



City of Hallandale Beach
City Commission
400 S. Federal Highway
Hallandale Beach, FL 33009

Mayor Joy F. Cooper
Vice Mayor Keith S. London
Commissioner Michele Lazarow
Commissioner Anthony A. Sanders
Commissioner Anabelle Taub

City Manager Roger M. Carlton
City Attorney Jennifer Merino
City Clerk Mario Bataille, CMC

Meeting Minutes

Wednesday, January 25, 2017

5:30 PM

Commission Chambers

1. CALL TO ORDER

The meeting was called to order at 5:52 p.m.

2. ROLL CALL

Present: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Commissioner Taub arrived at 6:02 PM.

Commissioner Lazarow arrived at 6:26 PM.

Interim City Manager Frastai and Interim City Attorney McKenney were also present.

3. PLEDGE OF ALLEGIANCE

4. ORDER OF BUSINESS

Consensus:

- To approved the Order of Business as stated on the Agenda and to consider Item 13.A. prior to consent.

5. PUBLIC PARTICIPATION (Speakers must sign-in with the City Clerk prior to the start of the meeting)

Rob Raymond, Hallandale Beach, FL, shared concerns regarding a daycare center that was suddenly closed and then asked to pay a fine in the amount of \$84,000 which went down to \$6,000.

City Manager Frastai briefed the Commission on the daycare in question, which needed to go through certain procedures to ensure the occupancy met the requirements under the City Code of being a daycare.

Vice Mayor London appreciated Mr. Raymond's concern and commended staff for expediting this issue to the best of their ability.

Vice Mayor London reminded the Commission on the rule that Commissioners would speak after Public Participation, not during Public Participation.

Mayor Cooper encouraged her colleagues to change or amend those rules to afford the Commission an opportunity to address the concerns being presented by each concerned resident/participant. If there is a long agenda or several speakers, she thinks it is unfair to have them wait to the end of the Public Participation.

Vice Mayor London spoke in opposition of changing the rules.

Vice Mayor London requested a Point of Clarification from the Parliamentarian on motions made by the Chair.

Parliamentarian Cowen clarified that advised the Chair can make motions frame any motion they. choose If the Chair is the maker of the motion, the Chair needs to give up the gavel. However, but if if the motion is made by other member of the legislative body they make a motion and said motion it is seconded by the Chair, the Chair must give up the gavel while the Chair can second a motion and, the Chair can retain the gavel.

Mayor Cooper relinquished the gavel to Vice Mayor London.

A motion was moved by Mayor Cooper, seconded by Commissioner Sanders, to allow everyone to respond to residents' concerns during Public Participation rather than wait until all speakers are finished. The motion failed by the following vote:

Ayes: 2 - Mayor Cooper and Commissioner Lazarow

Nayes: 3 - Vice Mayor London, Commissioner Sanders and Commissioner Taub

Dr. Robert Seltz, Hallandale Beach, FL, mentioned his concerns regarding the Publix Supermarket store located on East Hallandale Beach regarding the store's removal of the metal benches near the exit of the store, indicating that the elderly people have no place to sit while waiting for a ride. He encouraged residents and the City Commission to communicate to Publix that residents would like the benches to be reinstalled.

Mayor Cooper indicated that she has proactively addressed this issue with Publix Corporate Offices, to which they have negatively responded know. Mayor Cooper suggested reaching out to the property owner, RK Enterprises, for possible solutions.

Commissioner Lazarow mentioned a few calls regarding vagrancy and/or

homelessness and noted that was one of the reasons the benches were removed.

Commissioner Lazarow requested information on whether there are any complaints of people touching other people in the area.

6. PRESENTATIONS

A. HOLIDAY LIGHTS AWARD PRESENTATION (STAFF: PUBLIC WORKS DIRECTOR)

Mayor Cooper turned the Award presentation over to Beautification Board Chair, Phyllis Broccone.

Sussan Fassler, Beautification Board Liaison, presented the following 2016 Holiday Lights Awards:

A Touch of Cuba (second place commercial)

Flashback Diner (first place commercial)

204 NE 2nd Ave (Honorable Mention Residential)

619 NW 3rd Court (Honorable Mention Residential)

640 NW 3rd Court (Honorable Mention Residential)

300 SW 4 Street (Second Place Residential)

824 SW 10 Street (first place residential-SW)

543 Palm Drive (first place residential-SE)

651 NW 3rd Court (first place residential-NW)

209 NE 2nd Avenue (first place residential-NE)

April Mist (Honorable Mention Multi-family)

Ro-Len Building 920 (Honorable Mention Multi-family)

460 Paradise Island Blvd (Honorable Mention Multi-family)

Ro-Len Building 800T (Honorable Mention Multi-family)

Ro-Len Building (Second place Multi-Family)

Ro-Len Building S (First Place Multi-Family)

7. COMMISSIONER COMMUNICATIONS - Items not on the Agenda

A. COMMISSIONER LAZAROW

Commissioner Lazarow mentioned the Hallandale Happenings and approved of other members of the Commission having the opportunity to include their respective messages to the community.

Greg Chavarria, Chief Information Officer, stated that a format will include members of the Commission on one page, a picture, and an excerpt. The Mayor has the top third and the lower two-thirds will be equally split amongst the Commissioners and the Vice Mayor.

Commissioner Lazarow requested a Resolution be brought back to the Commission considering the "Safe Space Program".

Commissioner Lazarow congratulated herself and Vice Mayor London for being cleared of charges regarding Sunshine Law violation.

B. COMMISSIONER SANDERS

No communication.

C. COMMISSIONER TAUB

Answering a question posed by Commissioner Taub, Parks and Recreation Director Cathie Schanz updated the Commission on the security wall construction at Ingalls Park and the need to remove the palms in preparation for the construction activities..

Commissioner Taub commented that the abutting property owners' sense of security and privacy provided by the existing landscape was gone. She requested staff to look into the feasibility to address some of the security issues now, such as using cameras and lighting, sooner than later since ground breaking will not be until October.

Interim City Manager Frastai indicated the Chief of Police and Director of the Office of Capital Improvement will reach out to the neighboring community for a meeting to identify options to address the safety concerns immediately.

Commissioner Taub thanked Interim City Manager Frastai and Interim City Attorney McKenney for their assistance. She also thanked Ms. Schanz for her resourcefulness.

D. VICE MAYOR LONDON

Vice Mayor London commented on the Ingalls Park tree removals was not the direction given when there was discussion about Ingalls Park. If a wall is being built the trees could have been removed a week prior, not six months prior. If the neighbors want a wall first, then let's build the wall. He fully supports the security and the change.

Vice Mayor London spoke in support of more training be done for more employees from the Director level and every level underneath. The City is a customer service organization and we sell service. The needs of our clients and customers need to be understood.

Vice Mayor London spoke on being cleared from Broward Office of the Inspector General investigation for Sunshine Law Violations.

Vice Mayor London requested the demand letter from IMC Equity Group be distributed to the Commission.

Vice Mayor London shared concerns regarding no participation from the Three Islands Safe Neighborhood District in the Holiday Lighting.

E. MAYOR COOPER

Mayor Cooper spoke on the Sunshine Law investigations mentioned by Vice Mayor London and Commissioner Lazarow.

Mayor Cooper spoke on the impact the pension issues may have on taxpayers and indicated the City Attorney should be receiving a letter from the Pension Board requesting both Unions and Management to discuss these matters.

Mayor Cooper commented on a letter received from a Hallandale Beach resident with regards to the Pembroke Road Tri Rail stop. She spoke to the incoming City Manager who has been involved with Miami Dade County regarding continued dialogue with Tri Rail.

Mayor Cooper requested a Resolution regarding protecting Deferred Action for Childhood Arrivals (DACA) and those residents that are here. She would also like to bring a Resolution forward for discussion and in support of the Joint Resolution of the Leadership of the U.S. Conference of Mayors.

Mayor Cooper made it known the American Beverage and Healthy America is looking for applications for Childhood Obesity Prevention Awards.

Mayor Cooper indicated that, as Co-Chair of the Water Council, they have been working close to ensure affordability when it comes to water. Accordingly, she would like for Hallandale Beach to be one of the first cities to draft a Resolution in support of House Bill H46-465 that has been presented to Congress.

Mayor Cooper commented on a grant opportunity with the Wells Fargo WIN Grant Program.

Mayor Cooper shared a thank you letter from the Aging and Disability Resource Center.

8. APPROVAL OF DRAFT MINUTES

- A. NOVEMBER 14, 2016 CITY COMMISSION/CITY MANAGER WORKSHOP
SPECIAL MEETING DRAFT MINUTES.

A motion was made by Commissioner Lazarow, seconded by Commissioner Taub, that these Minutes be approved. The motion carried by a unanimous vote.

- B. NOVEMBER 29, 2016 SPECIAL CITY COMMISSION MEETING DRAFT
MINUTES

Vice Mayor London requested the following be reflected on the minutes: that he showed the Segrera Recruitment contract to City Attorney Lynn Whitfield and she denied her signature was on the contract as she had never seen the contract before

nor did she approved it for legal sufficiency.

City Clerk Bataille advised this will be added as he verified this was done during that meeting.

A motion was made by Vice Mayor London , seconded by Commissioner Taub, that these Minutes be approved. The motion carried by a unanimous vote.

C. DECEMBER 1, 2016 JOINT SPECIAL MEETING OF THE CITY COMMISSION AND HBCRA BOARD OF DIRECTORS MEETING DRAFT MINUTES

Vice Mayor London requested the minutes reflect he chaired the meeting as the Mayor attended the meeting via phone.

City Clerk Bataille advised this will be added as he verified Mayor Cooper attended the meeting via phone.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, that these Minutes be approved. The motion carried by a unanimous vote.

D. DECEMBER 19, 2016 WORKSHOP MEETING DRAFT MINUTES

A motion was made by Commissioner Lazarow , seconded by Commissioner Taub, that these Minutes be approved. The motion carried by a unanimous vote.

9. CONSENT AGENDA

Consensus:

- To pull Items 9.B, 9.E, and 9.G from the Consent Agenda.

A motion was moved by Vice Mayor London, seconded by Commissioner Lazarow, to approve the Consent Agenda as amended. The motion carried unanimously.

A. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, ACCEPTING THE DEPARTMENT OF ECONOMIC OPPORTUNITY GRANT AWARD FOR THIRTY FIVE THOUSAND DOLLARS (\$35,000.00) AND RELATED SCOPE OF SERVICES FOR THE COMPLETION OF THE HALLANDALE BEACH BOULEVARD CORRIDOR REVITALIZATION PLAN; AND AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR THE COMPLETION OF THE HALLANDALE BEACH BOULEVARD

CORRIDOR REVITALIZATION PLAN; AND PROVIDING AN EFFECTIVE DATE. (STAFF: DEVELOPMENT SERVICES DIRECTOR)

This Resolution was approved on the Consent Agenda

- B. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE AN INTERLOCAL AGREEMENT WITH THE TREASURE COAST REGIONAL PLANNING COUNCIL TO DEVELOP DESIGN GUIDELINES AND AMEND THE LOCAL LAND DEVELOPMENT REGULATIONS FOR HALLANDALE BEACH BOULEVARD IN AN AMOUNT NOT TO EXCEED FORTY EIGHT THOUSAND DOLLARS (\$48,000.00); AUTHORIZING THE CITY MANAGER TO TAKE ALL NECESSARY ACTIONS TO EFFECTUATE THE AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.(STAFF: DEVELOPMENT SERVICES DIRECTOR)

City Clerk Bataille introduced the Item.

Development Services Director Keven Klopp provided an overview of the Item and answered questions posed by the Commission.

In response to Vice Mayor London, Mr. Klopp indicated that the South Florida Regional Planning Council does not have this area of expertise and the Treasure Coast Regional Planning Council is known throughout the State for their work in this area.

Vice Mayor London recommended there be a fee in lieu of parking for future developments. In speaking with Director Klopp in the past, he does not want to see something with a neutral staff report, he wants to see an affirmative staff report in the future.

Mayor Cooper spoke in support of the Item as she opined it will start completing what was done through the Master Plan establishing the set neighborhood, redirecting development to the corridors, regulating development when it comes to height, density and how it is designed does not impact the existing single family neighborhoods.

Vice Mayor London spoke in support of the Item as there is a potential to set some design guidelines that reflect the growth of the City.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, that this Resolution be approved. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nayes: 0

- C. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING THE PIGGY-BACK OF THE CITY OF PEMBROKE PINES RFP # PD-08-08 FOR FISCAL YEAR 2016-2017 (FY17) FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED TWELVE THOUSAND NINE HUNDRED SEVENTY (\$112,970.00) DOLLARS AS BUDGETED FOR FISCAL YEAR 2017; FURTHER AUTHORIZING THE CITY MANAGER TO CONTINUE UTILIZING BUDGET RENT A CAR FOR RENTAL VEHICLES SHOULD THE PEMBROKE PINES PIGGY-BACK CONTRACT NOT BE RENEWED DURING FY 2017; AND PROVIDING AN EFFECTIVE DATE. (STAFF: POLICE CHIEF)

This Resolution was approved on the Consent Agenda

- D. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO PURCHASE AN ADDITIONAL POLICE VEHICLE FOR THE NEW POLICE SERGEANT POSITION IN THE HALLANDALE BEACH POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED THIRTY THOUSAND (\$30,000.00) DOLLARS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL RELATED DOCUMENTS TO EFFECTUATE THE PURCHASE AS PROVIDED FOR IN FISCAL YEAR 2016-2017 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE. (STAFF: POLICE CHIEF)

This Resolution was approved on the Consent Agenda

- E. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, RATIFYING THE HALLANDALE BEACH COMMUNITY REDEVELOPMENT AGENCY BOARD OF DIRECTORS' APPROVAL OF THE TRAFFIC BOX WRAP PROGRAM FOR THOSE BOXES LOCATED WITHIN THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) RIGHT OF WAY; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS TO EFFECTUATE THE PROJECT IF NECESSARY; AND PROVIDING FOR AN EFFECTIVE DATE. (STAFF: PUBLIC WORKS DIRECTOR)

City Clerk Bataille introduced the Item.

Answering questions posed by Commission Lazarow, Interim City Manager Frastai advised the Florida Department of Transportation requires the City to ratify the action of the CRA Board.

Answering a question posed by Vice Mayor London, Interim City Manager Frastai responded the same design is being used as previously approved.

Vice Mayor London stated that now that he sees them on the utility boxes he does not

like them. Perhaps the utility boxes might be an opportunity to brand the City. He thinks there may be an opportunity to coordinate with the utility boxes in front of certain properties.

A motion was made by Commissioner Lazarow, seconded by Vice Mayor London, that this Resolution be approved. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nayes: 0

- F. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AWARDING RFP #FY2015-2016-025, TO DESIGN HIGH SERVICE PUMPS AND TRANSFERS PUMPS AT THE WATER TREATMENT PLANT TO THE HIGHEST RANKED FIRM, HAZEN AND SAWYER; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE AN AGREEMENT WITH HAZEN AND SAWYER AND BRING BACK FOR CITY COMMISSION APPROVAL; FURTHER AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO NEGOTIATE WITH THE SUCCEEDING RANKED FIRM SHOULD NEGOTIATIONS WITH HAZEN AND SAWYER NOT BE SUCCESSFUL; AND PROVIDING AN EFFECTIVE DATE. (STAFF: PUBLIC WORKS DIRECTOR)

This Resolution was approved on the Consent Agenda

- G. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, ADOPTING THE CITY'S 2017 LEGISLATIVE PRIORITIES TO BE PRESENTED TO THE BROWARD COUNTY STATE LEGISLATIVE DELEGATION FOR CONSIDERATION DURING THE 2017 LEGISLATIVE SESSION; AND PROVIDING AN EFFECTIVE DATE. (STAFF: INTERIM CITY MANAGER)

City Clerk Bataille introduced the Item.

Answering a question posed by Vice Mayor London, Interim City Manager responded this Item is purely the Legislative program. Mr. Book is paid out of his contract which is separate from this item which has already been approved.

Vice Mayor London requested a Motion be made to to include the 10 acre property behind Gulfstream Park as one of the City's legislative priorities and to see if there is funding or some type of program to designate the property as a conservation easement.allow leverage

City Clerk Bataille stated if that is the only inclusion into the Legislative priorities, it can be made as part of the main motion to approve the Item.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, that this Resolution be approved as amended to include the ten acre Gulfstream Park property be designated as a conservation easement as one of the City's priorities our priorities. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nayes: 0

- H. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, ACCEPTING MONETARY DONATION FROM BROWARD COUNTY IN THE RECEIPT AMOUNT OF ONE HUNDRED THOUSAND (\$100,000.00) DOLLARS TOWARDS THE PURCHASE OF SMART TECHNOLOGY FOR THE CITY'S AUSTIN HEPBURN CENTER AFTERSCHOOL TECHNOLOGY PROGRAM; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND ALL RELATED DOCUMENTS; AND PROVIDNG FOR AN EFFECTIVE DATE. (STAFF: HUMAN SERVICES DIRECTOR)

This Resolution was approved on the Consent Agenda

- I. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, RATIFYING THE SUBMISSION OF THE GRANT APPLICATION TO THE CHILDREN'S SERVICES COUNCIL OF BROWARD COUNTY SUBMITTED ON DECEMBER 12, 2016, FOR FUNDING TO AUGMENT THE AFTER SCHOOL TUTORIAL ENRICHMENT PROGRAM TO ASSIST THE AUSTIN HEPBURN CENTER; AUTHORIZING A MATCH OF GRANT FUNDS IN THE AMOUNT NOT TO EXCEED FOURTEEN THOUSAND TWO HUNDRED NINETY THREE DOLLARS AND SEVENTY SIX CENT (\$14,293.76) IN STAFF SALARIES; AUTHORIZING THE CITY MANAGER TO EXCEUTE THE GRANT AGREEMENT AND ALL RELATED DOCUMENTS; AND PROVIDING AND EFFECTIVE DATE. (STAFF: HUMAN SERVICES DIRECTOR)

This Resolution was approved on the Consent Agenda

10. ORDINANCES ON FIRST READING

- A. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPLYING THE PLANNED DEVELOPMENT OVERLAY DISTRICT TO THE PROPERTY LOCATED AT 100 SOUTH FEDERAL HIGHWAY; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.(STAFF: DEVELOPMENT SEVICES DIRECTOR)

This Item was withdrawn as requested by the applicant.

11. ORDINANCES ON SECOND READING/PUBLIC HEARING

- A. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32, ZONING AND LAND DEVELOPMENT CODE, DIVISION 20, "TEMPORARY USES", INCREASING THE ANNUAL FREQUENCY WHICH THE CITY MAY GRANT TEMPORARY USE PERMITS FOR MULTIFAMILY, COMMERCIAL, AND CIVIC ESTABLISHMENTS FROM FOUR TIMES ANNUALLY TO SIX TIMES ANNUALLY, AND INCREASING THE FREQUENCY WHICH THE CITY MAY GRANT SIDEWALK SALES PERMITS FROM TWICE ANNUALLY TO SIX TIMES ANNUALLY; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (STAFF: DEVELOPMENT SERVICES DIRECTOR) (SECOND READING)

City Clerk Bataille introduced the Item.

Mayor Cooper opened the floor for public comment. There being none, she closed the Public Hearing.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, that this Ordinance be approved on second reading. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nayes: 0

- B. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 32 ZONING AND LAND DEVELOPMENT CODE; ARTICLE 5, DEVELOPMENT REVIEW PROCEDURES; SECTION 32-786, SITE PLAN REVIEW SUBMISSION REQUIREMENTS, TO ADD 3-D RENDERINGS TO THE LIST OF REQUIRED ITEMS TO BE SUBMITTED FOR SITE PLAN REVIEW, AND AMENDING THE SECTION TO AUTHORIZE THE CITY MANAGER TO REVIEW MODIFICATIONS OF SUBMISSIONS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. (STAFF: DEVELOPMENT SERVICES DIRECTOR) (SECOND READING)

City Clerk Bataille introduced the Item.

Mayor Cooper opened the floor for public comment. There being none, she closed the Public Hearing.

Answering a question posed by Vice Mayor London, Development Services Director Klopp stated that the development community has acknowledged the requirement and he believes this requirement will not be a burden.

Director Klopp added the options presented at the time funding was requested in the development agreements were three different levels of the Massing Study, not capacity. It was \$150,000 on an annual basis to hire two GIS professionals to use what is called City Age Software, which would model the entire community both from a massing standpoint and from a capacity standpoint.

Vice Mayor London shared one issue he has learned is that there are massing capacity issues, whether it is water, waste water, or potable water.

Interim City Manager Frastai advised that the Department of Public Works is currently performing a Sewer Capacity Study, which should be completed within the next 30 to 60 days. They will need an opportunity to present that information to the City Manager and then it will come back to this body for formal adoption. She recommended at that time would be the time for a full discussion on this issue because she believes the \$150,000 is a recurring annual expense.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, that this Ordinance be approved on second reading. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nayes: 0

C. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, REPEALING ORDINANCE NO. 2010-06; PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY COMMISSION) (SECOND READING)

City Clerk Bataille introduced the Item.

Mayor Cooper opened the floor for public comment. There being none, she closed the Public Hearing.

Vice Mayor London mentioned the Dade County School Board meeting today. There is a preamble at the beginning of the meeting that the Chair usually asks the School Board Attorney to cite. He requested that the City Attorney obtain a copy of that script, as he would like it to be disseminated to his colleagues and incorporated into the future protocol manual.

Interim City Attorney McKenney advised that this is an Ordinance repealing the protocol manual. This body has adopted the new rules and procedures via Resolution so it can be brought back.

Vice Mayor London requested that the Resolution be brought forward changing the protocol manual to read, "If a roll call vote is requested a roll call vote will be granted."

A motion was made by Vice Mayor London, seconded by Commissioner Taub, that this Ordinance be approved. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nays: 0

12. RESOLUTIONS/PUBLIC HEARING

- A. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING MAJOR DEVELOPMENT APPLICATION #DB-16-03057 FOR THE CONSTRUCTION OF THE BLUESTEN PARK PROJECT AT 501 SE 1ST AVENUE; PROVIDING AN EFFECTIVE DATE. (STAFF: DEVELOPMENT SERVICES DIRECTOR)

City Clerk Bataille introduced the Item.

Interim City Manager Frastai advised that this item is for the major development approval of the Bluesten Park Project.

Vice Mayor London stated that he is requesting to table this item because there is a new City Manager and the project is \$30 million which will be the largest project this City has undertaken.

Mayor Cooper spoke in opposition of tabling the Item.

Answering a question posed by Commissioner Sanders, Interim City Manager Frastai explained the impact of the delay as staff would still need to come forward with the guaranteed maximum price of the construction contract, which she believes is in the formal procurement phase. The other concern is that they would have to go back and review the agreement with the YMCA because there is a timeframe as far as when we are required to have the doors open to them. The main issue of concern would be the completion of the project within the timeframe required by the Bonds covenants.

Mayor Cooper recessed the meeting for five minutes at 10:00 PM.

The meeting reconvened at 10:05 PM.

Mayor Cooper spoke in opposition of the motion and encouraged the City Commission not to support the motion and to continue the successful path with the City's Master Parks development program.

A motion was made by Vice Mayor London, seconded by Commissioner Taub,

that this Resolution be tabled until the second meeting in March. The motion carried by the following vote:

Ayes: 3 - Commissioner Lazarow, Vice Mayor London and Commissioner Taub

Nayes: 2 - Mayor Cooper and Commissioner Sanders

- B. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING APPLICATION #V-16-03686 FOR VARIANCES FROM SECTIONS 32-384(E) - MINIMUM REQUIRED WIDTH FOR LANDSCAPE BUFFER, 32-384(C) - MINIMUM TREES REQUIRED, 32-605 - TYPE AND NUMBER OF PERMITTED SIGNS IN THE DISTRICT, AND 32-481 - MINIMUM REQUIRED WIDTH OF RIGHT OF WAY FOR THE PROJECT KNOWN AS BLUESTEN PARK PROJECT LOCATED AT 501 SE 1ST AVENUE; AND PROVIDING FOR AN EFFECTIVE DATE. (STAFF: DEVELOPMENT SERVICES DIRECTOR)

City Clerk Bataille introduced the Item.

Motion made by Vice Mayor London to table Item 12.B. until the second meeting in March.

Mayor Cooper requested the maker of the motion reconsider rather than setting it as a time certain to give an opportunity for February 6, 2017 to see if the City Manager supports the deferral until March.

Vice Mayor London did not accept the friendly amendment.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, that this Resolution be tabled. The motion carried by the following vote:

Ayes: 4 - Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nayes: 1 - Mayor Cooper

- C. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, EXTENDING FOR ONE HUNDRED TWENTY (120) DAYS THE PREVIOUSLY DECLARED ZONING IN PROGRESS AND BUILDING MORATORIUM RELATIVE TO MEDICAL CANNABIS AND DISPENSING ORGANIZATIONS, TO ALLOW FOR THE ADOPTION OF DEVELOPMENT CRITERIA AND STANDARDS REGULATING THE PLACEMENT OF SUCH FACILITIES; DIRECTING THE DEVELOPMENT SERVICES STAFF TO CONTINUE TO DEFER THE ACCEPTANCE AND PROCESSING OF APPLICATIONS RELATED TO CANNABIS AND DISPENSING

ORGANIZATIONS POLICY UNTIL NEW PERMIT REGULATIONS OR AMENDED LAND DEVELOPMENT REGULATIONS ARE ADOPTED BY THE CITY COMMISSION OR UNTIL THE PASSAGE OF ONE HUNDRED TWENTY (120) DAYS FROM THE DATE OF THIS RESOLUTION, WHICHEVER OCCURS FIRST; AND PROVIDING AN EFFECTIVE DATE. (STAFF: DEVELOPMENT SERVICES DIRECTOR)

City Clerk Bataille introduced the Item.

Mayor Cooper opened the floor for public comments. There being none, she closed the Public Hearing.

Mayor Cooper spoke in support of scheduling a Workshop on this Item.

Vice Mayor London indicated that he would support having a Workshop for this issue; however, he is not in support of the Resolution.

Development Services Director Klopp stated staff cut themselves short previously by asking for less time hence that is why staff is asking for a 120 day extension to the moratorium.

Commissioner Lazarow spoke in support of the Resolution and having a Workshop sooner.

A motion was made by Commissioner Lazarow, seconded by Vice Mayor London, that this Resolution be approved and schedule a future workshop meeting on this matter. The motion carried by the following vote:

Ayes: 4 - Mayor Cooper, Commissioner Lazarow, Commissioner Sanders and Commissioner Taub

Nayes: 1 - Vice Mayor London

- D. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF HALLANDALE BEACH AND MG100 FEDERAL, LLC; AND PROVIDING AN EFFECTIVE DATE (STAFF: DEVELOPMENT SERVICES DIRECTOR)

This Item was withdrawn by the applicant.

13. RESOLUTIONS/CITY BUSINESS

- A. DISCUSSION ON THE DOLPHIN SWIM TEAM PROGRAM. (STAFF: PARKS AND RECREATION DIRECTOR)

Interim City Manager Frastai, along with Parks and Recreation Director Cahtie

Schanz, provided background information on the Item with regards to working with recreation contract instructor, Dolphin Swim School, to assist in relocating them on a temporary basis to BF James Park and answered questions posed by the Commission.

Mayor Cooper opened the floor for public comments.

Elizabeth DeSouza resident of Pembroke Pines. She did not have a concern with the non-resident fee; however, she expressed concern with the majority of children going to a different pool with Coach De Leon, as well as the different size of the pool and the lack of accommodations they are accustomed to.

Aracely Garcia resident of Hallandale Beach, thanked the Commission for the effort to look at options. She hopes the children can be together in the future. She understands the pool is under construction and hopes the new pool will be for the residents of Hallandale Beach.

Coach Edgardo DeLeon, Hallandale Beach, FL, was present in support of the Dolphin Aquatic Swim Team. He has the support of the parents and children and made it known it will be difficult to separate the children into different facilities.

Tara Weatherall, Hallandale Beach, FL shared her concerns with the YMCA and the pool usage.

There being no further comments, Mayor Cooper closed the floor to public comments.

Interim Manager Frastai indicated the contract and instructor contracts are generally annual. She recommended leaving it at six months and in the event attendance is still low it would have to be readdressed and the budget would have to be reviewed. If the attendance is high staff would be happy to extend the contract as it would be cost effective and the program would be paying for itself.

In response to Commissioner Lazarow, Interim Manager Frastai clarified that originally the contract was going to be month to month but at the direction of the Commission they executed for a six-month period. Currently there is a six-month contract. This Discussion Item was brought forward at the request of the Commission for a full analysis of what the fiscal impact would be to the City. No action is needed from the City Commission at this time.

After further discussion no action was taken on this Item.

- B. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPOINTING COMMISSION MEMBERS AS CITY REPRESENTATIVES TO THE BROWARD LEAGUE OF CITIES, FLORIDA LEAGUE OF CITIES, AND THE NATIONAL LEAGUE OF CITIES FOR THE 2017-2018 TERM; AND

PROVIDING AN EFFECTIVE DATE (STAFF: CITY CLERK)

City Clerk Bataille introduced and provided an overview on the Item.

Motion by Vice Mayor London, seconded by Commissioner Taub, to nominate Commissioner Taub as the Delegate, Commissioner Lazarow as the First Alternate, and himself as the Second Alternate for the Broward League of Cities. Motion carried unanimously. 5-0

Motion by Vice Mayor London, seconded by Commissioner Taub, to nominate Commissioner Lazarow as the Delegate and himself as the First Alternate for the Florida League of Cities. Motion carried unanimously. 5-0

Motion by Vice Mayor London, seconded by Commissioner Taub, to nominate himself as the Delegate and Commissioner Lazarow as the First Alternate for the National League of Cities. Motion carried unanimously. 5-0

Mayor Cooper commented that there is an educational series with the National League of Cities and she encouraged everyone to attend.

A motion was made by Commissioner Lazarow, seconded by Vice Mayor London, that this Resolution be approved as amended. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nays: 0

- C. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, URGING THE APPOINTMENT OF MUNICIPAL OFFICIALS TO THE 2017-2018 CONSTITUTION REVISION COMMISSION; SUPPORTING THE PROTECTION OF MUNICIPAL HOME RULE; SUPPORTING THE POSITIONS OF THE FLORIDA LEAGUE OF CITIES, INC.; SUPPORTING THE APPOINTMENT OF FLORIDA LEAGUE OF CITIES PRESIDENT, BOCA RATON MAYOR SUSAN HAYNIE; AND PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY COMMISSION)

City Clerk Bataille introduced the Item.

Mayor Cooper briefed the Commission on the Item and advised that this should be discussed with our lobbyist.

A motion was made by Commissioner Lazarow, seconded by Vice Mayor London, that this Resolution be approved. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nays: 0

- D. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, ENDORSING THE RECOMMENDATIONS OF THE SOUTHEAST FLORIDA COASTAL OCEAN TASK FORCE (COTF); URGING OTHER LOCAL MUNICIPALITIES TO ENDORSE AND SUPPORT THE COTF RECOMMENDATIONS; EXPRESSING APPRECIATION FOR THE WORK OF MEMBERS OF THE COTF PROVIDING FOR DISTRIBUTION OF CERTIFIED COPIES OF THE APPROVED RESOLUTION; AND PROVIDING AN EFFECTIVE DATE. (SPONSORED BY MAYOR JOY F. COOPER)

City Clerk Bataille introduced the Item.

Mayor Cooper stated this is a critical step in what the City can do to address the overall impacts of pollution. This Resolution is a collective effort with all agencies.

A motion was made by Mayor Cooper, seconded by Vice Mayor London, that this Resolution be approved. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nays: 0

- E. DISCUSSION ITEM ON SENATE BILL 252 SPONSORED BY SENATOR LAUREN BOOK AND HOUSE BILL 71 SPONSORED BY HOUSE MINORITY LEADER JANET CRUZ. (SPONSORED BY MAYOR JOY F. COOPER)

City Clerk Bataille introduced the Item.

Vice Mayor London advised this is a discussion item and there was a consensus to support this Bill. He requested communications on the Commission's position be sent on the City's letterhead with the Mayor's signature to the Florida Senate and House of Representatives.

A motion was made by Mayor Cooper , seconded by Commissioner Lazarow, to draft a letter in support for the Mayor's Signature. The motion carried by an unanimous vote.

- F. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING CITY ATTORNEY EMPLOYMENT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY COMMISSION)

City Clerk Bataille introduced the Item.

City Clerk Bataille advised that he had received a revision of the agreement from Human Resources. The revision is minor, according to Interim Director Mr. Dodea. Furthermore, City Clerk Bataille requested that the motion include the revision to the agreement as discussed.

Mr. Dodea indicated that there was a last-minute change to the City contract. There is no fiscal impact, it is just some clarifying language which was included in Section 11.B, Page 4. The latest revision has the language highlighted.

Vice Mayor London spoke in support of the Item.

Ms. Jennifer Merino thanked everyone for the opportunity to take on this responsibility and indicated that she looks forward to providing the most effective and efficient legal services to the City.

A motion was made by Commissioner Lazarow, seconded by Vice Mayor London, that this Resolution and employment agreement be approved as presented. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nayes: 0

G. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, APPROVING CITY MANAGER EMPLOYMENT AGREEMENT; AND PROVIDING AN EFFECTIVE DATE. (SPONSORED BY THE CITY COMMISSION)

City Clerk Bataille introduced the Item.

Mr. Carlton thanked the Commission for this opportunity and looks forward to serving as the City Manager. He thanked staff, and the Interim City Manager for preparing extraordinary briefing books which were very helpful. Mr. Carlton made it known that he and his wife will be Hallandale Beach residents while he serves as City Manager.

Vice Mayor London advised that Mr. Carlton's contract is similar to Ms. Merino's contract. He highlighted Mr. Carlton will be at the same salary as Mr. Rosemond was when he left. There is a slight stipend extended, which is \$2,500 for moving expenses and a decrease in insurance cost as Mr. Carlton is eligible for Medicare.

Mr. Carlton indicated that the insurance cost decrease is due to he and his wife are eligible for Medicare. Rather than be on the City's insurance policy, he will maintain insurance through Medicare paid by the City which is at a lessor rate.

A motion was made by Vice Mayor London, seconded by Commissioner

Lazarow, that this Resolution and employment agreement be approved. The motion carried by the following vote:

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nayes: 0

The meeting recessed for 10 minutes at 8:10 PM.

The meeting reconvened at 8:20 PM.

H. DISCUSSION OF PROVIDING ASSIGNMENT PAY TO THE INTERIM CITY MANAGER AND INTERIM CITY ATTORNEY (SPONSORED BY: VICE MAYOR KEITH S. LONDON)

Interim City Manager Frastai explained that there is a policy within the City that any employee who is upgraded to a position based on a vacancy is eligible to receive what is called assignment pay. The policy regarding management staff is silent as to the percent increase. The pattern and practice within the City has been to follow what is within the Union contracts, which ranges anywhere from 5% to 7%, depending on the position. The Police and General Employees is 5% and Fire is up to 7%, depending on the position. The two calculations for herself and Ms. McKenney have the option of either a 5% or 7% assignment pay based on the current pattern and practice of the City. Acting City Manager Frastai's annual anniversary increase would have been in November; however, she was not evaluated and will not receive the anniversary increase due to everything that occurred. The anniversary increase would be 2.5%.

Interim City Manager Frastai stated that with regards to the 2.5%, the actual number equates to \$522.48 and adding the assignment pay and anniversary increase would total \$2,278.01.

In response to Vice Mayor London, Interim City Manager Frastai clarified that the total for Interim City Attorney Ms. McKenney was \$1,300.66 with the 7% increase.

Commissioner Lazarow thanked Ms. Frastai and Ms. McKenney.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, to pay Ms. Frastai \$2,500 for the anniversary pay and for stepping into the position of Interim City Manager and to pay Ms. McKenney \$1,500 for stepping into the position of Acting City Attorney. The anniversary pay will come during her annual review.. The motion carried unanimously.

**I. VESTED RIGHTS EXTENSION REQUEST FOR THE MG 100 PROJECT.
(STAFF: DEVELOPMENT SERVICES DIRECTOR)**

City Clerk Bataille introduced the Item.

Ms. Hope Calhoun, representing the developer for the MG 100 Project, indicated the project's vested rights have been extended previously by the City Commission and that the developer is requesting an additional extension to determine the best plan of development for the parcel of land that can go forward in a way that makes all sides comfortable. The developer's vested rights are due to expire next month. If granted the extension, the developer will have time to consult with staff and reevaluate the current proposed development plan and then come before the Commission with a plan supported by all parties.

Answering questions posed by Vice Mayor London, Development Services Director Klopp provided an overview and current status of the project.

In response to Vice Mayor London, Interim City Attorney McKenney indicated that there is always a potential that the applicant could file suit based on the Commission for not granting approval. If that were to occur the City would address the issue at that time.

Ms. Calhoun commented that the developer's goal is to work with the City to get a development project that everyone can be happy with. Her client's objective is not to pursue any litigation.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, to grant the vested right extension for 12 months to MG100 located at 100 South Federal Highway. The motion carried by a unanimous voice vote.

Ayes: 5 - Mayor Cooper, Commissioner Lazarow, Vice Mayor London, Commissioner Sanders and Commissioner Taub

Nays: 0

In response to Mayor Cooper questions, City Clerk Bataille indicated the applicant would need to withdraw the applications from the agenda.

Ms. Calhoun requested that Items 10.A and 12.D be withdrawn.

A motion was moved by Vice Mayor London, seconded by Commissioner Lazarow, to accept the withdrawal of Items 10.A and 12.D. The motion carried unanimously.

14. CITY ATTORNEY COMMUNICATIONS - Items not on the Agenda

In response to Mayor Cooper's questions, Interim City Attorney McKenney advised that the Large User Meeting with the City Managers will be held on February 2, 2017.

In response to Vice Mayor London's questions, Interim City Attorney McKenney indicated that a notification would be forwarded to his colleagues.

Interim City Attorney McKenney briefed the Commission on the following:

-The Case of Ross Adam vs. Officer Miguel Maribel, a Civil Rights Lawsuit that was filed against our Officer, has been settled within the Risk Manager's authority.

- Success in having a Motion to Dismiss with regards to the Civil Rights Case filed by Howard Bowe against the City and an Individual Officer. As far as the second amended complaint, the Federal Court has given the Plaintiff until February 13, 2017 to file their third amended complaint; however, staff is optimistic that the same result will occur as to the third amendment.

Interim City Attorney McKenney congratulated the City Commission on their Charter Officer appointments of City Manager Roger Carlton and City Attorney Jennifer Merino.

15. CITY MANAGER COMMUNICATIONS - Items not on the Agenda

Interim City Manager Frastai thanked the City Commission for recognizing herself and Ms. McKenney. In addition, she commended staff as being incredible and very helpful.

Interim City Manager Frastai briefed the City Commission on the Citizen Satisfaction Survey.

Interim City Manager Frastai, along with Police Chief Flournoy, briefed the City Commission on what steps and action are being taken regarding the unfortunate event that transpired on Martin Luther King Day.

A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, to extend the meeting to 11:15 p.m. The motion carried by a unanimous voice vote.

Interim City Manager Frastai stated that moving forward Chief Flournoy has come to fruition about the need to change the regulations concerning special events. Staff would like to engage the community because the Police and the City have done an excellent job working with the community and getting their involvement and understanding.

Commissioner Sanders shared his remarks on the events that transpired and indicated this is the only day he knows of that a non-permitted event is allowed and this was the first time he saw so many DJ's. This is sensitive; someone lost their life. He is open to whatever can be done to improve safety.

Mayor Cooper spoke in support of a community meeting on this matter.

Vice Mayor London spoke on equal enforcement on Commission approved regulation as it relates to special event permits.

Interim City Manager Frastai advised that the idea behind the community meeting is not to go forward and say should we or shouldn't we but to work as a community and see if something can be done together.

16. INFORMATIONAL ITEMS: (No Action Required)

A. FOLLOW UP MEMO - December 21, 2016

17. ADJOURN

There being no further business, the meeting adjourned at 11:15 p.m.