



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-05

Date: December 8, 2015

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CITY OF POMPANO BEACH, FLORIDA

REGULAR CITY COMMISSION MINUTES

Agenda No. 2016-05

Date: December 8, 2015

Commission Meeting Room

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

ROLL CALL:

Present:

Mayor
Vice Mayor
Commissioner
Commissioner
Commissioner
Commissioner

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 Robert Kintchen, Jr.
Christ Fellowship Church of God in Christ

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

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

CITY COMMISSION MEETING MINUTES

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SPECIAL RECOGNITION

Mayor Fisher recognized State Representative Gwyndolen “Gwyn” Clarke-Reed, who expressed her thanks to the team that travelled to Tallahassee last week. She said it was a pleasure to see people from Pompano Beach in attendance advocating for their needs. She also wished everyone a wonderful and safe holiday. Finally, Rep. Clarke-Reed announced the regular session would commence on January 11, 2016 through March 2016.

Comr. Phillips stated that there has been recent outcry in various communities about revamping the sentencing guidelines as it pertains to various crimes, as well as sentencing of those crimes in addition to how and when a consecutive sentencing is evoked. He asked if Tallahassee is considering anything by that nature, and explained in detail his reason for the question.

Representative Clarke-Reed confirmed that there is some movement and discussion among leaders in Tallahassee about the sentencing. Nevertheless, she advised that Comr. Phillips or anyone should speak with those on the criminal justice committee about this matter or anything else impacting the communities. Comr. Phillips requested an email contact if available.

APPROVAL OF MINUTES

MOTION: To approve the Regular City Commission Meeting Minutes of November 10, 2015, as submitted.

There were no revisions to the minutes.

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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APPROVAL OF THE AGENDA

MOTION: To approve the City Commission Meeting Agenda of December 8, 2015, as submitted.

CONSENT AGENDA DISCUSSION

Mayor Fisher stated that the City Commission would pull items 5 and 8 from the Consent Agenda for discussion. Therefore, a person may speak on the remaining items on the Consent Agenda during Audience to be Heard.

PROCLAMATIONS

Ashanti Cultural Arts and Enrichment, Inc. 25th Anniversary

Mayor Fisher presented a proclamation, on behalf of the City Commission and the residents bestowing the City's pride, support, and gratitude to Linda Houston Jones and Ashanti Cultural Arts and Enrichment, Inc., and wished them a happy 25th Anniversary.

Linda Houston Jones of Ashanti Cultural Arts and Enrichment, Inc. thanked the Mayor, the City Commission and the public officials, as well as the City of Pompano Beach for their support over the years.

Arbor Day

Mayor Fisher, on behalf of the Pompano Beach City Commission, read a proclamation proclaiming December 10, 2015, as "Arbor Day" in the City of Pompano Beach. He then presented the proclamation to Wade Collum, City of Pompano Beach Urban Forester.

Mr. Collum stated that the City of Pompano Beach observes Arbor Day in order to provide the opportunity to educate people about the importance of the City's urban forestry program; as well as, to showcase the benefit of its community trees.

Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

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PROCLAMATIONS - CONTINUED

Additionally, Mr. Collum stated that the City of Pompano Beach has been a "Tree City" for 25 years. In order to qualify for a Tree City USA designation, a town or city must meet four standards established by the Arbor Foundation and the National Association of State Foresters. These standards were established to ensure that every qualifying community would have a viable tree management program and they were designed so that no community would be excluded because of their size.

The four standards to recognize a "Tree City USA" are: 1) a tree board or department, 2) a tree care ordinance, 3) a community forestry program with an annual budget of at least \$2.00 per capita, and 4) to hold an Arbor Day observance and proclamation. These four core standards for becoming a Tree City USA provide the network, framework, and direction for the strategic management of the community's urban forestry. This year the urban forestry planted five (5) large royal Poinciana trees at the Pompano Beach High School.

Finally, Mr. Collum thanked the City Commission for the recognition and the proclamation.

SPECIAL PRESENTATION

Citizen Recognition of City of Pompano Beach Employee

Mayor Fisher introduced Chief John Hale, Police Chief of Broward Sheriff's Office (BSO) who recognized a City of Pompano Beach employee, Lisa Wiggins for her heroic action.

Chief Hale indicated that it was a pleasure to recognize Ms. Lisa Wiggins, an employee in the Development Services Division of the City of Pompano Beach, for her heroic action in an incident that occurred on Saturday November 14, 2015 at about 9:00 a.m. He said Ms. Wiggins walked into the Wells Fargo Bank located at 400 East Sample Road and noticed something amiss. She saw a man with a hoodie that was pulled up over his head and he was standing at one of the bank tellers. She overheard him whispering to the teller and passing a note. She immediately backed out of the bank, and

Names of Commrs.	M	S	Y	V N

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SPECIAL PRESENTATION - CONTINUED

called 911 with a very accurate description as to what was going on, as well as a description of the male person she suspected of robbing the bank. Moreover, she was able to warn and held off other customers from approaching and entering the bank with a bank robbery in progress.

Chief Hale stated Ms. Wiggins was not only able to direct the deputies within minutes to the location, but they were able to catch the person coming out the door with the money and the note in his pocket. She also had the wherewithal to help to protect the fellow citizens from going into the bank at the time. Therefore, for such an action, Chief Hale stated they call her a hero. So, on behalf of the City of Pompano Beach and the Broward Sherriff's Office, he presented her with a Certificate of Recognition, which he read in its entirety.

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.

Beach Issues and the Park Ranger Program – Keith Mizell, 328 N. Ocean Boulevard, Pompano Beach, FL 33062, stated that since the completion of the Pompano Beach Boulevard project they have been having issues with the sidewalks, the traffic, and the parking. Notwithstanding, progress was made and for quite a while things were working well. He indicated that the Park Ranger program contributed a great deal to the success.

Mr. Mizell reported recently that there was an incident, he believed tied a bunch of issues together very well. He mentioned Comr. Dockswell was copied on an email from Steve Snyder, and Mayor Fisher received comments from Bob Adkins on some of the happenings.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

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AUDIENCE TO BE HEARD – CONTINUED

In sum, there was a vendor refusing to carry his stuff from a parking space to set up his business, so he drove into the park and parked as close to the beach as he could. The City employees from the Public Works Department approached him and he indicated he had a permit, which was correct. However, one of the issues to correct some of these types of problems is to have some improvements to the permitting system for the beach pavilions. He suggested that residents meet with the appropriate staff to check into this.

Mr. Mizell stated BSO responded quite quickly and convinced the vendor to relocate, however, they could not find any parking enforcement personnel. Therefore, there appears to be some communication issues with the new contractor that perhaps need to be reviewed.

Additionally, Mr. Mizell indicated that the Park Rangers have been gone for months. Therefore, he suggested that if the City could get back to its original schedule that was in place, then it would be more beneficial to everyone.

Finally, Mr. Mizell stated that without the Park Rangers, the dogs, the drinking, the bicycles, the roller-bladers, everything that was happening on the east sidewalk that the Park Rangers were taking care of have returned.

Mayor Fisher directed the City Manager to look into the items that Mr. Mizell presented.

Consent Agenda Item 6 – Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, cited proposed Resolution, “...To execute a Homeownership Development Agreement between the City of Pompano Beach and Habitat for Humanity of Broward, Inc., for the utilization of home investment partnership grant funds...to develop and sell two single-family townhomes to income-eligible households.” He said during this time of Thanksgiving and Christmas he would ask the Commission to give thanks to Pompano Beach’s special people who are service related disabled veterans. He then provided his reasons for such a request. Therefore, he suggested the Commission add a few words to the proposed resolution to state, “That the service related disabled veterans of Pompano will have, within the bounds of the law, a selection preference for these two homes.” He concluded that the City should try and keep the service related disabled veterans here in decent living quarters in our own community.

Names of Comms.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

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AUDIENCE TO BE HEARD – CONTINUED

Vice Mayor Burrie noted that the City of Pompano Beach puts veterans first with everything in employment practices and is unsure if someone from Habitat was present to comment on the housing aspect. Nevertheless, she agreed that the service men should have preference.

Education Workshop for Garbage Collection – Joseph Ryan, 427 Northeast 24th Avenue, Pompano Beach, FL, commented on the new policy on cutting up palm fronds and bundling it to put out for collection. He said it appears the citizens are the victims of a situation where the City created for many years giving away free palm trees. He said he lost a few of his palm trees but have a few left on his property. He hopes the Commission would rescind this ordinance because he along with five other people on his block are incapable of carrying out the City’s request. He indicated that the City is creating hardship for some residents who are unable to carry out this new order.

CONSENT ITEMS

RES. NO. 2016-64:

TIME 00:29:46

ITEM 1

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SOVEREIGNTY SUBMERGED LANDS EASEMENT RENEWAL BETWEEN THE CITY OF POMPANO BEACH AND THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND OF THE STATE OF FLORIDA PROVIDING FOR AN EASEMENT FOR CROSSING THE INTRACOASTAL WATERWAY WITH A WATER MAIN; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

Names of Comms.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

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CONSENT ITEMS - CONTINUED

Mark Korman, Program Compliance Manager, Office of Housing and Urban Improvement, replied that the State prefer that these grants are awarded to persons with low to moderate income. The intent was to award these grants to those persons on the City's emergency repair waiting list, which fits within the program. Furthermore, he stated that on Page 18 of the backup, there is a list of things those applicants would pay for.

Additionally, Mr. Korman responded that while they do have staffing, currently they are short staffed, utilizing five (5) persons who work together to get the program going. In addition, he indicated that this is not an entitlement grant but a competitive one the City won.

Comr. Phillips pointed out this is a good thing but he has some concerns with the department, which include the fact that there are people on the emergency repair list that have been waiting for over a year and never seem to ascend on the list. He asked if there are any plans to get those persons ascending the list.

Mr. Korman explained the reasons for this, which he said is a combination of funding and most recent staffing. Nevertheless, they are compensating with a reorganization plan, as well as acquiring assistance from the Florida Housing Coalition. Their representative will be providing the technical skills to assist with the processing of the file so people are not waiting needlessly when the funds are made available.

Comr. Hardin stated that although there appears to be a small number of staffing, they are mighty in their results and commended them for doing a good job.

Mayor Fisher also congratulated Mr. Korman for the reward of being ranked in the top 100.

Names of Comms.	M	S	Y	V N

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CONSENT ITEMS - CONTINUED

RES. NO. 2016-69:

TIME 00:29:46

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 HOMEOWNERSHIP DEVELOPMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HABITAT FOR HUMANITY OF BROWARD, INC., PROVIDING FOR THE UTILIZATION OF HOME INVESTMENT PARTNERSHIP GRANT FUNDS RECEIVED FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO DEVELOP AND SELL TWO SINGLE-FAMILY TOWNHOMES TO INCOME-ELIGIBLE HOUSEHOLDS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: HOME funds in the amount of \$50,000)

RES. NO. 2016-70:

TIME 00:29:46

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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND AD GRAPHICS, INCORPORATED, TO PROVIDE SERVICES AND MATERIALS TO COVER FORTY-NINE UTILITY BOXES WITH ADHESIVE VINYL WRAPS PRINTED WITH ARTWORK; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$35,631.63)

TIME 00:35:05

ITEM 8

Approve ranking order for RLI E-38-15 Kendall Lake Neighborhood Storm Water Improvements, and authorize staff to negotiate a contract with the highest-ranked firm, Mathews Consulting, Inc. (No cost at this time)

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

CITY COMMISSION MEETING MINUTES

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CONSENT ITEMS - CONTINUED

MOTION: To approve the item.

Comr. Phillips stated that although he has not been serving on the Commission for more than a year, Mr. Brown has earned his respect. However, he asked if staff is reaching out to the Kendall Lakes Homeowners' Association to inform them of the plans.

A. Randolph Brown, Utilities Director, responded that staff has not begun that process to date and explained that they are in the process of selecting the consultant to provide a proposal for the type of study that will be conducted within this area. Once that is determined, an outreach event will be held similar to what has been done in other areas of the City.

RES. NO. 2016-71:

TIME 00:29:46

ITEM 9

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING PARTICIPATION IN THE "FLORIDA GREEN ENERGY WORKS PROGRAM," AND THE "CLEAN ENERGY GREEN CORRIDOR PROGRAM," VOLUNTARY PROGRAMS PROVIDING INTERESTED PROPERTY OWNERS WITH THE OPPORTUNITY TO FINANCE ENERGY EFFICIENCY IMPROVEMENTS ON THEIR PROPERTY BY REPAYMENT THROUGH NON-AD VALOREM ASSESSMENTS ON THEIR PROPERTY TAX BILL; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A PARTY MEMBERSHIP AGREEMENT WITH THE FLORIDA GREEN FINANCE AUTHORITY AND THE CITY OF POMPANO BEACH, AND AN INTERLOCAL AGREEMENT BETWEEN THE CLEAN ENERGY GREEN CORRIDOR DISTRICT AND THE CITY OF POMPANO BEACH, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

Names of Comms.	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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CONSENT ITEMS - CONTINUED

MOTION: To adopt Consent Items 1-4, 6-7, and 9.

There was no discussion on Consent Items 1-4, 6-7, and 9.

REGULAR ITEMS

TIME 00:37:00

ITEM 10

A presentation of Multivista Construction Documentation Services.

Horacio Danovich, CIP Manager, indicated he had a brief presentation for the Commission. He stated City staff has identified a product that helps to track construction as it progresses from the ground up, which has been used very effectively on four projects. Two will be completed shortly and two are under construction, namely, Fire Station 11 and Fire Station 103. Further, staff had implemented it on the Public Library/Cultural Center and for the Pier Garage.

Mr. Danovich stated that this product tracks everything that is going on both on the inside and outside of a project at its inception. Therefore, in a few years after the project is completed and turned over to the Public Works Department for maintenance, there will be an easier back tracking for the plumbing of the building. Also, the City will have accessibility to this because it is internet driven. He then presented a number of pictures taken on some of the above-mentioned projects.

Vice Mayor Burrie said she was able to watch online the Fire Station in her District being built, so it is a great program.

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS - CONTINUED

In sum, Mr. Danovich indicated that staff is not stopping at just designing plans and building, but looking at what else to do to enhance their ability to manage the projects from beginning to end and beyond. He said he would provide the Commission with their own individual login and pass-codes, which would enable them to access the information on individual laptops/computers. In addition, there is a mobile app which does the same function but on the cell phone. He indicated that immediately after the pictures are posted, the Commission would be able to view them on the phone.

Comr. Dockswell stated that he received a few emails from a female at Multivista informing him of how to get a login ID and asked if he could proceed to do this.

Mr. Danovich replied Comr. Dockswell could go ahead and do it or he could assist if necessary. In fact, once a person is able to login they will be able to see all the pictures constantly coming up. They will be able to visit the sites once every month or every two weeks, which depends on the section of the building, where they will take pictures from outside and inside.

In response to Comr. Dockswell questions of personnel taking the pictures, Mr. Danovich indicated that the people taking the pictures are professionals and are OSHA certified individuals.

Comr. Phillips asked if the pictures taken are just for City projects.

Mayor Fisher explained that they do not take pictures of private developments in the City.

Mr. Danovich pointed out this type of service would be best served for large projects rather than on small projects.

Comr. Dockswell inquired about the City being invoiced for this service.

Mr. Danovich replied that the City retains the company by getting a quote for each project to be worked on.

Names of Comms.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS - CONTINUED

Comr. Hardin asked how long has the company been in business, and would the product belong to the City. In fact, what would happen if the company went out of business.

Mr. Danovich replied that the City bought the product and the service, which will last a couple of years. Thereafter, they can store the entire project in the cloud or a package could be provided and stored in the City's computer.

Comr. Hardin stated he likes the idea to have these projects catalogued for now, but expressed concern of the company going out of business and the City not getting accessibility to the stored information.

Mr. Danovich stated he understood any computer could store the information. Nevertheless, he had inquired about changes in technology over the next five years or the chances of the City's computers being upgraded, and how would this impact the accessibility to the information. At the least, the Portable Document Format (PDF), which is international and a very well accepted medium will still be there. The photographs are Joint Photographic Experts Group (JPEG), which are basic material and will still be there. There is a chance of losing some functionality but the tracking device will never be lost. The photos are indexed by date and connected to a part of the plan; therefore, as long as there is the PDF and photos, staff will have the ability to connect them.

No action was taken on this item. This was for informational purposes only.

P.H. 2016-31; ORD. NO. 2016-26: TIME 00:48:30 ITEM 11

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CONTRACTS FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MCCAFFERTY BRINSON CONSULTING, LLC, MATHEWS CONSULTING, INC., GLOBALTECH, INC., TETRA TECH, INC., AND CAROLLO ENGINEERS, INC., FOR CONTINUING CONTRACT FOR ENGINEERING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: Not to exceed \$200,000 per scope of work)

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

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-26 upon second reading.

A. Randolph Brown, Utilities Director, stated that this is a renewal of contract for consultant engineers for the Water Treatment Plant and the Reuse System. The committee selected the presented consultants. However, six firms were selected, but the sixth one could not get their signed documents to the City in time.

Comr. Phillips mentioned that he has received several emails on boiling water and asked if these engineers would assist in reducing the need to boil water.

Mr. Brown responded that the incident was related to Broward County experiencing recent breaks and notified the City because they are serving City residents in that location.

P.H. 2016-27; RES. NO. 2016-72: TIME 00:51:21 ITEM 12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A MAXIMUM OF ONE HUNDRED FORTY FIVE (145) FLEX UNITS FOR A PROPOSED MIXED USE REDEVELOPMENT PROJECT TO BE LOCATED ON THE NORTHWEST CORNER OF NORTH FEDERAL HIGHWAY AND NE 2ND STREET; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

Names of Comms.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

Robin M. Bird, Development Services Director, stated that the property located at 225 North Federal Highway consists of approximately 3.2 acres. The applicant is requesting 145 Flex Units. Zoning district for the property is for General Business/Atlantic Overlay (B-3/AOD). Affordable housing is not required since it is located in the AOD district. A Planning and Zoning Board hearing was held on this item on July 22, 2015, with a vote of 6-1 on approval of the request, which included ten conditions of approval. All conditions have been met and are addressed by the proposed resolution.

Continuing, Mr. Bird indicated that included in the backup was Memorandum 15-628 with a list of the standards reviewed including any applicable goals, objectives and policies. Also, conditions in the Resolution Section C must record a voluntary deed and restrictive covenants, which restricts the redevelopment of the first floor of the existing Everest University to retail offices and similar uses. It is to be recorded within two months.

Additionally, stated in Section 4, the proposed project must be built in substantial conformity with the attached conceptual site plan and drawings, which demonstrates the location of the parking area, trellis, pedestrian paths, street entrances fronting on NE 20th Avenue and the qualitative principles.

Mr. Bird stated that the applicant has applied for the site plan approval, which is being processed. Also, they must obtain a principal building permit for the project within twenty-four (24) months.

Mr. Bird indicated that Comr. Dockswell pointed out that staff repeated Sections 6 and 7 of the Resolution, which were duplicated and are exact in nature; however, there is “no harm no foul” in leaving it as is or remove one of the sections, which would be more appropriate.

Finally, Mr. Bird stated the applicant is to provide an executed and recorded Unity of Title document prior to commencement of construction of the residential building. The property is in the back fronting on a residential street, however, they will propose a commercial fronting on Northeast 4th Street.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

Dennis Mele, Esquire, 200 East Broward Boulevard, Fort Lauderdale, FL, representing the applicant, presented a number of photographs depicting the site where the project will be located; on 2nd Street along the south side of the property, 4th Street along the north side and then Federal Highway along the western boundary. He said the Atlantic Tower office building has been located there for a number of years; there is a large parking garage behind it with enough parking for the office and bank buildings, as well as for the proposed residential building. He then outlined the site plan with the existing office buildings, the existing bank, the parking garage and the proposed residential building.

Additionally, Mr. Mele indicated that they received a unanimous approval from the Zoning Board of Appeals, not requiring that the entire ground floor be retail, which he explained the reasons in detail.

Bruce Voelkel, 2700 Southeast 2nd Street, Pompano Beach, FL, stated that after he had attended a recent Commission Workshop regarding granting of Flex Units, he understood there would be a hold on flex units for some time. Therefore, he inquired where the 145 units would be coming from for this project.

Mr. Bird explained that this application was already being processed prior to the Flex workshop, therefore they are entitled to move forward under the previous set of rules. Notwithstanding, the 145 units is not the 250 that were discussed relative to allocating them to the CRA area. In fact, these will come out of the total pool of the 1,400 discussed at the previous workshop.

Mr. Mele informed that the City has been considering doing a Local Activity Center (LAC) land use for the area, and they were asked in the beginning to support that effort, which they agreed to do, and they agreed to return the flex units to the pool if a LAC land use was to be done.

Joe Carrier, 223 Northeast 20th Avenue, Pompano Beach, FL, asked if the proposed building site is currently a parking lot, to which Vice Mayor Burrie replied, "That is correct."

Names of Comms.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES December 8, 2015</p> <p>PAGE 19</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>In response to Mr. Carrier’s question, Mr. Bird replied that Everest University was built and occupied where formerly an office building was located, as well as, there are parking lots, some surface parking with the Bank, and a parking garage that was built. Furthermore, many of the spaces were up and above requirements of the City’s code. In sum, they will not be taking away the parking garage. This multi-family building will share the garage with the university. Finally, Mr. Bird indicated that the BMW car dealer utilized the parking lot for the past two years.</p> <p>Mr. Mele indicated that most of the parking garage has BMW cars parked from the BMW dealership, however, once the residential units are built those cars will go away.</p> <p>Juan Caycedo, AIA, RLC Architects, noted that the unit sizes vary from one bedroom to three bedrooms. A one bedroom unit starts at 780 square feet and a three bedroom starts at 1,300 square feet. Currently, the units will be rentals but there is no pricing available at this time for these units. Mr. Mele indicated that the area would encourage market rate rents for the multi-family building.</p> <p>Additionally, Mr. Mele indicated that the underlying zoning of the property is B-3 in comparison to the proposed residential use to what could be built as commercial. They took a conservative number of square feet of commercial, approximately 20,000 square feet, which could easily fit in a one story commercial building on the proportion of the site for the proposed multi-family building, which would generate more traffic than what the residential would. In addition, they will be keeping in place that control, where drivers must turn north on 20th Avenue when exiting the garage. They have also added more control by instituting that upon exiting the site at 20th Avenue and 4th Street a person must turn right towards Federal Highway and not cut through the neighborhood.</p> <p>Ned Franklin, 223 Northeast 20th Avenue, Pompano Beach, FL, expressed concerns with the change in density because traffic is already bad on Atlantic Boulevard and Federal Highway.</p>				

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

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PAGE 20

REGULAR ITEMS – CONTINUED

Ric Green, Greater Pompano Beach Chamber of Commerce, President CEO, 2200 East Atlantic Boulevard, Pompano Beach, FL, stated that the people who are involved with the project are familiar to the City and they have been involved in the City for some time. Scott Brenner, the applicant, have always done a great job with projects he has been involved with and has contributed to making the City a great place to live and work. Therefore, Mr. Green encouraged the Commission to give his project some consideration.

Comr. Hardin indicated that he had ex parte communication with the applicant on several occasions discussing the project and the impacts to the neighborhood. However, he thanked the applicant for seriously addressing the traffic concerns. People from the Old Pompano area have over the years complained vehemently about the increase in traffic. This is an ideal location on Federal Highway to get people to the Mass Transit, which is key and there will not be that many traffic generated by the residential units.

In sum, Comr. Hardin indicated that the applicant has worked diligently with the Old Pompano Civic Association and the residents and promised to deliver quality product and quality housing in an area that the City really wants it.

Comr. Phillips asked how many units would be built.

Mr. Mele explained that originally, they requested 147 units but after working with staff, they reduced it to 145.

In response to Comr. Phillips question, Mr. Bird replied that as it relates to affordable housing that component to issue flex units in the Atlantic Boulevard Overlay District (AOD) was removed for some time now.

Comr. Phillips expressed concern regarding the traffic component and the building becoming a part of a “concrete jungle”, as expressed to him by a number of persons.

Mr. Mele pointed out that the existing office tower is eight stories and the proposed residential residences will be the same height. Additionally, in terms of the traffic, Mr. Mele explained that by cutting back on retail and commercial build-out, they were able to reduce daily traffic to that area significantly. Notwithstanding, they have worked on ensuring that 20th Street remain residential and flex units are assisting them to accomplish this.

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

CITY COMMISSION MEETING MINUTES

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PAGE 21

REGULAR ITEMS – CONTINUED

Comr. Dockswell asked for clarification on the right turn only section on this project, and asked if that decision is the applicant's or the City.

Mr. Mele replied that they could not do any pavement markings or modifications unless the City grants approval.

Comr. Dockswell asked where it is documented that it would be a right turn only when exiting the garage,.

Mr. Mele replied that it would be part of their site plan to be submitted to the City's Planning & Zoning Board. He had previously indicated on the chart presented that it would be the similar markings of pavements and arrows showing right turn only on the site plan drawing. Notwithstanding, he suggested that if the Commission wanted to approve the item with the condition that it be included in the approval of the site plan, then they are willing to accommodate that request.

Comr. Dockswell suggested that one of the conditions of approval should be that the site plan includes the right turn only when exiting the parking garage.

MOTION: To add a condition of approval to include in the site plan the right turn only when exiting the parking garage.

Comr. Dockswell asked for clarification of the project and its actual size in comparison to the existing Everest building.

Mr. Mele explained that the proposed project square footage is indeed larger than the Everest building.

Comr. Dockswell is concerned that the City is trying to get a new philosophy in place and it would be January before the Commission sees the presentation. Further, it will be another eighteen months before there will be anymore flex units than what is currently in place. So, within approximately two years the City will have to make do with the 1,400 flex units currently in place.

Names of Comms.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES December 8, 2015</p> <p>PAGE 22</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Mr. Bird replied that is correct.</p> <p>Comr. Dockswell concluded that this project is over ten percent (10%) of the flex units the City needs to save for the most appealing, attractive and positive economic impact projects that may come along until more flex units are requested. Therefore, while he likes the project and the people who are associated with it, he thinks flex units could be more effectively used, which he explained in detail.</p> <p>Additionally, Comr. Dockswell stated that mixed uses have been discussed and the ordinance changed accordingly. Nevertheless, this is coming forward under that program of encouraging mixed use so that the streets are activated and allowed for pedestrian friendly streets and so forth. Therefore, he sees the project as mixed use in name only.</p> <p>Comr. Dockswell indicated that he had ex parte communications with the applicant's team on several occasions regarding the site plan, design and the impact to the neighborhood.</p> <p>Vice Mayor Burrie asked if this particular project came in prior to the Workshop on Flex Units.</p> <p>Mr. Bird replied yes it did.</p> <p>Vice Mayor Burrie indicated that she had ex parte communications with the applicant and counsel regarding the site plan.</p> <p>Comr. Hardin asked who owns the parking lot across the street west of the subject property on 20th Avenue.</p> <p>Mr. Mele replied that his client owns the lot, but does not have any idea of their plans for the site. In addition, Mr. Mele indicated that he understands the allocation of flex units is an important consideration, there is a limited supply, and it is a TOC rather than a LAC. However, the flex units currently assigned will go back into the pool because they would not need them anymore as they would be eligible to come under the residential uses allowed in the Transit Oriented Corridor (TOC).</p>				

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

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

Robin M. Bird, Development Services Director, indicated that this is an application for fourteen flex units. The project was originally allocated fourteen flex units in 2006, but they have had several extensions from both Tallahassee and the City's Zoning Code. The Zoning District is General Business (B-3) and they are not required to include affordable housing since it is less than a one-acre in-fill site.

Furthermore, on July 22, 2015 a Planning and Zoning Board hearing was held with a unanimous vote of approval to include one condition of approval to provide affordable housing pending text amendment approved by the Commission. Therefore, all conditions were met and included with the backup in Memorandum 15-629, which lists the standard review and the applicable goals, objectives and policies relative to granting this approval.

Mr. Bird indicated that the City staff initiated it at the request of the applicant.

Eric Collin, Vector of Pompano Beach, LLC, 205 North Orange Avenue, Sarasota, FL, illustrated on the site plan the following items that were changed since it was first approved:

- The linkage and the transportation corridor study recommendation with pedestrian linkage. There are sidewalks on all four sides of the property connecting to the public right-of-way. The owner has agreed to provide a perpetual easement along the canal for public access.
- Fourteen three-story townhomes units will range between 2,400 and 2,900 square feet. Also, there is a density of 22 units per acre versus the possible 46. Therefore, it is a good transitional buffer between the commercial corridor on Federal Highway and the residential neighborhood of the Santa Barbara Shores.

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES December 8, 2015</p> <p>PAGE 26</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>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.</p> <p>Asceleta Hammond, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in this matter.</p> <p>Robin M. Bird, Development Services Director, stated that this is a plat at the back of the Oaks Clubhouse in Palm Aire. The site includes 4.3 acres located at 4091 West Palm Aire Drive. Currently, the property is vacant, which is restricted to 39 high-rise residential units. However, the applicant desires to amend it to build 15 single-family residential units due to the change in market conditions.</p> <p>Comr. Moss stated that Palm Aire United received a visit from the developer approximately one year and half ago outlining his plan for the mid-rise building with 39 rental units. However, he wants to know if the proposed planned units would be for sale as opposed to rental.</p> <p>Michael Vonder Meulen, AICP, Keith and Associates, 301 East Atlantic Boulevard, Pompano Beach, FL, replied that these will be single-family homes, fee simple, and for sale.</p> <p>In response to Comr. Moss' questions, Mr. Vonder Meulen responded that there is a site plan that is currently going through the City's process. There is a small loop road within the project with fifteen (15) individual lots to have each home customized. There are a couple of models that will be available as they create a design template to meet the City's requirements. Also, one area of the property is being set aside to preserve as many of the trees that are located on the property.</p>				

Names of Commrs.	M	S	Y	N
CITY COMMISSION MEETING MINUTES				
December 8, 2015				
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<u>REGULAR ITEMS – CONTINUED</u>				
The Ordinance was read by title only.				
MOTION: To adopt Ordinance No. 2016-32 upon second reading.				
<u>VOICE VOTE</u>				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	
There was no discussion on this item.				
P.H. 2016-21; ORD. NO. 2016-33: TIME 01:42:55 ITEM 22				
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 SONG & ASSOCIATES, INC. FOR ARCHITECTURAL AND STRUCTURAL ENGINEERING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)				
The Ordinance was read by title only.				
MOTION: To adopt Ordinance No. 2016-33 upon second reading.				
<u>VOICE VOTE</u>				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips		X	X	
Burrie			X	
Fisher			X	
There was no discussion on this item.				

Names of Comms.	M	S	Y	N
VOICE VOTE				
Dockswell			X	
Hardin	X		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

December 8, 2015

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REGULAR ITEMS – CONTINUED

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-35 upon second reading.

There was no discussion on this item.

P.H. 2016-17; RES. NO. 2016-76: TIME 01:45:26 ITEM 25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED ON THE NORTHWEST QUADRANT OF THE INTERSECTION AT NW 31ST AVENUE AND W. ATLANTIC BLVD., IDENTIFIED BY FOLIO NO. 484232190010, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-76 upon second reading.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

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REGULAR ITEMS – CONTINUED

Chris Clemens, Economic Development Manager, stated this is a second reading for the North Palm Aire Golf Course, formerly North Palm Aire Golf Course. The property owner, Atlantic Boulevard Apartment Investors had submitted a letter of application to request the City Commission to designate the property as brownfield. In addition, the City has approved and permitted a four hundred residential unit complex with a total capital cost estimated at over \$62 million. Staff has found that the property owner has demonstrated this project, the property meets the five (5) statutory requirements, and as such, it is mandatory designation.

Comr. Moss commended Mr. Goldstein for conducting the public meetings in which they explained the project very nicely to the Collier City group. Further, Mr. Goldstein plans to meet with the Palm Aire United Group as well.

P.H. 2016-30; RES. NO. 2016-....: TIME 01:47:31 ITEM 26

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE SERVICE CONTRACTS BETWEEN THE CITY OF POMPANO BEACH AND ALL AROUND TOWN PROPERTIES, INC., THE BANNERMAN GROUP, INC., CREATIVE LAWN MAINTENANCE LLC, CRODON, INC., GWEN'S LANDSCAPING & LAWN SERVICES, INC., IRF IRRIGATION LLC, PRECISION CUTS LAWN CARE AND MAINTENANCE SERVICES, INC., R & A WOODS ENTERPRISES, INC., EGLON L. ROLLE, D/B/A R & R HONEST MAN LAWN SERVICE, SEGINSUS SOLUTIONS, LLC, AND SKKV PROPERTY MAINTENANCE LLC, FOR LOT MOWING AND RELATED SERVICES FOR THE CODE COMPLIANCE UNIT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$68,000 annual estimate)

The Ordinance was read by title only.

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

MOTION: To approve Ordinance upon first reading.

NOTE: To view all service contracts for this item, please go to our website at: www.pompanobeachfl.gov/mowingcontracts

Mark Berman, City Attorney pointed out this is another example of getting the same subject matter all under one ordinance instead of eight or nine separate ordinances, which ultimately is cost effective to the City.

Mario Sotolongo, Compliance Supervisor for the City of Pompano Beach, stated that this is the first reading of an ordinance for approval of service contracts for mowing and related services for the code compliance unit. He indicated that eleven (11) contractors were awarded Bid #L-53-15 in November 2015, and six (6) of the eleven (11) responsive bidders are local contractors. Therefore, with the City Commission’s approval, they will be ready to initiate another cycle of the City’s Nuisance Abatement program.

Comr. Phillips commended the Code Enforcement Department for establishing and following this matter through as it relates to the nuisance abatement program. He pointed out that oftentimes there are areas where the grass grows very high, houses are vacant and the City is unsure as to what action to take. However, recently, the City is starting to respond to these issues. Therefore, he offered kudos to the Code Enforcement department for working to ensure the City looks its best.

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

December 8, 2015

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REGULAR ITEMS – CONTINUED

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-78 upon reading.

Jennifer Gomez, Assistant Development Services Director, provided a summary of the item. She introduced Patricia Ramudo of the IBI Group, and Laura Attria, one of the newest members to the Public Art team.

Additionally, Ms. Gomez indicated the IBI Group (IBI) prepared the program with the assistance of a sub-contractor, Glenn Weiss, who prepared the majority of the plan. Further, the Master Plan lays out a plan for 55 art works that will be done through 26 different projects. The budget was made to match the estimated program income of \$2.123 million over a ten-year period.

Finally, Ms. Gomez indicated that it is a two-part program, which is both a master plan that outlines the art work and which inspirational items will be selected. While the second part is the public art guidelines, which will provide recommendations on how to administer the public art program and identify special procurement processes for the selection and contracting of public art.

Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL, asked if the Blanche Ely tiger would be included on any of the proposed artwork items and if so where will it be located.

Ms. Gomez replied that with regard to the Blanche Ely tiger, it is a specific program objective that they do not use logos or specific symbols of particular schools or other logos. However, with the utility box wrap project, based on the last selection committee, one artist was selected to do the downtown area and he had a specialization in endangered species. Therefore, they voted to place a painted tiger at Northwest 6th Avenue and 15th Street.

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES December 8, 2015</p> <p>PAGE 40</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Mayor Fisher indicated that the City will look into the tiger request, but the City cannot be specific in logos as was stated earlier. There has been a design of a specific tiger, which is similar to the one at the Blanche Ely High School.</p> <p>Mr. Thrower indicated that he would start a petition drive for a Blanche Ely High School tiger, and on the northeast side, he would petition the Pompano High School for the Tornado. Therefore, he requested that the Commission consider a Blanche Ely tiger.</p> <p>Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, stated that he believes the people are more important than art. Therefore, he suggested that before the City spends over \$2 million on artwork, it would be better utilized on resources to take care of the people in the community who are less fortunate and needs a place to stay.</p> <p>Comr. Hardin complimented everyone who worked on the project, as it has been a long process. Therefore, he thanked the volunteers, the consultants, City staff and the people who came up with the concepts originally, as well as City Manager Beach for pushing it forward. This will change the face of the communities, which has already started, where the Pompano fish is on display all around the City. Notwithstanding, it will add vibrancy to the community and will only change the City for the better.</p> <p>Comr. Moss indicated that some people in his district were a bit concerned about the cost involved in publishing the document. Therefore, he asked if City staff did the photographs and published them as well.</p> <p>Ms. Gomez replied that IBI was the contractor who had been hired to graphically format and print the documents. Therefore, the printing cost associated with the document was absorbed within the contract with IBI. She then provided details on how the various costs were applied to the program.</p> <p>Comr. Moss noted that the plan could change with circumstances as the City moves forward. In sum, this is not the law; rather, it is a plan.</p> <p><u>REGULAR ITEMS – CONTINUED</u></p>				

CITY COMMISSION MEETING MINUTES

December 8, 2015

PAGE 40

REGULAR ITEMS – CONTINUED

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REGULAR ITEMS – CONTINUED

Names of Comms.	M	S	Y	V N
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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	
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 adopt Resolution No. 2016-80 upon reading.

RES. NO. 2016-81:

TIME 02:05:25

ITEM 32

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **DANIEL HORAK** TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF ALFRED RITTER; SAID TERM TO EXPIRE ON MAY 27, 2016; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-81 upon reading.

Comr. Moss asked if it is traditional when there is a vacancy an alternate member is moved into the position.

Mayor Fisher replied that it is not a precedent by any means. There are opportunities where other ones have been nominated versus the alternates. Moreover, the City Commission appoints alternates.

Comr. Moss indicated that Alfred Ritter, who is now 96 years old, has served on this Board for fifteen years. He is a former World War II pilot, as well as the recipient of many medals. Therefore, on behalf of the City Commission, Comr. Moss congratulated Mr. Ritter on his services to the community.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

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Mayor Fisher noted that since an alternate has filled the regular member vacancy, the City Clerk should now look to fill the vacancy for that alternate.

REPORTS

City Manager – No Report.

City Attorney – Demise of Former City Attorney – Mark E. Berman, City Attorney, noted the passing of former Pompano Beach City Attorney, Bruno DeGillian. He acknowledged his former services as City Attorney and expressed his condolences to his family and friends.

Broward County Ethics Ordinance Amendments – Mr. Berman stated that On December 8, 2015, the Broward County Commission changed and amended its ethics code. Therefore, he will be providing the City Commission with a list and the appropriate materials of all the changes to the ethics code, once the final copy is received from the County.

Mayor Fisher requested that Mr. Berman highlight each change in bullet form to make it easier for the Commission to understand.

City Clerk – City Commission Paperless Agenda Training – Asceleta Hammond, City Clerk reminded the City Commission of their training session to be held on Wednesday, December 9, 2015 at 9:30 a.m. in the Fourth Floor Conference Room of City Hall. This will be for the Paperless Agenda process that the City is pursuing to institute.

Holiday Wishes – Ms. Hammond wished everyone a great Holiday and a Merry Christmas.

Commissioner Barry J. Dockswell – Gifts Received by City Commission – Comr. Dockswell noted that with regard to the ethics ordinance compliance, recently, the Commission received shirts that were handed out to them by the Chamber of Commerce and he was unsure if they should accept these items. In addition, he received tickets to attend the Gridiron Grill-Off, which was mailed to him the day before the event. He indicated that some of these items show up in the mail and the administrative staff has to spend quality time to

Names of Commsrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES December 8, 2015</p> <p>PAGE 44</p> <p><u>REPORTS - CONTINUED</u></p> <p>find out to whom these items should be returned. Therefore, it is a very time consuming and a confusing situation, and as the rules change, it does not get any clearer. Consequently, he suggested that a pattern should be established whereby no gifts get disbursed to the Commission's mailbox unless the City Attorney's office clears them.</p> <p>Mayor Fisher requested that City Manager Beach ensure when these items get into the Commission mailbox that the City Attorney clears them first prior to acceptance by the Commission.</p> <p>Mark E. Berman, City Attorney indicated that he would work on a more effective procedure with the City Manager's Office to deal with these issues. As well as to establish procedures for those items handed out at the City Commission meetings.</p> <p><u>Holiday Wishes</u> – Comr. Dockswell wished everyone Happy Holidays, Merry Christmas, Happy Hanukkah and Happy New Year.</p> <p><u>Commissioner Rex Hardin – Report Requested on Construction of Parking Lot</u> – Comr. Hardin requested City Manager Beach to check out about the parking lot being constructed behind the merchants in the Old Pompano area, which is taking much too long to be completed. He requested that the City Manager apprise the Commission with his findings.</p> <p><u>Holiday Wishes</u> – Comr. Hardin wished everyone Happy Holidays and a Merry Christmas.</p> <p><u>Commissioner Barry Moss – Hanukkah Wishes</u> – Comr. Moss indicated that Sunday was the first night of Hanukkah, and wished all of his Jewish friends and neighbors a Happy Hanukkah.</p> <p><u>Community Appearance Committee Meetings</u> – Comr. Moss noted that he appointed someone to the Community Appearance Committee, who reported to him that for the eleventh month in a row the committee has not met. Therefore, he wonders why these Committees/Boards are allowed to continue. In fact, for those Boards/Committees that do not have enough people to hold a meeting then perhaps there is no need for them to function.</p>				

Names of Comms.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

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REPORTS - CONTINUED

Nevertheless, Comr. Moss will find out from the City Clerk how regularly these Boards meet and how many meetings have been missed due to lack of a quorum. Therefore, the Commission may want to consider terminating some of these that are not functioning.

Comr. Dockswell stated there maybe a few committees in which he has not nominated anyone because he could not find someone he wanted to appoint to serve. In those cases, where there is someone available to serve from another district he would be open to consider nominating that person to serve.

Mayor Fisher directed the City Clerk to get a report on those Boards that are lacking appointments to indicate whether the Mayor or a Commissioner need to appoint and perhaps that Commissioner can be notified that there is an opportunity to nominate someone else.

Asceleta Hammond, City Clerk indicated that there are certain Committees with a full complement of members, but has not met officially due to lack of a quorum for its meetings.

Commissioner Edward Phillips – OHUI hostile environment – Comr. Phillips stated that he received a document regarding the Community Development Department, which follows a track within his community and not necessarily any other community, that there is a hostile environment in the Community Development Department. There is a school of thought that they are doing fantastic and well, but he is uncertain if that justifies the Commission closing its eyes to an environment that appears to be having some issues and problems.

In fact, Comr. Phillips stated he had asked for a report regarding the amount of money spent in various areas by vendors for 2013 to 2015 in that department. He noticed that \$400,000 was paid for staffing services. Therefore, the document he received is very extensive and it appears that this environment is hostile to employees, even though the department is receiving awards and appears to be doing well.

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES December 8, 2015</p> <p>PAGE 46</p> <p><u>REPORTS - CONTINUED</u></p> <p>Mayor Fisher indicated that he had a received similar document as well as the City Manager. Notwithstanding, the protocol should have been that the person(s) producing this document should have gone through the procedures the way the Charter is set up. The Charter prohibits the Commission from being involved in employee issues hiring and firing employees. While he appreciated the document, he would like the proper protocol to be adhered to and to allow the City Manager to handle the situation.</p> <p>Mark E. Berman, City Attorney confirmed that the City Commission does not involve it selves in personnel matters or decision, which is for staff and management to deal with.</p> <p>Comr. Phillips concurred with the protocol, however he said often times documents of this nature is sent to the Commission it becomes public documents, which complicates the problem.</p> <p><u>Appeal to Community to remain Calm</u> – Comr. Phillips stated that he would like to address the residents within his district as well other residents throughout the City. In the period of December, there is a lot of goodwill going on and a lot of good things are happening. However, right now in this country there are forces to bear that are attempting to imply that we should be unmindful of others in this great country. However, in light of what is happening in places such as California, he would like his community to do justice, to lighten up and calm down. They can be vigilant but not paranoid. This is a great country and there are enough people paying attention for us but we need to pay attention for ourselves. Historically, we have seen things like this happening and people turning against each other, but in the end, they get through it.</p> <p><u>Vice Mayor Charlotte J. Burrie – Holiday Wishes</u> – Vice Mayor Burrie wished everyone a very healthy, happy and safe Christmas, Hanukkah and New Year.</p> <p><u>Mayor Lamar P. Fisher – Holiday Wishes</u> – Mayor Fisher wished everyone a very healthy, happy and safe Christmas, Hanukkah and New Year.</p>				

Names of Comms.	M	S	Y	V

CITY COMMISSION MEETING MINUTES

December 8, 2015

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REPORTS - CONTINUED

Christmas Tree Lighting at McNab Park – Mayor Fisher reminded the public that Thursday, December 10, 2015 at 7:00 p.m. the City of Pompano Beach in partnership with the Greater Pompano Chamber of Commerce would have a concert at the McNab Park. The Christmas Tree will be lit, as the City was unable to do so due to the rainout of the Yuletide parade. He encouraged everyone to come out, celebrate with the children and the City, and to have a great time together.

ADJOURNMENT

There being no further business, the meeting adjourned at 8:25 p.m.



LAMAR FISHER, MAYOR



ASCELETA HAMMOND, CITY CLERK

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lamar Fisher, hereby disclose that on December 8, 20 15:

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

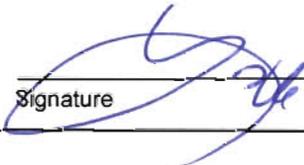
Under the provisions of Florida Statutes, Section 286.012 and Section 112.3143, at the Pompano Beach City Commission Meeting held on December 8, 2015, I abstained from voting on the following Agenda Item:

- Item 12 - A Resolution of the City Commission of the City of Pompano Beach, Florida, allocating a maximum of one hundred forty five (145) flex units for a proposed mixed use redevelopment project to be located on the northwest corner of North Federal Highway and NE 2nd Street; providing an effective date.

The nature of the conflict, which I orally disclosed prior to the vote on this item, is that my firm, Fisher Auction Co., Inc. has been in partnership with Brenner Real Estate Group or its affiliates from time to time, although not currently, in the auction sales of properties.

12/15/15

Date Filed

Signature 

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.