copy of the overhead presentation is attached for further details as Exhibit 1.

In conclusion, Ms. Dolan explained the schedule as listed in the presentation. She indicated that if the item is approved by City Commission today, it will move through the process and they could be looking at January 2021 before the Plan actually become effective.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated that currently the City is incurring a huge meeting. First, there are two 53 page documents to review for the Comp Plan and now this is being presented. Therefore, he requested that the City Commission postpone this item because there is too much going on at this meeting at one time that will get approved. He indicated that people cannot see Ms. Dolan's presentation, so they really do not know, and he would like to know if the public is seeing the presentation. As it relates to solid

waste, he has been commenting on development for a long time. The City wants to continue building but sea rise is coming up and he wants to know where will the garbage go. In addition, as indicated by Ms. Dolan the 1% population increase is unrealistic, because during the winter and tourism season there is a 25% increase in population. He opined that the City's population is much more than the 1%.

Mayor Hardin mentioned that Mr. Drum indicated that Ms. Dolan presentation was not viewable by the public, and enquired if the public can see when the presenter is sharing his/her screen.

Sandra King, Public Communications Director, responded that yes they can see the shared screen. In addition, this is seen on Channel 78 and Live Stream on the City's website and it is also available after the meeting to bring up as it is archived.

Ms. Dolan pointed out that a detailed presentation was provided on June 24, 2020 to the Planning and Zoning Board, which can be seen in the archives on the City's website, and she would recommend that anyone needing full details to check into that. She actually provided a shorter version to the City Commission.

Tom Terwilliger, Pompano Beach, FL, stated he missed three Commission meetings in the past seven years, and most years after there is a hurricane, many citizens come to the Commission to ask why they have not provided more shelter space for Pompano Beach citizens during emergencies. This Comp Plan is just like the previous seven plans. There is only one shelter in case of a hurricane. Therefore, he requested that the Commission take action to add shelter locations with air conditioning, food and medical supplies. So, they should update the Comp Plan to make it better for the citizens.

Mayor Hardin stated that every year members of the public do speak out about the need for further hurricane shelters in the City of Pompano Beach. He believes that every year the City Commission has said they would try to look into the situation to see what can be done. However, hurricane shelters are the responsibility and complete purview of Broward County. In fact, the hurricane shelter referred to at the Pompano Beach High School is a Broward County hurricane shelter not Pompano Beach's. The County identifies the locations and allows those to be used as shelters. The City has been working with the County and has offered other locations for shelter but they are the ones who make the ultimate decision for this.

Vice Mayor Moss indicated that he has sat on the Commission for six years and has heard Mr. Terwilliger ask the question on multiple occasion and he gets the same answer multiple times. Perhaps this should be provided in writing to him.

Mayor Hardin indicated that Ms. Dolan has done a great job with this mammoth undertaking. However, this is something that guides the process for the future for what will happen in the City. In sum, this is like the bedrock guiding principles of the City.

Comr. McGee indicated that the Comp Plan update is exciting and the City is keeping a great eye on what will be needed for the future. Also, we are trying to figure out what to do here and throughout the City now, and the focus on micro and mass transit opportunities she believes is the way above the future especially when partnered with "green technologies." All the different initiatives that the City can keep up to date on and be able to incorporate with developments and redevelopments as they come along is very exciting and future

focused and oriented, which she believes will be beneficial for the long run in the City of Pompano Beach. Therefore, she thanked Ms. Dolan and her staff for all the hard work they have done on this subject matter.

Comr. Eaton stated that her issue is not regarding staff or the performance for things in the document, but it would have been nice to have the backup for review. The presentation was not in the backup, and there was no reference made in this presentation of the Planning and Zoning Board's prior presentation package. This is a huge document and so was the sustainability strategy that is coming up for the next item. In addition, she did not see the highlighted areas laid out in the Plan as to what has been added or deleted as is usual in staff's presentation to the City Commission. Therefore, she is uncomfortable with it and would like to see more backup on it. As a Commissioner, who will have to put a stamp of approval on the document, she feels she did not have enough time to review this extensive document.

In response to Mayor Hardin's question regarding changes to be made to the document after First Reading, Ms. Dolan explained how the process works. First the State reviews what the City sends to them and when it is sent back for compliance review, staff highlights whatever changes are made between First and Second Readings. Sometimes the State have comments that the City must address, so there is a whole section of the transmittal letter that goes through what was changed between the time they received it and the time the City adopted it.

Comr. Eaton requested Ms. Dolan to provide the Commission with her detailed presentation made tonight before the City Commission.

Ms. Dolan confirmed that the Second Reading is scheduled for October 27, 2020.

Comr. Perkins asked how many pages are in the document.

Ms. Dolan responded approximately 182 pages.

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
McGee
McMahon
Perkins
Moss
Hardin

25. [20-475](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE POMPANO BEACH SUSTAINABILITY STRATEGY PREPARED BY RS&H, INC., PROVIDING AN 8-PHASE APPROACH TO IMPLEMENT THE CITY'S SUSTAINABILITY PROGRAM;

PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Principal Planner, Development Services Department, presented the item and introduced Ben Moore from Reynolds, Smith & Hills (RS&H Inc.), who wrote the City's sustainability strategy under contract.

Ben Moore, RS&H Inc., 3125 W. Commercial Boulevard, Suite 130, Fort Lauderdale, FL, shared a short summary of the Pompano Beach Sustainability Strategy. He stated that sustainability involves striking a balance between the economy, the environment and society in a way that meets today's needs, as well as the needs of future generations. Sustainability for that reason also encompasses the concept of resilience, which is the capacity of a community to endure and thrive in the face of threats such as climate change.

The City has established a strong foundation for advancing sustainability within its own operations and also in the community it serves. This is due to the commitment of its leadership and staff, as well as exemplary performance on specific projects in certain departments such as the Utilities Department over the years. They have concluded through this work that the City's biggest strategic sustainability opportunities to develop a formal program with a priority on realizing cost savings, productivity gains, risk reduction and building adaptive capacity to threats like climate change.

Mr. Moore then provided a brief overview of the project, the methods they used, a summary of the results and then discussed the work plan. A copy of the overhead presented is attached as Exhibit 2.

Ms. Dolan informed the Commission that Max Wemyss has been selected to be the City's sustainability coordinator. They are happy to have Mr. Wemyss in place to start taking action to implement the sustainability strategy. He is already busy getting two grants on the way to assist with funding of the first couple of steps as summarized by Mr. Moore for the greenhouse gas inventory and the City's vulnerability assessment.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated that he was having user problems with his I-Pad and now he is able to see the presentation. However, there is so much information going on in this meeting where decisions are being made but he believes more time should be taken to review all this information, along with the companion item 24.

Mayor Hardin enquired on the issue of more time needed to review the documents, therefore, if this item is passed the City Commission could change it whenever necessary, in the event there is something to add or delete.

Ms. Dolan responded absolutely. This is a City initiative not looked at by any outside agencies, therefore, the City can change it anytime it wants to. It is also a living document that will need to change from time to time.

Comr. Eaton reiterate what she said earlier about the previous item, which she said is a lot of information. Therefore, if this is just a guideline, then there will be a fiscal impact in one way or the other. This will impact development and a lot of things in many different ways. Notwithstanding, the backup was woefully lacking. She

has quite a number of questions, which she raised yesterday, and she has not been able to talk to anyone between then and now. She does not think there will be enough time to answer all her questions on this and the prior document.

Mayor Hardin asked if this item could be postponed until September 8, 2020 City Commission meeting.

Ms. Dolan responded yes the Commission could wait until September 8th . However, there are the phases discussed as a policy in the climate change element, but it can be changed up to October 27, 2020. They are not under any time pressure with this. In sum, staff would have preferred to spread out the three items 24, 25 and 16 since they are interrelated, but when they started in February the current situation hindered them in March up to May, which is why they have become compressed at this time.

Mayor Hardin indicated this is important information that should not be put off for years, however, there will be no impacts on deadlines if this item was not approved at this time. Therefore, it could be postponed for the next City Commission meeting.

Ms. Dolan responded to Comr. Eaton's question regarding staff's availability to answer questions in August, even though the Commission will be on hiatus. Staff will be available throughout the month of August into September, for Commissioner Eaton's questions and any clarification she may need.

Meeting went into Recess

A motion was made by Commissioner Eaton, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be POSTPONED until September 8, 2020 City Commission meeting. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

26. [20-474](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING THE 2019 UPDATE OF THE "UNIFIED REGIONAL SEA LEVEL RISE PROJECTION FOR SOUTHEAST FLORIDA" AS THE BASIS FOR SEA LEVEL RISE ADAPTATION PLANNING ACTIVITIES; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Meeting Reconvened

Jean Dolan, Principal Planner, Development Services Department, presented the item and stated that it is time for the City to update its sea level projections. The City is currently a member of the Climate Change Compact, which renews these projections every five years. New projections were adopted recently in March 2020, so it is time for the other members of the Compact to renew the sea level rise projections.

Ms. Dolan indicated that the slides presented came from a workshop that the climate change Compact held to explain the technical aspects of the projections, which was prepared by Dr. Nancy Gassman, one of the engineers that works with the City of Fort Lauderdale who is also active in the Climate Change Compact. The topics in the presentation will compare the 2015 and the 2019 projections. It will illustrate how to select which curve to use when planning the infrastructure project, as well as to look at the sea level rise in NAVD 88, which is the data that the City is more familiar with and can relate to this more. A copy of the overhead presentation is attached as *Exhibit 3*.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he has no comment on this.

Mayor Hardin indicated that it is sort of frightening. However, if the City is part of the Compact the City needs to go ahead and agree. He then asked if the City Commission did not adopt the resolution what will this mean overall for what will happen.

Ms. Dolan responded that it would probably mean that the City will continue using the 2015 projections in its planning, which is what is being used at this time. It would also mean the City would still be looking at the 2060 planning horizon instead of the 2070 planning horizon. Therefore, it would put the infrastructure a little more at risk if the projections became real.

Comr. McGee enquired with this Compact and everyone involved with it, will the City be trying to come up with plans on how to continue its infrastructure on the most extreme curve.

Ms. Dolan responded that the highest extreme is long-term so they will not use that because it would be overwhelming in terms of what to be done in planning with that kind of projection. Therefore, they would only be using the lower three curves, so it depends on the lifespan of the infrastructure and how much margin of area to allow than what is assuming for sea level rise.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-224

27. [20-410](#) **P.H. 2020-72: (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 RAFTELIS FINANCIAL CONSULTANTS, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$229,996 Maximum for Five Years)

(**Staff Contact:** A. Randolph Brown)

A. Randolph Brown, Utilities Director, presented the item and stated it is the Second Reading of the ordinance for the services of Raftelis Financial Consultants, Inc, for rate consulting, There has been no changes to the ordinance since the First Reading

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, indicated that an outside consultant is being used to project how much the City should be charging, and asked if the City's department could not do this job. He does not understand why the City cannot set its own rates.

Mayor Hardin responded that this is contracted out because it involves financial modeling and it looks at all the things that go into the Utilities Department that needs to be replaced, when it should be replaced, and things of that nature. Therefore, the cost for the five-year contract is reasonable considering the expertise provided. If this could be done in-house it would not be contracted out.

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
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2020-64

28. [20-437](#) 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 PROFESSIONAL/CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CHEN MOORE AND ASSOCIATES, INC. FOR DESIGN AND CONSULTING SERVICES FOR STORMWATER IMPROVEMENTS FOR NE 27TH AVENUE AND 16TH STREET AND ATLANTIC BOULEVARD AND S. RIVERSIDE DRIVE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$502,960.00)

(Staff Contact: Tammy Good/Anthony Alhashemi)

Anthony Alhashemi, Project Manager, presented the item and stated that the design agreement presented to the City Commission is for stormwater improvements for the two study areas. Study area 13 is Atlantic Boulevard and south Riverside Drive and Study area 14 is NE 27th Avenue and 16th Street. These flood prone areas were identified by the City's stormwater master plan, City staff and residents' complaints. Staff combined both areas in one RFQ (Request for Quote) solicitation due to the schedule of both projects and to streamline resources. The RFQ ranking of the most qualified designer, Chen Moore and Associates was approved by the City Commission in February 2020, and this allowed staff to negotiate the scope and fees.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, indicated that this was brought to his attention and the fact that Hidden Harbor went through and suddenly they are going to do the stormwater in that area. People want to know why the City is paying for the stormwater in the area when they are building the development.

Mayor Hardin understands that this is for public stormwater improvements only and that any private developments would handle their own stormwater.

Mr. Alhashemi responded, that is correct. This is mostly in the City's right-of-way in these areas.

Comr. Eaton asked about the project on NE 16th Street and the exact location west of Federal Highway.

Mr. Alhashemi responded it is within the area and not the exact locations, as this still needs to be determined through the design, so the exact areas will be specified. The areas mentioned was included in the study. Nevertheless, the map reflects most will be east of Federal Highway.

Comr. McGee is pleased to see that they are focusing on the east area, especially Riverside Drive and all the improvements planned to be done in the area, as there are issues with other roads. Therefore, she is excited to see this will be done in both neighborhoods.

Mayor Hardin enquired as to how many more projects they have on the original list that need to get done.

Mr. Alhashemi responded he does not have the exact numbers, but there are quite a few more and he could

provide the information should the Commission need it.

Mayor Hardin indicated that he has the document he will just go through to find that information.

Comr. Eaton enquired if the backup would provide information regarding what other projects they will be doing.

Mr. Alhashemi responded that there is a 500-page stormwater master plan document, which provides the section that references these projects. However, he could get the entire document and send it to the Commission, with all the projects listed in regards to the stormwater.

Comr. Eaton enquired about the project on NE 16th Avenue south of 28th Street located behind the Burrie Center area, and is interested as to where that is on the schedule.

City Manager Harrison said he will coordinate getting the information to the Commission with the schedules for the stormwater projects.

Mayor Hardin indicated that he understands that the document is voluminous but perhaps an excerpt or the entire document could be provided to those Commissioners requiring it.

Comr. Eaton reiterated that she just wants to see what is in her district and when it will be done.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-225

29. [20-414](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS THROUGHOUT THE INCORPORATED AREA OF THE CITY OF POMPANO BEACH, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR EXEMPTION; PROVIDING FOR A VACANCY ADJUSTMENT FOR MOBILE HOME PARK PROPERTY;

PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$22,419,361.00)

(Staff Contact: Erjeta Diamanti)

Erjeta Diamanti, Budget Manager, presented the item stating that this is a resolution to adopt the fire assessment fees for fiscal year 2021. The fire assessment program is to provide a dedicated source of funding for fire operations and the fees collected from the prior assessment are not to be used for any other purpose. In addition, the preliminary fire assessment rate is required to be passed by the City Commission as part of the annual process of adopting the fire assessment fees for fiscal year 2021. It is projected that the fees are anticipated to assess approximately \$22.42 million in gross revenues, which is anticipated to cover approximately 90% fire department eligible expenditures and fire capital improvement projects. The remaining costs are covered by other prior fees and property taxes.

A final public hearing to adopt the annual rate resolution has been scheduled for Monday, September 14, 2020 at 5:15 p.m., as a reminder, this is the first public budget hearing. There is a table for the fiscal year 2021 rates. No changes were made to the rates adopted for fiscal year 2020, therefore, the rates remain at \$220 for residential rate. The rates are mentioned in the resolution on page 5, or there is a rate schedule provided in the backup. She indicated that there is a minor change where the last year should be fiscal year 2021. The most important aspect of the rate schedule is that staff is not proposing any increase to the existing rates.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated that he did not mean to speak on this item.

Comr. McGee thanked the financial staff and the fire department for working with the Commission in keeping the rates the same yet still providing quality level services to the City of Pompano Beach.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-226

30. [20-482](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE FORBEARANCE AGREEMENTS FOR PARCELS C1 AND C2 BETWEEN THE CITY OF POMPANO BEACH AND PPA-C1, LLC AND

BETWEEN THE CITY OF POMPANO BEACH AND PPA-C2, LLC, JOINED BY POMPANO PIER ASSOCIATES, LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

Greg Harrison, City Manager presented the item and stated that the two new restaurants on the beach, Beach House and Oceanic have gone through the developer, Tim Hernandez and company, and they have asked for forbearance equal to 50% of the minimum rent that they are under contract with Mr. Hernandez. Therefore, the City is looking at nine months of rental reductions for the two restaurants as a result of the Corona Virus situation that stymie their operation and significantly reduced their revenues going into the fiscal year. He indicated that he had sent a comprehensive memo to the City Commission on the matter and he would recommend that the City go along with the request for this forbearance. This is actually a deferral of rent to allow them time to get back on their feet once the economy gets back up.

Mayor Hardin clarified that the City is not giving away any rent, but agreeing to collect half of the rent later on.

Mr. Harrison indicated that based on the contract it goes by the minimum rent so that is the formula that staff has been using to calculate the adjustments.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated he read the backup and was looking for an explanation of what is being done, which Mr. Harrison provided in his comments.

Vice Mayor Moss indicated that he is pleased that the City is doing this. People have invested millions of dollars into the two properties and we must do everything we can to help them get through these difficult times. They are wonderful restaurants that are shining stars in the City of Pompano. Therefore, the City should be accommodating to them to the extent possible.

Comr. McGee echoed Vice Mayor Moss' sentiment. She knows that the City is working with individual businesses throughout the City to try and help everyone survive the shut down and the impact on the economy. It will be an interesting season going through where a lot of the restaurants bank on, so helping to secure the investments made with time, money, energy and other businesses is great that the City is doing it.

Mayor Hardin echoed the two previous speakers comments and feels the City needs to do what it can to help as many businesses as possible.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-227

31. [20-479](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN THE CITY OF POMPANO BEACH AND REGIONS BANK FOR THE PURCHASE OF PROPERTY LOCATED ON W. ATLANTIC BOULEVARD IMMEDIATELY ADJACENT TO AND DIRECTLY NORTH OF CITY FIRE STATION 52; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$620,000.00)

(Staff Contact: Cassandra LeMasurier)

Cassandra LeMasurier, Real Property Manager, presented the item and stated that the property owner, Regions Bank has indicated a desire to sell their property located directly north of fire station 52 to the City of Pompano Beach for \$620,000. The City's purchase price is \$370,000 less than the \$990,00 M.L.S. list price and \$139,360 less than the BCPA market value of \$759,360. The property is a 34,413 square foot vacant parcel zoned B-3 with a paved access road bisecting the property. The property is located at the SE corner of West Atlantic Boulevard and SW 27th Avenue. Replacement of this fire station, which serves the residents of Palm Aire and Collier City is a G.O. Bond Public Safety project. The purchase of the Regions Bank property will allow the City to construct a western fueling station to serve fire station 52 and the new fire station 114, built at the corner of SW 36th Avenue and McNab Road, which is also a G.O. Bond Public Safety project.

The City's only current fueling station is located near the Air Park and is over three miles from Fire Station 52 and over five miles away from the new Fire Station 114. The addition of the second fueling station in the western area of the City will reduce the time fire trucks and ambulances spend traveling for fuel and increase their availability to respond to calls for service. The second fueling station will also serve as a source of fuel for emergency response and disaster recovery for Public Works equipment for hurricanes and other disasters. Purchase of the property is a strategic plan initiative.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, enquired if the money will come from the City's budget and not from the G.O. Bond funds.

Mayor Hardin indicated that there are G.O. Bond funds eligible to be used for this purchase, if available, so staff is unsure at this time. The City is not in the construction phase at this time.

Mr. Drum asked why they did not plan to put a fuel station prior to now.

Greg Harrison, City Manager responded that the planning was there, and the City has been in negotiations with this Bank for over four years, which is just now coming to fruition. This is the City's third property with Regions Bank and their executive understands the need, staff was able to make a deal to make this happen.

Mr. Harrison added a few more points for clarification purposes for the City Commission. The fire station located on NE 10th Street near the airpark has a beautiful four bay fire station, which would be repeated at this site. If the City does not acquire this property it will not be able to build the same foot print of the four-bay fire station to serve residents in the future. The growth that will transpire because of the Cordish Isle development to which the City should be paying attention to that and meeting the needs of the potential growth in that area. In addition, there will be a savings for not having to drive from the complete west end of the City to Public Works yard or Public Safety facility. The trips and man hours saved will be immeasurable over the years once this fuel station is constructed. Without this property it would be difficult to place that fuel station on this ground.

Tom Terwilliger, Pompano Beach, FL, stated that he supports the project, however, the backup provide limited information. The budget adjustments indicate that there is an increase in the budget for the land acquisition and the budgetary fund by \$790,000, but it does not show what projects will be removed for the \$790,000. Therefore, he enquired as to where the funds will come from.

Mr. Harrison responded that it will be coming from the General Fund reserve. In addition, part of the difference in funds listed on the agenda versus what is stated in the budget adjustment, will go towards the fueling station that was not part of the G.O. Bond budget for the construction of the fire station.

Sandra King, Public Communications Director reported that they were experiencing some zoom errors, as a result, people are able to speak but unable to start their cameras. However, there were no more presentations where people need to share their screens, so they will be heard and not seen.

Vice Mayor Moss indicated that he has been working with the City Manager on this for some years now, and he has been keeping him apprised as things have developed. He is correct about the transactions that took place with the property owner over time. Nevertheless, it is critical to have this piece of land, as it will service not just the people in Palm Aire and Collier City, as well as the Isle Casino but also a large portion of District 4. The area has been undeserved for many years, therefore to have a four-bay station instead of a three bay is important and needed, as well as serve the entire southwest portion of the City. He congratulated the City Manager for making another good deal by his "doggedness."

Mayor Hardin echoed the sentiments of Vice Mayor Moss in congratulating the City Manager for doing a great job in pursuing this venture. This will be a great "shot in the arm" for the entire western section of the City, which will increase the service and it drives home the fact that the G.O. Bond projects are delivering for the residents.

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

Yes: Eaton

McGee

McMahon

Perkins

Moss

Hardin

Enactment No: RES. No. 2020-228

32. [20-498](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, ACCEPTING A GRANT IN THE AMOUNT OF \$833,000.00 FOR ASSISTANCE IN FUNDING THE OPERATION OF A COMMUNITY TRANSIT CIRCULAR SERVICE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$833,000)

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Director, presented the item and indicated that this is a resolution approving the acceptance of a grant from Florida Department of Transportation (FDOT) for assistance in the funding of the community transit circulator route. It is a 50% matching grant in the amount of \$833,000. The objective is to develop a two-phase micro transit route beginning with neighborhood electric vehicles or commonly referred to as extended golf carts with a seating capacity of approximately five people. These vehicles will have specific routes and will also have an on-demand capability where citizens could call for pick up or delivery service through an app on the phone, which will be phase 1 of the plans. After monitoring the demand success of phase 1, it is hoped to move to phase 2, which would incorporate a more conventional shuttle, a trolley type vehicle with a greater seating capacity and the ability to extend the route further west to possible the Isle Casino.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, asked when will the service start.

Mr. Lantz responded that the item will be going out for competitive bid process, which will go out very soon, then the evaluation process begins, so perhaps it would be several months down the road before they would come to full implementation.

Mr. Drum asked if it is a true matching grant where both agencies come up with 50% each, which Mayor Hardin confirmed that is correct. Additionally, Mr. Drum asked how fast do the vehicles travel, because he sees this as a huge problem with speed, as similarly experienced in other cities such as Fort Lauderdale that has similar vehicles. In sum, he sees this as a traffic hazard and while he is not against it, there will have to be

parameters that must be met for these.

Comr. McGee stated that she is excited at the prospect of this venture coming to Pompano Beach. Since she has been elected, she has not stayed quiet about alternate transportation as this is closest to her heart. She believes these types of initiatives are really going to make a difference especially during season and when there are excess people on the road. This will give an alternative for the beach traffic, or for the people trying to get around the barrier island to have another way of traveling without taking out the car, or possible without transporting their car if they are seasonal, or tourist not having to rent a car. Therefore, she thanked staff for pursuing this venture.

Mayor Hardin agreed with Comr. McGee's comments and thanked Mr. Lantz, Ms. Sibble and Mr. Harrison for moving forward on this type of initiative. There is always angst from the residents about traffic on the streets, and the Commission realize this and understand it. Therefore, this is an attempt to try something to alleviate some of the traffic. As things develop and redevelop in the City, the Commission is looking at options and they are not blind to the fact that it has growing pains.

Greg Harrison, City Manager mentioned that he is proud of Assistant City Manager Suzette Sibble on getting this handled with the help of Jeff Lantz and Finance Director Andrew Jean-Pierre who both works for Ms. Sibble. This is a huge savings to the City and the grants are highly competitive. Once the numbers were put together they saw the potential of what a great program this will be here in the City and pursued it.

Suzette Sibble, Assistant City Manager thanked Chris Brown who also worked on the project.

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

Yes: Eaton
McGee
McMahon
Moss
Hardin

Absent: Perkins

Enactment No: RES. No. 2020-229

33. [20-447](#) **P.H. 2020-78: (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 PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WELLS FARGO BANK, N.A., FOR THE USE OF THE PARKING LOT LOCATED AT 199 N. OCEAN BLVD.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$40,000 Net Revenue)

(Staff Contact: Jeff Lantz)

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be POSTPONED until September 8, 2020 City Commission meeting. The motion carried unanimously.

34. [20-467](#) **P.H. 2020-79: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH RELATING TO THE POLICE & FIREFIGHTERS' RETIREMENT SYSTEM BY AMENDING SECTION 34.0571, "INTERNAL REVENUE CODE COMPLIANCE," TO PROVIDE FOR COMPLIANCE WITH THE SECURE ACT; BY AMENDING SECTION 34.0603, "DEFERRED RETIREMENT OPTION PLAN (DROP)," PROVIDING FOR A REDUCTION IN THE DROP ADMINISTRATIVE FEE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Ed Beecher)

Ed Beecher, Human Resources Director, presented the item and stated this is a request for an ordinance amendment that the City received from the Police and Firefighters' Pension Board. The first amendment implements the change to the required age for the required minimum distributions contained in the Secured Act, which became law in December 2019. This changes the required minimum age from 70 1/2 to age 72.

The second requested amendment reduces the administrative fees charged to member DROP accounts from 75 basis points to 60 basis points annually. The Nyhart company, actuaries on behalf of the Board opined in its May 27, 2020 impact statement that the net effect of any updates to the pension plan will be no material change to the liability or calculated contributions. In addition, the City's pension expert, James Linn with Lewis Longman Walker, PA., opined that the changes do not raise any legal or financial issues for the City.

Mayor Hardin is aware this is mandated by law, however, he enquired if the union ever gets involved with this type of action.

Mr. Beecher responded yes and explained that there are members of the union that sits on the Board, which allows them the opportunity to ask any questions, but there were no questions or issues raised.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

35. [20-481](#) **P.H. 2020-76: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A BOND; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and stated that in 2017, Florida enacted the Advanced Wireless Infrastructure Deployment Act in subsection 337.417, Florida Statutes. This created new requirements and allowances for installation of small wireless facilities in the City's right-of-way. As a result, the City amended its code to be in compliance with the State Statute and it was approved by City Commission in June 2018. More recently, in 2019 Florida Legislature enacted Governor approved Senate Bill 1000, amending section 337.417, Florida Statutes, including portions of the small cell statute. Consequently, the City retained the services from outside counsel to assist with revising the City's code section 100.46, to be in compliance with this recently amended state statute. This is more of a housekeeping matter and it has no substantive effect on the City's code as it currently reads.

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

36. [20-469](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **RICHARD SAMOLEWICZ** TO THE POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 12, 2023; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Richard Samolewicz, Incumbent - District 3
Robert J. Sikorski - District 1
Kenneth A. Campbell - District 3
Eve Lewis - District 3
Rita Neri - Coconut Creek

(Staff Contact: Asceleta Hammond.)

A motion was made by Mayor Hardin, seconded by Vice Mayor Moss, that the Regular Agenda/ Resolution be ADOPTED and to insert the name RICHARD SAMOLEWICZ. The motion carried unanimously.

Enactment No: RES. No. 2020-230

37. [20-434](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING THE CITY MANAGER AUTHORITY DURING THE CITY COMMISSION'S AUGUST HIATUS TO PERFORM AND FINISH SUCH MATTERS AS MAY HAVE BEEN BUDGETED AND AUTHORIZED, SUBJECT TO RATIFICATION THEREAFTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

Greg Harrison, City Manager presented the item and stated this is the annual resolution for when the City Commission is on hiatus in August to ensure they are not bothered with certain matters during that time. He assured the Commission that the City will be in good hands while they are out.

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

motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2020-231

38. [20-484](#) Discussion and consideration item for the annual performance evaluation for Mrs. Asceleta Hammond, City Clerk.
(Fiscal Impact: To be determined by the City Commission)

(**Staff Contact:** Ed Beecher)

Ed Beecher, Human Resources Director, presented the item stating that at the City Commission's direction each charter officer reporting directly to the City Commission will be evaluated annually on an established review date anniversary. Also, at the Commission's request the Human Resources department prepared a suggested performance evaluation for their use as a tool, if so desired. The annual performance evaluation of the City Clerk is up for renewal at this time. Therefore, he has attached the performance evaluation data for the Commission's review and consideration. This information is consistent with the City's non-bargaining and general employees, which shows a performance merit of up to 3%. However, a survey was conducted by Human Resources for other area cities that have been used for benchmarking in the past, based on their size and population, as well as the position and experience. The survey revealed that the position of City Clerk fell below the standard benchmark of the fifty percentile, which have been used consistently for many years. In this case, the Human Resources department is recommending a one-time adjustment of 6%, which would bring that position up to the fifty-percentile range marker when compared to other area cities.

Vice Mayor Moss stated that Ms. Hammond has done an excellent job for the Commission, and has for many years and he is proud of what she does. If the City wishes to be competitive with other cities to keep quality staff there needs to be kept at least, the fifty percentile level. Therefore, he suggested that her salary be raised to the 6% as suggested by the Human Resources Director.

Mayor Hardin indicated that he thought the City was on top of this kind of situation and ensuring that we are at where we need to be. Therefore, to hear that the City is that far behind, he asked how did that happen.

Mr. Beecher responded that over the last year some of the area City Clerks have received some substantial increases. This is reviewed annually, and last year Ms. Hammond was around the fifty percentile range, but over the past year a number of local cities, approximately twelve, when compared to their current salary, Ms Hammond's dropped to the twenty-eight percentile since the last review. Notwithstanding, this process was started in February and they have updated this in anticipation of this meeting.

Mayor Hardin indicated that it is important that the City stays competitive in these matters. He echoed Vice Mayor's comments that Ms. Hammond has done a great job and expressed thanks for all her efforts and look forward to continued success for the City.

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Item for Consideration/Discussion be ACCEPTED as recommended by the Human Resources Director to increase Mrs. Asceleta Hammond salary by 6%. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

39. [20-485](#) Discussion and consideration item for the annual performance evaluation for Mr. Deusdedit Kiyemba, Internal Auditor.
(Fiscal Impact: To be determined by City Commission)
(Staff Contact: Ed Beecher)

Ed Beecher, Human Resources Director, presented the item stating that at the City Commission's direction each charter officer reporting directly to the City Commission will be evaluated annually on an established review date anniversary. Also, at the Commission's request the Human Resources department prepared a suggested performance evaluation for their use as a tool, if so desired. The annual performance evaluation of the Internal Auditor is up for review at this time. Therefore, he has attached the evaluation data for the Commission's review and consideration. This information is consistent with the City's non-bargaining and general employees, which shows a performance merit of up to 3% for the City Commission's consideration.

Mr. Beecher added that in their evaluation of Deusdedit Kiyema (DC) he fell at the fifty percentile, so no additional recommendation is necessary at this time.

Mayor Hardin asked if this review was delayed for DC.

Mr. Beecher responded that it was delayed at DC's request. He explained that he was ready to come before the City Commission in March, but due to the COVID-19 situation, as well as DC requested to postpone until after he had the opportunity to present his annual report to the City Commission in June.

Vice Mayor Moss indicated that the difference between the maximum and the 3% is only a matter of several hundred dollars, therefore, he suggested awarding DC the maximum increase allowed, which is only a few dollars more than the 3%. DC is fairly new to the City, nevertheless, he has done a very good job and

consistently gets a good mark from the auditors and other regulatory people. He reiterated that the City must stay competitive in order to keep the good people that is on staff.

Mayor Hardin agreed with Vice Mayor Moss' sentiments and stated that DC is recognized not just in the City of Pompano Beach but he is recognized nationally for his expertise. He does a great job for the City Commission and he is known for that.

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Item for Consideration/Discussion be ACCEPTED as recommended by the Human Resources Director to increase Mr. Deusdedit Kiyema salary to the maximum amount stated in the backup document. The motion carried by the following vote:

Yes: Eaton

McGee

McMahon

Perkins

Moss

Hardin

40. [20-486](#) Discussion and consideration item for the annual performance evaluation for Mr. Gregory P. Harrison, City Manager.

(Fiscal Impact: To be determined by City Commission)

(Staff Contact: Ed Beecher)

Ed Beecher, Human Resources Director, presented the item stating that at the City Commission's direction each charter officer reporting directly to the City Commission will be evaluated annually on an established review date anniversary. At the Commission's request the Human Resources department prepared a suggested performance evaluation for their use as a tool, if so desired. The annual performance evaluation of the City Manager is up for review at this time. Therefore, he has attached the annual performance data for the Commission's review and consideration. This information is consistent with the City's non-bargaining and general employees, which shows a performance merit of up to 3%.

Vice Mayor Moss asked where does the City Manager stand in terms of the percentile in the County in comparison to other City Managers.

Mr. Beecher indicated that based on the benchmarks they have used over the last three or four years, which is the local cities in Broward, as well as they considered the years of experience, he is currently at the fifty seven percentile level when compared to the other cities.

Vice Mayor Moss indicated that the City is one of the largest in the County, there is a whole lot going on in the

City with projects such as the Isle Casino, and the continuation of development along the beach. He stated that Mr. Harrison has done a stellar job. In fact, he worries that some bigger City may steal him away from Pompano Beach. Therefore, he moved that the Commission award him the maximum allowable, which is the same in the case of DC of a few dollars more than the allowed 3%. He does a great job and he earned it today with the price he negotiated for the lot on Atlantic Boulevard.

Comr. McGee pointed out and credited the City Manager that throughout these past few months, he has taken the leadership role countywide with all the City Managers and in helping everyone in Broward County over the past few months. He is an asset and the City needs to hold on to him.

Comr. McMahon echoed Comr. McGee's comments that Mr. Harrison puts in everything he possibly can when it comes to the City. He has a passion for the City of Pompano Beach and puts in more than anybody who works for the City. Therefore, he looks forward to continuing to work for him and completely supports the maximum increase.

Comr. Eaton thanked City Manager Harrison for being incredible to work with and he has such a vision for the future and he deserve it.

Mayor Hardin agreed with everything that has been said. Mr. Harrison has stepped up countywide to become the chair of the Broward County City Managers' Association (BCCMA), as well as he has shepherd the City getting a Charter School started and this will become a huge part of his job going forward. COVID-19, the sewage spill are all adverse situations experienced. In fact, everything that he has gone through as Mayor, Mr. Harrison has been right there with him. He said he could not thank him enough, as well as commended him for doing a great job and is well deserving.

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Item for Consideration/Discussion be ACCEPTED as recommended by the Human Resources Director to increase Mr. Gregory Harrison salary to the maximum amount. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Moss
Hardin

Absent: Perkins

D. REPORTS

City Manager Greg Harrison - Appreciation of Accolades - Mr. Harrison expressed appreciation of all the accolades given to him earlier by the City Commission regarding his evaluation, however, he mentioned that he must thank his staff for that and indicated he has the best staff any City Manager could have around. His

staff is efficient and conscientious and they have come to know and respect each other, as well as they have worked like a well-oiled machine together.

Retirement of Fire Chief John Jurgle - Mr. Harrison stated that as of tomorrow, July 29th the City will lose a 39 year veteran of the City of Pompano Beach to retirement. Fire Chief John Jurgle has been with the City for those 39 years and worked himself up through the ranks to become Fire Chief approximately eight years ago. Mr. Harrison stated that he is not just a good acquaintance on staff but he has become a friend. He is an all-around good person and one of the most conscientious people that he has had working for him. He will still be around and in contact with him, but he will be leaving his office at the end of the day tomorrow. He is available to speak to the Commission at this time, as well as Mayor Hardin will be making a presentation later.

Fire Chief John Jurgle indicated that this was unexpected. However, it has been absolutely a great ride for him. He indicated that what City Manager Harrison said earlier about the City's staff, he has had the same experience. He has been fortunate to have a great staff that has worked for him. Also, he has had wonderful Commissioners, Mayors and City Managers and that has been the secret to the City's and his successes. He indicated that during his entire career at the City, he has stood on the shoulders of people such as Chief Small, Chief Bentley, and other people who have made him who he is today and has benefited from that. In addition, Chief Jurgle stated he has one of the best Fire Departments in the world and work for one of the best cities in the world, as well as the best Mayor and Commissioners along with the best City Manager. It has been a great experience for him and he expressed his thanks and appreciation to everyone.

Vice Mayor Moss stated that there are two new fire stations coming on line, namely Fire station 152 and 114. To the best of his knowledge they are not named after anyone. Therefore, he proposed that the City Commission consider naming one of those stations after Chief Jurgle, who has brought the City up to be one of the very best fire stations in the United States. It is a highly ranked professional organization and he cannot say enough for what Chief Jurgle has done for the City of Pompano Beach. Therefore, naming one of the stations after him would be a small token of appreciation expressed for his services.

MOTION: A motion was made by Vice Mayor Moss, seconded by Commissioner McGee to name one of the future fire stations after the departing Chief John Jurgle. On roll call, the vote was unanimous 5-1. Comr. Perkins was absent during the roll call.

Comr. McGee stated that she would support the proposal. Furthermore, when she first became a part of the Commission, Chief Jurgle was so welcoming and a great source of information and answered questions she had. Her only source of regret is that she did not get the opportunity to work with him longer. However, she appreciated the time they had worked together.

Comr. Eaton thanked Chief Jurgle for how great he has made the department, how safe and how concerned he has been for the City of Pompano Beach. Therefore, it would be great to have his name on one of the stations and he will always be in the hearts of the residents of Pompano Beach. She then wished him a great retirement.

Comr. McMahon indicated that prior to him becoming a Commissioner, he has known Chief Jurgle for a long period of time. He was honored to work with him for the time he did and Chief Jurgle runs an incredible

department. It is exciting to see the new fire house and the wonderful things that he and his team have created within the City. Therefore, it would be a honor to vote on having Chief Jurgle's name placed on one of the fire houses.

Mayor Hardin indicated that his Fire Chief is John Jurgle. He said he is the only chief he has known since he became mayor. He has known Chief Jurgle a number of years prior to becoming Mayor, and they have "always clicked and able to talk to find out what is happening, as well as they have been honest with each other throughout the time, which is an invaluable thing to have. The work and commitment that Chief Jurgle has shown for the City, as well as the department, is above the top. Also, what Chief Jurgle has accomplished really makes him shine even though he stood on certain prior chiefs' shoulders.

The residents of the City thank Chief Jurgle for what he has done, and he personally thanked him for what he has done, which will pay benefits for generations for the residents and firefighters. He has made many lives better and he cannot thank him enough. As a small token of appreciation there is a plaque he presented to Chief Jurgle. Finally, Mayor Hardin indicated that he will truly miss Chief Jurgle and he will be keeping his contact number and email address. He has a lot to be proud of and along with City Manager Harrison, they have surrounded themselves with people who support them and can step in at any moment in case something happens, which is the mark of a true leader. He will be missed.

Chief Jurgle expressed his thanks for all that the City Commission has said and done and indicated that he is humbled by their expressions and sentiments.

Mr. Harrison stated that something that Chief John Jurgle brought to the City is a very outstanding accomplished firefighter. He had been a fire chief in the City of Deerfield Beach prior to coming to the City of Pompano Beach. Therefore, he introduced to the City Commission the next Fire Chief for the City of Pompano Beach, Chad Brocato. He will be taking over as of midnight July 29, 2020, when Chief Jurgle's retirement will commence. He then welcomed Chief Brocato to the Executive Team.

Chad Brocato, stated that he is honored and still "wiping the tears from "John's" leaving." He said they have been personal friends and professional colleagues, which has been a blessing. Therefore, his plans are simple, "Keep on knowing all the great things to support everyone of you to make you look fantastic, and being a great part of this great team." Also, he plans to get more accreditation, and to get some more things for the department so they can be that shining star off in the future. As well as to always challenge himself and the team to go beyond the expectation. So, this is where they will take it as a team not as an individual.

Mayor Hardin congratulated Chief Brocato and welcomed him aboard and looks forward to continued successes that the City has had over the recent past.

Comr. Eaton congratulated Chief Brocato, as well as Vice Mayor Moss welcomed him aboard.

City Attorney Mark Berman - No Report. However, Mr. Berman stated that he looks forward to working with the new Fire Chief Chad Brocato. He also wished everyone to stay dry during the uncertain weather conditions. In addition, he expressed wishes that everyone enjoys a safe month off and looks forward to seeing everyone in September.

City Clerk Asceleta Hammond - No Report Ms. Hammond stated that she would be remiss in not saying thank you to the City Commission for another year of good cooperation with her office. She also echoed City Manager Harrison's comments to say there is a great team of staff members on board, and that she has an A team in her direct support staff. In addition, the City Clerk's Office has a great Commission body to work with when compared with other surrounding cities.

Appreciation of Chief John Jurgle's Efforts - Ms. Hammond thanked Chief Jurgle for working with her office, and indicated that the two departments formed a partnership to centralize the storage facility for the City's records, which he provided excellent support to bring this into effect.

Finally, Ms. Hammond wished the City Commission a great hiatus in August.

Commissioner Rhonda Eaton - Ongoing Project Item on the Agenda - Comr. Eaton stated that agenda item 28 is about the exact same streets NE 27th Avenue and 16th Street, west of Federal Highway. This is an ongoing project, which has gone through the planning process, therefore, she wanted to inform the residents in District 2 the project is happening.

Bulk Pickup - Comr. Eaton thanked City Manager Harrison, Solid Waste Manager Russ Ketchem and staff who worked diligently to get bulk pickup on Tuesdays in the Highlands and Cresthaven neighborhoods. She stated that it has been proven that 45% of the single-family residential properties in the areas are not owner-occupied, and are in fact rental properties. People move out on weekends so there has been a visual blight when people put their garbage on the curb on Saturday/Sunday when they move out. Therefore, this pickup schedule change will beautify the community, take away the unsightliness, the eyesore piles and visual blight. It will not only improve the area, but the reputation of the Highlands and Cresthaven neighborhoods in District 2. This will payoff for the City as a whole.

Finally, Comr. Eaton wished everyone a great month off.

Commissioner Andrea McGee - Census 2020 - Comr. McGee reminded everyone to go online at census.gov and file for the census. This will ensure that Pompano Beach is accurately counted and will be able to still get and apply for different benefits, such as a number of those grants currently seen, which will assist to move projects forward. Also, proper representation will be accomplished that is so important for everyone who completes the census form, which only takes a few minutes to complete online at census.gov.

Opening of Lucky Fish Restaurant - Comr. McGee congratulated Pompano Piers Associates in welcoming and opening the newest beach front restaurant, which is Lucky Fish. People seem to be taking advantage of the City's projects, vision and strategies all coming to fruition. Also, the City has its public-private partnerships and is moving forward with all of that. This is an exciting time in District 1.

Fourth of July Celebration - Comr. McGee thanked City Manager Greg Harrison, Assistant City Manager Suzette Sibble, Public Communications Director Sandra King and Fire Marshal Pete McGinnis for helping to coordinate the City's fireworks celebration for the Fourth of July, to bring back some normalcy to the Country's celebration of independence.

Commissioner Tom McMahon - Lucky Fish Restaurant - Comr. McMahon echoed the comments made by Comr. McGee. He visited and enjoyed the Lucky Fish restaurant. They are doing a beautiful job with the landscaping going up around the Alvin Surf Shop and the other buildings. It is exciting to see many years of planning coming to fruition. Everything has been done first class even though there were contentions on certain cost factors. He mentioned that prior Commissioners did things right, instead of just getting them done they did them the best way possible to add value to the City.

Fireworks on Fourth of July during COVID-19 Pandemic - Comr. McMahon stated that the fireworks were incredible, which initially was proving to be of a challenge and concern on the fire department. To do the fireworks on land, he is unsure this has ever been done before in the City of Pompano Beach. As mentioned before, there is the need to bring back some normalcy and the City's economic recovery team is working day and night to find different solutions to assist the residents.

Assistance for Pompano Beach Businesses - Comr. McMahon encouraged any business in the City of Pompano Beach to call and speak with the City Manager's Office team members to see if there are any programs or anything the City could do to assist them. He urged the residents to support the City's local businesses as best they can, because the restaurants are still struggling to keep their businesses viable.

Fire Chief John Jurgle Retirement - Comr. McMahon congratulated Chief John Jurgle on his retirement. He indicated that it was a honor to work with him and it would be exciting to name a firehouse after him in the near future.

Commissioner Beverly Perkins - Best Wishes to Fire Chiefs Jurgle and Brocato - Comr. Perkins expressed best wishes to Chief John Jurgle on his retirement and congratulations to Chad Brocato for taking the place of Chief Jurgle.

COVID-19 Testing Sites - Comr. Perkins mentioned that COVID-19 testing have been happening at the Mitchell Moore Park and continues to be done. She indicated that a new COVID-19 testing site was placed at the Blanche Ely High School which she had a concern in how this was done. Notwithstanding, it is in place but not utilized as it should be, because had she known about it she could have had the churches involved to get the word out. Nevertheless, she appreciated Captain Del Staling's idea to serve those individuals that are unable to utilize the testing sites, when he decided to start a mobile testing site in the area. There are people going door to door to notify people about the mobile testing site. This is great that this mobile unit will be able to go to those homes where people are unable to get out to the other testing sites.

Disgruntled Employees - Comr. Perkins indicated that a former employee of the City, Lisa Wiggins passed away recently, who worked in the Business Tax Receipt department. Comr. Perkins indicated that after she became a commissioner, she got to know Ms. Wiggins and most times she would enquire about Ms. Wiggins' son, who attends college that she had previously mentioned to her she is working to support him. She then read a letter that Ms. Wiggins had written to her because she was going through a lot working as an employee of the City. The date of the letter was February 15, 2019. It read:

"I have been having some workplace issues regarding unfair treatment from my supervisor, Dennis Panico. He

seems to always single me out for being in other departments. I feel I cannot do my job without someone watching me, as if I am a slacker. I have to visit different areas when documents are emailed to me by co-workers from other departments. I sometime have to clarify them if the information is incorrect or if additional information is needed. I feel as though I can't leave my seat while I see him and others chatting all over the place. I feel singled out."

Continuing, Comr. Perkins mentioned that in the letter Ms. Wiggins stated that a Ms. Joclyn Mes, was hired with no experience as a Business Tax Receipt Technician. Her file was pulled and compared to other applicants and she was clearly not the most qualified. Human Resources was called out on it from an outside source and to this date they have not responded. She also mentioned in the letter that she applied for a Business Tax Inspector position but heard that it was given to "Ricardo" from a private firm. She feels she has been labeled because she has spoken out about how she feels. She went on to say she has been a Tech for four (4) years and there is no room for growth in the department.

Comr. Perkins explained her reason for bringing this matter up at this time. Prior to Ms. Wiggins' death, she had brought to her attention that while she was out sick, she was harassed by the City to come back to work. In addition, Comr. Perkins stated that she did not bring any of these matters to the City Manager's attention, however, she has a list of letters, twenty-three total, that she has been receiving since her election to office. These letters are about racism, discrimination, and prejudice experienced from people in the City of Pompano Beach. This is her first time bringing this matter to the attention of City Manager Harrison, because she did not want to jeopardize someone's job, but Ms. Wiggins has since passed away.

Comr. Perkins indicated that she would like to see the City make a systematic change, and mentioned several situations where employees had expressed to her that they felt they had been discriminated against. Therefore, she urged City Manager Harrison to do something within the departments to avoid dealing with "racism and discrimination."

Expressions of Appreciation - Comr. Perkins thanked all the Commissioners and the Mayor for supporting her during the time of the passing of her husband, Willie Moody. It was good to see her fellow Commission colleagues, which meant a great deal and she appreciated them coming out despite the pandemic situation. All the flowers, cards, food, and Broward Sheriff Office (BSO), who "Showed up and showed out," were all greatly appreciated. The visits and calls, as well as staff's expressions of sympathies was truly appreciated and made her loss for her beloved husband more bearable.

Mayor Hardin once again, on behalf of everyone, expressed deep sympathies for Comr. Perkins' loss.

City Manager Harrison indicated that everything that came from his office and staff were heartfelt and truly sincere.

Continuing, Mr. Harrison indicated that he is unaware as to how to address the comments made earlier by Comr. Perkins because it is a huge situation that she is bringing up regarding the letters she mentioned she had received. He stated that since he became City Manager in 2017, the City has hired several different people of color to help with diversity training in not only the Fire Department, but all departments throughout the City. Countless hours have been spent in educating the employees on what to do and what not to do. He feels the

City has a very sensitive staff who is able to handle any type of human relations problem that comes up. Whether it is racial or people needing more education or training regardless of color. The only thing that happens, is when an employee will try to go directly to elected officials to give them a sense of overbearing comfort, and that they can go around their supervisor or their department head, or the City Manager. Mr. Harrison assured Comr. Perkins that everyone that had a question regarding the reason of not being promoted has been responded to, and there is backup information for every employee that wrote those letters addressed to Comr. Perkins. There is a file that will show the efforts that were made, which is available for review. Therefore, he would be happy to oversee the activity, should Comr. Perkins decide to pursue this matter.

Furthermore, Mr. Harrison indicated that the City's Charter specifically prohibits employees going to elected members of the body, for good reason, and that is to avoid any elected official going out to hire friends and relatives and not paying attention to the laws of nepotism or things of that nature. He concluded that the management team does its best to try and run a fair and square operation in the City. Therefore, he requested that if any elected official should run up against anything like this, he urged them to have the confidence in him that he will take care of this without prejudice.

Comr. Perkins responded that it is easy for the City Manager to say what he is saying, but being an African-American female, she has experienced discrimination and have lost her job for speaking up. Therefore, she does understand what some of these employees are experiencing. In sum, Comr. Perkins indicated that she wanted to bring this matter to the City Manager's attention and hope to sit and talk about it because she is aware that the City Manager had brought consultants in to conduct a diversity course, which education is important for this. However, there has to be some kind of systematic change to be made in the City to make it more pleasant for employees.

Mr. Harrison indicated that the diversity classes have been held, but they had to stop doing them due to the COVID-19 situation. Nevertheless, he will be glad to sit down with Comr. Perkins at her convenience and discuss this matter further.

Vice Mayor Barry Moss - Disgruntled Employees Matter - Vice Mayor Moss commented that for Comr. Perkins to bring this topic up in a public forum that is televised is somewhat inappropriate. He reasoned that if she has been keeping these letters for four years, the time to bring these complaints to the City Manager would have been the day the letters were received, and avoid a build up of "ammunition to hit someone between the eyes with it." Therefore, she has put the City Manager in a position of "damned if he do and damned if he do not." In addition, discrimination, like beauty is in the eyes of the beholder. Therefore, he encouraged the Commissioner if she receives these types of complaints or letters in the future, to immediately take it up with the City Manager to avoid a festering of these kinds of resentments and complaints. In sum, he opined that this is not the appropriate place to bring this matter up.

Testing Sites for COVID-19 - Vice Mayor Moss complimented the City Manager for again, "pulling a rabbit out of his hat." He has arranged for COVID-19 testing at the Herb Skolnick Center in Palm Aire and the McNair Center in Collier City and asked if the schedule was available at this time.

Mr. Harrison asked Kimberly Spill-Cristiano to provide an update on this.

Kimberly Spill-Cristiano, Emergency Operations Manager, indicated that they will be going through the logistics tomorrow morning, Wednesday, July 29, and as soon as they have the details it will be sent out to all six City Commission members.

Vice Mayor Moss then wished everyone a very restful August and look forward to seeing everyone in September.

Comr. Perkins' Response to Vice Mayor's Comments on inappropriateness - Comr. Perkins asked if she could respond to Vice Mayor Moss' comments of the inappropriateness of bringing up the matter that she did earlier. She mentioned that there have been a number of inappropriate things that happened at the City Commission meetings, as far as disrespect on her behalf, but she allowed it and did not make any comments on it. However, this matter was her time to bring it up. So, while it might not be the right timing for Vice Mayor Moss or what he wanted to talk about, the bottom line is that if he had any comment that she may not agree with, which at times she did, but she would still listen.

Mayor Rex Hardin - August Hiatus - Mayor Hardin urged the City Commission to enjoy the break in August, which does not necessarily mean they would not be working. He hopes no hurricane will be added to the list of things that have been experienced since the year began.

Wearing of Masks - Mayor Hardin reminded the public to wear their masks. He urged them to wear their masks which will protect not only the individual but others to include their loved ones. It is important and not a fashion statement to keep everyone safe.

2020 Census - Mayor Hardin reinforced the comments regarding the 2020 Census. He stated if people have not done it yet they should go on line to answer the census because it is really important.

Homelessness - Mayor Hardin asked City Manager Harrison to get a staff member to look into Bergen County, New Jersey handling of homelessness. He has read articles on Bergen County that they were certified by HUD as the first community in the country to end chronic homelessness, which took place a few years ago. He is aware that the Broward Sheriff's Office (BSO) deputies are trying to do their best, but the City cannot arrest its way out of homelessness. While it is not a crime to be homeless, it is a big problem in the communities of South Florida. So if a County like Bergen can do it and they are very close to the big metropolitan area of New York, then it is worth checking into how they were able to accomplish this feat. So, perhaps the City could copy their methods and to better handle the homeless situation and to get the people off the streets. This is a challenge to the City Manager.

Mayor Hardin reiterated the sentiments that everyone enjoy a restful August and he hopes to see everyone in September.

E. NEXT SCHEDULED VIRTUAL MEETING

July 8, 2020 at 1:00 p.m.

F. ADJOURNMENT

The meeting adjourned at 5:50 p.m.

Rex Hardin, Mayor

Asceleta Hammond, City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Hardin, Rex	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City of Pompano Beach Commission
MAILING ADDRESS 131 Southeast 7th Street	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY COUNTY Pompano Beach FL 33060 Broward	NAME OF POLITICAL SUBDIVISION:
DATE ON WHICH VOTE OCCURRED July 28, 2020	MY POSITION IS: <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies equally to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing the reverse side and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which inures to his or her special private gain or loss. Each elected or appointed local officer also is prohibited from knowingly voting on a measure which inures to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent organization or subsidiary of a corporate principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you otherwise may participate in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on other side)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Rex Hardin, hereby disclose that on July 28, 2020.

(a) A measure came or will come before my agency which (check one)

- ☒ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of _____, by
whom I am retained; or
- ☐ inured to the special gain or loss of _____, which
is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Under the provisions of Florida Statutes, Section 286.012 and Section 112.3143, at the Pompano Beach City Commission Meeting held on July 28, 2020, I abstained from voting on the following Item:

16. 20-480

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO FORD LINCOLN, INC.: PROVIDING AN EFFECTIVE DATE.

The nature of the conflict, which I orally disclosed prior to the vote on this item, is that I have a voting conflict due to a prior business relationship with Pompano Ford and Holman Auto, although not currently. Therefore, to avoid the appearance of impropriety, I abstained from voting on the item.

August 3, 2020

Date Filed

Signature _____

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

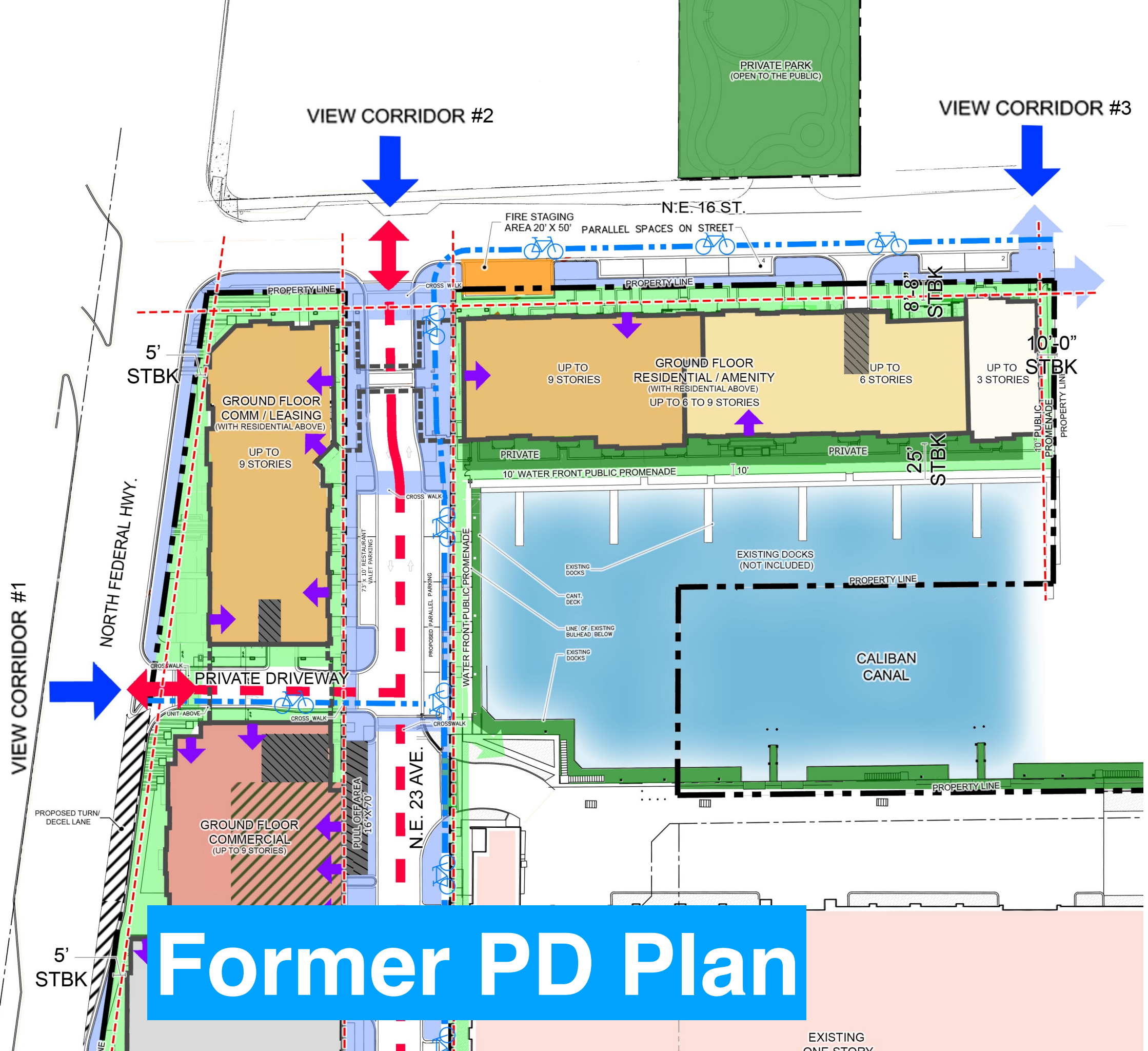


HIDDEN HARBOUR

APPLICATION FOR PLANNED DEVELOPMENT (PD-I)

MAY 22ND, 2019

PD PLAN



Former PD Plan

VIEW CORRIDOR #2

PRIVATE PARK
(OPEN TO THE PUBLIC)

N.E. 16 ST.

FIRE STAGING
AREA 20' X 50' PARALLEL SPACES ON STREET

5'
STBK

PROPERTY LINE

CROSS WALK

PROPERTY LINE

GROUND FLOOR
COMM / LEARNING
(WITH RESIDENTIAL ABOVE)

UP TO
9 STORIES

UP TO
9 STORIES

GROUND FLOOR
RESIDENTIAL / AMENITY
(WITH RESIDENTIAL ABOVE)
UP TO 6 TO 9 STORIES

PRIVATE

10' WATER FRONT PUBLIC PROMENADE

EXISTING DOCKS
(NOT INCLUDED)

EXISTING
DOCKS

CANT.
DECK

LINE OF EXISTING
BULHEAD BELOW

73' X 10' RESTAURANT
VALET PARKING

CROSS WALK

SED PARALLEL PARKING

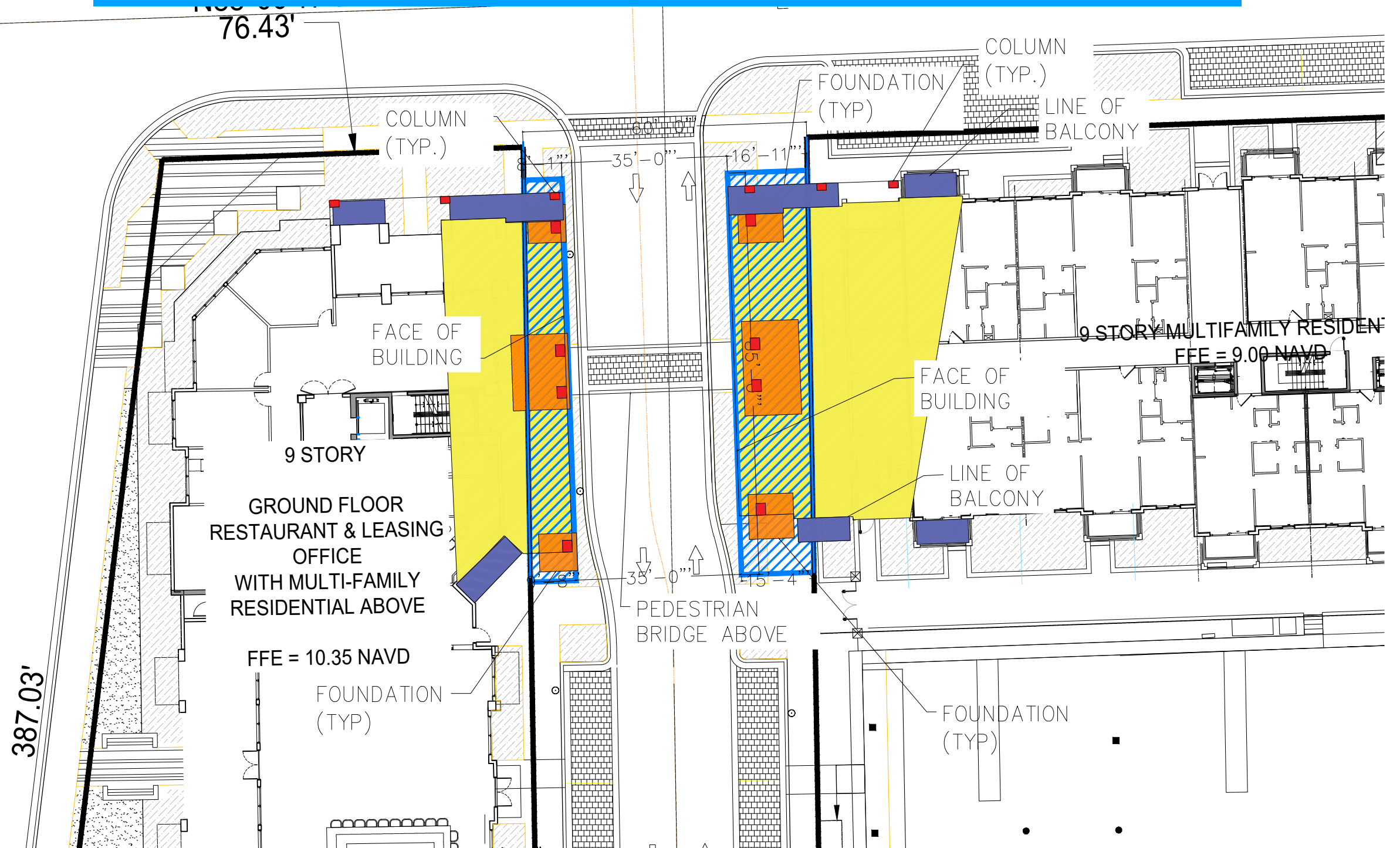
ONT. PUBLIC PROMENADE

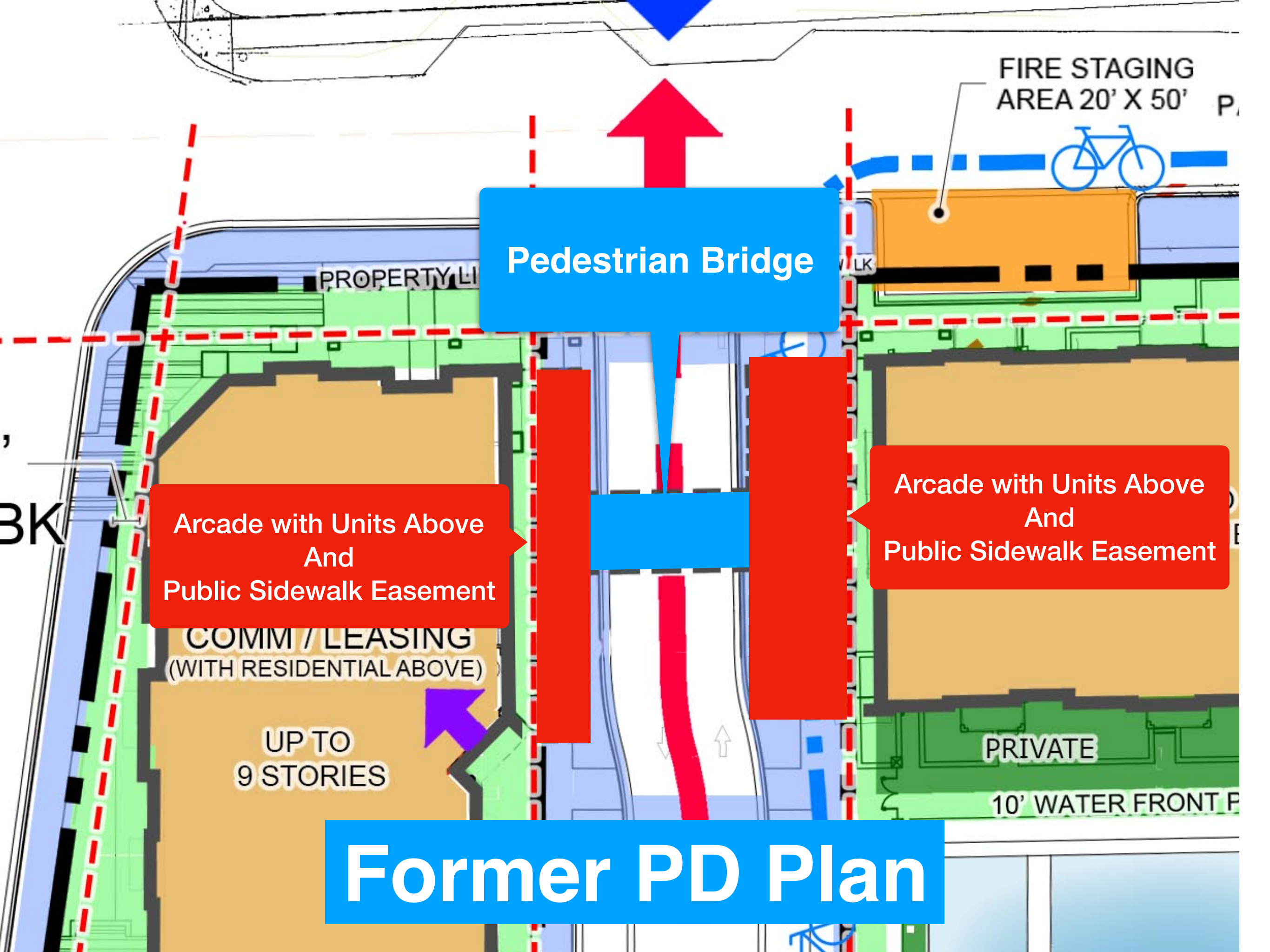
NORTH FEDERAL HWY.

Former PD Plan

VIEW CORRIDOR #1

Former PD Plan — ROW



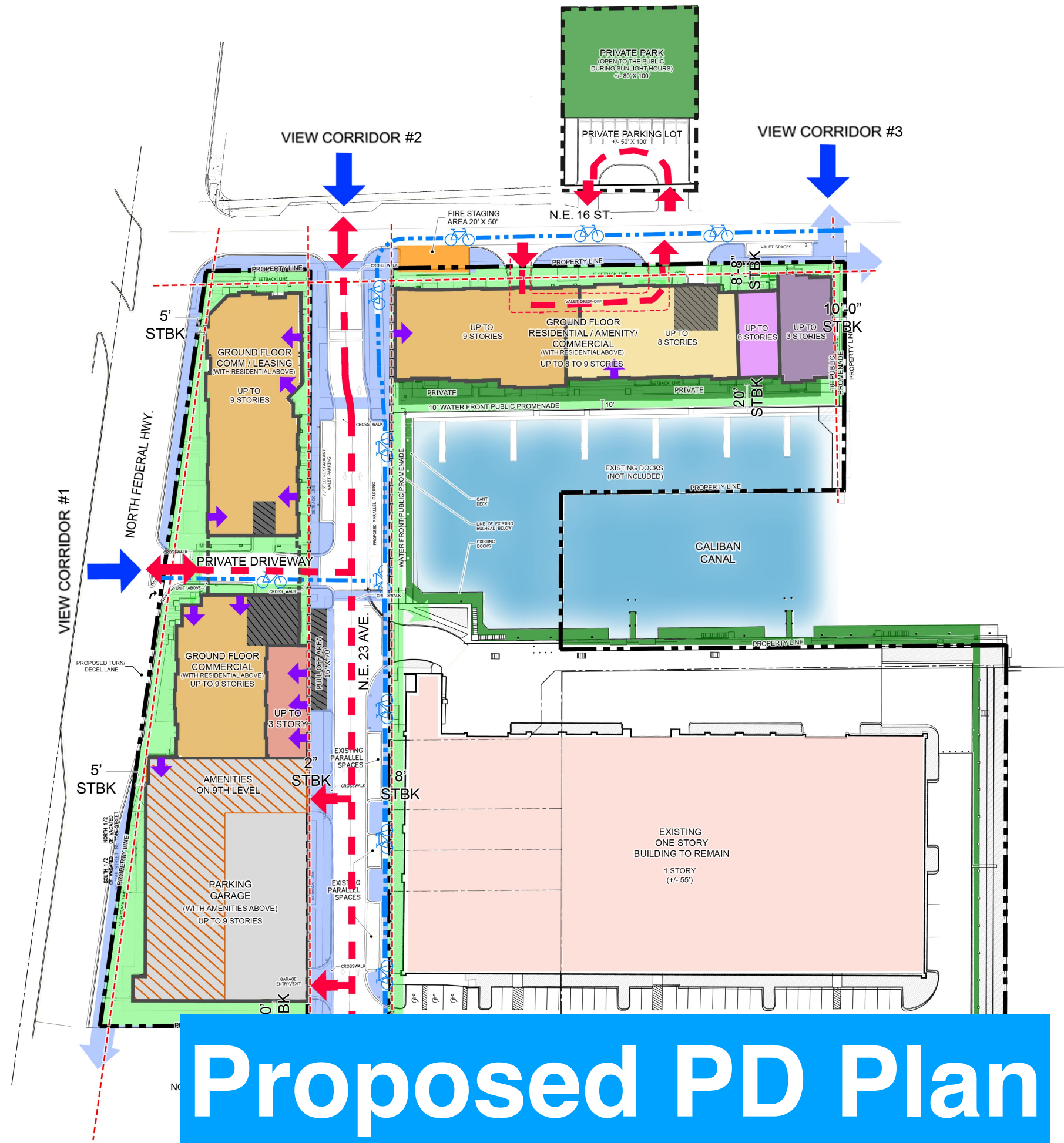


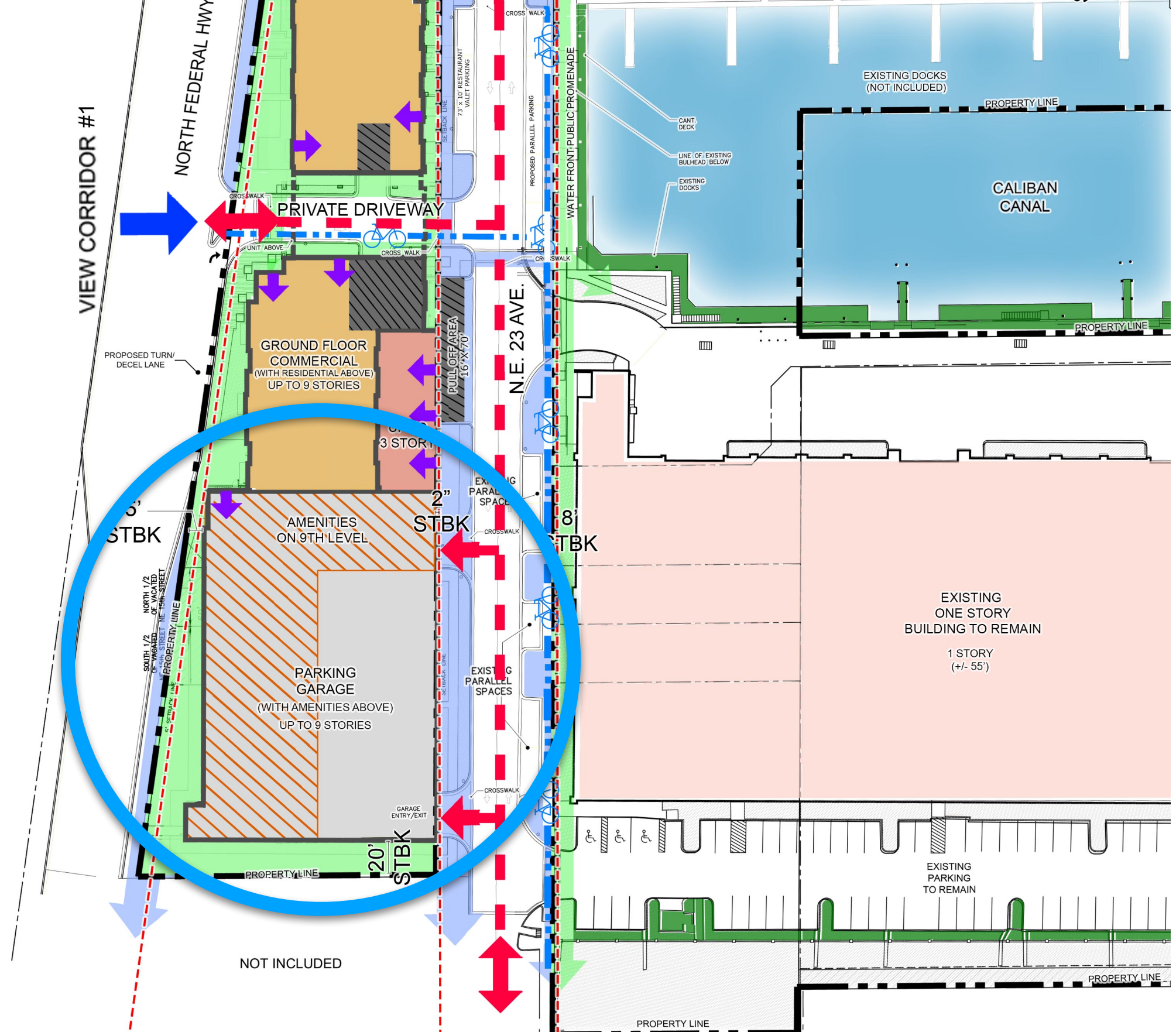
Pedestrian Bridge

Arcade with Units Above
And
Public Sidewalk Easement

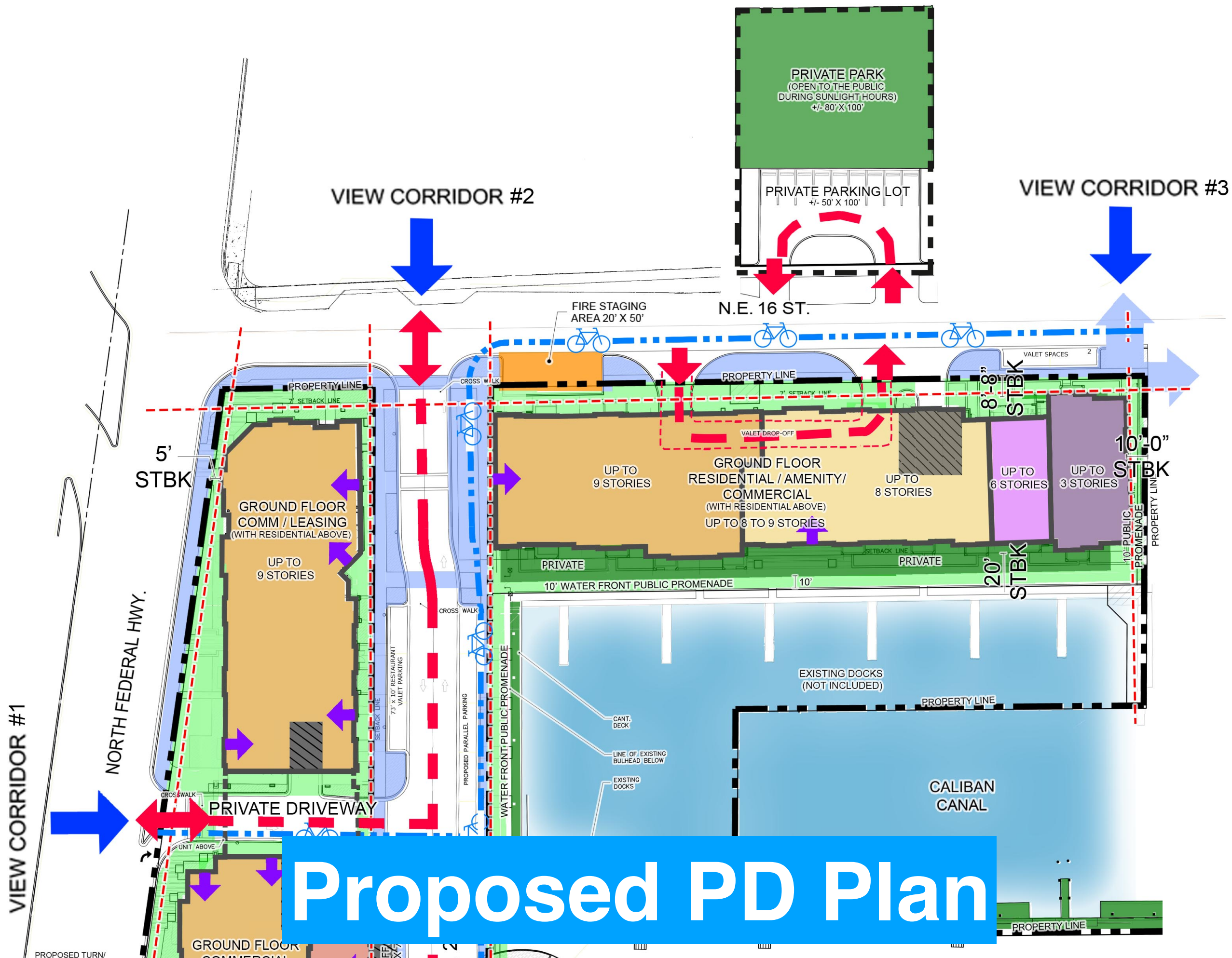
Arcade with Units Above
And
Public Sidewalk Easement

Former PD Plan





Proposed PD Plan



Proposed PD Plan

VIEW CORRIDOR #2

PRIVATE PAR
+/- 50' X 10'

N.E. 16 ST.

FIRE STAGING
AREA 20' X 50'

5'
STBK

GROUND FLOOR
COMM / LEASING
(WITH RESIDENTIAL ABOVE)

UP TO
9 STORIES

UP TO
9 STORIES

GROUND FLOOR
RESIDENTIAL / AMENITY /
COMMERCIAL
(WITH RESIDENTIAL ABOVE)
UP TO 8 TO 9 STORIES

PRIVATE

10' WATER FRONT PUBLIC PROMENADE

EXISTING D
(NOT INCL

No Bridge / No Arcade

LINE OF EXISTING
BULHEAD BELOW

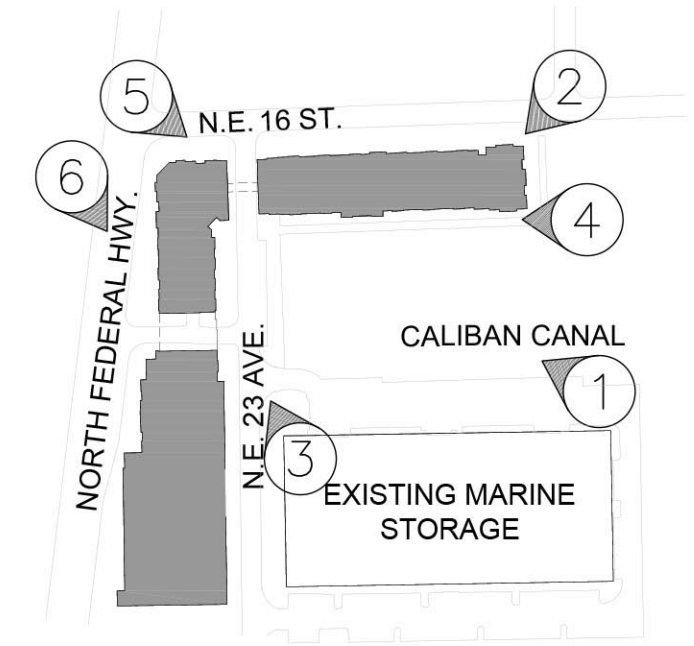
NORTH FEDERAL HWY.



5 VIEW LOOKING SOUTH-EAST
FROM CORNER OF NE 16TH ST AND US-1 FED HWY



5 VIEW LOOKING SOUTH-EAST
FROM CORNER OF NE 16TH ST AND US-1 FED HWY
WITHOUT BRIDGE



KEYPLAN
SCALE: N.T.S.

RENDERING

NOT TO SCALE

MSA ARCHITECTS, INC.
AA0000895
8950 SW 74th COURT
MIAMI, FLORIDA 33156
(305) 273-9911

MSA ARCHITECTS
ARCHITECTURE & PLANNING
COPYRIGHT © 2019, MSA ARCHITECTS, INC. THE ARCHITECTURAL DESIGN AND DETAIL DRAWINGS FOR THIS BUILDING AND/OR OVERALL PROJECT ARE THE LEGAL PROPERTY OF AND ALL RIGHTS ARE RESERVED BY THE ARCHITECT. THEIR USE FOR REPRODUCTION, CONSTRUCTION, OR DISTRIBUTION IS PROHIBITED UNLESS AUTHORIZED IN WRITING BY THE ARCHITECT.

HARBORSIDE AT
HIDDEN HARBOUR
FOR:
AMP IV-HIDDEN HARBOUR, LLC
LOCATED AT:
POMPANO BEACH, FLORIDA

BEATRIZ M. HERNANDEZ
AR0094576

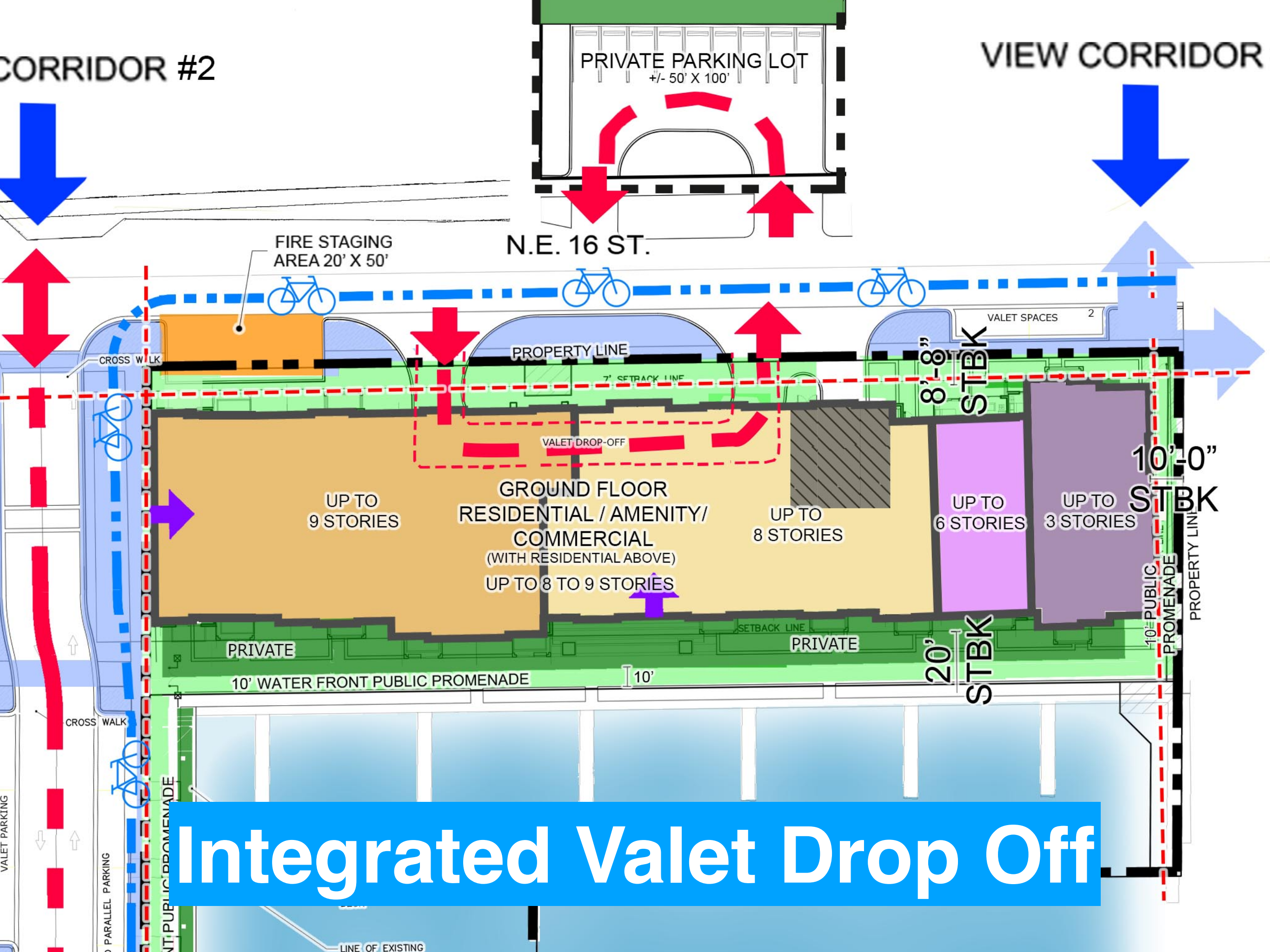
DRAWN
DATE
SCALE AS SHOWN
JOB NO. 1828

RENDERING

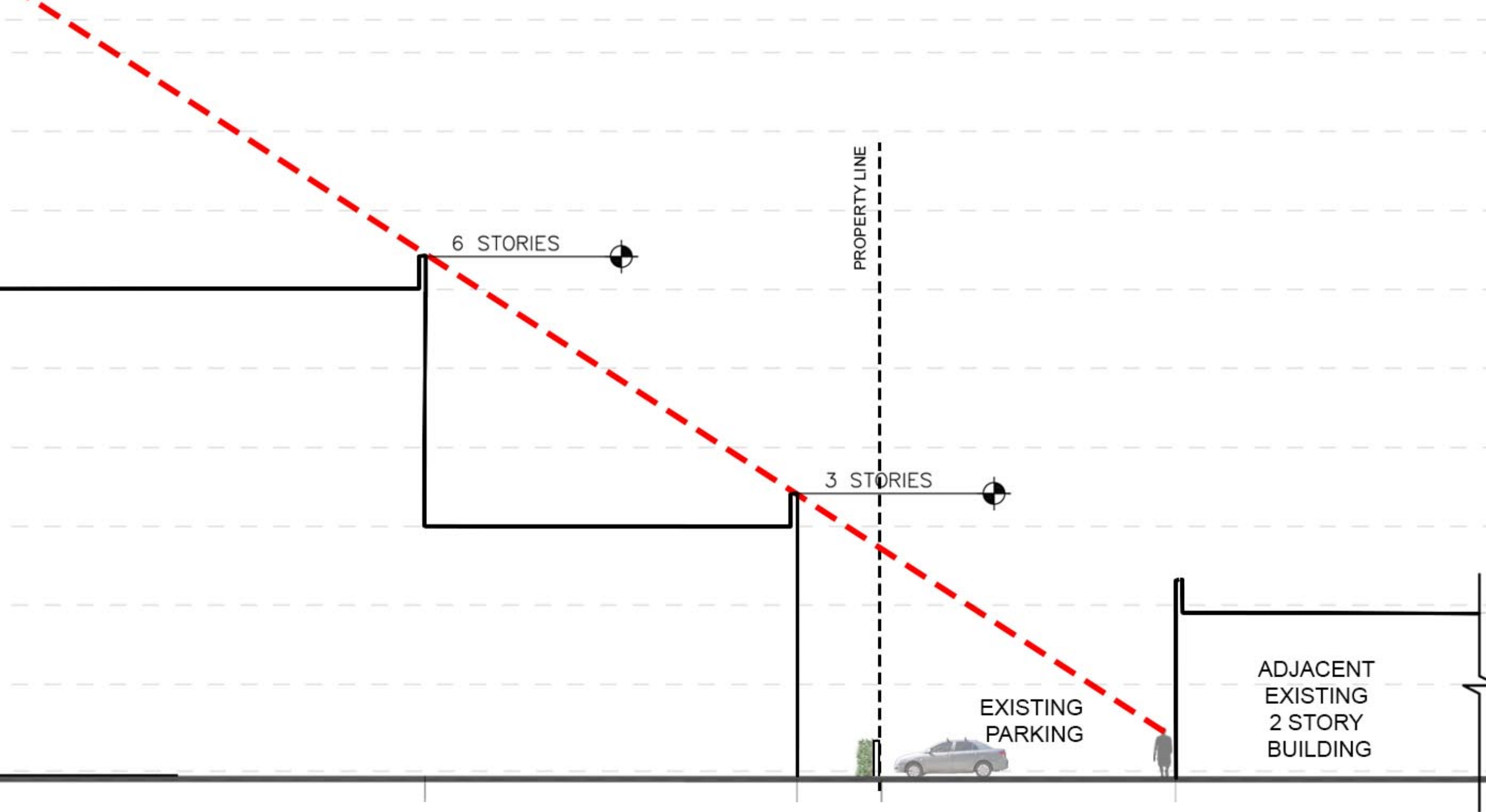
SHEET NUMBER:
A-0.5

CORRIDOR #2

VIEW CORRIDOR



Integrated Valet Drop Off



Former PD Plan

Former Plan Height Transition Along 16 Street

First 55 Feet

Three Stories

55 Feet to 200 Feet

Six Stories

Beyond 200 Feet

Nine Stories

Proposed Plan Height Transition Along 16 Street

First 55 Feet

Three Stories

55 Feet to 80 Feet

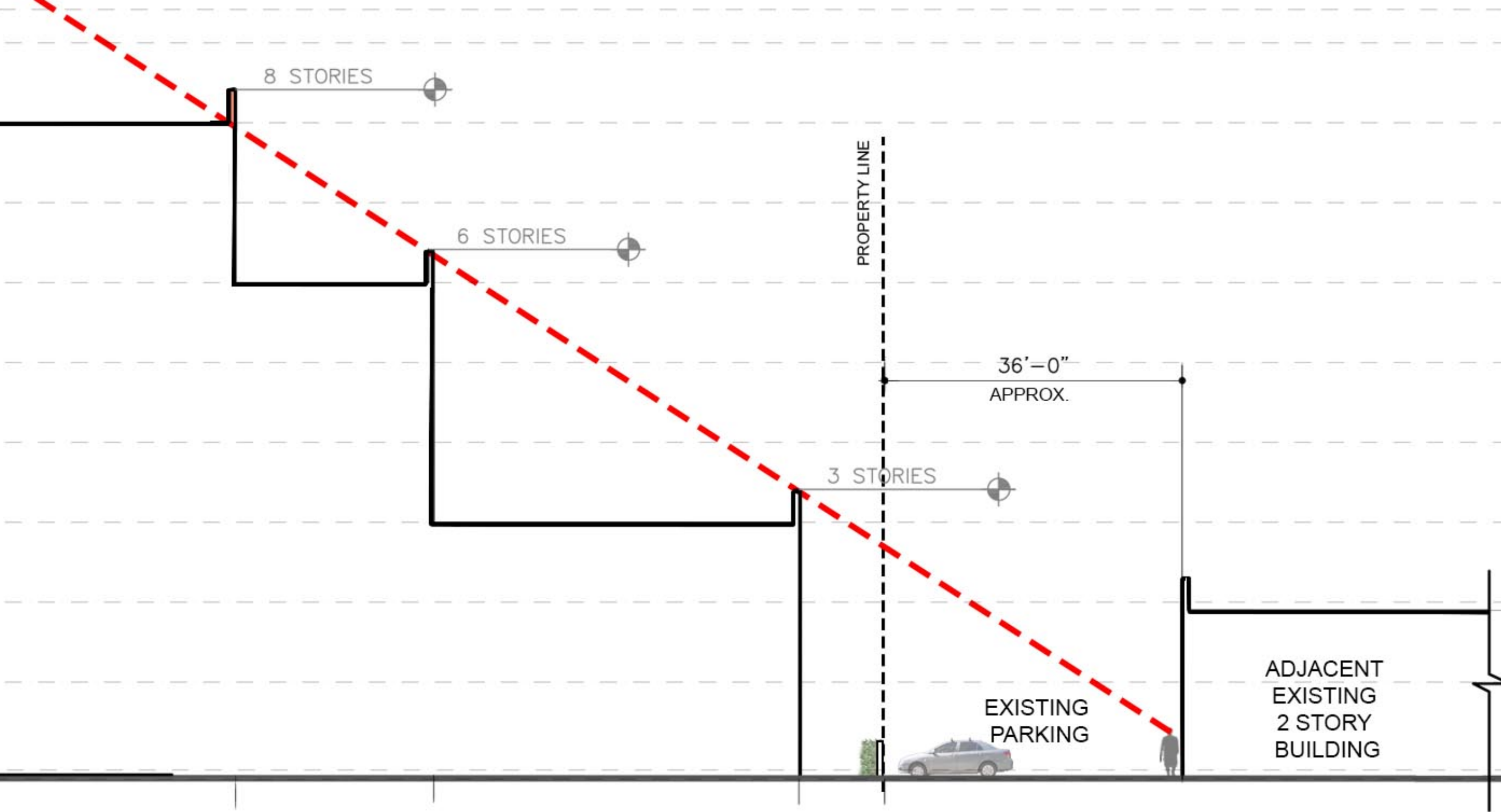
Six Stories

90 Feet to 195 Feet

Eight Stories

Beyond 195 Feet

Nine Stories



Proposed PD Plan

An aerial photograph showing a waterfront area. In the upper left, a large, light-colored building with a flat roof is labeled 'Mixed-Use Building'. To its right is a parking lot with several cars. Below the building, a road runs horizontally. To the right of the road is a boat ramp with several boats docked. Further right is a parking lot with many cars. The bottom of the image shows a body of water with more boats docked. A blue rectangular overlay is positioned in the lower-left quadrant, containing the text 'Start of 9 Story Element' in white.

Mixed-Use Building

**Start of 9 Story
Element**

ECONOMIC ANALYSIS

Miami Economic
Associates, Inc.

January 9, 2020

Mr. Greg Harrison
City Manager
City of Pompano Beach
100 W. Atlantic Boulevard
Pompano Beach, FL 33060

**Re: Economic and Fiscal Benefits Analysis
Hidden Harbour Planned Development**

Dear Mr. Bird

Miami Economic Associates, Inc. (MEAI) has performed an analysis to estimate the economic and fiscal benefits that will accrue to the City of Pompano Beach from the development of the proposed Hidden Harbour Planned Development. The Subject Project will be developed on a 6.9 net acre site that is predominantly located south of NE 16th Street and east of Federal Highway. The analysis we performed also estimated the benefits that would accrue to other jurisdictions that affect the lives of City of Pompano Beach residents including Broward County, the Broward County Public School District, the North Broward Hospital District and the Children's Services Council of Broward County. The purpose of this letter report is to summarize the results of MEAI's analysis.

The Subject Project will consist of the following elements: 1) marine uses including boat storage, boat repair and slips which already exist and which are located east of NE 23rd Avenue; and 2) 300 rental apartment units together with 10,000 square feet of new commercial space on the ground floor of the residential buildings that front on Federal Highway. The project will also provide a privately-owned park which will be accessible to the public on a lot on the north side of NE 16th Street.

With respect to the proposed rental apartments, it is anticipated that approximately 43 percent will be one-bedroom units averaging 694 square feet in size, 50 percent will be two-bedroom units averaging 1,109 square feet and 7 percent will be three-bedroom units averaging 1,220 square feet. The units are expected to rent at an average rate

6861 S.W. 89th Terrace Miami, Florida 33156
Tel: (305) 669-0229 Fax: (866) 496-6107 Email: meaink@bellsouth.net



**ANALYSIS FOCUSED ON
REDEVELOPMENT AREA**

**EXCLUDES VALUE OF
RETAINED MARINA**

ECONOMIC BENEFITS

\$2,225,000

**City Permit / Impact / Affordable
Housing Fees**

JOB CREATION

726 Temporary Jobs

50-75 New Permanent Jobs

Local Workforce Hiring

The Owner shall use all commercially reasonable efforts to (i) utilize the local business community as well as the local workforce in the development of the Property; (ii) recruit and retain qualified community based small businesses; (iii) hire and ensure the retention of qualified employees regardless of race, color, religion, ancestry, national origin, sex, pregnancy, age, disability, marital status, familial status or sexual orientation, and (iv) **achieve an aspirational goal of awarding at least 10% of the construction contracts (based on the total construction costs of the project) to minority businesses to the extent permitted by law.** The Owner agrees to hire a consulting firm with expertise in this area to manage and assist with the development and administration of the ongoing programming, as a good faith effort to guarantee its overall success.

ECONOMIC BENEFITS

\$378,213

City Annual Ad Valorem

City's Ad Valorem Increased 20X

**\$4.28 Million Spent Annually by
Residents on Retail and Food/
Beverage**

IMPLEMENTATION

Major Site Plan Approval

Airpark Obstruction Review

IMPLEMENTATION

2 Traffic Studies:

Maneuverability within Project

**Intersections of 14 Street at 23
Avenue and Federal Highway**

Must Address Any Deficiencies



HIDDEN HARBOUR

APPLICATION FOR PLANNED DEVELOPMENT (PD-1)

MAY 22ND, 2019

Valet System 16 Street Building

Cars in PM Peak

**78 trips
(46 in, 29 out)**

Valet Queue Required

4 spaces

Valet Queue Provided

**5 stacking spaces + 9
parking spaces**

*Pompano
Beach
Sustainability
Strategy*

City Commission Meeting

Agenda

1. Project Overview
2. Existing Conditions Assessment
3. Benchmarking
4. Assessment & Benchmarking Results
5. Strategic Analysis
6. Vision
7. Focus Areas
8. Work Plan

Project Overview

- » High-level, strategic planning to establish a **sustainability vision**
- » Establish a **roadmap for implementation**



Project Overview

» Tasks

- Existing Conditions Assessment
 - *Commissioner Interviews*
 - *Staff Interviews*
 - *Literature Review*
- Benchmarking
 - *Literature Review*
 - *Interviews*
- Strategic Analysis
- Collaborative Workshop
- Sustainability Strategy



Existing Conditions

- » Staff & Commissioner Interviews
- » Review of Pompano Beach Plans and documents:
 - City Website
 - Municipal Code
 - Strategic Plan
 - Comprehensive Plan
 - SWMP
 - Vulnerability to SLR Report
 - Sustainable Development Standards
 - Operating Budget



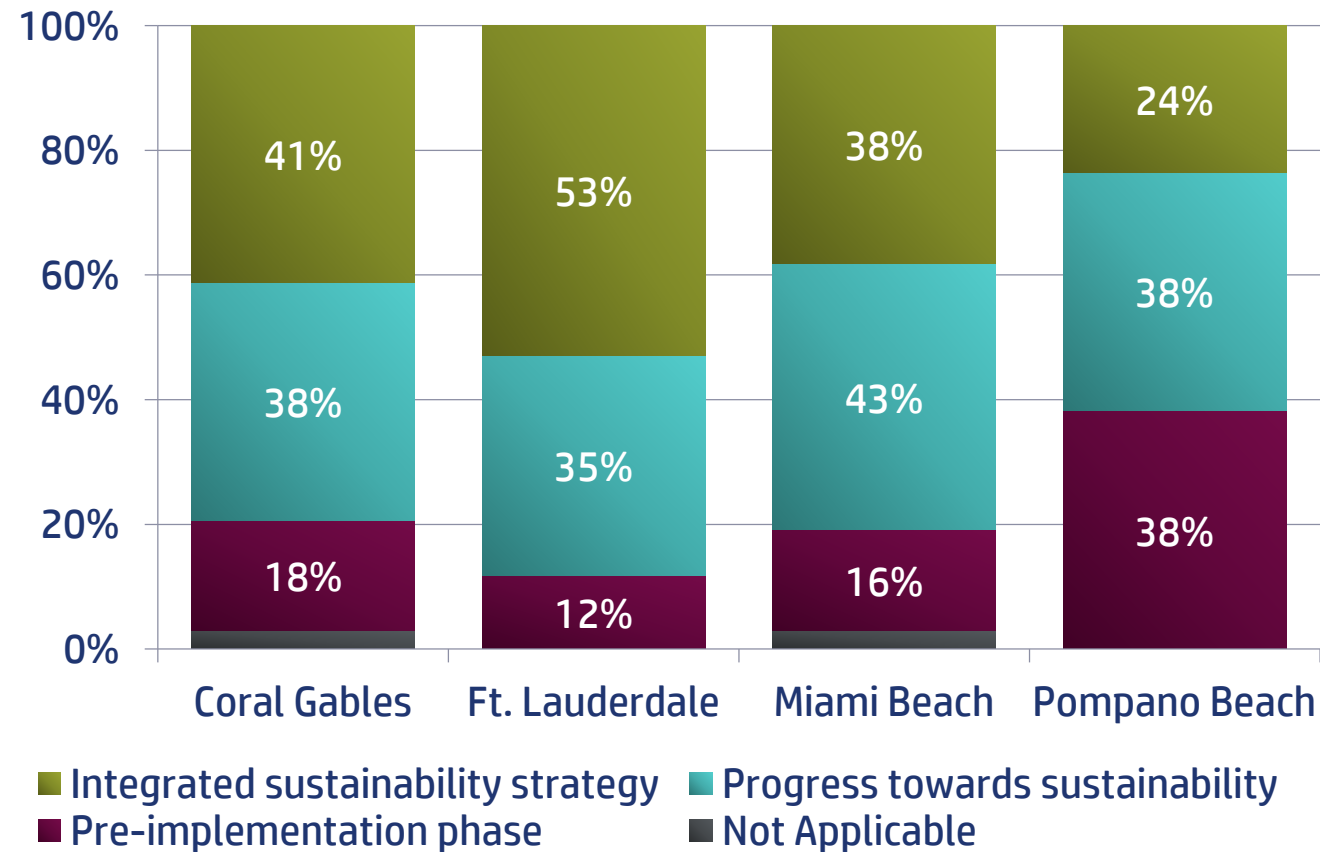
Benchmarking

- » Peer Cities:
 - Coral Gables
 - Fort Lauderdale
 - Miami Beach
- » Online research
 - City websites
 - Municipal code
 - Planning documents
- » Interviews
 - With Sustainability Coordinators



Baseline & Benchmarking Results

- » Overall performance:
 - Pompano Beach has done a lot!
 - Some progress on ~62% of elements assessed
 - Significant progress on 24%
 - 38% not yet addressed
 - The 3 peer cities have sustainability divisions and have completed SAP's



Strategic Analysis

Strengths	<ul style="list-style-type: none">• Leadership commitment and support• Integration into the Strategic Plan• Sustainability Coordinator staff position• Staff awareness and interest• Regulatory commitments to promoting green building• Water utility initiatives• Financial position	Weaknesses	<ul style="list-style-type: none">• Quantitative baseline• Greenhouse Gas management• Planning framework• Implementation policies and procedures• Data management and reporting• Strategic stakeholder engagement• Established funding streams
Opportunities	<ul style="list-style-type: none">• Sustainability / resilience program• Cost savings / productivity gains / risk reduction / increase in adaptive capacity• Update to Comprehensive Plan• Seawall regulation• Innovation District• New transit infrastructure• Rapid technological innovation	Threats	<ul style="list-style-type: none">• Climate change impacts• Public opinion / greenwashing• Rapid growth• Water supply• Automobile dependence• Social equity• Supply chain laggards / anti-sponsors• Misalignment with higher levels of gov't

Vision

The City of Pompano Beach is committed to protecting and improving environmental quality, community cohesion and shared prosperity through innovative investment in climate change resilience, resource conservation and materials management, land use and transportation, and education and culture.

Sustainability Focus Areas



Climate & Resilience

- Seawalls
- GHG Inventory
- Flood Risk Management
- Climate Action Plan
- Stormwater Management
- Carbon Mitigation / Sequestration
- Hazard Mitigation
- Sea Level Rise
- Saltwater Intrusion



Resource Conservation

- Green Building
- Water Use
- City Facilities and Infrastructure
- Irrigation / Reclaimed Water
- Electronics and Equipment
- Stormwater and Wastewater
- Renewable Energy



Materials Management

- Waste Generation & Pickup Services
- Composting
- Sustainable Procurement
- Disposal
- Materials Bans
- Universal & Hazardous Wastes
- Recycling

Sustainability Focus Areas



Land Use & Transportation

- Zoning and Land Development
- Open Space
- Urban Forestry
- Comprehensive Planning
- Transit
- Adaptation Action Areas
- Bicycle and Pedestrian Network
- Innovation District
- City Fleet Management



Equity & Outreach

- Race and Diversity
- Affordable Housing
- Public Safety
- Health & Wellness
- Employee Engagement
- Food Security
- Stakeholder Engagement
- Workforce Development
- Public Outreach



Policy & Economics

- Strategic Plan
- Sustainability Reporting
- Sustainable Development Standards
- Data Management Systems
- Capital Improvements
- Financial Performance
- Smart City
- Sustainability Funding

Sustainability Work Plan



Work Plan In Action

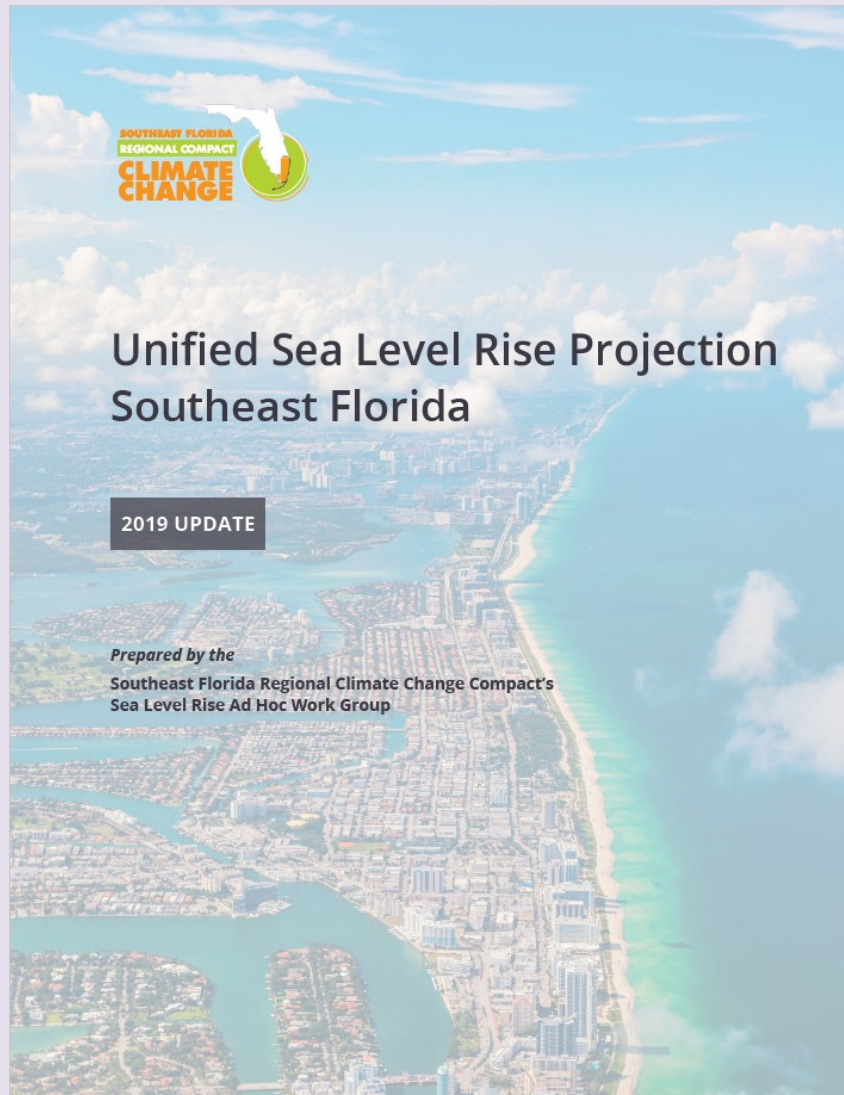
		Sustainability Master Plan Step							
		1	2	3	4	5	6	7	8
Comprehensive Plan Element	Future Land Use								
	Transportation								
	Housing								
	Recreation and Open Space								
	Public School Facilities								
	Sanitary Sewer								
	Potable Water								
	Stormwater								
	Solid Waste								
	Conservation								
	Coastal Zone Management								
	Climate Change								
	Intergovernmental Coordination								
	Capital Improvements								

Work Plan in Action

- » DEO Community Planning Technical Assistance Grant submitted June 5 for Step 1 of Sustainability Work Plan
- » DEP Resilient Coastlines Program Grant to be submitted after August 1 for Step 2 of Sustainability Work Plan
- » Sea Level Rise Projection Update (next item on agenda) also supports Step 2 of Work Plan



RS&H



Utilizing the Updated SLR Projections

*Slides Prepared by: Nancy Gassman, Ph.D.
City of Fort Lauderdale/SE Florida Climate Change Compact*

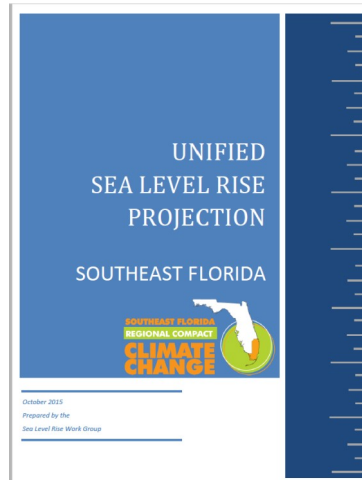
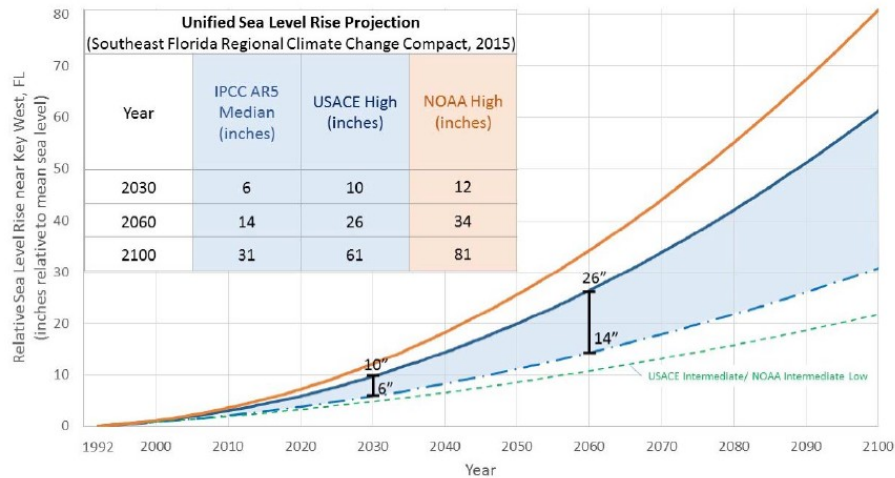
City Commission: July 28, 2020

Topics include:

- 2015 versus 2019 Projection
- Selecting a curve
- SLR in NAVD 88



2015 versus 2019 Projection



How do these
two projections
compare?

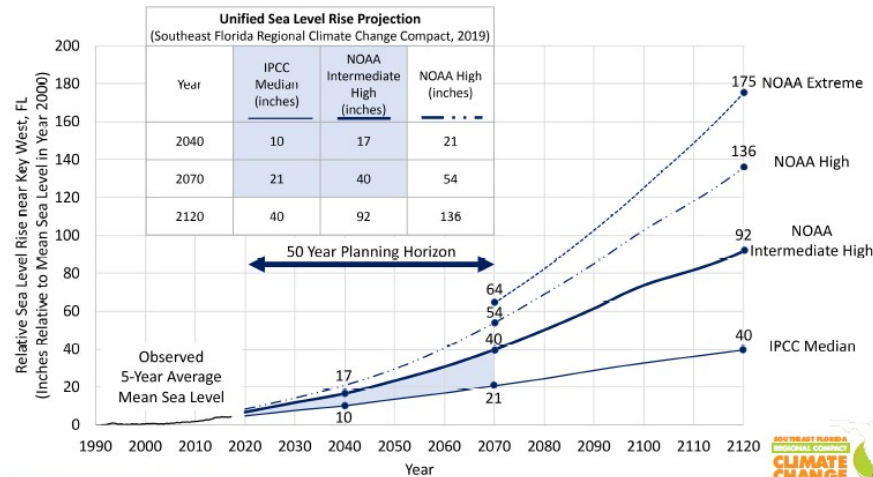


FIGURE 1: Unified Sea Level Rise Projection

2015 versus 2019 Projection

- 1992 vs 2000 Baseline: Difference in MSL comparing 1992 to 2000 is > 1 inch
- 2015 versus 2019: Lowest curve ↑2-3 inches for 2030 planning horizon
- Higher curves ↑7-22 inches after 2060 planning horizon

TABLE 2: Comparison of Unified Projection in 2015 and 2019 at Key West

UNIFIED SEA LEVEL RISE PROJECTION COMPARISON						
Year	High Adaptability		↔		Low Adaptability	
	2015	2019	2015	2019	2015	2019
	IPCC Median Global (inches)	IPCC Median Regional (inches)	USACE High (inches)	NOAA Intermediate High (inches)	NOAA High (inches)	NOAA High (inches)
2030	6	8	10	12	12	14
2060	14	17	26	31	34	41
2100	31	33	61	74	81	103

Note: The NOAA Extreme curve values are not included in the table because there was not a comparable curve in the 2015 projection.

Selecting a Curve

Which curve should I use when considering siting and design of infrastructure projects?

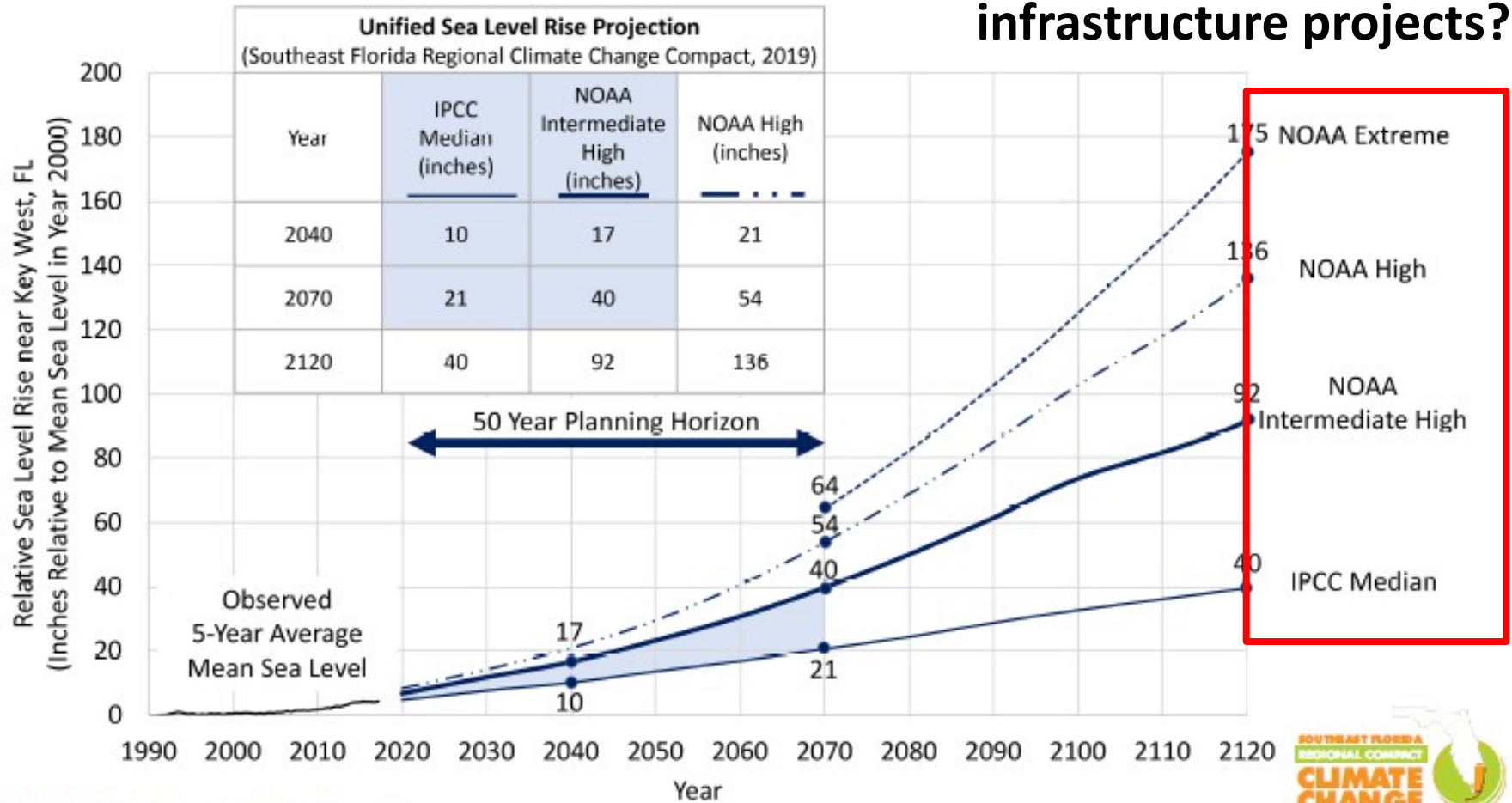


FIGURE 1: Unified Sea Level Rise Projection



Selecting a Curve

What is the intersection of my planning horizon and the project adaptability and risk tolerance?

Unified Sea Level Rise Projection
(Southeast Florida Regional Climate Change Compact, 2019)

The diagram illustrates the intersection of a planning horizon and project adaptability/risk tolerance. A vertical double-headed arrow on the left indicates the 'Planning Horizon' from 'Short' at the top to 'Long' at the bottom. A horizontal double-headed arrow at the bottom indicates 'Adaptability/ Risk Tolerance' from 'High' on the left to 'Low' on the right. A table in the center provides sea level rise projections for three scenarios: IPCC Median, NOAA Intermediate High, and NOAA High, across three years: 2040, 2070, and 2120. The table is structured with the planning horizon on the vertical axis and risk tolerance on the horizontal axis.

Year	IPCC Median (inches)	NOAA Intermediate High (inches)	NOAA High (inches)
2040	10	17	21
2070	21	40	54
2120	40	92	136

Planning Horizon
Short
Long

Adaptability/ Risk Tolerance
High
Low

Selecting a Curve

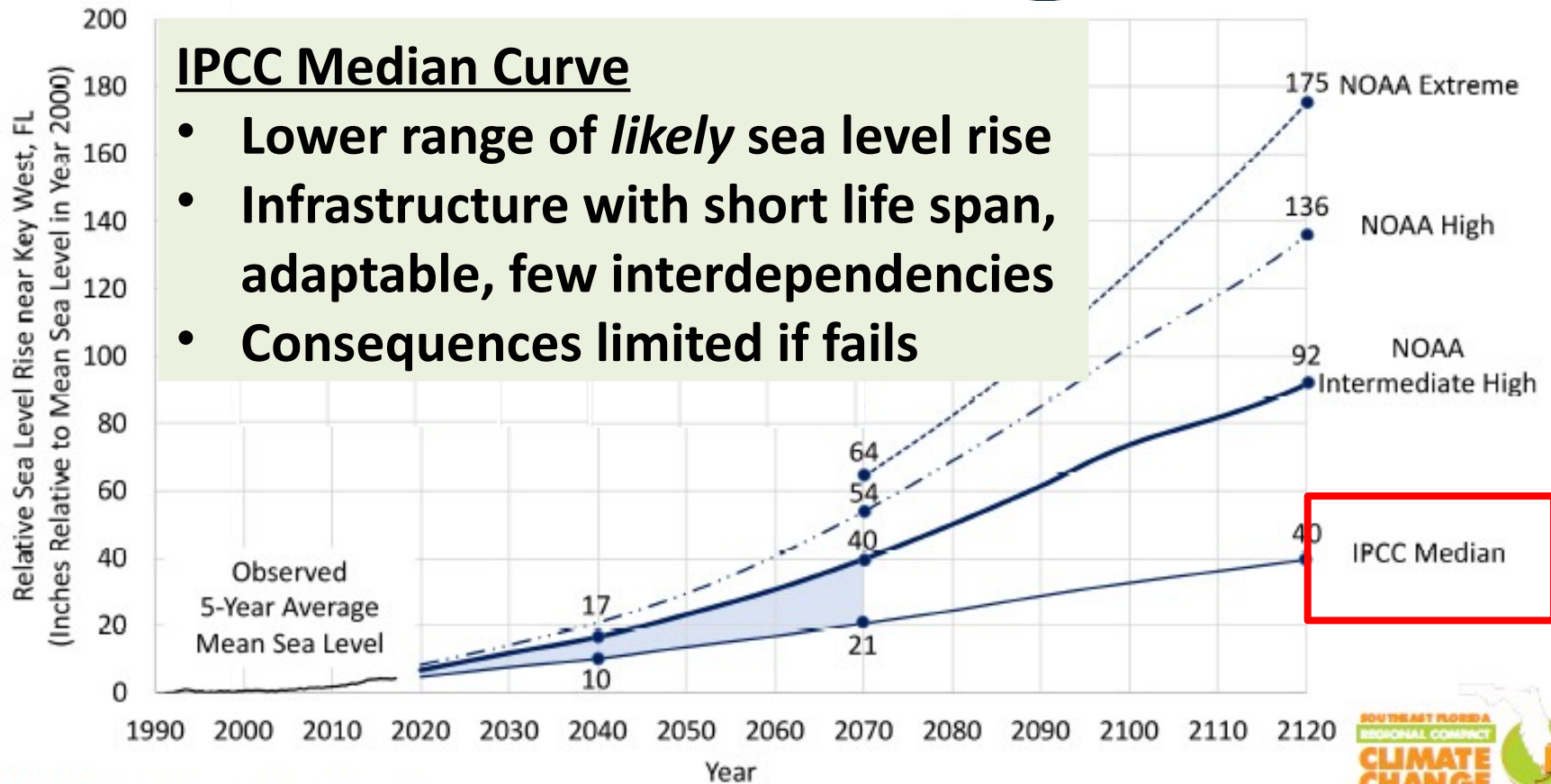
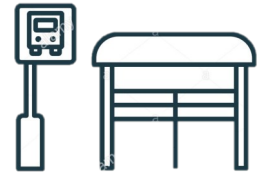


FIGURE 1: Unified Sea Level Rise Projection



Selecting a Curve

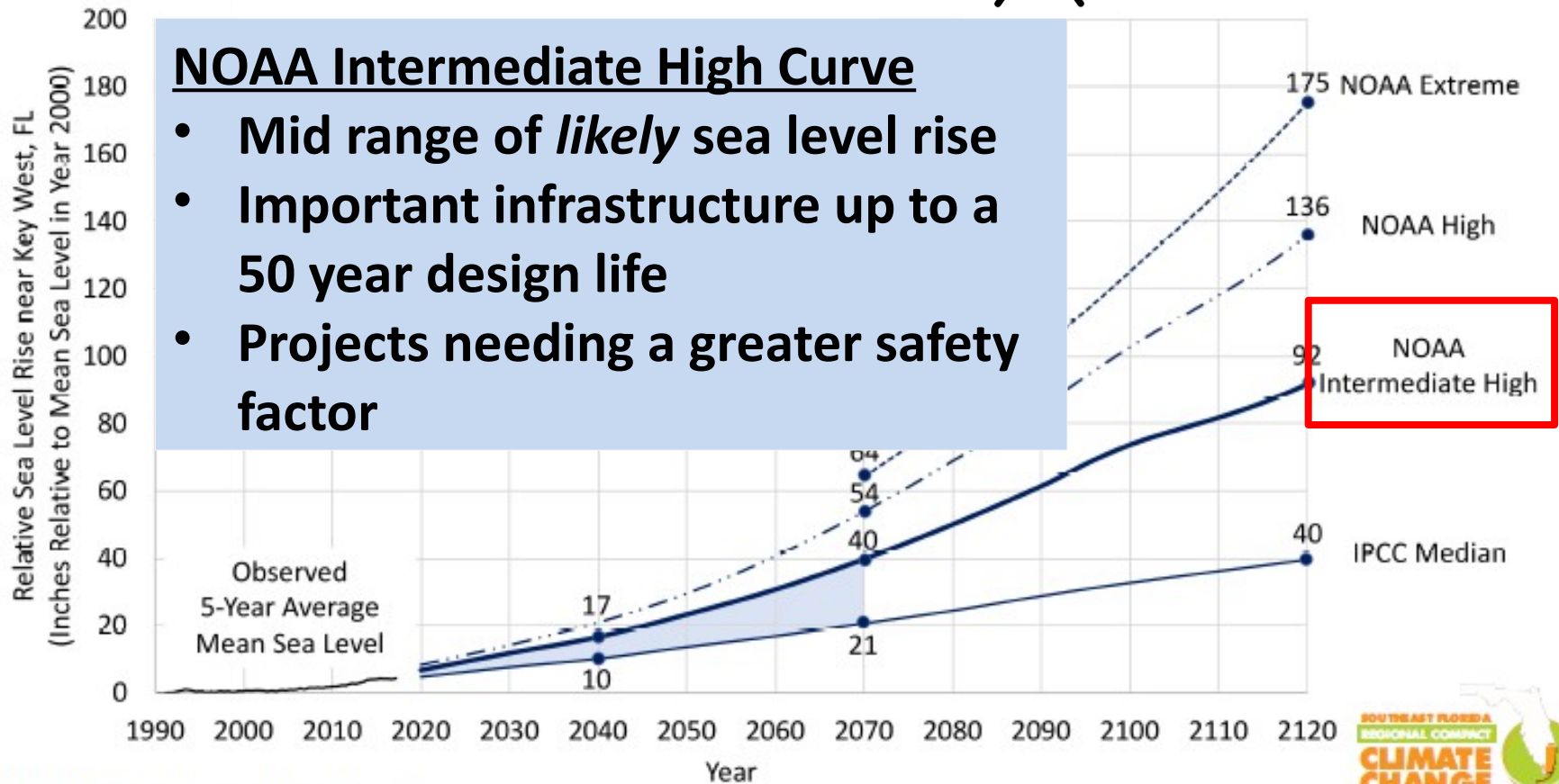


FIGURE 1: Unified Sea Level Rise Projection



Selecting a Curve

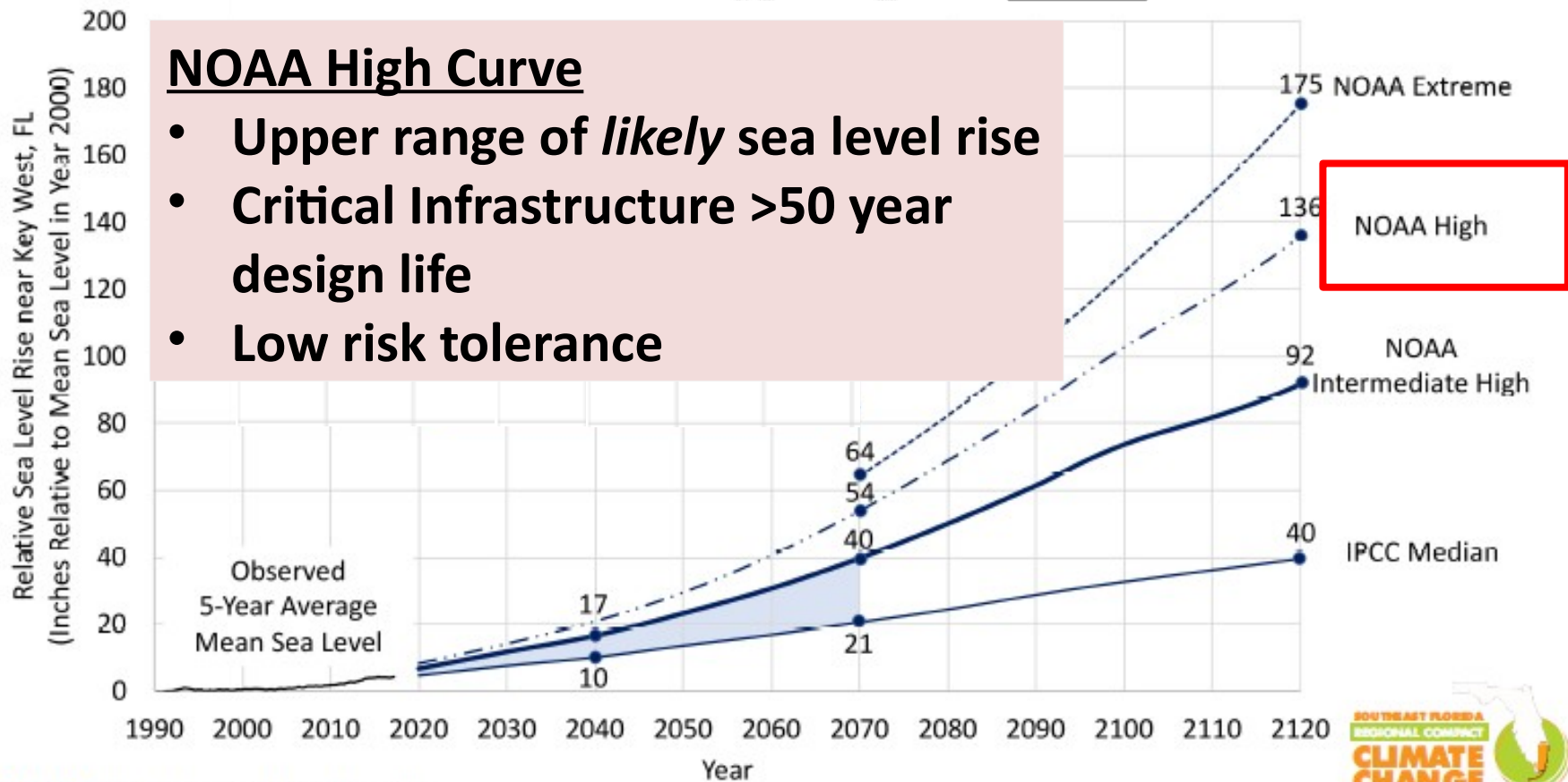
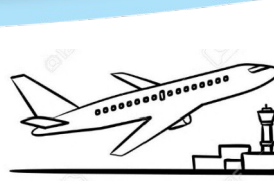


FIGURE 1: Unified Sea Level Rise Projection



Selecting a Curve

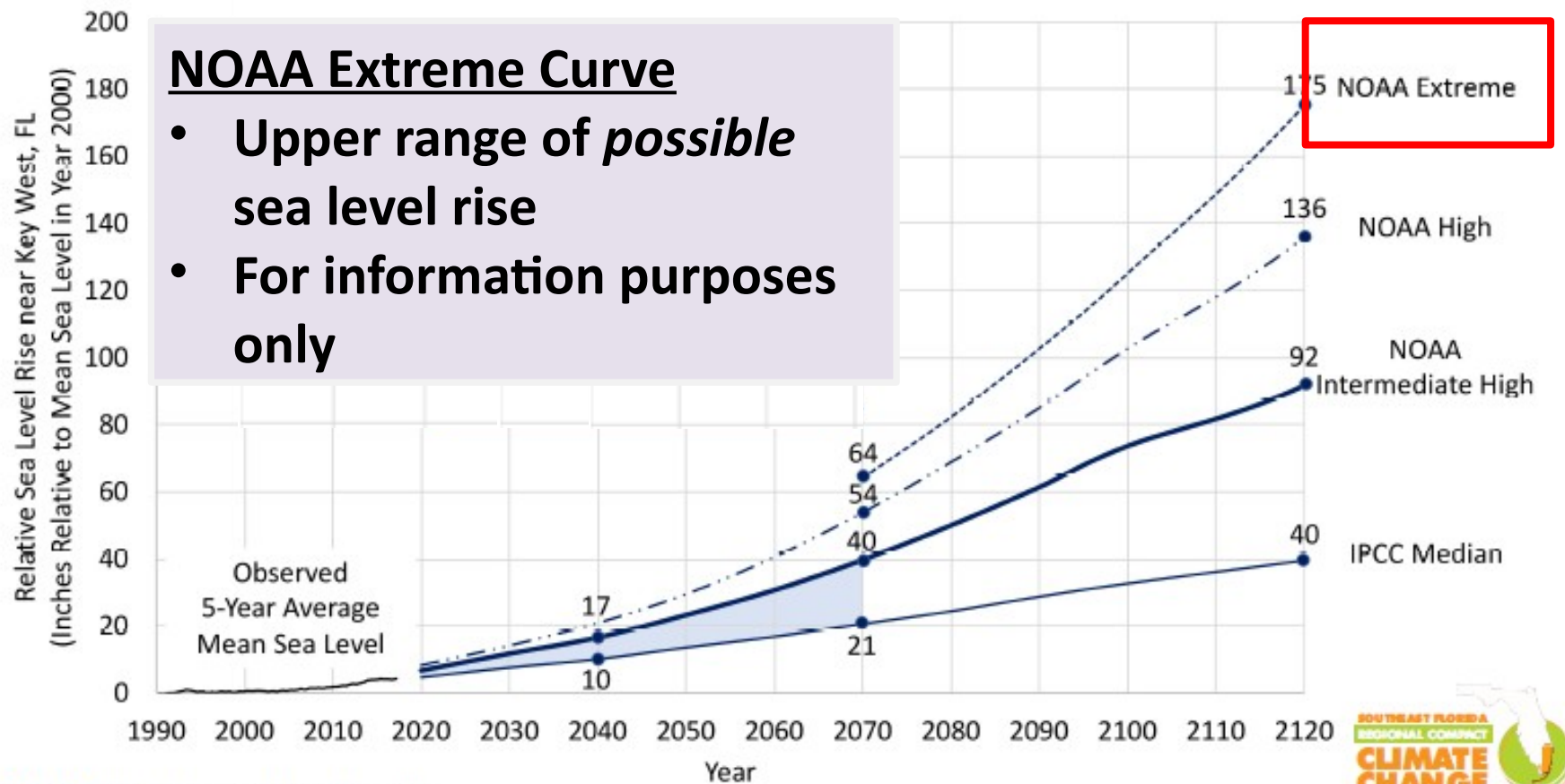
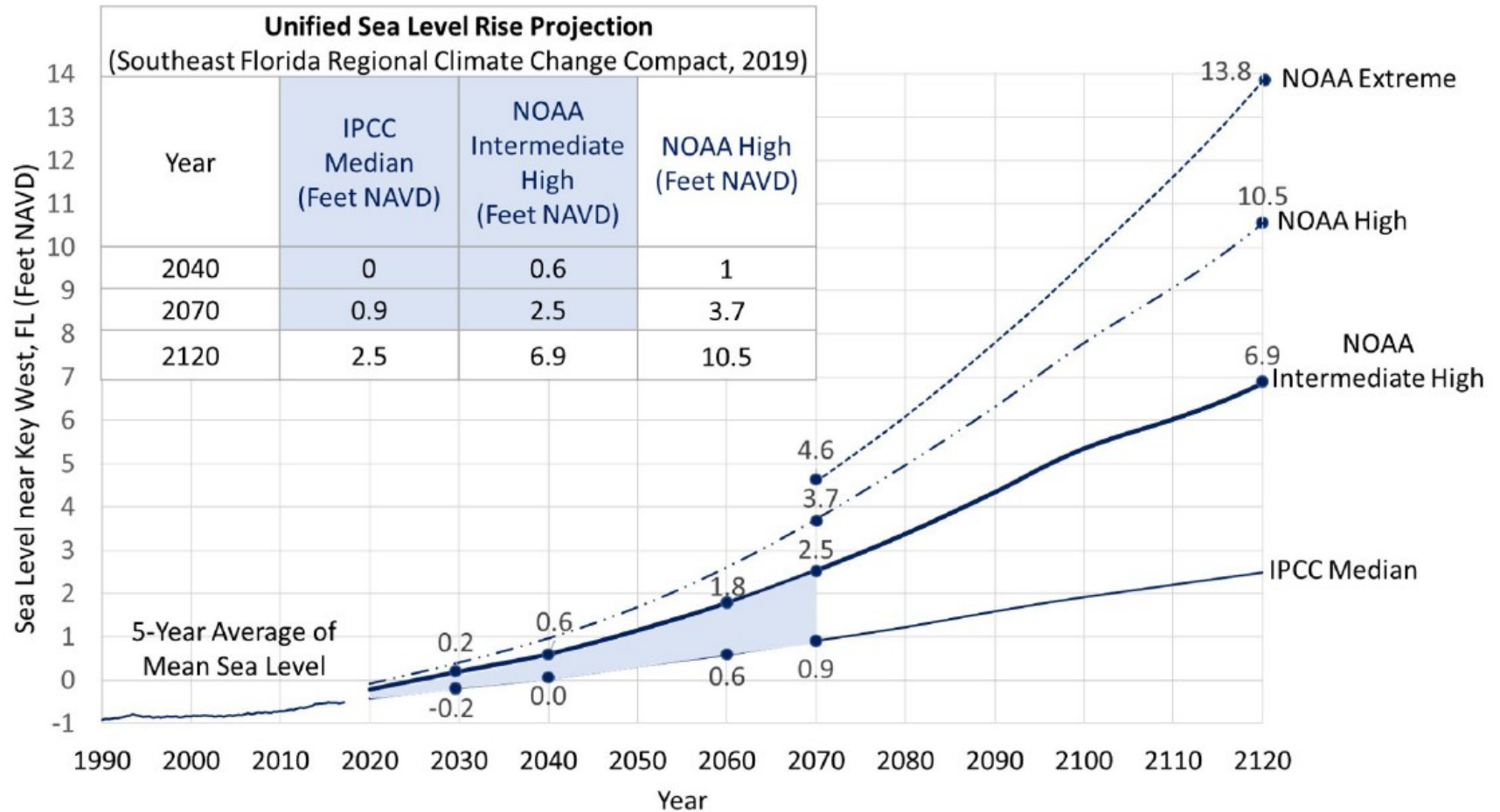


FIGURE 1: Unified Sea Level Rise Projection

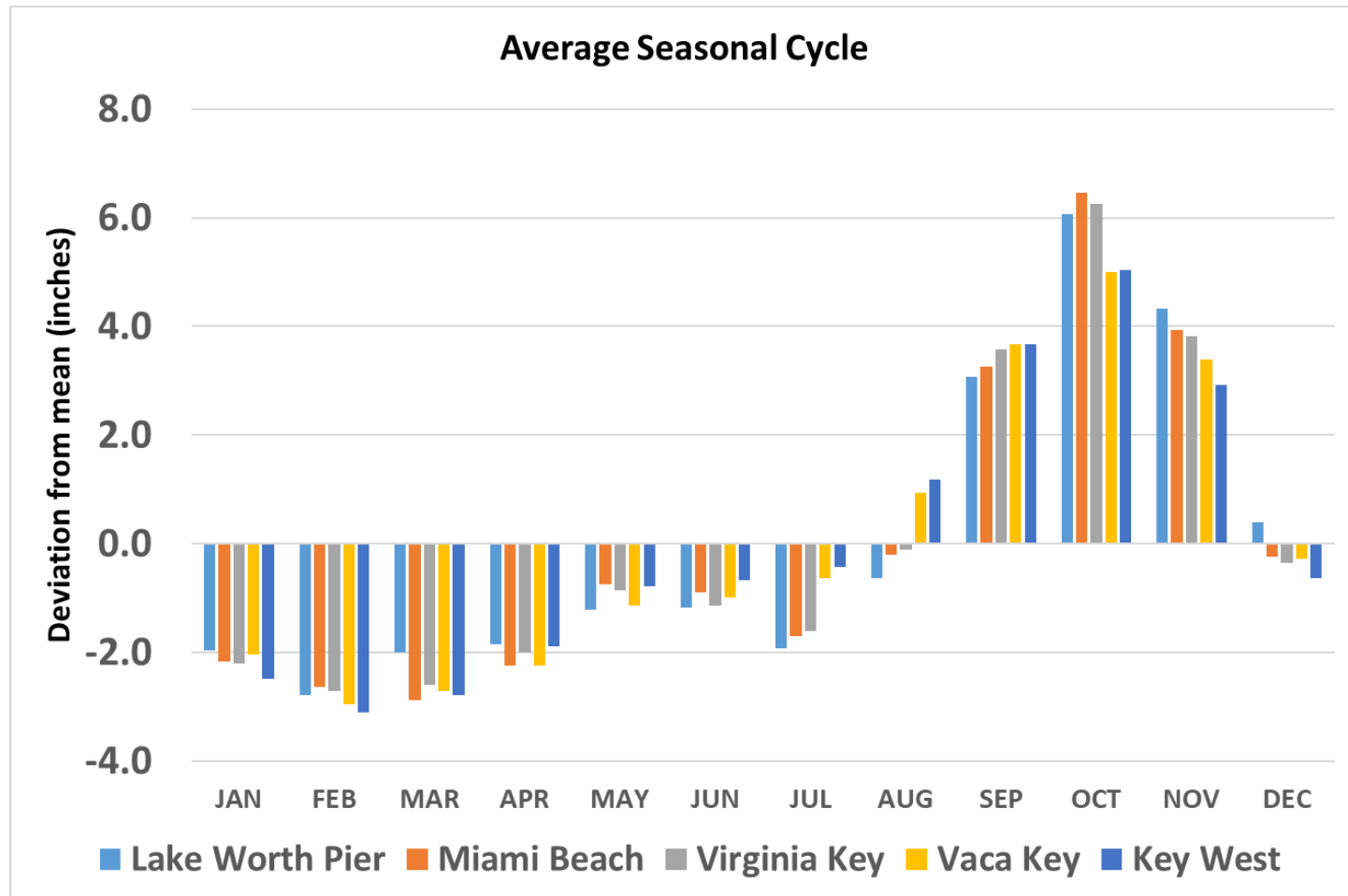


Projection in NAVD88

FIGURE 2: Unified Sea Level Rise Referenced to NAVD



Tidal Fluctuation From MSL





Adopt the SLR
Projection
Update for Use in
Planning and
Design

Questions?