



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-01

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<u>City of Pompano Beach Music CD</u> – Bill Clancy Jaycox, 801 Northeast 33 rd Street, Pompano Beach, FL	3-4
<u>CONSENT AGENDA</u>	
RES. NO. 2016-01: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM AA AFFORDABLE SEAWALL, INC. AND DARRELL GRIMM TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)	4
Approve ranking order for RFP E-43-15 Subsidized Housing Inventory and Market Rate Analysis to Assess the City’s Strategy for Meeting its Economic and Redevelopment Goals, and authorize staff to negotiate a contract with the highest-ranked firm, Lambert Advisory, LLC. (No fiscal impact)	4-5



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RES. NO. 2016-02: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2015-403, AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PERPETUAL PUBLIC RIGHT-OF-WAY EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)	6
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<p>RES. NO. 2016-07: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FIRST CALL FOR HELP OF BROWARD, INC. TO PROVIDE A 24 HOUR HELPLINE TO OFFER ASSISTANCE TO RESIDENTS IN NEED AND IDENTIFYING AVAILABLE COMMUNITY RESOURCES TO ASSIST THEM IN RESOLVING THEIR IMMEDIATE CRISIS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$1,500)</p>	7
<p>RES. NO. 2016-08: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HILLSBORO LIGHTHOUSE PRESERVATION SOCIETY, INC. TO PROVIDE FOR MAINTENANCE AND PRESERVATION OF THE HILLSBORO INLET LIGHTHOUSE; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$2,500)</p>	8
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<p>RES. NO. 2016-10: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MENTAL HEALTH ASSOCIATION OF BROWARD COUNTY, INC. TO PROVIDE PROGRAMS THAT FOSTER SKILLS FOR MENTAL WELLNESS THROUGH PREVENTION AND EDUCATION AND TO PROVIDE SERVICES TO FAMILIES OF CHILDREN WITH MENTAL ILLNESSES; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$4,000)</p>	8



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ORD. NO. 2016-...: 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 MUNSON DESIGN & CONSULTING, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)	39



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<p>ORD. NO. 2016-...: AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO INCREASE THE SERVICE CHARGES FOR COLLECTION AND DISPOSAL OF REFUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>	41
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<p>RES. NO. 2016-22: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LETTER AGREEMENT TO RETAIN THE LAW FIRM OF GREENSPOON MARDER TO SERVE AS BOND COUNSEL AND DISCLOSURE COUNSEL; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$81,000 – Please refer to Finance Department Memo #15-197 for additional information. To be funded from bond proceeds or working capital reserve in the General Fund – If Referendum is unsuccessful – 001-9910-9920. If no successful Referendum, maximum fiscal impact is \$10,000.)</p>	49-50



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RES. NO. 2016-23: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A WAIVER OF CONFLICT BETWEEN THE FIRM OF GREENSPOON MARDER, P.A., BOND COUNSEL FOR THE CITY, AND ITS REPRESENTATION OF ARSH OIL & GAS LLC IN A MATTER ADVERSE TO THE CITY NOT RELATED TO GENERAL OBLIGATION BOND REFERENDUM AND ISSUANCE OF GENERAL OBLIGATION BONDS; PROVIDING AN EFFECTIVE DATE.	52-53
RES. NO. 2016-24: A RESOLUTION OF THE CITY COMMISSION OF THE CITY POMPANO BEACH, FLORIDA, APPOINTING <u>AL SIEFERT</u> TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS: SAID TERM TO EXPIRE ON OCTOBER 24, 2018; PROVIDING AN EFFECTIVE DATE.	53
RES. NO. 2016-25: A RESOLUTION OF THE CITY COMMISSION OF THE CITY POMPANO BEACH, FLORIDA, APPOINTING <u>GRANT GALUPPI</u> TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF ANTHONY B. CUSANELLI, ALTERNATE ONE; SAID TERM TO EXPIRE ON JULY 1, 2016; PROVIDING AN EFFECTIVE DATE.	53-55
RES. NO. 2016-...: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF ELIZABETH A. ADAMS; SAID TERM TO EXPIRE ON APRIL 26, 2017; PROVIDING AN EFFECTIVE DATE.	55-56
RES. NO. 2016-26: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>WOODROW POITIER</u> TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON OCTOBER 13, 2019; PROVIDING AN EFFECTIVE DATE.	56
RES. NO. 2016-27: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>FRANK PELLY</u> TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 28, 2018; PROVIDING AN EFFECTIVE DATE.	56-57



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-01

Date: October 13, 2015

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RES. NO. 2016-28: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>VINCENT SCUTELLARO</u> TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 28, 2018; PROVIDING AN EFFECTIVE DATE.	57
Consideration for funding Broward Regional Health Planning Council.	58
Consideration for canceling the City Commission Meetings of November 24, 2015 and December 22, 2015.	58
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<u>Commissioner Rex Hardin</u> – City Parks Safety	59-60
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City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

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CITY OF POMPANO BEACH, FLORIDA

REGULAR CITY COMMISSION MINUTES

Agenda No. 2016-01

Date: October 13, 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 Beach
Mark Berman
Asceleta Hammond

INVOCATION BY:

Elder Whitney Rawls
Church of God in Christ Church

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

Names of Commrs.	M	S	V Y	V N
VOICE VOTE				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
VOICE VOTE				
Dockswell			x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie		x	x	
Fisher			x	

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 2

APPROVAL OF MINUTES – CONTINUED

MOTION: To approve the Regular City Commission Meeting Minutes of September 21, 2015, as submitted.

There were no revisions to the minutes.

APPROVAL OF THE AGENDA

MOTION: To approve the City Commission Meeting Agenda of October 13, 2015, as submitted.

CONSENT AGENDA DISCUSSION

Mayor Fisher stated that the City Commission would pull items 2, 18 and 22 from the Consent Agenda for discussion. Therefore, a person may speak on the remaining items on the Consent Agenda during Audience to be Heard.

SPECIAL PRESENTATION

Domestic Violence Awareness Month

Mayor Lamar Fisher, on behalf of the Pompano Beach City Commission, read a proclamation proclaiming October as "Domestic Violence Awareness Month" in the City of Pompano Beach. In addition, Mayor Fisher encouraged all to respond to, and work towards ending domestic violence by supporting their community efforts to empower and assist victims in finding and accessing the resources they need, and by promoting awareness and prevention of domestic violence in our community. Mayor Fisher presented the proclamation to Miriam Garcia, Program Services Supervisor for Women in Distress.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 3

SPECIAL PRESENTATION - CONTINUED

Miriam Garcia, Program Services Supervisor, on behalf of Women in Distress and the Domestic Violence victims they serve, thanked the City of Pompano Beach for its ongoing support of their programs. She provided a brief history and background of their efforts towards stopping domestic violence, as well as their activities in the City of Pompano Beach.

AUDIENCE TO BE HEARD

Mayor Fisher announced that it was time for “Audience To Be Heard” and offered the following guidelines: Once your name is called, please come forward to the podium in front of the commission, state your name and address for the record. Speakers will be limited to three minutes to speak on any item of concern or interest, including those items pulled from the Consent Agenda. In addition, he asked speakers not to speak on any items on tonight’s agenda, as they will have that opportunity to do so when that item comes forward. Lastly, he requested that speakers refrain from any emotional outbursts in either support or non-support of the speaker’s comments.

Parking Spaces – Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, noted that the taxpaying citizens are the ones who pay the salaries of the City’s employees. Therefore, City staff is here to serve the citizens and not the other way around. He complained that taxpayers have to park hundreds of feet away from City Hall entrance, while the first eleven spaces are filled with City employees’ cars. Therefore, he urged the Commission to allow the taxpayers to park at the back door, not the staff because the spaces do not belong to the staff.

City of Pompano Beach Music CD – Bill Clancy Jaycox, 801 Northeast 33rd Street, Pompano Beach, FL, stated that in 2006 the Commission voted to make the Pompano Beach Song the official song for the City. In the interim, the City has purchased 2,000 copies and after checking with the City Manager’s Office, he found out that only two were left. Therefore, he would like to present as a gift to the Commission, the copyright of the music, as well as he would like someone to take over the song’s composition. Additionally, Mr. Clancy said he has been singing the song at several significant locations in the City. He said the song is happy, upbeat and danceable, which talks about the City’s Good Year Blimp, the Harness Track,

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 5

CONSENT AGENDA - CONTINUED

Dennis W. Beach, City Manager, stated that this is something the City staff embarked on approximately one year ago. The motivation behind it is the amount of affordable housing subsidized units that were being proposed and built in and around the City of Pompano Beach. The idea is to understand how much affordable housing is needed. If there is such a need, what are the impacts of affordable housing on the market rate housing. Therefore, it requires some type of analysis that staff is recommending that the subject company be employed to conduct. Furthermore, there are no pre-conceived ideas about the outcome; rather, it is to understand it.

Comr. Phillips indicated that privately he does have some concerns with the idea that there is some pre-conceived notion of what is being explored, but he is hoping this is not the case. He explained that he is on guard about the perception that there is enough affordable housing and explained his reasons. Therefore, on behalf of the residents from his district, they need to understand the strategy as it relates to decreasing, if any, affordable housing in the area.

Comr. Moss asked if a \$300,000 home in Pompano Beach could be considered affordable housing.

Mr. Beach replied that the statistics are unknown to him.

Comr. Phillips stated that affordable housing tops out at approximately \$275,000 to \$280,000.

Mayor Fisher indicated those statistics can be provided to the commissioner if he so desires.

TIME 00:12:29

ITEM 3

Approval to award Bid #E-49-15, Furnish and Install Solar-Powered Lighting in the Divito Parking Lot to the lowest responsive, responsible bidder, Electrical Contracting Service, Inc., in the amount of \$35,000.00



City of Pompano Beach, Florida

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 6

CONSENT AGENDA - CONTINUED

RES. NO. 2016-02

TIME 00:12:29

ITEM 4

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2015-403, AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PERPETUAL PUBLIC RIGHT-OF-WAY EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

RES. NO. 2016-03

TIME 00:12:29

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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. TO PROVIDE MEALS TO OLDER PERSONS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$80,000)

RES. NO. 2016-04

TIME 00:12:29

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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CHILDREN'S HARBOR, INC. TO PROVIDE ABUSE INTERVENTION PROGRAMS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$1,000)



City of Pompano Beach, Florida

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 7

CONSENT AGENDA - CONTINUED

RES. NO. 2016-05

TIME 00:12:29

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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND EPISCOPAL MENTAL HEALTH MINISTRIES, INC. D/B/A ST. LAURENCE CHAPEL TO ASSIST WITH THE COST OF TRANSPORTING CLIENTS TO THE SHELTER; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$2,000)

RES. NO. 2016-06

TIME 00:12:29

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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FEEDING SOUTH FLORIDA, INC. TO ESTABLISH A MOBILE FOOD PANTRY PROGRAM TO ASSIST INDIVIDUALS AND FAMILIES WITH A HEALTHY DIET; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$5,000)

RES. NO. 2016-07

TIME 00:12:29

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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FIRST CALL FOR HELP OF BROWARD, INC. TO PROVIDE A 24 HOUR HELPLINE TO OFFER ASSISTANCE TO RESIDENTS IN NEED AND IDENTIFYING AVAILABLE COMMUNITY RESOURCES TO ASSIST THEM IN RESOLVING THEIR IMMEDIATE CRISIS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$1,500)

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 8

CONSENT AGENDA - CONTINUED

RES. NO. 2016-08

TIME 00:12:29

ITEM 10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HILLSBORO LIGHTHOUSE PRESERVATION SOCIETY, INC. TO PROVIDE FOR MAINTENANCE AND PRESERVATION OF THE HILLSBORO INLET LIGHTHOUSE; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$2,500)

RES. NO. 2016-09

TIME 00:12:29

ITEM 11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND IMPACT BROWARD, INC. TO PROVIDE SUPPORTIVE SERVICES TO ELDERLY AND DISABLED ADULTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$500)

RES. NO. 2016-10

TIME 00:12:29

ITEM 12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND IMPACT BROWARD, INC. TO PROVIDE SUPPORTIVE SERVICES TO ELDERLY AND DISABLED ADULTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$500)

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 9</p> <p><u>CONSENT AGENDA - CONTINUED</u></p> <p>RES. NO. 2016-11 TIME 00:12:29 ITEM 13</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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND OUR FATHER'S HOUSE SOUP KITCHEN, INC. TO PROVIDE A CLEAN AND SAFE FEEDING ENVIRONMENT FOR THE HOMELESS AND THE NEEDY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$3,000)</p> <p>RES. NO. 2016-12 TIME 00:12:29 ITEM 14</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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PASS THE BLESSINGS FOUNDATION, INC. TO PROVIDE A KID ACTIVITY ZONE AT MITCHELL MOORE PARK DURING THE ANNUAL HOLIDAY IN THE PARK EVENT IN DECEMBER; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$2,000)</p> <p>RES. NO. 2016-13 TIME 00:12:29 ITEM 15</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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BEACH HISTORICAL SOCIETY, INC. TO PROVIDE PUBLIC PROGRAM AND LECTURE SERIES, COMMUNITY EVENTS AND HISTORIC TROLLEY TOURS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$7,500)</p>				



City of Pompano Beach, Florida

Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 10

CONSENT AGENDA - CONTINUED

RES. NO. 2016-14

TIME 00:12:29

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 MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND UNITY IN THE COMMUNITY OF POMPANO BEACH, INC. TO PROVIDE FOR ACTIVITIES AT THE UNITY IN THE COMMUNITY FAMILY FUN DAY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$3,500)

RES. NO. 2016-15

TIME 00:12:29

ITEM 17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WOMEN IN DISTRESS OF BROWARD COUNTY, INC. TO PROVIDE SHELTER AND COUNSELING FOR WOMEN AND THEIR CHILDREN WHO ARE VICTIMS OF DOMESTIC VIOLENCE IN POMPANO BEACH; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$3,000)

RES. NO. 2016-16

TIME 00:16:57

ITEM 18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE CITY CHURCH RESOURCE CENTER, INC. BY OFFERING NUMEROUS PROGRAMS TO ASSIST WITH HOUSING, EMPLOYMENT, CLOTHING, FOOD ASSISTANCE AS WELL AS PARENTING AND CHILD DEVELOPMENT SERVICES; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$5,000)

Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES				
October 13, 2015				
PAGE 11				
<u>CONSENT AGENDA - CONTINUED</u>				
The Resolution was read by title only.				
MOTION: To adopt Resolution No. 2016-16 on reading.				
<u>ROLL CALL</u>				
Dockswell				X
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

Comr. Dockswell indicated that he recognized this was part of the package, which the Commission voted to approve, during the budget hearings. However, he was viewing this as a perfunctory kind of approval of an item already approved. Furthermore, each of the eleven charitable items has an addendum 1, but this is the only item the City is being asked to provide 100% of the current year proposed budget, which includes salaries for people in the church. He understands the people and the charitable missions are wonderful, but it does not look good for the City. For example, on Page 3 and 4 it indicates that last year there was \$8,000 from other revenue sources and there were no salaries paid, so the \$8,000 were dedicated to delivering services. However, this year there is no revenue from other sources, as well as a request that the City pays \$5,000 with \$1,750 of that amount to be paid in salaries. Therefore, if this is a church employee, the City should not be paying the salary if it is volunteer work.

Additionally, Comr. Dockswell indicated that the total package was not made available to the Commission when they discussed and approved charitable contributions at the budget workshops. So, he is uncomfortable with the current information now being made available.

Comr. Phillips stated that the group of individuals involved with the subject matter has been working "on the ground in this community." They have worked vehemently with no money to achieve the objectives. Moreover, they work with the homeless people with drug addictions, as well as the "ladies of the night." However, this is their first time putting a request package together and they may have not been as knowledgeable on how to present the budget.

Names of Commrs.	M	S	Y	N
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CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 12

CONSENT AGENDA - CONTINUED

Nevertheless, Comr. Phillips indicated that while he appreciates Comr. Dockswell's concerns, the group's need is great. Furthermore, they are only receiving a small amount to work with in making a difference in stabilizing the community and to ensure the homeless people are not disruptive to the residents. He suggested that the group should not be penalized because they completed their paperwork incorrectly. Rather, staff could provide some assistance for them to present their request properly for the next budget year. He concluded that he would like to encourage this new group.

Comr. Dockswell agreed that they should be encouraged, but his concerns are not with the group or its mission. Rather, he is concerned with the City selecting one church to donate \$5,000 and stipulate that \$1,750 can be for salaries for people to do charitable deeds.

A debate followed among the Commission regarding the process involved in the City granting funds to certain charitable organizations operating within the community. As well as, extend the time to allow the Commission time to review the documents that this group submitted with their request for funding.

Nakenya Robinson, 704 Hammondville Road, Pompano Beach, FL, Director of Programs, indicated that this is her first time at this type of activity on behalf of the City Church Resource Center, Inc., which has been serving in the area for over one year. They have done numerous things in the City of Pompano Beach. In fact, in the month of September, they housed 19 homeless people and over fifty-two people received employment. Ms. Robinson noted that she works at the facility most of the days throughout the week on a full time basis. On the other hand, they are connected with several non-profit organizations that also provide various assistance to needy people, to include First Call for Help, La Heap programs, Family Success, Pregnancies Centers and Gateway. Therefore, when people come to their organization, they encounter a small one-person workforce center to assist them with their various needs.

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

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 13

CONSENT AGENDA - CONTINUED

Ms. Robinson apologized for not completing the paperwork properly as required by the City. Additionally, she indicated that they do get resources from people who donate different things on a daily basis. Walmart donate goods and people donate gift cards.

Richard Sasso, Owner of Mr. Squeaky Car Wash, 499 West Atlantic Boulevard, Pompano Beach, FL, said that his business is located next door to the Church Center. In addition, he indicated that he has firsthand knowledge of the homeless population in the City as his business has been directly impacted by this issue. He is willing to assist with the efforts to assist the homeless, therefore, he promised to donate \$500 to the City Church Resource Center on behalf of his business.

Comr. Hardin asked if Ms. Robinson is willing to strike out the salary portion submitted, if this would make a difference with the concerns expressed by Comr. Dockswell.

Comr. Phillips noted that he did not agree with the suggestion to remove the salary.

Vice Mayor Burrie indicated that earlier, one of the subjects discussed was where the other resources were coming from, which Ms. Robinson answered quite well, because they do not get actual cash, but gift cards and people donating food. She also agreed that the homeless is a problem and there are a number of organizations working to address it. Therefore, she thanked the group for assisting in this endeavor.

Comr. Dockswell suggested tabling the item for the next two weeks so that the organization could be assisted with submitting the proper paperwork to the satisfaction of the commission.

MOTION: To table the item for the next two weeks.

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 14

CONSENT AGENDA - CONTINUED

In response to Comr. Hardin's question regarding the supply of the paperwork during the budget discussions, Mr. Reyes indicated that staff does not supply the documentation to the non-profit organizations until they know that they have been allocated some funds.

RES. NO. 2016-17

TIME 00:12:29

ITEM 19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING THE FIVE YEAR CAPITAL IMPROVEMENT PLAN FOR THE CITY OF POMPANO BEACH FOR FISCAL YEARS 2016 THROUGH 2020; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$17.4 million for FY2016 - \$7.7 million General Capital, \$6.8 million Utility Renewal & Replacement Capital, \$2.6 million Stormwater Utility Capital, and \$253,000 Airpark Capital.

RES. NO. 2016-18

TIME 00:12:29

ITEM 20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REPLAY ACCESS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY TO ACCESS THE VOICE RECORDING SYSTEM FOR POMPANO BEACH FIRE RESCUE; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

RES. NO. 2016-19

TIME 00:12:29

ITEM 21

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 YULETIDE CELEBRATION FIREWORKS DISPLAY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$2,750)

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

CITY COMMISSION MEETING MINUTES October 13, 2015

PAGE 15

CONSENT AGENDA - CONTINUED

RES. NO. 2016-20 TIME 00:42:50 ITEM 22

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 SHIFF CONSTRUCTION & DEVELOPMENT, INC. FOR RENOVATIONS TO THE INTERIOR SPACE AT THE MCNAIR CONCESSION/RESTROOM BUILDING; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$84,189.86)

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-20 on reading.

ROLL CALL

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

Comr. Hardin pulled the item for discussion and asked if there is an estimated completion date for this item.

Horacio Danovich, CIP Manager, replied approximately ninety (90) days.

Vice Mayor Burrie reported that she received approximately four telephone calls on this item regarding the cost to renovate a bathroom for approximately \$84,189.

Mr. Danovich indicated these are JOC prices, but if it was bid out, based on staff's assessment, would cost the City more money. Moreover, retrofitting for ADA compliance is a little more complex than just replacements of fixtures and so forth.

Comr. Hardin added that it also includes appliances, plumbing, cabinets and things of that nature.

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

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 16

CONSENT AGENDA - CONTINUED

RES. NO. 2016-21

TIME 00:12:29

ITEM 23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ELIZABETH ANDERSON** TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF MAYOR LAMAR FISHER; TO FILL THE UNEXPIRED TERM OF JIM BEESON; WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

MOTION: To approve Items 1, 3-17, 19-21 and 23.

There was no discussion on Consent Items 1, 3-17, 19-21 and 23.

REGULAR ITEMS

P.H. 2016-01 ORD. NO. 2016-...: TIME 00:46:23 ITEM 24

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A CERTAIN TWENTY-EIGHT FOOT WIDE PORTION OF THE RIGHT-OF-WAY FOR POWERLINE ROAD LYING EAST OF POWERLINE ROAD AND NORTH OF SOUTHWEST 15TH STREET (W. MCNAB ROAD); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

Names of Commrs.	M	S	Y	V	V
VOICE VOTE					
Dockswell				X	
Hardin	X			X	
Moss				X	
Phillips				X	
Burrie		X		X	
Fisher				X	

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

MOTION: To approve Ordinance upon first reading.

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

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

Robin M. Bird, Development Services Director, stated that portions of Powerline Road have been different sizes on the Broward County Traffic Ways Plan that has been thoroughly reduced to 144 feet wide from 200 feet. Several properties were platted dedicating much more land than currently needed. The difference of 28 feet from the original 50 feet is being requested back, which is currently needed.

Joe Hamly, Craven, Thompson & Associates, Inc. 3563 Northwest 53rd Street, Fort Lauderdale, FL, indicated that he is available for any further questions.

Comr. Moss asked if the location is the Shopping Center where Anthony's Lock or Planet U-verse Fitness Center is located.

Names of Commrs.	M	S	Y	N
VOICE VOTE				
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

Comr. Phillips questioned why the applicant needed the land to return to them.

Mr. Hamly replied that it is access right-of-way, and it will be used for parking and additional parking.

P.H. 2016-03 ORD. NO. 2016-...: TIME 00:48:18 ITEM 25

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A SMALL SCALE COMPREHENSIVE PLAN MAP AMENDMENT FOR THE PROPERTY LOCATED AT 4411 N. FEDERAL HIGHWAY; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JULY 22, 2015; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To approve Ordinance upon first reading.

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

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 20</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Robert A. McCaughan, Public Works Director, provided summary comments because this item and the next following five items are similar. They all establish a contract between the City and Professional Consultants to provide survey-mapping services.</p> <p>Additionally, Mr. McCaughan stated that two of the firms are from Broward County and four are from Palm Beach County and are identical with the exception of Exhibit B, where the fees are established. Furthermore, there are no costs associated with the contracts; however, when the City issues work authorizations, they will be brought back to the City Commission for approval at that time.</p> <p>Mr. McCaughan stated that the first firm, CB&I Environmental & Infrastructure, Inc. is based out of Boca Raton and they provide additional service of underwater surveying.</p> <p>Comr. Phillips asked what activates a mapping survey.</p> <p>Mr. McCaughan replied that every project that the City undertakes requires some type of survey to establish the current conditions of what would be built, renovated or remodeled. Therefore, this kind of service would support just about every project that the City has engaged.</p> <p>P.H. 2015-101 ORD. NO. 2016-02: TIME 00:52:07 ITEM 27</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 SEA DIVERSIFIED, INC. FOR PROFESSIONAL SURVEYING AND MAPPING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost)</p> <p>The Ordinance was read by title only.</p>				

Names of Comms.	M	S	V	
			Y	N
VOICE VOTE				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	
VOICE VOTE				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips		X	X	
Burrie			X	
Fisher			X	

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

MOTION: To adopt Ordinance No. 2016-02 upon second and final reading.

Robert A. McCaughan, Public Works Director, stated that the Sea Diversified, Inc. is based out of Delray Beach. They provide additional scuba diving services and underwater survey.

P.H. 2015-102 ORD. NO. 2016-03: TIME 00:52:43 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 CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CRAVEN, THOMPSON & ASSOCIATES, INC. FOR PROFESSIONAL SURVEYING AND MAPPING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost)

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-03 upon second and final reading.

Names of Comms.	M	S	Y	N
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

Robert A. McCaughan, Public Works Director, stated that Craven, Thompson & Associates, Inc. is based out of Fort Lauderdale.

P.H. 2015-103 ORD. NO. 2016-04: TIME 00:53:20 ITEM 29

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 AVIROM & ASSOCIATES, INC. FOR PROFESSIONAL SURVEYING AND MAPPING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost)

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-04 upon second and final reading.

VOICE VOTE

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

Robert A. McCaughan, Public Works Director, stated that Avirom & Associates, Inc. is based out of Boca Raton.

P.H. 2015-104 ORD. NO. 2016-05: TIME 00:53:52 ITEM 30

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 ENGENUITY GROUP, INC. FOR PROFESSIONAL SURVEYING AND MAPPING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost)

Names of Commrs.	M	S	Y	N
VOICE VOTE				
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X
VOICE VOTE				
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-05 upon second and final reading.

Robert A. McCaughan, Public Works Director, stated that Engenuity Group, Inc. is based out of West Palm Beach.

P.H. 2015-105 ORD. NO. 2016-06: TIME 00:54:26 ITEM 31

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 KEITH AND ASSOCIATES, INC. FOR PROFESSIONAL SURVEYING AND MAPPING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost)

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-06 upon second and final reading.

Robert A. McCaughan, Public Works Director, stated that Keith and Associates, Inc. is based out of the City of Pompano Beach.

Names of Commrs.	M	S	Y	N
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

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REGULAR ITEMS – CONTINUED

P.H. 2015-108 ORD. NO. 2016-07: TIME 00:55:00 ITEM 32

AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4218., "COMMERCIAL: EATING AND DRINKING ESTABLISHMENTS," TO MODIFY STANDARDS FOR BARS OR LOUNGES AS ACCESSORY USES TO RESTAURANTS; BY AMENDING SECTION 155.4501, "SEPARATION REQUIREMENTS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS," TO MODIFY REQUIREMENTS FOR BARS OR LOUNGES OPERATED AS ACCESSORY USES TO RESTAURANTS WHICH ARE EXEMPT FROM SEPARATION REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-07 upon second and final reading.

VOICE VOTE

Karen Friedman, Principal Planner, stated that the item is a proposed text amendment to ensure that the standards the City uses for accessory bars are those similar to the Florida Administrative Code.

Names of Commrs.	M	S	Y	N
VOICE VOTE				
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

P.H. 2015-107 ORD. NO. 2016-08: TIME 00:56:09 ITEM 33

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 132, "PUBLIC PEACE AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 132.27, "SPECIAL EVENTS ON PRIVATE PROPERTY; PERMIT REQUIRED," TO MODIFY TIME REQUIREMENTS FOR SAID EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-08 upon second and final reading.

Karen Friedman, Principal Planner, stated that the item is a proposal to change the standards related to properties that are seven and one half (7½) acres or larger for special events. The proposal would allow 52 single day special events. This will result in four (4) extra days of special events but allows the larger property owners to host special events in a more flexible manner.

Comr. Phillips asked if there are additional costs for this activity.

Ms. Friedman replied no additional cost is expected.

Names of Commrs.	M	S	Y	N
VOICE VOTE				
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

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REGULAR ITEMS – CONTINUED

Mr. Beaudreau clarified that the statement by Mr. Berman is correct. In addition, this grant is a Broward County Agreement that the City cannot alter.

Comr. Hardin commended staff for doing a great job with the grants.

Comr. Phillips stated that he has had some concerns with the Tourist Development tax money. It appears when the City is assisted, it does not get the actual funds; rather, much more advertisement is received. However, in this case there are actual funds realized. Therefore, he commended staff for doing a great job on the subject matter.

P.H. 2015-110 ORD. NO. 2015-...: TIME 00:59:49 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 FIRST AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND LIMOUSINES OF SOUTH FLORIDA, INC. TO PROVIDE COMMUNITY BUS SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost)

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon first reading.

Ernesto Reyes, Budget Director, stated that the City received Federal monies from the FTA through Broward County for the purpose of the Community Bus Program. Therefore, the City must adhere to certain conditions, which have resulted in the proposed Ordinance. The proposal is to amend the contract with Limousines of South Florida, Inc. to include federal clauses in Exhibit C of the backup, which is the FTA funding supplement document.

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

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

MOTION: To approve the Ordinance upon first reading, as amended.

Robin M. Bird, Development Services Director, stated that during 2006-2007 the housing market was phenomenal. The City, as well as the County, on a whole was worried about the affordability of housing. Therefore, through the cooperation with the County, the Acting Planning Director at the time, had attached to all flexibility flexible units the requirements for affordable housing. However, the City has not been able to issue these.

Mr. Bird indicated that in an effort to move forward to assist small developments, staff is recommending that the requirement for flexible units go through the DRC (Development Review Committee). In addition, that these units be exempted from the affordable housing requirement on one acre or less infill properties. Finally, he said the Planning and Zoning Board reviewed this proposal.

Comr. Phillips requested that the Commission table the item for the next Commission meeting. Upon his review of the item, he discovered that it has far-reaching ramifications for District 4 and possibly other districts within the City. Moreover, a Commission Workshop has been scheduled for October 21, 2015 for discussion on flex units.

Mayor Fisher mentioned that the Workshop would be delayed.

In sum, Comr. Phillips stated he believes more time is required for further review of the subject matter so he would be able to explain to his constituents about urban landfills and its ramifications. Therefore, if there is no “burning issues to be resolved” recommends tabling the item.

Names of Commrs.	M	S	Y	N
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 30</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Mayor Fisher reminded the Commission that there is a second reading of the item in another couple of weeks and perhaps that would give everyone more time to review the material.</p> <p>Comr. Phillips reiterated that he would still like to table the item if possible, as this issue requires a fair amount of study as it affects many neighborhoods.</p> <p>Mr. Bird mentioned that staff was prepared to make a three minute presentation if the Commission desired to view it. Furthermore, there is no applicant involved, rather, because flex units are not approved due to the existing problem, this was a staff initiated item started in June.</p> <p>Comr. Dockswell asked if anything would be impacted by tabling the item for a couple of weeks.</p> <p>Mr. Bird replied that there is nothing pending.</p> <p>Comr. Hardin indicated that there is a two part to the ordinance, one is the DRC review, which is a good thing. Also, there are flex unit applications that does not fall within the existing issue.</p> <p>Mr. Bird responded that is correct and explained the different types of pending applications.</p> <p>Mayor Fisher agreed with the DRC review component suggested earlier.</p> <p>Discussion among the Commission ensued to either table the item at this point or if necessary to table it after the second reading.</p> <p>Mr. Bird explained that staff is not issuing flex units because the applicants are not moving forward for this type of requirement. Since this has been adopted, the City has not gone forward with the small project to issue five flex units, as it applies to all flex units. In sum, this is just a small step forward to correct a “knee jerk reaction” in establishing this standard during the 2006-2007 housing issues.</p>				

Names of Commsr.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 31</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Mayor Fisher noted that if after the second reading the Commissioner still has concerns then the item could be discussed at length and can be tabled at that time.</p> <p>Comr. Phillips reiterated his concerns with the City’s efforts to move forward in removing any components or reference towards affordable housing. He further stated that most recently, the Commission has been receiving documents that refer to either reducing, decreasing or impacting the composition of affordable housing.</p> <p>MOTION: To table the item to the next commission meeting.</p> <p><u>ROLL CALL</u> Dockswell Hardin Moss Phillips Burrie Fisher</p>			x	
<p>Comr. Hardin noted that the City has shown its commitment to affordable housing. Numerous lots have been given away to developers to develop with affordable housing requirements. In fact, those properties can only be used for affordable housing. Therefore, he is convinced that the City does have a lot of affordable housing, and has continued to embrace affordable housing for the residents. Hence, the City is heading in the right direction.</p> <p>Comr. Dockswell stated that he supports the idea of having the DRC reviewing the granting of flex units, which is good. In addition, he would propose an amendment to the item, which relates to the granting of flex units to have the same notice requirement similar to when rezoning takes place, which is to notice property owners that are within a 500 radius.</p> <p>Mr. Bird responded that staff is not opposed to Comr. Dockswell’s suggestion. Perhaps, it may be helpful for those residents that would be impacted.</p>				

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

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

MOTION: To amend the ordinance to add language allowing notice be sent to the surrounding neighbors within a 500 radius when granting flex units.

Mark E. Berman, City Attorney indicated that the title of the ordinance would not change; rather, it would be worded to change procedures and standards. Therefore, such a change would be acceptable without the need to re-advertise.

P.H. 2016-04; ORD. NO. 2016-....: TIME 01:19:27 ITEM 38

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 POLICE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon first reading.

Dennis W. Beach, City Manager, stated that the Agreement would provide for a five-year term to begin October 1, 2015, and expires on September 30, 2020. It also provides for termination of the agreement by either party with a ninety (90) day written notice with or without cause. The cost of the contract is negotiated each year; consequently, the City Commission at the Budget Hearing of September 21, 2015 adopted the cost for fiscal year 2015-2016.

Names of Comms.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

Doug Matthes, 500 Northeast 6th Street, Pompano Beach, FL, complained that there is a nagging problem with the Broward Sheriff's Office (BSO) and their efforts to curb crime. Therefore, he suggested that a goal be included in the contract requiring a significant improvement in this regard and a penalty applied if the goal is not reached.

Additionally, Mr. Matthes asked if an independent qualified law enforcement consultant reviewed the contract and if not, who reviewed it and their qualifications and skills relative to law enforcement. Also, in regard to Exhibit A of the backup for staffing structure, he asked a number of questions as to where the people listed will be stationed, whether they would be licensed law enforcement staff and how many would be out in the community on patrol, as well as COPS' position.

Mayor Fisher indicated that answers to Mr. Matthes questions would be provided at the second reading of the ordinance.

Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, stated that in the past, the Commission granted the parking authority for the pier parking lot, as well as parking spaces to the police authority to tow and ticket. However, in the contract with BSO it has authorities to tow and ticket; therefore, he asked how this contract seems to dovetail with the authority that the City previously granted to a private entity.

Mr. Beach responded that the BSO still has the policing aspect of the parking enforcement, as well as they do have parking enforcement responsibility for most of the City other than the redeveloped areas.

Comr. Dockswell commended the people involved with the proposed Agreement for doing a good job. He noted that it is a comprehensive document; however, on Page 26 of the backup regarding the School Resource Deputies, it states, "BSO shall provide the City with school resource deputies consistent with BSO's contract arrangements with the School Board." Therefore, the School Board and BSO decide how many Deputies would be provided to Pompano Beach. However, the City is not a signatory to the

Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

document, but the City is responsible for paying for the deputies to the extent that it is unable to cover it with grants or money from the School Board. Therefore, the ultimate entity that makes up any shortfall is the City. For this reason, he proposed to add a sentence to the referenced paragraph stating, “Any proposal to change the number of school resource deputies that are provided to Pompano Beach would be subject to approval by the City Commission.”

Mark E. Berman, City Attorney, stated that there are other paragraphs in the Agreement that address staffing changes, which must be approved by the City. While viewing the referenced paragraph there is no mention here and can raise concerns, but there are provisions that staffing cannot be changed without permission from the City. Also, there are provisions that the City can delete unilateral services upon sixty (60) days’ notice.

Mayor Fisher requested that the City Attorney provide a final decision on addressing the concerns expressed by Comr. Dockswell at the next hearing of the ordinance.

Comr. Phillips noted that the information provided by Mr. Matthes regarding the City being in the top five cities of crimes committed, appears to be different from what he has actually experienced. Since he has been in office, the BSO has been like a “locomotion.” They have joined with Code Enforcement, they have tweaked the Nuisance Abatement, and whenever there are issues in the neighborhood, they have informed him of them. So, they are aggressively responding to where there are direct issues of concern within the City. In fact, in District 4 where crime is challenging, the BSO have “smoothed out” certain areas that were active. Therefore, while BSO does have much more to do, they are delivering professional policing to the City and have been promoting a spirit of inclusion.

Vice Mayor Burrie echoed the Commissioner’s sentiments. However, she disagreed with the suggestion made by a resident earlier to consider setting a goal and penalty for BSO regarding their accomplishments.

Names of Commrs.	M	S	Y	V N	
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 35</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Vice Mayor Burrie indicated that she has been out on the streets and have seen BSO on the street, as well as they have been attending the Civic Association meetings and are all over the City. In fact, there is an area within the City that they are constantly visible due to pilfering.</p> <p>In sum, BSO officers are on the street, they are open and she is pleased with working with the men and women of BSO that she has had the opportunity to know. In fact, the City’s hometown police are back, which previously they had been directed to other areas outside of the City. Therefore, in answer to Mr. Matthes question those police are based in Pompano Beach not in downtown. She then thanked the men and women of BSO.</p> <p>Comr. Hardin thanked the BSO for doing a great job for the City. However, he asked for clarification regarding a section within the contract on Page 8, Item i., as it relates to full staffing and vacancy credit. It states, “BSO shall provide the City with full staffing.” However, in the same paragraph, it mentions that the City will be entitled to vacancy credit to be calculated quarterly. Also, vacancy occurs when a deputy or employee is absent from work and such absence results in a salary savings to the BSO.</p> <p>Comr. Hardin indicated that theoretically the way the agreement reads it appears that BSO could take the City’s officers and shift them to another City like the City of Deerfield Beach for half the day because nothing is happening in the City of Pompano Beach, yet the City will not get any vacancy credit.</p> <p>Mr. Beach explained that BSO is required to maintain a certain staffing level in the City of Pompano Beach at all times. They do not have the flexibility to move these officers from one agency to another except in an emergency or something of that nature. He then explained the vacancy aspect, which is similar to the City’s experiences with its general employees, when there are vacancies occurring and funds are not spent due to the vacancies.</p> <p>Comr. Hardin just wanted to point out this interesting language should the BSO change its current way of operation.</p>					

Names of Comms.	M	S	Y	N
VOICE VOTE				
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

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REGULAR ITEMS – CONTINUED

Subsequently, they were ranked with the top seven, which were approved by the Commission in May, so these are the contracts to be executed. There is no cost associated with the initial one-year period, and there is an auto renewal for each year for the next four years.

P.H. 2016-10; ORD. NO. 2016-....: TIME 01:36:48 ITEM 40

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 CRAVEN, THOMPSON & ASSOCIATES, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon first reading.

No further comments were made on this item.

P.H. 2016-13; ORD. NO. 2016-....: TIME 01:37:18 ITEM 41

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 MATHEWS

Names of Comms.	M	S	V Y	V N
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<u>REGULAR ITEMS – CONTINUED</u>				
CONSULTING, INC. FOR CONTINUING CONTRACT FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)				
The Ordinance was read by title only.				
MOTION: To approve the Ordinance upon first reading.				
VOICE VOTE				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
No further comments were made on this item.				
P.H. 2016-08; ORD. NO. 2016-...: TIME 01:37:48 ITEM 42				
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 R.J. BEHAR & COMPANY, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)				
The Ordinance was read by title only.				
MOTION: To approve the Ordinance upon first reading.				
VOICE VOTE				
Dockswell			x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie		x	x	
Fisher			x	



City of Pompano Beach, Florida

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

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REGULAR ITEMS – CONTINUED

P.H. 2016-05; ORD. NO. 2016-...: TIME 01:39:55 ITEM 46

AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO INCREASE THE SERVICE CHARGES FOR COLLECTION AND DISPOSAL OF REFUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

The Ordinance was read by title only.

MOTION: To approve Ordinance upon first reading.

Robert A. McCaughan, Public Works Director stated that the City's current Collection and Disposal Contract, which will expire in 2022, with Waste Management, Inc. requires an adjustment to the annual rates. This adjustment is based on the Consumer Price Index (CPI), which is an increase of 1.17%, or one (1) cent. Therefore, a typically single-family residential unit cost of \$16.28 will increase to \$16.29. Additionally, Mr. McCaughan noted that the collection cost would remain same. This ordinance only adjusts the disposal rate.

In response to Comr. Moss' question, Mr. McCaughan responded that the increase would affect all residences throughout the City to include the industrial and commercial communities.

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

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 42

REGULAR ITEMS – CONTINUED

P.H. 2016-06; ORD. NO. 2016-...: TIME 01:42:03 ITEM 47

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ADDENDUM NO. 12 TO CONTRACT FOR COLLECTION AND DISPOSAL OF SOLID WASTE BETWEEN THE CITY OF POMPANO BEACH AND WASTE MANAGEMENT INC. OF FLORIDA EXTENDING THE TERM OF THE ORIGINAL AGREEMENT AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE NEW AGREEMENT FOR COLLECTION OF SOLID WASTE BETWEEN THE CITY OF POMPANO BEACH AND WASTE MANAGEMENT INC. OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

The Ordinance was read by title only.

MOTION: To approve Ordinance upon first reading.

Robert A. McCaughan, Public Works Director, stated that the ordinance would increase the disposal rate by one cent as mentioned in the previous item. As well as, the City will have to extend the collection portion of the contract by 150 days, which will end in February 2016. Therefore, the new proposed contract terms and conditions and the increased rates would not begin until March 1, 2016. However, Waste Management has commenced committing resources for this contract; hence, a contract has to be put into place. In sum, the terms and conditions that are in place currently will extend until March 1, when the new contract will commence.



City of Pompano Beach, Florida

Names of Comms.	M	S	Y	N
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CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

Mr. McCaughan recognized Tony Spadaccia, and Luigi Pace from Waste Management, Inc., as well as Hal Beard and Russell Ketchem from the City of Pompano Beach who will be able to answer questions.

Additionally Mr. McCaughan stated that the process started approximately four years ago, when the City hired Kessler Consultant to assist with the Request for Proposal (RFP), they did a comprehensive market analysis and as a result, some very good responses were received from the RFP. In March, the Commission approved Waste Management, Inc. being the number one ranked firm. Consequently, a contract has now been entered into between the City and Waste Management, which is before the Commission for discussion and possible approval.

Mr. McCaughan noted that Mr. Ketchem distributed the full contract because there were two minor adjustments, which affected the numbering of the pages. The two minor edits were; the 12% franchise fee, which did not change, it only changed the language that referred to it. Also, there was a minor change to the language in Section 19.1, regarding the Hold Harmless and Indemnification section.

Mr. McCaughan reiterated that the Terms and Conditions of the existing contract would continue. The specifics of the new contract will be brought back in February 2016, which will relate to Chapter 96, and will provide specific definitions and other details. Therefore, it will be presented to the Commission prior to entering into a contract with Waste Management, Inc. scheduled for March 1, 2016.

A number of changes that the new contract will bring to the City are as follows:

- Level of service will be similar to what is currently in place with some improvements.
- Municipal garbage will be collected twice per week, and recycling will be collected once per week. Bulk curbside pickup will be once per week. This is a change from the current pick up of twice per week. However, a new change in the contract will allow for each Saturday a collection station where customers can bring their large bulk items at no cost to the residents.

Names of Commrs.	M	S	Y	V	V
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 44</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <ul style="list-style-type: none"> ➤ One of the most significant changes is the automated carts, which were brought to the meeting for display purposes. There will be a 95 gallon large cart to be utilized for municipal waste, as well as a smaller 65 gallon for waste. The current bins utilized for curbside pickup is 18 gallons. The new recycling bin will be 65 gallons. There will be enforcement to utilize the cart, so stuff must be in the container to be collected. ➤ There are plans for education and outreach programs to the communities, via mailings, meetings, visits and HLA's, to ensure that everyone understands the new rules of the contract. This will significantly improve the appearance of the City once the automated carts are in use. The carts are expected to start rolling out sometime in either January or February 2016. ➤ Multi-family residences will receive full stream recycling with their rates. Currently, it is being provided on a requested case basis. Therefore, Waste Management will provide the bins to accommodate. <p>Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach asked about the plans for the educational process. He asked if everything would now be dumped in one container instead of using the multiple cans that they currently set out at the curbside. Mr. Thrower requested that special consideration be given to educating the elderly in utilizing the new automated carts. He suggested another place to educate people would be to utilize the assistance of the churches in the neighborhood. Finally, Mr. Thrower indicated that he is not too thrilled with the colors of the new carts.</p> <p>Mayor Fisher noted that those residents with the old cans can tag them and Waste Management will pick these up, which Mr. McCaughan confirmed that is correct.</p> <p>Mark E. Berman, City Attorney clarified that it would be collected if placed in the designated cart, but people can request additional carts, at a cost, if needed.</p>					

Names of Commrs.	M	S	Y	N
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 45</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Bruce Voelkel, 2700 Southeast 2nd Street, Pompano Beach, FL, expressed concern regarding the reduction in days for bulk pickup. He asked how long trash would be allowed to stay on the curb prior to bulk pickup. He also mentioned that people who perhaps would not be able to get their bulk trash out on the new designated day, how are they planning to address this issue.</p> <p>Mr. McCaughan indicated that those concerns would be addressed in Chapter 96. Currently, it is 5:00 p.m. before the pickup day, so a person cannot set it out earlier than that time because bulk trash would be out on the street for long periods, which would be a concern. Therefore, a balance for this activity will be taken into consideration.</p> <p>Douglas Matthes, 500 Northeast 6th Street, Pompano Beach, FL, stated that the new contract would significantly alter trash collection in the City. Moreover, it does not match the City Code requirements in some instances, and will create catastrophic problems for many single-family property owners. He then provided reasons for his conclusions. to include the lack of meeting with residents prior to drafting the new agreement, to hear their concerns.</p> <p>In sum, Mr. Matthes suggested that educating the people and getting the word out regarding the new requirements will be very important, and they should not rely only on homeowners’ meeting and doorknockers.</p> <p>Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, stated that he echoed Mr. Matthes comments and added that he does not believe this process was properly vetted. He also, complained that for the senior citizens the larger carts would be very difficult for them to get to the curb. Therefore, he suggested that in the education process that they properly vet this with the citizens, especially with the senior ones who may not be physically able to move the large new containers.</p> <p>Vice Mayor Burrie indicated that this contract has been under discussion for a long time and as it relates to conducting public meetings within the neighborhoods, it was demanded prior to entering into the new contract. While it would appear that elderly people would not be able to manage these large containers, she has seen the same sizes in other cities, such as Fort Lauderdale and it appears those residents are getting them out to the street.</p>				

Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 46</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Moreover, the City is working to make the City appear aesthetically pleasing. Finally, Vice Mayor Burrie indicated that the surrounding cities are collecting their trash through this process for some time now, so Pompano Beach is just coming up to the 21st Century. So, education is important and staff is aware of this.</p> <p>Comr. Dockswell stated he understands that it is not only possible to get additional carts if needed, but it is possible to get side or back yard service for those who are physically able at \$10 per month, and for the disabled it can be provided upon request without additional charge. He concurred with Vice Mayor Burrie’s comments and would like to see this commence as soon as possible. Finally, he suggested that during the education process perhaps utilizing the Pelican newspaper could be included in the media used to get the word out.</p> <p>Comr. Hardin asked if a person who does not generate enough trash to utilize the large container, can they request the smaller cart as a trash container and not a recycling cart.</p> <p>Mr. McCaughan replied yes that could be done.</p> <p>In response to Comr. Hardin’s question on the process of the carts being rolled out during the months of January and February prior to the commencement date of March 1, Russell Ketchem, Solid Waste Manager, stated that when the carts roll out the intent is for the residents to commence using them. There will be a learning curve even after the date of March 1.</p> <p>Comr. Moss referred to Page 21 where it listed the Solid Waste Monarch Hill Landfill at Pompano Beach located at 3000 Wiles Road Pompano Beach, FL, and asked if that is within the City of Pompano Beach.</p> <p>Mr. Ketchem replied no, it is in the unincorporated area.</p> <p>Additionally, Comr. Moss referred to Page 22, Section 11.3.1. where it states, “All containers and Roll Carts shall be completely emptied and placed back...,” and asked if in the new contract with Waste Management will they be providing Condominium and Co-op buildings with the larger trash dumpsters.</p>				

Names of Comms.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 47

REGULAR ITEMS – CONTINUED

Mr. Ketchem replied all new dumpsters would be the property of Waste Management. While some multi-family locations may currently own their own dumpsters, it has been negotiated with Waste Management to have them use the bulk or drop off services. An assessment of those containers would occur for those containers and if repair or replacement were necessary, it would occur at no cost to the Condominium owners. However, if the container is a new one then any maintenance moving forward would be done by Waste Management at no cost; however, if replaced it will be at a cost. Therefore, if Waste Management must replace the containers it will become the property of Waste Management not the condominium owners.

Comr. Moss asked if Waste Management currently provides free dumpsters for condominium buildings.

Mr. Ketchem replied that in the current contract no, they are not free. Therefore, this new contract will bring forth a change and a benefit to the multi-family environment.

Comr. Moss referred to Page 34, Section 15.2.3.1., which states, “The City shall bill and collect payment from multi-family customers receiving residential-type cart service.”

Mr. Ketchem explained the current billing process for multi-family dwellings that has residential-type carts to select how to pay for the carts. In essence, the current billing, which is done through Waste Management, will not change or if billing is done through the City that also will not change.

Comr. Moss questioned whether a condominium building with one hundred units is considered residential and not commercial.

Mr. Ketchem replied, “As long as it is owner-occupied as a condo, yes.”

Comr. Moss referred to Page 48 regarding the section under “Multifamily Residential Containerized (Non-Compacted) Rates” and asked if the rate of \$114.97 is currently in effect.

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 48</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Mr. Ketchem replied no. The rates listed are the proposed rates. He added that the rates overall in the system decreased over \$3.6 million per year over the life of the contract, which will decrease the rates for the condominium owners.</p> <p>Comr. Phillips asked for clarification on the two containers.</p> <p>Mr. Ketchem explained that the smaller cart with the yellow lid is the 65 gallons container for recyclable materials, the larger one of 95 gallons will be for general garbage. If a person requires a smaller garbage container due to need or desire, the smaller container of 65 gallons for garbage will be made available.</p> <p>In response to Comr. Phillips question, Mr. Ketchem responded that any location using carts and or bags would be discontinued and replaced with the new automated carts.</p> <p>Comr. Phillips questioned whether Waste Management monitors those locations with over flowing dumpsters. Also, could they pre-determine and provide resolution to this problem?</p> <p>Mr. Ketchem replied that Waste Management does monitor those areas, but Code Compliance also monitors for compliance and education. Furthermore, if there is a need to monitor an area, the complaint should be directed through his office, to determine the need to either increase the size of the dumpster or frequent pick-up. The goal is to clean up the City, reduce the blight, and make it a better place for everyone. Therefore, he will target it out and decide on the best course of action.</p> <p>Comr. Phillips stated that education regarding the bulk pickup plan is very important and hopes that every possible media is utilized to get the word out regarding the new rules that bulk pickup will now be for one day.</p> <p>Mr. Ketchem reminded the Commission that if residents do not get their bulk out for pickup on the designated day, then there is the drop-off location option that will be available. In addition, he stated that all repairs to the new carts would be done through Waste Management at no cost to the customer or the City.</p>				

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 13, 2015

PAGE 49

REGULAR ITEMS – CONTINUED

Mr. Berman indicated that he has firsthand experience with the proposed new carts, which are durable, the service is quick, clean, and cheaper, to which Comr. Hardin concurred.

Comr. Moss asked if recycling in the multi-family neighborhood is mandatory or voluntary.

Mr. Ketchem responded that it is a voluntary program, but it is and encouraged activity.

In response to Comr. Moss' question, Mr. Ketchem responded that the older neighborhoods with cans embedded in the ground eventually will be phased out.

In response to Comr. Hardin's question of recycling glass, Mr. Ketchem replied, yes, that is included in the recyclables, to include cardboard boxes as well.

RES. NO. 2016-22:

TIME 02:17:39

ITEM 48

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMpano BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LETTER AGREEMENT TO RETAIN THE LAW FIRM OF GREENSPOON MARDER TO SERVE AS BOND COUNSEL AND DISCLOSURE COUNSEL; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$81,000 – Please refer to Finance Department Memo #15-197 for additional information. To be funded from bond proceeds or working capital reserve in the General Fund – If Referendum is unsuccessful – 001-9910-9920. If no successful Referendum, maximum fiscal impact is \$10,000.)

The Resolution was read by title only.

Names of Commrs.	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

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PAGE 50

REGULAR ITEMS – CONTINUED

MOTION: To adopt Resolution No. 2016-22 on reading.

Suzette Sible, Finance Director, stated that the item is to request Commission’s approval to engage the services of the law firm of Greenspoon Marder to serve as bond and disclosure counsel for the City’s proposed General Obligation Bond Issue. Additionally, Ms. Sible clarified that the City Commission has not authorized any such bond issue nor have they authorized any referendum for the voters of the City to contemplate such an initiative. The City is still in an exploratory phase as it relates to the proposed Bond Issue. She then provided an update as to the process involved with this Issue.

Finally, Ms. Sible noted that should the Commission decide not to move forward with a referendum for the Bond Issue, or if it proceeded, but failed at the polls, the maximum exposure to the City under this contract will be \$10,000.

Comr. Hardin asked what will happen if item 50 on the current agenda does not get approved.

Mark E. Berman, City Attorney responded that he does not think it will have an impact respectfully. However, a motion for reconsideration of this item can be done at this meeting, should the upcoming item 50 be disapproved.

RES. NO. 2016-22:

TIME 02:20:41

ITEM 49

Approval to award Bid #T-35-15, MLK Boulevard Streetscape Project (Local Agency Program-LAP), to the low bidder, Weekley Asphalt Paving, Inc. in the amount of \$3,532,605.43.

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

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

MOTION: To approve Award Bid #T-35-15 to Weekley Asphalt Paving, Inc.

Horacio Danovich, CIP Manager, stated that the item is requesting the Commission’s approval to accept the lowest bid provided by Weekley Asphalt Paving, Inc. in response to the advertised project to do work on MLK Boulevard between Powerline Road and the Florida Turnpike.

Mr. Danovich provided a brief background on the plans to establish an Education Corridor, which involves the surrounding cities of Coconut Creek and Margate. He also explained the vetting process that staff exercised to engage the recommended firm.

Comr. Phillips expressed satisfaction with the City moving forward with the project. However, he indicated that he would have preferred to see an African-American firm leading the charge on this since it involved the MLK Boulevard. Nevertheless, the Weekley Company has made exceptional commitments in terms of local and small businesses participation in the area. While he would have preferred to see more African-American participation in jobs similar to this one, in order to educate the young people, nevertheless, he gave kudos for this project.

Comr. Hardin asked if there was a thumbnail estimate on the cost of the project and where did the bids come in with regards to the estimated cost.

Mr. Danovich replied that approximately \$300,000 lower than the estimated amount.

Comr. Moss requested that a similar program such as this one on MLK Boulevard be considered for Northwest 31st Avenue as well.

Names of Commsrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

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REPORTS - CONTINUED

City Clerk – No Report.

Commissioner Barry J. Dockswell – Support for Charitable Organizations and Galuppi’s – Comr. Dockswell emphasized that he has nothing but support and good will for charitable services that help the homeless.

Additionally, he has nothing but support and good will for all the work that the Galuppi’s have done. In sum, he is trying to fight for certain principles to be in place, which has not yet gained the support of the majority.

Commissioner Rex Hardin – City Parks Safety – Comr. Hardin stated that he received correspondence in the mail regarding the Norwood Park/Sgt. Jacoby Park, which is an open invitation to him and his family to spend a day at the park and read the letter as follows:

“Your first stop could be the dirty and outdated children’s playground equipment. Please be careful not to talk to the white haired homeless man, hopefully, he will have a shirt on usually he does not. Because all he does, is talk to himself and screams out loud. You won’t miss him, he is always there and has been for over one year and a half. You can talk to the four that sit at the table by the playground, have an afternoon drink with them; they love to talk especially to the children. Who knows, one might even be a former child abuser. As you walk around the park you can look at the garbage cans to see, what their favorite drinks are. Say hello to the rest of the men that are there at the pavilion, at the tables and benches along the pathway. Be careful when you are in the restroom someone might be washing up, but better yet washing their clothes in the basins.”

Comr. Hardin indicated there is more in the letter, but the gist is that there are problems still with the parks. He said he was at the Community Park on Sunday afternoon and experienced several negative situations and in one incident, he had to borrow a cell phone to call the police.

Names of Comms.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 13, 2015</p> <p>PAGE 60</p> <p><u>REPORTS - CONTINUED</u></p> <p>Comr. Hardin concluded that the City is not doing the job that the residents wants done by policing the parks. He is unaware of what the Park Rangers are engaged in with regard to solving some of these issues in the parks. Actually, people are afraid to go the parks because of the homeless situation. Therefore, he is bringing this matter to the City Manager's attention.</p> <p><u>Commissioner Barry Moss – Advisory Committee membership</u> – Comr. Moss indicated that he appointed a member to the Budget Review Committee, who has complained that when he shows up for a meeting he learns that the meeting is canceled.</p> <p>Additionally, Comr. Moss stated this is a problem that is getting out of hand, because two people that he has appointed to date has not been able to meet with other Board members due to lack of a quorum. Therefore, he encouraged those commission members with vacant positions on the Committee to find someone from their district to serve or perhaps consider appointing someone from another district.</p> <p><u>Commissioner Edward Phillips – Advisory Board membership</u> – Comr. Phillips concurred with Comr. Moss regarding appointing people to the various advisory boards. Notwithstanding, some commissioners do have persons who are willing to serve on boards. But, if people who are appointed do not function, then they should be replaced. He understands that an ordinance was adopted to replace those people who have not attended at least three Board meetings.</p> <p><u>Outreach Service on Flakka (Drug)</u> – Comr. Phillips announced that on November 13, 2015, the Broward Sheriff's Office (BSO) plans to have another outreach service for Flakka, the synthetic drug, at the Blanche Ely High School. He invited the Mayor and his fellow commissioners to join in this effort to educate the children, as well as the community of the dangers of this drug.</p> <p><u>Covenant Protection of Neighborhoods</u> – Comr. Phillips stated that a few months ago Ms. Phelps spoke at a Commission meeting regarding a "Covenant Protection" for neighborhoods, which is a great idea. He had requested to see a copy of this document, but received a one-page document,</p>				

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

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PAGE 61

REPORTS - CONTINUED

which he displayed at the meeting. Comr. Phillips opined that someone must have developed something in writing regarding a covenant protection for neighborhoods. Therefore, as the City goes on the march for development this document should be in place to provide some assurances to the neighborhoods because it would relate to future growth of development to include flex units.

Vice Mayor Charlotte J. Burrie – Advisory Board membership – Vice Mayor Burrie stated that she does not have many volunteers in her district, but she would still request the City Clerk to put it on the agenda. However, she has supported appointing others to keep the Board moving. Vice Mayor Burrie thanked the Commission for supporting her in tabling the item earlier, as the two applicants on file does not have any idea about the functions of the Sand and Spurs.

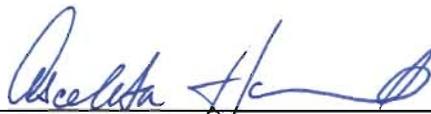
Mayor Lamar P. Fisher – No Report.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:49 p.m.



LAMAR FISHER, MAYOR



ASCELETA HAMMOND, CITY CLERK