

Detailed 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
Ascelesta Hammond, City Clerk

Tuesday, July 24, 2018

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.

SPECIAL ANNOUNCEMENT

Mayor Fisher announced that City staff is experiencing technical difficulties with Channel 78 programming. Therefore, the meeting will be videotaped and as soon as this is completed it will be uploaded to Channel 78, as well as Live Stream. Both Channel 78 and Live Stream are inactive.

ROLL CALL

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

INVOCATION

Pastor Don Worden of First Baptist Church of Pompano Beach offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Ascelesta Hammond, City Clerk

APPROVAL OF MINUTES

18-508 Regular City Commission Meeting Minutes of July 10, 2018

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 that item 5 will be stricken from the Consent Agenda, as well as item 14 will be taken from the table and stricken from the Regular 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 and 10 will be pulled from the Consent Agenda for City Commission discussion.

A. SPECIAL PRESENTATION

18-496 **Introduction of New Fire Recruits**

Fire Chief John Jurgle introduced twelve new fire recruits.

Mayor Fisher, on behalf of the City Commission, informed the new recruits that they were working for the best department in the United States of America. He said they have brought together extensive experiences to the City of Pompano Beach. In addition, Mayor Fisher stated that public safety is the City Commission's most important service that can be provided to the residents of the City. The Department is well led by Chief John Jurgle and there are a lot of veterans that they will also learn from. He encouraged them not to forget that they are serving the residents and said he is confident they will make the City proud. Finally, he thanked them for giving their lives to the department and joining the organization. He also wished them God's protection.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

18-512 **Recognition of the City of Pompano Beach Honorary Historian**

Mayor Lamar Fisher recognized Hazel Armbrister as the official Honorary City Historian.

Mayor Fisher welcomed Ms. Armbrister's brother, a former senator who resides in the Virgin Islands. He commented that Ms. Armbrister dedicated her life to the City of Pompano Beach and preserving its history. She has fought hard to preserve the Ali Building, which would not exist today had it not been for her dedication and perseverance. He said a resolution was previously passed designating Ms. Armbrister as the City's official historian. Therefore, he read and presented Ms. Armbrister with a proclamation.

Hazel Armbrister, thanked the City that became her home. She said she came for two weeks until someone else could be found to work in an office and has remained in the City for approximately sixty one (61) years. She has seen the growth of the City, and the changes made have been phenomenal. She said she is proud to be a "Pompanoian, a Pompano Beachite" and she will be here until they take her to Forest Lawn located on Copans Road.

Comr. Perkins invited Ms. Armbrister to talk about September 6, 2018 event.

Hazel Armbrister stated that on September 6, 2018 there is a program scheduled to commemorate a historical site in the City of Pompano Beach. This site was originally called the Pompano Beach Colored School, which is currently the Coleman Elementary. She said the school was constructed in the City of Pompano Beach with the assistance of Julius Rosenwald of Sears, Roebuck & Company history and Booker T. Washington and was originally called the Pompano Beach Colored School. Therefore, on Thursday, September 6, 2018, they will be unveiling a Florida State marker to commemorate the fact that there was a Pompano Beach Colored School in the City of Pompano Beach.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

B. 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.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is longer, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission meeting in the event that individuals wishing to speak are not reached during the first session". (Effective November 27, 2007)

The following persons were called to speak:

Expressions of Appreciation - Sharon Stephenson, Pompano Beach, FL, thanked Broward Sheriff's Office (BSO) for being on the right-of-way (ROW) to ensure everyone's safety, as well as to Officer Ramsay for his phone call to check on her. She said the BSO officers have been present all the time with all the different activities in her area. In addition, she thanked everyone walking the streets and coming into the Café, and for the quick responses. She also thanked Nguyen Tran, from the Community Redevelopment Agency (CRA), who checked on her, as well as Vicente Thrower, and Comr. Sobel who visited to address the homeless agenda.

Summer Youth Employment Program - Bessie Showers, Director, Summer Youth and Employment Program, New Horizon, 1518 NW 17th Avenue, Pompano Beach, FL, reported that they have ninety (90) youth employed in the Summer Youth Employment Program. On behalf of the parents and youth who participated in the program, Ms. Showers expressed thanks to the City for its support. Paul Jablonowski, 1403 NE 2nd Street, Pompano Beach, FL, a student of Pompano Beach High School expressed thanks to the City Commission for supporting and funding the Summer Youth Employment Training Program. He stated that he has learned life skills from the program and encouraged the City to continue funding and supporting other students in the coming years. In addition, Isaac Valeris, 1221 NW 3rd Avenue, Pompano Beach, FL, expressed his gratefulness to the City for allowing him to participate in the program. He said he has benefitted from the program, staff and mentors, therefore, he encouraged the City Commission to extend the summer program for other young people to experience the wonderful benefits of the community.

Denise Lewis, Pompano Beach, FL, parent of a participant in the Summer Youth Program thanked the City Commission for allowing the program another year, and stated that it is a very good program that teaches her daughter and other young people budgeting skills, responsible behavior, and participation in the economic system.

George Dillard, Pompano Beach, FL, stated this is one of his proudest moments and he thanked Ms. Showers and Ms. Walker for doing such a great job. He encouraged everybody to keep this going, because his daughters came through the program under BETA and they are still working the same job for over twenty-five to thirty years ago. He said the program works and he reiterated how proud he was of the City of Pompano Beach.

Mayor Fisher recalled that when the program started approximately four years ago, during the budget time people talked about the expense being so much, but the Commission fought to achieve the program. Mayor Fisher on behalf of the City Commission thanked Ms. Showers for her dedication and for changing the lives of the young people. He said that this is an investment that should be made every day. Also, he thanked Ms. Showers for bringing the young men and women to showcase the true product of the program. In addition, he thanked staff, as well as Ms. Baker for all their help and support of tutoring and mentoring the youth. He encouraged them to keep up the good work that they do year after year.

Comr. Sobel expressed his appreciation of attending the orientation with the kids and their parents at the E. Pat Larkins Center and mentioned that people should understand how important programs such as this one is to the City. He then provided his reasons as to its importance, which included teaching the youth to be fiscally responsible. He then relayed an experience he had with one of the students, a young man who he had referred

to the program and heard from his parents how it impacted their family life. Therefore, he thanked Ms. Showers and her staff for everything they do.

Comr. Perkins thanked Ms. Showers and she relayed her experience when she attended the orientation, which she found quite educational. Comr. Perkins indicated that she would like to see the program that currently impacts 90 people increase to approximately 390. She also encouraged the team to keep up the good work.

Expression of Appreciation - Ed Phillips, Pompano Beach, FL, stated that as a former commissioner with the help of some of the current Commission assisted him to steer the program back into the hands of Ms. Showers. He said he had taken some flak for it in bringing back the program to the northwest area. He congratulated Ms. Showers and her staff for doing an admirable job.

Honoring Jeanette Copeland - Mr. Phillips indicated that there is a lot of progress in the City but often times the people who helped to steer and assist in lifting that progress with their "blood, sweat and tears" are not remembered. He mentioned one such person was Jeanette Copeland, who was the president of Carver's Homeowners' Association, who assisted with the transition from Carver's Home to Canal Pointe with the help of the Community Redevelopment Agency (CRA) to ensure there were affordable houses. In addition, he said Ms. Copeland was a steward with a lot of faith to accomplish some of the things she did. Therefore, he announced that on July 28, 2018 at 9:00 a.m., they will be honoring Ms. Copeland for her work. A number of elected officials along with some residents of the City will be presenting her with accolades. He said although his campaign is the vehicle that is sponsoring the event, someone who has accomplished so much should not be allowed to go "quietly in the night" and should be recognized. Therefore, he looks forward to her receiving a key to the City.

The Construction of Condominiums - Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, enquired about condominiums scheduled to be built in the area of Southeast 1st and 2nd Streets off Atlantic Boulevard.

Mayor Fisher indicated he was not aware of such plans and perhaps he could inquire from the Development Services Department.

Fitness Equipment - Mr. Skversky indicated that a lot of people would like to thank Mark Beaudreau, Recreation Programs Administrator for getting the fitness equipment back up.

Citizens for Better Pompano Beach Political Committee - Whitney Rawls, Pompano Beach, FL, stated that he is an appointed member to the Northwest CRA Advisory Committee where he serves as chair, as well as he is a member of the Citizens for a Better Pompano Beach. He then yielded his time to former Commissioner Barry Dockswell to speak.

Citizens for Better Pompano Beach Political Committee - Jack Rogerson, 801 SE 6th Avenue, Pompano Beach, FL, stated that he is the chair of the East CRA Advisory Committee as well as a member of the Citizens for a Better Pompano Beach. He then yielded his time to former Commissioner Barry Dockswell to speak.

Citizens for Better Pompano Beach Political Committee - Barry Dockswell, 2880 NE 14th Street,

Pompano Beach, FL, stated that he is the designated speaker for the night and he represents the Citizens for a Better Pompano Beach Political Committee. He said this is the second time since he retired as a City Commissioner in November 2016 that he has returned to the Chamber. He said the first time he returned was when Comr. Sobel launched an effort to fire the CRA directors, Kim Briesemeister and Chris Brown on "trumped up charges of ethical misconduct." He said the charges were shown to be false and his efforts to get the directors fired failed. However, he said relentless attacks by Comrs. Sobel and Perkins and some of their supporters were so severe it hindered the CRA directors from doing their job that they chose to resign. He said the character assassination on Ms. Briesemeister and Mr. Brown caused the City of Pompano Beach to lose probably the best CRA directors in all of Florida. He opined that when the CRA lost Carlton Moore as the Northwest CRA director, there was a loss of effective communication because he recognized the people's view from the northwest area. However, Comr. Dockswell believes the City would have been far better served to solve that specific problem of losing Mr. Moore rather than the valuable expertise of the CRA directors.

Mr. Dockswell stated that he is returning to the Chamber to respond to Comr. Sobel's attack on the reputation of more than fifteen good people and companies including him and the political committee he helped to form called Citizens for a Better Pompano Beach. He said at the last meeting, July 10, 2018, they were attacked from the dais by Comr. Sobel, as well as in his newsletter, and promising to keep up the attacks in subsequent newsletters. Mr. Dockswell stated that Comr. Sobel has been repeatedly charging, without a shred of evidence, that the Committee is involved in a "Pay for Play Scheme" and clarified that the "Pay for Play" in a case like this suggests an unethical and illegal scheme where money is paid under the table by contractors to win City contracts. This then suggests that several contractors are paying for play by donating money to the committee and somehow it will get them city business. He said this suggestion is completely unfounded. Mr. Dockswell then provided some examples of the clever tactics Comr. Sobel has used regarding the pay for play scheme. Mr. Dockswell indicated that he wanted to set the records straight on some of the most important points, which are:

- 1) Citizens for a Better Pompano Beach was formed by Tom DiGorgio and Barry Dockswell and were joined by others who were fed up with the political posturing, character assassination, and obstruction as votes which has affected the City Commission during the past two years.
- 2) The nature of the Committee has nothing to do with pay for play.
- 3) There is no elected official on the Committee.
- 4) Members are local activists, City Board members, former elected officials, business people and retirees.
- 5) They have nothing to do with the awarding of City contracts, but everything to do with the renaissance, which Pompano Beach has enjoyed over the last decade.
- 6) They are volunteering their time, money, and effort to help keep the City on the right track.

He said as it relates to the Committee being Comr. Hardin's lawyer's Political Action Committee (PAC), it is

another example of Comr. Sobel's talent for distortion. He said Comr. Sobel has tried to draw some kind of sinister implication from the fact that Mark Aaron, an election law attorney in Tallahassee is chair of the Committee and has also done legal work for Comr. Hardin. In fact, what was conveniently left out is that Mr. Aaron is considered the "go to guy" when it comes to starting and managing political committees in Florida. He then provided a brief resume of Mr. Aaron's abilities.

Comr. Dockswell indicated that Comr. Sobel have committed serious election law violations, which he provided two of such violations, to include illegal soliciting of contributions from City employees using the City email system. Also he has illegally used the City's logo on some of his campaign materials. Mr. Dockswell concluded that he hopes and expects that Comr. Sobel's day of reckoning on these violations is not far off.

Additionally, Comr. Dockswell responded to Comr. Sobel's question of "Were there any promises made when contributions to the committee were solicited?" His answer is, "Yes we did make promises, but of course, they had nothing to do with pay for play." Mr. Dockswell stated that they promised their donors that they would take vigorous action to support the passage of the G.O. Bonds, and would then support candidates and issues as appropriate to keep the City's local renaissance going and that's it. He said contractors and others contributed to their cause. However, he mentioned if it would make sense for contractors to contribute to a person who bullied the CRA directors out of town, and would not vote to place the G.O. Bonds on the ballot, so that voters could decide for themselves whether they want the proposed projects, then they would.

Finally, Mr. Dockswell indicated that Comr. Sobel attacked he and Mr. DiGorgio personally, implying that they each profited by taking some mysterious expenses from the Committee's account. On the contrary, he said they each donated \$1,000 to the Committee when it was formed. Subsequently, Mr. Dockswell stated he loaned the Committee money to initiate a voters' survey and Mr. DiGorgio advanced money for voter outreach activities in support of the G.O. Bonds effort. He then provided how they were reimbursed. He concluded that the members of the Committee are volunteers trying to assist the City the best way they know how.

Mr. Dockswell concluded that the upcoming election in November will be a pivotal one for the City of Pompano Beach and encouraged everyone to stay informed and vote for the people who will keep the progress going.

Disclosures - Jocelyn Jackson, Pompano Beach, FL, stated that her commissioner, Beverly Perkins, from their district has been doing all she can do, but the only help she has is Comr. Sobel. Ms. Jackson thanked Comr. Sobel for disclosing some things that the constituents do not know about. In addition, Ms. Jackson thanked Comr. Perkins for what she has been trying to do. She said a lot is going on in the City and they are not all perfect as both Comrs. Sobel and Hardin have been taking "shots" at each other. She reiterated that Comr. Perkins, as her commissioner, has been working hard to get things done but not with the support of the entire members on the dais.

Ms. Jackson said she is not in the attack mode, but is bothered by the comments. In sum, she said there are underhand things going on that are being brought to light. She said Comr. Sobel may not be right with everything, but he is hardly ever wrong with the material.

Ms. Jackson indicated that the City is paying Kim Briesemeister \$12,000 per month. So, if she has resigned, as

was indicated earlier, she asked why the City is still paying her that amount. Notwithstanding, she indicated that amount could pay for the forensic audit.

Mayor Fisher stated that this is a CRA matter and Mr. Harrison is the Executive Director, who have selected to keep them on a continuing contract basis.

Ms. Jackson indicated that as a member of the community they do not want Ms. Briesemeister and it is not Comrs. Perkins or Sobel's decision. She stressed that the residents of the community would like to see things they want in their community and not Ms. Briesemeister's bright ideas.

Scholarship for Medical Magnate Students - Lynne Warrick (Ms. Lynne), Pompano Beach, FL, stated she works on behalf of the students of Broward County to include students from Blanche Ely High School, a medical magnate school located in District 4. She mentioned the brochure she distributed prior to the City Commission regarding AIDS. She indicated that she also works with the Broward Sheriff's Office (BSO) on bullying in the classroom. Ms. Lynne provided a brief history of her work after she came from Virginia in 1999 and said she mostly enjoys working with the Elementary School children.

Ms. Lynne asked if they could solicit scholarships for the medical magnate, Blanche Ely High School. She stated that she was prevailed upon by Sue Hurley of Pompano Beach Middle School in 2001, who was in multi media magnate and asked if she would take her place at Broward Health Imperial Pointe, which she has done. The students over the years have been awarded with scholarships and she would like to say next year that the City of Pompano Beach have given the medical magnate students a scholarship in Florida.

Mayor Fisher indicated that Ms. Lynne is at the Blanche Ely High School almost every day. He is aware she began with the AIDS program several years ago and thanked her for her efforts.

Ms. Lynne said she got a trophy for assisting in getting Markham Elementary from a F to a C school and she would like to unify the schools in the County.

Comr. Perkins stated that Ms. Lynne is one of the volunteers at Markham Elementary School and she is one of the reasons that the school improved to a C school. Therefore, she thanked Ms. Lynne for her volunteer efforts at the school.

Political Action Committee (PAC) - Shane Hudson, Pompano Beach, FL, stated that he would yield his time to Ms. Steinberg.

Political Action Committee (PAC) - Stephanie Steinberg, Pompano Beach, FL, stated that when she moved to the City of Pompano Beach, she had called former Comr. Dockswell to speak with him about how to get involved with the community but he had indicated that he did not like to meet with his constituents. Ms. Steinberg said when she heard about the PAC she had some concerns and consequently did a research on the Committee. She confirmed that Attorney Mark Aaron did start a PAC in the City and is indeed involved with several PACs statewide. She then explained in detail her understanding of the operation of a PAC and how it is funded. She indicated several companies doing business in the City have contributed to the PAC and she has a list of the campaign contributions. She provided a few companies that contributed to include Calvin Giordano

and Associates who contributed \$7,500, which is contracted with the City of Pompano Beach to perform the code enforcement for the City. She said construction companies such as Invesca Development, West Construction, Shiff Construction, Kauffman Lynn, and Keith and Associates are contributors to the PAC and believes they are people that are paying to play. She finds it astounding that Mr. Dockswell is arguing the facts.

Additionally, Ms. Steinberg indicated that they celebrated when the G.O. Bonds was passed and that the party was paid for by PAC money held at Spanx the Hog on March 13, 2018, and asked if any of the elected officials was at the party. City Manager Harrison stated he is not part of the PAC but he was at Spanx the night of the election. Comr. Sobel stated that he is not a part of the PAC and that he did bring the matter to light. Vice Mayor Burrie stated that she is not involved with the PAC. Mayor Fisher stated that he is not part of the PAC, but was invited to the party. Comr. Hardin stated that he also attended the party but he is not involved with the PAC. Comr. Moss stated he attended the event and had nothing to eat or drink and is not part of the PAC. Comr. Perkins stated she did not attend the party and is not involved with the PAC.

Finally, Ms. Steinberg indicated that the City Commission needs to stop allowing people with contracts with the City to give money to these groups to influence their votes.

Political Action Committee (PAC) - Jay Ghanem, Auto Tech and Body, 429 North Dixie Highway, Pompano Beach, FL, stated he has a concern. He said he did not hear of the PAC until somebody shed some light on it. He said he stopped receiving his mail from the City and when he checked into it he learned that somebody internally, which is inside the City of Pompano Beach removed his address to reflect the address of the meeting place where the PAC meets, which is the Citizens for Better Pompano Beach. Therefore, he wants the record to reflect that he has no association with the PAC. He said he serves his community and has no interest to run for office.

Mr. Ghanem stated as it relates to the PAC's address, he questioned City Clerk Hammond and asked who changed his mailing address to reflect the address of the PAC, she indicated that she would check into it and she reported back to him that it was a human error when her office had sent some correspondence to the PAC's Office address instead of his address, which he does not believe it was an error. Mr. Ghanem stated that the material sent to him was signed by the Mayor, it was sent from the City Clerk's office and the envelope disappeared and was stamped from a location outside city hall. He said this is a serious matter that needs to be addressed.

Mr. Ghanem reiterated that he has no desire to do business with the PAC group, who are a group of people interested to do business with the City of Pompano Beach. However, he said a "true PAC" would reflect citizens of the City funding it, not people with "special interest."

City Audits - Mr. Ghanem said he wanted to know about the stand alone independent audits that the County approved when the City stopped doing audits in 2009. He asked when the audit is going to occur.

Mayor Fisher inquired if Mr. Ghanem was referring to the forensic audit, to which he replied yes.

Mayor Fisher said that was the City Commission's vote which was discussed at the CRA meeting, so he is unsure this is the proper time to discuss this matter.

Mark Berman, City Attorney recommended if the Mayor so desire to clear up the matter at this time he could do so.

Mayor Fisher stated that the City Commission as the CRA Board voted to welcome a forensic audit by the County who would do it at their expense. Unfortunately, the County has not done so to date.

Comr. Hardin stated that the City performs an audit every year. However, Mr. Ghanem mentioned that the City stopped doing an audit in 2009 but that is incorrect.

Mr. Ghanem said the City does audits but not the standalone independent audit that stopped in 2009.

Mayor Fisher asked Finance Director, Andrew Jean-Pierre to provide clarification of the audits for the record.

Andrew Jean-Pierre, Finance Director, explained that as part of the interlocal agreement recently signed between the County and the CRA, the standalone audits for the CRA will be restarting. He said staff has already reached out to the City's current auditors to commence auditing for the CRA.

Comments made at prior City Commission Meeting - Don McNiel, 2720 NE 6th Street, Pompano Beach, FL, stated statements generated at the last meeting was, "Pretty embarrassing for a citizen of Pompano to see the lack of civility between commissioners, especially the attack of Comr. Sobel towards Comr. Hardin, and the fact that it had gotten out of hand with the Agenda being totally forgotten." Mr. McNiel complained that the role of Mayor Fisher to control and keep everyone focused and maintain the balance of civility was lacking at the last meeting, and recommended that he tries to control the meeting.

Earmarking Assets to a particular District - Mr. McNiel stated that the decision by the City Commission to take assets sales from one district and roll it back into the district instead of sending it to the general fund and earmarking it from the general fund, sets a bad precedent. He agrees with the necessary worthy programs of such, but to take it from one sale asset within that district and keeping it in that district sets up a dangerous precedent and he explained in detail the impacts on the other districts.

General Obligation (G.O.) Bonds - Mr. McNiel stated that no one talked about the large amount of funds this will bring to the City, and the City could match grants federally or with the state and will be able to move quickly when the opportunity avail itself. He said G.O. Bonds are not bad, however, the City must use the money correctly.

Mark Berman, City Attorney, clarified that the sales assets are placed into the general fund, in this case it is just earmarked.

Walk Across America - Kim Denmark, Dayton, Ohio, a woman who is Walking Across America, stated that she has been walking across the nation and has been in the City of Pompano Beach for approximately eight weeks. Therefore, she would like to thank a list of individuals. She thanked the City Manager's Office, Broward County Sheriff's Office (BSO) for helping her at nights on the streets, Mark Berman, Walmart for providing clothing for the homeless men, Second Chance Academy, Paula Vickers, American Legion Post

142, for allowing her to place her motorhome on their property, Dave Sweeny, Mark Broderick, Life Net for Families where she volunteers until she leaves the City. Also, she thanked Sandy with the City Manager's Office, Rhonda with the Collier City Library, Jeannie with Showers of Love and Judy Paul, Mayor of Davie who issued her with a proclamation and a key to the City.

Ms. Denmark provided a brief background involving her walk across America. She has walked 16 states for over 110 months. She is walking across the nation to bring attention to the homeless and homeless veterans where she meets one person at a time at where they are. She mentioned that since she came to the City she was instrumental in assisting "Clarence" who was living under a tree across from the library and finding him a job, who now works for Waste Management. Another homeless person, "Charles" who was a school dropout selling drugs on the street, she was able to get him registered back in school. She said there were several other veterans that she assisted to include one she was able to help from the City of Fort Lauderdale.

She said her use of the motor home that she carries across the country is utilized as an incubator where she finds individual homeless people that want to get off the streets, want to get off drugs, want to get off alcohol and will listen to her "Miss Kim," which is the name they refer to her as. Sometimes she keeps them for two months to nurse them back to health and it works. She says this is her calling.

Finally, Miss Kim said it has been an honor and pleasure to be in the City of Pompano Beach. She has received a lot of love and people who desire to give her food and clothes for the homeless. She encouraged people who would not be able to walk across America but they could walk in their community, on the job, at home, in life, or in the church.

Mayor Fisher asked if there was any way the City Commission could keep Miss Kim in the City of Pompano Beach and not let her go on July 31, 2018, as she has planned.

Miss Kim said she thought of staying until Christmas but she has no place to live, because her motorhome is broken down and there is no heating in it. She does not want for those homeless people to stay on the property, as well as she has overstayed her welcome at the American Legion, who was gracious enough to accommodate her.

Mayor Fisher suggested that Miss Kim provide the City Clerk, Ascelea Hammond, with her contact information and perhaps he can discuss with the City Manager efforts to keep Miss Kim in the City a little longer.

C. CONSENT AGENDA

There was no discussion on items 2-4, 6-9 and 11-12.

1. [18-493](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, EXPRESSING THE CITY OF POMPANO BEACH'S OPPOSITION TO OFFSHORE DRILLING ACTIVITIES, INCLUDING SEISMIC

AIRGUN BLASTING; PROVIDING AN EFFECTIVE DATE.**(Fiscal Impact: N/A)****(Staff Contact: Mark E. Berman)**

Comr. Sobel pulled the item for City Commission discussion, stating he had a brief comment. He said the resolution is good and he appreciates staff bringing it forward. He said it is founded upon the Federal Government's desire to engage in the Atlantic Ocean and Eastern Gulf of Mexico off shore oil and gas development and exploration including seismic airgun blasting which is risky. He said this is an important issue to the people of the State of Florida and Pompano Beach because it is our environment and livelihood. Therefore, he suggested that in the resolution itself, if it is legally permitted, the City should request the resolution prohibiting all of the offshore oil and gas exploration off Florida's coast. However, he recommended that it not be limited to Florida's coast and to end the sentence that states, "Pursue such practices, because it is equally harmful to the environment, the State of Florida and our livelihood regardless of where it is and continue with "off the coast of the United States." In sum, he did not want to limit it to just the State of Florida, unless there is a legal reason.

Mark Berman, City Attorney, responded that there is no legal reason. The materials he provided in the backup, as well as the whereas language, indicate all the Florida cities, so to have this opposition means something. Further, it should really affect the local community, the state and the local environment throughout the state. This is why he kept it germane to Florida, but the Commission can amend as it sees fit.

Comr. Sobel made a motion to amend the resolution to place a period after practices, and remove "off Florida's coast" and apply it to the entire coastal U.S.

There was not a second to the motion therefore it died for lack of a second.

Mayor Fisher indicated he had brought the item forward and thanked staff for putting this on the agenda, as well as thanked the Commission for their support on this initiative. He said approximately one year ago a resolution was done but this one updates the particular action. He also thanked Oceania and the Broward League of Cities for collaborating together in bringing this item to the people's attention.

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. 2018-226

2. [18-497](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A RELEASE AND WAIVER AGREEMENT FOR LANDSCAPING SERVICES PROVIDED BY VARIOUS PALM AIRE CONDOMINIUM ASSOCIATIONS TO CITY-OWNED PALM AIRE LAKES PROPERTIES; 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. 2018-227

3. [18-499](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, HONORING FIFTY YEARS OF MUNICIPAL HOME RULE IN THE FLORIDA CONSTITUTION AND COMMITTING TO AN EDUCATIONAL INITIATIVE TO HELP FLORIDIANS UNDERSTAND THIS BENEFICIAL RIGHT; 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. 2018-228

4. [18-494](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DEVELOPER'S AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COSTCO WHOLESALE CORPORATION FOR THE PROPERTY LOCATED AT 1800 WEST SAMPLE ROAD; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: N/A)

(Staff Contact: Scott Reale/David Recor)

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. 2018-229

5. [18-495](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING 731 NW 3RD ST; ANNIE ADDERLY GILLIS PARK; THE E. PAT LARKINS CENTER; THE ALI CULTURAL ARTS CENTER; THE WEST SIDE OF THE BROWARD TRANSIT CENTER ON DIXIE HIGHWAY AND DR. MARTIN LUTHER KING JR. BOULEVARD; THE NORTH SIDE OF DR. MARTIN LUTHER KING JR. BOULEVARD AND DIXIE HIGHWAY; 3RD STREET AND FLAGLER AVENUE; THE NW CORNER OF 2ND STREET & 1ST AVENUE; 1ST AVENUE AND 2ND STREET; THE FRONT OF HOLY CROSS FAMILY MEDICAL CENTER LOCATED AT 114 N. FLAGLER AVENUE; THE FRONT OF THE BANK LOCATED AT 61 NE 1ST AVENUE; THE BAILEY CONTEMPORARY ARTS BUILDING; 50 NE 1ST STREET; THE CIVIC PLAZA; THE NORTH SIDE OF ATLANTIC BOULEVARD AND 1ST AVENUE; THE SOUTHWEST CORNER OF SW 1ST AVENUE AND ATLANTIC BOULEVARD; THE SOUTHEAST CORNER OF SW 1ST AVENUE AND ATLANTIC BOULEVARD; THE CULTURAL ARTS CENTER; CITY HALL; AND CITY COMMISSION CHAMBERS AS LOCATIONS FOR INSTALLATION OF THE MOSAIC TEAM TRAIL OF THE HONEY BEES PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Laura Atria/David Recor)

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

6. [18-462](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RELOCATION AND RECONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CLEAR CHANNEL OUTDOOR, INC., PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

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. 2018-230

7. [18-500](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN EASEMENT TO FLORIDA POWER & LIGHT COMPANY; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A

RIGHT-OF-WAY AGREEMENT FOR UNDERGROUND CONVERSIONS BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

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. 2018-231

8. [18-501](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CYPRESS BEND PROTECTIVE CORPORATION, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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. 2018-232

9. [18-502](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTIGUOUS SHARED COMMON DOCKING AGREEMENT AMONG THE REVOCABLE LIVING TRUST OF CHARLOTTE LOUISE SCHERMERHORN, ELKINS REVOCABLE TRUST AND THE CITY OF POMPANO BEACH, AND A CONTIGUOUS SHARED COMMON DOCKING AGREEMENT AMONG THE REVOCABLE LIVING TRUST OF CHARLOTTE LOUISE SCHERMERHORN, WERNER SEVCIK AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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. 2018-233

10. [18-452](#) 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 PBFC PAL HAMMERHEADS INC. TO USE VARIOUS CITY OWNED FACILITIES FOR A YOUTH SOCCER PROGRAM; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

Comr. Perkins pulled the item for discussion. Comr. Perkins indicated that the Request for Proposal (RFP) was unknown to her, therefore, she was concerned with the language in the introduction. She inquired if the program is going to a soccer team.

Mark Beaudreau, Recreation Programs Administrator, responded that the RFP went out for an all youth sports activities. Therefore, this specific agreement is for three on three soccer, to include Xpress Youth Trac, and Pompano Piranhas, so this is one of the respondents to the RFP.

Comr. Perkins stated that her concern is that it is a youth athletic program for the entire City, but in the introduction it states, "American tackle football, competitive cheerleading and dance are excluded from the solicitation" and asked for an explanation,

Mr. Beaudreau responded that the City currently administers the tackle football and cheerleading programs and that the City is now looking for other youth activities.

Comr. Perkins indicated that the tackle and football program has produced some great athletes from Pompano Beach and she does not understand why funds are not directed to this historical program to enhance it further. Instead, the City is looking into a whole new program and sending money in another direction rather than spending it on a program that is already successfully existing.

Mr. Beaudreau responded that this program will not take away from the tackle and football program or the great success it has had. The foresights that were enumerated as possible candidate sites, there is only so much green space to move bodies around. So, it could be they may practice out there, as well as a three on three tournament is held there, but primarily they are at North Pompano Park and Community Park.

Comr. Perkins indicated that she understands the importance to get new sports such as soccer into the City but she reiterated her concern with the backup material stating that tackle football and cheerleading were excluded from an overall City's RFP process.

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

Burrie

Fisher

No: Perkins

Sobel

Enactment No: RES. No. 2018-234

11. [18-506](#) 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 CONTRACT FOR DISASTER DEBRIS RECOVERY SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CROWDER-GULF JOINT VENTURE, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan, Russell Ketchem)

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. 2018-235

12. [18-509](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE MAYOR TO EXECUTE A FORM LETTER APPROVING THE DISTRIBUTION OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM FUNDS FOR FEDERAL FISCAL YEAR 2016-2017; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Suzette Sibble)

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. 2018-236

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

Mark E. Berman, City Attorney, advised that items 13-16 are listed under Quasi-Judicial Proceeding and are quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

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

13. [18-510](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE POMPANO BEACH FISHING VILLAGE PARCEL R5 PLAT GENERALLY LOCATED ON THE NORTH SIDE OF NE 2ND STREET, LYING EAST OF A1A AND SOUTH OF PIER STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that it is a city initiated request to plat a .89 acre property located on the north side of northeast 2nd Street east of A1A a/k/a North Ocean Boulevard and south of Pier Street. The City owns the property at 200 North Ocean Boulevard. He said the parcel is part of the approved master plan for the beach and pier. However, last year, the master plan was amended to approve the addition of a hotel component, consequently, a site plan for the hotel was approved and has an active development order.

Continuing, Mr. Keester-O'Mills stated that replatting the property was a condition of the development order. The City desires to plat the property to develop a 150-room hotel and 20,000 square feet of commercial ancillary use, which will be restricted by the plat. In addition, the Planning and Zoning Board unanimously recommended approval of the plat subject to five conditions, which each condition has been addressed prior to placement on the City Commission agenda. Finally, a copy of the sign plat and the County recommendations were included in the backup material.

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. 2018-237

14. [18-390](#) **P.H. 2018-73: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED ON NW 15TH STREET WEST OF NW 15TH AVENUE AND COMMONLY KNOWN AS 1641 NW 15TH STREET FROM RM-12 (MULTIPLE-FAMILY RESIDENCE) TO CF (COMMUNITY FACILITY); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

TABLED FROM JULY 10, 2018

TABLED FROM JUNE 12, 2018

***With regard to this Item, the applicant requested to postpone this matter to the March 12, 2019 Commission Meeting Agenda.**

(Staff Contact: Maggie Barszewski/David Recor)

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to take the item off the table.

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

Yes: Hardin
Moss
Perkins
Sobel
Burrie
Fisher

15. [18-464](#) **P.H. 2018-84: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TWENTY FOOT WIDE UTILITY EASEMENT LYING SOUTH OF SW 13TH COURT, NORTH OF WEST MCNAB ROAD AND

WEST OF SOUTH ANDREWS AVENUE LOCATED AT 1570 SW 13TH COURT;
PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 10, 2018

(Staff Contact: Maggie Barszewski/David Recor)

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that the agent is requesting the vacation of the 20-foot wide FPL easement on the subject property. The review standards for an abandonment are that the easement is not now or in the future of any benefit to the City or its habitants, and the abandonment is consistent with the Comprehensive Plan. Staff has determined that both standards have been met and this is the second reading of the ordinance, with no changes since the first reading.

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. 2018-70

16. [18-465](#) **P.H. 2018-85: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING PORTIONS OF THE RIGHT-OF-WAY ON NW 12TH AVENUE ADJACENT TO 1751 NW 12TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 10, 2018

(Staff Contact: Maggie Barszewski/David Recor)

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that the applicant is requesting an abandonment of a portion of right-of-way (ROW). He said the review standards for an abandonment are that the ROW is not now or in the future to be of any benefit to the City or its habitants, and the abandonment is consistent with the comprehensive Plan. He said this is the second reading of the ordinance, also it is a companion item to another item on the agenda, which retains a public

access easement discussed at first reading. There are no changes since the first reading.

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. 2018-71

END OF QUASI-JUDICIAL PROCEEDING

17. [18-505](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING A PUBLIC ACCESS EASEMENT FROM LONE OAK - BROWARD, LLC TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

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

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that the resolution is to record the easement for portions of the previously abandoned Northwest 12th Avenue and staff recommends approval of the public access easement.

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. 2018-238

18. [18-486](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES,

FACILITIES AND PROGRAMS THROUGHOUT THE INCORPORATED AREA OF THE CITY OF POMPANO BEACH, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR EXEMPTION; PROVIDING FOR A VACANCY ADJUSTMENT FOR MOBILE HOME PARK PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$20,426,593)

(Staff Contact: Erjeta Diamanti)

Meeting went into Recess

Meeting Reconvened

Erjeta Diamanti, Budget Manager, presented the item and stated it is the annual renewal of the preliminary fire assessment resolution and the purpose of the program includes providing dedicated source of funding for fire operations for fiscal year 2019. She said there is a proposed increase in the rates and the rate schedule is provided in the backup material. In sum, the residential rate proposed for fiscal year 2019 is \$210, and all the rates will levy approximately \$20.4 million in revenues that will cover 90% of prior operations. The remaining costs are covered by fire fees and property taxes.

Additionally, Ms. Diamanti stated that the final public hearing to adopt the annual rate resolution is scheduled for Friday, September 14, 2018, at 5:15 p.m. in the Commission Chamber, as well as it corresponds with the first and tentative public budget hearing.

Tom Terwilliger, Pompano Beach, FL, noted that the City's budget expense for 2019 of approximately \$285 million increased by \$20 million from 2018. He provided his views on how the Commission could have otherwise spread out this increase instead of choosing to raise the fire assessment fee. He said that the increase, which will generate approximately \$4.5 million, will not go to the fire operations but rather it will go to the general part of the \$20 million that is needed to balance the 2019 budget. Therefore, the increase will be going into the general fund. He then provided his views on how the City could have cut other expenses rather than raise the fire assessment fee. He said the fire fighters were not involved to raise the fee rather it was the City Commission who voted to raise the fee. Finally he thanked the firefighters for their great services provided to all Pompano Beach citizens.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, enquired if the fire fee has a 30% increase and is there a short of \$20 million for the general fund for that coverage.

Mayor Fisher responded no, the statement is not accurate. He explained that there is the millage rate plus a fire assessment fee combined. So, for total accuracy it depends if the millage was increased even more then the fire assessment would decrease; so although they are tied together they are two different mechanisms.

Comr. Sobel stated that the primary purpose of the increase of \$20 million that will be generated, is to balance the budget. He said he voted against the fire assessment fee because he believes the City is starting to “choke the residents” of Pompano Beach in terms of tax burden. He said this is another approximately \$20 million tax and it was intended, as presented by staff, who originally proposed a 6% millage increase as a compromise. However, if the Commission voted for a 3% increase in conjunction with the fire assessment fee it would allow enough money to be used in the operating budget in order to balance the 2019 budget.

Continuing, Comr. Sobel said there was a lengthy discussion among the Commission and those residents present at the budget workshop about the actual needs and the combined debt. He said the City has a huge amount of debt that is being accrued and the residents are going to ask once again to incur substantial tax. Moreover, he said there is a bond issue of \$181 million that the residents will start to see on their annual tax returns. In addition, they heard at the CRA meeting about a \$15.1 million, for either a Northwest CRA bond or a bank loan that will be proposed as part of the resolution of the lawsuit with the County. The City has a bond paying in the East CRA and a huge amount of employee pension and firefighter debt.

Additionally, Comr. Sobel said at the budget workshop he asked the question with regard to the written policy on page 37 of the budget policy and procedures, under operating expenses, which states, “In most cases departments will begin the same level of operating funding that was provided in fiscal year 2018, less the onetime adjustments. He said his concern then is the same now, which is, “Why aren’t we looking at significant cuts in our existing budget?” Continuing, Comr. Sobel indicated that “We are in boom times” and he is fearful of the “down cycle” and with all the growth taking place nobody will be surprised by the additional future operating expenses, maintenance expenses of the projects, and likely increased taxes. In response to his enquiry, he was told that the staff of each department was requested to reduce the budget by 7%. He said part of the problem with the budget system and the process itself is that they do not have an abundance of time to be able to verify everything.

Subsequent to the meeting, when he had the clear impression and voted in favor of the comprised 3% millage rate, he had the impression that staff was likewise reducing their department’s expenditures by 7%. However, when he took another look at it after the workshop, in reality the 7% request is just an exercise but there had been no actual significant budget reductions.

In sum, Comr. Sobel stated that he is concerned that the City Commission has not taken a careful enough look at how all of these expenditures are taking place. He said maybe they are all necessary, or maybe growth is requiring even more, but maybe not. Therefore, he does not feel confident that the residents are being adequately protected or that the City Commission is taking a serious enough look into the future and into the current budget in terms of making cuts. Therefore, he is going to take a stand “today” and not support or vote in favor of the fire assessment fee because it really has nothing to do with fire services, but more to do with an exchange of money into the general fund for monies currently being used.

Finally, Comr. Sobel asked staff between now and September, when the second reading of the millage rate comes up again on the 3%, to provide to the Commission specific departments’ items and a clear indication of where, if any, where the City is willing to cut its budget before putting greater and greater burdens upon the residents and businesses.

Mayor Fisher commented that the G.O. Bond issue was passed by approximately 80% of the registered voter residents who are wanting to see those improvements in which those dollars will pay for. He said the TIF funds will pay the \$15 million new bond from the Northwest CRA and will not be paid by the taxpayers as well as the East CRA bond.

Continuing, Mayor Fisher said as far as cutting budgets, the staff provided the Commission with three or four options, to hopefully balance the budget. They started with a recommendation of a 6% rate increase on the millage rate with \$190 fire assessment fee which requires a 6-0, which Comr. Sobel had made the motion to move forward with that plan. Mayor Fisher said it did not pass, as personally, he was against it. Therefore, the most logically option was the 3% increase in the millage rate with an increase to \$210 in fire assessment fee to meet the budget. This equates to \$20 more per year and saves the taxpayers' assessed homes of \$200,000, a few more dollars. In the end the Commission supported the 3% millage increase with the \$210 fire assessment fee.

Mayor Fisher said an extensive discussion took place at the budget workshop about the services the City provides and the services the residents are accustomed to receiving. So, when budget items are being cut it will affect residents one way or the other. He then listed a number of requests that the residents have been urging the Commission to provide. This included, the fire department now being rated an ISO 1, which is a very efficient department. In fact, the cost of services per resident from the fire assessment fees is less than one dollar a day. Currently, there is a mentor alert system of \$200,000 and there are new personnel positions, because it has to be supported through the fire assessment to handle the number of calls, and to handle the response times needed for the residents. He said he did not want to cut this out of the budget but rather support enhancement for this service.

Furthermore, Mayor Fisher said in addition to the new positions that are covered by the fire assessment fees, approximately \$362,000, a recommended enhancement which includes adding a new fire station on the southwest corner of the City, of which Comr. Moss was instrumental in acquiring the property and ultimately to get a fire station through the bond. As it relates to the park ranger program, there has been an outcry about the homeless situation and the need for more presence in the parks. A recommended enhancement of five new full time positions to support this effort totaling an increase of \$355,000 and for part time another \$20,000, which means having park rangers in the park from 8:00 a.m. to 11:00 p.m. to provide the presence to work directly with the Broward Sheriff's Office (BSO). Also, the park security cameras were discussed, which is another \$133,000 recommended enhancement. For Community Service Aids (CSA) which are important adds another \$408,000 in cost. In addition, the homeless counselor position would have to be cut that was added this year, this would be another \$66,000. The School Crossing Guards, which the Commission has always paid for, are important for the children. Most important are the School Resource Officers (SRO). The Commission made a commitment years ago to pay for this service with very little help from the School Board. They were able to accomplish with the exception of three elementary schools, where the SRO goes back and forth. The price tag is an additional \$400,000.

Continuing, Mayor Fisher indicated that every year the City Manager goes to the departments and they discuss how much to cut from the budget and look for at least a 7% cut and a number of departments did. Mr. Beaudreau, Recreation Programs Administrator had indicated that he had cut 7% out of his budget. Also, the

general fund budget covers 100% of the Ocean Rescue division, which is a \$2 million fee for the lifeguards now operating under the fire department.

Finally, Mayor Fisher stated that the City is growing and continues to grow, as well as the Commission continues to hear from the residents about the services they desire. Therefore, he would be remiss to cut out anything at this time. Another service is the cultural arts being added to the budget this year, where hereto before the CRA was paying for this, which is a huge expense being brought on by the City. Also, in November, if passed, there will be an additional homestead exemption and dollars that the city will lose from its tax base that must be made up. Notwithstanding, last year the City had to make up over \$4 million for pensions. Therefore, Mayor Fisher indicated that he supports Mr. Harrison and his staff's budget to stay with a 3% increase in the millage and increase the fire assessment fee of \$20 more per year to balance the budget. However, to start cutting personnel it will efficiently hurt the residents, therefore, he hopes the Commission would support the 3% and the fire assessment fee increase of \$210.

Greg Harrison, City Manager, stated that the agenda item correctly reflects the total fiscal impact of \$20,426,593 for all the revenues collected through the fire assessment fee. This action being taken tonight will be the difference from the \$163 to the \$210 which is approximately \$4.5 million.

Comr. Sobel stated that Mayor Fisher is correct that Pompano Beach government does some wonderful things. However, that is not what he was referring to, because even if the millage was not raised or the fire assessment fee, "We're in a booming economy with skyrocketing property values," so, if the millage rate was left the same the City would still have revenues of \$7 million above last year's.

Comr. Sobel stated that the Parks and Recreation did not cut their budget by 7%. He said they were asked to engage in an exercise and if necessary, where would they cut 7%, but there is no actual dollars that were cut. So, this is the reason he is asking that staff provide to the Commission verification in every aspect of the budget as to exactly where things have been cut. If they looked at the budget in reality the numbers were up 3%, and even then the City is short tens of millions of dollars. In sum, Comr. Sobel said he is asking that everybody learn to live within their means, and wanted to know how the City ended up with millions of dollars more in revenues, and still end up short tens of millions that requires a combination of a 3% millage increase and a significant fire assessment fee increase.

Mayor Fisher stated that during the recession period the Commission cut back taxes and did what it could to sustain the City. So, now that we are coming back out of the recession, unfortunately those services and additional enhancements are now causing the City to make up for those substantial cuts made over the years. In sum, Mayor Fisher stated that they have discussed inflation and cost of living going up and the cost of services are also going up. So even though there is an increase in property taxes there is still the cost of living and the cost of services to be paid for, which does not balance out evenly.

Ms. Diamanti reiterated that staff cannot use the fire assessment revenues collected for any other services other than for the fire department. It is a fact, that the revenues are going into the general fund because that is where the fire operations are budgeted. Therefore, all the new enhancements that the Mayor mentioned earlier, are enhancements that they would look to cut if any cutting of the budget must take place.

Comr. Hardin commented on the 7% cut issue that has been discussed and asked if each department has been tasked each budget year with looking at their department's budget and in theory, look at how they can cut 7%.

Mr. Harrison responded, yes sir.

Comr. Hardin used a specific department to provide an example of the exercise the department would go through each year to identify what services they could cut by 7%. This is then presented to the City Manager, he reviews it and in working from the policies and priorities from the City Commission he decides that there are certain services he does not want to cut from providing to the residents. He said while this may sound simplistic that is how he understands the exercise of cutting the budget.

Mr. Harrison replied yes, but there are some examples where the departments start out with cuts, however, because of the exhausting demand for more services, require more people and equipment, by the time the budget commenced in January until June staff is at a higher level than they were last year. Even though they may have gone through the exercise to make cuts, because of the higher demand for services nine out of ten times the budget will increase.

An extensive discussion followed among the City Commission on the pros and cons of cutting the budget and the impacts it would have on the residents.

Mark Berman, City Attorney, advised that an assessment must be passed tonight for the City to get on the tax roll and to have the final reading in September. He said he is respectfully reminding the Commission that as per the Statutes this needs to be passed.

Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, stated that the housing developments coming into the City should make it easier on the taxpayers but it does not. He said more support and services are what the residents need but he thinks the residents are getting a "shaft."

Mike Skversky, Pompano Beach, FL, suggested that if jobs are being cut in the City then they should watch Channel 78 with non-stop job listings. He recommended that people like the bus drivers should be paid more and the city's assistant managers paid less.

Sarahca Peterson, Pompano Beach, FL, stated that the city took on the cultural arts as an expense versus using it as an economic engine, which was the reason it was brought to the City. She said there are so many cultural arts facilities and instead of bringing on staff and incurring that expense, what was initially done was to outsource this service and then generate the funds, which art is an economic engine to pull people into the City. Therefore, she suggested using art as an investment rather than an expense would assist in cutting back on the budget.

Dale Allen, Pompano Beach, FL, stated if the City is focusing on declining budgets, there is a need for creative financing in thinking outside of the box, because there are facilities within the City that are capable of making money, but the utilization is "nill" and the buildings are not in use. He said he had suggested that the E. Pat Larkins could be used or channeled as a commissary. He then provided a brief example on financing.

Phyllis Smith, Collier City, Pompano Beach, FL, President of the Greater Collier City Civic Association, stated that she had Chief Jurgle attending a homeowners' association meeting and he spoke very well on fire prevention followed by Kimberly Spill-Cristiano, EMS Manager, who gave a good presentation on hurricane preparedness. One thing she was expecting from the team was something like a flashlight that can be worn, but she said she had to purchase these for the people attending the meeting. She suggested that the next time they visit other homeowners' association meeting that they bring along something as small as a magnet that could go on the refrigerator or laminated information with the emergency numbers to take home.

Jocelyn Jackson, Pompano Beach, FL, stated that the northwest residents would not like to see the earmarked \$1 million cut out of the budget. Also, she mentioned that the elderly residents in the district will be impacted not only by the 3% increase, but by the county's taxes and enquired if the City Commission considered these residents.

Mayor Fisher responded the Commission did take it into consideration and it was a decision to use a 3%, 4%, 5% or 6% along with a fire assessment fee to correspond with that, not to balance the budget but for fire fees. Therefore, the City Commission picked the 3%, which is the least impact with a \$20 more on the fire assessment fee.

In response to Ms. Jackson's question as to how much it cost to build the Cultural Arts facility, Suzette Sibble, Assistant City Manager replied that it was approximately \$19 million, the County contributed \$7 million to the library and a grant was received for \$1.5 million from the state.

Ms. Jackson said she agreed with a previous speaker who stated the cultural arts should be acting as a revenue instead of a deficit.

Consequently, an extensive discussion followed among Mayor Fisher, Comrs. Sobel and Hardin, and Ms. Jackson on the viability of the cultural arts center generating revenues to the City.

Richard Stephenson, Northeast 8th Street, Pompano Beach, FL, stated that the idea that the City cannot find any money to cut the budget for any City is ridiculous in his opinion. To use the idea that only the most essential services would get cut first is always the way to pass budgets continually on overspending. He then provided his views on how he felt this type of action contributes to tax burden for the residents. He said while the City is heading in the right direction and with the many challenges being faced with homelessness and so forth, now is not the best time to overspend but to prioritize spending.

Mayor Fisher directed Police Chief Hale to meet with Mr. Stephenson to get more information from him regarding his comments about calls being made and the police not answering, and report back to the City Commission on this.

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
Burrie
Fisher

No: Perkins
Sobel

Enactment No: RES. No. 2018-239

19. [18-504](#) Presentation - Atlantic Boulevard and Dixie Highway Intersection Improvements
(Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

Horacio Danovich, Capital Improvements Program (CIP) Manager, introduced the item and stated that the presentation will tell about the ideas for the intersection of Atlantic Boulevard and Dixie Highway. He then provided a brief history. He said in 2016, the City Commission took the initiative to take over Atlantic Boulevard from Sixth Avenue to the beach and Dixie Highway from McNab Avenue to Sample Road. EDSA, a landscaping architects and site planners was engaged to assist the City with the process of making changes to the intersections particularly to facilitate pedestrian connectivity and mobility. Two public presentations have been made since EDSA has been engaged, one at the E. Pat Larkins Center and the other at the Cultural Center. A presentation was made to the Economic Development Council and a workshop was held with the Northwest CRA Advisory Committee and this presentation is the final set of meetings.

Mr. Danovich indicated the purpose of the presentation, which he hopes will enlighten the City Commission and the public of the possibilities and get the support to move to the next level. He said he is pursuing two separate grants. One is equivalent to the Tiger grant to go after the \$42 million project and \$13 million could come from Federal funding and hopefully these plans will allow the City to get the grant, as well as a \$5 million grant through the economic development and administration, of which \$2.5 million will come from that entity to assist with the design of the infrastructure improvements for the future of the innovation district. The subject intersection is in the heart of it all.

Continuing, Mr. Danovich indicated that this is a conceptual plan and that nothing has been designed to date. Nothing has been permitted to be built at this time. Also, for each prior meeting they presented they heard comments from the public and have been incorporated, to the best of their ability, into this final presentation. So, in due time when permits are applied for, they will tell the permitting agencies this is what the public indicated they desire to see.

Paul Kissinger, Principal, EDSA presented an abbreviated version of the presentation made throughout those stops. However, he provided the more detailed version to the City Commission previously. (see Exhibit I).

Mr. Kissinger explained how the City of Pompano Beach was chosen for this, to include progress as a city, and to help build and identify a downtown in Pompano Beach. He continued to say public infrastructure improvements like this catalyze redevelopment, which bring jobs, increase tax base and improve services. The

effort that the City put together on the East Transit Oriented Corridor (ETOC), which is to connect the beach to the downtown, so they are saying that the downtown to the beach is important as an element of a progressive City.

Joaquin Vargas, Traf Tech Engineering, Inc., traffic engineer, provided details on the traffic study area, which includes Atlantic Boulevard from 6th Avenue on the west and goes just east of Cypress Road. Also, Dixie Highway from SW 2nd Street on the south and goes north of 3rd Street on the north side. He said they received many comments but he would like to address the cut through issue if it will create some additional cut through in the neighborhoods that are north and south of Atlantic Boulevard and east of Dixie Highway. Mr. Vargas said, "we don't think so," and provided his reasons. In sum, the best estimates are in the year 2030, if nothing happens, the traffic will continue to increase. Therefore, the additional travel time between I-95 and the ocean will be two to three more minutes than current conditions. However, with the proposed project implemented then there would be an additional one to two minutes.

Mr. Vargas addressed the public's prior comments regarding the "Sense of Place" which will include pedestrian, traffic, bicycles or transit use which he said will benefit the project and will reduce the overall delay in travel within the area.

Mr. Kissinger added that when they went through the process, there were technical information that they looked at to create a framework for the conceptual design. He then provided details of what that would include, which is simply the idea of taking some of the pavement away from the roadways and turn that from cars for places for people and for landscape.

Mr. Kissinger indicated that if the Innovative District takes off he wanted to present a series of slides as to what it would be like as it relates to the improvements along Atlantic Boulevard and Dixie Highway. He said there can be better connection from the redevelopment, the buildings, the uses to Atlantic Boulevard, and the sidewalks for improvement to a place to actually stop and stay. See Exhibit I attached for hard copy of slides. In addition, Mr. Kissinger addressed the various concerns that came out of the meetings with the citizens as it relates to safety, traffic and the proposed development acting as a means for residents and businesses to move away from the area, which the idea is the complete opposite, as development will be more encouraged.

Mayor Fisher asked if the existing businesses in the area have been included in the process and if they provided any feedback that would be considered in the plan presented.

Mr. Kissinger replied yes.

Michael Skversky, Pompano Beach, FL, enquired about the diversion of traffic over to Cypress Creek Road.

Mr. Kissinger explained what he said earlier that when they looked at reducing speed on Atlantic Boulevard, which are a "bunch of cars a bit together which is actually more capacity on the roadway" there will be a percentage of travelers that will decide that they do not want to cut through that area to get to I-95, but would go to Cypress Creek Road or Copans Road. Therefore, his best analogy he could come through is that people in downtown Fort Lauderdale do not want to go through Las Olas because there is only two lanes, one lane in each direction because there is parking on each side. So, they avoid that way and use roads like Broward

Boulevard or Sunrise Boulevard or they go south.

An extensive discussion followed among Mr. Skversky, Mr. Kissinger, Mr. Vargas and Ann Siren as well as a number of residents living and doing business in Pompano Beach regarding the probability of traffic flow travelling on Cypress Creek Road and Copans Road parallel to Atlantic Boulevard and other choices after a change is made to Dixie Highway. Also, regarding the bridges planned and the actual width of the planned reduction on Atlantic Boulevard to accommodate traffic, pedestrian and bike paths.

Jay Ghanem, 429 North Dixie Highway, Pompano Beach, FL, business owner indicated that the conceptual plans for Dixie Highway will impact his and five other businesses in the three block area. He said in the three block area they will eliminate any left turn that exist, which feeds the businesses from Martin Luther King Boulevard to NW 6th Street. Mr. Vargas stated that this statement is not true. He said he did speak with Mr. Ghanem and they admitted that they initially made a mistake with not having the renderings changed, which was fixed and the turn is now included in the new plans and the renderings being presented.

Mayor Fisher concluded for the records that the turn lane will continue to exist as Mr. Ghanem wishes.

Mr. Kissinger indicated that as the City's consultant he was asked to put together a conceptual design. They have gone through analyses of utilities, infrastructure and traffic at a conceptual level and they believe at this level the turn lane can remain as is and that is the reason they have included it in their renderings.

Mayor Fisher asked Mr. Ghanem to communicate what is being discussed about the turn lane with the other five businesses that were not aware of the changes.

Richard Stephenson, Pompano Beach, FL, asked when would there be a proposed start and how long would it take to complete. He said the effect on businesses when there is construction going on for a long time would severely impact businesses in the area.

Mr. Kissinger added that when a design similar to their proposal goes forward the intention is not to put anybody out of business, which is counter intuitive to what they are actually trying to do. Therefore, one of the tools they have for construction is to phase the construction. So, projects of this magnitude, there is a phasing strategy typically done with the contractor to minimize the impacts to businesses.

Mr. Danovich stated that the Dixie Highway project that covers from McNab Road to Sample Road is funded with G.O. Bond funding, which has two phases. He said Phase I is from 2018-2021 and Phase II is from 2021-2024. He explained the reasons why they will build portions of Dixie Highway in phases. He said in reality the project will take approximately six years.

An extensive discussion followed among Mr. Kissinger and certain residents of the City about having the use of a railway station, which is not in the immediate plans of the project, but perhaps in the future, as soon as certain situations are worked out with FEC and Broward County Transit. Also, how the proposed plans will contribute to assist with the impacts of growth and the demands of travelling within the City boundaries connecting with some of the major thoroughfares with the County region. In addition, the control of traffic signals that allows the flow of traffic through the City, which will be one of the tools that will be considered in the design of this

project.

Comr. Hardin indicated he likes the project and the presentation which has brought out certain points for discussion. So, now they are looking to the Commission to approve them to get to the next level, which will involve more detailed drawings and asked if that is correct. Also, the core concept of the presentation is the connectivity that the Commission has discussed for years, which is to move people from the City Hall side north across Atlantic Boulevard and then west across Dixie Highway, which is key to making all the business opportunities in the area "click." In addition, he said it is about business generation and civic improvement. So this concept is a huge improvement to what is currently in place for one of the major intersections in the City.

Mr. Kissinger responded that he believes the intention is to have the Commission approve the concept and the next step is to go back to the City Manager and Mr. Danovich for the next step in order to do the design work, which would involve a Request for Proposal (RFP). He said their assignment is complete with this presentation.

Mayor Fisher asked if they were looking for direction to take the next step. He said the plans for the City to take ownership of Atlantic Boulevard is just one of the steps involved to make Atlantic Boulevard and Dixie Highway intersection more aesthetically acceptable, pedestrian friendly, and make it a true streetscape opportunity. Therefore, he is excited about it even to the extent that future businesses will develop on the corridor. So, the City is in the next process in making this a reality.

Comr. Moss indicated that the concept is impressive and he likes it and encouraged them to go west beyond I-95 beyond the borders of the City of Pompano Beach.

Comr. Hardin suggested that in the ultimate planning stages they should plan on how they could either include additional treatments down the road for the pavements, as well as to keep looking as displayed on the conceptual drawings or figure something out to maintain the appearance of the pavements. Therefore, he made a motion for the Commission to endorse the concept and direct staff to take the next step. This was seconded by Vice Mayor Burrie.

Comr. Sobel thanked EDSA for putting a great deal of work into the presentation. He said it is being referred to as conceptual but once the trigger is pulled today there will be no turning back. He said the Commission will be giving the staff a green light to engage in the procurement process for qualified professionals, and then proceed with the final design plans for this entire project. Therefore, he desires to talk about three things, the process that got the City to this point, the actual project, and what is being asked of the Commission for the qualified professional procurement process. He said as it relates to the process, the agenda item is presented to the public in one sentence. Since, this is a complete game changer for the City of Pompano Beach or as referred to as a face lift. He requested that in the future, the process in general of the agenda item presented should be complete openness. So, for this type of project he is disappointed that there has not been more strategic planning and more workshop discussions, instead of presenting a one sentence item that people reading it would not understand.

Continuing, Comr. Sobel spoke about the project itself and the two issues he has with it. One is the impact the project will have and the other is the use of Calvin Giordano and Associates as a civil engineer. He

understands that there are three vendors or qualified professionals who will be on the short list for this project.

Mr. Kissinger clarified that the City has an RFP out so no one has been pre-qualified to do anything at this point for the project. He said no selection has been made and the RFP has been postponed for a due date in August.

Comr. Sobel stated he understands the situation, but he is interested in full disclosure of truth and openness and he was advised of the three likely people to include two new vendors and one regular vendor who are likely to apply for the RFP based on their experience with the City and Calvin Giordano was included in the short list.

Comr. Sobel enquired if this is smart growth or growth at any cost. He said the project involves a major face lift and dramatic changes for decades to come in the City. As it is presented conceptually, it will be a \$42 million, six-year construction project in different stages, using mostly G.O. Bond money to completely redesign not just the intersection of Dixie Highway and Atlantic Boulevard, but along stretches of highway on Dixie Highway from McNab Road all the way to Sample Road and on Atlantic Boulevard from I-95 to around 2nd Street. Additional grants will be needed, but if not awarded there is no indication in the backup of where the additional funds will come from to complete the project.

Mr. Danovich clarified the information about the grants. He said he attended a specific presentation regarding the grant and indeed some monies are allocated for rural purposes but also monies have been allocated for urban designs as well, which the City is applying for that part and has qualified as an agency. The project qualifies primarily because the City's grant matching funds is exactly why the US Department of Transportation is looking for government agencies to do. He then explained in details how the grants are divided up.

Comr. Sobel asked where will the \$18 million shortfall come from if the City does not receive the grant award.

Mr. Danovich responded the shortfall is \$13 million assuming the City goes full scale with every detail including the contingencies, which are close to \$4 million. He then explained what staff has done to date in putting a budget together of \$42 million, if the project is designed exactly as is from end to end. The escalation costs are as high as can be projected, which is approximately 20%. In other words, provisions have been made to go beyond the current cost of index increases to ensure there is enough for the project. In sum, Mr. Danovich indicated that there are enough funds already on hand, however, in the event the application for grant funding is not realized there are other grants that the City can apply for in the future.

Greg Harrison, City Manager added that if the City got to the point that the resources are not available, then they have considered phasing through the CIP, which have been done little by little over the last 29 years.

Comr. Sobel stated that in his view there is no corner of the City north, south, east or west that will not be impacted by this project in a major way. It signifies a total shift away from expediting vehicular traffic to focusing mainly on pedestrian traffic. It is designed to mostly help perspective development and businesses by significantly narrowing lanes of traffic and slowing car traffic on Atlantic Boulevard from A1A to I-95, as well as on Dixie Highway. He said there will be two way of traffic in each direction on Atlantic Boulevard from east of I-95 to the beach. He said everyone's quality of life will be adversely affected during the six years of construction even if phased. However, the question is why is this being done and how will the quality of life be

forever altered after the project is completed.

Comr. Sobel said another issue of concern is how will it impact the current businesses during construction and the adjacent neighborhoods once completed. He said there is a likelihood that once the bottleneck of traffic is moved from the current location east of Dixie Highway to the new proposed location just east of I-95 that the traffic would be routinely backed up on to the I-95 ramp. The EDSA traffic study has indicated that the traffic is an analysis preliminary in nature and does not address the impacts of the FEC or the Brightline rail. Therefore, he enquired if the drive time from A1A to the I-95 likely increase by six to fifteen minutes of more depending on the time of day, the season and the future unknown ETOC development. Also, is this what the majority of residents want to happen. He is unsure, but he thinks there needs to be more public discussion and an open City Commission workshop to invite the citizens to participate. The prior two workshops were attended by more staff than residents. Comr. Sobel indicated that the process in his view was designed to avoid full and open citizens' participation. This project he says, merits everybody's participation at an open Commission workshop. He said the content of the project presentation has been changed from the initial workshops.

Comr. Sobel concluded that there is a need for more public input and there is no reason to rush this major facelift to be approved at the last Commission meeting prior to the summer break. In addition, he spoke about the procurement process for the project and the most likely people to apply for the RFP to include Calvin Giordano being on the short list of vendors. He then described Calvin Giordano's control of the City's Parking and Code Enforcement services, the Special Magistrate and other professional services within the City. He said the City abides by Consultants Competitive Negotiations Act (CCNA), and staff selects firms by determining a short list of qualified firms to be interviewed for a job. Staff conducts interview and ranks the firms, which is supposed to be a qualified based selection process not just the lowest bid process.

Mr. Danovich clarified what he had mentioned to Comr. Sobel prior about Calvin Giordano and the connection to the subject project. He said there are two different solicitations, one is for program management, which has nothing to do with the current project and Calvin Giordano is one of the three companies that submitted. They have not been short listed they are the only three that submitted. However, the current project has not seen any submittals yet and the short listing will not happen until a panel of reviewers have reviewed the packages, rank them and submit it to the Commission. Therefore, it will be a true RFQ, which is qualification based and the number one ranked firm starts negotiation with the City, if an agreement is reached then the agreement is brought to the Commission for approval. The standard process of procedure for these types of project will be adhered to by staff as required by CCNA.

Comr. Sobel mentioned that in the event Calvin Giordano comes out to be the awardee for the project he would be concerned and asking about the selection process and explained his reasons. He said if any vendor gave money to the citizens for a better Pompano Beach (PAC), which as discussed earlier, is run by Comr. Hardin's personal lawyer and then receives an award of any G.O. Bond related money he will be asking for an investigation. Comr. Sobel then provided an extensive argument regarding the ethical process involved in the procurement of services for projects listed under the G.O. Bonds and certain organizations who were contributors to the campaign to get the G.O. Bond passed.

Mayor Fisher asked Comr. Sobel to stay on the subject matter under discussion because he has just presented

an argument based on hypothetical circumstances, which is not how government operates and is not a reality.

Comr. Sobel determined that it needs further independent investigation as it appears to conflict with the basic purposes of the CCNA. He reported that city staff including some department heads, some of the Commission and upper management along with many of the city bidders to the PAC got together at Spanx Hog (restaurant) that the PAC paid \$1,680 to celebrate the passage of the G.O. Bond by less than 8% of the registered voters. So, there is the possibility of the Commission being asked to give one of the biggest PAC donors a chance for the same staff to award them a bid contract using predominantly G.O. Bond monies of approximately \$25 million. He questioned if this inspires public trust that the contract will be awarded equitably, without favoritism, and quality based. Therefore, Comr. Sobel indicated that he would like to make a motion to table the item.

Mayor Fisher indicated that there is a motion already on the floor for discussion.

Comr. Sobel said he appreciates the Robert's Rule and recommended that whoever made the prior motion should withdraw and allow the Commission to table the item so that after the break there can be a full public hearing at the City Commission workshop to allow for residents' participation.

Mr. Kissinger provided for the record clarification that it is not two lanes going in either direction but three east bound through lanes on Atlantic Boulevard that are existing, then west of Dixie Highway there are two west bound through lanes on Atlantic Boulevard and one lane is being taken out. So, it is not down to four lanes it is from five lanes and at the intersection of Dixie Highway and Atlantic Boulevard they will go from nine lanes to six lanes. So, it is not two and two. In addition, to the comment on timing from six to fifteen minutes what they presented is that if nothing happens on the corridor and traffic projections continued to 2030, as per Florida Department of Transportation (FDOT) it would be one to three minutes. Based on improvements it would equate to six to eight minutes. With regard to the RFP, he understands that it will not go directly to final design. As he has experienced with other cities, from this concept (Vision) there will be several iterations of design, a schematic design, a design development and typically there is a schematic design and a final schematic design and a preliminary design and a final design and there are construction documents. In the case of what happened on the beach, there was an inordinate amount of public input which it is assumed the City would continue to do same. So there are a lot of opportunities for the public to comment on the project, which in his experience is how cities successfully get things done to have the public involved with the process.

Mayor Fisher asked about the CCNA issue and if the City has always followed the regulations of this standard.

Mr. Danovich responded yes and to a "T." He explained the way the procurement process operates where there are five members that meet to review plans in the sunshine law, and who are in the cone of silence during the process until it comes to the Commission. In fact, they are not allowed to reveal the materials that are provided as public records until thirty days have elapsed after Commission approval, which is standard procedure.

Mayor Fisher indicated that residents have contacted him and have indicated that they are in favor of the project as it is well needed.

Comr. Sobel indicated that a great job was done in providing the best estimates but he understands what was

provided in the backup regarding traffic times. However, Comr. Sobel reiterated his point of once this project is approved now, they will be moving full steam ahead, and he is unsure that majority of the residents have any idea as to how this will impact their quality of life.

Mr. Danovich explained that when the City retained EDSA they had the stops along the way. The presentations were publicized to engage the public at every level.

Mayor Fisher understands that this is the first step along the way and as the project evolves through the process the public will be allowed to participate.

Mr. Kissinger indicated that this has been his experience working in Pompano Beach when they did the beach. There were a number of steps, there were focus groups that they worked with, they attended neighborhood association meetings, and there were public meetings and CRA meetings. In fact, it started from a conceptual design and many more meetings followed after that. He concluded that their true benefit from these types of project is to see a city improve.

Mayor Fisher reiterated the motion to have staff continue the process and move the venture forward.

Comr. Perkins asked what are the steps of moving the process forward.

Mr. Danovich stated that the next level is once a consultant is selected through the process, the rankings will be brought to the Commission. The Commission will then authorize staff to negotiate a contract and then the selected company is given a scope of work that includes different stops, that is how many times they will go to the public, make presentations to the advisory committees and CRA Board or Commission, the expectation of procuring permits and so forth until there is a position to enter into a contract to build the project. Then the process starts over prior to breaking ground.

Comr. Perkins indicated that her concerns is what happens behind the scene that the residents cannot see and the fairness of it all. She said the community's basic concern with the Commission is trust.

Mr. Danovich stated that the process is very specific, detailed and precise, open, and advertised for the public's participation as the procurement process is what staff must adhere to.

An extensive discussion followed on how the City could improve reaching out to the public if when meetings are notice there is little participation from the communities.

Comr. Perkins indicated that she likes the design but has an issue with the trust and what happens behind the scene for development and the process of RFP's. She is concerned with being informed, updated as to what is going on as this will affect the district in which she serves.

Mr. Danovich indicated that one of the ways they inform the Commission is through the CIP data provided on a monthly basis.

Mark Berman, City Attorney indicated that as per CCNA process there will be an open bid process.

Vice Mayor Burrie commented that the same process followed in producing one of the best beaches on the east coast will be the same process followed for this project.

Comr. Hardin echoed Vice Mayor Burrie's comments and indicated that there will be numerous meetings with the public to follow. However, he indicated that he wanted to address the issue regarding trust, which he said there are going to be people who will mistrust no matter who is in office. Nevertheless, part of the perception of the public can be molded by a "drum beat" that is if someone keep saying continually that there might be corruption, illegality, there might be collusion on the part of staff and commissioners then sooner than later it will degrade the public's trust in their government. Some people do that but it does not change the facts on the ground. The City staff are professionals and if they break the law and do something against the rules they will go to jail. Furthermore, if somebody perceived that something is not going right there are a number of authorities that can be contacted to look into that.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to endorse the concept and to direct staff to continue the process and move to the next step, and that the Presentation be ACCEPTED. The motion carried by the following vote:

Yes: Hardin

Moss

Burrie

Fisher

No: Perkins

Sobel

20. [18-503](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AN ECONOMIC INCENTIVE OFFER FOR PROJECT NEON TO ASSIST IN FUNDING A MINIMUM OF 12 NEW JOBS IN POMPANO BEACH, FLORIDA; PROVIDING FOR PARTICIPATION IN THE STATE OF FLORIDA'S QUALIFIED TARGETED INDUSTRY TAX REFUND PROGRAM (QTI); PROVIDING FOR FUNDING OF \$12,000 AS THE CITY OF POMPANO BEACH'S SHARE OF LOCAL PARTICIPATION IN THE QUALIFIED TARGETED INDUSTRY TAX REFUND PROGRAM; PROVIDING FOR A FUNDING SOURCE; PROVIDING THE CITY MANAGER AUTHORIZATION TO DO ALL THINGS NECESSARY TO IMPLEMENT THE ECONOMIC INCENTIVES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$12,000 to be paid out over 4 years = \$3,000/year)

(Staff Contact: Chris Clemens)

Chris Clemens, Economic Development Manager, presented the item and stated that this is to confirm the City's portion of the state Qualified Targeted Industry (QTI) incentive package for an existing Pompano Beach

company. The company is a sports medicine therapy product manufacturer and since 2010 has been held in an active Business Tax Receipt (BTR). He said the QTI incentive package came to the City via the Greater Fort Lauderdale Alliance and Pierre Taschereau is present representing the alliance. Further, the company has requested confidentiality via Florida Statute 288.075 and is identified as project code name neon. The other relocation options are Rhode Island and Massachusetts. He said the company is looking to expand their leasehold by 20,000 square feet of industrial space, 10,000 of which will be used for executive and administrative offices. The company will hire twelve new to Florida full time employees by December 31, 2018. The jobs are for management and operations positions at the same time retaining 22 existing jobs. The total capital investment would be approximately \$2,729,000 in year one, which costs would include leased space, renovations, purchase of manufacturing equipment and other additional office equipment.

Mr. Clemens stated that under the QTI program the company is eligible for up to \$3,000 per job plus another \$2,000 because it is a manufacturing job.

Mayor Fisher stated that he is concerned when a company has to use a fictitious name and does not understand why they hide behind a name. Therefore, he enquired if they are regulated by the proper authorities as well as what kind of manufacturer products will the company produce.

Mr. Clemens indicated he is unsure of the name of the product, but it is similar to those products found in the pharmacy such as icy hot, heat patches for the back and sleeves for other areas of the body.

Comr. Hardin asked if they decided to relocate after two years would the City be reimbursed the funds invested.

Mr. Clemens stated that it is state policy to payout over four years, and the City do not recapture the funds.

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. 2018-240

21. [18-449](#) **P.H. 2018-82: (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 FIRST AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CYPRESS GOLF

MANAGEMENT, LLC FOR MAINTENANCE AND MANAGEMENT OF THE MUNICIPAL GOLF COURSE AND ATTENDANT COMMON AREAS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,604,084 Annually for Agreement and \$25,000 for 19 putting greens re-turfed)

FIRST READING: JULY 10, 2018

(Staff Contact: Brian Campbell/Brian Donovan)

Brian Campbell, Golf Course Manager, presented the item and stated that it is the second reading of the ordinance and there has been no changes since the first reading.

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. 2018-72

22. [18-470](#) **P.H. 2018-83: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 115, "MISCELLANEOUS BUSINESSES," BY CREATING SECTION 115.30, "SALE OF NICOTINE VAPORIZERS OR LIQUID NICOTINE," TO PROVIDE FOR DEFINITIONS, PROHIBITIONS, ENFORCEMENT AND PENALTIES; BY AMENDING CHAPTER 131, "OFFENSES AGAINST PERSONS AND PROPERTY," BY CREATING SECTION 131.24, "PROHIBITED USE OF NICOTINE VAPORIZERS," TO PROVIDE FOR PROHIBITIONS, ENFORCEMENT AND CIVIL PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 10, 2018

(Staff Contact: Tracy A. Lyons/Mark E. Berman)

Tracy A. Lyons, Deputy City Attorney, presented the item and stated that it is second reading of the ordinance and there has been no changes since the first reading of July 10, 2018.

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. 2018-73

23. [18-488](#) **P.H. 2018-88: (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 CONTRACT AND FIRST AMENDMENT THERETO FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC, TO PROVIDE FOR A SECONDARY REDUNDANT FIBER LINE FOR INTERNET AND VOICE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$41,216 Per Year)

SECOND READING: JULY 10, 2018

(Staff Contact: Gene Zamoski)

Gene Zamoski, IT Director, presented the item and stated that this is a second reading and there has been no changes since first reading.

Tom Terwilliger, Pompano Beach, understands that the first primary line for the City's internet data services is from Comcast as well as the secondary line.

Mr. Zamoski responded that is not correct and provided details regarding the providers and the fiber lines connected with the Comcast office. In sum, he said as long as the City has power and Comcast has power the line will not go down.

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

Enactment No: ORD. No. 2018-68

24. [18-489](#) **P.H. 2018-89: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 132, "PUBLIC PEACE AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 132.38, "CHRONIC NUISANCE PROPERTY CODE," PROVIDING FOR THE IDENTIFICATION OF PROPERTIES THAT ATTRACT OR PERMIT NUISANCE ACTIVITIES; REQUIRING CORRECTIVE ACTION BY PROPERTY OWNERS; PROVIDING PROCEDURES FOR ENFORCEMENT; PROVIDING FOR NOTICE, HEARING RIGHTS, AND APPEALS; PROVIDING FOR ASSESSMENT AND RECOVERY OF COSTS, FINES AND FEES RELATED TO ENFORCEMENT; PROVIDING FOR LEVY AND COLLECTION OF NON-AD VALOREM ASSESSMENTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

SECOND READING: JULY 10, 2018

(Staff Contact: Mark Berman/Tracy Lyons/Greg Harrison)

Tracy Lyons, Deputy City Attorney, presented the item and stated the second reading was heard first at the July 10, 2018 City Commission meeting, consequently the first reading is now being heard. She stated there has not been any changes since the second reading.

Comr. Perkins stated since there is not much in the backup material could she get an explanation on the item.

Ms. Lyons explained that the City Commission had requested the City Attorney's office to create another method of combatting nuisance properties throughout the City limits, which this ordinance will do just that. It will be in addition to the Nuisance Abatement Advisory Board, as well as an addition to the Notice to Appear processing County Court in addition to the Special Magistrate process. She said the ordinance will provide for the property owners to work with staff to create the nuisance abatement agreement that will allow the property owner to do certain things, to include working with Broward Sheriff's Office (BSO), putting in additional video cameras for example, if it is a commercial property, and things of that nature to heighten the security on certain particular properties. If the property owner does not come into agreement and abate the nuisance, the City then has the authority to bring the matter before the Special Magistrate and have a Final Order entered where

the City could go through the process of abating the nuisance and putting the cost on the tax roll.

Mark Berman, City Attorney added that it is an ordinance that takes multiple types of nuisances and he provided in details the various nuisances.

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

Sobel

Burrie

Fisher

No: Perkins

Enactment No: ORD. No. 2018-69

25. [18-404](#) **P.H. 2018-86: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.4201., "GENERAL," TO PROVIDE RESTRICTIONS FOR THE SALE OF NEW OR USED MERCHANDISE AND/OR GOODS ON CERTAIN CITY PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 10, 2018

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

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that the proposed text amendment is proposing to add a new uses specific standard that would be applicable to all users. The new standard applies specifically to those properties owned or leased by the City and the Community Redevelopment Agency (CRA). The standard prohibits any use or activity that would exclude a minor, pursuant to state law, from selling, transferring, possessing or viewing the material or goods that are being exhibited or displayed. The exception provided in the amendment would be granted to approved special events that sell or distribute alcoholic beverages lawfully for the consumption on premise. In addition, Mr. Keester-O'Mills stated the purpose of the ordinance is to ensure that public spaces are open and welcome for people of all ages. At the May 2018 Planning and Zoning Board meeting the Board unanimously recommended approval for the proposed text amendment. Finally, he said this is the second reading of the ordinance.

Sarahca Peterson, Pompano Beach, FL, enquired about the restriction of sale and does it refer to the people in the community that would put up vendor spaces and sell on the weekends.

Mayor Fisher explained that this is specifically for sales in the City-owned facilities.

Mr. Keester-O'Mills clarified that it is for City and CRA-owned properties, if activities are happening on those properties.

After an extensive discussion, Mr. Berman asked if Ms. Peterson is aware that vendors are setting up and selling things on City-owned property on the weekends then the Code enforcement or City Manager should be aware of these activities, which will be addressed.

Ms. Peterson indicated she just wanted to know how would the residents be educated to know that setting up on City/CRA-owned properties is not allowed.

Mr. Berman clarified that this affects the use of City/CRA-owned facilities for the types of activities and programs that the City will allow in recreation centers and civic centers, and the City wants to ensure that they are family friendly and does not have adult related activities at these places, which is what this ordinance is specifically about.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, asked if anyone could try to sell on the properties that are not owned by the City, but are leased, for example, City Hall and the Hillsboro Inlet, and would the ordinance apply.

Mr. Berman reiterated that in the ordinance it states, "Unless specifically provided for in a use's definition or a use-specific standard, the sale, exhibition or display of goods or materials that pursuant to state law, may not be sold or transferred to, possessed or viewed by minors is prohibited in any city park, recreational or cultural facility or building owned or leased by the City or the Community Redevelopment Agency (CRA) located in any zoning district within the City. The vending or distribution of beverages lawfully provided to adults for on premise consumption at an event approved by the City or CRA at a city park, recreational or cultural facility, shall not violate this subsection."

Noel Flasterstein, Esq., stated that he represents Florida State's Shows, and he is a consult attorney with Florida Carry. He indicated that they view the statutes as an attempt to regulate the firearm industry in violation of Florida Statutes 790.33. Therefore, if the City moves forward with the ordinance, because his client has not been able to reschedule their gun shows at the center, then they will sue the City.

Mr. Berman explained that 790.33 pursuant to Florida legislature, preempts the field of regulation of firearms completely. It states that the legislature declares its occupying the whole field of regulation of firearms and ammunition and that any ordinances, rules or regulations that affect firearms or regulate firearms are declared null and void. He said there is an exemption for zoning ordinances that encompasses firearms businesses along with other businesses, except the zoning ordinances that are designed for the purpose of restricting or prohibiting the sale or purchase, transfer, manufacture of fire arms as a method of regulating firearms and ammunition are in conflict with the subsection and are prohibited. Therefore, the City's position is that this is

not designed to just get rid of firearms or regulate the sale, purchase or transfer. This regulates numerous other industries, for example adult entertainment, alcohol sales or shows, tobacco and things of that nature. So, there are other adult matters that this regulates. Nonetheless, it is an argument that counsel can make. However, he informed that under the statutes it is clear that any person that violates the legislatures whole field of regulation is liable for several penalties. First, any person affected by this can enter into the litigation, which could be multiple clients suing the City.

Further, Mr. Berman stated that if any City or town violates the section, the risk taken as elected officials, is rather extraordinary. He then explained the risk in detail. In sum, the court can assess a civil fine of \$5,000 against an elected or appointed government official(s), under the jurisdiction that a violation occurred. In addition, public may not be used to defend or reimburse the unlawful conduct of any person found to have knowingly and willfully violated the statute. He also provided a list of violations involved with the statute.

Mr. Berman indicated that he did inform the Commission of a lawsuit in progress to deal with these harsh restrictions, as well as the chilling effect it has on the City Commission's ability, and the risk that they have to take to try and legislate according to their conscience and desires. The other option is to hold on this ordinance and see where the legislation goes. If it comes out favorably this Commission would then have the opportunity to take further action.

Mayor Fisher stated that Mr. Flasterstein's client just had a gun show this weekend at the Emma Lou Olson Center. Therefore, they have the right to continue the gun show based on the current permit they currently have in place.

Mr. Berman stated that there is one show left in December and one in January.

Mayor Fisher pointed out there is no stopping them having their gun show in Pompano Beach per the agreement with the City.

Mr. Flasterstein responded that is correct, but he understands that there is one more show that they originally contracted for but a date has not been given for it. He said he does understand the position of the City, but the proposed ordinance clearly violates Florida Statutes 790.33, which he believes will stop firearms from being sold.

Mayor Fisher asked Mr. Flasterstein since he mentioned earlier that there are other ways the city could pursue, could he provide those other ways.

Mr. Flasterstein suggested one way is to arm people in the schools. Nevertheless, he has found working with Mr. Berman easy to deal with and quite professional. Moreover, he said Mr. Berman is correct when he said there is a process going on currently where they are challenging the constitutionality of several states. Several cities in Florida along with some from the northern states have joined in the lawsuit.

Mayor Fisher indicated that he wanted to know what was Mr. Flasterstein motivation so that the City Commission can make a proper decision on the proposed ordinance. Therefore, he asked if he was stating for the records that if the ordinance is passed that he will sue the City of Pompano Beach and the individual elected

officials.

Mr. Flasterstein replied, "Yes sir."

Mayor Fisher reiterated his question if he would sue the City Commission individually.

Mr. Flasterstein responded, if the Commission passes this, he said he did not want to make a point of listing everybody's name, but in fact that may happen. However, the main thing he is concerned about is protecting his client's right to conduct his business lawfully, as he should be permitted. He said this is protected by the Florida Statute. He said he would not be seeking that they be removed from office but as to seeking attorney's fees and it also has a contingency, and he said there was a nod for the record, it also has a contingency multiplier, also he said he is a South Florida attorney with over twenty years in a field that there is not a lot of practitioners, so that would help to boost it. Also, he said who joined because they have members here is Florida Carry and he thinks they would move individually and he would be working in conjunction with Eric Friday, who did the Florida Carry vs University of North Florida, which was a favorable outcome for gun rights and Florida Carry. He suggested that prior to making a decision the City Commission may want to get a copy of the opinion and review it.

Comr. Moss asked who is Mr. Flasterstein's client.

Mr. Flasterstein responded Florida State Shows LLC, doing business as Florida Gun Show Expo., who just had a gun show at the Civic Center.

Comr. Hardin asked if the ordinance addresses gun shows, or does it also affect other shows such as pornography.

Mr. Berman replied not specifically, but it would affect gun shows. However, the issue would be for what purpose the City Commission desires the facilities to be utilized. They cannot pick and choose but this is one way of drawing to set apart what goes on at the facilities, which affects several different industries including gun shows.

Mr. Berman stated that he will continue to update the City Commission regarding the status of the lawsuit and as it progresses the City Commission would be able to do more without the threat of retribution based on the statute.

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

Yes: Hardin
Moss

No: Perkins
Sobel
Burrie
Fisher

26. [18-370](#) **P.H. 2018-72: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 115, "MISCELLANEOUS BUSINESSES," BY AMENDING SECTION 115.18, "MOVING VENDOR, ITINERANT MERCHANT, OR PEDDLER," TO EXCLUDE PIER AREA VENDING AS DEFINED IN SECTION 115.19; BY CREATING SECTION 115.19, " PIER AREA VENDING," TO PROVIDE DEFINITIONS, APPROVALS, PROCEDURES, REGULATIONS AND STANDARDS FOR PIER AREA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

TABLED FROM JULY 10, 2018

TABLED FROM JUNE 12, 2018

FIRST READING: MAY 22, 2018

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

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that it is the second reading of the ordinance and the developer, Tim Hernandez is available to answer questions on the developer's agreement or future intended businesses that will be permitted should the ordinance get approved.

Additionally, Mr. Keester-O'Mills stated that the proposed text amendments were originally drafted in 2014 in response to a deadline set forth in the agreement between the City of Pompano Beach and the pier developer. Since first reading staff has made some minor changes and clarification to the ordinance following the discussion in May. He said the section entitled, "Use Standards" was added specifying that vendors are limited to eating and drinking establishments, for ready-to-eat foods, beverages and confections. As well as retail sales will be permitted as accessory use to the principal food sales. Retail sales will not be permitted to be the primary purpose of the vendor. Further, Mr. Keester-O'Mills stated that the other change relates to the maximum height of the vending equipment that is limited to four feet in height. The code has added permission for a shade structure or umbrella to exceed the height limit of four feet.

Mr. Keester-O'Mills stated if the ordinance is approved, the proposed changes for Chapter 115 will allow the developer to submit a master plan to the City, which must be reviewed by the Development Services Department, East CRA Advisory Committee and to be approved by the City Commission.

Comr. Sobel asked for a description of who the vendors are, as referred to in the ordinance.

Tim Hernandez, Pompano Pier Associates, responded that to date only one person has approached them with an interest in the location. He then provided a brief history of the project and the agreement. He stated that they put the clause in the development agreement because of the millions of dollars being invested in the development. He continued to say they did not want the City with the right to have just any type of vendors, so it was more of a defensive mechanism for his corporation. To date the only person who has approached them is someone wanting to sell ice creams on the beach. They do not want too much of these types of vendors to make the area "tacky."

Comr. Sobel asked if when the ordinance passes, would Mr. Hernandez have exclusive rights to determining the number of vendors and the type of vendors that would be out on the beach.

Mr. Hernandez responded yes and no and explained his answer. He said he would have to come before the City Commission for final approval. He is not asking for anything at this point other than for the Commission to pass the ordinance and on a case by case basis return to the City Commission for adoption of what they are doing. The idea behind this clause is to prevent competition or undercutting people who have made substantial investment in the community. Also, to create a "fill a void" of something that would be good to be sold out on the beach that was not already selling within the development.

Comr. Sobel stated that since a window is being opened for these vendors he wants to ensure that it is a controlled window and not a Pandora's box.

Mr. Hernandez indicated that they want the development to be accessible to everyone no matter the income or the social status.

Comr. Sobel asked for an update regarding renting of the spaces in the garage.

Mr. Hernandez responded that they are negotiating a letter of intent and a lease for the space between Kilwins and Burger-Fi. The other thing they are working on is an event space for the southernmost parcel.

Comr. Sobel asked about the possibility of outdoor music late in the night at the "lucky fish."

Mr. Hernandez indicated that they will have outdoor music but the City's ordinance does not allow until early morning.

Comr. Hardin asked about when would the mandatory master plan approval be submitted.

Mr. Hernandez responded that they will come up with something once they get with the Development Services department staff members.

Comr. Hardin indicated that he had concerns with the blocking of the sidewalks, utilizing and tearing up the investment the City already have in place, especially the nice grassy areas next to the sidewalks and so forth.

Mr. Hernandez indicated his plans were more for the sand area than the sidewalks.

Comr. Hardin asked about the type of products the ice cream person would sell as the agreement states, "...ready to eat foods completely wrapped and packaged."

Mr. Hernandez replied the products would basically be "good humor bars," so, things like hot dogs will not be allowed.

Meeting went into Recess

A motion was made by Vice Mayor Burrie, seconded by Commissioner Perkins to continue the meeting until midnight. The motion carried by the following vote:

No: Comr. Hardin

Comr. Moss

Mayor Fisher

Yes Comr. Perkins

Comr. Sobel

Vice Mayor Burrie

The motion failed so the meeting will reconvene on Wednesday, July 25, 2018 at 10:00 a.m.

A motion was made by Commissioner Hardin, seconded by Vice Mayor Burrie, to take the item off the table.

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. 2018-74

27. [18-507](#) P.H. 2018-93: (PUBLIC HEARING 1ST READING)

AN ORDINANCE AMENDING CHAPTER 156, "SIGN CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 156.09, "TEMPORARY SIGNS," BY MODIFYING STANDARDS FOR TEMPORARY SIGNS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

Meeting Reconvened on July 25, 2018 at 10:02 a.m.

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that the proposed amendment addresses concerns regarding political signs for candidates running for office. He provided a brief background stating that in 2015 the Supreme Court of the United States decided on a case regarding a non-commercial temporary sign, in a case known as "Reed vs the Town of Gilbert." In 2016, the City hired outside counsel to address the provisions of the City's sign code that may be in conflict with the determination. As a result, the sign code was substantially rewritten based on recommendations made by outside counsel. The recommendation included a change to the regulation of non-commercial temporary signs. The City of Pompano Beach had new temporary sign types that were permitted for specific occasions, events, or circumstances and the temporary signs were reclassified into a category of non-commercial temporary signs.

In sum, Mr. Keester-O'Mills stated that the City cannot create a sign category entitled political signs with unique standards or criteria from other temporary signs. If approved, the ordinance will increase the sign area for all temporary non-commercial signs in multi-family and non-residential zoning districts from 24 square feet to 32 square feet and eliminate the requirement to first obtain a sign code compliance permit for non-commercial temporary signs.

Mark Berman, City Attorney, clarified that Mr. Keester-O'Mills' reference to the proposal as a recommendation, in the legal industry it was a mandate from the court, which is the reason for the change.

Mayor Fisher enquired about sign pollution on a property that may have seven to approximately ten political signs on it, and whether this is regulated.

Mr. Berman responded that it is regulated to the extent of the City's Code of Ordinances. He stated that during the election the amount of signs are allowed on a commercial property but it limits the size. Residential is mainly covered in the proposed ordinance, but commercial is much more flexible.

Mr. Keester-O'Mills stated that the ordinance does limit the number of temporary signs allowed. He said for both commercial and residential properties having ten political signs, it would not be allowed based on the ordinance in effect.

The item was declared an emergency second reading, which Mr. Berman explained that because the campaign season has started and the City Commission would not be back in session until September, many candidates

for various offices to include those on the dais will be affected by this. Therefore, there is a need to get this ordinance in effect for all candidates during the season.

A motion was made by Commissioner Hardin, seconded by Commissioner Moss, to approve First Reading. The motion carried unanimously:

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

Yes: Hardin
Moss
Perkins
Fisher

Absent: Sobel
Burrie

Enactment No: ORD. No. 2018-75

28. [18-485](#) **P.H. 2018-92: (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 CONTRACT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND KIMLEY-HORN AND ASSOCIATES, INC., FOR CONTINUING CONTRACT FOR ENGINEERING SERVICES FOR OVERHEAD UTILITIES CONVERSION TO UNDERGROUND; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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

Yes: Hardin

Moss

Perkins

Fisher

Absent: Sobel

Burrie

29. [18-401](#) **P.H. 2018-91: (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 CONTRACT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND KEITH AND SCHNARS, P.A. FOR OVERHEAD UTILITIES CONVERSION TO UNDERGROUND; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and stated that the City Commission previously approved the Request for Letter of Interest (RLI) ranking for continuing contract for engineering services for overhead utilities conversion to underground. Kimley-Horn and Keith and Schnars were both ranked the two highest out of seven. The item is to now allow the City to enter into a professional consulting agreement with Kimley-Horn and Associates, Inc.

A motion was made by Commissioner Hardin, seconded by Commissioner Moss, that the Resolution be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Hardin

Moss

Perkins

Fisher

Absent: Sobel

Burrie

30. [18-498](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING THE CITY MANAGER AUTHORITY DURING THE CITY COMMISSION'S AUGUST HIATUS TO PERFORM AND FINISH SUCH MATTERS AS MAY HAVE BEEN BUDGETED AND AUTHORIZED, SUBJECT TO RATIFICATION THEREAFTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

Greg Harrison, City Manager, presented the item and stated that the item is an annual resolution by the Commission granting the City Manager authority during the time the City Commission goes on hiatus for activities that may come up throughout the time the local governing body would be away. Therefore, this is to provide formal approval of any such activity that may come up.

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

Yes: Hardin
Moss
Perkins
Fisher

Absent: Sobel
Burrie

Enactment No: RES. No. 2018-241

E. REPORTS

Greg Harrison, City Manger - Where is my Inspector App - Mr. Harrison stated that during the last ninety days the City has been involved in gathering the “geeks of the area.” There was a hackathon, led by Gene Zamoski, IT Director, supervised by Brian Donavan, Assistant City Manager. This involved a contest on coming up with a new app to benefit the residents. The winning idea, “Where is my inspector” app, won the contest. The resident would enter a permit number to see the inspector’s route on a map, showing the appropriate times for each inspection type and the resident will receive text messages of when to expect the inspector at their location. The inspector will then see on his dashboard the daily inspections routes which will automatically create with MapQuest, and the web application will allow the inspectors to send text messages to the cell phone on file. IT is currently working with the building inspection division to test and develop different parts of the new app, and it should be ready for the public by September.

Solar Smart - Mr. Harrison indicated that Jennifer Gomez, Assistant Director, Development Services Department, reported that the City has been a participating city with the South Florida Regional Planning Council regarding “Solar Smart.” Mr. Harrison indicated that the City was accepted to participate in the solar smart initiative, which is a US Department of Energy Funded recognition program for communities that have taken steps to reduce solar cost and barriers to promote the growth of a mature local solar market. Mr. Harrison stated that the City is in the process, and is committed to developing an extreme line process for solar permitting, inspection, and reviewing the zoning requirements to identify restrictions to solar PV development. Also, to train permitting and planning staff as well as best practices and expanding communicating the options for residential properties. This is new and different that the Development Services Department is pursuing led by Ms. Gomez and directed by David Recor and Brian Donovan.

CPR Training - Mr. Harrison reported the CPR training has commenced for over 240 employees, which is not just the normal CPR training. These employees will be trained in responding to severe bleeding and would

have knowledge similar to a paramedic on the first few minutes of an emergency scene. So, over one third of the employees will be trained to handle this in all the facilities.

Annual City Health and Financial Wellness Fair - Mr. Harrison announced that the fair will take place at the Emma Lou Olson Center Wednesday, July 25th and Thursday, July 26th. The event is free and is open to the public from 10:00 a.m. to 2:00 p.m. He said a number of different things will take place and he invited the City Commission to stop by and check out the variety of displays that will be available.

Mark Berman, City Attorney - No Report. Mr. Berman wished the City Commission a good vacation.

Ascelela Hammond, City Clerk - No Report. Ms. Hammond wished the City Commission a restful hiatus.

Commissioner Rex Hardin - Best Wishes - Comr. Hardin wished the City Commission an enjoyable August break.

Traffic Calming for Old Pompano - Comr. Hardin asked for an update on the review of the Old Pompano areas holistic traffic calming measures. City Manager Harrison to provide this update.

Explore Fund Raiser Activities for the Pier and Ocean in the area - Comr. Hardin indicated that he has some new ideas for the pier. He said Ms. Judy Niswonger, member of the east CRA advisory committee, spoke to him about her visits to North Carolina numerous times and mentioned that they have a commemorative plaque type program for their pier. He explained that a Corian fish is cut into the surface of the pier and is mounted in memory of a loved one and sold as a fund raiser for the programs that take place at the pier and the surrounding areas. He promised to get the information to the City Manager to have someone look into this venture. He recommended that during the rebuilding of the pier the Corian fish could be sold at the visitor's center. Also, around the pier area there are various activities going on. For example, there is the Hillsboro Inlet, the ocean, the pier and he wondered if the city could reach out to area schools, such as Nova Southeastern or Guy Harvey, to explore the opportunities for ocean research considering the proximity to the ocean and the access that the city has.

Commissioner Barry Moss - Town Hall Meeting - Comr. Moss announced that on July 25, 2018 from 7:00 p.m. to 9:00 p.m. at the Herb Skolnick Center, he will be sponsoring a Town Hall meeting, which is a candidate forum for the judicial candidates in both the Broward County and Circuit courts. To date approximately fifteen candidates will be attending. The meeting is opened to any voter in Broward County and he encouraged everyone to attend.

Collier City Fun Day - Comr. Moss announced that on August 4, 2018, the Collier City Fun Day Event will take place, and he encouraged everybody to plan to attend.

Best Wishes - Comr. Moss wished the City Commission a restful August and looks forward to seeing everyone in September.

School Bus Drivers Hiring - Comr. Moss announced that there will be a hiring forum at the McNair Center for people interested in driving school buses. He invited those interested to contact Ms. Dahlia Baker, Pompano Beach CRA Workforce Program Director, for more information.

Commissioner Beverly Perkins - Coleman Historical Marker Ceremony - Comr. Perkins reminded everybody about September 6, 2018 ceremony, which will commence at 10:00 a.m. to place the historical

marker at the Coleman estates at Northwest 6th Street, and invited everybody to come out in support of the ceremony.

Welcome Back School Children - Comr. Perkins stated that she plans to be present at most of the schools in Pompano Beach to welcome back the kids to school from their summer break. Schools will open on August 15, 2018.

Best Wishes - Comr. Perkins wished the City Commission a happy vacation.

Mayor Lamar Fisher - United Way Mayors' Gala - Mayor Fisher stated that the annual United Way Broward County Mayors' Gala will be held on October 13, 2018 at the Broward Convention Center. He mentioned that historically, the City has contributed by sponsoring a table.

MOTION: Comr. Hardin made a motion, seconded by Comr. Moss that the City purchase a table for the event. The motion carried unanimously.

Thanks to City's Water Department - Mayor Fisher expressed special thanks to the staff of the Water Department. He said that the staff does a lot of work, and personally, he had received a call from Kyle McPhail who if he sees a meter showing excessive usage, will send a letter and then follow up with a call of the probability of a leak when several thousand gallons of water is showing as utilized on the meter. Mayor Fisher said in his case, had he not received that call his water bill would have increased from approximately \$200 to \$600. Therefore, on behalf of the residents, he thanked Mr. McPhail, the City Manager and his staff for what they do to look out for the residents to notify them when situation such as he had experienced is happening.

Congratulations to City Manager Harrison - Mayor Fisher on behalf of the City Commission congratulated the City Manager on being honored by the Broward County Council of Professional Firefighters' last Saturday. Mayor Fisher stated that Mr. Harrison was honored for his work and what he has accomplished throughout his career and most importantly what he has done for the City of Pompano Beach.

Mayor Fisher stated that the next meeting will be in September.

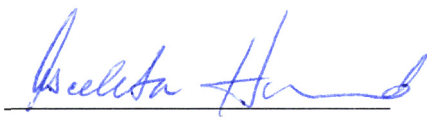
F. ADJOURNMENT

The meeting recessed at 11:12 p.m. and on July 25, 2018 reconvened at 10:00 a.m.

The meeting adjourned at 10:21 a.m.



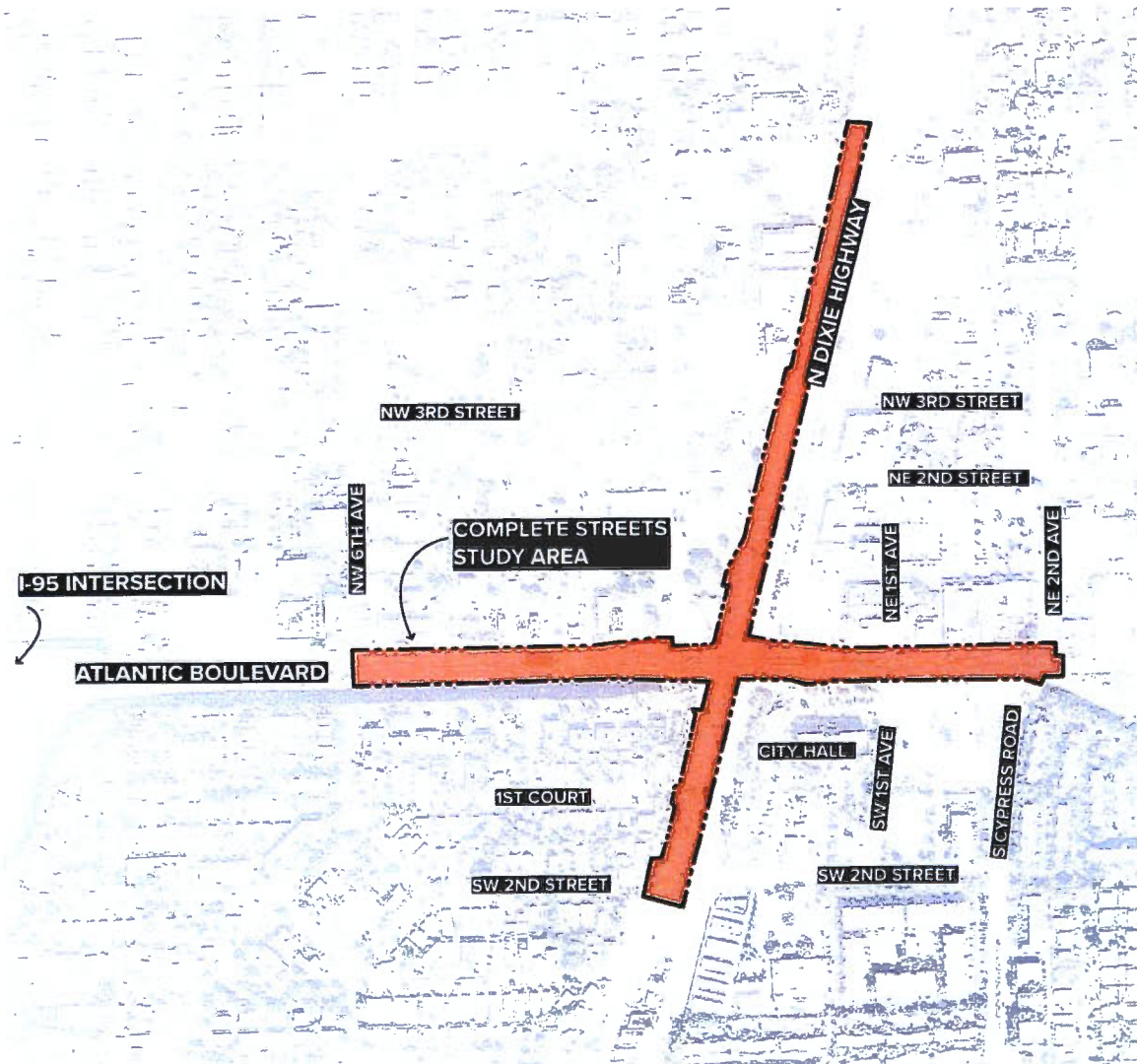
Lamar Fisher, Mayor



Asceleta Hammond, City Clerk



WHY POMPANO?



Florida's Warmest Welcome

Progress as a city

Build a downtown

Redevelopment

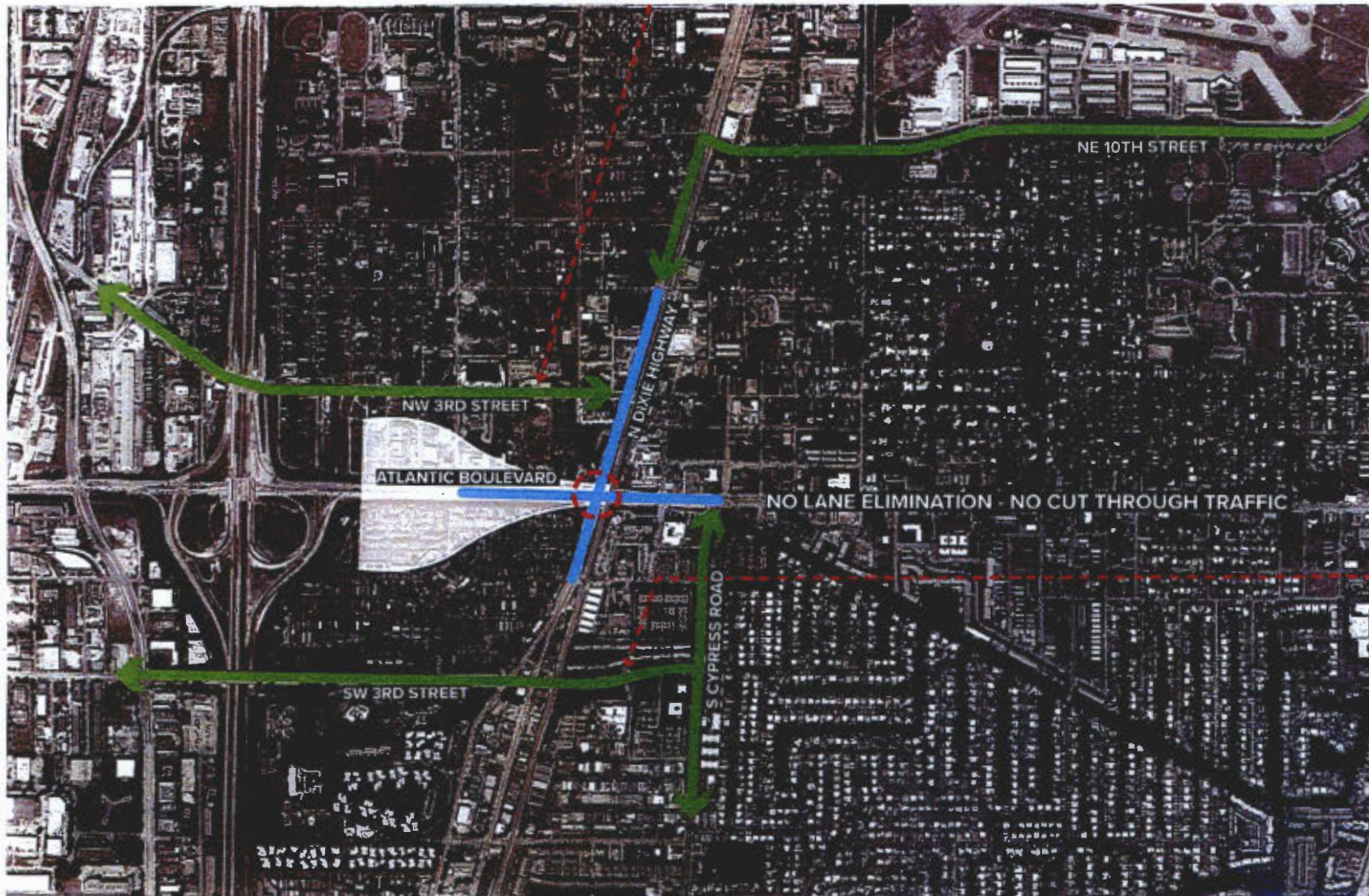
- Jobs
- Increased tax base
- Improved services

Connect downtown to the beach and the beach to downtown (ETOC)

Infrastructure improvement that catalyzes redevelopment

Adding walkability and sense of place

TRAFFIC NETWORK: FUNNEL EFFECT



MLK / NW 3RD STREET:

Available surplus capacity to accommodate Atlantic Boulevard traffic diversion

SW 3RD STREET:

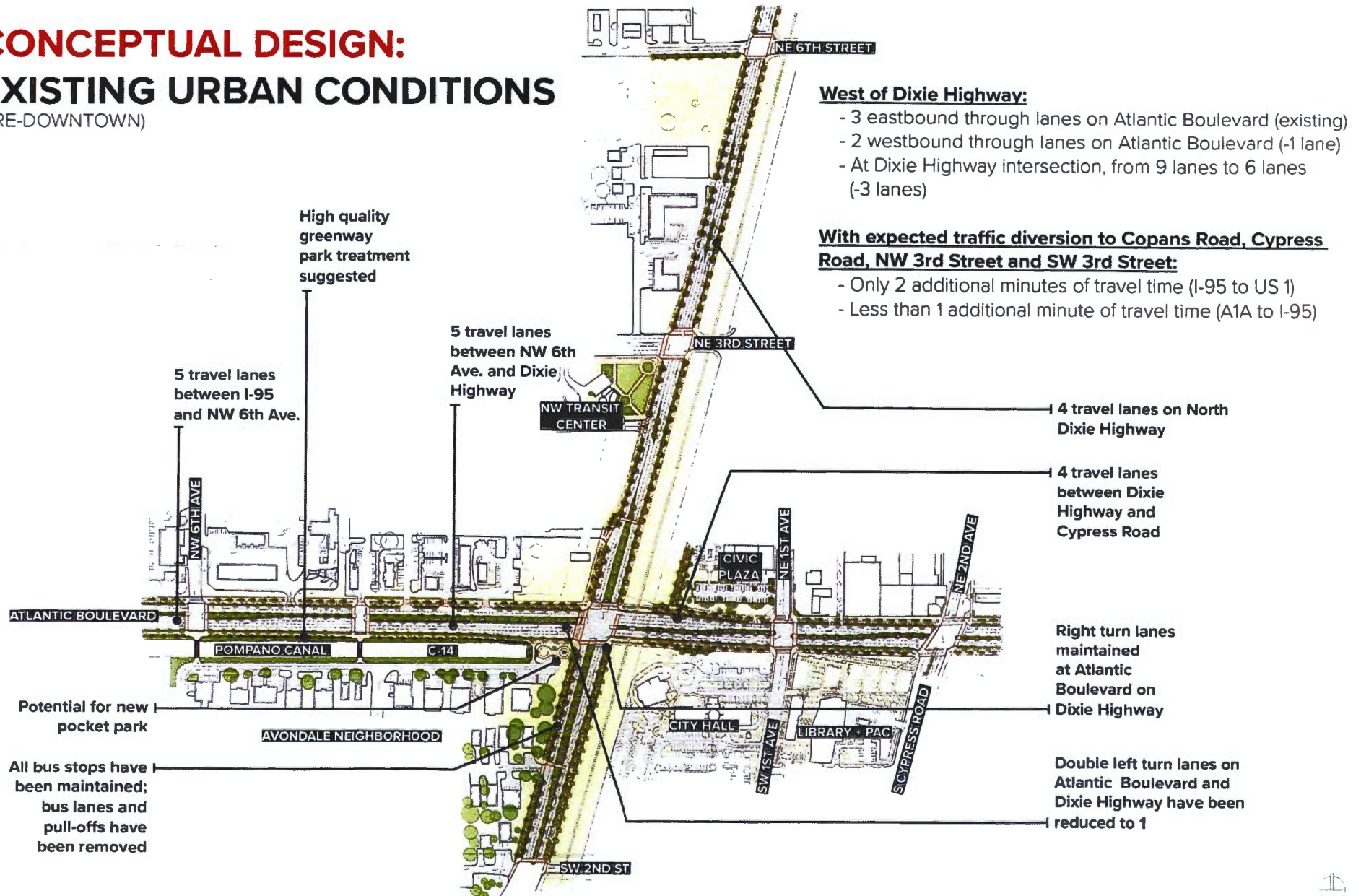
Available surplus capacity to accommodate Atlantic Boulevard traffic diversion

NEIGHBORHOOD TRAFFIC:

- Intrusion not anticipated
- Critical area is west of Dixie Highway
 - Excess surplus capacity available west of Dixie Highway
 - Traffic calming plan for local streets
 - No lane elimination east of Cypress Road

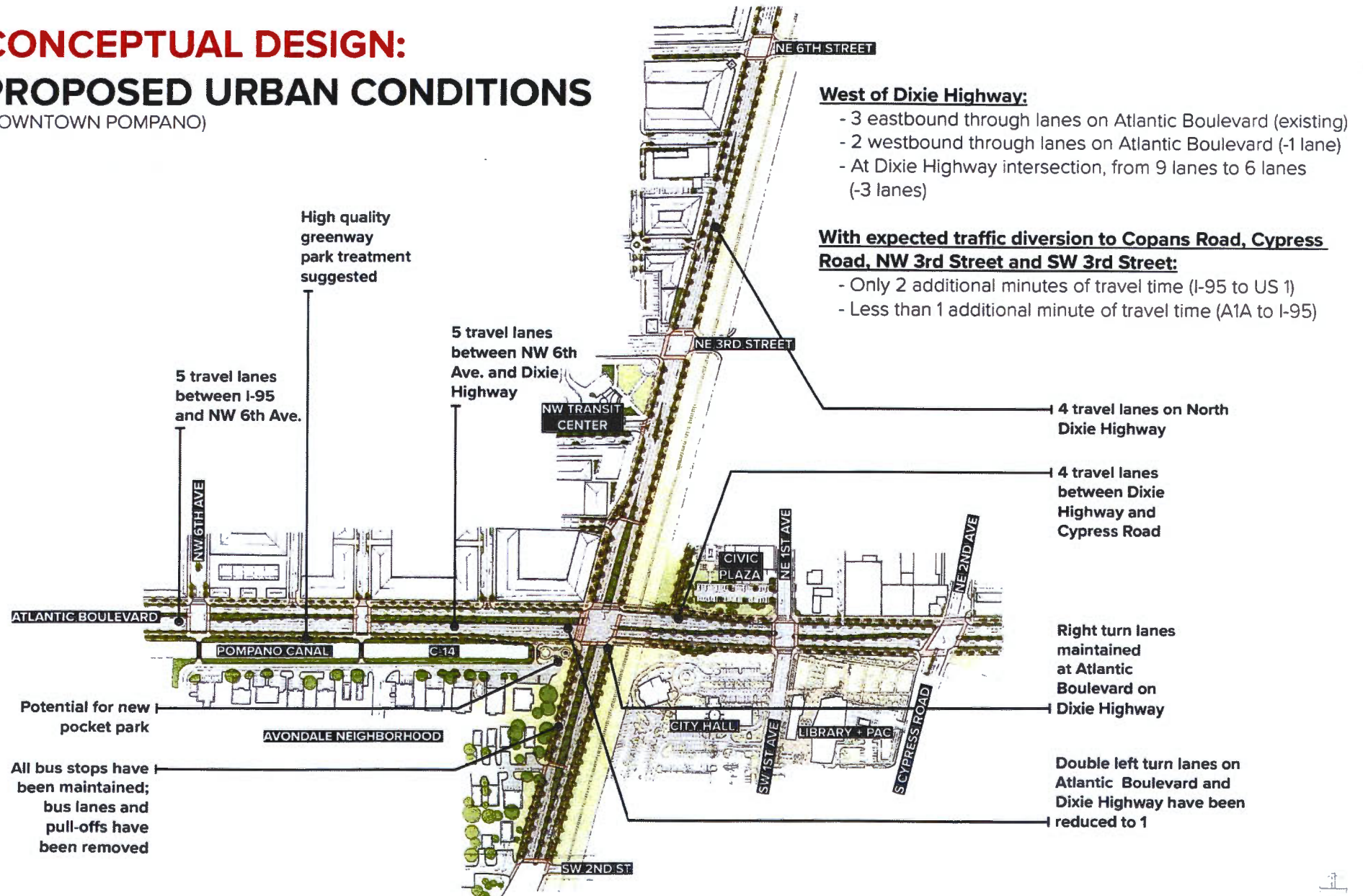
CONCEPTUAL DESIGN: EXISTING URBAN CONDITIONS

(PRE-DOWNTOWN)



CONCEPTUAL DESIGN: PROPOSED URBAN CONDITIONS

(DOWNTOWN POMPANO)



CONCEPTUAL DESIGN: WEST ATLANTIC BOULEVARD



CONCEPTUAL DESIGN: WEST ATLANTIC BOULEVARD



CONCEPTUAL DESIGN: ATLANTIC BOULEVARD + DIXIE HIGHWAY



CONCEPTUAL DESIGN: NORTH DIXIE HIGHWAY



CONCEPTUAL DESIGN: NORTH DIXIE HIGHWAY



CONCEPTUAL DESIGN: SOUTH DIXIE HIGHWAY



COMMUNITY FEEDBACK:

TRAVEL TIME



Key Points

- Concerned about the 5 additional travel minutes if traffic does not divert
 - A reduction in traffic signals could help alleviate additional travel time
 - Maintaining the current wait time would be preferable
- Would like to see more traffic studies conducted
- Will the lane reductions result in more traffic in the neighborhoods?
 - Will trucks from Atlantic Boulevard now try to move to MLK?
- The hurricane evacuation route going west on W Atlantic Boulevard is now reduced to 2 lanes
- The increase in traffic on the railway may also increase travel time

SAFETY



Key Points

- How will the proposed amenities tie into the existing conditions?
 - Specifically bike lanes and side walks
 - Child safety is a very high priority
- Pay close attention to the pedestrian conditions at the railroad crossing
 - Propose additional safety measures in this area
 - Propose line-of-sight improvements down the track

LOCAL BUSINESSES



Key Points

- Will the proposed complete streets concept force businesses and residents to move because of new development?
- What kind of impact will this have on local businesses?
 - Are there any negative effects of complete streets?
- Existing left turn lane on N Dixie Highway with access to businesses between MLK and NW 6th Street to remain

AESTHETIC



Key Points

- Please make our city beautiful
 - Be thoughtful with the design
- How far down Atlantic Boulevard (towards the beach) will the complete streets design go?