

Action Minutes - Final

City Commission

Rex Hardin, Mayor

Barry Moss, Vice Mayor

Rhonda Eaton, Commissioner

Andrea McGee, Commissioner

Tom McMahon, Commissioner

Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceleta Hammond, City Clerk

Tuesday, June 11, 2019

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the meeting to order at 6:00 p.m.

ROLL CALL

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

INVOCATION

Rev. Dr. Greg Fitch, Psychology and Hospital Chaplain offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[19-474](#) Regular City Commission Meeting Minutes of May 28, 2019

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

APPROVAL OF AGENDA

A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the AGENDA be APPROVED. The motion carried unanimously.

CONSENT AGENDA DISCUSSION

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

Mayor Hardin announced that items 3 and 4 will be pulled for City Commission discussion.

A. SPECIAL PRESENTATION

[19-444](#) Legislative Update by State Representative Patricia Williams and Yolanda Jackson from Becker Lawyers

State Representative Patricia Williams and Yolanda Jackson from Becker Lawyers gave a post session legislative update.

This matter was READ AND PRESENTED INTO THE RECORD

B. PROCLAMATIONS

[19-477](#) International Surfing Day

Mayor Hardin proclaimed June 15th as International Surfing Day in the City of Pompano Beach. Desiree DiClemente DiSalvo, Mike Scully and Vincent Bolocofsky from Surfrider Broward accepted the proclamation.

This matter was READ AND PRESENTED INTO THE RECORD

[19-478](#) Eta Nu Chapter of Omega Psi Phi Fraternity - 50th Anniversary

Mayor Hardin acknowledged the Eta Nu Chapter of Omega Psi Phi Fraternity on their 50th anniversary. Harry Harrell, Director of Eta Nu Education Foundation and Bruce Brown, Vice Baslieus Eta Nu Chapter accepted the proclamation.

This matter was READ AND PRESENTED INTO THE RECORD

C. PRESENTATION

[19-473](#) Strategic Plan 2018-2023 and Action Agenda 2018-2019 Quarterly Progress Presentation.
(Fiscal Impact: N/A)

(Staff Contact: Ernesto Reyes)

This matter was READ AND PRESENTED INTO THE RECORD

D. AUDIENCE TO BE HEARD

Mayor Hardin 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:

Kattie Jones, 521 NW 7th Terrace, Pompano Beach, FL

Darius Kondaki, 1500 N. Ocean Boulevard, Pompano Beach, FL

Nikitra Jones, 212 NW 14th Street, Pompano Beach, FL

Einnikki McCloud, 2874 NW 4th Street, Pompano Beach, FL

LaQuesta Derico-Adams, 627 NW 21st Avenue, Pompano Beach, FL

Willie E. Miller, 3051 N. Course Drive, Pompano Beach, FL

Oneshi Blue, 395 Sunshine Drive, Coconut Creek, FL

David Miller, District 5, Pompano Beach, FL

E. CONSENT AGENDA

Mayor Hardin announced that items 1, 2, and 5 were Approved/Adopted without discussion.

1. [19-470](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO LICENSE AGREEMENT BETWEEN FAIRFIELD DEVELOPMENT, LP AND THE CITY OF POMPANO BEACH SUBSTITUTING PROJECT CRANE SWING EXHIBIT AND CORRECTING THE LICENSEE'S GENERAL PARTNER'S NAME; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Paola West/David Recor)

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

Enactment No: RES. No. 2019-195

2. [19-479](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING BROWARD METROPOLITAN PLANNING ORGANIZATION'S COMPLETE STREETS MASTER PLAN INITIATIVES FOR IMPROVEMENTS ON DIXIE HIGHWAY FROM SAMPLE ROAD TO THE BROWARD COUNTY/PALM BEACH COUNTY LINE AND ON SAMPLE ROAD FROM BLOUNT ROAD TO NE 3RD AVENUE; PROVIDING FOR AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

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

Enactment No: RES. No. 2019-196

3. [19-472](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBORDINATION AGREEMENT BETWEEN THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A., AS SENIOR LENDER AND THE CITY OF POMPANO BEACH TO SECURE FINANCING FOR IMPROVEMENTS TO THE REGENCY GARDENS APARTMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Miriam Carrillo)

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-197

4. [19-486](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ASSIGNMENT, ASSUMPTION AND SUBORDINATION AGREEMENT BETWEEN REGENCY GARDENS APARTMENTS, LTD., AS SELLER, POMPANO BEACH LEASED HOUSING ASSOCIATES II, LLLP, AS BUYER, AND THE CITY OF POMPANO BEACH, AS LENDER, TO FACILITATE ACQUISITION AND REHABILITATION OF THE REGENCY GARDENS APARTMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Miriam Carrillo)

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

Yes: Eaton
McMahon
Perkins
Hardin

Absent: McGee
Moss

Enactment No: RES. No. 2019-198

5. [19-471](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AN AMENDED FUND BALANCE/NET ASSET POLICY FOR THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

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

Enactment No: RES. No. 2019-199

F. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

6. [18-390](#) **P.H. 2019-77: (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)

POSTPONED FROM MAY 28, 2019

(Staff Contact: Maggie Barszewski/David Recor)

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

Yes: Eaton
McMahon
Moss
Hardin

No: McGee
Perkins

END OF QUASI-JUDICIAL PROCEEDING

7. [19-454](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DISTRICT FOUR MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO INSTALL AND THE CITY OF POMPANO BEACH TO MAINTAIN ELECTRONIC SPEED DISPLAY SIGNS ALONG NE 14TH STREET CAUSEWAY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM MAY 28, 2019

(Staff Contact: John Sfiropoulos)

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: RES. No. 2019-200

8. [19-406](#) **P.H. 2019-79: (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 SECOND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND OFFERDAHL'S HAND-OFF FOUNDATION, INC., FOR THE GRIDIRON GRILL-OFF FOOD AND WINE FESTIVAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 28, 2019

(Staff Contact: Mark Beaudreau)

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2019-69

9. [19-436](#) **P.H. 2019-78: (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 AN AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CARTAYA AND ASSOCIATES, ARCHITECTS, P.A. FOR THE PUBLIC SAFETY COMPLEX RENOVATION PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$704,205.27)

FIRST READING: MAY 28, 2019

(Staff Contact: Horacio Danovich)

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2019-70

10. [19-267](#) **P.H. 2019-52: (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 AN AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND DIPOMPEO CONSTRUCTION CORPORATION, FOR FIRE STATION #114; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$5,750,000.00)

POSTPONED FROM MAY 28, 2019

POSTPONED FROM MAY 14, 2019

POSTPONED FROM APRIL 23, 2019

POSTPONED FROM APRIL 9, 2019

POSTPONED FROM MARCH 26, 2019

FIRST READING: MARCH 12, 2019

(Staff Contact: Horacio Danovich)

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

Enactment No: ORD. No. 2019-71

11. [19-475](#) **P.H. 2019-81: (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 AN AGREEMENT FOR PROFESSIONAL/CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND BERMELLO, AJAMIL & PARTNERS, INC. FOR THE SENIOR ACTIVITY CENTER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$599,038.00)

(Staff Contact: Horacio Danovich)

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

Yes: Eaton
McGee
McMahon
Perkins
Moss
Hardin

12. [19-483](#) **P.H. 2019-82: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING ARTICLE II, SECTION 6 TO CHAPTER 57-174, LAWS OF FLORIDA SPECIAL ACTS OF 1957 AS SUBSEQUENTLY AMENDED AND SUPPLEMENTED, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF POMPANO BEACH, FLORIDA, MODIFYING THE DATES FOR MUNICIPAL

GENERAL ELECTIONS; EXPANDING THE TERMS OF OFFICE OF CITY COMMISSIONERS; STAGGERING TERMS OF CITY COMMISSIONERS; PROVIDING THAT IF ANY OF THE AMENDMENTS ARE APPROVED BY A MAJORITY OF THE VOTERS AT THE SPECIAL ELECTION OF MARCH 10, 2020, THEN EACH SUCH AMENDMENT SHALL BECOME A PART OF THE CITY'S CHARTER UPON CERTIFICATION AND ACCEPTANCE OF THE ELECTION RESULTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$55,000.00)

(Staff Contact: Mark E. Berman)

A motion was made by Commissioner McMahon, seconded by Commissioner Eaton, to add term limits to the 4 year term proposed question. Upon voice vote the motion failed. Comrs. Eaton, McMahon, and Perkins voted Yes, and Comr. McGee, Vice Mayor Moss and Mayor Hardin voted No.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be POSTPONED until July 9, 2019, City Commission meeting. The motion carried. by a unanimous voice vote.

13. [19-482](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RAY LUBOMSKI TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS ALTERNATE #2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 11, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Louis Riva - District 3)

APPLICANTS:

Ray Lubomski, Alternate #2, **Incumbent** - District 3

Lisa Ferreri - District 1

Diana V. Lurie - District 1

Marianne Edge - District 3

Louis Riva - District 3

Emma Ellington - District 4

Carmen Jones - District 4

Marcus A. McDougale - District 4

Veronica Thomas - District 4

Andy Cherenfant - District 5

Daniel P. Diaz - District 5

Linda Houston Jones - District 5

Darlene Smith - District 5

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. Mayor Hardin nominated the name RAY LUBOMSKI be inserted. The motion carried unanimously.

Enactment No: RES. No. 2019-201

14. [19-451](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MONA SILVERSTEIN TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 13, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Mona Silverstein, Alternate 2 - District 5

Jacqueline Reed - District 2

Carmen Jones - District 4

Marguerite K. Luster - District 4

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. Vice Mayor Moss nominated the name MONA SILVERSTEIN be inserted. The motion carried unanimously.

Enactment No: RES. No. 2019-202

15. [19-452](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JACQUELINE REED TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF BARBARA BOYNTON-ARMBRISTER AS ALTERNATE 1; SAID TERM TO EXPIRE ON JUNE 13, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 19-451 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. Vice Mayor Moss nominated the name JACQUELINE REED be inserted. The motion carried unanimously.

Enactment No: RES. No. 2019-203**G. REPORTS****H. ADJOURNMENT**

The meeting adjourned at 9:32 p.m.

BALANCE IN CONTINGENCY

Oct. 1, 2018	Beginning Balance	\$12,000.00
Mar. 5, 2019	Broward League of Cities Annual Gala	\$5000.00
Mar. 5, 2019	Sample McDougald House Event	\$3000.00
May 7, 2019	20th anniversary salute to leadership	\$3,500.00
	Total:	\$500.00