

CITY OF TAMARAC
CITY COMMISSION WORKSHOP
Tuesday, November 12, 2019

CALL TO ORDER: Mayor Michelle J. Gomez called the Workshop of the City of Tamarac Commission to order at 9:36 a.m. on Tuesday, November 12, 2019, in Conference Room 105, Tamarac City Hall, 7525 NW 88th Avenue, Tamarac FL 33321.

ROLL CALL: Mayor Michelle J. Gomez, Vice Mayor Debra Placko, Commissioner Marlon Bolton, Commissioner E. Mike Gelin and Commissioner Julie Fishman were in attendance.

Also in attendance were City Manager Michael C. Cernech, Assistant City Manager Kathleen Gunn, City Attorney Samuel S. Goren and Acting City Clerk Lillian Pabon.

PLEDGE OF ALLEGIANCE: Commissioner Julie Fishman led the Pledge of Allegiance

1. TR13351 - MOU with Broward College. Item No. (6) (c) on the Consent Agenda. (TR13351). A Resolution of the City of Tamarac, Florida, approving a Memorandum of Understanding ("MOU") regarding Broward College provision of workforce development and skills training opportunities in Tamarac public facilities for the benefit of Tamarac residents and City employees; Approving in-kind support and to waive fees for Broward College to hold classes for residents in City of Tamarac facilities; Authorizing the appropriate City officials to execute said MOU and to take the appropriate steps to effectuate the MOU; providing for conflicts; providing for severability; and providing for an effective date. Economic Development Manager Lori Funderwhite, Broward College President Greg Haile and Broward College Workforce Education and Innovation Senior V/P Dr. Mildred Coyne gave a presentation, a copy of which is on file in the City Clerk's Office.

Commissioner Gelin expressed his thanks to President Haile and Dr. Coyne. He also thanked them for entertaining a relationship with the City of Tamarac. Discussion ensued, City Manager Michael Cernech and presenters responded to questions from Commissioner Gelin. Commissioner Gelin expressed his support for the MOU.

Commissioner Fishman stated that "this is a good opportunity for our city," and that she would "love to see this happen."

Commissioner Bolton talked about migrating here from Jamaica and how he had to make a choice to attend Miami-Dade College due to ease of transportation. He also stated that he is happy about the initiative and shared how a member of his constituent received an increase in salary from earning a certification through Broward College. Commissioner Bolton thanked President Haile and Doctor Coyne for engaging Tamarac.

Vice Mayor Placko stated that the Broward Up program is a golden opportunity for the City. She talked about an initiative between herself and Commissioner Bolton, working with a high school, to

get parents to be more involved with their children. Vice Mayor outlined that it would be good to reach out to these parents who are doing 2 and 3 jobs to help them better themselves. Vice Mayor Placko also thanked President Haile and Dr. Coyne.

Mayor Gomez outlined that there is great support from the City Commission. Mayor Gomez thanked President Haile and Dr. Coyne and offered the City's assistance with the Broward Up initiative.

President Haile thanked the Mayor and Commission and stated that he is very appreciative of the partnership. There was no further discussion on this matter.

2. TR 13371 Resolution Authorizing Eminent Domain Action. Item No. (6) (k) on the Consent Agenda. (TR13371). A Resolution of the City Commission of the City of Tamarac, Florida, Finding Public Purpose and Necessity to Acquire Fee Simple Title to Certain Parcels of Real Property Owned by Adina Cosmetics, Inc. ("Adina Cosmetics"), And Parastoo Sanjari And Sohrab Sanjari ("Sanjari") Respectively, Located at the Southwest Quadrant of NW 53rd Street and Prospect Road, City of Tamarac and more particularly described in Exhibit A and Exhibit B respectively attached hereto, and a facsimile copy of which can be inspected at the Office of the City Clerk, for the Redevelopment and use as Public Parks, Recreational Facilities, Parking and/or Open Space; Authorizing the City Attorney to acquire said parcels through Exercise Of The City's Eminent Domain Authority, Pursuant to Sections 166.401 and 166.411, Florida Statutes; providing City Manager and City Attorney with the authority to retain outside Eminent Domain Counsel, and such other professional consultants; and to do all things pertinent to effectuating the terms of this Resolution; providing for an effective date. Financial Services Director Mark Mason, Park and Recreation Director Greg Warner, City Attorney Samuel Goren and Shutts & Bowen Law Firm Partner Sidney C. Calloway, Esq. gave a presentation, a copy of which is on file at the City Clerk's Office.

Parks and Receptions Director Greg Warner spoke about the improvements to Caporella Park and how it relates to the City's Parks Master Plan. Director Warner also talked about the reason why this acquisition is important. He also talked about the need for more parks on the east of Tamarac and the inability to also hold special on the east side. Director Warner outlined that with the acquisition of these properties will allow for more parking spaces at the Caporella park.

Attorney Sidney Calloway talked about the acquisition process; whether through voluntary acquisition or through eminent domain. Attorney Calloway outlined that there are three (3) properties being considered. He also stated that there are two (2) things to take in consideration when looking at eminent domain and these are; the purpose and the need. He further outlined that the City's Parks Master Plan outline the need for this acquisition process.

City Attorney Samuel Goren talked about his working relationship with Attorney Calloway and also stated that Attorney Calloway's spouse, Maxine Calloway is a city employee, Director of Community Development.

Attorney Goren noted that after direction was given by the City Commission, attorney Calloway was engaged to pursue the matter and move forward in the most legally appropriate matter. Attorney Goren spoke about the process and purpose of eminent domain. He outlined that the City is doing everything in regard to assessing the property as well as connecting the public purpose that is

required by federal and state laws. Attorney Goren further stated that “private property cannot be taken unless it will be used for public purpose.” Attorney Goren advised the City Commission that the action taken will set a motion in the process of what was discussed, both at the workshop planning session as well as this morning, and will lead in what direction should be taken to move forward.

Director Mark Mason stated that the drafted resolution provides for a voluntary acquisition and eminent domain. Director Mason also outlined that the total estimated cost for the eminent domain process is about one (1) million dollars.

Discussion ensued; Attorney Goren, Attorney Calloway and Director Mason responded to questions from the Mayor and Commission.

Mayor Gomez recessed the meeting at 11:01 a.m. and reconvened the meeting at 11:18 a.m. with all present as before.

3. Discussion on Window Sign Update - Update on Window Sign - Community Development Director Maxine Calloway gave a presentation, a copy of which is on file at the City Clerk’s Office.

Director Calloway concluded her presentation with recommendations to the City Commission. Director Calloway recommended as follows:

- That there be a pause in enforcement.
- Amendment to the city’s ordinance to increase window coverage percentage.
- provision for an amortization period of 6-12 months.
- Businesses are informed at the time of business tax issuance of new requirements.

Commissioner Fishman stated that she is in favor of the recommendations, however she does not agree with allowing 30-40 percent window coverage. Commissioner Fishman stated that “it is not the intent of the City Commission to put out businesses out of business.”

Commissioner Gelin stated that “it’s a good idea to pause and give business owners time.”

Vice Mayor Placko stated that she “strongly believe we take a pause and take another look at this, and see how we go about this.” She also talked about informing new businesses when they come into the City about window signage. Vice Mayor Placko outlined that she wasn’t sure what the right amount of window signage coverage to recommend. Vice Mayor stated “she thinks we should take a step back and reevaluate.”

Commissioner Bolton outlined that he is on the fence with this issue and that he understands why businesses need signage. He also agreed that the city should take a step back with enforcement. Commissioner Bolton recommends that an incentive program be put in place for businesses and plazas and that other cities are looked at to see what they are doing.

Mayor Gomez stated that she also agrees with her colleagues with the pause in enforcement. She outlined that we should look at the issue as a whole and not in pieces, by looking at the monument signs, signage on windows and lighting around window sills. Mayor Gomez talked about the SOD

program, to help encourage businesses and plazas update their look.

Mayor Gomez asked for Consensus on all the recommendations that were put forth by the Commission. All present voted yes.

4. Discussion - Census Complete Count Committee - Discussion - Census Complete Count Committee. Community Development Director Maxine Calloway and Community Development Planner Robert Johnson III gave a presentation, a copy of which is on file at the City Clerk's Office.

Discussions ensued, Director Calloway and Robert Johnson III responded to questions from the Commission. The Commission stated their concerns regarding the roles, responsibilities and time that will be required for each volunteer, if selected, to be a part of the Committee. Director Calloway responded that the Commission will be provided with this information by the end of the week. Director Calloway also outlined that once the Committee is formed, at the first meeting, Anna Diaz from the Census Bureau will be in attendance and she will go over the roles and expectations of the Committee. The Committee will then after, establish their goals and strategies. There was no further discussion on this matter.

5. TO2419 - Ordinance Rising Age to 21 for Sale or Distribution of Electronic Nicotine Dispensing Devices and Nicotine Products. Item No. 8 (c) on Ordinance(s) - First Reading. (TO2419) An ordinance of the City Commission of the City of Tamarac, Florida, amending Chapter 13 of the City's Code of Ordinances, entitled "Miscellaneous Offenses" by specifically creating Section 13-25 entitled "Prohibition of Sale or Distribution of Electronic Nicotine Dispensing Devices and Nicotine Products to Persons Under 21 Years of Age"; to prohibit the sale or distribution of electronic nicotine dispensing devices and nicotine products to persons under 21 years of age; providing for penalties; providing for conflict; providing for severability; providing for codification; and providing for an effective date. Community Development Director Maxine Calloway gave a presentation, a copy of which is on file in the City Clerk's Office.

City Attorney Samuel Goren read into the record a letter that was sent to Attorney General's office on behalf of the Mayor and Commission for an opinion on the matter. Attorney Goren responded to questions from the Mayor and Commission. There was no further discussion on this matter.

6. TO2421 - Ordinance amending Code to provide Extended Hours Permit from 2:00 am to 4:00 am for sale of alcohol every day of the week. Item No. 8 (b) on Ordinance(s) - First Reading. (TO2419) An Ordinance of the City Commission of the City of Tamarac, Florida amending Chapter 3, of the City of Tamarac Code of Ordinances, entitled "Alcoholic Beverages", by specifically amending Section 3-4 to allow the sale and serving of alcoholic beverages for consumption on-premises only from 2:00 a.m. to 4:00 a.m. everyday subject to Special Extended Hours Permit approval by the City Commission, consistent with the existing, Special Extended Hours Permit application review process; providing for codification; providing for conflicts; providing for severability; and providing for an effective date. Community Development Director Maxine Calloway gave a presentation, a copy of which is on file in the City Clerk's Office.

Discussion followed by the City Commission who voiced their concerns about the drafted Ordinance in its current form. Attorney Goren and Director Calloway also responded to questions from the

Commission. No action was taken on the matter and there were no further discussion on the matter.

7. Discussion on moving both City Commission Meetings to evening Meetings. Discussion on moving Commission Workshop to the same day of Commission or do away with holding Workshops. Discussion on holding both City Commission Meetings in the evening. Discussion on moving Commission Workshop to the same day of the Regular Commission meeting or do away with holding Workshop meetings. City Manager Michael Cernech and Commissioner E. Mike Gelin gave a presentation.

Discussion followed presentation and the following consensuses were taken:

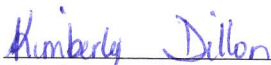
1. Consensus to do away with Commission Workshops. Vote was taken and failed with 3-1 with Vice Mayor Placko being absent during vote.
2. Consensus to start the morning Commission Meeting at 9:30 am. All present voted yes. Vice Mayor Placko was absent during vote.
3. Consensus to move Commission Workshop to 5:00 pm before Commission Meeting. Vote was taken and failed with 3-2.

8. Other

Mayor asked for a discussion on whether the City Commission wants the City to be involved in a townhall discussion with the Sheriff's office, school board and other stakeholders from the community. There was no discussion on the matter.

City Attorney Samuel Goren also make mention of a closed-door session to be held immediately after the adjournment of the City Commission workshop.

There being no further business to come before the City Commission for consideration, Mayor Gomez adjourned the meeting at 2:15 pm.



Kimberly Dillon
Records Coordinator