

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, September 26, 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

Elder Whitney Rawls from Christ Fellowship Church of God in Christ offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[17-658](#) City Commission Budget Workshop Minutes of July 17, 2017

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

[17-597](#) Regular City Commission Meeting Minutes of July 25, 2017

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

APPROVAL OF AGENDA

Mayor Fisher stated that the Agenda would be amended as follows:

Item 26 will be pulled from the table and tabled for the December 12, 2017 City Commission meeting.

Item 27 will be tabled for the November 14, 2017 City Commission meeting.

Item 28 will be tabled for the December 12, 2017 City Commission meeting.

Item 29A has been added to the Agenda.

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

CONSENT AGENDA DISCUSSION

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

Mayor Fisher announced that items 1, 4, 8, and 10 will be pulled for City Commission discussion.

A. PROCLAMATIONS

[17-620](#) Tribute to Reverend Albert E. & Matriarch Elizabeth R. Johnson

Mayor Lamar Fisher presented the Johnson family with a proclamation in remembrance of Reverend Albert E. and Matriarch Elizabeth R. Johnson honoring their service to the community.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. AUDIENCE TO BE HEARD

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:

Senator Perry E. Thurston, Jr., Florida Senate, 2151 NW 6th Street, Fort Lauderdale, FL

Joe Ryan, 427 NE 27th Avenue, Pompano Beach, FL

Pastor Gary McCleod, Pompano Christian Clergy Council, 2649 NW 9th Court, Pompano Beach, FL

Robert Alexander, Sanders Park, Pompano Beach, FL

Ed Phillips, 1642 Powerline Road, Pompano Beach, FL

Bishop Dr. Ivory Wilson, Pompano Beach, FL

Barri McMillon, President, Delta Sigma Theta Sorority, 456 NW 1st Street, Deerfield Beach, FL

Kris Coffelt, Curtain Call Playhouse, Pompano Beach, FL

Bruce Britton, Vice President, Progressive Firefighters’ Association of South Florida, Hollywood, FL

George Martos, Coach, 4131 NW 17th Avenue, Oakland Park, FL

Ron Boehl, Pompano Beach, FL

Deetra Sands Durham, Family member of Rhunette L. Hill Williams, 2491 NW 16th Street, Fort Lauderdale, FL

C.. SPECIAL ANNOUNCEMENT

Mayor Fisher announced that FEMA Mobile Registration Intake Center will have disaster survivor team members at the E. Pat Larkins Community Center, 520 Martin Luther King, Jr. Blvd., on Wednesday, September 27, 2017 through Tuesday, October 3, 2017 from 8:00 a.m. to 4:00 p.m. He said they will be assisting individuals with the household program registration process for those seeking assistance due to Hurricane Irma. The FEMA's individual and households program provide financial help or direct service to those who had necessary expenses and serious needs that are unable to meet those needs through other means.

D. CONSENT AGENDA

There was no discussion on Consent Agenda Items 2, 3, 5-7, 9, 11-14.

1. [17-582](#) Approve ranking order for RFP E-35-17 Fixed Base Operations at the Pompano Beach Airpark Parcel Y [Rebid], and authorize staff to negotiate a contract with the highest-ranked firm, MTT Airpark Holdings, LLC (No cost at this time.).
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

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

Yes: Hardin
Perkins
Sobel
Burrie
Fisher

Absent: Moss

2. [17-594](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NORTHWEST 16th STREET BOUNDED BY SANDERS PARK ELEMENTARY SCHOOL ON THE WEST AND DIXIE HIGHWAY (STATE ROAD 811) ON THE EAST TO A DUAL DESIGNATION OF RUNETTE L. WILLIAMS STREET AND NW 16TH STREET WITH NW 16TH STREET TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500.00 provided by requester)

(Staff Contact: Robert McCaughan)

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. 2017-319

3. [17-613](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING A GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE UNITED STATES DEPARTMENT OF TRANSPORTATION FEDERAL AVIATION ADMINISTRATION ACCEPTING THE GRANT TO UPDATE THE AIRPORT MASTER PLAN STUDY AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Amount is \$373,167.00; City Cost Share is \$19,817.00)

(Staff Contact: Robert McCaughan/Steve Rocco)

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. 2017-320

4. [17-637](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE AMENDED RESIDENTIAL AND NON-RESIDENTIAL FLEX RECEIVING AREA MAP; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

A motion was made by Commissioner Hardin, seconded by Mayor Fisher, 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. 2017-321

5. [17-633](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND INDUSTRIAL DEVELOPMENTS INTERNATIONAL, LLC FOR SITE IMPROVEMENTS AT THE NORTHWEST CORNER OF THE INTERSECTION OF WEST COPANS ROAD AND BLOUNT ROAD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: David Recor/Scott Reale)

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. 2017-322

6. [17-638](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND INDUSTRIAL DEVELOPMENTS INTERNATIONAL, LLC FOR SITE IMPROVEMENTS AT THE WEST END OF NW 33 STREET ADJACENT TO FLORIDA'S TURNPIKE, SOUTH OF SAMPLE ROAD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: David Recor/Scott Reale)

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. 2017-323

7. [17-603](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO ENACT LEGISLATION THAT WOULD MAKE TEXTING WHILE DRIVING A PRIMARY OFFENSE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

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. 2017-324

8. [17-631](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DENOUNCING HATE, EXTREMISM AND BIGOTRY; SUPPORTING STEPS TO COMBAT HATE, EXTREMISM AND BIGOTRY; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

A motion was made by Commissioner Hardin, seconded by Commissioner Perkins, 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. 2017-325

9. [17-617](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, WAIVING FORMAL COMPETITIVE BIDS FOR THE PURCHASE OF THREE HYDRAULIC STRETCHERS, SEVEN POWER LOAD SYSTEMS AND COMPATIBILITY KITS TO UPGRADE FOUR HYDRAULIC STRETCHERS FROM STRYKER SALES CORPORATION IN THE AMOUNT OF \$195,728.00; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$195,728.00)

(Staff Contact: John Jurgle)

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. 2017-326

10. [17-623](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2017-258; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT AND A DISTRICT FOUR MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE MAINTENANCE OF IMPROVEMENTS TO BE INSTALLED UNDER CONSTRUCTION AGREEMENT NUMBER 2016-C-491-0004 ON STATE ROAD 814 (EAST ATLANTIC BLVD.), BRIDGE NO. 860157, BEGINNING FROM WEST ABUTMENT AT MILE POST 7.65 TO EAST ABUTMENT AT MILE POST 7.72; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

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. 2017-327

11. [17-601](#) 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 THE ROTARY CLUB OF POMPANO BEACH - LIGHTHOUSE, INC. FOR THE USE OF FIELD #2 AT FOUR FIELDS COMPLEX AT COMMUNITY PARK FOR A PET RESCUE AND ADOPTION EVENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$696 in-kind services waived - Exhibit E)

(Staff Contact: Mark A. Beaudreau)

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. 2017-328

12. [17-646](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BEACH EAGLES, INC. TO OPERATE THE CONCESSION STAND AT A NEW LOCATION IN NORTH POMPANO PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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. 2017-329

13. [17-648](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO COWBOYS BOOSTER CLUB, INC. TO OPERATE THE CONCESSION STAND AT MCNAIR PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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. 2017-330

14. [17-649](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO CHIEFS FOOTBALL TEAM, INC. TO OPERATE THE CONCESSION STAND AT MITCHELL/MOORE PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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. 2017-331

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

15. [17-619](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE RICK CASE HABITAT COMMUNITY PLAT GENERALLY LOCATED ON THE SOUTHWEST CORNER OF NW 15TH STREET AND NW 6TH AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

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. 2017-332

16. [17-557](#) **P.H. 2017-83: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF THE RIGHT-OF-WAY CONSISTING OF VARIOUS WIDTHS ADJACENT TO SW 9TH AVENUE, LYING EAST OF I-95 AND NORTH OF THE INTERSECTION OF SW 9TH AVENUE AND SW 8TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

TABLED FROM JULY 25, 2017

(Staff Contact: Maggie Barszewski/David Recor)

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

17. [17-558](#) **P.H. 2017-84: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING ORDINANCE NO. 2005-45 TO MODIFY EXHIBIT 'A,' LEGAL DESCRIPTION, TO INCLUDE ADDITIONAL AREAS IN THE ABANDONMENT OF THOSE CERTAIN UTILITY EASEMENTS AND RIGHTS-OF-WAY WITHIN THE FERNANDER/WRIGHT SUBDIVISION RECORDED IN PLAT BOOK 159, PAGE 6 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING NORTH OF NORTHWEST 15TH STREET AND WEST OF ROBERT MARKHAM ELEMENTARY SCHOOL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

TABLED FROM JULY 25, 2017

(Staff Contact: Maggie Barszewski/David Recor)

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

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

18. [17-614](#) **P.H. 2017-89: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA REZONING PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD AND NORTH POMPANO BEACH BOULEVARD, BOUNDED ON THE NORTH AND SOUTH BY NE THIRD STREET AND NE SECOND STREET, TO AMEND THE PD-I (PLANNED DEVELOPMENT INFILL DISTRICT) WITHIN THE ATLANTIC BOULEVARD OVERLAY DISTRICT, BY AND THROUGH MODIFICATION OF THE CURRENT APPROVED MASTER PD PLAN; PROVIDING FOR CONFORMANCE TO A PLANNED DEVELOPMENT PLAN AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Daniel Keester/David Recor)

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

19. [17-655](#) **P.H. 2017-93: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING AT THE SOUTHEAST CORNER OF N.W. 27TH AVENUE AND N.W. 34TH PLACE FROM I-1 WITH A PCI (PLANNED COMMERCIAL/INDUSTRIAL OVERLAY) to I-1 (GENERAL INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David L. Recor)

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

END OF QUASI-JUDICIAL PROCEEDING

20. [17-549](#) **P.H. 2017-81: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 32.47, "PUBLIC-PRIVATE PARTNERSHIPS," AND BY CREATING SECTION 32.48, "UNSOLICITED PROPOSALS," TO CODIFY THE PROCUREMENT PROCEDURES TO BE USED FOR PUBLIC-PRIVATE PARTNERSHIPS AND UNSOLICITED PROPOSALS CONSISTENT WITH SECTION 255.065, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

TABLED FROM JULY 25, 2017

(Staff Contact: Greg Harrison/Suzette Sibble)

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

21. [17-657](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE PROFESSIONAL SERVICE AND LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CREATIVE CITY COLLABORATIVE OF POMPANO BEACH, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$629,341.00)

(Staff Contact: Phyllis Korab/ Mark Beaudreau/ Terrell Fritz)

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. 2017-333

22. [17-656](#) Approval to award Bid #E-37-17 Reuse System Northeast Expansion Phase I to the lowest responsive, responsible bidder, DBF Construction, LLC, in the amount of \$1,735,001.00.

(Fiscal Impact: \$ 1,735,001.00)

(Staff Contact: A. Randolph Brown)

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

Yes: Hardin

Moss

Perkins

Sobel

Burrie

Fisher

23. [17-523](#) **P.H. 2017-70: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, AMENDING CHAPTER 151, "BEACHES AND WATERWAYS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 151.05, "SEAWALLS," TO MODIFY REQUIREMENTS FOR CONSTRUCTION OR REPAIR OF SEAWALLS AND BY MODIFYING REFERENCES; AND BY AMENDING SECTION 151.08, "STRUCTURES ON WALLS," TO MODIFY THE TYPES OF STRUCTURES THAT MAY NOT BE ERECTED ON TOP OF OR OVER SEAWALLS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 11, 2017

TABLED FROM JULY 25, 2017

(Staff Contact: John Sfiropoulos)

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

Perkins

Sobel

Burrie

Fisher

Enactment No: ORD. No. 2017-69

24. [17-524](#) **P.H. 2017-71: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 91, "BOATS AND WATER RECREATION," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 91.10, "DOCKING AND LIVING ABOARD BOATS," TO PERMIT NON-PARALLEL DOCKING OF UP TO FOUR PERSONAL WATERCRAFT STORED OUT OF THE WATER ON A FLOATING PLATFORM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 11, 2017

TABLED FROM JULY 25, 2017

(Staff Contact: John Sfiropoulos)

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

Yes: Hardin

Moss

Perkins

Sobel

Burrie

Fisher

Enactment No: ORD. No. 2017-70

25. [17-632](#) A RESOLUTION APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN POMPANO CAPITAL PROPERTIES, LLC AND THE CITY OF POMPANO BEACH FOR THE PURCHASE OF PROPERTY LOCATED AT 223 NE 13TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$313,000.00)

(Staff Contact: Greg Harrison/Chris Brown)

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. 2017-334

26. [17-547](#) **P.H. 2017-82: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 96, "HEALTH AND SAFETY," BY CREATING SECTION 96.61, "STYROFOAM/POLYSTYRENE FOOD SERVICE ARTICLES," PROVIDING FOR PROHIBITIONS REGARDING SALE OR USE OF EXPANDED POLYSTYRENE FOOD SERVICE ARTICLES BY CITY CONTRACTORS AND SPECIAL EVENT PERMITTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

TABLED FROM JULY 25, 2017

(Staff Contact: David Recor/Jean Dolan)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be TABLED to December 12, 2017 City Commission Meeting. The motion carried unanimously.

27. [17-618](#) **P.H. 2017-90: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO MODIFY RATES AND SERVICE CHARGES FOR COLLECTION OF RESIDENTIAL AND COMMERCIAL GARBAGE AND BULK WASTE IN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A (Pass Thru))

(Staff Contact: Robert McCaughan)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Ordinance be TABLED to the November 14, 2017 City Commission Meeting. The motion carried unanimously.

28. [17-621](#) **P.H. 2017-91: (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 MASTER SOLAR ENERGY AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City to receive payments of \$18.00 per Kilowatt from Canopies)

(Staff Contact: Horacio Danovich)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that the Resolution be TABLED to the December 12, 2017 City Commission Meeting. The motion carried unanimously.

29. [17-651](#) **P.H. 2017-92: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 154, "PLANNING," BY AMENDING SECTION 154.60, "DEFINITIONS," TO BE CONSISTENT WITH THE CHANGES MADE THROUGH THE "BROWARDNEXT" PROCESS AND ADOPTED INTO THE 2017 BROWARD COUNTY LAND USE PLAN; BY AMENDING SECTION 154.61, "RESERVE AND FLEXIBILITY UNITS," TO REMOVE REFERENCES TO RESERVE UNITS; DEFINE HOW THE NEW FLEXIBILITY AND REDEVELOPMENT UNITS ARE ALLOCATED TO PROPERTIES WITHIN THE CITY OF POMPANO BEACH THROUGH ADOPTION OF A RESIDENTIAL AND NONRESIDENTIAL FLEXIBILITY RECEIVING AREA MAP AND A REDEVELOPMENT UNIT RECEIVING AREA MAP; TO CLARIFY THE APPLICATION AND PROCESSING PROCEDURE AND THE REVIEW STANDARDS FOR APPROVAL OF A FLEXIBILITY ALLOCATION; TO ADD REDEVELOPMENT UNITS TO THE AFFORDABLE HOUSING REQUIREMENTS AND TO PROVIDE FOR AN IN LIEU OF FEE OPTION FOR THE AFFORDABLE HOUSING REQUIREMENT; BY CREATING SECTION 154.62, "NONRESIDENTIAL FLEXIBILITY," TO PROVIDE FOR THE USE OF NONRESIDENTIAL FLEXIBILITY; BY AMENDING SECTION 154.80, "AFFORDABLE HOUSING CONTRIBUTIONS," TO ADD AN IN LIEU OF FEE CONTRIBUTION FOR AFFORDABLE HOUSING REGULATIONS WITHIN CHAPTER 154.; AND BY AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING APPENDIX C: "FEE SCHEDULE," TO REVISE THE FEE SCHEDULE TO CONFORM TO AMENDMENTS MADE BY THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

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

- 29A. [17-667](#) AN EMERGENCY ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TO TEMPORARILY SUSPEND BUILDING PERMIT FEES FOR DAMAGE CAUSED BY HURRICANE IRMA SUBJECT TO SPECIFIC CONDITIONS; MAKING FINDINGS AND ESTABLISHING REQUIREMENTS RELATED TO SAID SUSPENSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Mark E. Berman)

Meeting went into Recess

Meeting Reconvened

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, that 2nd Reading be declared an emergency reading and that the Ordinance be ADOPTED. The motion carried by the following roll call vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

Enactment No: ORD. No. 2017-71

30. [17-625](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **PATRICIA A. DESANCTIS** TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 27, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Patricia A. DeSanctis, District 1

Gene Pridemore, Coral Springs/District 3

Richard Sasso, Lighthouse Point/District 4

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name PATRICIA A. DESANCTIS, and that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin

Moss

Perkins

Sobel

Burrie

Fisher

Enactment No: RES. No. 2017-335

31. [17-626](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF GARY S. RUDERMAN, ALTERNATE 1; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-625 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Hardin, seconded by Commissioner Moss, that the Resolution be TABLED for thirty (30) days. The motion carried by the following vote:

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

32. [17-628](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **WHITNEY RAWLS** TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Gladys M. Sutton, District 2, *Incumbent*

Jimmie L. Glenn, District 4, *Incumbent*

Latoya T. Almonord, District 1

Lisa Ferreri, District 1

Michelle Rhoulhac, District 2

Sharon Stone-Walker, District 2

Charles H. Bechert, III, District 3

Whitney Ann Metevia, District 3

David Baumwald, District 4

JaMeesha Bernadin, District 4

Marcus A McDougale, District 4

Shelton Pooler, District 4

Whitney Rawls, District 4

Mary S. Phillips, District 4

Jessie Walker, District 4

Joseph Wells, District 4

Andy Cherenfant, District 5

Bridget Jackson, District 5

Doreen L. Malcolm, District 5

Clovis B. Nelson, District 5

(Staff Contact: Asceletha Hammond)

A motion was made by Mayor Fisher, seconded by Commissioner Hardin to insert the name WHITNEY RAWLS and that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin
Moss
Sobel
Burrie
Fisher

Recused: Perkins

Enactment No: RES. No. 2017-336

33. [17-629](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING WHITNEY ANN METEVIA TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-628 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Mayor Fisher, seconded by Commissioner Hardin to insert the name WHITNEY ANN METEVIA and that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin
Moss
Sobel
Burrie
Fisher

Recused: Perkins

Enactment No: RES. No. 2017-337

34. [17-641](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CLAUDIA MCMAHON TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Joan Kovac, District 1, *Incumbent*

Claudia McMahon, District 3, *Incumbent*

Alice Chattman, District 4/Alternate 1

Keith Haag, District 1/Alternate 2

Mary C. Antoine, District 1

Claudia Mazzocchi, District 1

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name Claudia McMahon and Commissioner Sobel nominated Keith Haag. The Resolution was ADOPTED by inserting the name CLAUDIA MCMAHON. The motion carried by the following vote:

Yes: Hardin

Moss

Burrie

Fisher

No: Perkins

Sobel

Enactment No: RES. No. 2017-338

35. [17-642](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JOAN KOVAC TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-641 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Moss, seconded by Commissioner Hardin to insert the name JOAN KOVAC and that the Resolution be ADOPTED. The motion carried by the following vote:

Yes: Hardin

Moss

Perkins

Sobel

Burrie

Fisher

Enactment No: RES. No. 2017-339

36. [17-643](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **SALAH ELROWENY** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Joby Balint, *Architect, Incumbent*, District 1

Robert Zbikowski, *Real Estate Appraiser, Incumbent*, District 1

Salah Elroweny, *Architect/General Contractor, Incumbent*, District 3

Ray Lubomski, *Civil Engineer*, District 3/Alternate 1

Walter Syrek, *Licensed Architect*, District 2/Alternate 2

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

David Baumwald, *President Construction Co.* - District 4

Brian Anthony Campbell, *Architecture/Minister* - District 4

Marcus A. McDougle, *President Sports Organization* - District 4

Russell Adams, *Property Manager* - District 5

Andy Cherenfant, *Business Consultant* - District 5

(Staff Contact: Asceletha Hammond)

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name Salah Elroweny and Commissioner Perkins nominated Brian Anthony Campbell. The Resolution was ADOPTED to insert the name SALAH ELROWENY. The motion carried by the following vote:

Yes: Hardin

Moss

Burrie

Fisher

No: Perkins

Sobel

Enactment No: RES. No. 2017-340

37. [17-644](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOBY BALINT** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-643 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name Joby Balint and Commissioner Perkins nominated Brian Anthony Campbell. The Resolution was ADOPTED to insert the name JOBY BALINT. The motion carried by the following vote:

Yes: Hardin
Moss
Burrie
Fisher

No: Perkins
Sobel

Enactment No: RES. No. 2017-341

38. [17-645](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ROBERT ZBIKOWSKI** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2017-643 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Commissioner Hardin, seconded by Commissioner Moss to insert the name Robert Zbikowski, Commissioner Perkins nominated Brian Anthony Campbell and Commissioner Sobel nominated Andy Cherenfant. The Resolution was ADOPTED to insert the name ROBERT ZBIKOWSKI. The motion carried by the following vote:

Yes: Hardin

Moss

Sobel

Burrie

Fisher

No: Perkins

Enactment No: RES. No. 2017-342

F. REPORTS

G. ADJOURNMENT

The meeting adjourned at 9:33 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
May 23, 2017	Eccentric Displays LLC (Live stage play titled "Made in Pompano: Live Theatre Co.")	\$2,000.00
May 23, 2017	The Round Table Project LLC ("Teen Happy Our" to book DJ's during the summer)	\$500.00
June 13, 2017	Back To School Fun Day Event	\$1,000.00
	Total:	\$0.00