

# **City of Pompano Beach**

**City Commission Meeting  
Commission Chamber**

*100 West Atlantic Blvd.  
Pompano Beach, FL 33060*



## **Agenda**

**Tuesday, October 26, 2021**

**6:00 PM**

### **City Commission**

*Rex Hardin, Mayor*

*Beverly Perkins, Vice Mayor*

*Rhonda Eaton, Commissioner*

*Cyndy Floyd, Commissioner*

*Andrea McGee, Commissioner*

*Tom McMahon, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Asceletha Hammond, City Clerk*

## **GOVERNMENT IN THE SUNSHINE**

The State of Florida pioneered the concept of "Government in the Sunshine," and, accordingly, all meetings of the Pompano Beach City Commission - except those to discuss labor negotiations and litigation strategy, are open to the public. The Commission welcomes the involvement and participation of the citizens.

## **PROCEDURE**

The City Commission has adopted Robert's Rules of Order, Newly Revised.

## **CITY COMMISSION MEETING TIMES**

The City Commission meets two (2) times a month:

Second Tuesday of the month: City Commission Meeting - 1:00 p.m.

Fourth Tuesday of the month: City Commission Meeting - 6:00 p.m.

## **ADDRESSING THE CITY COMMISSION**

"Audience To Be Heard" is scheduled for a thirty (30) minute period at the beginning of the City Commission Meeting, and will be continued to the end of the meeting for those speakers who were not heard during the initial thirty-minute period. All persons interested in speaking during "Audience To Be Heard" must fill out and submit a request form to the City Clerk prior to the call of order of the meeting. Speakers will be limited to three minutes to speak on any matter, which is NOT on the Regular Agenda, or removed from the Consent Agenda, and are requested to approach the podium and state his/her name and address and, if appropriate, the organization they represent, for the record. A request form can be found on the last page of the Agenda program.

## **ACCESSIBILITY**

If you require the services of a Sign Interpreter, please notify the City Manager's Office at (954) 786-4601, 24 hours in advance. Should you require any other assistance to attend or participate in the meeting, please contact the City's ADA Coordinator at (954) 786-4626 at least 24 hours prior to the meeting.

**NOTE:** Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

**CALL TO ORDER**

*The Honorable Rex Hardin  
Mayor, Presiding*

**ROLL CALL**

*Asceleta Hammond, City Clerk*

**INVOCATION**

*Rev. William Carlson  
Evangelist- Glorious Word Church*

**PLEDGE OF ALLEGIANCE**

*Led by Asceleta Hammond, City Clerk*

**APPROVAL OF MINUTES**

[22-22](#) City Commission Meeting Minutes of October 12, 2021

**APPROVAL OF AGENDA**

**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.

**A. SPECIAL PRESENTATION**

[22-21](#) **Dixie Highway and Atlantic Boulevard intersection Improvement Project Update**

Paul Kissinger will provide an update to the City Commission on the traffic improvements at the intersection of Dixie Highway and Atlantic Boulevard.

**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)

**C. CONSENT AGENDA**

1. [21-841](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, TO UTILIZE THE E. PAT LARKINS CENTER AS A BRANCH OFFICE FOR SPECIFIED DAYS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

2. [22-19](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR BROWARD COUNTYWIDE INTEGRATED WATER RESOURCE PLAN FUNDING, ACCEPTING A GRANT IN THE NOT TO EXCEED AMOUNT OF \$35,755 FOR COSTS TO DESIGN AND PERMIT THE LIGHTHOUSE POINT PHASE V EXPANSION OF THE REUSE SYSTEM, AND CONFIRMING THE CITY'S MATCHING CONTRIBUTION IN AN AMOUNT OF \$35,755; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Revenue of \$35,755 with matching funds of \$35,755)

(Staff Contact: A. Randolph Brown)

3. [21-754](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND TRANSWORLD SYSTEMS, INC., RELATING TO SPECIALIZED DEBT COLLECTION SERVICES; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: 14% collection fee contingent on successful debt collection)

(Staff Contact: Andrew Jean-Pierre)

4. [22-011](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF ECONOMIC OPPORTUNITY, ACCEPTING FINANCIAL ASSISTANCE ON A COST REIMBURSEMENT BASIS IN THE AMOUNT OF UP TO \$45,000.00 FOR CONSULTANT FEES TO DEVELOP A COMPREHENSIVE SUSTAINABILITY PROJECT PORTFOLIO AND IMPLEMENTATION PLAN TO MEET THE GREENHOUSE GAS EMISSIONS REDUCTION TARGETS; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: Grant Revenue of \$45,000)

(Staff Contact: Max Wemyss)

5. [22-20](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRIBUTION IN AID OF CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND 1621 S DIXIE HWY LLC TO PROVIDE FUNDING ON A PRO RATA BASIS FOR THE REPLACEMENT OF LIFT STATION 92 DIRECTLY RELATED TO THE AVIARA EAST POMPANO PROJECT LOCATED AT 1621 SOUTH DIXIE HIGHWAY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$581,036.25)

(Staff Contact: A, Randolph Brown)

6. [22-23](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE GRANT PARTICIPATION AND REIMBURSEMENT AGREEMENT FOR CONSTRUCTION OF SUPPLEMENTAL SAFETY IMPROVEMENTS AT SELECTED RAILROAD CROSSINGS BETWEEN THE CITY OF POMPANO BEACH AND BRIGHTLINE TRAINS FLORIDA LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Brian Donovan)

7. [22-28](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT APPLICATION FOR A FLORIDA ENTITLEMENT COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS RELIEF GRANT IN THE AMOUNT OF \$518,561 FROM THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY FOR THE PURPOSE OF OBTAINING FUNDS TO PROVIDE RELIEF OF RENTAL PAYMENTS FOR UP TO SIX MONTHS FOR LOW INCOME HOUSEHOLDS THAT HAVE LOST OR HAD THEIR INCOMES REDUCED AS A RESULT OF COVID-19 AND, IF AWARDED, AUTHORIZING THE MAYOR OR CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE ALL APPROPRIATE DOCUMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Revenue \$518,561)

**(Staff Contact:** Alexander Goldstein)

8. [22-24](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING BRENDA DAVIS SMITH TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER CYNDY FLOYD, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Asceleta Hammond)

**D. REGULAR AGENDA****QUASI-JUDICIAL PROCEEDING**

9. [22-11](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE RAISING CANE'S POMPANO BEACH PLAT LYING ON THE WEST SIDE OF N. FEDERAL HIGHWAY, APPROXIMATELY 1,100 FEET SOUTH OF NE 28TH STREET; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

10. [21-825](#) Approval to rollover funding from Fiscal Year 2021 to Fiscal Year 2022, for capital outlay and operating expenditures totaling \$8,790,346.  
(Fiscal Impact: \$8,790,346 - Various Funds)

(Staff Contact: Erjeta Diamanti)

11. [21-799](#) **P.H. 2022-01: (PUBLIC HEARING 2ND 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)

**FIRST READING: OCTOBER 12, 2021**

(Staff Contact: Jennifer Gomez/David Recor)

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12. [22-12](#) **P.H. 2022-04: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CORRECTING ERRORS ON THE FUTURE LAND USE MAP BY MODIFYING THE MAP TO REFLECT THE PROPER LAND USE DESIGNATIONS FOR CERTAIN LOTS LOCATED EAST OF AND ALONG NW 31ST AVENUE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)
- (Staff Contact: Jean Dolan/David Recor)
13. [21-824](#) **P.H. 2022-02: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND G&C PLATINUM 50 INVESTORS, LLC FOR THE USE OF THE SURFACE PARKING LOT ADJACENT TO THE MEDICAL BUILDING LOCATED AT 50 NE 26th AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$7,500)
- (Staff Contact: Jeff Lantz)
14. [21-839](#) **P.H. 2022-05: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE SERVICE CONTRACT NO. 1133 BETWEEN THE CITY OF POMPANO BEACH AND MILLER ELECTRIC COMPANY, TO PROVIDE PREVENTATIVE MAINTENANCE SERVICES FOR THE CITY'S GENETEC SECURITY CENTER SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$210,000 over 3-year contract term)
- (Staff Contact: Gene Zamoski)



15. [22-01](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 24, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Roger Gingerich, *Incumbent*- District 5

Donald Totter, *Alternate 2*- District 1

Carlton Gillespie- District 1

Frank Sellers, Jr. - District 3

Corey Thompson - District 4

Charles MacMichael - District 5

(**Staff Contact:** Asceleta Hammond.)

16. [22-02](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Whitney Rawls, *Incumbent* - District 4  
Whitney Anne Metevia, *Incumbent* - District 3  
Latoya T. Almonord, District 1  
Lisa Ferreri, District 1  
Justin Cromartie, District 1  
Tanya Manfredi, District 1  
Michelle Rhoulhac, District 2  
Alecia Daniel-Hall, District 2  
Derek A. Lewis, District 3  
Richard Dally, District 3  
Monifa Aruwajoye, District 4  
Marcus A McDougle, District 4  
Mary S. Phillips, District 4  
Shelton Pooler, District 4  
Joseph Wells, District 4  
Janice Anne Simmons, District 4  
Quenton Thompkins, Sr., District 4  
Corey Thompson, District 4  
Andy Cherenfant, District 5  
Wayne Vereen, District 5  
Dedrick Watkins, District 5

(**Staff Contact:** Asceleta Hammond)

17. [22-03](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE HOUSING AUTHORITY OF THE CITY OF POMPANO BEACH FOR A TERM OF FOUR (4) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 10, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO. 22-02 FOR APPLICANTS.**

(**Staff Contact:** Asceleta Hammond)

18. [22-05](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 TO FILL THE UNEXPIRED TERM OF MIMI BOTSCHELLER, ART PROFESSOR; SAID TERM TO EXPIRE ON FEBRUARY 1, 2023; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**APPLICANTS:**

Tyler Townsend, Owner/Operator-Museum Collector- District 3  
 Kimberly Harmon, Founder/Owner- District 4  
 Karen Moreland, Owner/Principal- District 4  
 Agata Mosery, Designer/Photographer- Boca Raton

(Staff Contact: Asceleta Hammond.)

19. [22-06](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #2 TO FILL THE UNEXPIRED TERM OF AMANDA HART, DESIGNER/OWNER; SAID TERM TO EXPIRE ON FEBRUARY 1, 2023; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO. 22-05 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

20. [22-07](#) Consideration for canceling the City Commission Meetings of November 23, 2021 and December 28, 2021.  
(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

**E. NEXT SCHEDULED MEETING**

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

**F. REPORTS**

*City Manager*  
*City Attorney*  
*City Clerk*  
*City Commission*

**G. ADJOURNMENT**

**BALANCE IN CONTINGENCY**

Oct. 1, 2021

Beginning Balance

\$12,000.00

**CITY OF POMPANO BEACH, FLORIDA  
AUDIENCE TO BE HEARD  
REQUEST FORM**

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

**EACH SPEAKER IS LIMITED TO THREE (3) MINUTES**

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."

**SUBJECT YOU DESIRE TO SPEAK ON:**

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**NOTE: THIS FORM MUST BE COMPLETED AND HANDED TO THE CITY CLERK PRIOR TO THE CALL TO ORDER OF THE MEETING. THE CITY CLERK WILL CALL RESIDENTS AND/OR TAXPAYERS, TO INCLUDE AUTHORIZED REPRESENTATIVES FOR PERSONS PERMITTED TO BE HEARD, AS WELL AS EMPLOYEES OF THE CITY TO SPEAK FIRST. OTHERS DESIRING TO SPEAK WILL THEREAFTER BE CALLED TO SPEAK, EXCEPT WHEN THE PERSON IS A USER OF THE CITY'S WATER OR SEWER SYSTEM AND WISHES TO BE HEARD ON A MATTER RELATED TO THE CITY'S WATER AND/OR SEWER SYSTEM.**