



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2015-19

Date: May 26, 2015

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<p><u>Homeless Issue</u> – Kelvin Graham, 348 Northwest 30th Avenue, Pompano Beach, FL 33069</p>			6



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<p><u>CONSENT AGENDA</u></p>			
<p>Approve ranking order for RLI E-31-15 Continuing Contract for Civil Engineering Services for Various City Projects, and authorize staff to negotiate contracts with the seven highest ranked firms: Mathews Consultants, R. J. Behar & Company Inc., Kimley-Horn, Craig A. Smith & Associates, Craven Thompson & Associates Inc., Munson Design & Consulting, and Keith & Associates. (No cost at this time)</p>			6-8
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT APPLICATION IN AN AMOUNT OF UP TO \$25,000 TO THE FLORIDA DIVISION OF CULTURAL AFFAIRS FOR THE PURPOSE OF OBTAINING FUNDS FOR INNOVATIVE PROGRAMMING AT THE NEW POMPANO BEACH CULTURAL CENTER; AND CONFIRMING THE CITY'S CONTRIBUTION OF \$25,000; AND IF AWARDED, AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$25,000 matching funds from Working Capital Reserves)</p>		2015-308	8
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR A 12-INCH WATER MAIN RELOCATION AND 8-INCH GRAVITY SEWER REPLACEMENT BETWEEN THE CITY OF POMPANO BEACH AND MADSEN/BARR CORPORATION; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$76,283)</p>		2015-309	9
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DP DEVELOPMENT OF THE TREASURE COAST, LLC; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$183,375)</p>		2015-310	9



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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 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>		2015-311	9
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RECIPROCAL USE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE. (No cost at this time)</p>		2015-312	10
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND GARLAND/DBS, INC. FOR THE ROOF AND HVAC UNIT REPLACEMENT TO THE ALSDORF BOAT RAMP MARINE/RESTROOM BUILDING LOCATED AT 2974 NE 14TH STREET; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$29,820)</p>		2015-313	10
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT APPLICATION FOR THE 2017 SMALL MATCHING GRANT WITH THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF HISTORIC RESOURCES AND TO PROVIDE MATCHING FUNDS IN THE AMOUNT OF \$50,000; PROVIDING AN EFFECTIVE DATE. (To be funded from previously budgeted CIP projects)</p>		2015-314	11-12



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<p><u>REGULAR AGENDA</u></p>			
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE SUBMITTAL OF A TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY GRANT (TIGER) PROPOSAL BY THE METROPOLITAN PLANNING AGENCY (MPO) TO THE U.S. DEPARTMENT OF TRANSPORTATION WHEREIN THE CITY OF POMPANO BEACH WILL BE RESPONSIBLE FOR ENHANCEMENTS TO MARTIN LUTHER KING JR. BOULEVARD (HAMMONDVILLE ROAD) FROM POWERLINE ROAD (SR 845) TO I-95 IN THE SUM OF \$3,500,000.00; PROVIDING AN EFFECTIVE DATE.</p>		2015-315	13-19
<p>AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING NORTH OF FAIRWAY DRIVE AND WEST OF NW 30TH AVENUE FROM B-3 (GENERAL BUSINESS) TO B-4 (HEAVY BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>	2015-54		19-21
<p>AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING THE PROPERTY LYING SOUTH OF SW 3RD STREET (POMPANO PARK PLACE) AND WEST OF SOUTH DIXIE HIGHWAY (S.R. 811) FROM B-3 (GENERAL BUSINESS) TO LAC (LOCAL ACTIVITY CENTER); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>	2015-55		21-22
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT FOR CODE COMPLIANCE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CALVIN, GIORDANO & ASSOCIATES, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$22,470)</p>	2015-56		22-23



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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 BETWEEN THE CITY OF POMPANO BEACH AND WINDSTREAM COMMUNICATIONS, INC. FOR TELECOMMUNICATION AND RELATED SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$70,000 per year for a five year period)</p>			23-24
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE HABITAT FOR HUMANITY, BROWARD, INC. REQUEST LOCATED AT THE SW CORNER OF NW 15TH STREET AND NW 6TH AVENUE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON APRIL 22, 2015; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.</p>			24-25
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE HABITAT FOR HUMANITY, BROWARD, INC. REQUEST LOCATED ALONG NW 1ST STREET, EAST AND WEST OF 28TH AVENUE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON APRIL 22, 2015; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.</p>			25-27
<p>AN ORDINANCE 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 LS EVENTS LLC FOR THE BRAZILIAN FESTIVAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: In-Kind Services of \$14,506.58 (no rain date) or \$19,520.41 (rain date) and payment to BSO for law enforcement services - \$5,971 (no rain date) or \$6,415 (rain date) from Special Services Account)</p>			28-29



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<p><u>REGULAR AGENDA - CONTINUED</u></p>			
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING SURPLUS AND EXPRESSING THE DESIRE OF THE CITY OF POMPANO BEACH TO SELL A CERTAIN PARCEL OF REAL PROPERTY APPROXIMATELY 5,837 SQUARE FEET IN SIZE LOCATED AT THE TERMINUS OF NE 9TH COURT AND APPROXIMATELY 100 FEET EAST OF NE 12TH AVENUE, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.</p>		2015-316	29-30
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JOAN KOVAC</u> TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF THE CITY COMMISSION, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 1, 2018; PROVIDING AN EFFECTIVE DATE.</p>		2015-317	30
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>TOBI AYCOCK</u> TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS ALTERNATE 1, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 1, 2018; PROVIDING AN EFFECTIVE DATE.</p>		2015-318	31
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>WALTER SYREK</u> TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS ALTERNATE 2, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 1, 2018; PROVIDING AN EFFECTIVE DATE.</p>		2015-319	31-32
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>CHARLES H. BECHERT, III</u> TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS ALTERNATE 3, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 1, 2018; PROVIDING AN EFFECTIVE DATE.</p>		2015-320	32-33



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<p><u>REGULAR AGENDA - CONTINUED</u></p>			
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JAMEESHA BERNADIN</u> TO THE EMPLOYEES BOARD OF APPEALS OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF SAM WEINSTOCK; SAID TERM TO EXPIRE ON MARCH 6, 2020; PROVIDING AN EFFECTIVE DATE.</p>		2015-321	33
<p><u>REPORTS</u></p>			
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<p><u>City Attorney</u> – No Report.</p>			33
<p><u>City Clerk</u> – No Report.</p>			33
<p><u>Commissioner Barry J. Dockswell</u> – No Report.</p>			33
<p><u>Commissioner Rex Hardin</u> – Memorial Day Services</p>			34
<p>Homeless</p>			34-35
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<p><u>Commissioner Barry Moss</u> – No Report.</p>			35
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<p>Nuisance Abatement Board</p>			35-37
<p><u>Vice Mayor Charlotte Burrie</u> – No Report.</p>			37
<p><u>Mayor Lamar P. Fisher</u> – No Report.</p>			37
<p><u>ADJOURNMENT</u></p>			37

CITY OF POMPANO BEACH, FLORIDA

REGULAR CITY COMMISSION MINUTES

Agenda No. 2015-19

Date: May 26, 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:

Apostle S. Constancia Daley,
Rhema Word Ministries International

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

Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES MAY 26, 2015

PAGE 2

SPECIAL PRESENTATIONS – CONTINUED

of four years of rigorous study. Included in the program is the requirement to write four research projects which Mr. Rossi wrote four acquiring a 4.0 grade point on two and 3.89 on the other two. In fact, he was nationally recognized through the industry for one of his research projects for prevention of children locked in vehicles, which is called, "No Child Locked Inside." Since then, other fire departments throughout the country regularly calls Mr. Rossi to find out about the project.

Mr. Rossi thanked Chief Jurgle for the opportunity to participate in an innovative and enlightening program as this one.

Nick Creola Heroes in the Community Award

Mayor Fisher invited Recreation Programs Administrator Mark Beaudreau and Rafael Katz, Chairman of the Parks and Recreation Advisory Board, as well as James Santomassimo and his wife for the presentation of the annual award to James Santomassimo. Additionally, Mayor Fisher indicated that this is a special award given every year by the Parks and Recreation Advisory Board.

Mark Beaudreau, Recreation Programs Administrator stated that every year the Parks and Recreation Advisory Board presents the Nick Creola Heroes in the Community Award. Mr. Santomassimo, recipient of the award was out of the country when this would have been normally done at the Volunteers' luncheon in April. Therefore, it was fitting to do the presentation at the Commission meeting.

Rafael Katz, Chairman of the Parks and Recreation Advisory Board provided a brief history of the Nick Creola Heroes in the Community Award. This award is presented to those volunteers that go beyond the call of duty to assist the community.

Names of Commrs.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 3</p> <p><u>SPECIAL PRESENTATIONS – CONTINUED</u></p> <p>James Santomassimo indicated that he is honored to receive the award because he worked closely with Nick Creola who was an extraordinary individual. He thanked the Parks and Recreation Advisory Board for their support during the time of his service, and he thanked the City Commission.</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 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>Pompano Beach Memorial Day Service</u> – Joe Barcheski, 2941 Northeast 23rd Street, Pompano Beach, FL 33062, stated that for years he and his wife have attended the Memorial Day Services at the cemetery. This year he went to the City’s website but could not find any information on Memorial Day. Instead, he found a listing of an event to take place at the cemetery at 11:00 a.m., which was listed as “Patriotic Family Day.” He questioned who authorized the change of Memorial Day name, which is a federal holiday held the last Monday of every May. Originally, it was called, “Decoration Day” but was subsequently changed to Memorial Day.</p> <p>Mayor Fisher indicated that he researched the information to see who authorized the name change but was unsuccessful in getting an answer for Mr. Barcheski. Nevertheless, staff will ensure this does not happen again. Besides, Memorial Day was a great event at both the Westview and Pompano Beach cemeteries. Therefore, he directed City Manager Beach to get the answer on the name change to the commission as well as to Mr. Barcheski.</p>					

CITY COMMISSION MEETING MINUTES MAY 26, 2015

PAGE 3

SPECIAL PRESENTATIONS – CONTINUED

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Pompano Beach Memorial Day Service – Joe Barcheski, 2941 Northeast 23rd Street, Pompano Beach, FL 33062, stated that for years he and his wife have attended the Memorial Day Services at the cemetery. This year he went to the City’s website but could not find any information on Memorial Day. Instead, he found a listing of an event to take place at the cemetery at 11:00 a.m., which was listed as “Patriotic Family Day.” He questioned who authorized the change of Memorial Day name, which is a federal holiday held the last Monday of every May. Originally, it was called, “Decoration Day” but was subsequently changed to Memorial Day.

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<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 4</p> <p><u>AUDIENCE TO BE HEARD – CONTINUED</u></p> <p><u>Blanche Ely Scholarship</u> – Liz Smith, 704 Northwest 3rd Avenue, Pompano Beach, FL 33060, expressed concerns regarding a City employee. She indicated that she as well as her daughter applied for the City’s 2015 scholarship. However, Pamela Currie treated her as if she was doing something wrong by applying for the scholarship. She felt this employee acted inappropriately. She said some people have complained about the attitudes of the staff when applying for the scholarship. In fact, she felt so frustrated with the behavior that she wanted to back out of the scholarship. While her daughter did receive some funding, which she thanked the City for the scholarship; nevertheless, she wanted to bring this matter to the City Commission’s attention.</p> <p>Mayor Fisher indicated that the commission does not get involved with personnel matters; however, the City Manager will investigate the matter.</p> <p>Comr. Phillips stated that he had heard a number of similar complaints regarding that particular department, in terms of how they respond to the public. Therefore, he suggested that the person in charge of the department might need some training on how to deal with the public.</p> <p><u>Memorial Day Services</u> – Joseph Ryan, 427 Northeast 24th Avenue, Pompano Beach, Florida 33062, said he attended the Memorial Service as he has been doing for years. There were more people in the parade than there were as spectators, which is sad.</p> <p><u>Leadership in the City</u> – Mr. Ryan complained that more leadership is required to straighten out problems such as the Memorial Day Service issues. The need to act with precisions is necessary to make decisions regarding Code Enforcement, Homeless, the Police Department, the Fire Department and especially the Public Works Department.</p> <p>Additionally, Mr. Ryan complained that they are planting trees, grass, and lawn all over the city. In addition, millions of dollars are spent on fences and toilets.</p>					

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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AUDIENCE TO BE HEARD – CONTINUED

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Leadership in the City – Mr. Ryan complained that more leadership is required to straighten out problems such as the Memorial Day Service issues. The need to act with precisions is necessary to make decisions regarding Code Enforcement, Homeless, the Police Department, the Fire Department and especially the Public Works Department.

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City of Pompano Beach, Florida

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<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 5</p> <p><u>AUDIENCE TO BE HEARD – CONTINUED</u></p> <p>Finally, he opined that the Chamber of Commerce is just using the City. Nevertheless, he is disappointed to see so many empty stores and storefronts on Atlantic Boulevard and other places in the City.</p> <p><u>Federal Aviation Administration (FAA)</u> – Mr. Ryan alleged that the FAA wants to be taken over by the Whitehouse. Therefore, he hopes the people will call their Representatives, Senators, Congressmen, and the Airlines to voice their objection of this action .</p> <p><u>Pompano Beach Song</u> – Bill “Clancy” Jaycox, 2841 Northwest 4th Avenue, Pompano Beach, FL, stated that in March 2009 Vice Mayor Burrie was instrumental in getting the commission to vote for the Pompano Beach Song to be used by the City. This was selected as the official song of the city. However, since his last meeting with the commission at the invitation of the Pompano Harness Track, they accepted the song very well. Therefore, with the usage of the composition, he received permission from the Goodyear Blimp management, as well as the Harness Track to use part of the lyrics.</p> <p>Mr. Jaycox stated that the purpose of his visit to the meeting is to decide whether he should throw the music out now or perhaps the City may still be interested to assist him in the reproducing of the CD’s. Currently, he is making 50 at any one time, which is not cost effective for him. In fact, the City printed 1,000 CD’s and he printed 1,000 also for the same amount of \$1,500. However, at Christmas time during the parade the CD’s were given out to the visitors.</p> <p>Finally, Mr. Jaycox thanked Vice Mayor Burrie for starting this venture. He indicated that he met with Margaret Wilesmith who likes the song, but is only responsible for the branding. Therefore, he is trying to find a talented person. Nevertheless, Ms. Wilesmith, indicated that she will need further approval from the commission, so, he is appealing to the commission for assistance.</p> <p>Mayor Fisher indicated that City Manager Beach would look into the matter with Ms. Wilesmith. He also thanked him for his services over the years.</p>				

CITY COMMISSION MEETING MINUTES MAY 26, 2015

PAGE 5

AUDIENCE TO BE HEARD – CONTINUED

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Federal Aviation Administration (FAA) – Mr. Ryan alleged that the FAA wants to be taken over by the Whitehouse. Therefore, he hopes the people will call their Representatives, Senators, Congressmen, and the Airlines to voice their objection of this action .

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Mayor Fisher indicated that City Manager Beach would look into the matter with Ms. Wilesmith. He also thanked him for his services over the years.

Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 7</p> <p><u>CONSENT ITEMS – CONTINUED</u></p> <p>Comr. Phillips pulled the item for discussion on the point system used and inquired why Keith and Associates ranking appears most times to be very low. He noted that Keith and Associates was part of laying the foundation for the facilitation of the East CRA. Therefore, if they did such a good job during that time, why does their point system appear to be lower and is now showing differently as to what they can do. Therefore, Comr. Phillips asked for an explanation for this.</p> <p>Robert A. McCaughan, Public Works Director, noted that he was not part of the committee that reviewed the proposals; however, looking at the weighted factor, a significant amount of weighting goes into previous projects and experiences. Moreover, all the scoring reflects a very close range. Keith and Associates ended up with the same score as No. 6, Munson Design & Consulting. In fact, even though they were ranked as No. 7, their score is not much different from the No. 1 ranked firm, Mathews Consultants.</p> <p>Comr. Phillips pointed out that this is indicative of staff's initiative for preference or point system for businesses that are located in the City and should be activated and given attention. He reiterated that Keith and Associates has done a significant amount of work over the years with the City. Therefore, he is concerned about the point system used to evaluate and subsequently determined and awarded to firms.</p> <p>Comr. Dockswell clarified that Keith and Associates was part of the top six/seven firms awarded.</p> <p>Comr. Phillips said that he is concerned with how the point system is awarded to achieve the ranking.</p> <p>Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL, shares some of the same concerns that Comr. Phillips expressed. He inquired why the City does not have any type of program in place to ask some of the procurement firms to accommodate interns from the City's local high schools. He reasoned that several engineering firms should be able to take on local apprentices/interns especially considering the amount of monies they have earned on city projects.</p>				

Names of Commrs.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 8</p> <p><u>CONSENT ITEMS – CONTINUED</u></p> <p>Finally, Mr. Thrower asked if staff could provide a list of firms and the dollar amounts they have received as compensation for services rendered over the past several years.</p> <p>Mayor Fisher suggested that this information could be received through a public records request. Nevertheless, he reminded Mr. Thrower that this item is to approve the ranking of the firms.</p> <p>Comr. Phillips stated that the City is responding indirectly because staff is looking at something called a community benefit component, but it is in an exploratory stage.</p> <p>RES. NO. 2015-308: TIME 00:26:34 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 SUBMIT A GRANT APPLICATION IN AN AMOUNT OF UP TO \$25,000 TO THE FLORIDA DIVISION OF CULTURAL AFFAIRS FOR THE PURPOSE OF OBTAINING FUNDS FOR INNOVATIVE PROGRAMMING AT THE NEW POMPANO BEACH CULTURAL CENTER; AND CONFIRMING THE CITY'S CONTRIBUTION OF \$25,000; AND IF AWARDED, AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$25,000 matching funds from Working Capital Reserves)</p>					

Names of Comms.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 9</p> <p><u>CONSENT ITEMS – CONTINUED</u></p> <p>RES. NO. 2015-309: TIME 00:26:34 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 AN AGREEMENT FOR A 12-INCH WATER MAIN RELOCATION AND 8-INCH GRAVITY SEWER REPLACEMENT BETWEEN THE CITY OF POMPANO BEACH AND MADSEN/BARR CORPORATION; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$76,283)</p> <p>RES. NO. 2015-310: TIME 00:26:34 ITEM 4</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DP DEVELOPMENT OF THE TREASURE COAST, LLC; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$183,375)</p> <p>RES. NO. 2015-311: TIME 00:26:34 ITEM 5</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND 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>				



City of Pompano Beach, Florida

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

RES. NO. 2015-314: TIME 00:33:12 ITEM 8

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT APPLICATION FOR THE 2017 SMALL MATCHING GRANT WITH THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF HISTORIC RESOURCES AND TO PROVIDE MATCHING FUNDS IN THE AMOUNT OF \$50,000; PROVIDING AN EFFECTIVE DATE. (To be funded from previously budgeted CIP projects)

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2015-314 upon reading.

ROLL CALL

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

Comr. Phillips stated that he is proud of the City of Pompano Beach taking this initiative, which is important to the community. He stated that both Dr. Harvey and Emma Ellington are living pioneers of the City. Therefore, he recommended that they be allowed to say a few words on this important initiative.

Mayor Fisher noted that the Commission decided several years ago to take over the subject property from the current Board to ensure that those artifacts and the house are in great shape.

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 12</p> <p><u>CONSENT ITEMS – CONTINUED</u></p> <p>Dr. Eunice Casen Harvey, stated that she grew up and lived at 429 Northwest 6th Avenue, Pompano Beach. She provided a brief history on the Afro-Americans that settled in the Florida-Pompano Beach region from the 1920's to 1950's to include her family members. She said the land in Pompano Beach was undeveloped when her family arrived and they helped to build the area.</p> <p>Additionally, when she was six years old she started out at the Blanche Ely School, which at the time was called the Pompano Colored School. Blanche Ely came to Pompano Beach in 1923, who was the teacher and principal of the school then. Both Blanche and Joseph Ely assisted in establishing schooling for the Afro- American children in the Broward County area. Therefore, it is important to renovate the Ely's home for historical purposes for not only Afro-Americans but also other members of the Pompano Beach Community.</p> <p>Emma Ellington, 137 Northwest 15th Street, Pompano Beach, FL, stated that the information kept in the home of Blanche and Professor Joseph Ely is very important to the community. There is a story to tell and part of the history is within the Blanche Ely house, to include the artifacts. Therefore, it is beneficial to do whatever is necessary to preserve the home and perhaps use it as a museum for the students coming up in the Community. Finally, Mrs. Ellington stated that it would be an asset to the community.</p> <p>Comr. Phillips thanked Dr. Catherine Gillis who is one of the people on the Committee that is assisting in orchestrating this effort. In addition, he thanked Assistant City Manager, Phyllis Korab who is facilitating it from the City Manager's Office, as well as the City Commission for their support.</p>				

Names of Commsrs.	M	S	Y	N	V	V
CITY COMMISSION MEETING MINUTES MAY 26, 2015						
PAGE 13						
<u>REGULAR ITEMS</u>						
RES. NO. 2015-315: TIME 00:45:23 ITEM 9						
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE SUBMITTAL OF A TRANSPORTATION INVESTMENT GENERATING ECONOMIC RECOVERY GRANT (TIGER) PROPOSAL BY THE METROPOLITAN PLANNING AGENCY (MPO) TO THE U.S. DEPARTMENT OF TRANSPORTATION WHEREIN THE CITY OF POMPANO BEACH WILL BE RESPONSIBLE FOR ENHANCEMENTS TO MARTIN LUTHER KING JR. BOULEVARD (HAMMONDVILLE ROAD) FROM POWERLINE ROAD (SR 845) TO I-95 IN THE SUM OF \$3,500,000.00; PROVIDING AN EFFECTIVE DATE.</p> <p>The Resolution was read by title only.</p> <p>MOTION: To remove the item from the table.</p>						
<u>VOICE VOTE</u>						
Dockswell					X	
Hardin	X				X	
Moss					X	
Phillips		X			X	
Burrie					X	
Fisher					X	
<u>ROLL CALL</u>						
Dockswell					X	
Hardin	X				X	
Moss					X	
Phillips		X			X	
Burrie					X	
Fisher					X	
<p>Horacio Danovich, CIP Engineer, stated that this item is geared toward supporting the Metropolitan Planning Organization (MPO) application for the Transportation Investment Generating Economic Recovery (Tiger) grant funding on behalf of nine (9) municipalities including the City of Pompano Beach.</p>						

Names of Comms.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 14</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Additionally, the City’s project encompasses the third leg of the Martin Luther King, Jr. Boulevard (MLK) project. The Community Redevelopment Agency (CRA) and the City of Pompano Beach fund the other two. The project in the middle was not funded; therefore, this will complete the Education Corridor. This will cost approximately \$7 million, with \$3.5 million pledged on behalf of the City, which will enhance the City’s ability and by virtue of that enhance the MPO opportunities to acquire the Tiger grant.</p> <p>Subsequently, this is to support the application. The funding does not have to be in the bank today, but will come later. The Tiger grant is extremely competitive. Currently, funding is listed as one of the items in a future General Obligation (GO) Bond and if this is not successful, in future years the City and staff will move it forward as part of the Capitals Improvement Program (CIP). There is no immediate rush to get this project going, if funding is not available immediately.</p> <p>Vicente Thrower, 1890 Northwest 6th Street, Pompano Beach, FL 33060, inquired from what revenue source the City’s \$3.5 million would come from. Additionally, he asked if staff knew that at some point they would be heading down this road and why not use the Section 108 loan process for this particular project versus going to the Capital Improvement funds.</p> <p>Mr. Danovich replied it is two different projects, and explained the plans for the MLK Boulevard and the Section 108 that addresses immediate needs, particularly – water, sewer, and drainage improvements that are in that area on obsolete facilities. Therefore, staff has more time on this project to come in the future.</p> <p>In sum, Mr. Thrower indicated that it is a good plan but he wanted to be assured that the City has a backup plan for the \$3.5 million.</p> <p>Mayor Fisher explained that the first step is an application to receive the \$3.5 million on the MPO’s grant retirement. If chosen, the City will receive \$3.5 million to complete the project. If not, the City will have to get the \$3.5 million to put into the CIP for future projects.</p>					

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REGULAR ITEMS – CONTINUED

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Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 15</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Comr. Hardin questioned when the City could expect to hear whether it was successful or not in acquiring the grant.</p> <p>Mr. Danovich replied later in the year, approximately the third quarter of the year.</p> <p>Vice Mayor Burrie understood that things in the Capital Improvement Plan (CIP) would not take place because of the current plans with this grant. Therefore, she inquired as to what projects would not be funded should the City not receive the grant of \$3.5 million, yet would have to expend its \$3.5 million from the CIP budget. In fact, there is one such project that the Cresthaven residents fought to have for years but had given up their place to the fire department.</p> <p>Dennis W. Beach, City Manager, replied that the alternatives for funding the City’s portion of this project are numerous. One such project is that in March the City will try for a General Obligation (GO) Bond issue. If this process is unsuccessful, then the City would reallocate the Capital Funding Schedule to accommodate this funding. In fact, it will be the commission and not the staff to determine the reallocation decision.</p> <p>In sum, Mr. Beach indicated that there are alternatives to fund this, but this item is to point out the mechanism that is available to the City and if successful can provide the matching funds.</p> <p>Comr. Dockswell expressed frustration regarding the Commission being placed in a position to make quick decision based on limited information, discussion and opportunity to work out prioritization. In this case, they are told if they do not respond by June 12, of this year, then the City would lose the possibility to get the grant. Therefore, it leaves them no choice but to approve this item tonight. Moreover, the danger is with the City being awarded the grant because it will be obligated to come up with \$3.5 million. However, if neither of the alternatives of the bond issue or the hurricane contingency is successful, then “we would be playing trading off one project against another in the capital improvement plan.”</p>				

CITY COMMISSION MEETING MINUTES MAY 26, 2015

PAGE 15

REGULAR ITEMS – CONTINUED

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Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REGULAR ITEMS – CONTINUED

Additionally, Comr. Dockswell stated that he would have preferred to see some type of layout or plans in the backup material as to how this project would be funded.

Consequently, Comr. Dockswell asked, “Does the City have to come up with \$3.5 million, whereas the other \$3.5 million is entirely provided by the federal government if the grant is approved?”

Mr. Danovich replied that is correct.

Comr. Dockswell asked how much money the Broward County MPO would be putting into this venture.

Mr. Danovich replied that Broward County is matching the project with other projects. In essence, they are not giving the City of Pompano Beach funding, but they are building other projects and they are using those projects as leverage on their match. The entire MPO package is worth \$100 million, so, they are using that as leverage to demonstrate that this project is only a portion of the entire vision of the MPO.

In response to Comr. Dockswell’s question, Mr. Danovich replied that the design decision is done between the City and the MPO, who will retain the design consultants with the Florida Department of Transportation (FDOT), and the City would be in the middle of the design decisions. FDOT is the actual designers, and they will draw from each participating cities their desires on the respective projects.

Comr. Moss thanked Vice Mayor Burrie and Comr. Dockswell for asking the questions that he had in mind to ask. However, he was perplexed why there was a proposal for the City to come up with \$3.5 million that it does not have now.

Mayor Fisher indicated that he had also questioned why this item was under consent and where would the \$3.5 million come from.

Names of Commrs.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 17</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Vice Mayor Burrie indicated that she is the newest member on the MPO and noted that the current plans were done prior to her getting on the Board. Therefore, had she seen the information prior, she would have advised her fellow commission accordingly.</p> <p>Comr. Phillips also inquired about the source of funding for the City’s match. Notwithstanding, in the past, the City has been able to get creative to find funds to proceed with certain projects. Therefore, he urged the commission not to get “weak kneed” to proceed with the MLK Boulevard as was decided upon to do. The traffic will be coming and this expansion is a necessity for the future. Finally, he believes staff will get creative in finding the funds without raising taxes.</p> <p>In conclusion, Comr. Phillips stated that he would be paying attention to the capital improvements because he would not want to sacrifice an immediate CIP project if it involves delaying some other communities. He also understands that this project is in the future and it would not affect any capital improvements for this year.</p> <p>Mr. Danovich replied that is correct.</p> <p>Mayor Fisher indicated that he desired to discuss the design program, because the City has spent its money along the MLK Boulevard and would not want that missing link to look different. Therefore, it must be tied into the uniformity of the City’s desires. As stated in the backup, it is the MPO or the FDOT that is responsible for the design but the City cannot afford to have this project not matching up with the City’s designs. Therefore, it is very important the City have the final say in the design of the expansion of that Boulevard.</p> <p>Mr. Danovich reported that the City already provided all its plans to the MPO; so, staff and CRA are ahead of the curve. They have the same theme that was done for the downtown Pompano area and west of Powerline Road on their maps. Therefore, they are aware of the City’s design demands as well as what will be coming.</p>					

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REGULAR ITEMS – CONTINUED

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Names of Commrs.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 18</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Mr. Beach indicated that he has been involved in several projects that FDOT has designed and built for cities and his experience has been they are always very receptive in terms of what the city is trying to accomplish. Therefore, he is confident that if the right people are in the right place at the time, the City Commission will get the design elements they are looking for. Notwithstanding, he appreciates each person’s concern, which are valid. In sum, from staff’s perspective we can make this happen.</p> <p>Mayor Fisher indicated that regarding future developments, the commission needs time to digest and to find out where the funding will be realized, as well as vet the process without a deadline being thrust at them.</p> <p>Comr. Hardin inquired what will happen if the City does not get the grant and would the project just wait until the city can fund the entire \$7 million.</p> <p>Mr. Beach replied correct.</p> <p>Mr. Danovich said that this is Phase III of a three-phased project with the same complexities. Notwithstanding, they had tried in 2010 to apply for the TIGER grant but was unsuccessful. Otherwise, this project would have been completed.</p> <p>Comr. Hardin asked if there was funding available in the Northwest CRA, could we access the necessary funding for our portion from the CRA.</p> <p>Mr. Danovich replied yes.</p> <p>Comr. Moss supports the project but is concerned as to where the funding will be coming from and would not want the CIP projects planned for his district negatively impacted.</p>					

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REGULAR ITEMS – CONTINUED

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Names of Commrs.	M	S	Y	V	N
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 20</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Robin M. Bird, Development Services Director, stated this is a rezoning request from B-3 (General Business) to B-4 (Heavy Business) for a 2.54 parcel located at 930 Northwest 31st Avenue. The local business owner, Pompano Pet Lodge, to the south has purchased the land. The surrounding uses are community facility school to the north, B-4 Pompano Pet Lodge to the south as well as self-storage and to the west is B-3 and to the east is community facility.</p> <p>Finally, Mr. Bird noted that the Planning and Zoning Board recommended unanimously approval of this rezoning subject to voluntary deed restrictions, which is on file that the owner signed should the item pass on second reading. The owner plans to incorporate this parcel with his property to the south to expand his Pet Lodge business.</p> <p>Comr. Dockswell asked about the filing of the Deed Restrictions.</p> <p>Mr. Bird explained that the City will file the Deed Restrictions, which the property owner has already submitted.</p> <p>Comr. Phillips stated that he attended a Career Day at the Charles Drew Elementary and heard the noise from the dogs and asked, “Can anything be done to minimize the noise, for those young children that are being educated.”</p> <p>Mr. Bird explained that the buildings have to be sound proof as required by city ordinance and by the zoning code. Furthermore, the owner plans to incorporate the play area towards Northwest 31st Avenue not towards the rear of the property. A buffer area is also required.</p> <p>Additionally, Mr. Bird indicated that staff is reviewing the Kennel Ordinance that is rural in nature rather than urban, but it does not mean that there should not be a significant buffer on that side. Also, the owner will need to build a solid wall towards the school.</p>					

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REGULAR ITEMS – CONTINUED

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Additionally, Mr. Bird indicated that staff is reviewing the Kennel Ordinance that is rural in nature rather than urban, but it does not mean that there should not be a significant buffer on that side. Also, the owner will need to build a solid wall towards the school.

Names of Commrs.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 25</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Robin M. Bird, Development Services Director, stated this is a request for a Local Land Use Designation change from Commercial (C) to Medium Residential (M), which involves 10-16 dwelling units per acre. The parcel size is 2.753 gross acres located on the southwest corner of NW 6th Avenue and NW 15th Street. The proposed land use would permit a maximum of 44 dwelling units but Habitat for Humanity, Broward, Inc., is proposing to build 20 single-family residential dwelling units. Additionally, the maximum increase in commercial land use with the B-2 zoning would have a potential for 449,669 square feet of retail and office space.</p> <p>Additionally, Mr. Bird noted that this was originally a land use and flex use allocation. However, flex use allocation cannot be used for single-family, which has forced Habitat into this application as well as to honor their word to the community.</p> <p>Comr. Moss asked who owns the unimproved parcel of land adjacent to this property.</p> <p>Mr. Bird replied that Habitat is currently in the process of purchasing it.</p> <p>P.H. 2015-74; ORD. NO. 2015-...: TIME 01:21:43 ITEM 15</p> <p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE HABITAT FOR HUMANITY, BROWARD, INC. REQUEST LOCATED ALONG NW 1ST STREET, EAST AND WEST OF 28TH AVENUE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON APRIL 22, 2015; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.</p> <p>The Ordinance was read by title only.</p>					

Names of Comms.	M	S	Y	V	V
ROLL CALL					
Dockswell				X	
Hardin	X			X	
Moss				X	
Phillips				X	
Burrie		X		X	
Fisher				X	

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REGULAR ITEMS – CONTINUED

MOTION: To approve the Ordinance upon first reading.

Robin M. Bird, Development Services Director, stated this is to request a Local Land Use Designation for a change from Commercial (C) to a Low Medium Residential (LM). The parcel size is 1.956 gross acres, located at the southwest corner of NW 28th Avenue.

Additionally, the proposed land use would permit a maximum of 20 dwelling units but Habitat for Humanity, Broward, Inc., is proposing to build 12 single-family units. However, for purposes of the analysis, density is considered for impact considerations. The maximum existing commercial land use for B-2 would have been a potential of about 42,000 square feet of retail and office use on the subject property.

Additionally, surrounding land uses are to the north for single-family homes with LM density calculations. To the west is single-family but the land use is still commercial but residential flex is applied to it. To the south is the commercial retail and to the east is multi-family residential.

Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL, asked if Habitat for Humanity met with the Association in that area to identify what their plans are to get some buy-in on the project. Because a number of residents would be impacted, he wants to be assured that this plan is comprehensive to what the vision is for Collier City.

Mayor Fisher indicated that it is a good thing that these units will be single-family homes that are very much needed.

Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 27</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Jay Huebner, Planner and Engineer, with HSQ Group, Inc., 1489 West Palmetto Park Road, Suite 340, Boca Raton, FL 33486, stated that the properties to the north, which are single-family homes, are all Habitat for Humanity homes. Therefore, they already have the buy-in from those residents. There has been communications with them as well as with the CRA in that area to put the project together.</p> <p>Mr. Thrower wanted to know if he had met with Walter Hunter and the Associations.</p> <p>Mayor Fisher suggested that Mr. Huebner could reach out to Mr. Hunter prior to the second reading.</p> <p>Comr. Moss indicated that two members from the Planning and Zoning Board voted against the project at the April 22, 2015 meeting. Their concerns were that the properties would abut commercial properties and there could be noise and other problems. He asked if anything is going to be done to mitigate that contact with commercial property, perhaps a wall or some type of fence.</p> <p>Mr. Bird explained that when commercial property directly abuts or when they have access, most of the projects currently approved are not gaining access to the streets north of them. Therefore, they are putting their buffers in at the sides on the north side of the roads. The single-family homes will be located directly across the street, which is a 50 feet separator that is a public right-of-way.</p> <p>In response to Comr. Phillips question regarding the ownership of the land, Mr. Huebner responded that Habitat for Humanity owns the land, and will be building 12 units on it.</p>				

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REGULAR ITEMS – CONTINUED

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<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 28</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>P.H. 2015-72; ORD. NO. 2015-....: TIME 01:27:46 ITEM 16</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 LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LS EVENTS LLC FOR THE BRAZILIAN FESTIVAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: In-Kind Services of \$14,506.58 (no rain date) or \$19,520.41 (rain date) and payment to BSO for law enforcement services - \$5,971 (no rain date) or \$6,415 (rain date) from Special Services Account)</p> <p>The Ordinance was read by title only.</p> <p>MOTION: To approve the Ordinance upon first reading.</p> <p>ROLL CALL</p> <p>Dockswell x x</p> <p>Hardin x x</p> <p>Moss x</p> <p>Phillips x</p> <p>Burrie x</p> <p>Fisher x</p>						
<p>Mark Beaudreau, Recreation Programs Administrator, stated that this notable event is in its fourth year with the City. Last year, the event was mentioned in the “Nikki Grossman’s Tourism Convention meeting” as a signature event in the Northeast Broward area. This fourth year, the City is looking to further the cause as it embraces the Brazilian community.</p> <p>Comr. Phillips is pleased to see how the City has aided the Brazilian Festival as well as improved in its assistance with the police services. Therefore, he hopes the same assistance would be extended to the Tiger Trail Festival, because during his time as the Chair for that festival he had to pay for the police services.</p>						

Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 34</p> <p><u>REPORTS – CONTINUED</u></p> <p><u>Commissioner Rex Hardin – Memorial Day Services</u> – Comr. Hardin commented on the Memorial Day Complaints brought forward under Audience to Be Heard. He mentioned that it was not a “City Event” so perhaps the wording may have been picked up from the American Legion flyer. He is unsure about it, but the City Manager could check into it.</p> <p>Additionally, Comr. Hardin explained that the past annual Memorial Day Services has not been a “City Event,” but the American Legion or some volunteer group(s) has always handled it. Therefore, he suggested that the city get more involved in this event. Perhaps, contact the American Legion earlier, say March 1st of next year and actively get involved in assisting them with the planning stages. This is not to try and take over the event from them, but they would be receptive for any help the city could provide in the way of promotion, organization and things of that nature. Therefore, if City Manager Beach could make it happen by reaching out to them and try to work with them.</p> <p>Mayor Fisher suggested that City Manager Beach check into the city becoming a co-sponsor.</p> <p><u>Homeless</u> – Comr. Hardin stated that he has received numerous emails about the homeless issues in the city, which appears to be getting worse instead of better. He understands that a few years ago things were tight and there were some issues, but people were not seen begging for dollars at the I-95 interchange and places like that. In addition, the presence in the parks was not like it is today. Furthermore, he understood that the current Sheriff promised to be a kinder and gentler Sheriff to the homeless population. However, he is also kinder and gentler towards a homeless population that truly needs a helping hand; on the other hand, he has little patience for those people who go to the parks and public spaces, sleep on sidewalks, and stairs leading up to the library, and make people become fearful to use the City’s parks.</p>				

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REPORTS – CONTINUED

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Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 35</p> <p><u>REPORTS – CONTINUED</u></p> <p>Additionally, Comr. Hardin stated that the City’s Park Rangers need to step up their enforcement activities. In sum, the City needs to do a better job of taking care of this problem for the residents and visitors. In fact, all the work being done to beautify the city to make it more welcoming can easily be undone, if people gets the wrong impression of Pompano Beach being a hangout for homeless people. He does not want to see this happen. Therefore, he urged staff to put this at the top of their list to find a way to change this situation.</p> <p><u>Closure of Pier Concession Stand</u> – Comr. Hardin complained that on Saturday, he and his family visited the beach and at lunchtime, he went to the concession stand only to find that it closed. This was on a Memorial Day weekend, one of the busiest times of the year, the Pier concession stand was closed to the public. This is not acceptable; therefore, he asked that staff ensures this does not happen again.</p> <p><u>Commissioner Barry Moss</u> – No Report.</p> <p><u>Commissioner Edward Phillips – Grand Opening of 731 Building</u> - Comr. Phillips thanked all the commissioners who attended the Grand Opening for the 731 Building located on MLK Boulevard. He said it was a great event and the CRA and staff did a good job with the event. In sum, kudos and congratulations on a job well done.</p> <p><u>Memorial Day</u> – Comr. Phillips mentioned that he misses former Commissioner Bob Shelley at Memorial Day. He has always been involved in promoting Memorial Days and based on the history of our country and the City of Pompano Beach, he is truly missed, and he hopes Mr. Shelley is listening.</p> <p><u>Nuisance Abatement Board</u> – Comr. Phillips has requested the activation of the Nuisance Abatement Board, because he is concerned about certain issues that are taking place in the City. A mechanism is in place by which these issues could be resolved, specifically with drug houses. However, this Board has not been active for quite some time.</p>				

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REPORTS – CONTINUED

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Names of Comms.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES MAY 26, 2015</p> <p>PAGE 36</p> <p><u>REPORTS – CONTINUED</u></p> <p>Dennis W. Beach, City Manager clarified the function of the Nuisance Abatement Board designed to address derelict buildings and things of that nature. However, Comr. Phillips is referring to a process in place to go about declaring a property a public nuisance. This quasi-legal process eventually comes before the commission for a decision. To declare a place a public nuisance requires any number of incidence, reports and investigations conducted through the Broward Sheriff's Office.</p> <p>Mayor Fisher understands that these issues now go before the Circuit Court.</p> <p>Mark Berman, Assistant City Attorney explained that there is a Nuisance Abatement Board in place, which was originally written as the Unsafe Structures Board to try to deal with certain issues, and instead of trying to start a new board, the two were combined. However, as needed, a separate board could then be established. Over the years, there has been less reliance on the Nuisance Abatement Board as there have not been too many cases.</p> <p>Nevertheless, this is something that working with the Sheriff's Office (BSO) problem properties after being identified could start cases going through the Nuisance Abatement Board through a statutory process set forth in the State Statutes. The City Board can declare a property a public nuisance and then sets remedies such as checking renter's history, lighting, security and things of that nature. The idea is to correct not to close down properties if possible, because there is a cost associated with taking down the property.</p> <p>Finally, Mr. Berman indicated that this Board could be brought back to functioning, and to work closely with BSO to include their counsel, to participate in taking steps necessary to address properties that are a nuisance.</p> <p>Comr. Phillips mentioned that he is looking for target specifics and not generalities and referred specifically to those properties that are known drug houses to be enforced by the law, not necessarily those declared unsafe structures.</p>					

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REPORTS – CONTINUED

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City of Pompano Beach, Florida

Names of Commrs.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES MAY 26, 2015

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REPORTS – CONTINUED

Comr. Hardin understood that there is a mechanism in existence to address those issues referred to by Comr. Phillips, but it is just not utilized, as it should.

Mr. Berman replied it is in existence, it is just that it has not been very active. He explained that the same Board members do sit first as an unsafe structures board and then as the nuisance abatement board.

However, over time the commission may want to create them as separate boards.

Comr. Phillips understands the process that is already in place, which BSO has been addressing one part by going in and arresting violators operating from a property. However, the next step is for the City to be more vigilant to ensure that the property is not operating as consistent repeated violators.

Mr. Berman advised that they would redevelop the process and explained the legal steps involved.

Vice Mayor Charlotte J. Burrie – No Report. However, she thanked Comr. Hardin for his eloquent expressions on the Homeless situation, which she had intended to report on because she has received numerous emails on the subject.

Mayor Lamar P. Fisher – No Report

ADJOURNMENT

There being no further business, the meeting adjourned at 7:54 p.m.



LAMAR FISHER, MAYOR



ASCELETA HAMMOND, CITY CLERK