



City Hall Commission Chambers
3650 NE 12 Avenue
Oakland Park, Florida 33334

DRAFT MINUTES
CITY COMMISSION MEETING
OCTOBER 19, 2022, 6:30 P.M.

The regular meeting of the City Commission of the City of Oakland Park, Florida was called to order at 6:30 p.m. by Mayor Carn.

Due to continued safety concerns, measures were in place to promote social distancing. The opportunity of public participation virtually has been provided by email or by calling the City Clerk's office. Public comments received were read into record during that portion of the agenda.

NOTE: A CRA MEETING was held prior to Public Comments.

ROLL CALL

Present:

Mayor Michael Carn

Vice Mayor Aisha Gordon [arrived 6:32]

Commissioner Matthew Sparks

Commissioner Mitch Rosenwald

Also Present:

City Manager David Hebert

City Attorney D J Doody

City Clerk Renee M. Shrout

Absent:

Commissioner Jane Bolin

INVOCATION

Commission members expressed personal remembrances followed by a moment of silence.

PLEDGE OF ALLEGIANCE

A moment of silence was followed by the Pledge of Allegiance led by Marc Vermont, Assistant Fire Chief and his wife Christy Vermont.

PROCLAMATIONS

Childhood Cancer Awareness Week - October 23-29

Commissioner Sparks moved to publish the proclamation. Commissioner Rosenwald seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

City Clerk Shrout read the proclamation which was presented to Marc Vermont, Assistant Fire Chief (Kendra's Kisses) and his wife Christy Vermont.

Friends of the Library Week - Broward Reads - October 16-22

Commissioner Sparks moved to publish the proclamation. Vice Mayor Gordon seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

City Clerk Shrout read the proclamation which will be sent to Megan Turetsky, Children's Services Council of Broward and Tom Hardy, Friends of the Library.

Florida Government Week - October 17-23

Commissioner Rosenwald moved to publish the proclamation. Vice Mayor Gordon seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

City Clerk Shrout read the proclamation which was presented to the City Manager's office.

ADDITIONS / CHANGES / DELETIONS

- Mayor Carn pulled Item 6, Sole Source Purchase of Vehicle Replacement Parts for Solid Waste Trucks from Nextran Truck Center from the Consent Agenda to be discussed under Resolutions and Miscellaneous.

Commissioner Rosenwald moved to approve the agenda as amended. Commissioner Sparks seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

PRESENTATIONS

*** City Park - Phase 1 Grand Opening Event - October 21, 2022**

Christopher Casale, Assistant Director of Parks and Leisure Services, provided a preview video of the upcoming ribbon cutting event at 3900 NE 3 Avenue. He recognized the Engineering and Building Services department led by Brynt Johnson and Sierra Marrero, Public Works department led by Albert Carbon, and Chen Moore and Associates and Kaufman Lynn Construction who helped design and construct the park.

PUBLIC HEARINGS: ORDINANCES ON SECOND READING

1. Case #CD22-22RZ "New Greenleaf Park - Rezoning" - Proposed Rezoning of a Site from R-1, Single Family Residential District to OS, Open Space District to Allow the Development of a City Park at 1300 NE 38 Street. Advertising for this public hearing appeared in the Sun-Sentinel October 9, 2022.

Peter Schwarz, Director of Community and Economic Development, provided staff's presentation.

Public Hearing was held as advertised:

- Christopher Fisher – 3711 NE 13 Avenue, spoke in favor of the rezoning. He inquired about adjacent property being purchased and rezoned to expand the existing park.
- Steve Arnst – 1860 NW 40th Court, stated parking at the park must be addressed. He pointed out that most rezoning requests were quasi-judicial public hearings and inquired why this one was not.

City Manager Hebert stated negotiations were ongoing regarding the adjacent property. He stated the preliminary design included some parking and there would be public parking across the street. City Attorney Doody reminded the Commission that parking was not part of rezoning. He noted that the City was the applicant for this rezoning and why it was not quasi-judicial.

Vice Mayor Gordon moved to adopt the ordinance on second reading. Commissioner Rosenwald seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

The ordinance, as adopted on second, carried the following title:

ORDINANCE O-2022-025

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, APPROVING AN APPLICATION FOR REZONING FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO OS, OPEN SPACE DISTRICT FOR THE PROPERTY GENERALLY LOCATED AT 1300 NE 38 STREET, AS MORE PARTICULARLY DESCRIBED HEREIN, AND CONTAINING 0.85 ACRES MORE OR LESS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; & PROVIDING FOR EFFECTIVE DATE.

2. [Annual Update to the Capital Improvements Element for FY23. Advertising for this public hearing appeared in the Sun-Sentinel October 9, 2022.](#)

Peter Schwarz, Director of Community and Economic Development, provided Staff's presentation and recommended approval.

The Public Hearing was held as advertised – there were no speakers.

Commissioner Rosenwald discussed the Broward County Public Schools' CIP and the City's input and review.

City Manager Hebert reported funding had been allocated for welcome signs, but they were still determining design, materials and locations.

Vice Mayor Gordon moved to adopt the ordinance on second reading. Commissioner Sparks seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

The ordinance, as adopted on second reading, carried the following title:

ORDINANCE O-2022-026

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, AMENDING THE CITY'S 2007 COMPREHENSIVE PLAN TO PROVIDE FOR THE 2023 ANNUAL UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT BY REVISING SECTION 9 "CAPITAL IMPROVEMENTS ELEMENT" PROVIDING FOR AN UPDATED CAPITAL IMPROVEMENTS NEEDS TABLE AND REVISING THE AVAILABLE REVENUE SOURCES, FUND ACCOUNTS, CAPITAL IMPROVEMENT PROJECTIONS, AND LOAN AND BOND PAYMENTS IN RELATION TO CHAPTER 163, PART II, FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING FOR AN EFFECTIVE DATE.

3. [Solid Waste Vehicle Financing. Advertising for this public hearing appeared in the Sun-Sentinel October 9, 2022.](#)

Andrew Thompson, Chief Financial Officer, provided staff's presentation.

Public Hearing was held as advertised:

- Fitzgerald Budhoo – 720 NE 59th Court, stated he supported the ordinance and this was an efficient way to purchase vehicles. He noted the League of Women Voters had inquired about electric vehicles. He had noticed trucks leaking oil, which he reported to the City Manager.
- Steve Arnst – 1860 NW 40th Court, was concerned about borrowing funds to purchase trucks, specifically, the amount of interest it would cost. He stated it was important for

Commission members to know what they were buying. He felt the City should budget so they could purchase outright instead of borrowing.

City Manager Hebert noted the delay that saving instead of financing vehicles would cause. He stated this type of equipment powered by electric was rare and extremely expensive.

Vice Mayor Gordon moved to adopt the ordinance on second reading. Commissioner Rosenwald seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

The ordinance, as adopted on second reading, carried the following title:

ORDINANCE O-2022-027

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA AUTHORIZING THE CITY TO BORROW THE PRINCIPAL AMOUNT NOT TO EXCEED \$1,600,000.00 TO FINANCE THE PURCHASE OF VEHICLES AND AUTHORIZING THE EXECUTION OF A PROMISSORY NOTE AND A LOAN AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

CITY COMMISSION RECESS FOR COMMUNITY REDEVELOPMENT AGENCY MEETING

Note: The City Commission meeting recessed 7:49 – 8:25 P.M. for the CRA meeting.

4. PUBLIC COMMENTS

At this time any person will be allowed to speak on any matter that pertains to City business for a length of time not to exceed four minutes per person.

- Letitia Newbold – 2291 NW 28th Street, stated she was a resident on the west side of Oakland Park and visited the east side to patronize City businesses. She wanted to see the west side of the City beautified and have the CRA bring more businesses there. She noted the west side was often a food desert and wanted better choices for families.
- Kedner Maxime – 120 NW 43rd Street, thanked the Commission for their good work. He had participated in the recent meeting to develop ideas for making the City a better place by providing working capital to help businesses come to the City. They also wished to leverage relationships and diversity.
- Chris Fisher–3711 NE 13th Avenue, President of the Corals of Oakland Park Neighborhood Association, attended event at Funky Buddha discussing real-estate objectives where he asked City Manager Hebert about short term rentals and their impact on affordable housing. He stated although the City was making progress with problem properties, owners and managers of these properties were skirting regulations by listing and marketing them as hotels. Mr. Fisher pointed out this was a business operating in a residential district and should be easy and necessary for Code Enforcement to cite.

- **NOTE:** The Commission took a brief recess.

- Due to a technical error, Steve Arnst, 1860 NE 40th Court, later provided comments on Operations, Maintenance and Replacement, (OMR) a system the City previously used for saving funds to be used for replacing equipment; He addressed previous public comments regarding the CRA noting TIF financing the City was not eligible at the time the CRA was created and does not extend to the west side of the City; Recommended the Commission know which vehicles they are purchasing and suggested a budget amendment.

CONSENT AGENDA

Commissioner Rosenwald moved to approve the Consent Agenda consisting of items 5 and 7. Item 6 was pulled from the Consent Agenda during Additions/Changes/Deletions. Commissioner Sparks seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

5. Approval of Minutes - September 7, 2022 and September 12, 2022

Approved on consent.

(Item 6 was pulled from the Consent Agenda to be discussed under Resolutions and Miscellaneous)

6. Sole Source Purchase of Vehicle Replacement Parts for Solid Waste Trucks from Nextran Truck Center

7. Purchase of Vehicle Replacement Parts and Service for Heavy-Duty Trucks from Sunbelt Waste Equipment

Adopted on consent.

The resolution, as adopted, carried the following title:

RESOLUTION R-2022-135

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, APPROVING AND AUTHORIZING THE PURCHASE OF VEHICLE REPLACEMENT PARTS AND SERVICE FOR HEAVY-DUTY TRUCKS FROM SUNBELT WASTE EQUIPMENT AS A SOLE SOURCE VENDOR; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

RESOLUTIONS AND MISCELLANEOUS

<u>6. Sole Source Purchase of Vehicle Replacement Parts for Solid Waste Trucks from Nexttran Truck Center.</u>

Andrew Thompson, Chief Financial Officer provided staff's presentation. City Attorney Doody confirmed they were in compliance with the City's procurement code for sole source.

Commissioner Sparks moved to adopt the resolution. Commissioner Rosenwald seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

The resolution, as adopted, carried the following title:

RESOLUTION R-2022-134

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, APPROVING AND AUTHORIZING THE SOLE SOURCE PURCHASE OF VEHICLE REPLACEMENT PARTS FOR SOLID WASTE TRUCKS FROM NEXTRAN TRUCK CENTER; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

<u>8. Revised 2022 City Commission Meeting Schedule - November and December.</u>

City Manager Hebert recommended a revised meeting schedule to accommodate the late election date and certification of results.

Commissioner Rosenwald moved to adopt the resolution. Commissioner Sparks seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner Sparks, Mayor Carn

ABSENT: Commissioner Bolin

The resolution, as adopted, carried the following title:

RESOLUTION R-2022-136

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, APPROVING THE REVISED 2022 CITY COMMISSION MEETING SCHEDULE; A COPY OF THE REVISED SCHEDULED IS ATTACHED AS EXHIBIT "A"; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

9. **A Resolution to Adopt the Amended OP3D Design Guidelines and to Included the Expanded Areas of the Oakland Park Downtown Development District (OP3D).**

Peter Schwarz, Director of Community and Economic Development, provided staff's presentation and recommended approval.

Commissioner Sparks inquired about working with Wilton Manors on this effort and Mr. Schwarz stated Wilton Manors had been included and provided input over the years, and their input had been incorporated.

Commissioner Rosenwald inquired about riverbank protection and Mr. Schwarz responded that any development along the riverfront right-of-way was regulated by the South Florida Water Management District [SFWMD] and the County. If development on nearby private property would affect the water body, the banks, or any environmentally protected species it would go through the County Environmental Protection Department for review. The City's Comprehensive Plan and Zoning regulations indicated they did not want any development other than a seawall and promenade within the 37 feet between the mean high-water line or the edge of the riverbank and private property.

Mayor Carn wanted to discuss this with Wilton Manors, in the hopes of influencing how they approached change in the future. He stated Oakland Park was committed to making this a phenomenal place.

Commissioner Rosenwald moved to adopt the resolution. Vice Mayor Gordon seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner, Sparks Mayor Carn

ABSENT: Commissioner Bolin

The resolution, as adopted, carried the following title:

RESOLUTION R-2022-137

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, ADOPTING THE OAKLAND PARK DOWNTOWN DEVELOPMENT DISTRICT (OP3D) DESIGN GUIDELINES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

10. Approval of a Work Authorization for Calvin Giordano and Associates to Update the City of Oakland Park Code of Ordinances Related to Community Appearance Standards.

Peter Schwarz, Director of Community and Economic Development, provided staff's presentation that included a review of code for deficiencies, look at best practices and include public participation in the process.

Following discussion, Commissioner Sparks moved to adopt the resolution. Vice Mayor Gordon seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner, Sparks Mayor Carn

ABSENT: Commissioner Bolin

The resolution, as adopted, carried the following title:

RESOLUTION R-2022-138

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF OAKLAND PARK, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO EXECUTE A WORK AUTHORIZATION WITH CALVIN, GIORDANO AND ASSOCIATES FOR PLANNING SUPPORT SERVICES. INCLUDING RESEARCH AND DRAFT UPDATES TO THE OAKLAND PARK CODE OF ORDINANCES RELATED TO COMMUNITY APPEARANCE STANDARDS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

NOTE: Motion to Extend Meeting.

Commissioner Sparks moved to extend the meeting. Commissioner Rosenwald seconded the motion, which prevailed by the following vote:

YES: Vice Mayor Gordon, Commissioner Rosenwald, Commissioner, Sparks Mayor Carn

ABSENT: Commissioner Bolin

11. City Commission Discussion Item: Civil Discourse at Public Meetings - Mayor Carn

Mayor Carn stated one of his neighbors shared how impressed she was with the "inclusion" signs in the City. Mayor Carn remarked that the Commission was a model of civility.

City Manager Hebert recalled he and Mayor Carn discussed his legacy after leaving the Commission remarking on the model Mayor Carn had set, as a leader focused on getting things done without distraction by petty engagements or underhanded comments. City Manager Hebert stated he could bring an item to the November 2 meeting if the Commission agreed.

Vice Mayor Gordon noted how sensitive and understanding other Commission members and staff were and agreed they should create policies regarding civility at meetings.

Commissioner Sparks agreed a policy was a great idea.

Commissioner Rosenwald inquired of Mayor Carn what consequences for incivility might look like. Mayor Carn stated the most powerful disciplinary tool was consistency and thought a reminder of the policy could be used. City Manager Hebert explained Robert's Rules of Order referenced appropriate and inappropriate behavior and included provisions when there were interruptions at meetings.

Commissioner Rosenwald inquired if a citizen could be permanently or temporarily banned from speaking during public comments at a meeting due to disruptive behavior. City Attorney Doody could not answer, as he was unaware of it happening. He advised against it, because it presented first amendment issues.

The Commission reached consensus for staff to bring forward an item at a future meeting.

<u>12. REPORTS FROM THE CITY COMMISSION</u>
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Commissioner Sparks commented as follows:

- 1) Wished everyone a happy Halloween.
- 2) Stated October was Breast Cancer Awareness Month and requested women to get mammograms.
- 3) Advised everyone that flu shots and a Covid boosters were available, and everyone should consider a colonoscopy.
- 4) Sent a special thank you to Brynt Johnson, who always followed up.
- 5) Inquired about the date for Holiday Village and City Manager Hebert stated it was the first weekend of December and December 9th was the date for the employee awards luncheon.
- 6) Thanked staff for the Childhood Cancer Awareness Week proclamation.
- 7) Recalled discussing Fire Rescue Department staffing, organizational evaluation and recommendations, and City Attorney Doody confirmed that the City Commission was the ultimate arbiter of the most responsible, responsive bidder in response to an RFP or RFQ.
- 8) Wished his husband a happy 10th anniversary on September 29th.

Commissioner Rosenwald commented as follows:

- 1) Stated he had been unable to attend the meeting this morning to discuss vision for the west side of Oakland Park.
- 2) Had not been aware of Kendra's Kisses and applauded Marc and Christy Vermont.
- 3) Announced he would attend the ribbon cutting event on Friday.
- 4) Later in the meeting, he stated aside from a civil discourse policy, Mayor Carn's legacy would be encouraging economic development on the west side of Oakland Park.

Vice Mayor Gordon commented as follows:

- 1) Thanked all the presenters tonight.
- 2) Thanked the building/permitting department. She attended the Fort Lauderdale Alliance the previous week where Debora Mink extended her gratitude to our Building Department regarding the efficiency of the building permit process.
- 3) Stated she was looking forward to serving with the new Commissioners and would miss those who were leaving the dais.
- 4) Attended Oktoberfest where she and Commissioner Rosenwald participated in judging the dog race. It was an awesome event that was well attended.
- 5) Mentioned she recently attended the business meeting and property owner meetings to discuss west side of the city. We are moving forward to bring communities together.
- 6) Looking forward to reading to children, sponsored by Children's Services.
- 7) Wanted everyone to keep Oakland Park clean, Green, and environmentally sustainable.

Mayor Carn commented as follows:

- 1) Thanked all those who participated this evening and appreciated that staff always takes the time to explain and educate what was going on to our residents.
- 2) Shared the City Commission's decision to deny the Special Magistrate's recommendation regarding the Oakland 95 LLC FLUEDRA proceeding, and Lakeside residents were elated that the City had stood by them.
- 3) Thanked Ms. Peterson for the trees and thanked staff for the landscaping on NW 21 Avenue north of Oakland Park Boulevard and for lowering the speed limit.
- 4) The Lakeside HOA thanked the City for the sidewalks that meandered around accommodating their established landscaping.
- 5) Recalled the Commission approved a budget item for a western corridor study and he attended the meeting on the item the previous day.
- 6) Was very proud to sit next to a woman of color as Mayor and Vice Mayor of Oakland Park. He regretted the fact that he had been told Oakland Park would never elect a black man to the City Commission and noted this was the first time two people of color were serving on the City Commission.
- 7) Stated his love language was helping someone to realize their true potential.
- 8) Was looking forward to the Halloween Bash.

<u>REPORTS FROM THE CITY MANAGER</u>

13. Financial Activity Report for the Period Ended August 31, 2022

City Manager Hebert commented as follows:

- 1) Discussed the status of the Sky building and noted an item regarding revisions was forthcoming.
- 2) Stated there were ongoing challenges with the Blessed Sacrament team regarding Cherry Creek Park. The church granted the City an additional two months under the original lease agreement and he would bring the City Commission an item to publicly inform them of the

status of discussions and to ask if the Commission felt an alternative approach would be beneficial. He reported staff would be updating the COPENA group in the next couple of weeks.

REPORTS FROM THE CITY ATTORNEY

14. City Attorney's Report - October 6, 2022

ADJOURN

The meeting was adjourned at: 10:47 PM.

CITY OF OAKLAND PARK, FLORIDA

MICHAEL CARN, MAYOR

ATTEST:

RENEE M. SHROUT, CMC, CITY CLERK