

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, June 13, 2023

1:00 PM

City Commission

Rex Hardin, Mayor

Andrea McGee, Vice Mayor

Rhonda Eaton, Commissioner

Alison Fournier, Commissioner

Barry Moss, Commissioner

Beverly Perkins, 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

*Rev Mark Andrew Jones
St Nicholas Episcopal Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-556](#) Regular City Commission Meeting Minutes of May 23, 2023

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. PROCLAMATIONS

[23-537](#) **Alzheimer's and Brain Awareness Month**

Mayor Rex Hardin will proclaim June as Alzheimer's and Brain Awareness Month in the City of Pompano Beach. Alexandra Rousseau-Baluarte, Director of Walk, Broward County Walk to End Alzheimer's and volunteer Michelle Solomon will accept proclamation on behalf of the Alzheimer's Association Southeast Florida Chapter.

B. SPECIAL PRESENTATION

[23-535](#) **Broward County Transit Premium Mobility Plan Presentation**

Barney McCoy, Assistant General Manager - Services & Strategic Planning - Broward County Transit will give a presentation on the Premium Mobility Plan (PREMO) which is a vision for transit in Broward County that will define a network of premium and high capacity transit projects.

[23-464](#)

Presentation of the Actuarial Valuation Report for the City of Pompano Beach Police & Firefighters' Retirement System will be given by Mr. Lawrence Watts, Actuary for The Nyhart Company, Inc.

(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

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 AGENDA

1. [23-524](#)

Consideration of a request from Gisela Herner to transfer ownership of Block 1, Lot 32, plots 3 & 4 located in the Central Lawn back to the City of Pompano Beach.

(Fiscal Impact: \$4,000 refund to Gisela Herner)

(Staff Contact: Robert McCaughan)

2. [23-549](#)

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 THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, TO PROVIDE A CURRICULUM THAT WILL BE TAUGHT BY CERTIFIED FIREFIGHTER INSTRUCTORS FROM POMPANO BEACH FIRE RESCUE TO ELIGIBLE BLANCHE ELY HIGH SCHOOL STUDENTS IN THE PROFESSIONAL FIELD OF FIREFIGHTING RESULTING IN THE STUDENTS GRADUATING WITH A FIREFIGHTER 1 CERTIFICATE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

3. [23-523](#) 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 THE DISTRICT BOARD OF TRUSTEES OF BROWARD COLLEGE, FLORIDA, TO PROMOTE EDUCATIONAL OPPORTUNITIES FOR CITY RESIDENTS AND EMPLOYEES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Earl Bosworth)

4. [23-562](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND CONSENTING TO AN ASSIGNMENT AND ASSUMPTION OF A GROUND LEASE WITH THE CITY AT NORTH OCEAN BOULEVARD AND NORTH POMPANO BEACH BOULEVARD BETWEEN JJ LAND REALTY,LLC, AS ASSIGNOR, AND RW OCEANSIDE LAND LLC, & CF LAND REALTY LLC, AS ASSIGNEE, AND THEN APPROVING AND CONSENTING TO A SUBSEQUENT ASSIGNMENT AND ASSUMPTION OF THAT GROUND LEASE BETWEEN RW OCEANSIDE LAND LLC & CF LAND REALTY LLC, AS ASSIGNOR, AND 20 NORTH OCEANSIDE OWNER, LLC; AUTHORIZING THE EXECUTION OF THE APPROVALS AND CONSENTS BY THE PROPER CITY OFFICIALS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Suzette Sible)

5. [23-542](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COMMUNITY FOUNDATION OF BROWARD, INC. ACCEPTING A GRANT IN THE AMOUNT OF \$60,000.00 FOR THE ACOUSTIC ART PANEL PROJECT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

6. [23-551](#) 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 T-DOGG'S BIGG DREAMS CHARITY FOUNDATION INC TO UTILIZE COMMUNITY PARK AND THE AMPHITHEATER TO HOST A FALL FESTIVAL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Licensee will pay the City \$4,500 venue rental fee per event.)

(Staff Contact: Mark A. Beaudreau)

7. [23-541](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE RELEASE OF LIENS; AGREEING TO WAIVE IN FULL THE (17) SEVENTEEN NUISANCE ABATEMENT LIENS PLUS ACCRUED INTEREST AND COSTS TOTALING \$3,992.94 AGAINST REAL PROPERTY LOCATED AT 3012 NW 2ND STREET, POMPANO BEACH, FLORIDA, WHICH IS CURRENTLY OWNED BY THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: N/A)

(Staff Contact: Jill Ziluck)

8. [23-544](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MELISSA SHIFF TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL AS APPOINTEE OF COMMISSIONER ALISON FOURNIER, FOR A 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**9. [23-498](#)**P.H. 2023-63: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TEN FOOT UTILITY EASEMENT LOCATED ON THE NORTHEAST CORNER OF NW 9TH AVENUE AND NW 8TH STREET, COMMONLY KNOWN AS 820 NW 9TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MAY 23, 2023

(Staff Contact: Jean Dolan/David Recor)

10. [23-521](#)**P.H. 2023-66: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A TEN-FOOT WIDE UTILITY EASEMENT LOCATED ON THE SOUTHWEST CORNER OF RACE TRACK ROAD AND THE CSX RAILROAD, COMMONLY KNOWN AS 777 ISLE OF CAPRI BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

11. [23-522](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE WILFERZ PLAT LYING ON THE NORTH SIDE OF MCNAB ROAD, WEST OF THE CSX RAIL CORRIDOR; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

12. [23-480](#) **P.H. 2023-67: (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 SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND OPENGOV, INC. TO PROVIDE CLOUD BASED SOFTWARE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: JUNE 13, 2023

(Staff Contact: Erjeta Diamanti)

13. [23-514](#) **P.H. 2023-64: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND AMERICAN LEGAL PUBLISHING CORPORATION TO PROVIDE FOR THE REPRINTING AND THE SUPPLEMENTING OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$11,100.00 average annual cost)

FIRST READING: MAY 23, 2023

(Staff Contact: Kervin Alfred)

14. [23-548](#) 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, TO FILL THE UNEXPIRED TERM OF JAMES NOREHEAD; SAID TERM TO EXPIRE ON MAY 26, 2024; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

W. P. Davis, **Incumbent/Alt 1** - District 1
Frank Seller, Jr., **Incumbent/Alt 2** - District 3
Cara Driscoll - District 3
Kenneth Stolar - District 3
Jason Smith - District 3
Larry Erd - District 3

(Staff Contact: Kervin Alfred)

F. ADDITIONAL AUDIENCE TO BE HEARD**G. NEXT SCHEDULED MEETING**

June 27, 2023 at 5:00 p.m. - City Commission Budget Workshop

June 27, 2023 at 6:00 p.m. - Regular City Commission Meeting

July 11, 2023 at 1:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager

City Attorney

City Clerk

City Commission

I. ADJOURNMENT**BALANCE IN CONTINGENCY**

Oct. 1, 2022	Beginning Balance	\$12,000.00
Mar. 14, 2023	Crime Stoppers Council of Broward County, Inc.	\$5,000.00
Apr. 25, 2023	Broward Partnership Annual Gala	\$5,000.00
Apr. 25, 2023	Broward League of Cities Annual Gala	\$2,000.00
	Total:	\$0

**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.