



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

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Wednesday, May 3, 2017

6:30 PM

Commission Chambers

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### 1. CALL TO ORDER

*The meeting was called to order at 6:38 PM.*

### 2. ROLL CALL

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

*City Manager Carlton and City Attorney Merino were also present.*

### 3. PLEDGE OF ALLEGIANCE

### 4. ORDER OF BUSINESS

**A motion was moved by Vice Mayor London, seconded by Commissioner Lazarow, to accept Supplemental Agenda #1 as part of the Agenda. The motion carried by unanimous voice vote.**

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

*Howard Garson, Hallandale Beach, FL, spoke on the effects of global warming and sea level rise on the City.*

*Judith Selz, Hallandale Beach, FL, referencing the Hallandale Beach Boulevard Corridor meeting held on March 16, 2017; raised concerns regarding the City classifying waterways as public green space.*

### 6. PRESENTATIONS

A. PROCLAMATION PROCLAIMING MAY 14-20, 2017 AS WATER REUSE WEEK (STAFF: PUBLIC WORKS DIRECTOR)

*The Mayor and City Commission presented the Public Works Department a Proclamation proclaiming May 14-20, 2017 as "Water Reuse Week".*

**7. COMMISSIONER COMMUNICATIONS - Items not on the Agenda****A. COMMISSIONER LAZAROW**

*Commissioner Lazarow requested staff look into removing an old City monument sign located on Dixie Highway south of Pembroke Road near the business A-1 Tinting.*

*Commissioner Lazarow requested for an update concerning parking issues along Atlantic Shores Boulevard and the possibility of regularly scheduled street sweeping in order to address the issue.*

**B. COMMISSIONER SANDERS**

*Commissioner Sanders announced the National Day of Prayer event to take place on May 4, 2017 at 9:00 AM at the Cultural Center.*

**C. COMMISSIONER TAUB**

*Commissioner Taub requested staff look into improving project signage to include renderings of the project to better inform the public on the planned project.*

*Commissioner Taub requested for an update on the Roger's Raiders Program.*

**D. VICE MAYOR LONDON**

*Vice Mayor London commended City Clerk Bataille for being the Master of Ceremonies at the Employee Appreciation Banquet.*

*Vice Mayor London gave his condolences to the family of City of Hallandale Beach Employee Jeff Corrouthers.*

*Vice Mayor London requested a future Workshop Agenda Item to discuss the Open Space Calculations.*

*Answering a question posed by Vice Mayor London, Human Services Director, Beverly Sanders briefed the Commission on the visitor check-in procedures at the Hepburn Center.*

*Vice Mayor London requested staff look into possible proof of residency procedure for Advisory Board/Committee members.*

**E. MAYOR COOPER**

*Mayor Cooper thanked staff who attended the 25th Annual Mother's Day Luncheon.*

*Mayor Cooper gave her condolences to the family of City of Hallandale Beach Employee Jeff Corrouthers.*

*Mayor Cooper shared concerns regarding pet waste complaints and requested staff to*

*look into the feasibility of utilizing video cameras to enforce City Ordinance.*

*Mayor Cooper shared her concerns regarding the settlement agreement between Gulfstream Park and the U.S. Environmental Protection Agency with regards to dumping pollutants in a local canal. At the request of Mayor Cooper, City Manager Carlton briefed the Commission on the matter and remedies put in place.*

## **8. APPROVAL OF DRAFT MINUTES**

### **A. JUNE 13, 2016 CITY MANAGER CITYCOMMISSION WORKSHOP SPECIAL MEETING DRAFT MINUTES.**

*Vice Mayor London requested Item 7.B of the minutes include his comments "...calling it a special meeting is not a hiring process".*

*Motion made by Vice Mayor London, seconded by Commissioner Taub, to amend the minutes to include Vice Mayor London's comments as requested. The motion carried by a unanimous vote.*

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

### **B. MARCH 15, 2017 REGULAR CITY COMMISSION MEETING DRAFT MINUTES.**

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

## **9. CONSENT AGENDA**

## **10. ORDINANCES ON FIRST READING**

### **A. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 11 ENTITLED "FIRE PROTECTION AND PREVENTION" BY CREATING ARTICLE III, ENTITLED "LIFE SAFETY," SECTION 11-21, ENTITLED "AUTOMATED EXTERNAL DEFIBRILLATORS"; PROVIDING A DEFINITION FOR AUTOMATED EXTERNAL DEFIBRILLATORS; REQUIRING AUTOMATED EXTERNAL DEFIBRILLATORS IN CERTAIN BUILDINGS; PROVIDING FOR INSTALLATION AND OPERATION; PROVIDING FOR INSPECTION AND PERMIT FEES FOR THE INSTALLATION AND PROVIDING FOR PENALTIES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR (STAFF: FIRE CHIEF)**

*City Clerk Bataille introduced the Item.*

*Mayor Cooper referenced the "One Beat Project AED Grant Program" and provided an*

overview on the Item.

Fire Chief Ellis briefed the Commission on the proposed Ordinance and financial impacts for businesses/community within the City.

Answering a question posed by Commissioner Taub, City Manager Carlton confirmed the Ordinance can be considered as an unfunded mandate.

Answering a question posed by Commissioner Taub, Chief Ellis provided details on the City's Cardiopulmonary Resuscitation (CPR) training.

Mayor Cooper opened the floor for public comments.

Dan Andrade, representing One Beat CPR + AED, spoke in support of the Ordinance.

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

Vice Mayor London raised concerns on the financial impact the proposed Ordinance may have on the community as an unfunded mandate. Vice Mayor London indicated while he supports preservation of life, he can not support the Ordinance on first reading as proposed.

Mayor Cooper urged the Commission to adopt the Ordinance on first reading and requested staff bring back best practices on program implementation.

Answering a questions posed by Commissioner Lazarow, City Attorney Merino advised the Ordinance (if approved) can be enforced. In addition, City Attorney Merino recommended staff follow up with each Commission individually concerning this Item to craft legislation that is in line with the Commission's vision.

Commissioner Lazarow spoke in support of approving the Item on first reading.

Commissioner Taub shared her concerns with the potential financial hardship the proposed Ordinance may have on the small business community.

City Manager Carlton committed, should this Item pass on 1st reading, to direct Fire Chief Ellis to meet with each Commissioner to hear and address their concerns by second reading of the Ordinance.

**A motion was made by Mayor Cooper, seconded by Commissioner Taub, that this Ordinance be approved on first reading, with the understanding that staff will work with the City Commission to address their concerns for 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, AUTHORIZING A DEDICATION OF THE PUBLIC OF RIGHT OF WAY OF CERTAIN PROPERTY LOCATED ALONG NORTHWEST SEVENTH TERRACE; AND PROVIDING AN EFFECTIVE DATE. (STAFF: CAPITAL IMPROVEMENTS DIRECTOR)

*City Clerk Bataille introduced the Item.*

**A motion was made by Commissioner Lazarow, seconded by Vice Mayor London, that this Ordinance be approved on first 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, AUTHORIZING A DEDICATION OF THE PUBLIC OF RIGHT OF WAY OF CERTAIN PROPERTY LOCATED ALONG PEMBROKE ROAD; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE. (STAFF: CAPITAL IMPROVEMENTS DIRECTOR)

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

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

**Nayes:** 0

- D. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 6 "ANIMALS", ARTICLE I, IN GENERAL, SECTION 6-12, ENTITLED "RETAIL SALE OF DOGS AND CATS", TO ALLOW FOR AND PROMOTE ADOPTION EVENTS AT PET STORES; REQUIRE DISCLOSURE OF OWNERSHIP; AMENDING PENALTIES; PROVIDING FOR CONFLICT; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (STAFF: COMMISSIONER MICHELE LAZAROW)

*City Clerk Bataille introduced the Item.*

*Mayor Cooper opened the floor for public comments.*

*City Clerk Bataille read into the records a letter of support from Jennifer Hobgood, Ph.D., of The American Society for the Prevention of Cruelty to Animals (ASPCA).*

*Don Anthony, Communications Director for the Animal Rights Foundation of Florida, spoke in support of the Ordinance on behalf of the Animal Rights Foundation of Florida.*

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

*Commissioner Lazarow provided an overview of the Item.*

*Mayor Cooper spoke in opposition of the Ordinances as she does not support the banning provision of the Ordinance.*

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

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

**Nayes:** 1 - Mayor Cooper

- E. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE II, CITY COMMISSION, SECTION 2-33, MEETING TIME AND PLACE AS PRESCRIBED, SECTION 2-34, PROCEDURE AND MEETINGS, AND SECTION 2-38, DISTURBANCES AND DISORDERLY CONDUCT, TO ESTABLISH REGULATIONS FOR ORDERLY MEETINGS AND PUBLIC PARTICIPATION; REQUIRING THE OBSERVANCE OF DECORUM; PROVIDING FOR REMOVAL FROM MEETINGS; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE. (SPONSORED BY VICE MAYOR KEITH LONDON)

*City Clerk Bataille introduced the Item.*

*Mayor Cooper opened the floor for public comments.*

*Howard Garson, Hallandale Beach, FL, spoke in opposition to the Item.*

*Sabrina Javellana, Hallandale Beach, FL, spoke in opposition to the Item.*

*There being no further comments from the public, Mayor Cooper closed the floor for public comments.*

*Answering a question posed by Commissioner Lazarow, City Attorney Merino advised*

*the proposed Ordinances is not a violation of the first amendment. Violation of the First Amendment will depend on how the Ordinance is applied.*

*Commissioner Lazarow spoke in support to the Item.*

*Commissioner Taub spoke in support to the Item.*

*Mayor Cooper proposed the following amendments to the Item: (1) every public meeting to be publicly noticed via "Notify Me" email platform, (2) address conflict of line 153 vs. line 156 by strikethrough of "or the Commission", and (3) strikethrough "shall" and replace with "may" on line 165 of the Ordinance.*

*Vice Mayor London provided an overview of the Item.*

*Answering questions posed by Vice Mayor London, City Attorney Merino advised the proposed Ordinance is comprised of other decorum-related items and the City's existing Resolution related to meeting decorum which will make meeting protocol easier to follow.*

*Answering a question posed by Vice Mayor London, City Attorney Merino advised, inaccordance with the City Charter and approved meeting rules of order, the Mayor is the Presiding Officer of the Commission Meetings and that the Commission can challenge the Presiding Officers decision with respect to order and conduct by majority vote.*

*Answering a question posed by Vice Mayor London, City Attorney Merino, referencing conversations with the Attorney General's Office, advised it is not a violation of the sunshine law for Commissioners to call other Commissioners to schedule a publicly notice meeting. However, she cautioned the Commission inquiry should not lead and/or include discussion on a subject matter or why there needs to be a public meeting.*

*A motion was made by Mayor Cooper, seconded by Commissioner Sanders, to amend line 165 by changing the word "shall" to "may" and amend line 156 by removing "or the Commission". The motion carried by a unanimous voice vote.*

*A motionw as made by Mayor Cooper, seconded by Commissioner Sanders, to amend the Ordinance to include any scheduled meeting of the City Commission shall be notified same as all other public meetings. The motion failed by a 2/3 voice vote. Vice Mayor London, Commissioner Lazarow, and Commissioner Taub cast the dissenting votes.*

*City Attorney Merino presented other corrections to the proposed Ordinance.*

**A motion was made by Vice Mayor London, seconded by Commissioner Lazarow, that this Ordinance be approved on first reading as amended and with**

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**corrections made by the City Attorney. . The motion carried by the following vote:**

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

**Nayes:** 1 - Mayor Cooper

## **11. ORDINANCES ON SECOND READING/PUBLIC HEARING**

- A. AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE A RETROACTIVE LEASE EXTENSION BETWEEN THE CITY OF HALLANDALE BEACH AND PRH-2600 HALLANDALE BEACH, LLC, FOR THE NORTH BEACH CITY CENTER; AND PROVIDING AN EFFECTIVE DATE. (STAFF: PROCUREMENT DIRECTOR)

*City Clerk Bataille introduced the Item.*

*Mayor Cooper opened the floor for public comments.*

*There being not public comments from the public, Mayor Cooper closed the public hearing.*

*Mayor Cooper requested staff to follow up with the developer on their commitment to assist the City with any permitting or technical issues the City may have with painting the bridge.*

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

## **12. RESOLUTIONS/PUBLIC HEARING**

## **13. RESOLUTIONS/CITY BUSINESS**

- A. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2013-92 AND RESOLUTION NO. 2016-61 KNOWN AS THE CITIZEN RECOGNITION PROGRAM; AND PROVIDING AN EFFECTIVE DATE. (SPONSORED BY COMMISSIONER ANABELLE TAUB)

*City Clerk Bataille introduced the Item.*



*Commissioner Taub provided remarks in support of rescinding the Citizen Recognition Program.*

*Commissioner Sanders shared his disappointment on the Commission not approving the most recent street co-designation of NW/SW 2nd Avenue and spoke in support of maintaining a Citizen Recognition Program in order to memorize the contributions of those who had dedicated themselves to the City.*

*Mayor Cooper spoke in opposition to the Item.*

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

**Nayes:** 2 - Mayor Cooper and Commissioner Sanders

**B. DISCUSSION ON BEST PRACTICES RELATED TO CITIZEN RECOGNITION. (STAFF: CITY CLERK)**

*City Clerk Bataille introduced the Item and recommended the Commission consider adopting a new policy in the future to address Citizen Recognition requests by the public.*

*Vice Mayor London stated he will not support a policy in the future that will include street renaming.*

*Consensus:*

*- Staff to meet with the City Commission and bring back a future Agenda Item concerning citizen recognition: Walk of Honor, Martin Luther King, Jr. Award, and Hallandale Beach Pioneers*

**C. A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF HALLANDALE BEACH, FLORIDA, DECLARING UNIQUE CIRCUMSTANCES PURSUANT TO SECTION 23-8(5) OF THE HALLANDALE BEACH CODE OF ORDINANCES, AUTHORIZING THE CITY MANAGER TO NEGOTIATE SERVICES FOR A UTILITY RATE STUDY; WAIVING THE CONE OF SILENCE PURSUANT TO SECTION 23-14 TO PERMIT EXPANSION OF ADVERTISED SCOPE TO INCLUDE THE UTILITY RATE STUDY; AND PROVIDING AN EFFECTIVE DATE. (STAFF: CITY MANAGER)**

*City Clerk Bataille introduced the Item.*

*City Manager Carlton provided a brief overview of the Item and answered questions*

*posed by the Commission.*

*City Attorney Merino briefed the Commission on the intent of the Resolution and answered questions posed by the Commission.*

*Answering a question posed by Vice Mayor London, Finance Director Celeste Lucia indicated the City has been in default of the bond covenants as of September 30, 2016.*

**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

**Nays:** 0

**14. CITY ATTORNEY COMMUNICATIONS - Items not on the Agenda**

*City Attorney Merino advised the Commission she will bring forward future workshop discussion items on Quasi-Judicial Procedures, approval and denial of Development Agreements, and Cone of Silence.*

**15. CITY MANAGER COMMUNICATIONS - Items not on the Agenda**

*City Manager Carlton announced the community meeting to be held at the Cultural Center on May 8, 2017 at 6:30 PM concerning the proposed SW 11th Street Private School Development.*

*City Manager Carlton advised the City Commission on the future Agenda Items concerning the Bluesten Park Project.*

*City Clerk Bataille provided an updated to the Commission on the recruitment process for a Parliamentarian.*

**-UPDATE ON THE HALLANDALE BEACH BOULEVARD CORRIDOR PLAN PRESENTED BY DEVELOPMENT SERVICES DIRECTOR KEVEN KLOPP.**

*Associate Planner, Vanessa Leroy. provided a presentation on the Item and answered questions posed by the City Commission related to form based code and design guidelines.*

**A motion was made by Commissioner Lazarow, seconded by Vice Mayor London, to extend the meeting beyond 11:00 PM. The motion carried by a unanimous vote.**

**16. INFORMATIONAL ITEMS: (No Action Required)**

**17. ADJOURN**

*There being no additional items before the Commission, the meeting adjourned at 11:08 PM.*