

Action Minutes - Final

City Commission

Lamar Fisher, Mayor
Charlotte J. Burrie, Vice Mayor
Rex Hardin, Commissioner
Barry Moss, Commissioner
Beverly Perkins, Commissioner
Michael Sobel, Commissioner

Gregory P. Harrison, City Manager
Mark Berman, City Attorney
Asceleta Hammond, City Clerk

Tuesday, May 23, 2017

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Lamar Fisher called the meeting to order at 6:00 p.m.

ROLL CALL

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

INVOCATION

Dr. Louis B. Fisher, Jr., - First Baptist Church, Pompano Beach offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Jada Mann, Nyla Mann and Dwayne James from Sanders Park Elementary School.

APPROVAL OF MINUTES

[17-433](#) Regular City Commission Meeting Minutes of May 9, 2017

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

APPROVAL OF AGENDA

Mayor Fisher announced Item 4 will be tabled until June 13, 2017 City Commission meeting.

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

CONSENT AGENDA DISCUSSION

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

A. SPECIAL PRESENTATION

[17-447](#) Unity in the Community Scholarship Awards Presentation

Mayor Lamar Fisher and Carolyn Mann, President of Unity in the Community of Pompano Beach, presented the Reverend William Clark Memorial Scholarship to the following recipients:

KASSANDRA ST. FLEUR, graduate of Blanche Ely High School will attend Florida State University

MANOUCHKA ETIENNE, graduate of Blanche Ely High School will attend Barry University

ALICE MATHIEU, graduate of Blanche Ely High School will attend Florida State University

BAKYANNA ANTENOR, graduate of Blanche Ely High School will attend Florida A&M University

JANAY BANNER, graduate of Blanche Ely High School will attend Grambling State University

TYDAZNJA FRANCOIS, graduate of Blanche Ely High School will attend Florida A&M University

SHEMAR BAZILE, graduate of Blanche Ely High School will attend Florida Atlantic University

THERESA JEAN LOUIS, graduate of Deerfield Beach High School will attend Bethune Cookman University

SHERLINE BERTRAND, graduate of Deerfield Beach High School will attend University of Florida

This matter was READ AND PRESENTED INTO THE RECORD

B. PROCLAMATIONS[17-420](#) Recognition to BSO Deputy George Wesolowski

Mayor Lamar Fisher recognized BSO Deputy George Wesolowski for his many years of service to the citizens of Pompano Beach and Broward County.

This matter was READ AND PRESENTED INTO THE RECORD

[17-421](#) Emergency Medical Services Week Proclaimed

Mayor Lamar Fisher presented a proclamation to Pompano Beach Fire Chief John Jurgle and Pompano Beach Division Chief of EMS Frank Galgano proclaiming May 21 through May 27, 2017 as “Emergency Medical Services Week” in the City of Pompano Beach.

This matter was READ AND PRESENTED INTO THE RECORD

[17-448](#) Pompano Beach Fire Rescue Receives Recognition for ISO Class 1 Rating

Pompano Beach Fire Chief John Jurgle received a proclamation on behalf of the Department from Mayor Lamar Fisher in recognition of their ISO (Insurance Service Organization) Class 1 rating.

This matter was READ AND PRESENTED INTO THE RECORD

C. AUDIENCE TO BE HEARD

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

The following persons were called to speak:

Sharonda Richardson, Eccentrich Displays, LLC 700 NW 17th Street, Pompano Beach, FL

Terry A. Williams Edden, 757 NW 15th Street, Pompano Beach, FL

Alaya Peterson, 305 SW 1st Court, Pompano Beach, FL

Stephanie Steinberg, 3256 NE 15th Street, Pompano Beach, FL

Kay Renz, President, Kay Renz PR, 1185 Sea Grape Circle, Delray Beach, FL

Sandy Von Staden, 3201 Beason Street, Pompano Beach, FL

Patrick Jovanov, 411 NE 18th Avenue, Pompano Beach, FL

Randy and Lori Degler, 2745 SE 2nd Court, Pompano Beach, FL

Sharon Stone Walker, President, Mayor’s Prayer Breakfast, P.O. Box 1821, 300 NW 2nd Street, Pompano Beach, FL

Sarahca Peterson, 305 SW 1st Court, Pompano Beach, FL

D. CONSENT AGENDA

1. [17-439](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HOLA MUNDO!, LLC TO PROVIDE A BILINGUAL SUMMER CAMP FOR BOYS AND GIRLS AGES FOUR TO THIRTEEN YEARS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$2,000.00 to be paid by Licensee as compensation for use of Beach Pavilion #2.)

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

Enactment No: RES. No. 2017-243

2. [17-432](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE CITY OF MARGATE TO PROVIDE BULK POTABLE WATER DURING TIMES OF EMERGENCY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$79,024.00)

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

Enactment No: RES. No. 2017-244

3. [17-446](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM TSATAS ACQUISITIONS, LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

Enactment No: RES. No. 2017-245

4. [17-449](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$41,150.00)

TABLED FROM MAY 23, 2017

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be TABLED until June 13, 2017 City Commission meeting. The motion carried unanimously.

5. [17-453](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MUTUAL AID AGREEMENT AMONG THE CITY OF LIGHTHOUSE POINT, FLORIDA, CITY OF POMPANO BEACH, FLORIDA AND THE BROWARD SHERIFF'S OFFICE RELATING TO EXCHANGE CLUB PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

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

Enactment No: RES. No. 2017-246

6. [17-441](#) 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)

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

Enactment No: RES. No. 2017-247

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

7. [17-437](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE HAAS ADDITION PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-248

END OF QUASI-JUDICIAL PROCEEDING

8. [17-341](#) P.H. 2017-55: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 153, "RENTAL HOUSING CODE," OF THE CITY OF POMPANO BEACH TO PROVIDE FOR AMENDMENTS TO SECTION 153.05, "DEFINITIONS"; BY AMENDING SECTION 153.08, "SHORT TERM RENTAL PERMIT REQUIRED," TO REQUIRE ANY OWNER WHO OPERATES A SHORT TERM RENTAL TO FIRST OBTAIN A SHORT TERM RENTAL PERMIT, AND PROVIDING FOR PENALTIES FOR VIOLATIONS; BY AMENDING SECTION 153.11, "INSPECTIONS," TO PROVIDE FOR ADDITIONAL INSPECTIONS; BY CREATING SECTION 153.26, "MINIMUM STANDARDS FOR SHORT TERM RENTALS," TO PROVIDE FOR REGULATIONS RELATING TO SHORT TERM RENTALS; BY AMENDING SECTION 153.33, "RESPONSIBILITIES OF OWNERS," TO REFERENCE EXISTING PROHIBITIONS ON RENTALS AND PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$60,000.00)

FIRST READING: MAY 23, 2017

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

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

9. [17-444](#) P.H. 2017-58: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE CG HILLSBORO SHORES, LLC REQUEST OF PROPERTIES LOCATED AT 2507 N. OCEAN BLVD. AND 2629 N. RIVERSIDE DRIVE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON APRIL 26TH, 2017; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Hardin

Perkins

Sobel

Burrie

Fisher

No: Moss

10. [17-430](#) P.H. 2017-56: (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 SOVEREIGNTY SUBMERGED LANDS FEE WAIVED LEASE MODIFICATION TO EXTEND TERM BETWEEN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA AND THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 23, 2017

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

11. [17-452](#) P.H. 2017-57: (PUBLIC HEARING 2ND READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 33.001, "GENERAL REQUIREMENTS," TO ESTABLISH STANDARD REQUIREMENTS FOR ALL MEMBERS SERVING ON CITY BOARDS AND COMMITTEES AND ESTABLISHING STANDARDS AND PROCEDURES FOR REJECTION OF NOMINEES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: MAY 23, 2017

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be APPROVED FIRST READING AS AMENDED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Sobel
Burrie
Fisher

No: Perkins

12. [17-419](#) P.H. 2017-52: (PUBLIC HEARING 2ND READING)

AN ORDINANCE AMENDING CHAPTER 36, "TAXATION AND FINANCE", OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 36.032, "INSURANCE SERVICES FUND," TO PROVIDE FOR PROCEDURES AND AUTHORITY TO RESOLVE VARIOUS EMPLOYMENT CLAIMS AND TO INCREASE THE COMBINED AUTHORITY FOR SETTLEMENT OF CLAIMS BY THE RISK MANAGER, CITY ATTORNEY AND CITY MANAGER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 9, 2017

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

Yes: Hardin

Moss

Burrie

Fisher

Absent: Perkins

Sobel

Enactment No: ORD. No. 2017-48

13. [17-381](#) P.H. 2017-53: (PUBLIC HEARING 2ND READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ENACTING A TEMPORARY MORATORIUM TO PROHIBIT THE ACCEPTANCE OR PROCESSING OF ANY APPLICATION FOR A PERMIT, DEVELOPMENT ORDER, OR ANY OTHER OFFICIAL ACTION OF THE CITY HAVING THE EFFECT OF PERMITTING OR ALLOWING THE CONSTRUCTION OF WIRELESS COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY CONTROLLED BY THE CITY; PROVIDING FOR A SIX MONTH TERM TO BE EXTENDED IF NECESSARY BY THE CITY COMMISSION; PROVIDING FOR EARLY TERMINATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: MAY 9, 2017

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

Yes: Hardin
Moss
Sobel
Burrie
Fisher

Absent: Perkins

Enactment No: ORD. No. 2017-49

14. [17-445](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING SURPLUS AND EXPRESSING THE DESIRE OF THE CITY OF POMPANO BEACH TO SELL A CERTAIN PARCEL OF REAL PROPERTY LOCATED AT 1841 N. POWERLINE ROAD, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

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

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: RES. No. 2017-249

15. [17-451](#) Approval to award Bid #E-31-17 Deep Well Relining Project to the lowest responsive responsible bidder, Layne Christensen Company, at a cost of \$1,088,350.00.

(Fiscal Impact: \$1,088,350.00)

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

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

16. [17-434](#) Consideration to designate NW 8th Avenue as a dual named road "Rev Albert E. Johnson Ave"

(Fiscal Impact: \$500.00 provided by applicant)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Item for Consideration/Discussion be APPROVED and for staff to create a Resolution for City Commission adoption. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

17. [17-442](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RAY LUBOMSKI TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 FOR A PERIOD OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JUNE 8, 2019; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Ray Lubomski - Incumbent/Alternate 1 - District 3

Charles Bechert, III - District 3

David Baumwald - District 4

Brian Anthony Campbell - District 4

Marcus McDougle - District 4

Russell Adams - District 5

Andy Cherenfant - District 5

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to insert the names Ray Lubomski, or Brian Anthony Campbell nominated by Comr. Perkins. The Resolution was ADOPTED to insert the name RAY LUBOMSKI. The motion carried by the following vote:

Yes: Hardin

Moss

Sobel

Burrie

Fisher

No: Perkins

Enactment No: RES. No. 2017-250

F. REPORTS

G. ADJOURNMENT

The meeting was adjourned at 9:10 P.M.

BALANCE IN CONTINGENCY

Oct. 1, 2016	Beginning Balance	\$10,000.00
May 9, 2017	Blues & Sweet Potato Pie Festival	\$2,000.00
May 9, 2017	Travel expenses to Disney World (Embracing Team, Inc.)	\$4,500.00
	Total:	\$3,500.00