



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor

Andrea McGee, Vice Mayor

Rhonda Eaton, Commissioner

Alison Fournier, Commissioner

Barry Moss, Commissioner

Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Kervin Alfred, City Clerk

Tuesday, February 14, 2023

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

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

ROLL CALL

Present: Commissioner Rhonda Eaton
Commissioner Alison Fournier
Commissioner Barry Moss
Commissioner Beverly Perkins
Vice Mayor Andrea McGee
Mayor Rex Hardin

INVOCATION

Pastor Branden Jones of Mt. Calvary Baptist Church offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-288](#) Regular City Commission Meeting Minutes of January 24, 2023

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

APPROVAL OF AGENDA

Mayor Hardin announced Item 21 under Regular Agenda will be postponed until the March 14, 2023 City

Commission meeting.

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

CONSENT AGENDA DISCUSSION

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

Mayor Hardin announced that Items 2 and 10 would be pulled for City Commission discussion.

A. PROCLAMATIONS

23-285 Black History Month Proclaimed

Mayor Hardin read a proclamation declaring the month of February as Black History Month in the City of Pompano Beach. Comr. Perkins thanked the City for recognizing Black History Month remarking how proud she was to say, that there are more Black History Month events planned in Pompano Beach this year than ever before. The City of Pompano Beach honored the anniversary of the late Former Pompano Beach Mayor E. Pat Larkins on February 14, 2009. Commissioner Perkins invited Mrs. Bettye Larkins to the podium to speak in honor of her late husbands' memory.

The Mayor thanked Bettye for allowing the City all of its years of service with Mr. Larkins and presented her with flowers in appreciation. Mrs. Larkins sadly reminded the commission that today marked the 14 year to the day of the passing of her husband, remarking that "14 years is a long time". Bettye thanked the Mayor, Commissioner Perkins and the City of Pompano Beach for acknowledging her husbands' dedication, service and his memory.

B. PRESENTATION

23-291 Presentation of Internal Audit Activity Report Memorandum 23-03 for completed and ongoing audit projects, technical assistance as well as follow up for implementations from previous audit project recommendations covering the 11-month period from March 2022 through January 2023.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Deusdedit C. (DC) Kiyemba)

Mr. DC Kiyemba, Internal Auditor, provided a presentation of the Internal Audit Activity Report Memorandum 23-03 for the period from March 2022 through March 2023. He highlighted the work of staff

members who contributed over the 11-month period and noted the department was working with Human Resources to hire an additional staff member. He read the report for the record.

Mayor Hardin thanked Mr. Kiyemba not only for the work that he does but his office as well. Advising Mr. Kiyemba that he has always appreciated the let us work to make the City better attitude of Mr. Kiyemba's department. Comr. Perkins added that the report was a job well done.

C. AUDIENCE TO BE HEARD

Mayor Hardin announced that it was time for "Audience To Be Heard". The following speakers were called to speak before the Commission:

Comr. Perkins along with Mayor Hardin thanked and acknowledged Ms. Barbara Robinson for being present at the meeting. Ms. Robinson was to be a part of the proclamation for Black History Month but was unfortunately delayed.

Caren Eckstadt, Kendall Green, Pompano Beach, stated the recently installed street lights are unreasonably bright. She explained that she and her husband spent 28 years creating an oasis in their backyard, and now it is impossible to enjoy after dark. Per Mrs. Eckstadt, her home is on the National Butterfly Registry and discussed the impact of the light on the butterflies. Stating that the lights are domed to protect the turtles, and the butterflies deserve the same protection. She noted after contacting the City Engineer, Florida Power and Light installed a sheet of metal inside the globe to address the issue which has not resolved the problem adding, the lights negatively impact her sleep and are a safety issue for motorists. Ms. Eckstadt shared a written statement from her neighbors regarding their concern with the lights.

Saracha Peterson, 103 NW 7th Avenue, Pompano Beach, addressed an ongoing issue with slum lords. She stated Code Enforcement had visited the property and the City had sent an electrician to go over and beyond to fix an issue. She asserted the issue highlighted a need to add Code Enforcement staff and to address the issue of slum lords. She expressed concern that the residents would be displaced and asked that the City tell tenants how they can help.

Comr. Perkins stated there are several apartment buildings in the City in poor condition, and noted other tenants had spoken to the Commission on the matter. She asked that staff look into these apartments that were built in the 1950s, as many are unlivable in 2023. Mayor Hardin agreed, stating Code Enforcement is active on the issue and does take it seriously.

Jocelyn Jackson, no address given, wished everyone on the dais a Happy Valentine's Day and gave a recap of the first Super Bowl Party at the Ali Cultural Arts Center. She thanked the City team for their efforts acknowledging Pompano Beach B.S.O. deputies for their response to an issue which arose. Ms. Jackson ended her time by highlighting upcoming community activities, including a fish fry, Pioneer Ball, and brunch.

Jorie Fallon, 406 5th Avenue, Pompano Beach, stated the orange traffic cones should be removed unless there is actual construction as they obstruct lanes. She asked that traffic lights on Dixie and in other areas be synced to allow more traffic through the intersection. She also advised that development projects need more

parking space, citing new construction of apartment buildings as well as the church construction project in Old Pompano.

Fred Stacer, 2501 SE 9th Street, Pompano Beach, provided a brief update on the 21st Avenue Taskforce. He stated he believed recommendations would be prepared in May. He noted a recent project on 31st Avenue had received a negative recommendation from the Planning & Zoning Board (P&Z) and staff and asked that the Commission consider postponing the project.

Comr. Moss shared his thoughts about 31st Avenue and echoed Mr. Stacer's recommendation to postpone the project until there is time for the taskforce made up of citizens to take a good look and come up with a plan. Noting that 31st Avenue is one (1) of the main entrances into the City, and once the casino and various other projects in District 5 are completed, thousands of people a day will be getting off the turnpike to come into Pompano Beach and he would like to see it be more welcoming.

Comr. Eaton thanked Mr. Stacer, the P&Z, the taskforce, and staff for being proactive in plan-based zoning. She stated the City is able to have a vision for the future and find a way to get there through overlay districts and other mechanisms.

Kimberly Burke Mohorn, 1503 NW 6th Avenue, accompanied by Vicente Thrower thanked the Commission for the job they do. She stated as the President of Pompano Strong, she would like to give special thanks to all who supported Dr. Earlean C. Smiley while serving as Broward County Public Schools Interim Superintendent. She noted Dr. Smiley had done great work for Pompano Beach schools.

Mayor Hardin acknowledged the presence of Olivia Callari, legislative aide to State Senator Jason Pizzo, and thanked her as well as Senator Pizzo for their service.

D. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1,3-9,11-18 without City Commission discussion.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

1. [23-270](#) Approve the recommendation of the Selection/Evaluation Committee for RFP E-03-23, Beach Cleaning Service, and authorize staff to negotiate a contract with the sole proposer: Beach

Raker, LLC. (No cost at this time.)
(Fiscal Impact: N/A)

Commission District: 1

(Staff Contact: Russell Ketchem)

2. [23-286](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DESIGNATING THE NAME OF THE CITY'S FIRE STATION 52 LOCATED AT 10 SW 27TH AVENUE AS THE WOODROW "WOODY" J. POITIER FIRE STATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Commission District: 5

(Staff Contact: Chad Brocato)

Comr. Moss expressed how pleased and proud District 5 is to have Woodrow "Woody" J. Poitier's name on their fire station. Acknowledging that Mr. Poitier's is well known to the people in the City of Pompano, chiding that "the list of firsts' associated with him is the length of your arm", adding that Mr. Poitier first and foremost is a gentleman and a very kind and giving person.

Fire Chief Chad Brocato thanked Mayor Hardin for recognizing the victims and families of the Marjory Stoneman Douglas High School tragedy commenting that the ceremony had been powerful and important. He presented the item briefly, explaining Mr. Poitier had been with the Fire Department for 24 years and was the City's first African American firefighter. He reviewed Mr. Poitier's background and stated he was honored and blessed to recommend Fire Station 52 be named after him.

Broward County Mayor Lamar Fisher endorsed the resolution and shared his experience working with Mr. Poitier during his many years of service. He stated on behalf of Broward County, he was honored to be part of the recognition and to be Mr. Poitier's friend.

Mayor Hardin opened the resolution to public comment.

Jocelyn Jackson thanked Mr. Poitier for his service and being a provider for families in their time of need.

Mayor Hardin stated he was honored to support the item. He stated Mr. Poitier had done great work for the City and acknowledged how appropriate it was that the item was coming before the Commission during Black History Month. He noted Mr. Poitier was one of many trailblazers in Pompano Beach, and stated the recognition paled in comparison to his contribution.

Comr. Perkins agreed that the recognition was fitting for someone who had served the community as a firefighter, funeral home director, member of the Housing Authority Board, and City Commissioner. She shared the story of Mr. Poitier saving her life on Pompano Beach when she was four (4) or five (5), and that he was married to her school teacher.

Mayor Hardin recognized former Fire Chief John Jurgle who was also in attendance and thanked him for his years of service as well.

Mr. Poitier expressed his thanks. He recognized former Fire Chief Eugene Hedges, who had hired him in 1975. He stated Chief Hedges and his wife had driven from Panama Beach for the occasion. Mr. Poitier shared his love for Pompano Beach and stated he loves the community, and the way the residents will do whatever it takes to make their City the best. He discussed growth in the community briefly and stated he is now on the EMS Advisory Board and closed by asking his family to stand and be recognized.

Comr. Eaton stated she had followed Mr. Poitier on the Commission and appreciated what a great role model he is. She added that it is awesome that his name will be on the fire station to recognize all of the great work he and his family has done for the City.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-75

3. [23-246](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING PENNY CUTT TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF VICE MAYOR ANDREA MCGEE, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-76

4. [23-254](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING ALEXANDER ZACHARIAH TO THE CHARTER AMENDMENT ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS APPOINTEE OF VICE MAYOR ANDREA MCGEE, FOR A TERM TO BE

CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-77

5. [23-255](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LAUREN COOLEY TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF VICE MAYOR ANDREA MCGEE, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-78

6. [23-257](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING COREY STANISCIA TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL AS APPOINTEE OF VICE MAYOR ANDREA MCGEE, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-79

7. [23-258](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CARLA COLEMAN TO THE PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH AS APPOINTEE OF VICE MAYOR ANDREA MCGEE, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-80

8. [23-314](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING DONNA RUSSO TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF VICE MAYOR ANDREA MCGEE, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-81

9. [23-259](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING QUENTON THOMPkins SR. TO THE CHARTER AMENDMENT ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor McGee, seconded by

Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2023-82

10. [23-260](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JANICE ANNE SIMMONS TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

Comr. Perkins requested to strike the proposed resolution as Ms. Janice Simmons will not be able to serve on the Committee due to health challenges.

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

11. [23-261](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LINDA THOMAS TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-83

12. [23-262](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING KIMBERLY HARMON TO THE CULTURAL ARTS COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-84

13. [23-263](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JAY GHANEM TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-85

14. [23-264](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING BRIAN ANTHONY CAMPBELL TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-86

15. [23-265](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING TUNDRA KING TO THE PLANNING AND

ZONING BOARD/ LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-87

16. [23-266](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LINDA THOMAS TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-88

17. [23-279](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CODY KIESS TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH AS ALTERNATE APPOINTEE OF COMMISSIONER ALISON FOURNIER, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-89

18. [23-280](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CAROL MOORE TO THE CULTURAL ARTS COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER ALISON FOURNIER, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-90

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that item 19 is listed under Quasi-Judicial Proceeding and are quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

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

19. [23-249](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE 2606 PALM AIRE PLAT LYING ON NORTH PALM AIRE DRIVE APPROXIMATELY 400 FEET WEST OF SOUTH POWERLINE ROAD; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

Commission District: 5

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department presented the item and stated this is a proposed plat for a vacant property, approximately 2.2 acres in size, located in North Palm Aire Drive about 400 feet west of South Powerline Road. The property is in the Palm Aire Dashed Line area and the Zoning is RM-45 (Multi-Family Residence). The Palm Aire Dashed Line area is out of residential units, so the City Commission allocated 99 flex units for this project back in 2018. The proposed plat will restrict the property to a maximum of 99 mid-rise apartment units. The Applicant has submitted their major site plan to be reviewed by the

Development Review Committee and it is consistent with the Conceptual Site Plan, which was provided for this Plat submittal. The Planning & Zoning Board unanimously recommended approval at the December 21, 2022 meeting and all conditions for approval have been met. In closing, Ms. Dolan stated staff recommends approval of the proposed plat and the Applicant is available to answer any questions.

Tracy Lautenschlager, Greenberg Traurig Law, introduced herself to the Board on behalf of the Applicant and advised that the surveyor was also present at the meeting to address any questions the Commission may have.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-91

END OF QUASI-JUDICIAL PROCEEDING

20. [23-276](#) Consideration to designate NW 6th Street as a dual named road “Rev. Dr. Wylie L. Howard, Sr” Street
(Fiscal Impact: \$500 provided by requester + signage cost)

Commission District: 5

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director, presented the item. He explained NW 6th Street is broken into segments, and portions have already been dual named. He stated the proposal is to name the segment bound by NW 23rd Terrace to the west and Powerline Road on the east for Rev. Dr. Wylie L. Howard, Sr., and noted if the item were approved, it would come forward as a formal resolution at a future Commission meeting.

Mayor Hardin opened the item to public comment.

Dr. Angela R. Deal, 2300 NW 6th Street, applicant for the request, spoke in support of recognizing Rev. Howard. She shared with the commission that among his other contributions, Rev. Howard started a community service organization years ago to support local youth in foster care.

Comr. Perkins asked for an explanation from Mr. McCaughan of the Historical Society as to the process of

selecting who to name something after. Stating that she would have liked to see the minutes from their meeting and whether there were other candidates, and asked that staff make note of the request for the future. Vice Mayor McGee agreed, and stated she would like to see more information on the historical nature of a recommendation.

Mr. McCaughan clarified, the Historical Society does not provide the recommendation, and explained the process. Advising that once a request is received the City provides it to the Historical Society for review. To which Comr. Perkins expressed concern, noting there are a lot of people in Pompano Beach who have contributed to the community but stated that she had no objection to the recommendation of Rev. Howard, as she knows the work he has done.

Vice Mayor McGee stated it would be nice to have more information on future applications, and a more intensive process than what is now in place. She asked that the Commission and Historical Society conduct a review of the criteria. She suggested a more objective, in-depth process.

Comr. Eaton stated the City had looked at the process a few years ago and acknowledged it may need to be further tweaked.

Comr. Fournier stated her questions also did not relate to this application, but to the process. She asked for additional clarification. Mr. McCaughan stated the Commission had previously reviewed the criteria, and at that time an application had been created. He noted all applications are brought before the Commission expressing concern that the decision appears personal once it reaches the level of the Commission. She stated she believed the process should be further clarified.

Comr. Eaton noted the applicant was required to pay the cost of street signs.

Mayor Hardin asserted that the discussion had nothing to do with the current application. He asked that staff review the process and speak with the Commissioners regarding a potential future agenda item to address the process. He noted that he wholeheartedly supported the application.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Item for Consideration/Discussion be APPROVED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

21. [22-552](#) **P.H. 2022-87: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO

BEACH AMENDING CHAPTER 154, "PLANNING," BY AMENDING SECTION 154.61, "REDEVELOPMENT AND FLEXIBILITY UNITS," TO CREATE AN EXPEDITED APPROVAL PROCESS FOR PROJECTS USING COUNTY POLICY 2.16.3; AND AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.2424., "APPEAL," TO PROVIDE FOR APPEAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 27, 2022

FIRST READING: SEPTEMBER 13, 2022

***This Item will be postponed to the March 14, 2023 Commission Meeting Agenda.**

(Staff Contact: Jean Dolan/David Recor)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be POSTPONED to the March 14, 2023 City Commission Meeting. The motion carried by a unanimous voice vote.

22. [23-228](#) **P.H. 2023-39: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO COMPLY WITH LEGISLATIVE CHANGES MADE TO SECTION 559.955, FLORIDA STATUTES, LIMITING RESTRICTIONS BY LOCAL GOVERNMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

Daniel Keester-O'Mills, Principal Planner, presented the item. He explained the Text Amendment aspired to be consistent with State law in relation to home-based businesses. He stated the P&Z had unanimously recommended approval at their December 22, 2022 meeting.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

Vice Mayor McGee noted there were specific businesses which were no longer included in the Ordinance. Mr. Keester-O'Mills explained the examples currently included in the definition were removed at the advice of the

City Attorney's office, because specific types of businesses cannot be restricted if they are able to demonstrate that they meet the standards.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

23. [23-225](#) **P.H. 2023-40: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.2408, "BUILDING DESIGN," BY AMENDING SECTION 155.3206, "SINGLE-FAMILY RESIDENCE LEISUREVILLE (RS-L)," BY AMENDING SECTION 155.3208, "MULTIPLE FAMILY RESIDENCE 7 (RM-7)," BY AMENDING SECTION 155.3209, "MULTIPLE FAMILY RESIDENCE 12 (RM-12)," BY AMENDING SECTION 155.5302, "FENCES AND WALLS," BY AMENDING SECTION 155.5601, "MULTIPLE FAMILY RESIDENTIAL DESIGN STANDARDS," AND BY AMENDING SECTION 155.5602, "COMMERCIAL, INSTITUTIONAL, AND MIXED-USE DESIGN STANDARDS," TO ENSURE GENERAL PURPOSE OF EACH ZONING DISTRICT REFLECTS THE USES PERMITTED IN THAT DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

Daniel Keester-O'Mills, Principal Planner, presented the item. He stated the amendment included design changes requested by the Architectural Appearance Committee, as well as minor changes to ensure consistency throughout the Code. He stated the P&Z had unanimously recommended approval at their December 22, 2022 meeting.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

A motion was made by Vice Mayor McGee, seconded by

Commissioner Eaton, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

24. [23-221](#) P.H. 2023-41: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.3507, "LOCAL ACTIVITY CENTER (LAC)," TO CREATE NEW REGULATIONS RELATED TO SIGNAGE; AMENDING CHAPTER 156, "SIGN CODE," BY CREATING SECTION 156.10, "PLANNED DEVELOPMENT ZONING DISTRICTS," AND SECTION 156.11, "LOCAL ACTIVITY CENTER (LAC)," TO PROVIDE EXEMPTIONS FOR SIGNAGE AS SET FORTH IN THE ZONING CODE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Commission District: 5

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

Daniel Keester-O'Mills, Principal Planner, presented the item. He explained that the proposed Text Amendment was recommended by a member of the public to allow an animated sign not to exceed 225 square feet in sign area located on Cassels Tower in John Knox Village. He noted that the sign would face I-95 and outlined the zoning and land use designation of the property. He stated the P&Z had unanimously recommended approval at their December 22, 2022 meeting.

Andrew Schein, Lochrie & Chakas, P.A., attorney for applicant John Knox Village, made a presentation in support of the application. He shared a video of the proposed sign and stated it was part of a revamping of the image of the retirement community to a more live/work/play community for senior citizens.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

Comr. Fournier expressed her concern about precedent for animated signs on tall buildings and inquired as to whether the sign could be used for purposes other than the logo and clock as depicted such as advertising. Attorney Schein explained it had been asked at the P&Z meeting whether the sign could be used for City announcements or public alerts. He confirmed it was only the logo and clock they were proposing, and stated the applicant would agree to a condition and open to collaboration but was not proposing anything at this time

noting that off-premises advertising is already banned.

Comr. Moss stated he believed a restriction needed to be written in so that another leadership group did not try to change the use in the future. He noted he was also concerned with the proliferation of this type of sign in the City but stated he did not object to the application but is concerned about precedent.

Mayor Hardin advised the Commission that he understood their concern, and suggested City Attorney Berman meet with the applicant between first and second reading to draft language of a restriction, stating that the intent of the Commission is not to preclude the option of use for community service purposes.

City Attorney Berman advised they would draft language and noted John Knox Village was the only Local Activity Center (LAC) in the City, so the precedent would be limited.

Vice Mayor McGee suggested staff look into whether other municipalities had restrictions on brightness and action for driving safety. She stated she also did not know if there were residences within sight of the building and asked whether there were restrictions on hours or brightness at night. Attorney Schein stated the proposal was that it would be consistent at night.

Comr. Moss asked whether this type of animated signs was allowed in other places in the City. Mayor Hardin stated this would be the first allowed.

Comr. Fourier noted the sign faces I-95 and not into communities. She stated she was supportive for that reason.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

25. [23-251](#) **P.H. 2023-42: (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 REVISED IP FLEXIBLE REACH AND IP TOLL-FREE PRICING SCHEDULE WITH AT&T; A REVISED BUSINESS LOCAL CALLING ILEC PRICING SCHEDULE WITH AT&T; AND A REVISED DEDICATED INTERNET PRICING SCHEDULE WITH AT&T, ALL UNDER THE CURRENTLY EXISTING

MASTER AGREEMENT WITH AT&T; PROVIDING FOR SEVERABILITY;
 PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: \$84,000 annually)

(Staff Contact: Gene R. Zamoski)

Gene Zamoski, Chief Information Officer, presented the item. He explained the City uses AT&T for its internet services and that the contract will expire on March 31, 2023.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

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

Yes: Eaton
 Fournier
 Moss
 Perkins
 McGee
 Hardin

26. [23-272](#) **P.H. 2023-43: (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 THIRD EXTENSION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE UNITED STATES COAST GUARD AUXILIARY FLOTILLA 34, FOR A PORTION OF THE PARCEL CURRENTLY LEASED BY THE CITY FROM THE FLORIDA INLAND NAVIGATION DISTRICT, COMMONLY KNOWN AS ALSDORF PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: N/A)

Commission District: 1

(Staff Contact: Mark A. Beaudreau)

Mark A. Beaudreau, Recreation Programs Administrator, presented the item. He explained the agreement with the Coast Guard dates back to 2010 and has been a great partnership.

Mayor Hardin opened a public hearing on the item.

Captain Michael Cary, Palm Aire Village, Pompano Beach, spoke in support of the Coast Guard Auxiliary and the services it provides to the community. He stated he recommends the City does all it can to support those activities.

Mayor Hardin closed the public hearing.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

27. [23-271](#) **P.H. 2023-44: (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 LEASE EXTENSION AGREEMENT NO. 1 BETWEEN THE FLORIDA INLAND NAVIGATION DISTRICT AND THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City to pay \$100 per year annually to FIND \$100.)

Commission District: 1

(Staff Contact: Mark A. Beaudreau)

Mark A. Beaudreau, Recreation Programs Administrator, presented the item. He explained the agreement with the Florida Inland Navigation District dates back to 1963.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

28. [23-269](#) **P.H. 2023-45: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, "PARKS AND PLAYGROUNDS," OF THE POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 98.16, "LAKE SANTA BARBARA PARK," TO DESIGNATE SAME AS A PASSIVE PARK, TO SET FORTH PROHIBITED CONDUCT AND PROVIDE PENALTIES FOR VIOLATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Commission District: 1

(Staff Contact: Mark A. Beaudreau)

Mark A. Beaudreau, Recreation Programs Administrator, presented the item. He stated the amendment would create an entirely new section of the Code. He read the addition for the record. He stated the City had received complaints, which was the reason staff recommended the change due to safety and liability concerns.

Mayor Hardin opened a public hearing on the item.

Captain Michael Cary, Palm Aire Village, Pompano Beach, stated the park abuts what is considered a navigable waterway. He discussed the history of the Intracoastal waterway and stated the park was public and paid for with tax dollars. He stated other parks were not being considered for this ordinance, and argued the definition of abandoned vessel utilized was not legal in the State of Florida.

Mayor Hardin closed the public hearing.

Vice Mayor McGee asked counsel if the language in the ordinance needed to be looked into. City Attorney Berman stated he believes Cpt. Cary use of derelict and abandoned were conflated. He asserted the City could designate what its facilities could be used for.

Comr. Eaton stated she agreed with Cpt. Cary's comments related to navigational law and maritime law, and asserted that in an emergency, residents had a right to access. Comr. Eaton asked who would be responsible for enforcement. City Attorney Berman responded that it would be Park Rangers responsible for enforcement, and noted the Parks and Recreation Department, Broward Sheriff's Office, and Public Works would work together on it. Comr. Eaton stated that having lived on the waterway for many years, there are always issues of public access. She stated access was a concept they needed to protect, and that this ordinance was beyond the

Commission's authority.

Comr. Moss asked how long it would take for a vessel deemed abandoned to be removed. He stated without that restriction, people would be dumping old boats in the public park. City Attorney Berman stated it would be posted and made clear that vessels should not be left, and that eventually they would be removed according to state statute. City Attorney Berman advised that he would identify the time frame to make it clearer for second reading if that was the desire of the Commission. Adding that there had been complaints of people mooring their vessels and then coming and going through the park, leading to concerns related to liability as the use was not monitored.

Comr. Fournier asked for clarification on the issue that staff was trying to solve with the Ordinance and whether the Ordinance defined the use based on what currently exists at the location. She asked whether there was a launch or dock. Mr. Beaudreau confirmed that there was no consideration for launching or docking, only a seawall and railing.

Vice Mayor McGee stated the park is very narrow, with just a seawall and railing. She noted there is no ladder if someone were to fall in. She added that she had spoken with counsel, and if the City wanted to re-imagine the park in the future, they would have the ability to do so, but at this point it is a liability and safety issue.

Comr. Eaton stated she did not realize there was a seawall at the park and noted that changed her opinion considerably.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

29. [23-299](#) **P.H. 2023-46: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE SERVICE CONTRACT FOR PARKING OPERATIONS MANAGEMENT BETWEEN THE CITY OF POMPANO BEACH AND ONE PARKING CORPORATE, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Anticipated not to exceed \$1,617,582 for remaining contract term)

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Manager, presented the item. He reviewed the Request for Proposals (RFP) process which had been conducted. He stated since that time the City has increased the number of parking spaces to be managed by 55 percent, resulting in the need for an amendment to the agreement.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

Comr. Fournier expressed concern that the agreement was being renegotiated 1.5 years into a five (5) year agreement. She asked whether the 55 percent threshold was included in the original agreement and inquired as to how much of the parking increase is due to demand by tourists or residents versus the City trying to triage increased parking needs due to construction and changes at Harbor Village. Mr. Lantz explained the parking increase stating that the enforcement zone had been expanded, and costs have increased due to rising liability insurance costs and wage costs.

Comr. Fournier asserted she understood the struggle with parking across the City but did not believe the residents should be paying for this increase she opined that it looked like the City was working with companies to identify lots for displaced workers, and as a result she believes that the construction companies or developers should pay for the cost of increased parking enforcement and the changes to this contract. Mr. Lantz explained that there is a contract to lease space back to Verdex Construction for workers at the Mayla Residences.

Comr. Eaton clarified that Verdex Construction and the Mayla Residences were paying for parking for their construction workers, not the taxpayers of the City. Mr. Lantz agreed.

Comr. Fournier asserted Verdex was leasing parking lots, but the 125 additional parking spaces being used by the developer and construction company were a factor which was driving the need to renegotiate the agreement with One Parking.

Mayor Hardin asked Mr. Lantz if he agreed with Comr. Fournier's assertion. Mr. Lantz confirmed the parking spaces were included in the calculation of the 55 percent increase.

Vice Mayor McGee noted that since the time the contract was entered, the pandemic had ended, Canada had opened back up, the beach had opened, parking was expanded into the Wells Fargo lot, and an additional lot had been acquired to help restaurant employees with parking access. She agreed that parking was a difficult balance, and stated with additional businesses the demand would be even higher, so the City needed to stay ahead of it.

Mayor Hardin asked whether the City had added parking lots to accommodate any construction activity. Mr. Lantz stated they had leased a lot from the Community Redevelopment Agency (CRA) with the intention of turning it into a mobility hub, and in the interim, it was being leased to Verdex.

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

Yes: Eaton

Moss

Perkins

McGee

Hardin

No: Fournier

30. [23-290](#) Discussion and consideration item for the annual performance evaluation for Mr. Deusdedit C. Kiyemba, Internal Auditor.
(Fiscal Impact: To be determine by City Commission)

(Staff Contact: Ed Beecher)

Ed Beecher, Human Resources Director, explained at the Commission's direction, each charter officer reporting directly to the City Commission is to be evaluated annually on an established date. He reviewed tools provided for review and stated a survey of cities had been conducted and the results included.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

Comr. Moss stated in the future he would like more time to review annual performance evaluations.

Comr. Eaton stated Mr. Kiyemba gave an excellent report earlier in the meeting, and noted the department is well run and well managed. She asked whether there was a cost-of-living increase already built in. Mr. Beecher explained the charter officers receive a cost-of-living increase consistent with all City employees, and this is a merit evaluation. He stated all employees received both types of evaluations.

Comr. Moss asked what the inflation rate was last year. Mr. Beecher stated the general employees' bargaining unit received a three (3) percent cost-of-living increase.

Mayor Hardin stated Mr. Kiyemba does an excellent job for the City and is a trainer for other communities. He asserted that Mr. Kiyemba goes above and beyond and is a true professional, working to keep the City in good stead. He stated he believed they should offer a five (5) percent increase.

A motion to award Internal Auditor Deusdedit C. Kiyemba a five (5) percent merit increase was made by Commissioner Eaton and seconded by Mayor Hardin.

Vice Mayor stated the Internal Auditor was important to make sure the City is staying on the up and up, but with the current financial situation she wanted to strike the right balance. She noted there would be more difficult decisions to make during the budget session.

Comr. Moss stated he did not have an issue with the increase. He highlighted that with the cost-of-living increase it would be a total of eight (8) percent.

Comr. Fournier explained she had asked for historical data and stated that historically the Commission had offered a three (3) percent increase.

A motion was made by Commissioner Eaton, seconded by Mayor Hardin, to award Internal Auditor Deusdedit C. Kiyemba a five (5) percent merit increase. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

31. [23-289](#) Discussion and consideration item for the annual performance evaluation for Mr. Gregory P. Harrison, City Manager.
(Fiscal Impact: To be determined by the City Commission)

(Staff Contact: Ed Beecher)

Ed Beecher, Human Resources Director, explained at the Commission's direction, each charter officer reporting directly to the City Commission is to be evaluated annually on an established date. He reviewed tools provided for review and stated a survey of cities had been conducted and the results included.

Mayor Hardin opened the floor to public input on the item, seeing no speakers present, the Mayor closed the public input portion on this item.

A motion to award City Manager Gregory P. Harrison a five (5) percent merit increase was made by Commissioner Moss and seconded by Commissioner Eaton.

Comr. Fournier stated she is new to working with Mr. Harrison, remarking that she is impressed with the team he has built at the City. She noted as the manager of that organization, he deserves a lot of credit. She stated on the flip side, she felt differently about the relationship between the people of the City, asserting that a lot of her constituents are not happy and do not feel heard. Comr. Fournier stated that she looks forward to working with

Mr. Harrison over the next year to improve that, but she cannot support a pay increase at this time.

Comr. Perkins asked the City Manager's current annual salary. Mr. Beecher responded that annually, the salary is \$329,293.

Comr. Perkins inquired as to whether that included the role of Executive Director of the CRA. Mr. Beecher stated it did.

Comr. Perkins noted the President of the United States makes \$400,000 per year. She stated her concern has always been the same. She explained that she has constantly asked Mr. Harrison to keep her informed with what is being planned in her district since 2016, but it is still the same. She stated she does not want to be in charge or give her opinion, but she wants to know what is happening in her district. Continuing, Comr. Perkins stated on the positive side, Mr. Harrison always returns her calls in a timely manner. She explained she would not agree with the increase, as she would like to see better communication and that has not happened.

Vice Mayor McGee stated she wanted to echo what Comr. Fournier had observed about City staff and the management team, in that Mr. Harrison has put together an excellent team. Mr. Harrison has built a staff they could not be prouder of. Vice Mayor McGee expressed concern that the cost-of-living increases would be hitting more than 800 employees, and those come from taxpayers who are also facing cost increases. She asked that staff start looking at where they can cut in order to keep top notch staff.

Mayor Hardin asserted the angst that anyone feels toward the City should be directed toward the City Commission, not Mr. Harrison, stating that Mr. Harrison executes the decisions of the City Commission.

Comr. Moss stated the City had experienced enormous growth, and Mr. Harrison does an excellent job of juggling it.

Comr. Eaton shared that her significant other has worked with dozens of City Managers, and he has said Mr. Harrison is among the best he has ever seen. She recognized his accomplishments and stated she would never want to lose him.

Comr. Perkins stated she agrees with Comr. Moss regarding the growth, and explained she thought the City Manager would be even more effective if he had only one title and someone else was the CRA Executive Director.

A motion was made by Commissioner Moss, seconded by Commissioner Eaton, to award City Manager Gregory P. Harrison a five (5) percent merit increase. The motion carried by the following roll call vote:

Yes: Eaton

Moss

McGee

Hardin

No: Fournier

Perkins

F. ADDITIONAL AUDIENCE TO BE HEARD

There were no additional speakers to speak under Audience to be Heard.

G. NEXT SCHEDULED MEETING

Mayor Hardin announced that the next scheduled meetings are as follows:

February 28, 2023 at 6:00 p.m. - Regular City Commission Meeting

March 14, 2023 at 1:00 p.m. - Regular City Commission Meeting

March 28, 2023 at 6:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager's Report:

Greg Harrison, City Manager appreciated the comments expressed by the Commission on his annual performance evaluation. He called Brian Donovan, Assistant City Manager to inform the Commission on the Homeless Continuum Program.

Mr. Donovan stated about two weeks ago he inserted a pamphlet in each of the commissioner's inbox regarding a Homeless Continuum Care Resource Guide, created in partnership with the Broward Sheriff's Office. He highlighted the resources referenced in the Guide, to include food drop-off sites, education opportunities, transitional housing, emergency shelters, as well as information for veterans and healthcare. In closing, Mr. Donovan said if anyone desires to obtain more pamphlets, he will be happy to make more available as he believes it is one of the greatest items that can be given to a person in need.

Mr. Harrison mentioned a letter he received from the Florida PACE Agency, whereby the Agency called to their attention a new state law passed by the State Legislature to put all of their responsibilities under the purview of the State of Florida. He affirmed that the PACE program will continue to run in each individual county, however the Agency will no longer enter into an agreement with municipalities in the State of Florida. He then provided a brief background of how the program works.

Continuing, Mr. Harrison distributed a brochure regarding the next "Clean Streets Program" on February 16, 2023 in District 5. He said the brochure provides information regarding the event. Mr. Harrison announced

there are 13 Black History Month events in the City this year through the various departments, as well as 6 more events that the City is involve through the Tiger Festival as the City is a major sponsor of the festival. Therefore, altogether there are 19 events celebrating Black History Month that city staff is heavily involved in.

Mr. Harrison stated on February 21, 2023 during the Community Redevelopment Agency meeting at 1:00 p.m., there will be a presentation given by acclaimed urban planner, Joe Minicozzi. Later that evening, Mr. Minicozzi will give another presentation at the City's Cultural Center that will include a panel of leading experts: Dennis Bedley, Barbara Blake Boy, Dave Cottingham, Paul Lambert, Jean McIntyre, Kona Grey, Tom DiGiorgio, and Kim Briesemeister.

Lastly, Mr. Harrison reminded the Commission of the dedication ceremony on February 22, 2023 at 9:30 a.m. for Fire Station 114 located in Palm Aire at the corner of McNab and Southwest 36th Avenue.

City Attorney's Report:

Mark Berman, City Attorney stated he had nothing to report. He wished everyone a Happy Valentine's Day.

City Clerk's Report:

Kervin Alfred, City Clerk requested the Commission to leave behind their Apple iPads for an important security update. He wished everyone a Happy Valentine's Day.

Comr. Eaton's Report:

Comr. Eaton commented on the Clean Streets Program, stating it is a fabulous program. She said the district commissioner may receive questions from residents on why they were not given advance notice. She explained advance notice is not given for this event, because they do not want people bringing in trash from other surrounding areas during the event. Comr. Eaton stated she is looking forward to having a clean streets event in her area soon.

Comr. Eaton stated that on Saturday, February 25, 2023, a Flea Market event will be held at the Charlotte Burrie Community Center. It was postponed since January due to bad weather, however it will take place on February 25th between 9:00 a.m. to 2:00 p.m. She wished everyone a Happy Valentine's Day.

Comr. Fournier's Report:

Comr. Fournier congratulated the City on holding its first Food Truck Frenzy event, which was very successful. She said another similar event will be held on February 24th, the last Friday of the month at the Sample-McDougald House. Lastly, Comr. Fournier said her thoughts and prayers are with the parents and families of the victims of the Marjory Stoneman Douglas (MSD) tragedy. Today marks the 5th year since that tragic day, therefore as everyone express Happy Valentine's Day to one another, we should remember what a sad day it is for those local families.

Comr. Moss' Report:

Comr. Moss advised that he held his first Saturday Senate meeting last Saturday and it was very well attended with 22 people present.

Comr. Moss commented on a new legislation under Chapter 718 that affects condominiums. He said there are condominiums in every District, with a heavy concentration in Vice Mayor McGee's and his District. This legislation will impose some difficult tasks for condominiums. For example, many of them over the years have only partially funded their reserves and now they have a very short period of time in which they have to meet the standards set forth in the legislation. Also, this will cause quite a significant financial burden on the unit owners. There are going to be many condominiums imposing special assessments, which will be very difficult for some people, particularly seniors on a fixed income.

Moreover, Comr. Moss has been in communication with State Representative Patricia Williams and State Senator Pizzo about getting a community workshop together in his District, because between the communities of Palm Aire and Cypress Bend, there are over 10,000 condominium units. He noted that 40-year inspections are now taking place in Palm Aire, which are extremely expensive. In closing, Comr. Moss advised residents living in condominiums to start focusing on not cutting corners and not doing away with the requirements. He believes the requirements imposed by the new legislation are very good, but suggested that condo associations be given a little bit more time to get caught up so it's not such an enormous burden on unit owners.

Comr. Perkins' Report:

Comr. Perkins commented on the Clean Street Events, stating that she would like to receive two weeks advance notice prior to the events, so she could get the word out in advance to the residents.

Comr. Perkins reiterated her request from a past meeting whereby she suggested that Commission Districts be included on the Agenda. She noticed it was listed as an attachment on her iPad, but she originally requested that it be placed on the Agenda underneath where it says staff contact.

Mayor Hardin confirmed that there were items on the Agenda that referenced commission districts, one of which was Item 27 that says Commission District 1. However, some items are citywide, so there is no mention of commission district. Therefore, Mayor Hardin asked if Comr. Perkins is requesting items that do not have a District to be listed as citywide, to which Comr. Perkins replied it should reference the district or it should say citywide.

Comr. Perkins stated she is looking forward to the Pioneer's Family Reunion Fish Fry event. She said the event was a great idea that was brought forth by the Cultural Arts Department. Also, she is looking forward to the Pioneer's Ball and Sunday Brunch as part of the events to place during Black History Month. In closing, Comr. Perkins wished everyone a Happy Valentine's Day.

Vice Mayor McGee's Report:

Vice Mayor McGee wished everyone a Happy Valentine's Day.

Vice Mayor McGee spoke about MTech World, which is the Subcommittee created with the help of Metropolitan Planning Organization to help get Federal funding for cities and help larger cities take certain projects off their plate and allow contractors to handle it. For the smaller cities who do not have the infrastructure, they will be able to also move their projects forward.

Vice Mayor McGee expressed appreciation for Comr. Moss bringing attention to the new legislation that impact condominiums. She appreciates the forward thinking of trying to figure out how to make sure that people aren't unable to stay in their condos as these repairs come through the 40-year or the 50-year inspections. She is looking forward to meeting with State Senator Pizzo to discuss this matter.

Vice Mayor McGee announced that St. Coleman Church will be having their Annual Italian Festival this weekend. There will be food, rides, games, raffles and all sorts of fun stuff. The festival is open to the public.

Mayor Hardin's Report:

Mayor Hardin mentioned he participated in one of the Tiger Trail Events. It was the William F. Boynton 5K Run/Walk, of which he received an award. He was awarded second place in the 63/64 age bracket. The Mayor commended everyone who participated in all the Tiger Trail events and highlighted some of the events: 1) The Collier City Trailblazers that took place at McNair Park, 2) "Let's Talk About Guns" forum which was hosted by Ms. Washington, and 3) The Black-Tie Gala of which Comr. Fournier along with Comr. Eaton was in attendance.

The Mayor thanked Mr. Harrison for pointing out all the Black History Month events that the City is participating in. He said it was his goal years ago to try to bring more attention to Black History Month in Pompano Beach and its really working. In closing, the Mayor wished everyone a Happy Valentine's Day and asked everyone to keep the MSD families in their prayers.

I. ADJOURNMENT

The meeting adjourned at 3:36 p.m.

DocuSigned by:

Kervin Alfred

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Kervin Alfred, City Clerk

DocuSigned by:

Rex Hardin

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Rex Hardin, Mayor

DocuSigned by:

