

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, May 10, 2022

1:00 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

*Elder Robert Kintchen
Christ Fellowship Church of God in Christ*

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[22-369](#) Regular City Commission Meeting Minutes of April 26, 2022

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

[22-307](#) **Legislative Update**

State Senator Tina Polsky, District 29, will provide a legislative update to the City Commission.

B. PROCLAMATIONS

[22-306](#) **Mental Health Awareness Month**

Mayor Rex Hardin will proclaim May as Mental Health Awareness Month in the City of Pompano Beach. Julie Seitz, Advocate/NAMI Broward County Advocacy Group and Dr. Sandra Cumper Boynton, Executive Director of NAMI Broward County will the accept proclamation. Ms. Seitz will share a brief testimony of hope.

22-358 **Emergency Medical Services Week**

Mayor Rex Hardin will proclaim Emergency Medical Services Week in the City of Pompano Beach. Matthew Whitton, Assistant Chief of Emergency Medical Services, will accept the proclamation on behalf of Pompano Beach Fire Rescue.

22-343 **National Safe Boating Week**

Mayor Rex Hardin will proclaim May 21st through May 27th, 2022 as National Safe Boating Week in the City of Pompano Beach. Mr. Harry Silverman, Flotilla Vice Commander will accept the proclamation.

C. PRESENTATION**22-357** **Annual Comprehensive Financial Report Presentation**

Presentation of the City of Pompano Beach Annual Comprehensive Financial Report, Single Audit Reports and Management Letter for the fiscal year ended September 30, 2021 and the results of the annual audit by Keefe McCullough, Independent Certified Public Accountants.

(Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

22-359 **Update on Design Options for SE 6th Terrace Bridge Replacement**

Matthew Fursetzer from Kimley-Horn Planning & Design Engineering Consultants will update the Commission on alternative design options for the SE 6th Terrace Bridge replacement.

D. 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)

E. CONSENT AGENDA

1. [22-344](#) Approve ranking order for RLI E-07-22 Continuing Contract for Marine Engineering Services, and authorize staff to enter into contracts with the three highest-ranked companies: Sea Diversified, Inc., Aptim Environmental & Infrastructure, LLC, and Cummins Cederberg, Inc. (No cost at this time.)
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

2. [22-348](#) Approve ranking order for RLI E-10-22 Continuing Contracts for Airpark Engineering Services, and authorize staff to enter into contracts with the two responsive and responsible companies: HDR Engineering, Inc., and Kimley-Horn and Associates, Inc. (No cost at this time)
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos/Steven Rocco)

3. [22-349](#) Approve ranking order for RFP T-02-22, Beach Equipment Concession, and authorize staff to negotiate a contract with the highest-ranked company, Boucher Brothers Management, Inc.
(Fiscal Impact: No cost at this time)

(Staff Contact: Mark Beaudreau)

4. [22-347](#) Approve ranking order for RFP T-01-22, Repairs and Calibration of Flow Meters and Related Devices, and authorize staff to negotiate contract with the highest-ranked company, PC Controls, Inc.
(Fiscal Impact: (No cost at this time.)

(Staff Contact: A. Randolph Brown)

5. [22-356](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY'S FISCAL SUSTAINABILITY PLAN FOR THE GATEWAY DRIVE STORMWATER IMPROVEMENTS PROJECT, RELATING TO THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (FDEP) STATE REVOLVING FUND (SRF); PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

6. [22-215](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN APPROPRIATIONS CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY SHERIFF'S OFFICE TO SUPPORT THE SUMMER G.R.E.A.T. PROGRAM IN PREVENTING YOUTH VIOLENCE, GANG PARTICIPATION, ANTI-BULLYING AND THEIR LEGAL CONSEQUENCES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$15,000.00)

(Staff Contact: Erjeta Diamanti)

7. [22-332](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 2022 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL THREE CENT LOCAL OPTION GAS TAX ON MOTOR FUEL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Erjeta Diamanti)

8. [22-333](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 2022 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Erjeta Diamanti)

9. [22-324](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FDOT DISTRICT FOUR (4) AMENDMENT NUMBER TWENTY-TWO (22) TO INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, TO ADD ADDITIONAL LANDSCAPE IMPROVEMENTS ON STATE ROAD A1A (OCEAN BLVD.) BETWEEN SUNSET LANE AND ATLANTIC BLVD.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

10. [22-210](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE DEVELOPER'S AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HABITAT FOR HUMANITY OF BROWARD, INC. RELATING TO THE DEVELOPMENT OF THE PROPERTY LOCATED AT THE SOUTHWEST CORNER OF NW 6TH AVENUE AND NW 15TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Daniel Keester-O'Mills/David Recor)

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

11. [22-345](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE P.B.P.F. PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

12. [22-350](#) Approval to award ITB E-11-22 Construction of Pompano Beach Airpark Parcel Y Access Road and Utility Service, to the lowest responsive, responsible bidder, Lanzo Construction Co., Florida, dba Lanzo Construction Company, at a cost of \$538,427.00.

(Fiscal Impact: \$538,427.00)

(Staff Contact: Steven Rocco)

13. [22-335](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2022-66, AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH RELATING TO THE BROWARD COUNTY, SEGMENT II, SHORE PROTECTION PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$2,250,000 paid in 3 equal payments of \$750,000 each November beginning November 2022)

(Staff Contact: Robert McCaughan)

14. [22-354](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REVOLVING LOAN PROGRAM FOR WASTEWATER FACILITIES; PLEDGING OF WATER AND SEWER UTILITY FEES AS THE REVENUES TO REPAY THE LOAN, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$2,882,108 Financed over the maximum SRF 20-Year term with Water and Sewer Revenues)

(Staff Contact: A. Randolph Brown)

15. [22-355](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REVOLVING LOAN PROGRAM FOR STORMWATER FACILITIES; PLEDGING OF STORMWATER UTILITY FEES AS THE REVENUES TO REPAY THE LOAN, PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,840,250 Financed over the maximum SRF 20-year term with Stormwater Revenues.)

(Staff Contact: A. Randolph Brown)

16. [22-304](#) **P.H. 2022-56: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE 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 THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, PROVIDING FOR THE USE OF SCHOOL BUSES FOR CITY RECREATIONAL PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: APRIL 26, 2022

(Staff Contact: Mark A. Beaudreau)

17. [22-351](#)**P.H. 2022-59: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.01, "MINIMUM RIGHT-OF-WAY," TO PROVIDE EXCEPTIONS FOR REQUIRED RIGHT-OF-WAY WIDTH IN CERTAIN DESIGNATED AREAS, AND AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.5704., "FRONTAGE AND ACCESS," TO PROVIDE FOR SPECIFIC UTILITY AND PUBLIC SAFETY ACCESS REQUIREMENTS FOR PROPERTIES IN CERTAIN DESIGNATED AREAS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: TBD)

**Strategic Plan Initiative**

(Staff Contact: Jean Dolan/John Sfiropoulos)

18. [22-365](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 27, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Katheryn Gillis, **Incumbent** - District 4

Nancy Grant, **Incumbent** - District 5

Frank Sellers, Jr. - District 3

(Staff Contact: Asceleta Hammond)

19. [22-366](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 27, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 22-365 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

20. [22-367](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #2, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 22-365 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

21. [22-360](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 16, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Tobi Aycock, Registered Building Contractor/**Incumbent** - District 3
John A. Pancoast, Landscape Architect/**Incumbent** - District 1
Brian Campbell, Architect General Contractor, Alternate #2/**Incumbent** - District 4

(Staff Contact: Asceleta Hammond)

22. [22-361](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 16, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 22-360 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

- 23. [22-362](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 16, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 22-360 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

G. NEXT SCHEDULED MEETING

May 24, 2022 at 6:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager

City Attorney

City Clerk

City Commission

I. 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:

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.