



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2015-13

Date: March 10, 2015

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A request from Robert Levine to transfer assignment and ownership of Burial Right Agreement #6378 for Block 9, Lot 40, Plot 2, in the center lawn back to the City of Pompano Beach. (Fiscal impact: \$1,392.30)			5
Approve ranking order for RLI T-19-15, Planning and Design Services for Old Pompano Area Improvements and authorize staff to negotiate a contract with the highest ranked firm Chen Moore & Associates. (No cost at this time)			5



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<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF MUNICIPAL LIENS AND ASSESSMENTS BETWEEN THE CITY OF POMPANO BEACH, JOSE ALIRIO ORTIZ, AND OMAR HABER, JR., TO RESOLVE PENDING FORECLOSURE LITIGATION ON REAL PROPERTY LOCATED AT 712 NE 3RD AVENUE IN POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-199	5
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE RUSSELL LIFE SKILLS AND READING FOUNDATION, INC. TO PROVIDE LIFE SKILLS AND READING SERVICES FOR YOUTH; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-200	5-6
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<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER ONE TO THE LOCALLY FUNDED AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RELATING TO THE AESTHETIC IMPROVEMENTS TO THE HILLSBORO INLET SR-A1A BRIDGE PROJECT; PROVIDING AN EFFECTIVE DATE. (No fiscal impact – CIP Project 05-901)</p>		2015-202	7



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<p><u>CONSENT AGENDA- CONTINUED</u></p>			
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND COLONIAL PRESS INTERNATIONAL INC. PROVIDING FOR PUBLICATION AND MAILING OF TRADEWINDS MAGAZINE; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$43,327.98)</p>		2015-203	7
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DESIGNATING THE PARK KNOWN AS NORWOOD PINES PARK AS THE SGT. KIP A. JACOBY PARK; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-204	7
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO CONSTRUCT CERTAIN IMPROVEMENTS TO SR 814 (ATLANTIC BLVD.); PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-205	8
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>SUSAN ROME</u> TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY DOCKSWELL FOR A TERM OF OFFICE WHICH SHALL COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.</p>		2015-206	8
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR LANDSCAPE IMPROVEMENTS ON STATE ROAD 834 (SAMPLE ROAD) FROM MILITARY TRAIL TO STATE ROAD 5 (US 1); PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$206,011)</p>		2015-207	8



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<p><u>CONSENT AGENDA- CONTINUED</u></p> <p>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 (4) AMENDMENT NUMBER NINE (9) TO LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS ON STATE ROAD 834 (SAMPLE ROAD) FROM MILITARY TRAIL TO STATE ROAD 5 (US 1); PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-208	9
<p><u>REGULAR AGENDA</u></p> <p>Presentation and requested approval of the Pier Parking Garage Demand and Revenue Study and authorizing the Finance Director to coordinate and request such changes to the study as may be required as part of the project financing process. (No fiscal impact)</p>			9-16
<p>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 COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM IMPLEMENTATION SERVICES BETWEEN THE CITY OF POMPANO BEACH AND ELECTRONIC DATA, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$508,150)</p>	2015-31		17
<p>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 AMENDED AND RESTATED DEVELOPMENT AGREEMENT RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET BETWEEN THE CITY OF POMPANO BEACH AND POMPANO PIER ASSOCIATES, LLC; AUTHORIZING THE MAYOR OR VICE MAYOR, CITY CLERK AND CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY</p>			18-23



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<p><u>REGULAR AGENDA - CONTINUED</u></p>			
<p>FUTURE NON-MATERIAL AMENDMENTS TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT AND TO THE PARCEL GROUND LEASES TO BE ENTERED INTO BY THE CITY PURSUANT TO THE TERMS OF THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>			
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOB LORING ENTERPRISES, INC. RELATING TO THE GOLF PROFESSIONAL AND OPERATION AND CONTROL OF THE DRIVING RANGE AND PRO SHOP AT THE POMPANO BEACH MUNICIPAL GOLF COURSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>			24-26
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT AGREEMENT AMONG THE CITY OF POMPANO BEACH AND THE POMPANO BEACH SEAFOOD FESTIVAL CORPORATION ALONG WITH THE GREATER POMPANO BEACH CHAMBER OF COMMERCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>			26-27
<p>AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4220, "COMMERCIAL: OFFICE USES," TO MODIFY FLOOR AREA REQUIREMENTS FOR PROFESSIONAL OFFICES IN RM-12, RM-20, RM-30 AND RM-45 ZONING DISTRICTS; BY AMENDING SECTION 155.4221, "COMMERCIAL: RETAIL SALES AND SERVICE USES – PERSONAL SERVICES," TO MODIFY THE FLOOR AREA REQUIRED FOR BANKS AND FINANCIAL INSTITUTIONS IN MULTIFAMILY RESIDENTIAL DISTRICTS AND DELETING THE DISTINCTION OF BANKS AND FINANCIAL INSTITUTIONS BY FLOOR AREA; BY AMENDING SECTION 155.4222, "COMMERCIAL: RETAIL SALES AND</p>			27



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<p>SERVICE USES – RETAIL SALES,” TO MORE STRICTLY DEFINE CONSIGNMENT SHOPS AND THRIFT SHOPS; BY AMENDING PART 5, “TERMS AND USES DEFINED,” BY REVISING TERMS USED OR REFERENCED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>			
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 115, “MISCELLANEOUS BUSINESSES,” BY AMENDING SECTION 115.17, “SECONDHAND DEALERS; SECONDARY METALS RECYCLERS,” TO IMPOSE ADDITIONAL REQUIREMENTS UPON PAWNBROKERS AND SECONDHAND DEALERS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>			28-29
<p>AN ORDINANCE AMENDING CHAPTER 100, “STREETS AND SIDEWALKS,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.01, “MINIMUM RIGHT-OF-WAY,” TO REVISE MINIMUM WIDTH REQUIREMENT FOR VARIOUS STREETS WITHIN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>			29-35
<p>AN ORDINANCE AMENDING CHAPTER 155, “ZONING CODE,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.5704, “FRONTAGE AND ACCESS,” TO PLACE RIGHT-OF-WAY MINIMUM WIDTH REQUIREMENTS WITHIN SECTION 100.01 OF THE CITY CODE OF ORDINANCES AND TO REVISE MINIMUM DISTANCE A STRUCTURE MAY BE PLACED TO RIGHT-OF-WAY; BY AMENDING SECTION 155.9401, “MEASUREMENT,” TO PROVIDE FOR SETBACK FOR STRUCTURES ON A CUL-DE-SAC AND TO PROVIDE REFERENCE TO SECTION 100.01 OF THE CITY CODE OF ORDINANCES WHEN MEASURING YARD SETBACK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>			35-36



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<p><u>REGULAR AGENDA - CONTINUED</u></p> <p>AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.3708, "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," TO INCREASE MINIMUM REQUIRED UNIT SIZE FOR MULTI-FAMILY DWELLINGS; TO REVISE RESIDENTIAL AND NONRESIDENTIAL USE AREAS FOR PROPERTIES ABUTTING FLAGLER AVENUE AND DR. MARTIN LUTHER KING JR. BLVD.; AND TO REQUIRE OFF-STREET PARKING IN ENCLOSED STRUCTURES FOR CERTAIN RESIDENTIAL PROJECTS LOCATED EAST OF DIXIE HIGHWAY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING THE BROWARD METROPOLITAN PLANNING ORGANIZATION'S 2016-2021 MOBILITY PROJECTS PLAN FOR THE CITY; PROVIDING AN EFFECTIVE DATE.</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT SENATE BILL (HB) NO. 4015, AN ACT RELATING TO PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS (AND ANY SIMILAR FLORIDA HOUSE OF REPRESENTATIVES OR SENATE BILLS) WHICH DELETES PROVISIONS THAT PREEMPT TO THE STATE THE REGULATION OF PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.</p>			<p>36-37</p> <p>38-40</p> <p>40-41</p>



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<p><u>REGULAR AGENDA – CONTINUED</u></p>			
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>ROSS MCKELVEY, JR.</u> TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH, AS AN ATTORNEY AT LAW FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JANUARY 29, 2018; PROVIDING AN EFFECTIVE DATE.</p>		2015-211	41
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>DANIEL R. COGDILL</u> TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH, AS AN ELECTRICAL CONTRACTOR; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON APRIL 25, 2018; PROVIDING AN EFFECTIVE DATE.</p>		2015-212	42
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>WALTER SYREK</u> TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH, AS AN ARCHITECT; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON APRIL 25, 2018; PROVIDING AN EFFECTIVE DATE.</p>		2015-213	42-43
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>PAUL SUMMA</u> TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH, AS A REAL ESTATE APPRAISER; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MARCH 27, 2018; PROVIDING AN EFFECTIVE DATE.</p>		2015-214	43
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>CLAUDIA MCMAHON</u> TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR THE TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON MARCH 22, 2017; PROVIDING AN EFFECTIVE DATE.</p>		2015-215	44



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<u>Vice Mayor Charlotte Burrie</u> – North Pompano Beach Park			50
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<u>Mayor Lamar P. Fisher</u> – Spring Fling Event			50
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<u>ADJOURNMENT</u>			51

CITY OF POMPANO BEACH, FLORIDA

REGULAR CITY COMMISSION MINUTES

Agenda No. 2015-13

Date: March 10, 2015

Commission Meeting Room

The Mayor called the meeting to order at 6:00 p.m. and presided as the chairman.

ROLL CALL:

Mayor
Vice Mayor
Commissioner
Commissioner
Commissioner
Commissioner

Present:

Lamar Fisher
Charlotte Burrie
Barry Dockswell
Rex Hardin
Barry Moss
Edward Phillips

and

City Manager
City Attorney
City Clerk

Dennis W. Beach
Gordon B. Linn
Asceleta Hammond

INVOCATION BY:

Mayor Lamar Fisher

PLEDGE OF ALLEGIANCE LED BY: *Asceleta Hammond, City Clerk*

Names of Comms.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

PAGE 1

APPROVAL OF MINUTES

MOTION: To approve the Regular City Commission Meeting Minutes of February 24, 2015 as submitted.

VOICE VOTE

Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

There were no revisions to the minutes.

MOTION: To approve the City Commission Workshop Minutes of November 21, 2014 as submitted.

VOICE VOTE

Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

There were no revisions to the minutes.

MOTION: To approve the City Commission Special Meeting Minutes of November 10, 2014 as submitted.

VOICE VOTE

Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips		X	X	
Burrie			X	
Fisher			X	

There were no revisions to the minutes.

APPROVAL OF THE AGENDA

Mayor Fisher indicated Item 18 would be stricken from the Agenda.

MOTION: To approve the City Commission Meeting Agenda of March 10, 2015, as amended.

VOICE VOTE

Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips		X	X	
Burrie			X	
Fisher			X	



City of Pompano Beach, Florida

Names of Comms.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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CONSENT AGENDA DISCUSSION

Mayor Fisher stated the City Commission would pull Item 4 from the Consent Agenda. Therefore, a person may speak on the remaining items on the Consent Agenda during Audience to be Heard.

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 that speakers not 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.

Presentation to Blanche Ely Basketball – Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL, introduced Tommie Butts and a representative from the Law Office of Aaron Dural who will present checks to the Blanche Ely Basketball Team. In addition, he apologized to the Mayor for not getting this information to him earlier.

Tommie Butts, of Tommie B. Butts Enterprises, presented to the Blanche Ely High School, Boys Varsity Basketball Team a check for \$1,000 to assist in the purchasing of championship rings for the year 2014-2015. He commended, and congratulated the head coach, the assistants and each basketball player that participated in achieving and bringing back to the City of Pompano Beach the undefeated state championship title.

Carrington Williams, Law Office of Aaron Dural, 8411 West Oakland Park Boulevard, Sunrise, FL, commended and congratulated the team on their great success last year and presented, on behalf of the law office, a check for \$1,200 towards the purchase of their championship rings.



City of Pompano Beach, Florida

Names of Comms.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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AUDIENCE TO BE HEARD – CONTINUED

Mayor Fisher on behalf of the City Commission congratulated Coach Melvin Randall and his team for their success. He noted that there was a great celebration last Friday in the form of a Pep Rally and Parade. This is indeed an honor for the team to have four state championships.

Coach Melvin Randall, on behalf of the Basketball team and his assistant coaches, stated the Blanche Ely Tigers graciously accepts the checks, which they will use towards their championship rings. In addition, he stated that the team will be going on to compete for nationals in the State of New York, from April 2, 2015 to April 4, 2015.

Comr. Phillips suggested that when the team returns from the national championship that the City invites them back to a Commission meeting to officially recognize their accomplishments.

CRA Acquisition of Land – Mr. Thrower stated that recently the Community Redevelopment Agency (CRA) made a land acquisition to purchase Jones' quarters. However, in the drive to clean up the slum and blight area, approving a plan to move a convenience store from one side of the street to another is not very wise. In fact, some form of communication with the community as to what is more desirous for the neighborhood should be discussed prior to building establishments that would encourage slum and blight. Therefore, he requested that the City come up with a better process prior to approving actions similar to this one.

Mayor Fisher responded that this has not yet happened.

Kester Park Lights – Douglas K. Matthes, 500 Northeast 6th Street, Pompano Beach, FL, complained about the lights in Kester Park that continue to be an annoyance. He indicated that approximately five years ago there was a letter from the City Manager stating that the issue with the lights would be addressed, but no action has been taken to date. Subsequently, one year ago he received an email from Comr. Hardin concerning the lights and pointed out the City's Code on the

Names of Comms.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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AUDIENCE TO BE HEARD – CONTINUED

lighting, which should be brought into compliance. Notwithstanding, City staff tried to work on the lighting problem, which has made the problem worse not better. He said the lights are still reflecting like high beam headlights shining inside his patio, which is two blocks west of the playing area.

Additionally, Mr. Matthes indicated that this past Monday a crew was working again on the lights; however, there has been no visible action to bring the lights into conformance with the City's code.

Mayor Fisher mentioned the City Manager has noted this complaint.

Consent Agenda Item 9 – Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, noted that for consent agenda item 9, the agenda cover sheet states, “No fiscal impact” to the construction of certain improvements to SR814 on Atlantic Boulevard. However, in the backup information, it states, “No fiscal impact at this time” and further on it mentions that the CRA would be paying for the funding of the replacement of the lamps. Therefore, he asked the commission to provide the costs of the transition of those lamps at its next CRA meeting. Moreover, he questioned whether the CRA has the funds to expedite the transfer.

Horacio Danovich, CIP Engineer, responded that there is no fiscal impact at this time because this resolution only allows the City to agree to a constructive project. The project has not gone for bid, therefore, the cost has not yet been determined. However, there is funding that has been allocated in the CRA funds for this project in the amount of up to \$200,000.

Mr. Danovich concluded that they would be bringing this item to the CRA Board meeting to be approved.



City of Pompano Beach, Florida

Names of Commrs.	M	S	Y	N
<p>CITY COMMISSION MEETING MINUTES MARCH 10, 2015</p> <p>PAGE 5</p> <p><u>CONSENT ITEMS</u></p> <p style="text-align: center;">TIME 00:18:21 ITEM 1</p> <p>A request from Robert Levine to transfer assignment and ownership of Burial Right Agreement #6378 for Block 9, Lot 40, Plot 2, in the center lawn back to the City of Pompano Beach. (Fiscal impact: \$1,392.30)</p> <p style="text-align: center;">TIME 00:18:21 ITEM 2</p> <p>Approve ranking order for RLI T-19-15, Planning and Design Services for Old Pompano Area Improvements and authorize staff to negotiate a contract with the highest ranked firm Chen Moore & Associates. (No cost at this time)</p> <p>RES. NO. 2015-199: TIME 00:18:21 ITEM 3</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF MUNICIPAL LIENS AND ASSESSMENTS BETWEEN THE CITY OF POMPANO BEACH, JOSE ALIRIO ORTIZ, AND OMAR HABER, JR., TO RESOLVE PENDING FORECLOSURE LITIGATION ON REAL PROPERTY LOCATED AT 712 NE 3RD AVENUE IN POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p> <p>RES. NO. 2015-200: TIME 01:03:59 ITEM 4</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE RUSSELL LIFE SKILLS AND READING FOUNDATION, INC. TO PROVIDE LIFE SKILLS AND READING SERVICES FOR YOUTH; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>				

Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES MARCH 10, 2015				
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<u>CONSENT ITEMS - CONTINUED</u>				
The Resolution was read by title only.				
MOTION: To adopt Resolution No. 2015-200 upon reading.				
<u>ROLL CALL</u>				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
Comr. Phillips requested an explanation on why staff has targeted this program to the Highlands and Mitchell Moore Parks only, when other parks in the area could benefit.				
Mark Beaudreau, Recreation Programs Administrator, explained it is for the McNair Park; however, they will be operating out of the Highlands and Mitchell Moore Parks. Furthermore, the Crocket Foundation is providing a similar service at the McNair Park. Therefore, it is to ensure that other parks are not left out of receiving this service.				
RES. NO. 2015-201: TIME 00:18:21 ITEM 5				
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE NATIONAL FLAG FOOTBALL ASSOCIATION, INC. TO PROVIDE LEADERSHIP, ADMINISTRATIVE, AND COACHING SERVICES FOR FLAG FOOTBALL GAMES AND PRACTICES FOR ELEMENTARY SCHOOL AGE CHILDREN; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)				



City of Pompano Beach, Florida

Names of Commrs.	M	S	Y	V
<p>CITY COMMISSION MEETING MINUTES MARCH 10, 2015</p> <p>PAGE 7</p> <p><u>CONSENT ITEMS - CONTINUED</u></p> <p>RES. NO. 2015-202: TIME 00:18:21 ITEM 6</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER ONE TO THE LOCALLY FUNDED AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RELATING TO THE AESTHETIC IMPROVEMENTS TO THE HILLSBORO INLET SR-A1A BRIDGE PROJECT; PROVIDING AN EFFECTIVE DATE. (No fiscal impact – CIP Project 05-901)</p> <p>RES. NO. 2015-203: TIME 00:18:21 ITEM 7</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND COLONIAL PRESS INTERNATIONAL INC. PROVIDING FOR PUBLICATION AND MAILING OF TRADEWINDS MAGAZINE; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$43,327.98)</p> <p>RES. NO. 2015-204: TIME 00:18:21 ITEM 8</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DESIGNATING THE PARK KNOWN AS NORWOOD PINES PARK AS THE SGT. KIP A. JACOBY PARK; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>				



City of Pompano Beach, Florida

Names of Commsrs.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES MARCH 10, 2015</p> <p>PAGE 8</p> <p><u>CONSENT ITEMS - CONTINUED</u></p> <p>RES. NO. 2015-205: TIME 00:18:21 ITEM 9</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO CONSTRUCT CERTAIN IMPROVEMENTS TO SR 814 (ATLANTIC BLVD.); PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p> <p>RES. NO. 2015-206: TIME 00:18:21 ITEM 10</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>SUSAN ROME</u> TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY DOCKSWELL FOR A TERM OF OFFICE WHICH SHALL COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.</p> <p>RES. NO. 2015-207: TIME 00:18:21 ITEM 11</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR LANDSCAPE IMPROVEMENTS ON STATE ROAD 834 (SAMPLE ROAD) FROM MILITARY TRAIL TO STATE ROAD 5 (US 1); PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$206,011)</p>					

Names of Commrs.	M	S	Y	N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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CONSENT ITEMS - CONTINUED

RES. NO. 2015-208: TIME 00:18:21 ITEM 12

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 (4) AMENDMENT NUMBER NINE (9) TO LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS ON STATE ROAD 834 (SAMPLE ROAD) FROM MILITARY TRAIL TO STATE ROAD 5 (US 1); PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

MOTION: To approve Items 1-3, 5-12.

ROLL CALL

Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	

There was no discussion on Consent Items 1-3, 5-12.

REGULAR ITEMS

TIME 00:20:05 ITEM 13

Presentation and requested approval of the Pier Parking Garage Demand and Revenue Study and authorizing the Finance Director to coordinate and request such changes to the study as may be required as part of the project financing process. (No fiscal impact)

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Suzette Sibble, Finance Director, stated that approximately two years ago the City contracted with the Lansing Melbourne Group (LMG) to prepare a Pier Parking Garage Demand and Revenue Study. The Study has evolved into a number of developments to include an amended pier development agreement with input received from the City's finance team, the Bond Counsel and Financial advisers; the City has negotiated a design contract with Kaufman Lynn, as well as developed some preliminary costs for the construction of the garage.

Ms. Sibble noted that the purpose of the study was to determine whether people would utilize the garage if it was built, and what type of revenues would the garage generate, to ensure a revenue stream would be available to repay the Bond obligation.

Peter Flotz, Lansing Melbourne Group, LLC, indicated that they have been working with the City since 2009, so the good news is that they are close and indicated that there are plans on the street for bidding.

Additionally, Mr. Flotz presented a Financing overview of the developments of the Pier Garage, which included Upcoming Dates, Parking Enterprise Fund Income and Expenses, Design Progression, Pro Forma Garage Parking Income and Expense.

Thereafter, Ms. Sibble provided a detailed overview of the Financing Plan and the timelines involved, which included from the presentation, Preliminary Costs to be financed at a total cost of \$19.8 million, Financing Plan due to close on May 2015, Development of Coverage for COPS Rental Payments and Preliminary Projections of Coverage for Rental Payments.

Details of the presentation is available on the City's website.

Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, indicated that the Study will be used by taxpayers' real dollars but the numbers are "flawed." He alleged that the project would not be paid for by the persons using the garage but by all citizens that park their cars anywhere in the City of Pompano Beach and explained his reasons in detail.

Names of Commrs.	M	S	V Y	V N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

In conclusion, Mr. Terwilliger alleged that the garage is not for the citizens' beach goers or the taxpayers; rather, it is for the developer and the developer's customers, as indicated in the study. Therefore, he requested that the commission tell the taxpayers that they are putting their land and their credit at risk so that the community could pay for a garage for a developer that apparently does not have the money or the resources to do it for them.

Ms. Sible clarified that they discussed the hotel as an option under the pier development agreement, but once the revenues were projected, they assumed retail not the building of the hotel. Therefore, they were conservative in this regard.

Additionally, Ms. Sible explained City Attorney Linn, and the Bond Counsel have reviewed the Charter on the transaction and the stipulation is that the land has to continue to be utilized for public purpose.

Vice Mayor Burrie indicated that Mr. Terwilliger commented that the parking garage is all for the developer, therefore, she needed some form of clarification.

Ms. Sible responded that the garage is open to the public, so anyone can park in the garage, and it is the hope that anyone using the garage will also be utilizing the restaurants and retails shops in the near vicinity, that the developer will be constructing. The City will get 100% of the revenue realized from the garage.

Mr. Terwilliger indicated that the study shows the developer for the restaurants and retail shops the patrons will occupy the garage at peak hours.

Mayor Fisher corrected that assumption made by Mr. Terwilliger that the entire spaces will be used by the developer, as the spaces will be used at short intervals and just about anyone can use the spaces.



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Names of Commrs.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Mr. Flotz explained that as reflected in the report with the hourly projections of 7:00 p.m., they expect very few people to be at the beach but a lot more at the restaurants and at 11:00 a.m. they expect more people to be at the beach than at the restaurant. Therefore, they laid a baseline, calculated the demand, and added another 300 spaces to the garage to accommodate the beach parking.

Additionally, Mr. Flotz indicated that the confusion with the hotel is that there is a sizing analysis in the report that discusses the necessary size of the garage if there is a hotel and then later on in the revenue projections there are no revenues from any sort of hotel parking. In fact, they assumed that there would be a 1,500 square feet retail building, and this is just to be conservative. Finally, Mr. Flotz cleared up any perceived increases to the existing parking rates.

Comr. Phillips explained that the City is not building this for a developer, but rather for the City, which has a Financial Corporation that would fund the garage. Therefore, he does not think the City Commission would allow the developer \$20 million to develop the garage. Nevertheless, he is concerned whether there would be any cost overruns for this project, and how would this be handled.

Mr. Flotz explained the arrangement they have with Kaufmann and Lynn is known as a Guaranteed Maximum Price (GMP) contract. This means the preliminary authorization the commission approved last summer, was to allow them a small increment of money to complete the design documents and get everything permitted. Therefore, currently, they are at the bidding process so in April they will return to the commission with a final GMP from the contractor, which they will Bond to the City, and will have to build the plans and specs for that price. If they exceed the amounts, the overage would become their problem. He then provided an explanation as to the process to unfold in April to include adjustments to the budget.

Ms. Sibble clarified that the revenue stream from the parking garage would go to the Parking Enterprise Fund with a portion going towards repayment of the obligation of the Certificates of Participation.



City of Pompano Beach, Florida

Names of Comms.	M	S	V Y	V N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Douglas Matthes, 500 Northeast 6th Street, Pompano Beach, FL, stated that the people were told that no hotel would be built. However, the backup material from Pages 15 through 28, indicate that there would be 225 spaces for a hotel or 23% of the total spaces of the parking garage. Therefore, if there is no hotel the study is flawed by including a hotel.

Additionally, Mr. Matthes indicated that he understood from a newspaper article that there would be no taxpayer impact and its users would pay for the parking garage. Therefore, he presumed the parking revenues from the streets and parks meters would not be used, as they would not be utilizing the garage. Since they would not be using the facility, he asked where the street and park revenues would be used. In addition, the article indicated that if Pompano Beach Finance Corporation (PBFC) defaults, the City would have to vacate the parcel land and garage, which means the PBFC, the owners of the certificates, have title to the ground that it is sitting on and not the City. Therefore, it could be torn down and the property used as zoning permits.

In sum, Mr. Matthes wanted to know what kind of safeguards are in place to ensure that in a default situation, the City would not be liable and that elected officials and or City Management would not be allowed to bail out using city funds, taxes, or assessments in any form. The taxpayers need to be protected, however, perhaps PBFC Board members should be held responsible for their actions and assume some liability in this case. Furthermore, he would like to see the revenue stream from parking continue to go into the General Fund over the 25 years. If there is a default, the taxpayers would not pay anything towards legal or anything else.

Ms. Sibble explained that in the projections, because the timing of the parcel development coming on line will happen within a five-year period, the model states that they will utilize existing parking system reserved funds to frontend that obligation for the first two years. The



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Names of Comms.	M	S	V	V
			Y	N

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REGULAR ITEMS – CONTINUED

obligation, once the City issues, even though it is projected that once the system matures and all the parcels are developed by the year 2020, the garage would be at full capacity and the City would be able to carry it, so, the garage would be able to repay the obligation. Therefore, all parking revenues deposited in the Parking Enterprise fund will be available to pay the obligation.

Additionally, Ms. Sibble clarified the default issues, and provided details on the process involved with the issuance of Certificates of Participation (COPS). In sum, there are enough conservative assumptions placed in the model.

Mr. Flotz stated that in terms of the lease, the way the security is written, the only thing that secures the lease is the actual boundary of the parking garage and not any of the land that is outside of that boundary. Therefore, because the City owns the road there is a high level of control the City has, and no one can get in or out of it without being servient to the City. In addition, if anyone takes the building back as security because of non-payment they must continue to use it as public parking.

In response to Mr. Matthes question, Ms. Sibble responded that a contract will be presented to the commission on March 24, and most of the concerns will be addressed in the presented documents, which has been reviewed by the Bonds Counsel as well by City Attorney Linn. In sum, should the City not able to meet its annual rent payment the City would vacate the project and the Trustee would take over operations to make the investors hold. However, they cannot tear the property down. Ultimately, the title for the garage would revert to the city at some time, so the purpose of use would have to continue.

Comr. Dockswell indicated that he has a concern and asked if the design documents are considered complete at this time.

Mr. Flotz replied that they consider the design sufficient to obtain a permit. There are about thirty five different options for things that are being evaluated and priced to bring back to the commission that would not affect the permit or progress but will affect the price.

Names of Comms.	M	S	V Y	V N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Comr. Dockswell says he feels a sense of being railroaded, and not that anyone is doing it intentionally. Nevertheless, regarding the design on the rooftop of the garage, one thing was shown to the CRA Advisory Board, another thing shown to the Commission and neither one of them passes any decent design. Therefore, he asked when the commission would get to review and approve the design, “will we have a gun to our heads, that if it is not approved the whole project is going to slip.”

Mr. Flotz replied it is not their intent to make the schedule slip in any way. Therefore, what happens to the roof of the garage is independent of the precast, the foundation, and all that other business. He has attended the CRA meetings and has some understanding of the discussions regarding what will happen on the roof, as this is a very visible place in this particular site. Therefore, what is on the documents are for pricing and permitting purposes. Notwithstanding, there are awnings over every spot on the roof, partly driven by discussion regarding the viability of plant life to be placed there, which is still viable. Therefore, they have brought on to their team a world-renowned landscape architecture firm to advise them on marine environment plantings that could be used. Therefore, the conversation is not over.

Finally, Mr. Flotz assured the commission not to feel railroaded, because most of the building is moving forward to stay on schedule.

Comr. Dockswell concluded that he hopes the commission supports him that the City is not railroaded into accepting an inferior design because of the schedules that they are trying to meet.

Comr. Hardin asked about the credit cards fess and what percentage that was based on, which looks like two and half percent (2 ½%) of revenue.

Ms. Sibble replied yes, however, they could look at that amount to determine if they are within the current market percentages.

Names of Comms.	M	S	V	V
			Y	N

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REGULAR ITEMS – CONTINUED

P.H. 2015-39; ORD. NO. 2015-31 TIME 01:03:26 ITEM 14

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 COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM IMPLEMENTATION SERVICES BETWEEN THE CITY OF POMPANO BEACH AND ELECTRONIC DATA, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$508,150)

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2015-31 upon second and final reading.

ROLL CALL

Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	

A. Randolph Brown, Utilities Director, stated that the City has entered into a contract with Electronic Data Inc. (EDI) to implement an asset management program for the facilities in the Utilities Department. The Risk Management Department has insured assets for over \$83 million of which \$31 million are contents to the utilities facilities. There are over 10,000 pieces of equipment to track and maintain, which currently staff does on spreadsheets, files, and in some cases, peoples' minds. Therefore, this will bring the Department within the reach of its strategic plan.



City of Pompano Beach, Florida

Names of Commrs.	M	S	Y	N
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REGULAR ITEMS – CONTINUED

P.H. 2015-48; ORD. NO. 2015-... TIME 01:04:45 ITEM 15

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 AMENDED AND RESTATED DEVELOPMENT AGREEMENT RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET BETWEEN THE CITY OF POMPANO BEACH AND POMPANO PIER ASSOCIATES, LLC; AUTHORIZING THE MAYOR OR VICE MAYOR, CITY CLERK AND CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY FUTURE NON-MATERIAL AMENDMENTS TO THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT AND TO THE PARCEL GROUND LEASES TO BE ENTERED INTO BY THE CITY PURSUANT TO THE TERMS OF THE AMENDED AND RESTATED DEVELOPMENT AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon First Reading, which will be amended prior to second reading.

ROLL CALL

Dockswell		X	X	
Hardin	X		X	
Moss			X	
Phillips				X
Burrie			X	
Fisher			X	

Adriane Esteban, Community Redevelopment Agency (CRA) Project Manager, stated that last July the Commission approved the Restated and Amended Development Agreement for the "Pier Lot." Since that time a few affiliated projects such as the Beach Branch Library, the



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Names of Commrs.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Pier Parking Garage and the Pier Reconstruction projects have progressed. So, now that some of those dates have been more defined, it has become necessary to revise the development timeline.

Subsequently, Ms. Esteban stated it was included in the Agenda Item, besides the development timeline revisions, there are also equitable split of the utilities for the existing concession building restrooms. The Arch construction to coincide after the New Pier is reconstructed, the demolition of the Fire Station and the library with the developer reimbursing the City for the cost of the library demolition. Also, included is the use of Parcel R5 for the staging of the Garage construction. As well as additional language in the ordinance that allows non-material changes to be approved administratively, which would have a maximum variance of up to 180 days or 10% of the dollar amount or square footage up to a maximum development of 48,500 square feet.

Comr. Dockswell stated that he had a few concerns, to include the language in the ordinance that reads, "Square footages can be increased or decreased up to 10%." However, he wanted to make it clear that while it may be true in shifting square footage from one parcel to another, there should be no doubt that the cap on total square footage in the baseline agreement is not to be exceeded. Therefore, it does not give the authority to go up by 10%.

Gail D. Seroto, Esq., Weiss Seroto Helfman Cole & Bierman, 2525 Ponce de Leon Boulevard, Suite 700, Coral Gables, FL 33134, attorney representing the City's CRA on this transaction. Ms. Seroto agreed that is correct, and she is unsure if there is a need for it to be in the ordinance. However, since it is, she suggested adding the caveat that regardless of the increase upwards or downwards the total development would not exceed 48,500 square feet.

Names of Commrs.	M	S	V	V
			Y	N

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REGULAR ITEMS – CONTINUED

Comr. Dockswell indicated that he understands that if the ordinance is adopted as it reads now, then the City Manager or others would have the authority to agree to up to a six month change in the schedule and up to 10% changes in dollar amounts and square footages that falls under that cap total. However, he also understands the value of enabling this to take place without waiting for a Commission meeting to get a full commission vote, but he was looking for a way to get the Commissioner of District 1 to be involved in those smaller decisions. While he has not seen any such discretionary language in the City's ordinances, he has seen it in other cities. Therefore, he questioned whether the commission would feel comfortable in allowing him to make this type of change, if necessary, within his district.

Finally, Comr. Dockswell indicated that he anticipates that this item will pass on first reading to include the changes on capping the total square footage. In addition, if the commission were going to give direction to the District 1 commissioner the discretion in this project to look at the smaller changes, he would appreciate if it were done at the second reading of the ordinance.

Gordon B. Linn, City Attorney indicated that he had discussed this matter with the commissioner and found no legal problems with doing that, besides, the City has not had a project of this magnitude, where a commissioner wanted to get involved in this way. Therefore, he suggested that before the commission approve any changes the commissioner would be informed, and should there be any objections, those objections would maintain its status quo until the next commission meeting, whereby the commission could make a final decision on it.

Mayor Fisher asked, "What if another commissioner or the vice mayor wanted to make a comment as well?"

Mr. Linn replied that it would be at the pleasure of the commission to expand that since this is such a big project, that all the commissions be involved, he could make it where the commissioner and the mayor could object.

Names of Comms.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Comr. Hardin stated that he is not against Comr. Dockswell; however, he thinks due to the importance of the project, the entire commission should be informed of any changes that are being made. He understands the approval of the changes that may from time to time needs to happen, and if there is no angst about the change, perhaps it should be allowed to go through. Notwithstanding, the City Manager or whomever authorizing the changes ought to listen to the total commission and the district's commissioner, and conduct themselves accordingly. If there is a problem with it then it should stop the process.

Vice Mayor Burrie indicated that she is unsure if anything like it needs to be written into the ordinance. This is an ordinance that is allowing for minor changes, but she is sure there is no problem in letting the commission know what they are, as opposed to a formal vote. Therefore, she cannot see why it should be formally written into the ordinance to do that, because it would fall under a normal course of business.

Mayor Fisher stated that it is obvious that all the commission wants to be inclusive, and if that change was brought forward and for some reason a commissioner did not agree with it, they could always bring it before the commission.

Ms. Seroto responded yes, and explained the idea behind the suggestion. As she had indicated from the time the lease was signed in 2013, there have been numerous changes and this is a fifty-year project with a lot of moving parts, and, for sure, further changes. Therefore, nothing would be done without the city manager and city attorney knowing and presumably, the commission would be informed. She is unsure whether it would be the mayor and commissioner communicating to the manager, disapproval of a change, and then it comes before the commission. She is unsure if it is something that the commission has a right to do. Therefore, the purpose of putting this language in the ordinance was that the developer would not have to keep coming back before the commission because that is time consuming. Nonetheless, the developer will work with the City's requirements.

Names of Comms.	M	S	V Y	V N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Additionally, Ms. Seroto, indicated that she spoke with Comr. Dockswell earlier, and he wanted to add some additional language to the ordinance that would allow the commissioner for District 1 to have an opportunity to put these non-material change on an agenda, if that commissioner felt it necessary.

Mr. Linn stated that since the authority is absolutely a given to make these administrative changes, Comr. Dockswell's concern was, what if he had objections to that administrative change and staff was approving it, he wanted to have some language in the process that he would be assured that he could stop that change until the commission could consider it.

Mayor Fisher questioned whether there is a mechanism to allow them to accomplish that goal.

Mr. Linn replied yes, he could come up with something, and the idea is to make it simplistic as possible, because the idea of administrative change is to expedite the process. Therefore, they will be able to come up with something that will meet that desire by the next reading.

Comr. Moss requested that Ms. Seroto introduce herself and provide her relationship with the project, which she did.

Comr. Phillips indicated that he has a concern and that he does not like being acquiescent too much the commission's ability to provide its opinion to the CRA/RMA. He has some reservations about it. He said when the City starts giving too much control to any one entity; it has the possibility of getting away from the commission. While he understands the District commissioner's reasons, he reiterated that he would have some concerns. Therefore, he agrees with Vice Mayor Burrie in no need for an ordinance, as some tinkering could take place without the commission knowing about it, which was concerning to him.

Names of Commrs.	M	S	Y	N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Comr. Hardin disagreed with the comment that there is no need for an ordinance to address this issue. He said this is a long-term project, with numerous moving parts and many people currently in place will not be here in the future, which includes the City Manager and Commission. Usually, a lot of institutional knowledge goes by the wayside when personnel changes. Therefore, sometimes things need to be written down to be remembered.

Mayor Fisher determined that the commission would first make the amendment concerning the square footage issue.

MOTION: To amend the Ordinance to allow for the 10% change upwards or downwards in square footage as long as the overall cap remained at 48,500 square feet.

ROLL CALL

Dockswell				
Hardin	x			
Moss				
Phillips				
Burrie				
Fisher				

Mr. Linn advised that at this time since they want to have the details nailed down that the commission would approve it at this time and that staff will bring back all the amendments.

Mayor Fisher announced that the motion was withdrawn and the ordinance would be approved as stated. However, by second reading, City Attorney Linn and staff will get together on the square footage issue as well as the administrative issue concerning the changes.



City of Pompano Beach, Florida

Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES MARCH 10, 2015				
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<u>REGULAR ITEMS – CONTINUED</u>				
P.H. 2015-41; ORD. NO. 2015-... TIME 01:20:53 ITEM 16				
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOB LORING ENTERPRISES, INC. RELATING TO THE GOLF PROFESSIONAL AND OPERATION AND CONTROL OF THE DRIVING RANGE AND PRO SHOP AT THE POMPANO BEACH MUNICIPAL GOLF COURSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p> <p>The Ordinance was read by title only.</p> <p>MOTION: To approve the Ordinance upon First Reading.</p>				
ROLL CALL				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	

Mark Beaudreau, Recreation Programs Administrator, stated there is no question that the success of the golf course is on the upswing, “no pun intended.” Recently, the revenue projections are showing that. However, other elements that build upon the success of the golf course include the food and beverage, as well as the golf pro, his presence and what he brings to the table.

Additionally, Mr. Beaudreau stated that the City has a tremendous asset in Bob Loring, who has been with the City for a very long time. Therefore, the item is to bring a five-year agreement with two five-year options to the table to keep him with the City.



City of Pompano Beach, Florida

Names of Commrs.	M	S	Y	N
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REGULAR ITEMS – CONTINUED

Mayor Fisher noted that the Golf Advisory Board did approve this item, which Mr. Beaudreau confirmed and apologized for not including their comments as part of the backup.

Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, asked if there is a buyout in the clause of the contract where this person could be terminated should the City decide not to go the full ten years.

Mr. Beaudreau replied there is a provision in the contract that allows “an out for both parties involved.”

Vice Mayor Burrie reported that she hosted the Broward League of Cities at the golf course recently, and the attendees were very happy with the food and the view of the course and promised to come back to use the facilities.

Comr. Dockswell stated that in the contract on Page 7, it states, “Contractor may employ... a maximum of ten (10) junior golfers (age 18 and under)” and then on Page 8 it states, “Contractor is responsible for hiring and managing its own employees, all of which shall be a minimum of eighteen (18) years old.” He needed clarification since this appears to be inconsistent and perhaps there might be some liability consequences of the ambiguity.

Gordon B. Linn, City Attorney questioned staff as to the intent of the City. Nevertheless, he believes this means the actual hiring of people who must be eighteen years of age; however, the word, “employ” is an improper word.

Bob Loring, Bob Loring Enterprises, Inc. 1101 N. Federal Highway, Pompano Beach, FL, explained that he is allowed ten (10) juniors who are eighteen (18) or younger to help promote junior golf. This includes assisting in picking up the range and they can walk the golf course, play golf, and hit free-range balls. However, as far as employing somebody, they would have to be at the age of eighteen (18) years or older. So, there is a tradeoff between the junior golfers and free golf.



City of Pompano Beach, Florida

Names of Commrs.	M	S	Y	N
ROLL CALL				
Dockswell		x		x
Hardin	x			x
Moss				x
Phillips				x
Burrie				x
Fisher				x

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Comr. Hardin questioned whether the cart mechanics that the City has in place at the golf course needed to be there, and why Mr. Loring’s people could not provide this service.

Mr. Beaudreau replied that it was never considered. Currently, the City has ten full time budgeted employees, to include a golf manager, cashiers, and so forth.

Mayor Fisher commented that since Mr. Loring has been operating the golf course for over ten years, he has not met one individual that had a bad comment about Mr. Loring. Therefore, kudos to Mr. Loring and the City that there is a great pro in place that is accommodating to visitors, tourists, and to residents of the City. He then thanked Mr. Loring for doing a great job.

P.H. 2015-42; ORD. NO. 2015-... TIME 01:28:03 ITEM 17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT AGREEMENT AMONG THE CITY OF POMPANO BEACH AND THE POMPANO BEACH SEAFOOD FESTIVAL CORPORATION ALONG WITH THE GREATER POMPANO BEACH CHAMBER OF COMMERCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon First Reading.



City of Pompano Beach, Florida

Names of Commrs.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Mark Beaudreau, Recreation Programs Administrator, stated that this ordinance has been amended several times, which includes location changes. This location change will allow the City with future flexibility in years to come with the uncertainty of the construction and activities around the pier.

P.H. 2015-43; ORD. NO. 2015-... TIME 00:05:33 ITEM 18

AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4220, "COMMERCIAL: OFFICE USES," TO MODIFY FLOOR AREA REQUIREMENTS FOR PROFESSIONAL OFFICES IN RM-12, RM-20, RM-30 AND RM-45 ZONING DISTRICTS; BY AMENDING SECTION 155.4221, "COMMERCIAL: RETAIL SALES AND SERVICE USES – PERSONAL SERVICES," TO MODIFY THE FLOOR AREA REQUIRED FOR BANKS AND FINANCIAL INSTITUTIONS IN MULTIFAMILY RESIDENTIAL DISTRICTS AND DELETING THE DISTINCTION OF BANKS AND FINANCIAL INSTITUTIONS BY FLOOR AREA; BY AMENDING SECTION 155.4222, "COMMERCIAL: RETAIL SALES AND SERVICE USES – RETAIL SALES," TO MORE STRICTLY DEFINE CONSIGNMENT SHOPS AND THRIFT SHOPS; BY AMENDING PART 5, "TERMS AND USES DEFINED," BY REVISING TERMS USED OR REFERENCED IN THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

MOTION: To strike the item from the agenda.

ROLL CALL

Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips		X	X	
Burrie			X	
Fisher			X	

Names of Commrs.	M	S	Y	N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Comr. Moss stated that perhaps staff would like to discuss this further with him, because he has owned and operated a consignment store.

P.H. 2015-46; ORD. NO. 2015-... TIME 01:31:06 ITEM 20

AN ORDINANCE AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.01, "MINIMUM RIGHT-OF-WAY," TO REVISE MINIMUM WIDTH REQUIREMENT FOR VARIOUS STREETS WITHIN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon First Reading, as amended

ROLL CALL

Dockswell		x		x
Hardin	x			x
Moss				x
Phillips				x
Burrie				x
Fisher				x

Karen Friedman, Principal Planner, Development Services Department, stated that the item relates to text amendments to Chapter 100. In addition, she will also address some of the issues on Northeast 48th and 49th Street.

Ms. Friedman's presentation provided the following:

- Background information
- Proposed Amendments
- Broward County Trafficways Plan

Please refer to the attached presentation for details.

Names of Commrs.	M	S	V Y	V N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Ms. Friedman noted that during the processing of the code amendment, she was contacted by a member of the Highland Civic Association, who expressed strong concerns about the inclusion of Northeast 48th and 49th street in the City's list of roadways that had a greater right-of-way (ROW) requirement. In sum, those concerns were that Northeast 48th and 49th Street not be included in the proposed list. The civic associations cannot apply for this. Therefore, the City Commission would apply for Northeast 48th and 49th Street to be removed from the Broward County Trafficways Plan.

Ms. Friedman continued her presentation strictly addressing the Northeast 48th and 49th Street issues as follows:

- Specific Concerns
- Existing Conditions
- Regional Roadway
- 106 foot Right Of Way Analyzed (staff agrees with the Civic Association's concern of the impact if this was implemented)
- Additional Considerations (although shown, none was implemented)
- Recommendation

Please refer to the attached presentation for details.

Additionally, Ms. Friedman indicated there were funds received by the Highlands Civic Improvement Association (Association) in relationship to the Shoal Creek Land Use Plan Amendment. However, upon review of the language in the agreement, staff felt that the cost associated with this has met the intent of the money received by the Association, with regard to the request not to include Northeast 48th and 49th Street in the proposed list of streets. Therefore, until it is removed from the Trafficways Plan it would be disingenuous, as well as incorrect not to include it in the list of streets. This is to reiterate the County's requirement.



City of Pompano Beach, Florida

Names of Comms.	M	S	V Y	V N
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REGULAR ITEMS – CONTINUED

Roy Rogers, 5141 Northeast 31st Avenue, Lighthouse Point, FL, indicated that he is a resident of Lighthouse Point. However, he requested that the city continue Northeast 48th and 49th Street as it is really a corridor with two numbered streets. On the other side of Federal Highway from this corridor, it is like “night and day.” The area is depressed and crying out for help. Therefore, he commended Ms. Friedman for simplifying a very complex situation.

Finally, as a resident of Lighthouse Point, as a member and authorized speaker of the City of Pompano Beach Economic Development Council, as well as a coordinator/consultant of the City who has been requested by the administration to look at type of matters such as this, he endorses this item.

Walter Syrek, 1311 Northeast 43rd Court, Pompano Beach, FL, stated that he is representing the Pompano Beach Highlands Civic Improvement Association, which opposes this proposed ordinance. Subsequently, he asked a number of questions of staff to include:

- 1) Did Broward County lodge any objection or complaint to deleting the Trafficways plan from the zoning ordinance when Clarion Associates revised the zoning ordinance and that section was removed?

Ms. Friedman replied, she did not know if they were made aware of it, so the answer is no.

- 2) Has the City received any requests from Broward County to include the Trafficways plan in the City Code?

Ms. Friedman replied no.

Names of Comms.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Mr. Syrek provided an explanation on the neighborhood road and how it currently operates and the surrounding establishments located on the road. He indicated that a major roadway such as Dixie Highway is dedicated an 80 foot collector road, yet the road in his neighborhood is designated to be a 106 foot arterial. The houses in his neighborhood were built in the 1950's according to the code of Broward County at that time. So, the intent to take this out of the zoning ordinance and put it in the City Code in Section 100.01(B) where it will be hard to find, will only create an opportunity for staff to create problems for homeowners in their requests for permits.

Additionally, Mr. Syrek requested that the City allow them some time to consider the different options that exist. He questioned whether the commission's failure to pass the item would delay any planned development for the area, to which Ms. Friedman replied no.

In conclusion, Mr. Syrek stated that the issues that the City has brought forward need to be discussed and options be reviewed. Moreover, to put this in the City's code does not help with any case the homeowners' may have with the county to perform changes to the county's plan. Therefore, widening the road would have no benefit to Pompano Beach, so the commission should not ratify something that the County may or may not want.

Vice Mayor Burrie noted that a comment was made that this was in the City in 1957, however, the Highlands area was not in the city at that time. In addition, no indication was provided as to how this would affect the residents. In fact, the road would actually be right in the front door of those property owners. Moreover, the possibility of Broward County doing anything to the road would take numerous years prior to it happening. Therefore, to recommend putting this in the City's code would only create angst in a number of residents who are trying to quietly live and improve their neighborhood.



City of Pompano Beach, Florida

Names of Commrs.	M	S	V Y	V N
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REGULAR ITEMS – CONTINUED

Additionally, Vice Mayor Burrie indicated that she will be voting against the item if Northeast 48th and 49th Street is added into it. She indicated that sometime ago, the Highlands Civic Improvement Association negotiated with a builder for a sum of money to be used for improvements to the homes in their neighborhoods and an internal trafficway study for speedbumps, as well as \$10,000 for a dog park. In addition to that, she and a former planner negotiated with the same builder to get a much larger sum of money for the City. Later on, they negotiated for a lesser sum of money so that they would provide a right of way for the seven-year plan for the North Broward Park. All this was vetted and everybody “got what they wanted.”

Furthermore, the money that the Association had received, the check went to Broward County and thereafter went to the City’s Zoning Department. Vice Mayor Burrie clarified that the deal was between the Association and the Developer, not the City of Pompano Beach. She does not understand why the Development Services Department is requesting that the Association pay for a traffic study, when no other Association in the City has been required to do it. Finally, she questioned the reason behind putting this into the City’s code.

Robin M. Bird, Development Services Director indicated that the points brought out are excellent. However, he said the County did not receive the money neither did the City. In fact, as to who should the check be made out to had created a long process with the Developer and the County to acquire a deed restriction required by the County, which was worked out. Nevertheless, staff is presenting an opportunity to partner with the neighborhood to get it off the Trafficways plan or reduce it from the right-of-way. In fact, similar action has been successfully completed in other neighborhoods.



City of Pompano Beach, Florida

Names of Commrs.	M	S	V	V
			Y	N

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REGULAR ITEMS – CONTINUED

Additionally, Mr. Bird provided a brief historical background on prior and post annexation of the Highlands into the City, as well as how the road was put into the code. Therefore, staff is seeking direction to move forward. Monies will be involved as well as a traffic study, which there is no need to do two. In sum, Mr. Bird said that if the Association partner with the City they would get more for their money.

Mayor Fisher confirmed that the City was able to remove Northeast 5th Avenue, 10th Street and 11th Street.

Dennis W. Beach, City Manager stated that Mr. Syrek indicated that if this goes into the City's code, it could create title and financing issues, and things of that nature for the neighborhood. Therefore, he asked if that condition exist today, and if it does how would that exasperate the issue.

Mr. Bird replied that the City is already obligated to gain the rights-of-way according to the Broward County Trafficways plan.

Vice Mayor Burrie explained that currently the residents cannot do anything to the front of their houses. However, if this became a reality, they would literally cut off the front part of their houses, causing them to step out of their front door right on to a four-lane street.

A lengthy discussion ensued between the City Manager, the Development Services Director, staff, Mr. Syrek and the Commission regarding the pros and cons of placing this in the City's Code of Ordinances.

Mayor Fisher asked what steps would be necessary to remove it from the trafficway and leave the road as it is today.

Mr. Bird replied that they would have to provide an application accompanied by a traffic study in order to justify a lower width.

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CITY COMMISSION MEETING MINUTES MARCH 10, 2015				
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<u>REGULAR ITEMS - CONTINUED</u>				
<p>Gordon B. Linn, City Attorney advised that the Commission could direct staff to start the study and make the application the study to reduce the roadway with the Broward County plan. However, to keep it in the ordinance or not, staff is recommending that the City go ahead and put it on as it actually is with the County's plan. If this will create other problems, perhaps it could be stricken from the ordinance with the understanding that as soon as the study comes back they will revisit the issue.</p> <p>Mayor Fisher suggested that the commission strike that particular portion and direct staff to go for further study of it.</p> <p>MOTION: To amend the Ordinance by striking from it the particular section regarding Northeast 48th and 49th Street and direct staff to do further study on it.</p>				
<u>ROLL CALL</u>				
Dockswell			X	
Hardin		X	X	
Moss			X	
Phillips			X	
Burrie	X		X	
Fisher			X	
<p>Comr. Phillips reasoned that if Broward County will be putting in a bike path, they would have done a study for it and perhaps that could be utilized.</p> <p>Vice Mayor Burrie indicated that on Thursday, she will attend a meeting of the Metropolitan Planning Organization, (MPO) and have all the documentation on where all the bike paths will be located.</p>				
P.H. 2015-45; ORD. NO. 2015-... TIME 02:16:34 ITEM 21				
<p>AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPAÑO BEACH, FLORIDA, BY AMENDING SECTION 155.5704, "FRONTAGE AND ACCESS," TO PLACE RIGHT-OF-WAY MINIMUM WIDTH REQUIREMENTS WITHIN SECTION 100.01 OF THE CITY CODE OF ORDINANCES AND TO REVISE MINIMUM DISTANCE A STRUCTURE MAY</p>				

Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES MARCH 10, 2015				
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<u>REGULAR ITEMS – CONTINUED</u>				
<p>BE PLACED TO RIGHT-OF-WAY; BY AMENDING SECTION 155.9401, "MEASUREMENT," TO PROVIDE FOR SETBACK FOR STRUCTURES ON A CUL-DE-SAC AND TO PROVIDE REFERENCE TO SECTION 100.01 OF THE CITY CODE OF ORDINANCES WHEN MEASURING YARD SETBACK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p> <p>The Ordinance was read by title only.</p> <p>MOTION: To approve the Ordinance upon First Reading.</p>				
<u>ROLL CALL</u>				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips		X	X	
Burrie			X	
Fisher			X	
<p>Karen Friedman, Principal Planner, Development Services Department, stated that this item is a companion item to Item 20 recently discussed. In addition, it recognizes that all standards related to the minimum right-of-way will be in Chapter 100, so there is a cross reference to clarify that the standards exist. Staff will be re-inserting the historical measurements used for setbacks along cul-de-sacs and for the front yard setback measuring it from the future right-of-way.</p> <p>In response to Mayor Fisher's question regarding the need to strike Northeast 48th and 49th from this ordinance, Ms. Friedman replied no.</p>				
P.H. 2015-47; ORD. NO. 2015-... TIME 02:18:58 ITEM 22				
<p>AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.3708, "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," TO INCREASE MINIMUM REQUIRED UNIT SIZE FOR</p>				

Names of Commrs.	M	S	V Y	V N
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CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

MULTI-FAMILY DWELLINGS; TO REVISE RESIDENTIAL AND NONRESIDENTIAL USE AREAS FOR PROPERTIES ABUTTING FLAGLER AVENUE AND DR. MARTIN LUTHER KING JR. BLVD.; AND TO REQUIRE OFF-STREET PARKING IN ENCLOSED STRUCTURES FOR CERTAIN RESIDENTIAL PROJECTS LOCATED EAST OF DIXIE HIGHWAY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon First Reading.

ROLL CALL

Dockswell			x	
Hardin	x		x	
Moss			x	
Phillips		x	x	
Burrie			x	
Fisher			x	

Karen Friedman, Principal Planner, Development Services Department, stated that the amendments for this ordinance are specifically for the downtown Pompano Beach Overlay District. However, as the plans are coming to fruition, staff has recognized that sometimes the plan needs to be tweaked to support the purpose of the district, which is to create a pedestrian friendly walkable district. This would mean having active uses on the ground level. Therefore, it will require all parking to be in structures so that the spaces around the structures will have active uses. As well as, require retail and active uses on the first floor of properties that are in close proximity to the future transit station.

Additionally, Ms. Friedman stated that in order to encourage a mix of unit sizes and properties with different amenities, the City is increasing the minimum unit size for the multi-family dwelling units in this overlay district.

Comr. Phillips will support the item but has long-term reservations regarding the affordability factor of people from the area.

Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES MARCH 10, 2015				
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<u>REGULAR ITEMS – CONTINUED</u>				
RES. NO. 2015-209: TIME 02:22:01 ITEM 23				
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING THE BROWARD METROPOLITAN PLANNING ORGANIZATION'S 2016-2021 MOBILITY PROJECTS PLAN FOR THE CITY; PROVIDING AN EFFECTIVE DATE.</p> <p>The Resolution was read by title only.</p> <p>MOTION: To adopt Resolution No. 2015-209 as amended.</p>				
<u>ROLL CALL</u>				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	
<p>Mayor Fisher, as a point of order, asked if the commission could have received the presentation prior to the meeting.</p> <p>Robin M. Bird, Development Services Director replied yes.</p> <p>Karen Friedman, Principal Planner, Development Services Department, apologized for distributing the presentation at this time to the commission. Ms. Friedman indicated the resolution is requesting the City Commission's support of Broward Metropolitan Planning Organization (MPO) for the 2016-2021 Mobility Projects. These projects were identified in the MPO's Long Range Transportation Plan, which they will fully fund.</p> <p>Ms. Friedman's presentation outlined the Background, List of Projects (9 included), Locations of the Projects, the Public Outreach Activities, Public's opposition to plans for Northwest 15th Street and Southwest 9th Street.</p>				

Names of Commrs.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Ms. Friedman indicated that in the backup material she offered that while it is important to take into consideration the residents' concerns with these projects, this is a valuable opportunity for the City to receive funding from the MPO to develop important pedestrian improvements.

Finally, Ms. Friedman indicated that in attendance, there are representatives from the MPO who can speak about the process. In addition, there will be another opportunity in the future to review the plans and if the City decides to remove their support at that time then it could be done.

Mayor Fisher indicated that the resolution will be amended to remove those portions of Northwest 15th Street and Southwest 9th as well. Comr. Phillips indicated that a number of residents in that area does not want bike path on Northwest 15th Street. However, he does not have any aversion for the plans on Northwest 3rd (MLK Boulevard).

Mayor Fisher asked if the City could remove the two opposition roads from the exhibit.

Ms. Friedman reiterated that if they are removed at this time the MPO cannot bring them back.

Comr. Hardin confirmed that there are people who do not want sidewalks in their front yard. Concerning Southwest 9th road, while kids walk on it, there is not a tremendous amount of traffic. Therefore, he would ask that this be removed also.

MOTION: To amend the resolution to take out those portions of Northwest 15th Street and Southwest 9th Street.

VOICE VOTE

Dockswell			x	
Hardin	x		x	
Moss			x	
Phillips		x	x	
Burrie			x	
Fisher			x	

Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES MARCH 10, 2015				
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<u>REGULAR ITEMS – CONTINUED</u>				
Vice Mayor Burrie stated that whatever item is being taken from the list those monies cannot be utilized elsewhere in the City. Therefore, once the money is gone, it will not come back.				
RES. NO. 2015-210: TIME 02:29:50 ITEM 24				
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT SENATE BILL (HB) NO. 4015, AN ACT RELATING TO PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS (AND ANY SIMILAR FLORIDA HOUSE OF REPRESENTATIVES OR SENATE BILLS) WHICH DELETES PROVISIONS THAT PREEMPT TO THE STATE THE REGULATION OF PUBLIC LODGING ESTABLISHMENTS AND PUBLIC FOOD SERVICE ESTABLISHMENTS; DIRECTING THE CITY CLERK TO TRANSMIT A CERTIFIED COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES, THE FLORIDA LEAGUE OF CITIES, THE BROWARD COUNTY LEGISLATIVE DELEGATION, AND ANY OTHER INTERESTED PARTIES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.</p> <p>The Resolution was read by title only.</p> <p>MOTION: To adopt Resolution No. 2015-210 upon reading.</p>				
<u>ROLL CALL</u>				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

Names of Commrs.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

Gordon B. Linn, City Attorney stated that the resolution is urging the passage of a bill, which deletes the preemption language that presently keeps the City from being able to regulate vacation rentals.

RES. NO. 2015-211: TIME 02:31:13 ITEM 25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ROSS MCKELVEY, JR.** TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH, AS AN ATTORNEY AT LAW FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JANUARY 29, 2018; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2015-211 upon reading.

ROLL CALL

Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

There was no discussion on the item

Names of Commrs.	M	S	Y	N
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REGULAR ITEMS – CONTINUED

RES. NO. 2015-212: TIME 02:31:57 ITEM 26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **DANIEL R. COGDILL** TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH, AS AN ELECTRICAL CONTRACTOR; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON APRIL 25, 2018; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2015-212 upon reading.

ROLL CALL

Dockswell			X	
Hardin		X	X	
Moss			X	
Phillips			X	
Burrie	X		X	
Fisher			X	

There was no discussion on the item

RES. NO. 2015-213: TIME 02:32:34 ITEM 27

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **WALTER SYREK** TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH, AS AN ARCHITECT; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON APRIL 25, 2018; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.



City of Pompano Beach, Florida

Names of Comms.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MARCH 10, 2015

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REGULAR ITEMS – CONTINUED

MOTION: To adopt Resolution No. 2015-213 upon reading.

ROLL CALL

Dockswell			X	
Hardin		X	X	
Moss			X	
Phillips			X	
Burrie	X		X	
Fisher			X	

There was no discussion on the item

RES. NO. 2015-214: TIME 02:33:08 ITEM 28

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **PAUL SUMMA** TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH, AS A REAL ESTATE APPRAISER; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MARCH 27, 2018; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2015-214 upon reading.

ROLL CALL

Dockswell			X	
Hardin		X	X	
Moss			X	
Phillips			X	
Burrie	X		X	
Fisher			X	

There was no discussion on the item



City of Pompano Beach, Florida

Names of Commrs.	M	S	V	V
			Y	N

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Commissioner Barry J. Dockswell – Lights in Kester Park – Comr. Dockswell commented on the directing of the lights in Kester Park. He asked if Douglas Matthes’ remarks concerning the lights being in violation were correct.

Dennis W. Beach, City Manager, recalled that this subject has come up quite a few times. He believes the Public Works Department has done testing of the lights in that area more than once. In fact, they have determined that the lights are within the required parameters. Nevertheless, they will perform the testing again and he plans to send the Commission information on previous work that has been done to address this problem.

In response to Comr. Dockswell’s question whether the lights are in violation, Mr. Beach stated that so far they are in compliance. However, things can change, but staff will check it again and provide the Commission with their findings.

Advisory Board Voting Results - Comr. Dockswell stated that there were several items on the agenda relating to zoning code amendments. On the agenda coversheet for these items, it says “It was reviewed by P & Z”; however, on one of the items, it indicated a 4-1 vote, but he was unable to find the actual discussion that resulted in one person voting against the proposed change. Therefore, he would appreciate that staff indicate on the agenda coversheet that the Planning & Zoning Board or Zoning Board of Appeals reviewed an item, as well as provide the voting results. However, if the vote was not unanimous, he would like to see in the backup material the discussion that took place at the board meeting, so the Commission could understand why the member voted against the item.

Mayor Fisher stated that this information was provided before; however, he does not understand why it has been removed. In fact, tonight he asked whether the Golf Advisory Board had the opportunity to review and vote on a specific item. Nevertheless, this information has always been there to indicate that a Board unanimously approved an item, so he does not understand why this information was not provided.



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Names of Comms.	M	S	V	V
			Y	N

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Comr. Dockswell suggested this information could be typed on the coversheet to indicate that a board reviewed an item to include the results. In addition, staff could indicate their attachment of a discussion with the item.

Agenda Item 23 – Comr. Hardin commented on Agenda Item 23, citing that the item is referenced in both the agenda and within the backup as a Resolution. However, on the agenda coversheet, it says the item is an ordinance. Therefore, he suggested that staff check the backup for consistency to ensure it is either an ordinance or a resolution, because it cannot be both.

Chapter 164 Process – Comr. Hardin spoke about the process associated with Chapter 164 of the Florida Statutes. He said there are two new commissioners that are not familiar with the process. He went on to explain that this process is prescribed by the State and it outlines certain things that must take place before the City can sue the County or vice versa. One of the conditions requires the Commission members from both the City and the County to meet together at a joint meeting to work out the issues. However, they are in a room full of people, to include attorneys and the media.

Prior to that process, the City Commission and the County Commission are supposed to come up with a negotiation stance. However, they have to reach this negotiating stance in the dark, because they cannot discuss this on the dais as it is done behind the scenes with staff. In fact, the Commission does not get an opportunity to discuss this matter with one another, not even with the County Commission. Therefore, it is difficult to have real open dialogue in a public meeting.

Furthermore, there is no opportunity for the City Commission to come together behind the scene in a shade meeting. Nor is there a mechanism in place for the County Commission to meet in a similar fashion. In addition, there is no mechanism to allow the County and the City to get together, eye to eye, away from the public. Actually, this process does not allow for a true and honest discussion amongst the elected representatives of the people to try to solve a problem before going to court.



City of Pompano Beach, Florida

Names of Comms.	M	S	V Y	V N
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Therefore, Comr. Hardin believes that a better process would be to allow the City Commission to have shade meetings amongst themselves, as well as with the County Commission. Those meetings would still be recorded, so at the end of the process everything would be made public, because it is the public's business.

Furthermore, Comr. Hardin indicated that he had discussed this matter with County Commissioner Stacy Ritter and she agreed the process could be better if they can have open honest dialogue outside of the "big time show". However, everything would have to be recorded for posterity's sake. Nonetheless, this would have to be accomplished at the State level. He also asked her if it was too late to have anything done during this session with the State and her response was, it is not too late; actually this issue can be attached to the Bill as an amendment that is currently moving through the process.

Additionally, Comr. Hardin said he had the opportunity to talk to City Attorney Linn on this matter and he indicated that he was comfortable to come up with some language, which would first be presented before the County Commission and then to the State to try to allow this flexibility in the Chapter 164 process. Actually, this would allow for better negotiation opportunities between the County and the City. These kinds of problems will come up repeatedly in the future, perhaps not with Pompano Beach but with other municipalities and counties in the State of Florida. Therefore, he believes it would be a good thing to try to get the State to allow this kind of flexibility. He then stated he would make a motion to have City Attorney Linn draft some language to amend a Bill, which can be brought back before the Commission for consideration.

Mayor Fisher stated that this matter can be moved forward for further discussion by the Commission. Although, he agreed with the proposed change to the process; he is concerned with how the public will react to it. Since everything is done in the sunshine, he questioned if this would be perceived as a back room deal.



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Names of Comms.	M	S	V	V
			Y	N

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REPORTS – CONTINUED

Comr. Hardin believes there will be push back on this subject. In fact, during the last election, he brought this matter before the Sun Sentinel and Pelican editorial boards. In addition, these meetings should always be recorded and at the conclusion of the process, it would become public record.

Comr. Dockswell agreed that as they go through the 164 Process, the City Commission should have the right to meet in the shade, because what it is doing is formulating a legal or negotiating strategy, which cannot be done effectively in public. Meanwhile, the current process involves talking individually with the city manager and the attorneys. It is an inefficient process and does not produce the best results.

Concerning the comments on how the proposed change would be perceived, Comr. Dockswell cannot imagine how they can get the State legislators to agree that the City Commission can meet with the County Commission in the shade. However, he thinks once the City formulates its negotiating strategy, the city manager and the city attorney can meet with the county's administrator and attorney but not in the sunshine. Nevertheless, when the two commissions get together, he does not believe they can be allowed to meet in the shade.

Vice Mayor Burrie stated that she agrees with both sides; however, she said in reality, "you do not know until you ask". In addition, she said she would support Comr. Hardin to have the city attorney draw up something to see where it ends up.

Mayor Fisher stated that County Mayor Ryan and County Comrs. Ritter and Kiar have all been state legislators; therefore, he asked if they could take the matter before the State.

Comr. Hardin replied that County Comr. Ritter requested him to have the city attorney draft some language so he can provide it to her. Therefore, this item does have support; in fact, County Comr. Ritter indicated that the best way to get this done would be to tack it on as an amendment to another Bill.



City of Pompano Beach, Florida

Names of Comms.	M	S	V	
			Y	N

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Comr. Phillips stated that he attended a four-hour course on ethics, which the County imposed upon the City Commission. Therefore, he believes the subject matter would be perceived as “back-dooring the ethics”. Since he is relatively new to the Commission, he does not know if he should partake in this action.

Mayor Fisher advised that the City Attorney could get some language for discussion before the Commission, which also would give the public the opportunity to provide input. Thereafter, they would take it from there.

Commissioner Barry Moss – Opening of New Restaurants –

Comr. Moss reported that two new restaurants opened in District 5, and encouraged everyone to visit. One is the La Forketta, a small mom and pop-owned restaurant, located at 1255 S. Powerline Road, Pompano Beach, FL, and the other is Roasting, which serves American cuisine. It opened yesterday, and seats 170 people.

Marauding Chicken – Comr. Moss indicated that the marauding Palm Aire chicken is back because he spotted it around the Bank of America location near the McDonalds at the intersection of Atlantic Boulevard and Powerline Road.

Mayor Fisher added that there is also a nice Italian restaurant near Fire Station 52.

Commissioner Edward Phillips – Closure of Rockys -

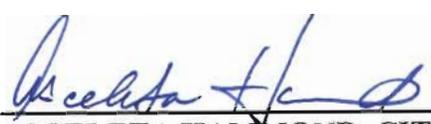
Phillips stated that he met with a group of ministers last week and they were happy that the store named “Rockys” is closing because of the kind of traffic it generates. They communicated to him that they would not like to see another establishment such as Rockys in the neighborhood.

Sidewalk Program in Kendall Green – Comr. Phillips asked for an update on the sidewalk program for the Kendall Green area.

Dennis W. Beach, City Manager stated that staff is preparing it.



City of Pompano Beach, Florida

Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES MARCH 10, 2015</p> <p>PAGE 51</p> <p><u>ADJOURNMENT</u></p> <p>There being no further business, the meeting adjourned at 7:51 P.M.</p> <p style="text-align: center;"> LAMAR FISHER, MAYOR</p> <p style="text-align: center;"> ASCELETA HAMMOND, CITY CLERK</p>				

Agenda Item #20

**Proposed §100.01.B, Required ROW
Widths and NE 48th / 49th Street**

March 10, 2015

Item Background

- Ord. No 664, 1957 Zoning Code
- 23 roadways listed

SEC.

50.55. SETBACK REQUIREMENTS AND STREET WIDTHS

(1) Certain arterial thoroughfares of the city are hereby designated and determined to have a greater width than fifty (50) feet, and no building or structure shall be erected or located upon any property abutting such streets and avenues closer to the center line of such streets than one-half (1/2) of the indicated and designated width of such streets.

<u>Item No.</u>	<u>Arterial Street Description</u>	<u>Width in Feet</u>
(1)	State Road A1A (Ocean Blvd.) from south city limits via proposed rerouting to the north city limits	80
(2)	N. E. 26th Ave. from Atlantic Blvd. to N. E. 13th St.	Existing Widths 70 Min.
(3)	N. E. 23rd Ave. from N. E. 13th St. to N. E. 24th St.	Existing Widths 60 Min.
(4)	Federal Highway (U.S. No. 1) from south city limits to north city limits.	Existing Widths 120 Min.
(5)	S. E. 11th Ave. from the Pompano Canal to Atlantic Blvd. (S. R. No. 814).	70

Item Background

- §155.141 in “Old” Zoning Code
- 27 roadways listed

§ 155.141 SETBACK REQUIREMENTS; STREET WIDTHS.

(A) Certain arterial thoroughfares of the city are hereby designated and determined to have a greater width than 50 feet, and no building or structure shall be erected or located upon any property abutting these streets and avenues closer to the center line of these streets than one-half of the indicated and designated width of these streets. The dedicated portion and use portion of the following streets, avenues, and public ways, if any, shall constitute a portion of the street right-of-way. The City Engineer shall determine and fix the exact locations of the streets, avenues, and public ways.

*Arterial Street
Description*

Width in Feet

(1) State Road A1A 80
(Ocean Boulevard) from
the south city limits to the
north city limits.

(24) S.W. 46th Avenue 106
from McNab Road to
Florida's Turnpike

(25A) Blount Road 84
from Copans Road
to Sample Road

(25B) Blount Road from 80
Copans Road to Dr. Martin
Luther King, Jr. Boulevard

(26) N.E. 3rd Avenue 80
from Copans Road to
Sample Road

(27) N.E. 48th/N.E. 49th 106
Streets from North Dixie
Highway to Federal
Highway (U.S. 1)

Proposed §100.01.B

The list of streets was not included in “New” Zoning Code

- The purpose of Ch 155 (Zoning Code) is to regulate the use and development of land
- The purpose of §100.01 is to regulate Minimum Right-of-way

§100.01.B re-adopts the table previously located in the Zoning Code.

- No substantive changes are proposed.
- Majority of roadways in list are also Broward County Trafficways.

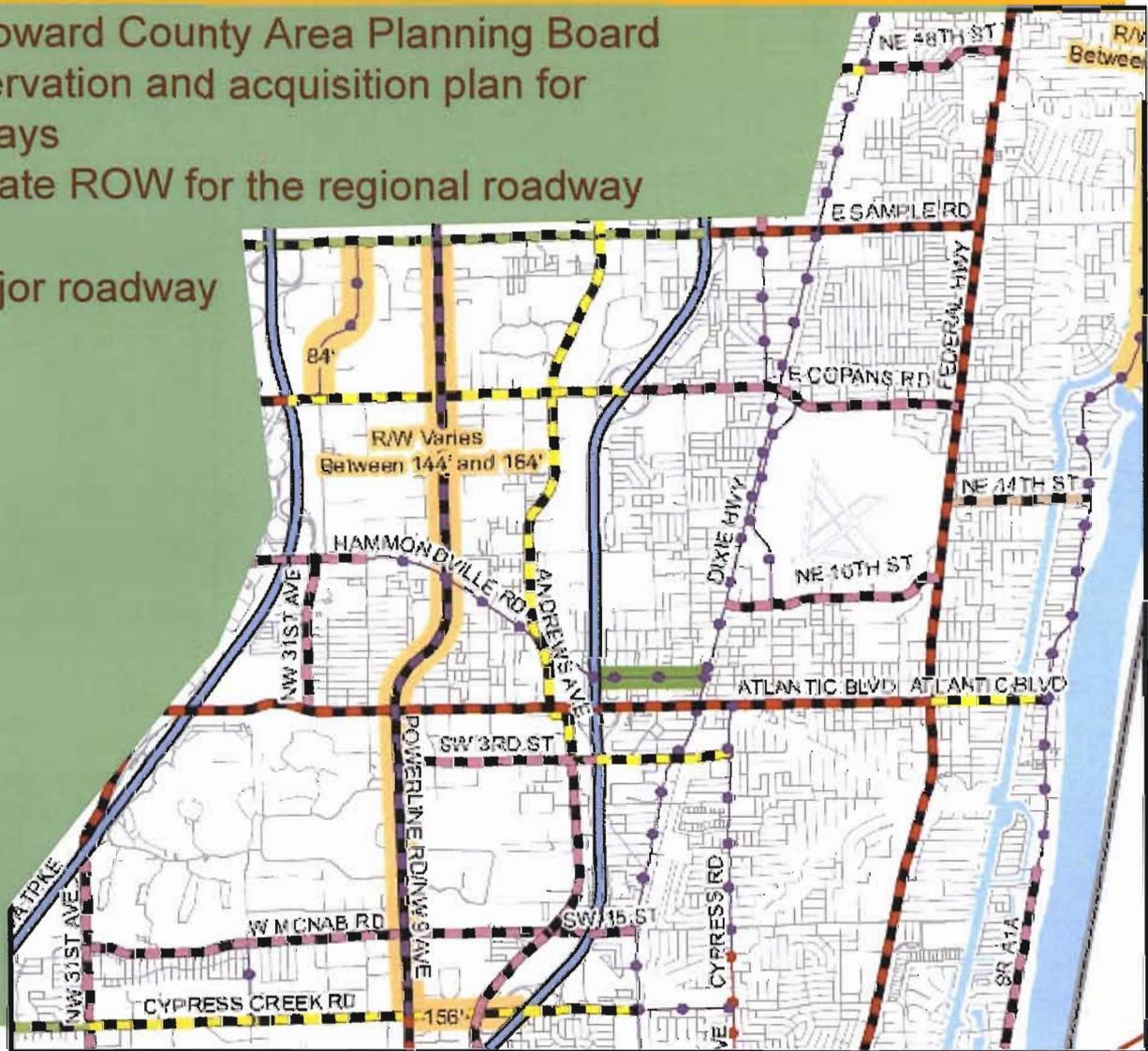
§100.01.B also clarifies that property owners are only responsible to dedicate their “half” of right-of-way.

- City has historically required that new buildings be setback one-half of distance from ultimate centerline of roadway.

Broward County Trafficways Plan

- Established in 1960's by Broward County Area Planning Board
- Roadway right-of-way preservation and acquisition plan for existing and planned roadways
- Purpose is to ensure adequate ROW for the regional roadway network
- All of Pompano Beach's major roadway facilities are on this plan.

Classification	Symbol	R/W
Limited Access/ Controlled		325'
Arterial		200'
		144'
		120'
		110'
		106'
		100'
	Collector	
		80'
		70'
		54'
One-Way-Pair		54'
		42'



Broward County Trafficways Plan

Pompano Beach's Comprehensive Plan: Transportation Element's Data and Analysis section

Table 1 Trafficways Plan Designation

ROW	Roadway	Limits
325'	I-95 Florida's Tpk	Through City Through City
200'	Sample Rd	Turnpike to I-95
144'	Powerline Rd	Through City
120'	Atlantic Blvd Federal Highway Sample Rd	From west City Limit to US 1 Through City East of I-95 to US 1
100'-110'	Atlantic Blvd Copans Rd DMLKJ Blvd* Andrews Ave McNab Rd/SW 15 St NE 14 St Causeway Pompano Park Place (SW 3rd St) NE 10 St Lyons Rd NW 31 Ave NE 48 St	US 1 to SR A1A Turnpike to US 1 Turnpike to NW 27 Ave Through City Lyons Rd to Dixie Hwy Federal Hwy to SR A1A Powerline Rd to Cypress Rd Old Dixie Hwy to US 1 Turnpike to S of McNab Rd DMLKJ Blvd* to Atlantic Blvd Dixie Hwy to US 1
84'	Blount Road	Copans Road to Sample Road
80'	DMLKJ Blvd* Cypress Road Dixie Hwy SR A1A NE 5 Ave NE 3 Ave	NW 27 Ave to Dixie Hwy Atlantic Blvd to S City Limit Through City Through City Copans Rd to NE 10 St Copans Rd to Sample Rd

Source: Broward County Planning Council Trafficways Plan (2008)

Note: DMLKJ Blvd* - Dr. Martin Luther King Jr. Blvd.

Specific Concern: *NE 48th / 49th Street*

- Highland's Civic Association is concerned about the inclusion of NE 48th / 49th Street in proposed §100.01.B
- Highland's Civic Association has requested the following:
 - NE 48th / 49th Street not be included in proposed §100.01.B
 - The City Commission apply for NE 48th / 49th Street to be removed from the Broward County Trafficways Plan (only City Commissions can apply)

NE 48th / 49th Street: Existing Conditions

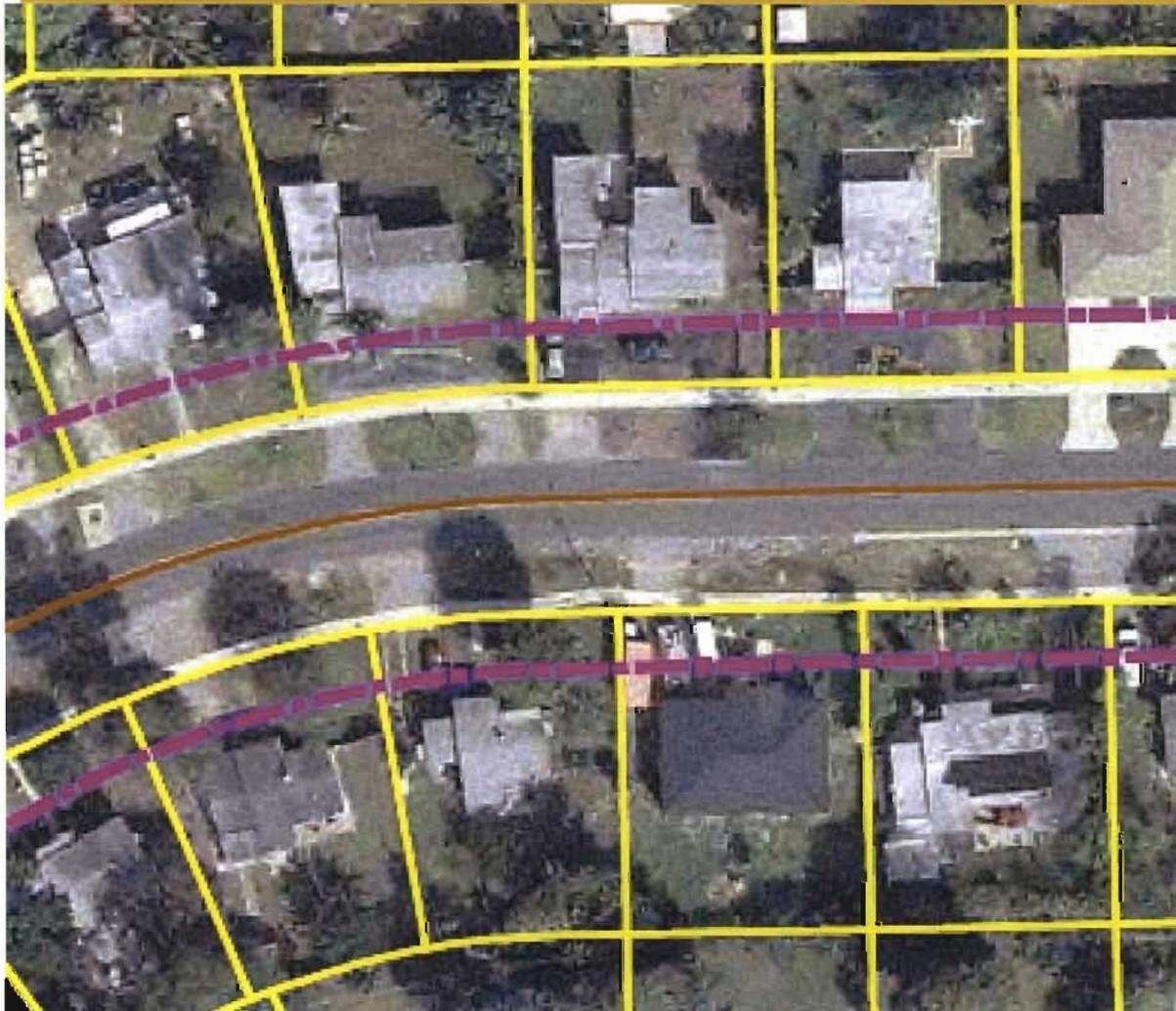
- Broward County Trafficways Designation: Arterial, 106 feet
- Broward County owns roadway
- Two lane roadway, each lane is 12 feet wide (24 feet of pavement)
- NE 48th Street from Dixie Highway to NE 14th Avenue, dedicated ROW width varies from 70 feet to 93 feet
- Remainder of roadway, dedicated ROW of 70 feet
- Considered a “Regional Roadway” as it extends west to Sawgrass Expressway

NE 48th / 49th Street: Regional Roadway



NE 48th / 49th Street

106 foot ROW Analyzed



70 ft Dedicated
ROW / existing
property line

Centerline of
roadway

106 ft Trafficway
ROW

NE 48th / 49th Street

106 foot ROW Analyzed



24 foot wide existing paved roadway

13 ft wide existing ROW. Including swale and 5 ft wide sidewalk

18 ft wide Trafficway ROW

NE 48th / 49th Street: Additional Consideration

- In 1999 FDOT prepared a study / analysis of the Trafficways.
- In particular it analyzed those in the urban infill areas.
- The study recommended the designation for the portion of NE 48th / 49th Street within Pompano Beach be reduced to 80 ft

Assessment of Broward County's Trafficways Plan for the Urban Infill Area

Broward County Trafficways Assessment & Recommendations

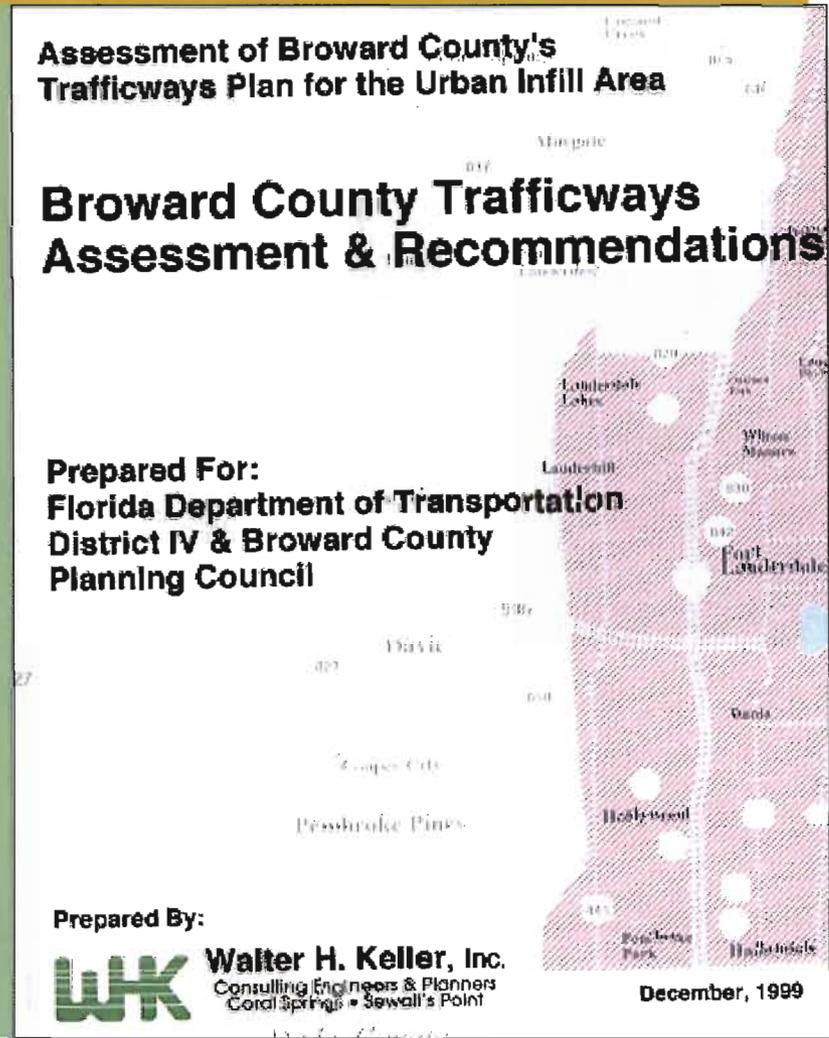
Prepared For:
Florida Department of Transportation
District IV & Broward County
Planning Council

Prepared By:



Walter H. Keller, Inc.
Consulting Engineers & Planners
Coral Springs • Sewall's Point

December, 1999



NE 48th / 49th Street: Recommendation

- Staff recommends applying for a Trafficways amendment to change the designation of roadway from Arterial 106 feet to Collector 70 feet
 - Application Cost = \$6,798.00 plus additional costs for traffic studies.
 - In 2008, in conjunction with development along Federal Highway, the Highlands Civic Association received \$55,000 for neighborhood improvements.
 - Staff believes that the costs associated with the application fee and well as the fees for the required traffic studies, are consistent with the intent of the monies received by the civic association.
- Staff recommends listing the currently required ROW for roadway until such time as application is approved by Broward County.