



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2015-15

Date: April 14, 2015

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<p><u>APPROVAL OF AGENDA</u></p>			
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<p><u>PROCLAMATION</u></p>			
<p>April 25, 2015 National Rebuilding Day</p>			1-2
<p><u>AUDIENCE TO BE HEARD</u></p>			
<p><u>Exotic and Protected Trees</u> – Douglas K. Matthes, 500 Northeast 6th Street, Pompano Beach, FL 33060</p>			2-3
<p><u>Pompano Piranhas License Agreement</u> – Nemia L. Schulte, Vice President of Pompano Piranhas Swim Team, 201 Southeast 24th Avenue, Pompano Beach, FL 33062</p>			3
<p><u>Projects for Prospective Bond Issue</u> – Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL</p>			3-4
<p><u>Business Friendly Policies in Pompano Beach</u> – Mr. Thrower</p>			4
<p><u>Air Park Noise and Safety Management</u> – Konstminos Paphis, 2720 Northeast 8th Court, Pompano Beach, FL 33064</p>			4-5
<p><u>Air Park Noise and Safety Management</u> – Keith Busch, 890 Northeast 27th Avenue, Pompano Beach, FL 33064</p>			5-6
<p><u>Community Back to School Fun Day</u> – Willie Cameron, 1915 Northwest 5th Way, Pompano Beach, FL 33060</p>			6-7
<p><u>Water and Housing</u> – Tom Terwilliger, 3116 NW 1st Avenue, Pompano Beach, FL</p>			7-8



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<u>AUDIENCE TO BE HEARD- CONTINUED</u>			
<u>Pompano Piranhas License Agreement</u> – Samantha Marcum, Splashes and Smiles Swim School, 3042 N. Federal Highway, Fort Lauderdale, FL 33306			8-9
<u>Splashes and Smiles</u> – Virginia Ramsay, 180 Cypress Club Drive, Pompano Beach, FL 33060			9
<u>Juneteenth Blues and Sweet Potato Pie Festival</u> – Willie Green, Friends of Northwest Library, 1580 Northwest 3 rd Avenue, Pompano Beach, FL 33069			9-10
<u>CONSENT AGENDA</u>			
Approval to purchase Goodyear tires as needed from The Goodyear Tire and Rubber Company (through its distributors) in the estimated annual amount of \$140,000 and Michelin tires as needed from Michelin North America, Inc. (through its distributors) in the estimated annual amount of \$40,000 from budgeted funds in the Motor Pool Operations, per the Florida Sheriffs' Association Bid #15/17-07-0220.			11
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PURCHASE AGREEMENT FOR STATE TAX CREDITS BETWEEN THE CITY OF POMPANO BEACH AND DISH DBS CORPORATION; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: City will yield \$354,708.51)		2015-248	11
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TRAINING SITE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND TOTALCARING HEALTH, EDUCATION & STAFFING, INC. TO PROVIDE SUPERVISION OF EMERGENCY ADVANCED CARDIAC LIFE SUPPORT TRAINING FOR POMPANO BEACH FIRE RESCUE; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$2,975 from budgeted funds)		2015-249	11



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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 WORK AUTHORIZATION NO. 7 IN THE AMOUNT OF \$78,500.00 FOR ENGINEERING DESIGN SERVICES FOR FLOW METER REPLACEMENT PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MCCAFFERTY BRINSON CONSULTING, LLC FOR WATER AND RECLAIMED WATER TREATMENT PLANT PROJECTS; PROVIDING AN EFFECTIVE DATE.</p>		2015-250	12
<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 PYROTECNICO FIREWORKS, INC. FOR A 4TH OF JULY FIREWORKS DISPLAY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$36,750)</p>		2015-251	12
<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 DJP CONCESSIONS INC. TO OPERATE TWO CONCESSIONS AT COMMUNITY PARK; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: City will receive 7% of gross food sales and 10% of gross alcoholic beverage sales or minimum of \$200 per month, whichever is greater)</p>			12-13
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT BETWEEN THE CITY OF POMPANO BEACH AND PENN CREDIT CORPORATION RELATING TO SPECIALIZED DEBT COLLECTION SERVICES; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: Penn assesses a 17% collection fee, on a contingent basis, for non-legal referral accounts and 27% for litigation referral accounts, which is further passed on to the debtor)</p>		2015-252	13



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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 FIRST AMENDMENT TO CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA HOUSING FINANCE CORPORATION FOR HHF ADVISOR SERVICES FOR THE HFA HARDEST HIT FUND PRINCIPAL REDUCTION PROGRAM; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-253	13-14
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA HOUSING FINANCE CORPORATION FOR HHF ADVISOR SERVICES FOR THE HFA HARDEST HIT FUND UNEMPLOYMENT MORTGAGE ASSISTANCE PROGRAM AND MORTGAGE LOAN REINSTATEMENT PROGRAM; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-254	15
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>EVELYNE "LYNNE" WARRICK</u> TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF VICE MAYOR CHARLOTTE BURRIE FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING COMMISSIONER; PROVIDING AN EFFECTIVE DATE.</p>		2015-255	16
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JEAN FLOM</u> TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER REX HARDIN, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.</p>		2015-256	16



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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, APPOINTING <u>ROBERT J. KINTCHEN, JR.</u> TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER ED PHILLIPS, WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.</p>		2015-257	16
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>BRIDGET JACKSON</u> TO THE BUDGET REVIEW COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER ED PHILLIPS FOR A TERM TO COINCIDE WITH THE TERM OF OFFICE OF SAID APPOINTING COMMISSIONER; PROVIDING AN EFFECTIVE DATE.</p>		2015-258	17
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>PAUL WEBB</u> TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER REX HARDIN, WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.</p>		2015-259	17
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2015-114, AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN UNDERGROUND FACILITIES CONVERSION AGREEMENT (NON-GAF) BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$169,694)</p>		2015-260	17
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DECLARATION OF UNITY OF TITLE; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-261	18



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<p><u>CONSENT AGENDA - CONTINUED</u></p>			
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH PURSUANT TO CHAPTER 96 OF THE CITY'S CODE OF ORDINANCES, ASSESSING THE CITY'S COSTS FOR ABATING PUBLIC NUISANCE CONDITIONS ON REAL PROPERTY(IES) IN THE CITY AND PROVIDING THAT UPON THE RECORDING OF THIS RESOLUTION SAID ASSESSMENT, INCLUDING ADMINISTRATION AND INSPECTIONS COSTS, SHALL BE A LIEN AGAINST THE PROPERTY(IES) WHICH SHALL BEAR INTEREST AS SET FORTH IN SECTION 55.03, FLORIDA STATUTES, AND BE CO-EQUAL WITH LIENS OF AD VALOREM TAXES; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE RESOLUTION AND TO PROVIDE OWNER(S) WITH A NOTICE OF LIEN; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-262	18
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SIDEWALK EASEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DUKE REALTY LAND, LLC; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-263	19
<p>Approval for Mary Chambers to transfer ownership and assignment of burial plots BRA#6237 Block 9, Lot 72, Plots 1, 2 and BRA #6238 Block 9, Lot 71, Plot 4 to the City of Pompano Beach. (Fiscal impact: \$2,550)</p>			19
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE ANY NECESSARY CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; PROVIDING AN EFFECTIVE DATE.</p>		2015-264	19



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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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES TO PROVIDE TRAINING SERVICES FOR PROJECT MANAGEMENT AND LEAN SIX SIGMA GREEN BELT CERTIFICATIONS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$108,664)</p>		2015-265	20
<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 TO RESOLVE PENDING FORECLOSURE LITIGATION BETWEEN THE CITY OF POMPANO BEACH, MARK A. MARASCO AND STEPHANIE K. MARASCO; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>		2015-266	20
<p>Approval of the ranking of RLI E-09-15 Design and Development Services for the McNab Road Bridge Replacement and authorize staff to negotiate a contract with the highest ranked firm, Lakdas/Yohalem Engineering. (No cost at this time)</p>			20
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF TO EXPEND UP TO \$10,000.00 IN CITY FUNDS TO PURCHASE AT TAX DEED SALE THE VACANT REAL PROPERTY IDENTIFIED BY FOLIO NO. 4843 07 04 0030 WHICH IS LOCATED CONTIGUOUS TO THE NORTHEAST CORNER OF HIGHLANDS PARK; PROVIDING AN EFFECTIVE DATE.</p>		2015-267	21
<p><u>REGULAR AGENDA</u></p>			
<p>Presentation of the Actuarial Valuation of the Pompano Beach Police and Firefighters' Retirement System as of October 1, 2014 for the fiscal and plan year of October 1, 2015 through September 30, 2016 by Actuary David D. Harris of The Nyhart Company, Inc.</p>			21-24



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<p><u>REGULAR AGENDA- CONTINUED</u></p>			
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CHEN MOORE AND ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR AVONDALE STORMWATER IMPROVEMENT PROJECT; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$178,655)</p>	2015-41		24-25
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GROUND LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FIRST BAPTIST CHURCH OF POMPANO BEACH, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$15,120 per year)</p>	2015-42		25-26
<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 THE GROUND LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DIVITO ENTERPRISES LIMITED PARTNERSHIP; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$3,600 per year)</p>	2015-43		26
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 34.024, "ACCRUED BENEFITS;" TO COMPLY WITH RECENT CHANGES IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FEDERATION OF PUBLIC EMPLOYEES AND THE CITY OF POMPANO BEACH FOR THE CONTRACT PERIOD BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.</p>	2015-44		27



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<p><u>REGULAR AGENDA- CONTINUED</u></p>			
<p>AN ORDINANCE AMENDING CHAPTER 34, "CITY POLICY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 34.0571, "INTERNAL REVENUE CODE OF COMPLIANCE," TO PROVIDE FOR COMPLIANCE WITH THE INTERNAL REVENUE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.</p>	2015-45		28
<p>AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA APPROVING THE FORM, AND AUTHORIZING THE EXECUTION OF, A GROUND LEASE; APPROVING THE FORM, AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT TO PROVIDE FOR THE ISSUANCE OF NOT EXCEEDING \$24,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015, IN ADDITION TO COMPLETION CERTIFICATES AND REFUNDING CERTIFICATES; APPOINTING A FINANCIAL INSTITUTION TO SERVE AS TRUSTEE UNDER THE TRUST AGREEMENT; APPROVING THE FORMS, AND AUTHORIZING EXECUTION OF, A LEASE-PURCHASE AGREEMENT AND LEASE SCHEDULE TO THE LEASE-PURCHASE AGREEMENT TO REFLECT ISSUANCE OF THE TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015; APPROVING THE FORM OF AN ASSIGNMENT OF LEASES; AUTHORIZING THE NEGOTIATED SALE OF THE TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015 AND ESTABLISHING CERTAIN PARAMETERS OF SUCH SALE; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CERTIFICATE PURCHASE AGREEMENT, SUBJECT TO THE PARAMETERS SET FORTH HEREIN PERTAINING TO THE SALE OF TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015; AUTHORIZING OBTAINING A COMMITMENT FOR THE ISSUANCE OF A MUNICIPAL BOND INSURANCE POLICY AND/OR RESERVE ACCOUNT SURETY BOND SECURING THE TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015 AND THE EXECUTION OF RELATED AGREEMENTS WITH THE INSURER; APPROVING A</p>			29-36



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<p><u>REGULAR AGENDA- CONTINUED</u></p> <p>FORM OF PRELIMINARY OFFERING STATEMENT AND AUTHORIZING EXECUTION AND DELIVERY OF A FINAL OFFERING STATEMENT; APPROVING THE FORM OF AND AUTHORIZING EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING ALL REQUIRED ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.</p> <p>TO VIEW BACKUP TO THIS ITEM, PLEASE CLICK ON THE LINK BELOW.</p> <p><u>www.pompanobeachfl.gov/copseries2015</u></p>			
<p>AN ORDINANCE AMENDING CHAPTER 50, "WATER," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 50.06, "BILLING," TO PROVIDE THE FINANCE DIRECTOR WITH AUTHORITY TO ISSUE REFUNDS TO WATER CUSTOMERS WHO WERE BILLED IN ERROR, WITH CONDITIONS; BY AMENDING CHAPTER 51, "WATER AND SEWERS," BY AMENDING SECTION 51.06, "TIME AND METHOD OF PAYMENT," TO PROVIDE SAID AUTHORITY FOR WASTEWATER REFUNDS ALSO; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact will vary based on nature and potential amounts of refund requests)</p>			36
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE BROWARD SHERIFF'S OFFICE AND CITY OF POMPANO BEACH ALLOWING FOR THE ADMINISTRATION OF THE COMMUNITY ORIENTED POLICING SERVICES HIRING (COPS) GRANT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>			37



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<p><u>REGULAR AGENDA- CONTINUED</u></p>			
<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 SCHOOL CROSSING GUARD SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE BUTLER GROUP OF SOUTH FLORIDA, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$605,409)</p>			37-38
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>			38-39
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>THOMAS H. DIGIORGIO, SR.</u> TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 8, 2017; PROVIDING AN EFFECTIVE DATE.</p>		2015-268	39-40
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JOHN A. PANCOAST</u> TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 8, 2017; PROVIDING AN EFFECTIVE DATE.</p>		2015-269	40
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>WALTER SYREK</u> TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #2; SAID TERM TO EXPIRE ON FEBRUARY 8, 2016; PROVIDING AN EFFECTIVE DATE.</p>		2015-270	40-41



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<u>City Attorney</u> – No Report.			41
<u>City Clerk</u> – No Report.			41
<u>Commissioner Barry J. Dockswell</u> – Consideration of a Local Activity Center (LAC)			41-44
<u>Commissioner Rex Hardin</u> – No Report.			44
<u>Commissioner Barry Moss</u> – Student Government Day			44
<u>Commissioner Edward Phillips</u> – Update on the Sidewalk Program			44
Barriers on Northwest 15th Street			44
Broward Sheriff’s Office (BSO) Meeting on Flakka			44
<u>Vice Mayor Charlotte Burrie</u> – Commission Ethics Hours			44
Broward Sheriff’s Office Program on Flakka Drug			45
<u>Mayor Lamar P. Fisher</u> – Election Issues			45-47
Appreciation to BSO on Flakka Program			47
<u>ADJOURNMENT</u>			47

CITY OF POMPANO BEACH, FLORIDA

REGULAR CITY COMMISSION MINUTES

Agenda No. 2015-15

Date: April 14, 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:

Dr. Ben Sorensen
First Presbyterian Church of
Pompano Beach

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



City of Pompano Beach, Florida

Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES APRIL 14, 2015				
PAGE 1				
<u>APPROVAL OF MINUTES</u>				
MOTION: To approve the Regular City Commission Meeting Minutes of March 24, 2015 as submitted.				
<u>VOICE VOTE</u>				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
<u>APPROVAL OF THE AGENDA</u>				
Mayor Fisher indicated Item 31 would be heard at the beginning of Regular Agenda, which is immediately before Item 25.				
MOTION: To approve the City Commission Meeting Agenda of April 14, 2015, as amended.				
<u>VOICE VOTE</u>				
Dockswell			x	
Hardin	x		x	
Moss			x	
Phillips		x	x	
Burrie			x	
Fisher			x	
<u>CONSENT AGENDA DISCUSSION</u>				
Mayor Fisher stated that on the Consent Agenda, the City Commission would pull Items 8 and 9 for discussion. Therefore, a person may speak on the remaining items on the Consent Agenda during Audience to be Heard.				
<u>PROCLAMATION</u>				
<u>April 25, 2015 National Rebuilding Day</u>				
Mayor Fisher invited Comr. Dockswell to join him in the presentation of a Proclamation to Sandra Veszi Einhorn, Executive Director of Rebuilding Together Broward County, because he was very instrumental in getting this Rebuilding Day established several years ago.				



City of Pompano Beach, Florida

Names of Comms.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES APRIL 14, 2015</p> <p>PAGE 2</p> <p><u>PROCLAMATION - CONTINUED</u></p> <p>Mayor Fisher on behalf of the Pompano Beach City Commission, and residents, read a proclamation proclaiming April 25, 2015 as National Rebuilding Day.</p> <p>Sandra Veszi Einhorn, Executive Director of Rebuilding Together Broward County, stated that the City's staff has been remarkable, to include Mark Korman, Miriam Carrillo and their teams have been a true partner with the organization. She announced that Saturday, April 25, 2015, they would be working on fifteen homes. Therefore, she invited everyone to come out and join them and the volunteers at 9:00 a.m. at McNair Park for breakfast; thereafter, they will be going to work on improving those homes in Collier City. Finally, she thanked Mayor Fisher and Comr. Dockswell for always championing their cause.</p> <p><u>AUDIENCE TO BE HEARD</u></p> <p>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 to speak on any items on tonight's agenda, as they will have that opportunity to do so when that item comes forward. Lastly, he requested that speakers refrain from any emotional outbursts in either support or non-support of the speaker's comments.</p> <p><u>Exotic and Protected Trees</u> – Douglas K. Matthes, 500 Northeast 6th Street, Pompano Beach, FL 33060, stated that the issues on trees have been brought before the commission prior, specifically in Harbor's Edge Park, the Australian Pines are dangerous and all the exotic trees need to be removed. However, nothing has been done to date. In the park, there are a number of exotic trees mainly the Australian Pines and the Brazilian Peppers, which are banned by City Ordinance. There are also sea grape trees that are addressed in Florida Statutes 161.242 (2), which are protected on public property with limited exceptions.</p>				

CITY COMMISSION MEETING MINUTES APRIL 14, 2015

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PROCLAMATION - CONTINUED

Mayor Fisher on behalf of the Pompano Beach City Commission, and residents, read a proclamation proclaiming April 25, 2015 as National Rebuilding Day.

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AUDIENCE TO BE HEARD

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AUDIENCE TO BE HEARD – CONTINUED

Additionally, Mr. Matthes alleged that trimmings from the sea grape trees amounted to three truckloads, yet not a single pervasive exotic plant was touched, which is not logical.

Pompano Piranhas License Agreement – Nemia L. Schulte, Vice President of Pompano Piranhas Swim Team, 201 Southeast 24th Avenue, Pompano Beach, FL 33062, stated she wanted to alleviate the concerns regarding the Youth Sports agreement recently passed on March 24, 2015. She noted that the main issue appears to be with the exclusivity clause during the times for the Piranhas Swim Team at the City’s pool, and explained the process and the reason they selected those times.

Mayor Fisher indicated that City staff and the administration are aware of the issues, and are working to resolve them with both parties involved. To which City Manager Beach confirmed, “we will do that.”

Projects for Prospective Bond Issue – Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL, requested an update on the City moving forward with discussions regarding the Bond issuance. In addition, he inquired if when the Bonds are issued, would staff consider including certain projects such as some of the outdated Fire Stations that may need to be replaced and so forth.

Mayor Fisher replied that Fire Station 11 is being rebuilt, Station 103 is also being redeveloped and the next station to be improved is Station 24, located on Northeast 10th Street. Nevertheless, Chief Jurgle is considering redevelopement for other stations but those cannot be determined at this time.

Dennis W. Beach, City Manager explained that it is not part of the current recommendation to the City Commission for the Bond issue. The process that they will be going through is to first assemble a list of projects that are currently unfunded; thereafter, there will be a one on one discussion with the City Commission to determine a consensus on what it should look like. Once that is determined, staff will start discussions with the community to determine their preferences and desires. It is moving forward, but the Fire Station under discussion is not on the list of projects for the Bond issue.



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AUDIENCE TO BE HEARD – CONTINUED

Mr. Thrower noted that the fire stations are necessities to the community and should be included in the list for projects to be funded by the Bond issue.

Mayor Fisher explained that the Bond, when it is established, will address the various projects but is not specific to the fire station being alluded to by Mr. Thrower. Nevertheless, Fire Chief Jurgle will assist in providing information on the various fire stations that need repairs or redevelopment.

Business Friendly Policies in Pompano Beach – Mr. Thrower stated that there are times departments tend to forget about the policy makers putting rules in place that would be business friendly. He hopes throughout this year as well as the next, the City will continue to strive to get things done in the City of Pompano Beach.

Comr. Phillips stated that District 4 is staged to have a significant amount of growth, and in the wisdom of the current commission who are being proactive, he is convinced that as the population increases they will be addressing Fire Station 61 and how to expand and/or renovate that building.

Air Park Noise and Safety Management – Konstminos Paphis, 2720 Northeast 8th Court, Pompano Beach, FL 33064, complained about the management of the airport. He indicated that over the last four months, since the new hangars have been opened at the airpark, the noise level has increased tremendously. Mr. Paphis stated, while he loves airplanes, something must be done with those airplanes that seem to fly on top of his house. He said he experienced 42 flights in thirty minutes, which is very disturbing for him and his family. Therefore, he urged the commission to do something about the noise and suggested that mufflers be installed to control the noise.

Additionally, Mr. Paphis expressed concern of the safety of the airplanes flying well below the required 1000 feet.



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<p>CITY COMMISSION MEETING MINUTES APRIL 14, 2015</p> <p>PAGE 5</p> <p><u>AUDIENCE TO BE HEARD – CONTINUED</u></p> <p>Comr. Dockswell stated that he hears the residents’ frustration on a weekly and sometimes daily basis, about the airpark noise in their homes. However, he reiterated that the complaint is about the flight training that occurs at the airpark and the specific problem is with the “touch and goes.” While he understands Mr. Paphis and others frustration, he said the City has no authority to regulate aviation flight matters. Rather, the Federal Aviation Agency (FAA) has the authority to regulate, but when residents contact them about the problem, they send them back to the City government, which is a ploy, because the City does not have the authority and FAA in turn avoid the controversy.</p> <p>Additionally, Comr. Dockswell indicated that the City did adopt an ordinance to restrict touch and go flight training to the hours of Monday through Friday from 9:00 a.m. to 5:00 p.m., but the Pilots organization complained about it to the FAA. Subsequently, the City was forced to repeal that ordinance regulating the touch and go flights. Therefore, with the assistance of City Manager Dennis Beach, Air Park Manager Steve Rocco, as well as outside aviation attorneys, the City is looking to propose FAA rule changes and seek the assistance of Congresswoman Lois Frankel’s office that would assist the City with this issue.</p> <p>Finally, Comr. Dockswell stated that it is a long and difficult struggle, and he sympathizes with the people who are experiencing this noise problem. He also assured them that he is doing everything he can think of to do to get it resolved, but it will be a long struggle going forward.</p> <p><u>Air Park Noise and Safety Management</u> – Keith Busch, 890 Northeast 27th Avenue, Pompano Beach, FL 33064, complained about the Air Park noise. He indicated that he is proud of the City, the Air Park and the Golf Course. However, the Air Park has become a “black eye” for the City. It is a miserable situation in the neighborhoods around the Air Park. He said the last crash reported in Fort Lauderdale Airport has scared the residents. He said the City of Pompano Beach does not have a buffer zone. Nevertheless, the noise problem can be fixed by putting mufflers on the cheaper airplanes, which he believes will appease most of the residents in the area.</p>				

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AUDIENCE TO BE HEARD – CONTINUED

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AUDIENCE TO BE HEARD – CONTINUED

Mayor Fisher reiterated Comr. Dockswell’s comment on the City’s enacting an ordinance, which the Pilot’s Association sued the City causing it to repeal the ordinance. Nevertheless, the muffler idea is a great one, which the City will consider.

Comr. Dockswell indicated that there are very few official noise complaints logged at the Air Park. Therefore, he encouraged the residents to call the hotline number whenever they hear constant buzzing over their house.

Community Back to School Fun Day – Willie Cameron, 1915 Northwest 5th Way, Pompano Beach, FL 33060, stated that the Kendall Lakes Homeowners’ Association, the Broward Sheriff’s Office, the Kendall Green Homeowners’ Association, Pine Tree Park Association, the Darcy J. Foundation and the Northwest Friends of the Broward County Libraries would host the Twelfth Annual Community Back To School Fun Day.

Mr. Cameron reported that last year’s event was a huge success with the help of everyone to include the supporters, the volunteers, and the local community partners. They were able to host a fun filled day for an abundance of children from the surrounding neighborhoods. In addition, they handed out over 1,000 backpacks filled with school supplies, as well as a fun day of activities. Exhibitors, educational mentors and a live DJ from Dell Reckless also contributed to the activities.

Notwithstanding, Mr. Cameron indicated that they are planning to provide more children in the surrounding communities with back-pack filled with school supplies due to the partnership with the Broward Sheriff’s Office and other community departments. This event will take place on August 8, 2015 from 11:00 a.m. to 4:00 p.m. at the Apollo Park in Pompano Beach.



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<u>AUDIENCE TO BE HEARD – CONTINUED</u>				
<p>Mr. Cameron stated that to put on such an event, they rely on the partnering and donations from various supporters and community leaders. Therefore, they are asking for an in-kind donation, as well as financial support from the City of Pompano Beach similar to what they received last year. In fact, last year \$1,000 was awarded for this event and they are seeking the same amount if possible. Therefore, checks can be made payable to the Darcy J. Foundation Inc. or the Northwest Friends of Broward County Library Inc., and forwarded to P.O. Box 1437, Pompano Beach, FL 33061. Communication can also be done through their email: communityback2school@gmail.com</p>				
<p>Finally, Mr. Cameron thanked the City for supporting this community event over the past several years, as well as the commission's personal donations and BSO's crowd control support.</p>				
<p>Mayor Fisher thanked Mr. Cameron, his volunteers and supporters for the hard work and efforts they put into this event over the past twelve years. Therefore, he confirmed that they would receive the City's support in-kind, as well as financial support this year again. In fact, he hopes they can increase the backpacks from 1,000 to 1,500 this year.</p>				
<p><u>Water and Housing</u> – Tom Terwilliger, 3116 NW 1st Avenue, Pompano Beach, FL, complained that he continually hears small but dangerous news from various departments' reports. He said, individually the warnings have not set off any alarms, but if the information is put together, it will reflect a little different picture. For example, last month the Water Department gave a report that the maximum of water the City has allowed from the Florida Water Management Department is 17.6 million gallons per day, which could equate to 118 gallons of water per day per person.</p>				
<p>Additionally, the City's outside accountants reported that one out of seven residents of Pompano Beach is in some state of foreclosure, of which many of those homes are unoccupied and are likely not using any water. However, a resolution was adopted to allow a proposed housing development at the old mushroom farm to be replanted for low and very low income.</p>				



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CITY COMMISSION MEETING MINUTES APRIL 14, 2015

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AUDIENCE TO BE HEARD – CONTINUED

Finally, Mr. Terwilliger indicated that in the debate of the Waste Management contract, it was disclosed that the City pays a higher cost for waste disposal from multi-unit residences, because they are built as commercial waste and not as residential recycled waste. If all the information is put together, all the previously mentioned issues will likely contribute to push the City's tax base lower instead of upwards, while raising the City's monthly operational costs for the multi-family units. Therefore, if enough water is reserved, there will be water for about 4,400 new residences. However, the units under construction, which are unoccupied, must be approved, and then sufficient water must be deducted for the commercial development of the 48,500 square feet space.

Mr. Terwilliger indicated that if the City does not allocate more water as it continues to build, it would quickly approach the total consumption of allocated water by the District.

Comr. Phillips disagreed with Mr. Terwilliger forecasted statement on foreclosed units, and mentioned that he will further check into this information.

Pompano Piranhas License Agreement – Samantha Marcum, Splashes and Smiles Swim School, 3042 N. Federal Highway, Fort Lauderdale, FL 33306, stated that what the other cities are doing is not of any concern to her, however, she is concerned with the services that they provide for the City of Pompano Beach. She clarified that they are not a swim team and do not teach competitive swimming. In fact, their services are to save lives, which she explained in detail of some of the services they provide in this regard.

Additionally, Ms. Marcum indicated that she was confused why they were asked to leave, since they have been at the Aquatics Center for seven years and Mark Beaudreau, who had indicated to them "we need more programs like this", approved their program. In fact, they have never had an incident at the facility. In addition, they are instrumental in bringing families to the Center that would normally not be there, so they provide a community environment for the City.



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AUDIENCE TO BE HEARD – CONTINUED

Finally, Ms. Marcum requested that they be fairly re-heard in order to arrive at an agreement where this contract benefits the community.

Mayor Fisher reiterated that staff is working to resolve the issues involved with this matter.

Comr. Phillips questioned whether the Parks and Recreation Advisory Board heard this matter.

Mayor Fisher replied he is unsure; however, staff is working to resolve the issues.

Splashes and Smiles – Virginia Ramsay, 180 Cypress Club Drive, Pompano Beach, FL 33060, stated that the activities of a competitive swim team versus the services that Splashes and Smiles offers are very different. She said her ten-month-old grandson who is currently learning how to swim, after eight weeks of training with Splashes and Smiles, can now assist himself, if he fell in the water.

Additionally, she pointed out that Splashes & Smiles offers non-competitive training to children and provided an example of how a physically disabled child profited from his experience with Splashes and Smiles. Therefore, she asked the Commission not to take this resource and gift from the community of Pompano Beach. Furthermore, on behalf of the families with special needs children, she requested that the City allow Splashes and Smiles to remain the gift it has been to the community.

Juneteenth Blues and Sweet Potato Pie Festival – Willie Green, Friends of Northwest Library, 1580 Northwest 3rd Avenue, Pompano Beach, FL 33069, stated that the Friends of the Northwest Library, along with the group of people accompanying him at the podium are hardworking and dedicated people who have endeavored to put on the Juneteenth Blues and Sweet Potato Pie Festival. They have been doing this every year for the past fifteen years.



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AUDIENCE TO BE HEARD – CONTINUED

Furthermore, this year's festival in Pompano Beach is special, as it is in conjunction with the National Celebration of its One Hundred and Fiftieth year. It is the oldest African American holiday celebrated in the United States of America and while there will be partying, that is not the focus, but rather it is about the history and freedom. Mr. Green stated that Juneteenth represents the date that slavery ended. Moreover, the Festival is a family oriented, fun filled day, and they have solicited in the past all types of support from the City, to include commission members participating, which Comr. Dockswell did so one year, as well as Mayor Fisher has always contributed.

Finally, Mr. Green stated that they have enjoyed financial, as well as in-kind donation from the city. Therefore, they are reaching out again to solicit assistance this year and especially since this year, they will be celebrating, locally, fifteen years, as well as nationally, 150 years anniversary. In sum, they are looking for individual sponsors for certain events, and donations to meet their budget, which is not very large. Therefore, checks can be made payable to the Friends of the Northwest Branch Library.

Mayor Fisher noted that in the past the City has actually donated \$2,000 towards their budget.

Mr. Green indicated that they have submitted an application to solicit assistance with funding this significant event.

Comr. Phillips confirmed that the group would take another \$2,000 donation from the City this year.



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<p>CITY COMMISSION MEETING MINUTES APRIL 14, 2015</p> <p>PAGE 11</p> <p><u>CONSENT ITEMS</u></p> <p style="text-align: center;">TIME 00:50:34 ITEM 1</p> <p>Approval to purchase Goodyear tires as needed from The Goodyear Tire and Rubber Company (through its distributors) in the estimated annual amount of \$140,000 and Michelin tires as needed from Michelin North America, Inc. (through its distributors) in the estimated annual amount of \$40,000 from budgeted funds in the Motor Pool Operations, per the Florida Sheriffs' Association Bid #15/17-07-0220.</p> <p>RES. NO. 2015-248 TIME 00:50:34 ITEM 2</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 PURCHASE AGREEMENT FOR STATE TAX CREDITS BETWEEN THE CITY OF POMPANO BEACH AND DISH DBS CORPORATION; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: City will yield \$354,708.51)</p> <p>RES. NO. 2015-249 TIME 00:50:34 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 TRAINING SITE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND TOTALCARING HEALTH, EDUCATION & STAFFING, INC. TO PROVIDE SUPERVISION OF EMERGENCY ADVANCED CARDIAC LIFE SUPPORT TRAINING FOR POMPANO BEACH FIRE RESCUE; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$2,975 from budgeted funds)</p>				



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CONSENT ITEMS - CONTINUED

RES. NO. 2015-250 TIME 00:50:34 ITEM 4

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 7 IN THE AMOUNT OF \$78,500.00 FOR ENGINEERING DESIGN SERVICES FOR FLOW METER REPLACEMENT PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MCCAFFERTY BRINSON CONSULTING, LLC FOR WATER AND RECLAIMED WATER TREATMENT PLANT PROJECTS; PROVIDING AN EFFECTIVE DATE.

RES. NO. 2015-251 TIME 00:50:34 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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND PYROTECNICO FIREWORKS, INC. FOR A 4TH OF JULY FIREWORKS DISPLAY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$36,750)

RES. NO. 2015-... TIME 00:04:10 ITEM 6

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 DJP CONCESSIONS INC. TO OPERATE TWO CONCESSIONS AT COMMUNITY PARK; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: City will receive 7% of gross food sales and 10% of gross alcoholic beverage sales or minimum of \$200 per month, whichever is greater)



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CONSENT ITEMS - CONTINUED

MOTION: To table the item for thirty (30) days to go back to the Parks and Recreation Advisory Board.

VOICE VOTE

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

RES. NO. 2015-252

TIME 00:50:34

ITEM 7

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT BETWEEN THE CITY OF POMPANO BEACH AND PENN CREDIT CORPORATION RELATING TO SPECIALIZED DEBT COLLECTION SERVICES; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: Penn assesses a 17% collection fee, on a contingent basis, for non-legal referral accounts and 27% for litigation referral accounts, which is further passed on to the debtor)

RES. NO. 2015-253

TIME 00:50:52

ITEM 8

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA HOUSING FINANCE CORPORATION FOR HHF ADVISOR SERVICES FOR THE HFA HARDEST HIT FUND PRINCIPAL REDUCTION PROGRAM; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

The Resolution was read by title only.



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CITY COMMISSION MEETING MINUTES APRIL 14, 2015

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CONSENT ITEMS - CONTINUED

MOTION: To adopt Resolution No. 2015-253 on reading.

ROLL CALL

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

Comr. Phillips stated that this is an important endeavor; therefore, he wanted to know what triggers the use of these programs and who have been affected.

Mark Korman, Program Compliance Manager, Office of Housing and Urban Improvement (OHUI), stated that both the Hardest Hit and the Mortgage Reduction programs are state programs that the city acts in an advisory role. Therefore, persons who call in from any place within the Tri-County area of South Florida, who want to utilize the principal reduction programs or the Hardest Hit mortgage programs, are assigned to the City.

Additionally, Mr. Korman explained that the triggers for the programs are complex as it relates to the rules. However, it affects the people in distress because of the great recession. Notwithstanding, staff has provided reports on this prior, but he can provide it again to the commission.

Finally, Mr. Korman is unsure if the state will break out the report to show who received assistance, but he will inquire about it.



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CITY COMMISSION MEETING MINUTES APRIL 14, 2015

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CONSENT ITEMS - CONTINUED

RES. NO. 2015-254

TIME 00:53:19

ITEM 9

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA HOUSING FINANCE CORPORATION FOR HHF ADVISOR SERVICES FOR THE HFA HARDEST HIT FUND UNEMPLOYMENT MORTGAGE ASSISTANCE PROGRAM AND MORTGAGE LOAN REINSTATEMENT PROGRAM; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2015-254 on reading.

ROLL CALL

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

Comr. Phillips stated that the two programs wording and the significance of them are very important throughout the City, particularly in some hard hit areas, which is located in his district. Therefore, he is trying to get an understanding as to what triggers the programs and who are the people within the City that has benefitted from them in the past.

Mayor Fisher explained that he understands that a person has to pre-qualify and go through the process of completing an application, which is a very complex opportunity for those people, since this is a state approved program. Therefore, Mayor Fisher suggested that perhaps staff could get Comr. Phillips the criteria and list of qualifications.



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<p>CITY COMMISSION MEETING MINUTES APRIL 14, 2015</p> <p>PAGE 16</p> <p><u>CONSENT ITEMS - CONTINUED</u></p> <p>RES. NO. 2015-255 TIME 00:50:34 ITEM 10</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>EVELYNE "LYNNE" WARRICK</u> TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF VICE MAYOR CHARLOTTE BURRIE FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING COMMISSIONER; PROVIDING AN EFFECTIVE DATE.</p> <p>RES. NO. 2015-256 TIME 00:50:34 ITEM 11</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JEAN FLOM</u> TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER REX HARDIN, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.</p> <p>RES. NO. 2015-257 TIME 00:50:34 ITEM 12</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>ROBERT J. KINTCHEN, JR.</u> TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER ED PHILLIPS, WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.</p>				



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Names of Commrs.	M	S	V	V
			Y	N

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CONSENT ITEMS - CONTINUED

RES. NO. 2015-261

TIME 00: 50:34

ITEM 16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DECLARATION OF UNITY OF TITLE; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

RES. NO. 2015-262

TIME 00:50:34

ITEM 17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH PURSUANT TO CHAPTER 96 OF THE CITY'S CODE OF ORDINANCES, ASSESSING THE CITY'S COSTS FOR ABATING PUBLIC NUISANCE CONDITIONS ON REAL PROPERTY(IES) IN THE CITY AND PROVIDING THAT UPON THE RECORDING OF THIS RESOLUTION SAID ASSESSMENT, INCLUDING ADMINISTRATION AND INSPECTIONS COSTS, SHALL BE A LIEN AGAINST THE PROPERTY(IES) WHICH SHALL BEAR INTEREST AS SET FORTH IN SECTION 55.03, FLORIDA STATUTES, AND BE CO-EQUAL WITH LIENS OF AD VALOREM TAXES; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE RESOLUTION AND TO PROVIDE OWNER(S) WITH A NOTICE OF LIEN; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)



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<p>CITY COMMISSION MEETING MINUTES APRIL 14, 2015</p> <p>PAGE 19</p> <p><u>CONSENT ITEMS - CONTINUED</u></p> <p>RES. NO. 2015-263 TIME 00:50:34 ITEM 18</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 SIDEWALK EASEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DUKE REALTY LAND, LLC; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p> <p>TIME 00:50:34 ITEM 19</p> <p>Approval for Mary Chambers to transfer ownership and assignment of burial plots BRA#6237 Block 9, Lot 72, Plots 1, 2 and BRA #6238 Block 9, Lot 71, Plot 4 to the City of Pompano Beach. (Fiscal impact: \$2,550)</p> <p>RES. NO. 2015-264 TIME 00:50:34 ITEM 20</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE ANY NECESSARY CERTIFICATIONS NEEDED BY THE STATE; AUTHORIZING THE SUBMISSION OF THE LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; PROVIDING AN EFFECTIVE DATE.</p>				



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<u>CONSENT ITEMS - CONTINUED</u>				
RES. NO. 2015-265 TIME 00:50:34 ITEM 21				
<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 FLORIDA ATLANTIC UNIVERSITY BOARD OF TRUSTEES TO PROVIDE TRAINING SERVICES FOR PROJECT MANAGEMENT AND LEAN SIX SIGMA GREEN BELT CERTIFICATIONS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$108,664)</p>				
RES. NO. 2015-266 TIME 00:50:34 ITEM 22				
<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 TO RESOLVE PENDING FORECLOSURE LITIGATION BETWEEN THE CITY OF POMPANO BEACH, MARK A. MARASCO AND STEPHANIE K. MARASCO; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>				
TIME 00:50:34 ITEM 23				
<p>Approval of the ranking of RLI E-09-15 Design and Development Services for the McNab Road Bridge Replacement and authorize staff to negotiate a contract with the highest ranked firm, Lakdas/Yohalem Engineering. (No cost at this time)</p>				



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CONSENT ITEMS - CONTINUED

RES. NO. 2015-267

TIME 00:50:34

ITEM 24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF TO EXPEND UP TO \$10,000.00 IN CITY FUNDS TO PURCHASE AT TAX DEED SALE THE VACANT REAL PROPERTY IDENTIFIED BY FOLIO NO. 4843 07 04 0030 WHICH IS LOCATED CONTIGUOUS TO THE NORTHEAST CORNER OF HIGHLANDS PARK; PROVIDING AN EFFECTIVE DATE.

MOTION: To approve Items 1-7 and 10-24.

ROLL CALL

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

There was no discussion on Consent Items 1-7, and 10-24.

Prior to hearing Item 25, Mayor Fisher announced that the Commission would hear Item 31 at this time and after this item, he will recess the Regular City Commission meeting, go into the Pompano Beach Finance Corporation Special Meeting Agenda, and then reconvene for the remainder of items on the Regular City Commission Agenda.

REGULAR ITEMS

TIME 01:29:04

ITEM 25

Presentation of the Actuarial Valuation of the Pompano Beach Police and Firefighters' Retirement System as of October 1, 2014 for the fiscal and plan year of October 1, 2015 through September 30, 2016 by Actuary David D. Harris of The Nyhart Company, Inc.



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

David D. Harris, Nyhart Company, Inc., 2000 RiverEdge Parkway, Suite 900, Atlanta, GA 30328, actuaries for the Police and Firefighters' Retirement System, summarized the contribution requirements for the next fiscal year and provided some benchmarking information to the Plan.

Mr. Harris stated that the Annual Required Contribution for the Firefighters funded by the City is approximately \$4.1 million for this year, which is 33.6% of payroll a decrease of 1% of payroll from similar figures presented last year. The results of the increase are mainly yearly growth and some demographic changes in the Plan, as well as some interest component.

Additionally, for the Police Officers under BSO, the contribution requirement decreased by approximately \$3.9 million from last year. The Plan for the police officers has been closed since 1999, so there have been a diminishing number of active police officers who are enrolled in the Plan. Therefore, the dollar amounts will continue to decrease as the participation decreases in that Plan.

As a system, the overall dollar amount is \$8.1 million, which is very similar to last year's total contributions to the Plan. The percentage of payroll has been taken down slightly, and was mainly attributed to the good investment return the system experienced over the last fiscal year. In fact, the return on the assets brought the required contribution down over \$600,000.

Finally, Mr. Davis stated that he often looks at the funded ratio, which is the calculation of how the assets compared to total liabilities in the Plan, which he explained in detail. In sum, the System for Pompano Beach is on track and very similar to the rest of the State of Florida on how their Plans are funded as well.



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REGULAR ITEMS – CONTINUED

Mr. Davis informed the Commission that there are several different funded ratios that will be banded about perhaps by the media. There is a Government Accounting Standards Board (GASB) which does accounting for public pension plans have instituted new rules in which they want to see not only what the funded ratio would be at the 7-1/2% rate that Pompano Beach is using. In addition, to see what the funded rate would be using an interest rate 100 bases points lower or 100 bases points higher. Those numbers will range from 72% to as high as 86% interest driven and driven by the GASB that requires the use of the market value of assets instead of an actuarial or a smooth value of assets that they would use for funded purposes.

Mr. Davis reported that the State of Florida Senate Bill 534 passed last year has implemented a requirement where they are required to show funded ratios, not only using the funded rates but using an interest rate at 200 bases points lower, and also using a more conservative mortality table than is currently employed by Pompano Beach. Therefore, funded ratios are showing much lower, which is 56-1/2% at the rates.

Mr. Davis spoke on pending legislation of Senate Bill 242, which proposes that all funded Plans must use the mortality tables used by the Florida Retirement System (FRS). He said that while there are several different ones they have not directly look at the one that they would employ for Pompano Beach. Nevertheless, several years ago, they had conducted an extensive study, and determined if they used one of the tables that are being employed by the FRS, it would increase the total contribution to the Plan on an annual basis by approximately \$2 million and lower the funded ratio by six bases points. Therefore, the City could consider lobbying efforts to the legislation to either agree or disagree with their efforts to go through with this Bill.

Comr. Phillips questioned whether the amount of \$268,540,024, as stated on page 29, is the actual amount in the Plan.

Mr. Davis replied no, it is the value of the benefits that are currently in the Plan. On Page 1 of the report the actual amount is shown, the market value of the assets is currently \$212.4 million.



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<u>REGULAR ITEMS – CONTINUED</u>				
<p>Comr. Dockswell stated that on Page 52 of the backup, there is an amortization table of unfunded liability showing 2014-16, then there is a gap and it picks up at 2043, and requested a take away from that.</p> <p>Mr. Davis replied that the take away from this is a requirement under the Florida Statutes to provide what the amortization is going to be for the next three years and then what the final year amortization would fully be to run out the current schedule. He then explained in detail the things that could affect the calculations of the plan to include, the mortality rate, assumptions, and amendments to the Plan for the unfunded liability and the amortization over the years.</p> <p>Comr. Dockswell requested a list of Amortization of Unfunded Liability broken down yearly from 2017 through to 2043.</p> <p>MOTION: To accept the Report as presented.</p>				
<u>VOICE VOTE</u>				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	

P.H. 2015-49; ORD. NO. 2015-41 TIME 01:47:13 ITEM 26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CHEN MOORE AND ASSOCIATES, INC. FOR ENGINEERING SERVICES FOR AVONDALE STORMWATER IMPROVEMENT PROJECT; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$178,655)



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<u>REGULAR ITEMS - CONTINUED</u>				
The Ordinance was read by title only.				
MOTION: To adopt Ordinance No. 2015-41 upon second and final reading.				
<u>ROLL CALL</u>				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
Robert A. McCaughan, Public Works Director, stated this is a second reading requesting approval of a contract with Chen Moore and Associates, Inc. to accomplish a stormwater improvement project for Avondale at a total cost of \$178,655. The Commission previously approved the stormwater Master Plan and this was listed as Priority 4.				
P.H. 2015-50; ORD. NO. 2015-42 TIME 01:48:21 ITEM 27				
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GROUND LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FIRST BAPTIST CHURCH OF POMPANO BEACH, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$15,120 per year)				
The Ordinance was read by title only.				
MOTION: To adopt Ordinance No. 2015-42 upon second and final reading.				
<u>ROLL CALL</u>				
Dockswell			x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie		x	x	
Fisher			x	

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

Horacio Danovich, CIP Engineer, stated that this is the second reading of a lease agreement between the City of Pompano Beach and First Baptist Church of Pompano Beach to assist the City with expanding its capacity in Old Town Pompano. He said there would be 44 parking spaces on the west side and 82 on the east side of the parking lot, which staff recommends.

P.H. 2015-51; ORD. NO. 2015-43 TIME 01:49:21 ITEM 28

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE GROUND LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DIVITO ENTERPRISES LIMITED PARTNERSHIP; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$3,600 per year)

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2015-43 upon second and final reading.

ROLL CALL

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

Horacio Danovich, CIP Engineer, stated that this item pertains to a minor change in the existing lease agreement that the City executed with Divito Enterprises Limited regarding a parking lot behind Harbor Village. The change is to have payment of the lease to occur once a year rather than monthly.



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REGULAR ITEMS - CONTINUED

P.H. 2015-52; ORD. NO. 2015-44 TIME 01:50:17 ITEM 29

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 34.024, "ACCRUED BENEFITS;" TO COMPLY WITH RECENT CHANGES IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE FEDERATION OF PUBLIC EMPLOYEES AND THE CITY OF POMPANO BEACH FOR THE CONTRACT PERIOD BEGINNING OCTOBER 1, 2014 AND ENDING SEPTEMBER 30, 2017; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2015-44 upon second and final reading.

ROLL CALL

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

Michael Smith, Human Resources Director, stated that the item is to implement into the Code of Ordinances regarding the General Employees' Pension System a change made in the collective bargaining agreement with the Federation of Public Employees, which was ratified last January. Therefore, this will change the vesting period of the regular members of the Plan from ten (10) years to seven (7) years, at a cost of .05% of payroll.



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<u>REGULAR ITEMS - CONTINUED</u>				
P.H. 2015-53; ORD. NO. 2015-45 TIME 01:51:30 ITEM 30				
<p>AN ORDINANCE AMENDING CHAPTER 34, "CITY POLICY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 34.0571, "INTERNAL REVENUE CODE OF COMPLIANCE," TO PROVIDE FOR COMPLIANCE WITH THE INTERNAL REVENUE CODE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.</p> <p>The Ordinance was read by title only.</p> <p>MOTION: To adopt Ordinance No. 2015-45 upon second and final reading.</p>				
<u>ROLL CALL</u>				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips		X	X	
Burrie			X	
Fisher			X	

Michael Smith, Human Resources Director, indicated that recently the Internal Revenue Services issued a determination letter qualifying the City's Police and Fire Retirement System with the IRS Code. One recommendation they made is to adopt an ordinance, which will make wage differential payments pensionable for the Plan.

Additionally, this section of the IRS regulation deals with the individuals that are called to active duty, which does not happen very often, but in those situations, the City pays a differential from their military pay to what they were making as an employee; subsequently, that differential in pay is now made pensionable. While there is no actuarial impact, it will affect the contributions of the employees in that situation because they will have to contribute on that differential pay.



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

P.H. 2015-55; ORD. NO. 2015-...: TIME 00:55:30 ITEM 31

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA APPROVING THE FORM, AND AUTHORIZING THE EXECUTION OF, A GROUND LEASE; APPROVING THE FORM, AND AUTHORIZING THE EXECUTION OF A TRUST AGREEMENT TO PROVIDE FOR THE ISSUANCE OF NOT EXCEEDING \$24,000,000 IN AGGREGATE PRINCIPAL AMOUNT OF TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015, IN ADDITION TO COMPLETION CERTIFICATES AND REFUNDING CERTIFICATES; APPOINTING A FINANCIAL INSTITUTION TO SERVE AS TRUSTEE UNDER THE TRUST AGREEMENT; APPROVING THE FORMS, AND AUTHORIZING EXECUTION OF, A LEASE-PURCHASE AGREEMENT AND LEASE SCHEDULE TO THE LEASE-PURCHASE AGREEMENT TO REFLECT ISSUANCE OF THE TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015; APPROVING THE FORM OF AN ASSIGNMENT OF LEASES; AUTHORIZING THE NEGOTIATED SALE OF THE TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015 AND ESTABLISHING CERTAIN PARAMETERS OF SUCH SALE; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION OF A CERTIFICATE PURCHASE AGREEMENT, SUBJECT TO THE PARAMETERS SET FORTH HEREIN PERTAINING TO THE SALE OF TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015; AUTHORIZING OBTAINING A COMMITMENT FOR THE ISSUANCE OF A MUNICIPAL BOND INSURANCE POLICY AND/OR RESERVE ACCOUNT SURETY BOND SECURING THE TAXABLE CERTIFICATES OF PART-



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

ICIPATION (PARKING GARAGE PROJECT), SERIES 2015 AND THE EXECUTION OF RELATED AGREEMENTS WITH THE INSURER; APPROVING A FORM OF PRELIMINARY OFFERING STATEMENT AND AUTHORIZING EXECUTION AND DELIVERY OF A FINAL OFFERING STATEMENT; APPROVING THE FORM OF AND AUTHORIZING EXECUTION OF A CONTINUING DISCLOSURE CERTIFICATE; AUTHORIZING ALL REQUIRED ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

TO VIEW BACKUP TO THIS ITEM, PLEASE CLICK ON THE LINK BELOW.

www.pompanobeachfl.gov/copseries2015

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon First Reading.

ROLL CALL

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

Suzette Sible, Finance Director, stated that the special Counsel representing the City on the proposed issuance is requesting that each commissioner attest being in the Sunshine relative to discussion of this proposed financing item. Subsequently, she circulated the required Certificate for the commission members to sign.



City of Pompano Beach, Florida

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

Comr. Phillips indicated that he would be signing with great reservations, but with a preference. He said that he has observed that quite a number of creative financing is taking place and staff is working hard, which he does appreciate. However, he wanted those persons responsible for building this facility to understand that there are a number of large concrete companies in the City of Pompano Beach, and should consider hiring these people from Pompano Beach.

Mrs. Sible indicated that she was informed that they have heard the commissioner's concerns and on April 28, 2015, when the Guarantee Maximum Price (GMP) contract is brought to the commission for consideration that issue will be discussed with the commission.

Comr. Moss noted that the Ordinance refers to an aggregate principal amount not to exceed \$24,000,000, and asked if it has always been that amount.

Comr. Burrie indicated that she signed with a "J" in her signature, which was left out, and wanted to know if that will impact the Certificate.

Mrs. Sible replied that the special counsel had indicated that would not affect her signing the document.

Additionally, Mrs. Sible stated that the item is requesting authorization for the City to issue Taxable Certificates of Participation, Series 2015, in an aggregate principal amount not to exceed \$24,000,000, as well as requesting authorization for numerous related financing documents as to form. She then explained the "aggregate principal amount not to exceed \$24,000,000." In sum, this is to get the financing documents before the commission and get the process moving. However, on April 28, 2015, once the GMP contract is presented to the commission for approval, at that time, an actual amount to finance will be presented.

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<p>CITY COMMISSION MEETING MINUTES APRIL 14, 2015</p> <p>PAGE 32</p> <p><u>REGULAR ITEMS - CONTINUED</u></p> <p>Mrs. Sible indicated that at the April 28, 2015 meeting, Peter Flotz, the parking consultant, would be presenting the contract. At that time, they will rework the numbers, and the coverage parameters based on the final figure. She reiterated that the “not to exceed amount” is an established ceiling to avoid returning to the commission after April 28, 2015, to affect the beginning of the process in order to review the financing documents. In sum, it is a holding number within the documents, which will probably change after discussions at the April 28, 2015 meeting.</p> <p>In addition, Mrs. Sible then explained why the proposed number of \$24,000,000 is not final, and how certain terms and interest rate in the market place will configure in the decision on the final amount for financing.</p> <p>Furthermore, the proposed issuance will finance the construction of the Pier Parking Garage and related public improvements, namely design and construction of Pier Street east of A1A and related utilities associated with that project. The proposed financing mechanism is referred to as Certificates of Participation, which is a complicated financing structure. In addition, Mrs. Sible noted that she had provided a memorandum in the backup package explaining the structure in detail as to the core points of each financing document.</p> <p>Mrs. Sible indicated that the plans are to provide a source of repayment for the annual rental payments, which the parking garage revenues are projected to generate. The City has put into place several steps to accomplish its goal to include contracting with a consultant to prepare a formal Performa Demand study and revenue projections for the garage.</p> <p>Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, stated that the original agreement stated that the developers could pay for and operate the parking garage. However, the City as well as the Community Redevelopment Agency (CRA) decided that instead of the developer, the city would build the garage. He complained that there are other cities building garages that will cost far less than what the City of Pompano Beach is planning to spend for its parking garage.</p>				



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<u>REGULAR ITEMS - CONTINUED</u>				
<p>In conclusion, Mr. Terwilliger mentioned that should the commission vote for this item, they would have wasted \$16,000,000 of taxpayers' money, and explained in detail how this would occur. He concluded that this is a bad plan and the developers should pay for it not the taxpayers.</p>				
<p>Mayor Fisher requested Mr. Danovich, CRA/CIP Engineer to explain the cost factors, and the reasons why this item underwent a bid process.</p>				
<p>Horacio Danovich, explained that the project is not just building "a box", but rather it is building an "iconic box" which would put the City of Pompano Beach on the map in a special way. A structure with special design elements that go hand in hand with the theme created for the beach will be built. Therefore, the plan is to build a street similar to a Disney World street, so that people will come in and enjoy the area. Finally, prior to selecting Kaufman Lynn to do the design, the City had received prices from two other bid proposers that was higher.</p>				
<p>Vice Mayor Burrie added that aside from the materials, the other cities' parking garages do not have community centers in them, they do not have retail and all the other things that will be going into the City of Pompano Beach's parking garage on the beach.</p>				
<p>Mr. Danovich replied that is correct and elaborated on the size, and the plans to lease certain parts of the building for retail stores, as well for civic uses.</p>				
<p>James V. Santomassimo, 1115 West Cypress Drive, Pompano Beach, FL, 323069, said he did not realize that a contract was already approved for the development of the garage. He then inquired about the life expectancy of the garage, to which Mrs. Sibble replied 50 years.</p>				
<p>Additionally, Mr. Santomassimo wanted to know how the GMP was set and what is the status of the drawings.</p>				



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<p>CITY COMMISSION MEETING MINUTES APRIL 14, 2015</p> <p>PAGE 34</p> <p><u>REGULAR ITEMS - CONTINUED</u></p> <p>Mr. Danovich replied that the fixed GMP is defined based on plans that have already been submitted to the City for the Development Review Committee (DRC) Review and Engineering Plans that are at 60%, which is standard procedure. He said that a contractor usually presents a GMP at different levels of design and since this is a design build project, they are able to provide the cost of building the garage today. In fact, by the time the GMP appears before the commission the plans will be permitted.</p> <p>Mr. Santomassimo indicated that on previous GMP projects the City fixes the general conditions, as well as the project administration and asked if they will still be doing this.</p> <p>Mr. Danovich replied this is a design built so everything is included.</p> <p>Mr. Santomassimo entered into a debate regarding the GMP contract with Mr. Danovich.</p> <p>Additionally, Mr. Santomassimo questioned whether any leftover funds from the payoff of the Bond would go into the City's general fund.</p> <p>Mrs. Sibble replied that those extra funds, if leftover, would be utilized to pay down the resulting obligations.</p> <p>Mr. Santomassimo requested a copy of the contract through the City Clerk's Office.</p> <p>Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL, indicated that he likes the design of the garage. However, as the City moves forward, he urged the commission to ensure that the contractor, Kaufman Lynn, keep in mind to be inclusive, and to ensure that the project falls within the budget, as well as encourage the local people to participate.</p>				



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<p>CITY COMMISSION MEETING MINUTES APRIL 14, 2015</p> <p>PAGE 35</p> <p><u>REGULAR ITEMS - CONTINUED</u></p> <p>Shawn Lamson, 930 Harbor Drive, Pompano Beach, FL, complained that shockingly, he only just learned about the financing question for the parking garage to be discussed at tonight's meeting. In addition, he has been watching the streetscape improvements and while the progress made is good; however, a lot of progress is still needed. For example, some stores on Atlantic Boulevard and Briny Avenue have been vacant for at least one year.</p> <p>Mr. Lamson added that three years ago when the state experienced hurricane conditions, the end of the pier was damaged and has been closed since then. For a while, there have been several suggestions of renovating the pier, but to date nothing has been realized. Notwithstanding, the pier is dirty, unkempt and not safe as most of the lights are out.</p> <p>Finally, Mr. Lamson urged the commission to consider completing those older and necessary projects that started years ago, before starting new ones such as the garage.</p> <p>Mayor Fisher requested staff to provide a complete set of drawings to Mr. Lamson as to what is happening on the pier. He then outlined some of the plans the commission had approved to move forward with the pier renovation. In fact, he said that the current development would accomplish what has been in the renovation plans for that area, to include restaurants and retail stores. Finally, the commission has approved replacing the pier and moving forward to raise and widen it.</p> <p>Comr. Phillips is concerned with staffing for the Finance Department, as it appears that there will be a lot of work to keep track of the funds, and wondered if there are any plans to expand the Finance Department once these projects commences.</p> <p>Dennis W. Beach, City Manager replied that the City does not anticipate adding staff to Mrs. Sibble's department.</p> <p>Mayor Fisher, on behalf of the Commission, stated that the work that Mrs. Sibble and her staff have been able to accomplish is incredible.</p>				



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<u>REGULAR ITEMS - CONTINUED</u>				
Her knowledge and experience to be able to “wrap around the entire mechanism to make it happen is a credit to her leadership and staff”.				
Mrs. Sible added as well as her consultants.				
P.H. 2015-61; ORD. NO. 2015-....: TIME 01:53:05 ITEM 32				
AN ORDINANCE AMENDING CHAPTER 50, “WATER,” OF THE CITY OF POMpano BEACH CODE OF ORDINANCES BY AMENDING SECTION 50.06, “BILLING,” TO PROVIDE THE FINANCE DIRECTOR WITH AUTHORITY TO ISSUE REFUNDS TO WATER CUSTOMERS WHO WERE BILLED IN ERROR, WITH CONDITIONS; BY AMENDING CHAPTER 51, “WATER AND SEWERS,” BY AMENDING SECTION 51.06, “TIME AND METHOD OF PAYMENT,” TO PROVIDE SAID AUTHORITY FOR WASTEWATER REFUNDS ALSO; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact will vary based on nature and potential amounts of refund requests)				
The Ordinance was read by title only.				
MOTION: To approve the Ordinance upon First Reading.				
<u>ROLL CALL</u>				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
Suzette Sible, Finance Director, stated that currently this section of the City Code of Ordinances authorizes the Finance Director to adjust the customers’ bills. However, the City Attorney has interpreted it as not to include refunds. Therefore, this is to request the authority for the Finance Director to make those decisions in terms of refunds when an error is discovered in the billing of a customer’s account that is brought to the City’s attention.				



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REGULAR ITEMS - CONTINUED

P.H. 2015-56; ORD. NO. 2015-....: TIME 01:54:53 ITEM 33

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE BROWARD SHERIFF'S OFFICE AND CITY OF POMPANO BEACH ALLOWING FOR THE ADMINISTRATION OF THE COMMUNITY ORIENTED POLICING SERVICES HIRING (COPS) GRANT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon First Reading.

ROLL CALL

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

Ernesto Reyes, Budget Officer indicated that December 2014 staff presented a resolution for the acceptance of the Fiscal Year 2014 Community Oriented Policing Services (COPS) Hiring Grant. Therefore, this item is for a Memorandum of Understanding allowing for the administration of the grant.

P.H. 2015-57; ORD. NO. 2015-....: TIME 01:55:55 ITEM 34

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 SCHOOL CROSSING GUARD SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE BUTLER GROUP OF SOUTH FLORIDA, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$605,409)



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<u>REGULAR ITEMS - CONTINUED</u>				
The Ordinance was read by title only.				
MOTION: To approve the Ordinance upon First Reading.				
<u>ROLL CALL</u>				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

Mark Beaudreau, Recreation Programs Administrator, stated that this is a renewable agreement; therefore, an adjustment is necessary at this time.

Comr. Moss asked why the City is paying for the crossing guards if the schools come under the jurisdiction of the County.

Mr. Beaudreau replied that this matter falls under the local municipal government. In fact, the City of Oakland Park just had their agreement renewed.

Mayor Fisher noted that it is a similar reason to why the City must pay for the Resource Officers/Deputies.

P.H. 2015-60; ORD. NO. 2015-....: TIME 01:57:35 ITEM 35

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.



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MOTION: To approve the Ordinance upon First Reading.

ROLL CALL

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

Dennis W. Beach, City Manager, stated that the City is in the process of negotiating a new contract with the Broward Sheriff's Office (BSO) and have been engaged in those discussions for quite some time. Therefore, this amendment will allow the City to use the existing contract until September 30, 2015, by which time staff hopes to resolve some significant differences and the pension issues related to the BSO contract. Consequently, it is not right for public discussion at this time. Nevertheless, Mr. Beach hopes to have a solution to propose to the commission prior to the actual presentation at a formal meeting.

Comr. Phillips looks forward to the City Manager and staff's resolution of the issues in order to move forward with this matter.

RES. NO. 2015-268:

TIME 01:59:24

ITEM 36

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **THOMAS H. DIGIORGIO, SR.** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 8, 2017; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.



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MOTION: To adopt Resolution No. 2015-268 as read.				
<u>ROLL CALL</u>				
Dockswell			X	
Hardin		X	X	
Moss			X	
Phillips			X	
Burrie			X	
Fisher	X		X	
RES. NO. 2015-269: TIME 01:59:56 ITEM 37				
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JOHN A. PANCOAST</u> TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 8, 2017; PROVIDING AN EFFECTIVE DATE.				
The Resolution was read by title only.				
MOTION: To adopt Resolution No. 2015-269 as read.				
<u>ROLL CALL</u>				
Dockswell	X		X	
Hardin		X	X	
Moss			X	
Phillips			X	
Burrie			X	
Fisher			X	
RES. NO. 2015-270: TIME 02:00:28 ITEM 38				
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>WALTER SYREK</u> TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #2; SAID TERM TO EXPIRE ON FEBRUARY 8, 2016; PROVIDING AN EFFECTIVE DATE.				



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The Resolution was read by title only.				
MOTION: To adopt Resolution No. 2015-270 as read.				
<u>ROLL CALL</u>				
Dockswell			X	
Hardin		X	X	
Moss			X	
Phillips			X	
Burrie	X		X	
Fisher			X	
There was no discussion on this item.				
<u>REPORTS</u>				
<u>City Manager</u> – No Report.				
<u>City Attorney</u> – No Report.				
<u>City Clerk</u> – No Report.				
<u>Commissioner Barry J. Dockswell – Consideration of a Local Activity Center (LAC)</u> – Comr. Dockswell stated that the City’s redevelopment efforts to date, have been successful causing Pompano Beach to be the “hot spot” for deals and construction projects that are all over town, which is for the good of the City. However, now that the City has launched the redevelopment, the next step is to steer a course for the future.				
Additionally, Comr. Dockswell indicated that many people are surprised at the congestion that was experienced this tourist season, which was happening prior to making major strides in bringing more restaurants, retail, the pier project and so forth to the City. The Atlantic Boulevard corridor does have the AOD to assist with the development.				



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Nevertheless, Comr. Dockswell thinks it is time to do a “big picture” study that looks at the entitlements of property owners, the projected traffic for now and the future, as well as the parking issues. Actually, this was all started with the massing analysis done by the CRA. However, it is time to reconsider that and make every effort to understand the City’s capacities and to make sure there is an alignment between the densities and the intensities that are forthcoming.

Subsequently, Comr. Dockswell is asking for commission support for the City to apply for a Local Activity Center (LAC), which he is aware was a controversial topic some years ago. However, if a study is done and the City understand the capacities, the densities and intensities, this would lead us to determine where we would put mixed use and dwelling units that we would want available to us. He said the commission could be much better at showing leadership and making it clear to developers what the City is looking for and to property owners what it is trying to achieve. Thus, the City would have the ability to allow the dwelling units in the right areas much better than is currently being done.

Mayor Fisher asked if Comr. Dockswell’s request is to have staff to do some analysis of massing, parking, traffic entitlements as well as with the knowledge and understanding that it might lead to a Local Activity Center, if there is a clear picture on how to steer this thing.

Comr. Dockswell thinks the Barrier Island should be kept separate from the Atlantic Boulevard Corridor. Therefore, staff needs to flush out where they want to do it. The Atlantic Overlay District (AOD) is one area that they need to look at, because there were things done in the AOD to encourage density and intensity. Therefore, now that people are interested in Pompano Beach, there is a need to look at it again. Consequently, Atlantic Boulevard and Federal Highway and AOD west of the Intercostal are one focus area.



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Additionally, a separate study should be done of “AIA up and down because there is a Barrier Island and there are only a couple of bridges that connect to it. The image of Pompano Beach is coming on strong, the City is getting large proposals on the beach and there are concerns in the community as to what this will do to AIA and over what time period.

Finally, Comr. Dockswell indicated that there are two separate things, one is the Atlantic Federal AOD area and the other is the Barrier Island AIA area, which are his concerns.

Comr. Moss pointed out that there will be 904 residences on Atlantic Boulevard across from Palm Aire with another 2,000 people so that certainly this is something that needs to be looked into as well.

Vice Mayor Burrie agreed with Comr. Dockswell, but it is not just the areas on Atlantic Boulevard and the beach area. Things are also moving fast up north. Therefore, she suggested that the City consider the AOD’s of 9 x 18 parking spaces to have these done citywide. So, if the Commission is going to look at which way the city is going and realizes the concentration is on the Barrier Island, on Atlantic Boulevard and on MLK, but Federal Highway is also moving. Therefore, we need to look at the City as a whole, because she continues to get some “nasty” phone calls.

Mayor Fisher indicated that there is a consensus among the commission to have staff move forward to commence the studies to see whether the City will need LAC’s and so forth, citywide.

Dennis W. Beach, City Manager indicated that he will bring this back to the Commission for further assessment on the scope of it and move it forward.

Comr. Hardin wanted to ensure there will be coordination between CRA and city staff.



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Comr. Phillips wanted to know if the Metropolitan Planning Organization (MPO) would have projections of people in the areas. Perhaps, the City could have these entities to feed into the City's information source. Therefore, it is wise to do this at this juncture, because the City is developing quite rapidly.

Commissioner Rex Hardin – No Report

Commissioner Barry Moss – Student Government Day – Comr. Moss stated that he totally enjoyed the Student Government Day and this was a first time experience for him. It was refreshing to see such bright and enthusiastic students doing such a good job.

Commissioner Edward Phillips – Update on the Sidewalk Program – Comr. Phillips requested and update on the sidewalk program for the Kendall Green area.

Dennis W. Beach, City Manager, replied that staff has reviewed the existing plan as it relates to Kendall Green and will be scheduling meetings with the Homeowners' President of Kendall Green to discuss this matter further.

Barriers on Northwest 15th Street – Comr. Phillips stated that some weeks ago, there was a meeting at the E. Pat Larkins Center and a citizen complained about the big tractor-trailers blocking the roadways in their attempt to turnaround on Northwest 15th Street. However, the City responded by setting up some barriers to ensure that this would not happen. Therefore, he expressed his appreciation for doing this. Moreover, he wanted to point out that the City is responding to the residents' concern.

Broward Sheriff's Office (BSO) Meeting on Flakka – Comr. Phillips thanked BSO and the resources they may have provided along with the City for the meeting on Saturday regarding Flakka, which is a designer drug affecting every area of the City. The City with the assistance of BSO, have been proactive in getting out information on this hopeless, cheap drug that will cause problems for everyone. Therefore, he commended the BSO and the City for being proactive on this matter.



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Vice Mayor Charlotte J. Burrie – Commission Ethics Hours – Vice Mayor Burrie asked if the rest of the commission completed their Ethics hours, to which most replied no. She indicated that she has four hours to complete and asked if the commission would direct the City Attorney to coordinate the training for some ethics hours.

Gordon B. Linn, City Attorney will explore having a live lecture or some other kind of material so that the mayor and commissioners can meet their required four hours ethics training.

Mayor Fisher asked about the two additional hours that the State is requiring of elected officials, and can those two hours be absorbed in the 8 hours.

Mr. Linn replied it is for some of that. In fact, for some it includes more and maybe he can discuss it or send out a Memo, which is more than just ethics.

Mayor Fisher wanted to know if that is the additional hours the elected officials must obtain.

Mr. Linn replied yes. He had provided a memo on this, and indicated that there is an overlap.

Comr. Hardin asked could they not utilize the states required two hours in combination to comply with the required hours by the County.

Broward Sheriff's Office Program on Flakka Drug – Vice Mayor Burrie echoed Comr. Phillips previous comments on the "Flakka" drug and declared that it is a bad drug. Therefore, she thanked the Broward Sheriff's Office for a well-run program that they provided.

Mayor Lamar P. Fisher – Election Issues – Mayor Fisher stated that after the November elections the Commission had a Workshop to discuss the election cycles and other election issues. Notwithstanding, he understands that the Presidential Primary has been set for March 15, 2016. However, there was a time that City Attorney Linn, had feedback from the State. Therefore, Mayor Fisher asked if that would provide the City Commission with the ability to move the City's 2016 November election to the Presidential Primary of March 15, 2016.



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Comr. Phillips understands that the Presidential Primary will attract a larger voting turnout; therefore, he would support it. This will not pollute or dilute the attention given to the City Commission.

Vice Mayor Burrie asked if it would cut the commissioners' terms short.

Mayor Fisher replied yes. However, as discussed at the Workshop, it would not be in the mix again as a November election issue.

Comr. Dockswell recalled that the commission discussed briefly about backtracking and moving the election off the November schedule, but they had decided not to do that. Nevertheless, there are terms that will timeout on the November election dates. He understood that at the presidential primary, in the event there is a need to bring forth any city charter amendments, it could be done at this time.

Mayor Fisher responded that he understood otherwise.

Comr. Dockswell indicated the concern was that all six-commission members could be replaced on one day in November 2016 and every four years thereafter, which is a negative to the plan that they are currently on. Therefore, to solve that negative without paying an enormous amount, it would be to extend the commissioners terms to four years and then the City could stagger the terms every two years, which it would be able to replace half the commission. Since they are unsure, the public would be receptive to extending the commissioner terms like that. Therefore, the City would have the opportunity to take this question to the presidential primary election schedule, if appropriate.

Mayor Fisher concluded that he misunderstood.

Gordon Linn stated that the commission directed staff to resurrect the Charter Amendment Board, so feedback from the members should be forthcoming. However, there has been some difficulty in trying to get the Board members to meet.



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Asceleta Hammond, City Clerk confirmed that is correct. She said the members are having conflicting times to meet and no mutually agreeable time frame has been established to date. Nevertheless, they are now looking at a meeting date in May.

Comr. Hardin recalls that part of the discussion at the Workshop, which City Attorney Linn addressed this, is to change the qualifying date, which is not allowed. However, the question to be placed on a ballot is do we want to have four year staggered terms.

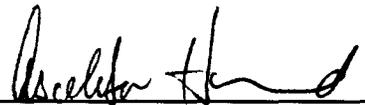
Appreciation to BSO on Flakka Program – Mayor Fisher thanked Captain Wayne Adkins of BSO for the Flakka information. He said it was enlightening to see the videos of how individuals react to this incredible nasty drug. Finally, he said anything that the Commission could do to assist in this regard let them know.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:18 P.M.



LAMAR FISHER, MAYOR



ASCELETA HAMMOND, CITY CLERK