

City of Pompano Beach

City Commission Meeting Commission Chamber

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



Agenda

Tuesday, June 11, 2024

1:00 PM

City Commission

Rex Hardin, Mayor

Andrea McGee, Vice Mayor

Alison Fournier, Commissioner

Barry Moss, Commissioner

Beverly Perkins, Commissioner

Rhonda Sigerson-Eaton, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Kervin Alfred, 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

Kervin Alfred, City Clerk

INVOCATION

*Pastor Branden Jones
Mt. Calvary Baptist Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[24-400](#) Regular City Commission Meeting Minutes of May 28, 2024

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

[24-401](#) **Special Commendation**

Major David Ellwood of the Broward Sheriff's Office (BSO) will commend Pompano Beach Businesses that helped raise over \$20,000 for Special Olympics during the months of April and May 2024. Those businesses will be presented with tokens of appreciation from BSO.

B. PROCLAMATION[24-407](#)**Code Compliance Appreciation Week**

Mayor Rex Hardin will proclaim Code Compliance Appreciation Week in the City of Pompano Beach. Code Compliance Director, Mario Sotolongo will accept the proclamation on behalf of Pompano Beach Code Compliance Officers.

C. 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)

D. CONSENT AGENDA1. [24-367](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE AMENDED AND RESTATED NORTHWEST CRA PLAN FOR THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Nguyen Tran/Kimberly Vazquez)

2. [24-369](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE AMENDED AND RESTATED EAST CRA PLAN FOR THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Nguyen Tran/Kimberly Vazquez)

3. [24-396](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER TWENTY-SEVEN (27) TO FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT FOUR (4) INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY OF STATE ROAD A1A (NORTH OCEAN BLVD.) FROM MILE POST 10.867 AND MILE POST 10.928; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Rob McCaughan)

4. [24-397](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER TWENTY-EIGHT (28) TO FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT FOUR (4) INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY OF STATE ROAD A1A (NORTH OCEAN BLVD.) FROM MILE POST 11.008 AND MILE POST 11.062; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Rob McCaughan)

5. [24-395](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RICHARD DALLY TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF DEREK LEWIS, AS APPOINTEE OF COMMISSIONER ALISON FOURNIER; SAID TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

6. [24-375](#)

P.H. 2024-41: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING NORTH OF AND CONTIGUOUS TO 2201 WEST ATLANTIC BOULEVARD FROM RM-12 (MULTI-FAMILY RESIDENCE 12) TO B-3 (GENERAL BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 28, 2024

(Staff Contact: Jean Dolan/David Recor)

7. [24-376](#)

P.H. 2024-39: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING FOUR NONCONTINUOUS 25-FOOT WIDE RIGHT-OF-WAY LOCATIONS ON LOTS CONTIGUOUS AND NORTH OF 2201 WEST ATLANTIC BOULEVARD AND EAST OF NW 23RD AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 28, 2024

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

8. [24-370](#)

P.H. 2024-42: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.4501, "SEPARATION REQUIREMENTS FOR ALCOHOLIC BEVERAGE ESTABLISHMENTS," TO MODIFY DISTANCE SEPARATION REQUIREMENTS IN THE CITY'S CODE OF ORDINANCES TO CORRESPOND WITH CHANGES IN STATE REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 28, 2024

(Staff Contact: Max Wemyss/David Recor)

9. [24-371](#)

P.H. 2024-43: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," BY MODIFYING REQUIREMENTS FOR STORED MOTOR VEHICLES, RECREATIONAL VEHICLES, BOATS OR TRAILERS ON RESIDENTIAL PROPERTY AND PROVIDING FOR EXEMPTION; BY AMENDING SECTION 155.5102., "OFF-STREET PARKING AND LOADING," TO PROVIDE APPROVAL OF SURFACING MATERIALS FOR OFF-STREET PARKING AND LOADING AREAS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 28, 2024

(Staff Contact: Max Wemyss/David Recor)

10. [24-398](#) **P.H. 2024-47: (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 AMKIN ATLANTIC SQUARE, LLC FOR THE PROPERTY LOCATED AT 140 SE 28TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: 50/50 Revenue Split)

(Staff Contact: Jeff Lantz)

11. [24-290](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO DECLARATION OF VOLUNTARY RESTRICTIVE COVENANTS MADE BY DIXIE PROPERTIES & INVESTMENTS, LLC AND UPPER POMPANO PROPERTIES & INVESTMENTS, LLC FOR THE BENEFIT OF THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM MAY 28, 2024

(Staff Contact: Scott Reale/David Recor)

12. [24-331](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 3 IN THE AMOUNT OF \$149,915.00 PURSUANT TO THE PROFESSIONAL CONSULTING AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WALTERS ZACKRIA ASSOCIATES, PLLC FOR ARCHITECTURAL SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: \$149,915.00)

(Staff Contact: Dr. Tammy Good/Christopher Schlageter)

13. [24-282](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 12, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

<u>Applicants</u>	<u>Other Board Memberships</u>
Woodrow Poitier, Incumbent - District 4	1
Frank Desiderio, Incumbent - District 5	0
Daniel Debrecht, Alternate 1 - District 3	0
Denise Searle - District 1	0
Byron Schortinghouse - District 3	0
Joanne Puia - District 3	0
Patricia McGill - District 3	0

(Staff Contact: Kervin Alfred)

14. [24-283](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON AUGUST 12, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE SEE FILE ID 24-282 FOR APPLICANTS INFORMATION
(Staff Contact: Kervin Alfred)

15. [24-393](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON AUGUST 12, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE SEE FILE ID 24-282 FOR APPLICANTS INFORMATION
(Staff Contact: Kervin Alfred)

16. [24-399](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 12, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

<u>Applicants</u>	<u>Other Board Memberships</u>
Robert Hartsell - District 1	0
Virginia Doubek - District 1	0
Cody William Kiess - District 3	0
David Mingus - District 3	0
Kemarr L. Brown - District 4	0

(Staff Contact: Kervin Alfred)

17. [24-265](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF LAMAR "PAUL" FISHER, JR., ALTERNATE 1; SAID TERM TO EXPIRE ON JUNE 12, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 24-399 FOR APPLICANTS

(Staff Contact: Kervin Alfred)

F. ADDITIONAL AUDIENCE TO BE HEARD

G. NEXT SCHEDULED MEETING

- June 20, 2024 at 6:00 p.m. - Joint Special Meeting of City and CRA
- June 25, 2024 at 4:45 p.m. - Pompano Beach Finance Corporation
- June 25, 2024 at 5:00 p.m. - City Commission Budget Workshop
- June 25, 2024 at 6:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager

City Attorney

City Clerk

City Commission

I. ADJOURNMENT

**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.