



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor

Beverly Perkins, Vice Mayor

Rhonda Eaton, Commissioner

Cyndy Floyd, Commissioner

Andrea McGee, Commissioner

Tom McMahon, Commissioner

Earl Bosworth, Assistant City Manager

Mark Berman, City Attorney

Asceleta Hammond, City Clerk

Tuesday, October 12, 2021

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the Regular City Commission meeting to order at 1:05 p.m.

ROLL CALL

Present: Commissioner Rhonda Eaton
Commissioner Cyndy Floyd
Commissioner Andrea McGee
Commissioner Tom McMahon
Vice Mayor Beverly Perkins
Mayor Rex Hardin

INVOCATION

Rev. Dr. Greg Fitch, Psychology and Hospital Chaplain offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk.

APPROVAL OF MINUTES

[21-832](#) City Commission Meeting Minutes of September 28, 2021

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Minutes be APPROVED. The motion carried unanimously.

[21-833](#) Special City Commission Meeting Minutes of September 20, 2021

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Minutes be APPROVED. The motion carried unanimously.

APPROVAL OF AGENDA

There were no changes to the Agenda, therefore it was approved as presented.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Agenda be APPROVED AS SUBMITTED. The motion carried unanimously.

CONSENT AGENDA DISCUSSION

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

Mayor Hardin announced that Items 1 and 2 would be pulled for City Commission discussion.

Additionally, Mayor Hardin indicated City Manager Harrison is still under the weather and will be back soon, so, Assistant City Manager Earl Bosworth is sitting in for the City Manager.

A. PROCLAMATIONS

[21-840](#) Red Ribbon Week

Mayor Hardin proclaimed Red Ribbon Week in the City of Pompano Beach. Melissa Sauer, DDR Officer was unavailable to accept the proclamation on behalf of PFC Bruce W. Carter Medal of Honor Young Marines.

The Proclamation was READ AND PRESENTED INTO THE RECORD

B. AUDIENCE TO BE HEARD

All persons interested in speaking during “Audience To Be Heard” must fill out a request form and turn it in to the City Clerk prior to the meeting. A request form is located on the last page of the agenda program.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the “audience to be heard” session. The “audience to be heard” session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session”. (Effective May 28, 2019)

The following persons were called to speak:

Apartment Infestation of Bugs - Kendra Hayes, 930 NW 9th Avenue, Pompano Beach, FL, thanked Vice Mayor Perkins for reaching out to her regarding her concerns expressed at the last City Commission meeting. She reiterated her complaint at the last meeting regarding bug infestation of her apartment, and her attempts to get Code Enforcement to check into the matter. She invited a friend to attend the meeting to reinforce her complaint of being bitten by these bugs.

Mayor Hardin recalled since the last meeting the City received an email regarding the issue. He reiterated his recommendation that Ms. Hayes take up this matter again with the City Manager’s Office, because they are investigating the matter.

Assistant City Manager Earl Bosworth confirmed that the City Manager’s Office have investigated the matter and would be glad to have staff discuss this matter with Ms. Hayes.

Vice Mayor Perkins indicated that the apartments being referenced in this matter are Parkway East Apartments and they have been built for over 50 years and the condition of those apartments are deplorable. She has visited some of the apartments and they are just unsafe and unlivable, and would encourage staff to look into this matter to see what can be done.

Apartment - Deplorable Living Conditions - Wanda St. Pete, 1121 SE 22nd Avenue, Pompano Beach, FL, indicated that she is a friend of Ms. Hayes and stated she witnessed everything that Ms. Hayes has complained about. The building is condemnable. She was injured and is still dealing with an invasive infection from the bites she received while visiting the apartment. She mentioned both Ms. Hayes and her ended up being medicated from bug bites received. She expressed concerns for her health as well as the families that live in the 4 buildings. They are dealing with water leaks, rusty water coming out of the pipes, bed bugs, termites and things of this nature. She mentioned that several unlivable conditions exist in the apartment that Ms. Hayes has been living in for 2 months. Code Enforcement was contacted and they indicated that they visited the apartment and deemed it safe. Therefore, she hopes the City will follow up on this to assist these families.

Traffic Gridlock on Atlantic Boulevard - Jerry B. Sodikoff, 133 N. Pompano Beach Blvd., Pompano

Beach, FL, expressed concern for the traffic gridlock currently happening in front of City Hall on Atlantic Boulevard, which is being experienced by the residents of the City, as it proceeds with its pedestrian walkway project. He complained that the primary evacuation route and vital roadway for first responders to move quickly to an emergency has been compromised. The beautiful design of an idyllic pedestrian walkway can still be built without causing this chaotic traffic situation.

Continuing, Ms. Sodikoff thanked Mayor Hardin for addressing these concerns by properly replying to the recent email he sent to the Mayor last week. He then read the Mayor's reply into the record. *"Now that we have installed the temporary traffic diverters that are allowing us to real time, model, and proposed future changes, I can certainly see that we are nowhere near where we need to be to move forward with these planned future improvements. I assure you I will not accept the current situation that we are experiencing at the intersection of Atlantic Boulevard and Dixie Highway. I doubt that my colleagues on this City Commission will either. We all want the better looking and vibrant community, but what we are experiencing currently, is simply not acceptable."* He then asked if the Mayor stand by his words and what is the current status of any changes planned to alleviate the gridlock.

Mayor Hardin responded that he stands by his words. The current status is that the City is working on the traffic signal timing lights to get things dialed in so things will work before moving forward to tearing up the asphalt and things of that nature. It is a work in progress and it is good to have the plastic poles up prior to just start tearing up the asphalt. The situation as started out is unacceptable and they will be working out issues such as the synchronizing of the traffic lights.

Traffic Gridlock on Atlantic Boulevard - Tom Drum, 2700 NE 8th Street, Pompano Beach, FL, mentioned that he has the Florida Department of Transportation (FDOT) Broward County traffic report, the impact of different road closures from October 8 through October 15, 2021, and the list has nothing about the City of Pompano Beach. Mr. Drum indicated that the FDOT did not approve of this narrowing of the roadway. The City did buy the rights to Atlantic Boulevard and Dixie Highway so the improvements could be done. Mr. Drum mentioned that the FDOT should be allowed to do its job and rule. Therefore, the City should turn these roadways back to FDOT, and he provided his reasons.

Esther Rolle House - George Dillard, 801 NE 33rd Street, Pompano Beach, FL, stated that he would like to see the Esther Rolle House project move forward because the kids in the northwest section do not have much to look up to. He then provided the challenges of Ms. Rolle and the ultimate success of her becoming an actress. This would be a plus for the City to get this done.

Mitchell Moore Football Field - Mr. Dillard expressed concerns with the Mitchell Moore dugouts and the roof is falling in. He said Collier City McNair Park is looking good and he appreciates it. Therefore, he would like to see Mitchell Moore looking like that.

Plastic Debris Impact on Sea Life - Penelope Delevoryas, CP 6347, Zamora Chinchipe, Ecuador, stated she is visiting the City for a little while and every other day she walks the beach and pick up trash along the water's edge to include picking up water bottles, caps, cans, and more plastic. She noticed that the trash and plastic is pushed deeper into the sand by the tractors and sand smoothing machines. She proposed that the City install covered garbage cans on the beach at the east end of Atlantic Boulevard between the lifeguard stations.

The City has a protected sea turtle nesting area with signs posted to reduce light pollution and other negative influences during the season to protect baby sea turtles, which she is happy to see. In sum, Ms. Delevorays is concerned with the marine and wild life species being negatively impacted by the plastic debris, and asked that covered garbage cans be installed at the beach.

Mayor Hardin mentioned that recyclable containers are at the beach area also.

Traffic Gridlock on Atlantic Boulevard and Dixie Highway - Dr. Theresa Carissimi, 411 SE 16th Avenue, Garden Isles, Pompano Beach, FL, stated that part of the \$30 million gentrification program at the intersection of Atlantic Boulevard and Dixie Highway has created a problem that has made life more difficult rather than better for the thousands of residents of the City of Pompano Beach. She stated that in 4 days she received over 1,000 signatures of support via a social media platform, and she provided the City Commission with the list of supporters and their comments. She mentioned that removing traffic lanes at the Atlantic Boulevard and Dixie Highways intersection was underestimated. The Atlantic Boulevard is the main artery that thousands of Pompano Beach residents need to travel on to get to and from work every day. The preliminary changes have caused bottleneck in traffic that is unpractical and unworkable. Residents who are commuters, are angry about this situation, there is the risk for EMS vehicles, as well as this has increased congested related accidents.

Dr. Carissimi concluded that the intersection is already a walkable area for the homeless, drug addicts and prostitutes. Therefore, she asked that the project to add a pedestrian friendly landscaped area be stopped and to open back the Atlantic Boulevard and Dixie Highway intersection.

Traffic Gridlock on Atlantic Boulevard and Dixie Highway - Gail Blount, 280 SE 10th Street, Pompano Beach, FL, complained about the traffic pilot currently underway at the intersection of Atlantic Boulevard and Dixie Highway. She reiterated what most speakers mentioned earlier that the Atlantic Boulevard is a major east - west artery from the beach and Federal Highway to Interstate 95. It carries steady traffic throughout the day and becomes heavily congested at the lights and intersections during commuter times. The pilot at the Atlantic Boulevard and Dixie Highway intersection is creating an enormous bottleneck as everybody has experienced. To squeeze 4 lanes of traffic into 3 and 2 turn lanes into 1, it has taken now 3 traffic light changes to cross Dixie Highway. Traffic builds up, idling cars produce fumes, heat and noise, drivers tempers flare and when trains cross at the intersection, it gets worse.

Continuing, Ms. Blount stated that the depictions she has seen of the planned new intersection are beautiful. Most people would prefer to have a tree lined area, nice landscape, calmer intersection, and a prettier gateway to east Atlantic Boulevard, which she supports. Unfortunately, it is creating an unprecedented traffic problem. Due to the back up in traffic some are meandering their way through Old Pompano and even more are diverting to south Cypress Road. People are racing through the neighborhood south to 62nd Street or Commercial Boulevard in order to access Interstate 95 and other western destinations, in the evenings it is reversed. If this extra load is to continue, there is the need to calm traffic on south Cypress Road. More importantly, she requested that the coco plum bushes on the median between southeast 9th Street and McNab Road, need to be allowed to grow. Bushes should be at least 4 feet high in order to mask oncoming traffic in the opposite lanes and thereby help to slow traffic in all of the lanes. These and other measures are the only way that the transformation of the Atlantic-Dixie intersection is going to work for the residents. She urged the Commission

to make that happen soon or address the intersection issue in a slightly different way.

Mayor Hardin appreciated the comments made by Ms. Blount and thanked her for serving on the original Cypress Road median project. She was integral in that taking place, which really beautified the entire south end of Cypress Road.

Parking nuisance in residential neighborhood - Bernard Ostrokolowicz, 2871 NE 9th Street, Pompano Beach, FL, complained about his neighbor moving out of his house approximately 2 years ago with no one living at that place since. There is a list from the Broward County Sherriff's Office (BSO) police department, on how many times they have been called to that location for traffic violations. He recommended that the owner should be fined for all the problems caused with this property. He said the property is located in a cul-de-sac, and he lives right at the end on the intracoastal and at times he cannot get out of his own driveway, so, he calls the police. When the police are not in tow, there is constant parking backing up into his driveway. He indicated just this weekend there were 15 cars parked in the cul-de-sac and they were taking pornographic pictures inside the neighboring empty house. Apparently, this is a business location that the owner is renting to others, as he is no longer living there. He asked if something could be done to deter the parking nuisance that the residents in that location are experiencing.

Mayor Hardin requested that Assistant City Manager Earl Bosworth meet with Mr. Ostrokolowicz to see what can be done to deter parking violations in the neighborhood.

Comr. McGee stated that she has seen a huge uptick on issues with the Airbnb (air, bed and breakfast rental) and Vrbo (vacation rental by owner) which is causing these types of issues. She inquired if the Commission could direct the City Attorney to look into what some other municipalities may have done, to determine if perhaps the City could implement similar measures.

Mayor Hardin indicated he would support this 100%. Therefore, he asked Mark Berman, City Attorney, if he could look into ideas to see if there is anything else the City could do about this issue.

Mr. Berman responded that the City has a nuisance property ordinance on the books for such nuisance properties. It needs to be followed after law enforcement, code enforcement, and brought to the Commission's attention so the appropriate action can be taken. So, he will work with Earl Bosworth, Assistant City Manager, get the information and see what can be done.

Comr. McGee indicated for those residents who have contacted her regarding a nuisance similar to this speaker's complaint, she has been instructing them to ensure they report the activity to the BSO, so there is a record of everything to assist with going through nuisance abatement. However, if there is anything else that would be "outside the box", then staff could inform the Commission on this.

Commendation on Beach Cleanup - Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, thanked the prior speaker who mentioned that she cleaned up the beach. There are a lot of people who cleans the beach area but no one knows about it.

Traffic Issues on Atlantic Boulevard and Dixie Highway - Mr. Skversky complained that the traffic issues

on Atlantic Boulevard and Dixie Highway is a disaster. He indicated cars are backed up for half a mile to Interstate 95. He had to wait for 15 minutes to make a left hand turn on Dixie Highway, coming from Copans Road. He concluded that for all the planned development in the neighborhood, perhaps the City needs to leave well alone.

Traffic Issues at Atlantic Boulevard, Cypress Road and Dixie Highway - Matthew Moore, 421 SW 15th Street, Pompano Beach, who is a business owner located at 2209 E. Atlantic Boulevard, Pompano Beach, FL, stated that his business is located across from the McNab Road, which appears to be a disaster at this time. As a business owner, father and a resident, he wanted to bring to the City Commission's attention what is going on with the traffic, which he relegated in detail the traffic being bottlenecked and the safety issues that this is causing, as well as the negative impact on his business. He also thanked Comr. McMahon for responding to his text messages. He also complained that none of the Commissioners contacted the business owners in the neighborhood to get their feedback on the proposed change in traffic flow. In addition, this traffic is an unmitigated disaster that the City has created, which he believes is a bad idea. He hopes there can be some changes with this issue.

Traffic Issues on Atlantic Boulevard and Dixie Highway - Nick Lamberti, 131 SE 7th Way, Pompano Beach, FL, stated that Mr. Evans yielded his time to him. He spoke on the traffic issues he has been experiencing on Atlantic Boulevard to Interstate 95. He asked what are the Commission and staff doing since they indicated this is going the way it was foreseen. He inquired if there is any type of oversight going on and have the City put in cameras that look at the traffic patterns at these high traffic times. He has been taking pictures of the traffic backup as he is heading out to take care of his business affairs and having to take alternate routes to get going. Residents are being impacted from the overflow of traffic on various streets as people are seeking alternative routes to get to and from the Interstate 95. He also wanted to know when was the project design originally put forward.

Mr. Bosworth responded that he understands that the design and initial concepts started 10 years ago, when the population was much less than it is currently.

Continuing, Mr. Lamberti, had a series of questions to include how has the City determine the pedestrian traffic currently, and who are actually the pedestrians utilizing the area, outside of the panhandlers, and the homeless population.

Mayor Hardin responded that the issues that have changed City staff has been working with consultants, Broward County Traffic Engineering, and others on the signal timing issues out there, and are still working on trying to get this issue fixed. In sum, the City is working on the problems that are creating traffic gridlock.

Comr. McGee asked if the Consultants could explain what has been going on this week, to provide updated information regarding the decision to put up the poles for the pilot program, and to determine what can be done to adjust for the planned development of the area.

Paul Kissinger, former principal at EDSA, Landscape Architect and Designer, with 31 years' experience. He has been involved with the City of Pompano Beach on the beach project on Atlantic Boulevard and the connectivity plan done 10 years ago, which was the impetus at looking at the creation of the downtown, and

the connectivity across from and along Atlantic Boulevard, so he has been in and around Pompano Beach for a very long time. In fact, to answer one of the questions posed, it was July 24, 2018 when the concept was approved to move forward by the Community Redevelopment Agency (CRA) Board, which is a concept that has gone through more design and has gone through a lot more traffic studies and planning in the design work to get to the detail design work. Consequently, they are not using 10-year-old data. The project is not a transportation corridor project. It is a redevelopment project to create a downtown and to enhance a downtown in Pompano Beach. He mentioned that transportation is a component of that, and noted, similar to the situation on the beach, and the redevelopment of the parking lot, as an example, the Pompano Beach Boulevard streetscape which is an infrastructure project, and the grand opening was in 2012. Currently, that redevelopment is just about completed, and it is "wildly successful" as he understand it. This has really changed the face of that part of Pompano Beach.

Continuing, Mr. Kissinger indicated that they have a wonderful opportunity to continue to do that in Pompano Beach in the downtown area. Part of what that will take is the first initial infrastructure change, which is the corridor at the intersection of Dixie Highway and Atlantic Boulevard. He also has with him the traffic planner that has been involved with the project since the initial studies. He is very much in touch with what is currently happening with Broward County Traffic, which has been very helpful to them. Mr. Kissinger stated that they have agreed that what is currently in place cannot continue to happen. They cannot have traffic as it is now, so changes are inevitable and will be communicated to the City and its residents. Joaquin Vargas will go through these changes. Already, they have seen an improvement since the end of last week. There have been improvements and changes. In fact, Mr. Vargas was out there this morning and will go back out there and observe. Broward County is looking for an update of daily traffic activities, in order to get this first phase of construction to move forward. He then explained the nature of the redevelopment for the area, which all the new growth has been considered to include mixed uses in the area.

Joaquin Vargas, TrafTec Engineering, Inc, Florida, provided a brief status on what has happened and what they are doing. He clarified that this is not the final condition that is currently being experienced. This is not acceptable as alluded to earlier by Mr. Kissinger and Mayor Hardin. It will be improved. He indicated that he has been working very closely with Broward County Traffic Engineering Division, Director Scott Brunner, who also provided him with complete access to their computerized system, and has been working with them. Last week he spent 4 hours in the area both morning and evening hours conducting travel runs in both the east and west bound direction, which has been documented. Last Friday, he met with the Computerized System Engineer and they talked about some of the deficiencies that had to be corrected and they have agreed to do that. They did some changes yesterday, as early as this morning, as well as he spoke with them prior to coming to this meeting, and they indicated they made some changes but he will need to get back to the area to check to see if there are any additional things that they need to continue to tweak to improve upon the situation.

Mr. Vargas stated that during the work that was done in the past, there were numerous meetings with the State who reviewed the plan. The State had some concerns that were addressed. The primary concern was the backup of traffic onto the Interstate 95 and the ramps, as well as some safety issues. The plan was modified to prevent that from happening. From observations and the results of the travel time, Mr. Vargas stated that the east bound direction is working very well. The biggest issue they have is in the west bound direction. He indicated that he was stuck out there for 15 minutes and for a couple of minutes that is unacceptable. The County did some improvements to 1st Avenue, which is working much better. There were certain things that

were happening that were not supposed to happen. The choke point is Dixie Highway and Atlantic Boulevard, which is the critical location. So, if you are going west bound you do not want to see a green Dixie Highway light and a red light at 1st Avenue, because the choke point needs to release everything. The second scenario also occurred then when 1st Avenue gave the green light before you get to Dixie Highway it was showing red. This should not be happening. These scenarios will occur when there is a train interruption. In fact one day last week there were 7 interruptions in the morning, which there is not much that can be done in this instance. He observed the times he was there the maximum number of trains he has seen during the peak period is 2. When it is a freight train it is approximately 2 minutes, but could go to 5 minutes which is unusual. When this occurs, the light goes out of sync for about 3-4 minutes until all the signals sync again.

In sum, Mr. Vargas indicated that he is working with the County and they will do some additional travel time runs to see the benefits. They are not complete yet, but will continue improving on this until they get it to an acceptable condition.

Mr. Kissinger reiterated that they are very aware of the issues and it is unacceptable the way it is currently and they are going through real time solutions. He said due to the nature of this development, there are so many moving parts and they have to continue to observe and try to fix the hiccups.

Mayor Hardin indicated that it is a good thing to have the plastic poles to work out the glitches before they start “tearing up the asphalt,” which would be another nightmare if and when construction starts.

Comr. McGee asked if there is some sort of timeframe that they can put in place to see if it works and then make decision to change things or have other scenarios.

Mr. Kissinger indicated that they are working on the changes in the travel time to happen as quickly as possible. He is uncertain how many days it will take at that point. Nevertheless, they are committed to making this work as they have done the modeling. They are confident this will work and with the changes that they are working with Broward County. If they reach a point, which he doubts it will reach to that, they will have more data to look at in the next week or two that they will be able to make more recommendations, and will stay in close contact with the CRA, the City Manager’s Office, and the Commission on their progress. He confirmed that they will be able to report back to the City Commission by its next meeting regarding the improvements, and they can put this on the agenda for a report on their progress.

In response to Comr. McGee’s question regarding re-routing of some traffic, Mr. Vargas indicated that they are expecting some traffic to shift to MLK Boulevard because it connects Powerline Road to Dixie Highway, also SW 3rd Street connects Powerline Road to Dixie Highway and also to Cypress Road. More importantly, Copans Road is under utilized and Cypress Creek between Interstate 95 and Dixie Highway. Some traffic will divert there, but they have not done anything to divert motorists.

Comr. McGee explained that she was thinking that for the residents to not change their routes and keep the same route is a true measurement that can be made of the traffic backup during this time to determine a real working of the system.

Vice Mayor Perkins wanted to know if Mr. Kissinger and his team will be returning to the City Commission in

two weeks with a report. However, she felt they needed results before two weeks from now. Therefore, she mentioned that they need to get back via email to indicate the changes made and how the situation would be rectified.

Mr. Kissinger mentioned that the changes already made are with signals the way they were currently configured, where they can be prioritized with an east or west bound direction, or they can have the same priority, which would mean they are not working optimally in one direction, as currently situated. They have been changed so the west bound movement is the priority so that they will have the optimal synchronization and coordination between the signals. Also, there is better coordination and synchronization between Dixie Highway, SW/NW 1st Avenue, and Cypress Road signals, especially with the west bound traffic in the afternoon peak period. Broward County traffic made some additional synchronization changes this morning and they are awaiting Mr. Vargas' response after he goes out today to see how things are going, what is needed to be done, and how they need to have a particular light on longer in red or green condition. They want to maximize the green light on SW/NW 1st Avenue from Atlantic Boulevard, so there is less green time for the left turn from Atlantic Boulevard and the side street. There were changes made to the Cypress Road/NW 2nd Avenue side street, currently NW 2nd Avenue gets the green first and then Cypress Road, this will be reversed to eliminate and minimize traffic blocking the intersection, which is the big part of it. In addition, they want to prevent and minimize the green at Dixie Highway and red at NW 1st Avenue for west bound traffic. They want to prevent and minimize starting at west bound green at NW 1st Avenue and then encountering a west bound red signal at Dixie Highway.

Finally, the County will check if the School Crossing guards are unnecessarily pressing the coordination and synchronization traffic signals by pushing the buttons. They have made all of those changes and some more today, and they are planning to make more based on Mr. Vargas' observations this afternoon. When the next round of information becomes available they will ensure that is sent to the Commission. He is committed to get the facts to the Commission.

Mayor Hardin asked Assistant City Manager Bosworth to place an item on the next agenda to bring a report to the City Commission.

Comr. McGee asked if they could include in their report the timing as to how long it will take to do a trip from A to B and what comparatively versus what the goals are.

Mr. Kissinger stated that this will be part of the data that Mr. Vargas has been collecting and will be presenting this in another two weeks.

Mr. Kissinger added information regarding the concept of redevelopment. This includes economic development, jobs, increase in tax base and all those kinds of things. There will be a change in how you traverse from one end of Atlantic Boulevard to the other and on Dixie Highway. However, what they presented in 2018, is a minimal change in traffic. The idea is to encourage people to come to the downtown not go through downtown. He said the Florida Department of Transportation (FDOT) does projects that gets people to travel faster, but cities do projects differently and slow people down, which gets more people on the road because the cars are closer.

Comr. Eaton stated that she travels the route and the area has been congested for a while, even trying to get out of City Hall going onto Atlantic Boulevard. Before, on Atlantic Boulevard there were four lanes going both ways, where people sped through and there was nothing there and hardly anyone came to Pompano Beach to eat or visit a restaurant. Since the median and the streetscape was added, it provided a quality of life for the residents and the businesses there. She recalled it being difficult to get this done. It was a struggle but the City worked it out. She is thankful that the consultants are working with Broward County traffic engineers on synchronizing the lights. There is no question it has been a disaster for everybody. So, the Commission recognizes that and are working on it.

Continuing, Comr. Eaton pointed out that on Dixie Highway there has been four lanes with a turn lane in the center and since 1989 the place looks the same with very little change except for a little streetscape towards Atlantic Boulevard. The City purchased the roadways and there are plans to create a beautiful Dixie Highway. It is terrible for everybody, and nobody likes speeding traffic in any place. She has an open mind, and the vision is beautiful. She is happy they are still tweaking the situation, and she is willing in a few more weeks to see if it will work. If it is not working then the City may have to look at something else.

C. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 3 through 6 without City Commission discussion.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Consent Agenda be APPROVED. The motion carried unanimously.

1. [21-829](#) Approve ranking order for Request for Proposals (RFP) E-24-21, Residential and Commercial Solid Waste Collection Services, and authorize City staff to negotiate a contract with the highest ranked company, Coastal Waste and Recycling, Inc. (No cost at this time).
(Fiscal Impact: N/A)

(Staff Contact: Russell Ketchem)

A member of the public pulled the item for City Commission discussion.

Luigi Pace, 2600 Wiles Road, Parkland, FL, stated that Waste Management has been an integral part of Pompano Beach since 1974, and they have partnered with the City from that time. He has worked as one of the City's garbage men for the past 10 years. He mentioned that the City staff has a difficult task in preparing this service for public procurement. However, by his professional opinion, he opined City staff has done a good job putting together this Request for Proposal (RFP) package and process. The Evaluation Committee followed the process as detailed in the RFP, and as all is aware there is no perfect process. He understands at the end of the process they did not have the cheapest price. Therefore, he asked the City Commission to reconsider the rankings of the firms that responded to the RFP. He is asking the City Commission to consider their long partnership and service history with Pompano Beach. He then provided the process that City staff used, which is the RFP, as well as provided the reasons why Waste Management would be the best company to continue its long-term partnership with the City. Consequently, he urged the City Commission to award the

contract to Waste Management and direct staff to negotiate with them.

Mayor Hardin indicated that he appreciates Waste Management services to the City.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, inquired about the difference in pricing Waste Management offered with regards to single-family home versus Coastal Waste and Recycling.

Mayor Hardin asked Russell Ketchem, Solid Waste Services Director, to provide the price difference for a residential single-family home for Waste Management versus Coastal Waste.

Russell Ketchem, Director of Solid Waste Services, responded that Coastal Waste and Recycling price was \$27.25 and Waste Management was \$32.94. For multi-family homes the bid from Coastal Waste was \$18.85 per unit and from Waste Management \$23.90 per unit.

Mr. Thrower asked what is the total cost saving difference between the two top bidders.

Mr. Ketchem responded for residential service, Waste Management's bid was a total of \$3.6 million higher than the Coastal Waste and Recycling's bid.

Mr. Thrower concluded that the City would be sending the wrong message to its residents if the Commission did not support staff's recommendation to move forward with Coastal Waste and Recycling since they were the lowest responsive bidder. Therefore, for cost saving purposes, as well as this is a local company in the City, he believes the Commission should be supporting staff's recommendation.

John Cassagrande, Vice President for Coastal Waste and Recycling, stated that although they maybe a new name to the City of Pompano Beach, his experience within the City goes back to 1999, when he was the area Vice President for Waste Management until 2008. He is very familiar with what goes on with the services in this industry. Also, what the City demands and requires for the service from their hauler.

In sum, Mr. Cassagrande stated that they are a great company, as well as Waste Management that does not have the monopoly on how to collect garbage. He stated that while they maybe a small company they are a local company operating from Pompano Beach among other accolades they have accomplished during the years they have been in operation. Most recently they transitioned two major contracts in Broward County, with the cities of Fort Lauderdale and Town of Davie, and extended jobs to all the incumbent's employees and hired all seven drivers for the City of Fort Lauderdale, and the same thing was done in the Town of Davie. He concluded that not only does he operate his business in the City of Pompano Beach but he and his family reside in the City and they are here to stay. He urged the City Commission to direct staff to negotiate with Coastal Waste and Recycling.

Barbara Herrera, representing Waste Management, 1800 North Military Trail, Suite 201, Boca Raton, FL, stated that they are respectfully requesting that the City Commission reconsider the ranking that was proposed by City staff. However, she wanted to add to the comments made by Mr. Pace earlier. There are the mathematical numbers that can be negotiated. As it stands now, the difference in price works out to be \$1.31 per week. As a partner with the City for 50 years, they are requesting that the City come to the table to be able

to determine how they can reach an agreement that is suitable for the City. She also provided many reasons why they would be the better company to award the bid for the City's solid waste collection service.

Ron Hatfield, customer of Waste Management, Property Manager for the Pompano Pier and Restaurant, stated that he is concerned with changing "horses in the middle of the stream." Obviously, his business is a highly visible organization on the beach and he is concerned with having to change waste haulers. Therefore, he volunteered to appear before the City Commission to speak in support of Waste Management. In sum, he wants to know that this service will work well.

Jean McIntyre, President/CEO Greater Pompano Beach Chamber of Commerce, 2335 East Atlantic Boulevard, Pompano Beach, FL, thanked the City Commission for hearing the discussion on this item today. She requested that the Commission consider going back to the table with Waste Management. She mentioned that during the pandemic she received calls from different organizations that were concerned and had challenges, and all she had to do was make a phone call and people were responded to, which today is very hard to get. She urged the City Commission to think about the history of what has happened in the community.

Robert Scharf, 1261 SE 9th Avenue, Pompano Beach, FL, stated that it appears to be an approximate 15% -20% difference in price between the two competing companies. He suggested the City Commission negotiate with Waste Management, and if they are not open to negotiate, then the City should change the provider.

Rosanna Meyer, Meyer Realty and Associates, 2730 NE 5th Street, Harbor Village, Pompano Beach, FL, stated that she has been living in the City for 15 years and can attest to the service, reliability, and customer service received from Waste Management. She said they even call her before the holidays to inform her that there will be no changes in their service during that time. They pick up the trash on time and she enjoys their bulk pickup schedule, once per week. She urged the City Commission to reconsider the numbers they submitted, to see if any negotiation could be done to keep their business because she enjoys their customer service.

Vice Mayor Perkins stated that she understands there has been a long relationship with Waste Management and understands the bidding process as well. She is unsure how this would be worked out, but would like to pull the item and see if staff can work something out and negotiate something, maybe for the next Commission meeting. She would be comfortable with whatever staff brings back.

Mark Berman, City Attorney, explained that this is a bid that people have responded to and it is not just based on price, it is based on numerous criteria. People have responded to the specifications of the bid and they are based on technical proposals, financial proposals and price, and all kinds of matters that are added to the score. It is not just recommendation based on price. Staff has added up everything, reviewed everything carefully and presented it to the City Commission for consideration. He would not recommend that at this time to stop the process. The City Commission can reject all the bids and the recommendations and start the process over, if there is a reason to do that. However, to stop a perfectly good bid process at midpoint after all the prices are out there, and sit down with one of the bidders and discuss new prices as such would not be recommended by him, and it would not be an appropriate process to pursue.

Vice Mayor Perkins indicated that she would follow the City Attorney's recommendation. However, she feels

that when there is a long relationship with someone you would want to continue with it, but also understands the bidding process and will take the City Attorney's advice.

Comr. Eaton stated it is difficult when there is such a long relationship, but first and foremost the Commission has to be as frugal as possible, and relationships and friendships are not enough to charge the taxpayers anymore. So, they need to get the best possible service, at the best possible price, which is going up. She thanked staff for this great RFP and hope they have sat down to work through this. It is sad, but her responsibility lies with her residents and in the interest of the residents of the entire City. Therefore, she could not support postponing the item or anything else.

Mayor Hardin thanked Waste Management for their years of service and the years of support for him as an elected official. They have supported him in the past and he appreciates this. It pains him to be in this position today, but dollars and cents wise and fairness is what it would come down to in his mind. He has preached in the past that government needs to be fair in what it does. If someone is asked to come to the table and give their best shot, it is not fair to then say, "Well okay, now you guys know what your best shot is, now go back out and work the numbers so you can come back and maybe have another best shot." This is not fair. The current cost for a residential client is \$20.37 per month for single-family garbage. Even under the best proposal that the City has price wise, the cost is going up to \$29.89. Already, there will be an increase in the monthly cost for a home. If the City went with Waste Management price it would be higher than what is current. It is incumbent for the City Commission to look at how they represent the residents and to do what is the best fiduciary for the residents. Unfortunately, things are different. Therefore, he will support the recommendation made by staff.

Comr. Floyd asked for clarification prior to the vote on the item.

Mayor Hardin explained that if the Commission voted yes on the item, the action would approve the ranking staff did, and would now direct staff to go to the highest ranked firm, which in this case is Coastal Waste and Recycling, to negotiate a contract with them to take back to the Commission for approval. This is not the final contract and the price could change in the end to a lower price during the negotiations.

Comr. Floyd asked if Waste Management could re-negotiate.

Mayor Hardin responded that the City would be negotiating with the first ranked firm, which is Coastal Waste and if an agreement could not be reached with them, then it would go to Waste Management as they are the second ranked firm and then the City could negotiate with them at that time.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Consent Agenda/ Approval Request be APPROVED. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

2. [21-801](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE APPROPRIATIONS AGREEMENTS BETWEEN THE CITY OF POMPANO BEACH AND VARIOUS NON-PROFIT CORPORATIONS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$281,500)

(Staff Contact: Erjeta Diamanti)

Vice Mayor Perkins pulled the item for City Commission discussion, and stated that she received quite a few calls about the non-profits regarding the process as to when to apply. So, she asked staff to explain to the public when they can apply for the non-profit funding and the overall process for this activity.

Erjeta Diamanti, Budget Manager, responded that the non-profit process application is done once annually, with all the non-profits applying for funding that is approved by the City Commission. They apply online through the City's website, which has all the instructions provided on how to apply and where to register to receive information regarding the application process. The application is very detailed and a sample is provided on the website along with all the documentation required for submittal. In the past two years, they have not received any applications that did not meet the minimum requirements to qualify for future funding recommendations. The City works closely with any non-profits that are interested to apply through this process and ensure they submit the information needed.

Continuing, Ms. Diamanti clarified that the City's consultant, Strategic Philanthropy, works and will have individual meetings, if needed, with the non-profits that require additional help through this process. For the application process, they "send out a blast" at the end of March and then at the beginning of April each year. All non-profits will receive several blasts of information on how to apply and what are the requirements throughout the process with a deadline, and when the process will close out. Next, there is a scoring committee which scores all the non-profits based on their submittals and their programs. They then provide the recommendations to City staff, who takes the recommendations to the City Commission via this package, which they review all the non-profits and the funding priorities, which has been consistent throughout the last 5 years, and then they approve the contracts that are part of the backup that is provided for this item. Funding is distributed sometime in November and then quarterly and annual reports that non-profits submit throughout the year, which keeps them accountable for the services they provide to the residents of the City.

Vice Mayor Perkins asked if there were any non-profits rejected.

Ms. Diamanti responded that the City received over the past years, approximately \$1 million in non-profit funding from various non-profit organizations, so there were several non-profits that were rejected, which is provided as part of the backup agenda item.

Vice Mayor Perkins indicated it has always been a concern of hers on the impact some of the non-profits are having on the residents of the City, and she questions whether they are really servicing the people living in the City. There are non-profits the City supports such as the Areawide Council on Aging of Broward County that are all over Broward County, but she is unsure how effective they are in the City of Pompano Beach. She wanted to know if there was any way the City could determine their effectiveness.

Ms. Diamanti explained that there is a bigger component of family residents that all the non-profits serving the City of Pompano Beach, which there is a criterion that they serve the residents in the City, regardless if their program extends throughout Broward County or any other counties. They also provide how many residents they serve in the City of Pompano Beach. This is provided in the backup information and there are times when the City gathers information from them on how the program has expanded or if there were any interruptions similar to what happened last year with the COVID-19 situation, and how they have been serving the City.

Charlotte Mather-Taylor, Chief Executive Officer, Areawide Council on Aging aka the Aging and Disability Center, 5300 N. Hiatus Road, Sunrise, FL, stated that every dollar they receive from the City of Pompano Beach only goes to services for Pompano residents. They use the dollars to actually draw down federal dollars and state dollars, so the City's money is maximized. This year as of September 30, 2021, they have provided over \$920,630.00 in services to Pompano residents with the funding they received from the City. Last year they provided approximately \$1.6 million to Pompano residents. They keep close records on everything so they can also show the City all the data. During COVID-19, they were busier than normal because they started an emergency meal program and served many Pompano residents. They also shared masks that they received from the federal government with many of the Pompano non-profits. Also, they received additional food, which they shared with the City's Parks and Recreation department. They look forward to continuing their relationship with Pompano Beach, providing services such as home delivered meals, senior centers, day care centers, home repairs, and home visits to check for those people who need assistance, there is technology that they provide to those who need tablets to hook up to their TV if needed. They provide caregiver support, Alzheimer's imitative services, and a variety of other services. They are proud of what they do within the City and they have been doing this since 1974, serving the residents in the community.

Finally, Ms. Mather-Taylor thanked the City for their support and indicated that they do appreciate the partnership with the City because this is what allows them to do what they do for their seniors.

Comr. Eaton pointed out that the first PDF document indicates the community sponsorships summary of scores and funding recommendations for all the non-profits, whether they were approved or denied the amount of funding requested.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Consent Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
 Floyd
 McGee
 McMahan
 Perkins
 Hardin

Enactment No: RES. No. 2022-01

3. [21-819](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF A GENERAL RELEASE BETWEEN THE CITY OF POMPANO BEACH AND HIGH TECH ENGINEERING INCORPORATED, RELATING TO REIMBURSEMENT COSTS FOR THE EMERGENCY REPAIR OF THE CITY'S 24' RECLAIMED WATER MAIN GENERALLY LOCATED AT NE 14TH CAUSEWAY AND NE 23RD AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Reimbursement (revenues) in amount of \$167,968.31)

(Staff Contact: A. Randolph Brown)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-02

4. [21-822](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REGIONAL INTERLOCAL AGREEMENT AMONG THE CITY OF POMPANO BEACH, BROWARD COUNTY SHERIFF'S OFFICE, BROWARD COUNTY AND VARIOUS MUNICIPALITIES FOR COOPERATIVE FIRE, RESCUE, EMERGENCY MEDICAL SERVICES, AND SPECIAL OPERATIONS RESPONSE THROUGH AUTOMATIC AID AND CLOSEST UNIT RESPONSE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-03

5. [21-823](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY

OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR INSTALLATION AND MAINTENANCE OF BUS SHELTERS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Budgeted funds in City maintenance account)

(Staff Contact: Robert McCaughan)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-04

6. [21-830](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING SURPLUS AND EXPRESSING THE DESIRE OF THE CITY OF POMPANO BEACH TO CONVEY TO BROWARD COUNTY REAL PROPERTY DESCRIBED AS A THREE-FOOT RIGHT-OF-WAY FOR SOUTH ANDREWS AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Cassandra LeMasurier)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2022-05

D. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that Item 7 is listed under Quasi-Judicial Proceeding and is quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

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

7. [21-807](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE 900 NORTH OCEAN BOULEVARD PLAT

LYING ON THE EAST SIDE OF STATE ROAD A1A, NORTH OF NE 8TH COURT AND SOUTH OF NE 10TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated that the applicant is requesting approval for the 2.7 acres, 900 North Ocean Boulevard Plat. The property is located on the east side of A1A North of NE 8th Court and South of NE 10th Street. The subject property has never been platted. The proposed plat is restricted to 119 residential units and 2,220 square feet of commercial space. The subject property has a Land Use Designation of Residential High, 46 dwelling units per acre, and was approved for rezoning to PD-I (Planned Development-Infill) on September 28, 2021. The Planning and Zoning Board recommended approval of the plat at their meeting of July 28, 2021. The applicant has met all the conditions of approval. Staff recommends approval of the item. The applicant is present to answer any questions.

Nectaria Chakas, Esq. Lochrie and Chakas, stated this is a continuation of the PD-I rezoning that was approved last month. This is a condition of the development approval that they received for the property as well as their recordation which will occur after they receive approval from the Broward County Commission. In other words, this is in furtherance of the development approval that the Commission granted in September.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2022-06

END OF QUASI-JUDICIAL PROCEEDING

8. [21-813](#) Approval to award Invitation To Bid P-27-21, SW 2nd Street Stormwater Improvements to the lowest responsive and responsible bidder, DBF Construction, LLC.

(Fiscal Impact: \$923,895.50)

(Staff Contact: Tammy Good)

Tammy Good, CIP Manager, Engineering Department, presented the item and stated this is to request City Commission's approval to award the Bid Invitation for the SW 2nd Street Stormwater Improvements to DBF Construction, LLC who is the lowest responsive bidder. They are currently performing a couple projects for

the City, and have completed a few others successfully. Staff recommends approval.

Ms. Good mentioned that with all the traffic issues on Atlantic Boulevard and since this project is nearby adjacent to City Hall, the contractor anticipates starting construction May of 2022. Hopefully, the issues on Atlantic Boulevard will have calmed down. She is working to slow down this effort so as not to compound the issues currently being experienced.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Approval Request be APPROVED.. The motion carried by the following roll call vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

9. [21-827](#) Approval to award T-14-21, Asphaltic Concrete Pavement Surfacing, to the lowest responsive and responsible bidder, Weekley Asphalt Paving, Inc., at an annual estimated cost of \$1,440,547.00.
(Fiscal Impact: \$1,440,547.00)
(Staff Contact: Robert McCaughan)

Robert McCaughan, Director, Public Works Department, presented the item and stated this is requesting the City Commission's approval to award to the lowest responsive bidder, Weekley Asphalt Paving, Inc. The City will be utilizing this contract for its citywide paving, using funds from FY 2021-2022 that are currently reserved in the Capital Improvement Program (CIP) project. Based on the quantities, staff expects to pave with the bid amount of \$1,440,547.

Vice Mayor Perkins understands that this is an award, however, she wanted to ensure that when the paving starts citywide they can start with those streets/roads that have the greatest need as priority, because there are some streets in her community that has not be paved for close to 50 years.

Mr. McCaughan stated that citywide they have a condition called micro-surfacing, which looks bad and there are some spots that they will have to patch, but in most cases the roads are still structurally sound. Unfortunately, a lot of this was done the same time and so a lot of roads will need to be done at the same time. There is a 5-year plan to fix the roads and they are trying to spread the money among all the 5 districts as the condition exists throughout the City. Nevertheless, staff always takes care of the worst streets/roads first, regardless of what districts they are located. Currently, the City is in a situation where most of the streets are in an "ugly condition."

Vice Mayor Perkins stated that when they have decided can she see a copy of the schedule.

Comr. McGee mentioned that whatever material being used to fill the potholes in recent times, have fallen out rather quickly, so perhaps a different technology could be pursued than what has been previously applied, because in those situations the area fixed just caves in and the roads look the same prior to being repaired, specifically, a recent case is on Harbor Drive.

Mr. McCaughan indicated that there are a number of situations that is similar to what Comr. McGee is referring, but a lot of times in those cases there is a failed pipe underneath. So, if the pipe does not get fixed, the dirt and rock beneath keeps falling out and the hole keeps sinking. There are times they will throw “cold patch in the hole” until they can get it fixed, so that could have been the case in Harbor Drive.

Comr. Eaton mentioned that when Cresthaven was annexed she heard from residents that the top layer of the paving was never done, which she is unsure if it is true or false. Also, the streets, and especially the avenues where the traffic lights are located and heavily traveled were getting a lot of dipping and buckling and so forth. It would be nice to have some continuity in look at least, now that they are working on NE 33rd under the G.O. Bond project. This is the first time with those Cresthaven streets that they could use some resurfacing.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Approval Request be APPROVED. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

10. [21-831](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING AND APPROVING THE POMPANO BEACH AIR PARK MASTER PLAN UPDATE WHICH HAS BEEN PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC.; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Steven Rocco/Robert McCaughan)

Steven Rocco, Air Park Manager, presented the item and stated that they have been working on the Air Park Master Plan update for the past 2 years, and had encountered some logistical challenges due to COVID-19. The Master Plan update is now completed and is included in the Commission backup documents, which consists of the Master Plan and the Air Park Layout Plan (ALP) set required by the Federal Aviation Administration (FAA). Colin Wheeler, Project Manager, Kimley-Horn will provide a brief presentation of what was accomplished in this plan.

Continuing, Mr. Rocco stated that the FAA has approved the Master Plan Update and currently requires the City Commission approval, and subsequently, it will be finalized with the FAA.

Colin Wheeler, Project Manager, Kimley-Horn Associates Inc., stated that the FAA and the Florida Department of Transportation (FDOT) have approved the Master Plan Update and presented an overhead presentation of the process involved, some of the significant projects and how they may impact the Air Park moving forward, some of the cost implications, as well as he would be available to answer any further questions.

Mr. Wheeler indicated that typically an Airport Master Plan is conducted every 10 to 12 years, which is a project usually funded by the FAA and with state funding at approximately 95%. The process is relatively prescribed, as the FAA has guidelines that must be followed, however in the industry it is said, "when you see one airport you have seen one airport." Pompano Beach has a very unique air park and ownership situation and has some legacy configurations that date back to World War II. The outline of the process as presented in the overhead by Mr. Wheeler is attached as **Exhibit 1**.

Mayor Hardin sees it as interesting that the changes are driven by the FAA and their changing guidelines and should cover 100% of the cost.

Vicente Thrower, Pompano Beach, FL, inquired if there is any feasibility study in the Master Plan to identify the future of drone technology in the event a drone company may want to relocate to the City of Pompano Beach. In essence, are their any plans for unmanned aviation included in the master plan.

Mr. Wheeler responded by the time the substantial completion of the Master Plan was done UAV (unmanned aviation) and drone technology was not where it is today. He indicated that they primarily had the airport layout plan ready to go about 1 year ago, but because of COVID-19 a lot of the agencies had delayed their abilities to review and improve components of it. Even though there is no specific mention of drones or UAV's in the document it will not preclude the Air Park from entertaining tenants that would operate that as long as it does not impact the safety and efficiencies of the Air Park as it is today.

Mr. Thrower asked what can be put in the plan that would draw corporations to the City of Pompano Beach to operate their corporate headquarters at the Air Park to develop this type of technology.

Mr. Wheeler stated that the FAA is still trying to determine the corridors in which some of these UAV's will operate. A lot of different manufacturers are utilizing their own privately developed concepts and different vehicles. The challenge that they have today is to establish a set of design standards to ensure everything operates in a safe and efficient manner, because they are individuals and do not adhere to any set regulations or rules yet. The FAA is working on finding a vehicle in a systematic way of planning and developing design standards.

Mr. Thrower asked if the Master Plan still has a layout for a future hotel on the other parcel.

Mr. Wheeler indicated that the FAA has determined that the hotel maybe some sort of obstacle to air space

and when the hotel is actually constructed, they would have to coordinate with the FAA to identify if there are any markings or lightings required.

Mr. Rocco explained that there is still the parcel of land at the NW area of the airport earmarked for future non-aviation land development. It is possible for a hotel, but as Mr. Wheeler mentioned earlier this would have to be vetted through the FAA for height restrictions and other stuff.

Mayor Hardin mentioned that the drone company attraction is called the Innovation District in the City of Pompano Beach.

Lauren McGee, 2401 SE 7th Drive, Pompano Beach, FL, stated that while this is exciting to someone who did the North Perry Airport, the Southeast corner redevelopment for diversified aviation, she is super excited to see this coming to Pompano Beach. She inquired if there are any plans to get Customs at the Air Park.

Mr. Rocco responded that they have done several studies, contacted Customs Official and Board of Patrol (CBP) at Fort Lauderdale International Airport, where they are based, and have had discussions with them. If the City was to get customs at the Air Park, the City would be responsible for paying for the custom officers and facilities. The cost would run into hundreds of thousands of dollars a year to staff it and a minimum of \$1 million to build the facility. In prior discussion on this, due to the location of the Pompano Air Park in relation to other airports around the Tri-County areas: Miami, Broward and Palm Beach, Pompano Beach does not get the type of traffic to enable the City to maximize and utilize the custom facility, this is why Boca Raton and Fort Lauderdale and so forth gets the corporate jets.

Ms. McGee mentioned that traveling via private jets have increased and will continue to increase and felt that it would be good for the City to plan for accommodating this type of market.

Mayor Hardin explained that this is something that has been discussed in the past but it gets down to a cost benefit analysis. The City would get some traffic but not enough to offset the cost because there is such a saturation of CBP offices in the Southeast Florida corridor. Notwithstanding, he agrees with Ms. McGee it is an economic tool and it is something that the City will not lose sight of going forward, but it is not there yet.

Ms. McGee inquired about the Fixed Base Operation (FBO) and is there any expectation of more of those coming into the City's Air Park.

Mr. Rocco responded that currently there is the SheltAir Aviation and Pompano Aviation and these are all the City can accommodate at this time. Pompano Aviation has put in a bid for parcel Y, where new hangars will be developed on that parcel.

Comr. McGee indicated at some point there was "whispers" about trying to get some sort of café or restaurant at the Air Park and asked if that is being explored.

Mr. Rocco responded currently that is not being explored for the airport. Nevertheless, if SheltAir or Pompano Aviation has the desire to entertain that, although it is a difficult proposition as there is not enough business on the airport to satisfy that entity. Most of the people who come in, if someone needs a restaurant they are

referred to Galuppi's.

Meeting went into Recess

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: RES. No. 2022-07

11. [21-258](#) **P.H. 2021-52: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR A 12.1 ACRE PORTION OF THE CITI CENTRE MALL SITE LOCATED AT THE SOUTHWEST CORNER OF COPANS ROAD AND FEDERAL HIGHWAY; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JANUARY 27, 2021; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 23, 2021

(Staff Contact: David Recor/Jean Dolan)

Meeting Reconvened

Jean Dolan, Development Services Department presented the item and stated this is the Second Reading of the Land Use Plan Amendment for a 12.1 acres site, which is part of the Citi Centre property, and located at the Southwest corner of Copans Road and Federal Highway. The portion of the Citi Centre Mall subject to this amendment is currently occupied by the now empty building that was formerly used by the Burdines/Macy's Department stores and the associated parking field. The existing building will be demolished in order for the multi-family project to be constructed. The applicant is proposing to change the Land Use entitlements to allow 356 garden style apartments. The proposed amendment must address affordable housing policy to comply with the County Policy 2.16.2, which suggests a 15% set aside or buyout of their requirement for affordable housing for all residential Land Use Plan Amendments that create more than 100 additional residential units.

Continuing, Ms. Dolan indicated that the County approved this amendment to the County Amendment Land Use Plan on September 9, 2021, which is a pre-requisite for the City to adopt its Land Use Plan Amendment. Staff recommends approval of the item.

No input from the applicant.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

Enactment No: ORD. No. 2022-01

12. [21-799](#) **P.H. 2022-01: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO EXPAND AUTHORIZED AREAS FOR LOCATION OF RESIDENTIAL SWIMMING POOLS; AND BY AMENDING SECTION 155.5302, "FENCES AND WALLS," TO PROVIDE STANDARDS FOR FENCING PROVIDED AS PART OF A PERMITTED RESIDENTIAL SWIMMING POOL, SPA, OR HOT TUB; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jennifer Gomez/David Recor)

Jean Dolan, Development Services Department presented the item and stated that residential corner lots often pose development constraints for accessory structures especially swimming pools. Currently, the zoning code only allows pools to be located in the rear or interior site setback, which may not provide adequate space necessary for a pool. Development Services staff noticed the high volume of variance applications for residential swimming pools located within the side yards and front yards setbacks for corner lots. Between August 2020 and August 2021, there have been 10 variance applications requested to allow pools for these corner lots alone. The Zoning Board of Appeals has requested that staff look into a code change to address this ongoing issue. Staff conducted an analysis of swimming pool requirements in neighboring cities' zoning codes and discovered that majority of the surrounding cities do allow pools in both the front and side street yard setbacks.

Continuing, Ms. Dolan stated that the proposed text amendments seeks to amend the standards of swimming pools, spas, and hot tubs in Pompano Beach to permit the construction within the street side yard and the front yard setbacks of corner lots. Additionally, the amendment allows for fence height restrictions to be waived by the Development Services Director, which is necessary in order to meet pool fencing safety requirements of the Florida Building Code and Florida Statutes. The item was presented to the Planning & Zoning Board on August 25, 2021 and they unanimously approved the amendment of the text amendment.

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:

Yes: Eaton
Floyd
McGee
McMahon
Perkins
Hardin

E. NEXT SCHEDULED MEETING

Mayor Hardin announced the next scheduled City Commission meetings are as follows:

October 26, 2021 at 6:00 p.m. - Regular City Commission Meeting

November 9, 2021 at 1:00 p.m. - Regular City Commission Meeting

F. REPORTS

Earl Bosworth, Assistant City Manager - Annie Gillis Park Project - Mr. Bosworth reported that the contractor has started work at the Anne Gillis Park project yesterday, and he is excited to see this come to completion.

Congratulations to staff - Mr. Bosworth congratulated Max Wymess and his team for doing good. The Florida Department of Economic Opportunity is going to highlight Pompano Beach's recent community planning assistance grant work and resiliency projects in an upcoming Webinar. Thanks to the staff for the great work they are doing.

Live Local Music series - Mr. Bosworth announced that the Live Local Music series starts at the Ali this Friday, October 15, 2021. The "Wild Fire" band will be on stage. This is the new series that is being started at the Ali in the outdoor performance base for this season through to the Spring.

Film Festival in November - Mr. Bosworth announced that the Film Festival is coming up on November 6 and November 20, 2021 to show 6 different films. This year the City is collaborating with Fort Lauderdale

International Film Festival for those events.

Emergency Management Services (EMS) COVID-19 Update - Mr. Bosworth provided an update from the EMS team relating to COVID-19, as of today all trends are moving in a favorable direction. Percentage positivity is 4.8% for the State, 4.3% for Broward County, 82% vaccinated for Broward County and according to a latest zip code data it is predicted to be approximately 84% for the City of Pompano Beach. It appears that the incentive program is effective so far.

Mark Berman, City Attorney - No report.

Asceleta Hammond, City Clerk - Advisory Boards/Committees Members to be filled - Ms. Hammond reported that there will be 3 boards that will be appearing on the next Commission Agenda, namely the Golf Advisory Board - 1 position to be filled, Housing Authority Board - 2 positions to be filled, and Public Art Committee - 2 positions to be filled.

Commissioner Rhonda Eaton - Monthly Cresthaven Civic Association Meeting - Comr. Eaton mentioned that the Cresthaven Civic Association will be meeting this Thursday, October 14, 2021 at 7:00 p.m. at the Charlotte Burrie Center.

Assistance from Broward Sheriff's Office (BSO) - Comr. Eaton gave a "shout out" to Major Adkins and his team, BSO, for just being available when needed and working towards cleaning up some areas in the community.

Commissioner Cyndy Floyd - Cancer Awareness Month - Comr. Floyd mentioned that October is cancer awareness month and wanted to extend her condolences to anyone who has lost a loved one, family member, or a friend to cancer.

Commissioner Andrea McGee - Hilton Pier 6 Roof Top Grand Opening - Comr. McGee congratulated the Hilton and their Pier 6 Roof Top grand opening. This is definitely a great new addition to the City's beach front options.

Habitat for Humanity Participation - Comr. McGee thanked Florida Realtors for including the City in the Habitat for Humanity Build a few weekends ago. Mayor Hardin, Comrs. Eaton, McMahon, County Commissioner Fisher, State Representative LaMarca all had a great time building. She wanted to specially mention Comr. Eaton for being an amazing construction person. This is a great organization and project, and that community is coming along so well.

Commissioner Tom McMahon - Atlantic Boulevard Traffic Issues - Comr. McMahon stated that in the last couple of weeks it has been taxing but interesting. The road on Atlantic Boulevard has definitely been challenging, but he wanted to acknowledge staff for being on the phone to discuss what is being done, where they were with timing and accompanying issues experienced. He felt a few things could have been done earlier which was not done, and staff acknowledged that. So, moving forward they will make the necessary adjustments to make Atlantic Boulevard beautiful.

Vice Mayor Beverly Perkins - Broward Up and Let's Move Pompano Events - Vice Mayor Perkins

offered a correction to what she said earlier, when the first speaker under Audience to be Heard was talking about the Westside Apartments. Vice Mayor Perkins mistakenly said it was Parkway East Apartments. So, she was really referring to the Westside Apartments.

She clarified that Parkway East Apartments were torn down already.

Mayor Rex Hardin - Broward League of Cities General Meeting - Mayor Hardin announced that the Broward League of Cities will be having a general meeting on October 28, 2021, which will be held at the Marriott North Fort Lauderdale. It is nearby, and asked if any Commissioner wishes to attend to communicate that to Shelley Bartholomew, Executive Secretary in the City Manager’s Office. This will be the League’s first in person meeting since COVID-19 started.

G. ADJOURNMENT

The meeting adjourned at 4:01 p.m.

DocuSigned by:
Rex Hardin
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Rex Hardin

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Asceleta Hammond
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Asceleta Hammond, City Clerk

DocuSigned by:


Pompano Beach Airpark

MASTER PLAN UPDATE

City Commission Meeting
October 12, 2021



Kimley»Horn



Airport Master Plan Overview

Master Planning Goals

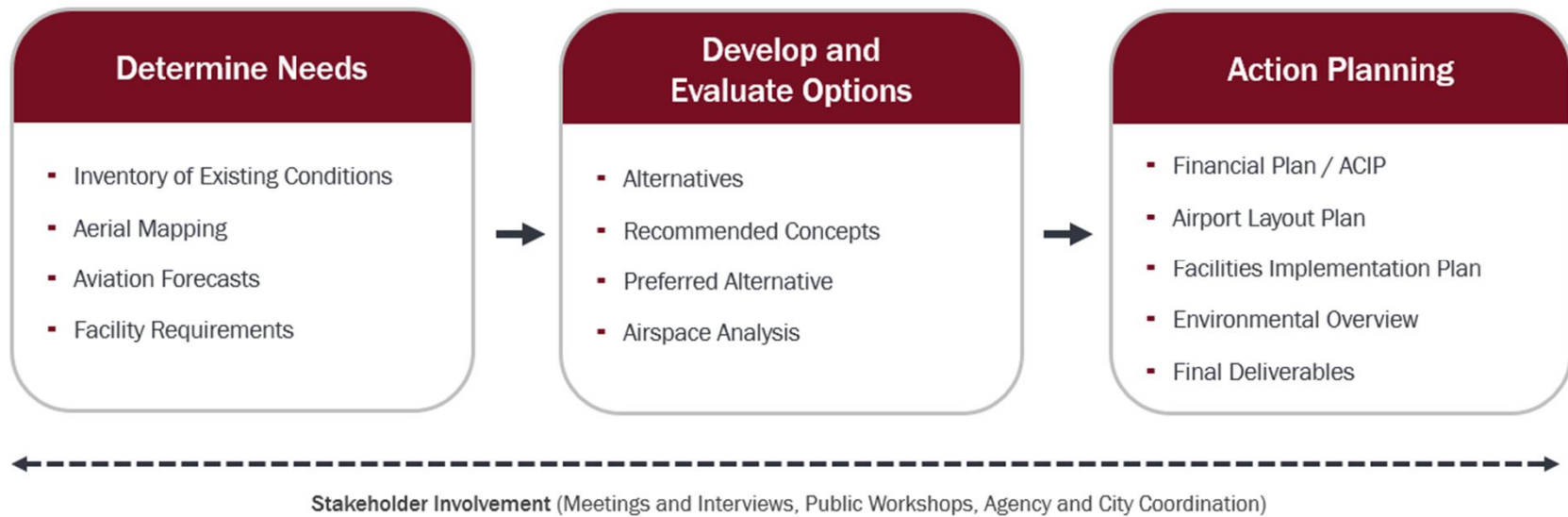
- Enhance safety and operational efficiency
- Emphasize financial and environmental sustainability
- Satisfy current and future aviation demand
- Develop a feasible capital development program

Purpose of the Master Plan

- A long-range planning document to manage the Airport's development over a 20-year planning horizon
- Used to secure funding (federal, state, local) for recommended improvements
- Two primary deliverables
 - Master plan report
 - Airport Layout Plan (ALP) drawing set
- Content, process, and methods follow FAA guidance and standards



Master Plan Study Process



Aviation Forecast Overview

FORECASTS: BASED AIRCRAFT

Year	Total	Single-Engine Piston	Multi-Engine Piston	Turboprop	Jet	Rotorcraft	Other
2017	166	105	36	10	3	12	0
2022	191	120	40	12	4	14	1
2027	216	133	45	15	4	17	2
2037	275	163	55	22	8	24	3
AAGR 2017-2037	2.6%	2.2%	2.1%	4.0%	5.2%	3.6%	100%



Single-Engine Piston



Multi-Engine Piston



Turboprop



Jet



Rotorcraft

Aviation Forecast Overview

FORECASTS: AIRCRAFT OPERATIONS

Year	Total	Piston	Turboprop	Jet
2017	132,489	130,974	1,127	388
2022	140,723	138,534	1,442	747
2027	148,964	145,973	2,032	959
2037	166,729	161,872	3,405	1,452
AAGR 2017-2037	1.2%	1.1%	5.7%	6.8%

Aviation Forecast Overview

FORECASTS: CRITICAL AIRCRAFT

Existing

ARC:
B-II

Beechcraft King Air 350



Future

ARC:
B-II

Cessna Citation Sovereign



Aircraft Characteristics

Aircraft	Wingspan	Tail Height	Length	Approach Speed
Beechcraft King Air 350	57.92'	14.33'	46.67'	107 KT
Cessna Citation Sovereign	63.33'	20.33'	63.50'	108 KT

Facility Requirements Overview

Airfield and Landside Needs

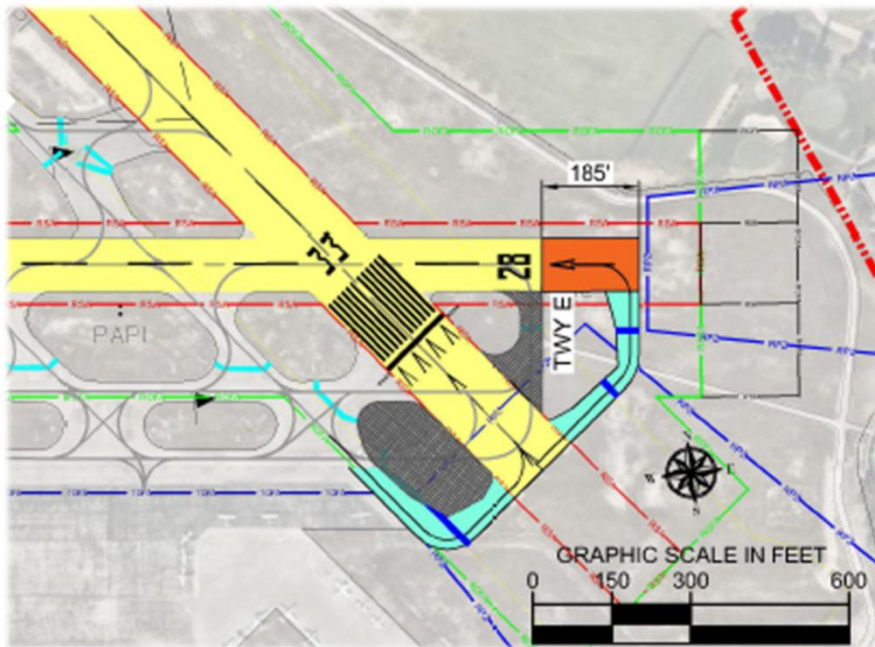
- Runway end 33 and 28 intersection improvements
- Standardize taxiways
 - Safety enhancements
 - Satisfy FAA standards
 - Runway Incursion Mitigation
- Additional Hangars and Apron
- Potential extension of Runway 15-33

Additional Facility Needs

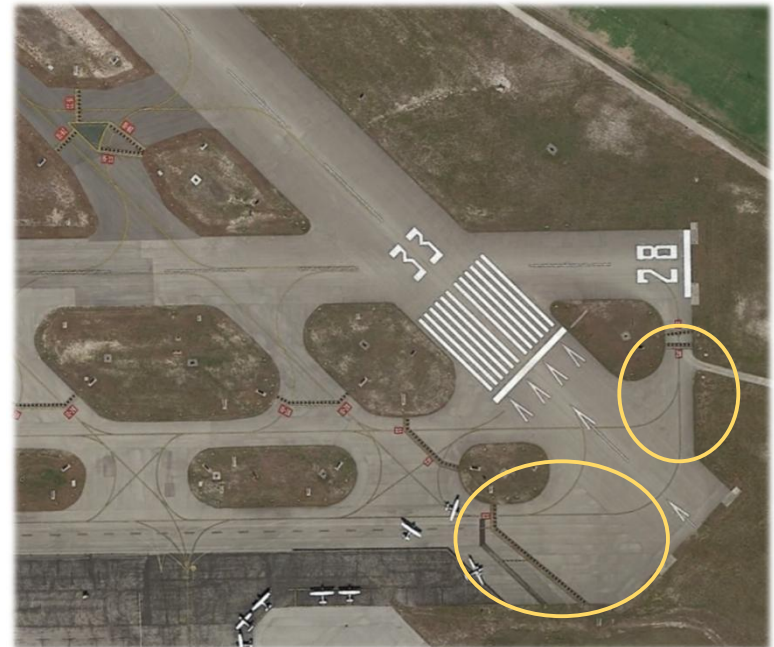
- Vehicle parking
- Upgrade existing secure gates and add new access gates
- Paved vehicle service road

Projects of Significance

Runway 28/33 Standardization



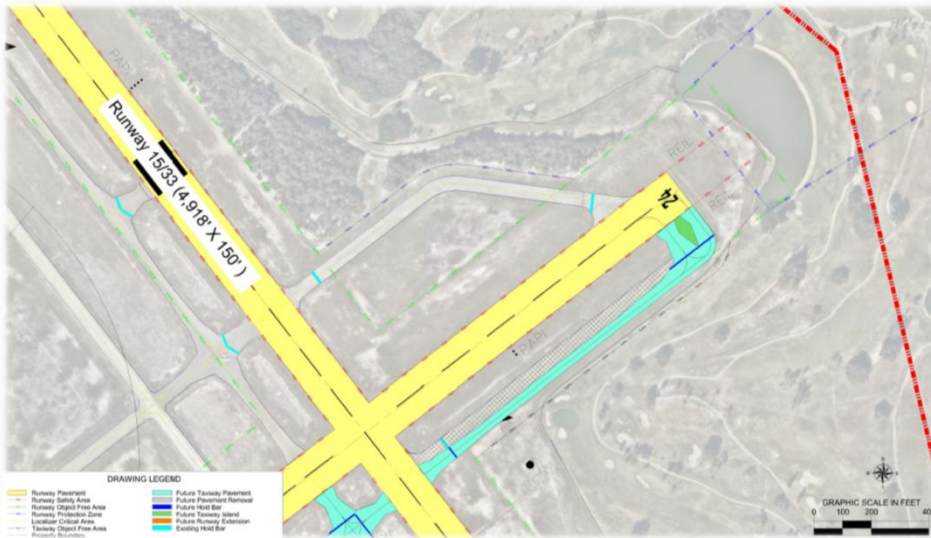
Existing Condition



Projects of Significance

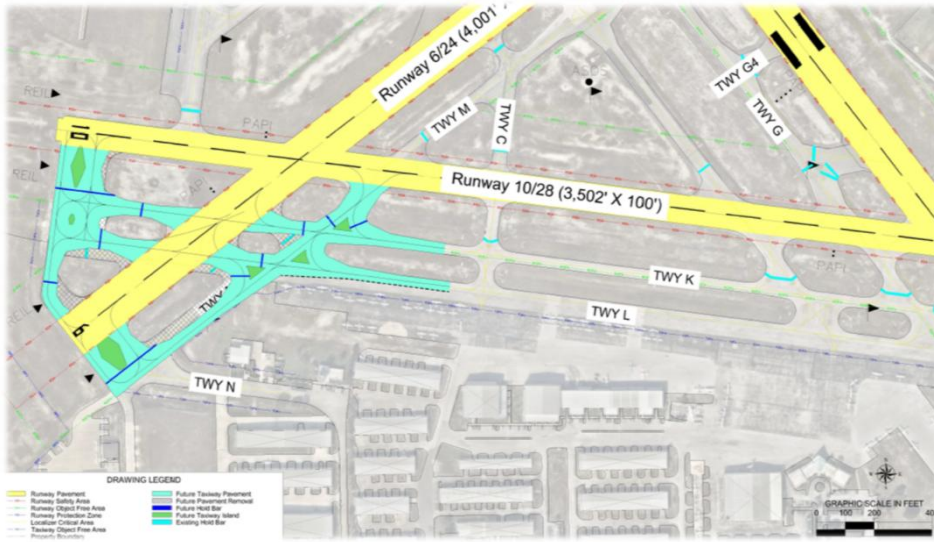
Taxiway M Standardization

Existing Condition



Projects of Significance

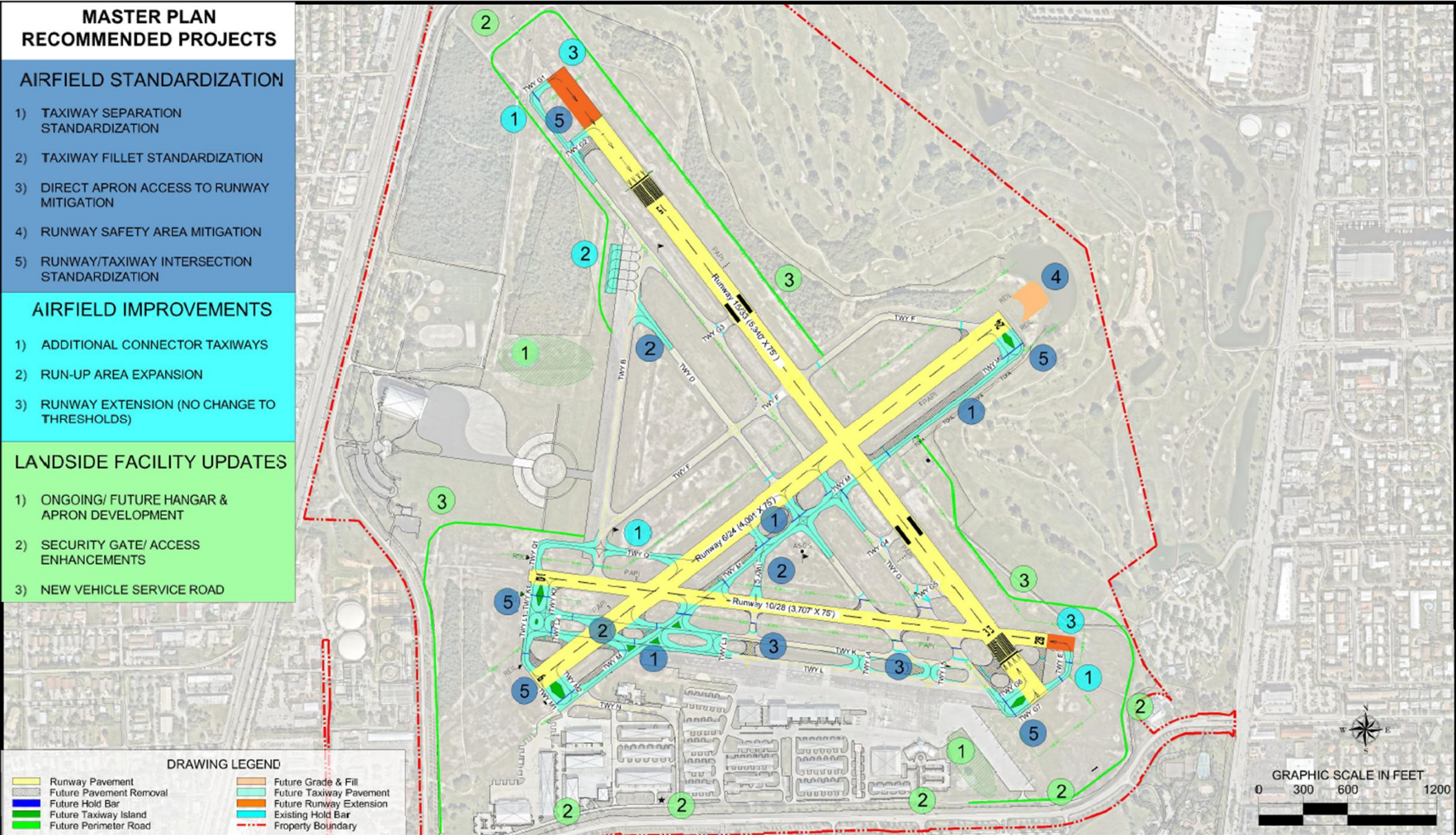
Taxiway Improvements



Existing Condition



Recommended Development Plan



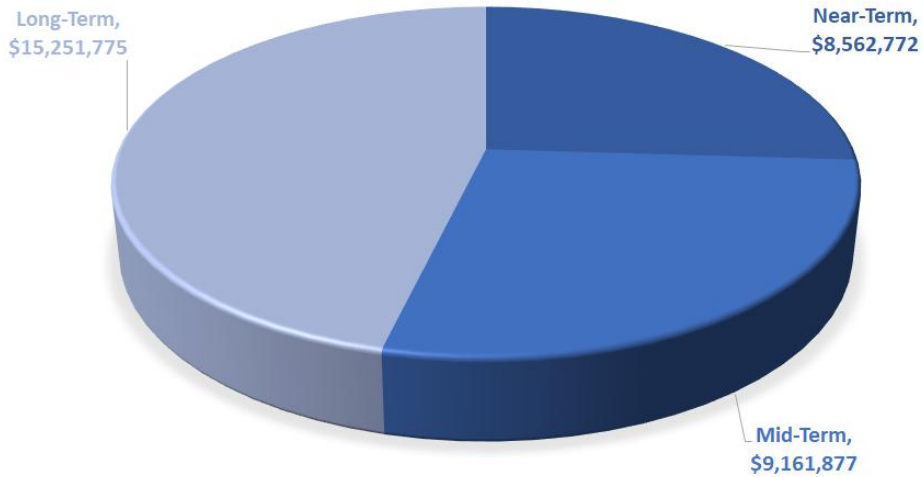
Phasing Plan

<p>Short-Term Improvements (2021-2025)</p>	<ul style="list-style-type: none"> • Security Gate and Access Enhancements • 5th Avenue Landside Access Parcel Y, Access Road • Taxiway B Run-up Apron • Runway 10-28 Extension • Runway Safety Area Standardization (Runway 6-24) • Taxiway G6/G7 Improvements
<p>Mid-Term Improvements (2026-2030)</p>	<ul style="list-style-type: none"> • Mitigate Direct Apron-Runway Access on Taxiways L3, L4, and L5 • Realign Taxiways K and L (Phase I) • Paved Vehicle Service Road (Phase I)
<p>Long-Term Improvements (2031-2040)</p>	<ul style="list-style-type: none"> • New Taxiway Q and End Connector Q1 • Taxiway M Relocation • Realign Taxiways K and L (Phase II) • Paved Vehicle Service Road (Phase II & III) • Potential Runway 15-33 Extension

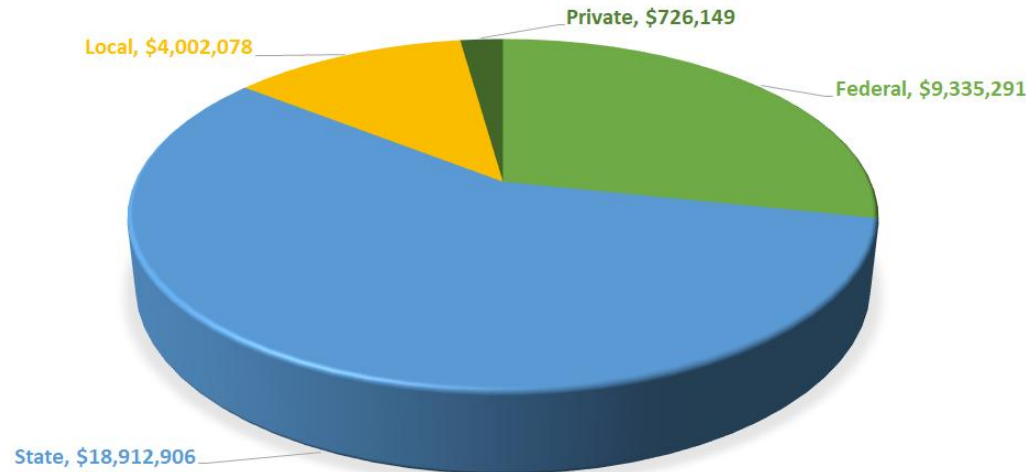
Capital Improvement Plan

20-Year Airport Capital Improvement Plan					
	Federal	State	Private	Local	Total
Near-Term	\$1,543,821	\$5,615,161	\$467,141	\$936,649	\$8,562,772
Mid-Term	\$4,747,135	\$3,531,793	\$259,008	\$623,941	\$9,161,877
Long-Term	\$3,044,335	\$9,765,952	--	\$2,441,488	\$15,251,775
Total	\$9,335,291	\$18,912,906	\$726,149	\$4,002,078	\$32,976,424

Project Phasing



Funding by Source



Project Status – Open Discussion

- FAA Approved ALP July 20
- FDOT Reviewed and provided concurrence

