

City of Pompano Beach

City Commission Meeting Commission Chamber

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



Agenda

Tuesday, April 11, 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

*Pastor Nathan Austin
Mount Zion Missionary Baptist Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-415](#) Regular City Commission Meeting Minutes of March 28, 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. PROCLAMATION

[23-422](#) **National Autism Awareness Month Proclamation**

Mayor Rex Hardin will proclaim the month of April as National Autism Awareness Month in the City of Pompano Beach.

Julliana Carranza Escobar, Constituency Board Member, University of Miami - Center for Autism and Related Disabilities will be accepting proclamation along with Margi and Martin Hedelund, who will be accepting the proclamation on behalf of the Autism Society of Florida.

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. [23-395](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER N0. 3 IN THE AMOUNT OF \$37,191.98, PURSUANT TO THE CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND VERDEX CONSTRUCTION LLC FOR THE CONSTRUCTION OF THE SENIOR ACTIVITY CENTER; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$37,191.98)

G.O. POMPANO!

(Staff Contact: Fernand Thony/Horacio Danovich)

2. [23-421](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER N0. 3 IN THE AMOUNT OF \$115,354.35 PURSUANT TO THE DESIGN-BUILD CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND WEST CONSTRUCTION, INC. FOR FIRE STATION 61; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$115,354.35)

G.O. POMPANO!

(Staff Contact: Fernand Thony/Horacio Danovich)

3. [23-375](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND BRODIN STUDIOS, INC. TO DESIGN AND FABRICATE A BRONZE BUST OF MS. HAZEL ARMBRISTER FOR INSTALLATION IN THE COURTYARD OF THE HISTORIC ALI CULTURAL ARTS BUILDING; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$49,400.00)



Strategic Plan Initiative

(Staff Contact: Laura Atria/Ty Tabing)

4. [23-343](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING EMILY LACKEY TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE 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)

D. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

5. [23-370](#) **P.H. 2023-55: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A 30-FOOT WIDE PORTION OF THE NE 13TH AVENUE RIGHT-OF-WAY BETWEEN NE 9TH STREET AND NE 8TH COURT, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: MARCH 28, 2023

(Staff Contact: Jean Dolan/David Recor)

6. [23-374](#) **P.H. 2023-54: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE SOUTH SIDE OF NW 4TH COURT, APPROXIMATELY 250 FEET EAST OF NW 31ST AVENUE AND COMMONLY KNOWN AS 3061 NW 4TH COURT FROM B-3 (GENERAL BUSINESS) TO B-2 (COMMUNITY BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: MARCH 28, 2023

(Staff Contact: Jean Dolan/David Recor)

7. [23-389](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE JALI PLAT LYING ON THE SOUTHWEST CORNER OF NE 6TH STREET AND FEDERAL HIGHWAY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

8. [23-278](#) Approval to award ITB E-33-22 Kendall Lake Stormwater Improvements Project (Surtax Funded Project), to the lowest responsive and lowest responsible bidder, Man-Con, Incorporated, at a cost of \$5,165,106.15.
(Fiscal Impact: \$5,165,106.15)

(Staff Contact: Tammy Good)

9. [23-388](#) **P.H. 2023-58: (PUBLIC HEARING)**
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A MAXIMUM OF THIRTY-EIGHT FLEX UNITS FOR A PROPOSED MIXED INCOME HOUSING DEVELOPMENT GENERALLY AT 2050 DR. MARTIN LUTHER KING, JR. BOULEVARD; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

10. [23-392](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ADDENDUM NO. 2 TO THE SANITARY SEWER AGREEMENT BETWEEN THE TOWN OF LAUDERDALE-BY-THE-SEA AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: A. Randolph Brown)

11. [23-400](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT 1 TO LOAN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA WATER POLLUTION CONTROL FINANCING CORPORATION FOR NE 3RD STREET AND NE 4TH STREET STORMWATER DRAINAGE IMPROVEMENT PROJECT TO INCLUDE PROJECTS FOR NW 16TH LANE, US-1 AND NE 14TH STREET CAUSEWAY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$6,344,000 financed over the maximum SRF 20-year term with Stormwater Revenue)

(Staff Contact: A. Randolph Brown)

12. [23-371](#) **P.H. 2023-56: (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 A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BEACH RAKER, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$252,000)

FIRST READING: MARCH 28, 2023

(Staff Contact: Russell S. Ketchem)

E. ADDITIONAL AUDIENCE TO BE HEARD

F. NEXT SCHEDULED MEETING

April 25, 2023 at 6:00 p.m. - Regular City Commission Meeting

May 9, 2023 at 1:00 p.m. - Regular City Commission Meeting

May 23, 2023 at 6:00 p.m. - Regular City Commission Meeting

G. REPORTS

City Manager

City Attorney

City Clerk

City Commission

H. 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
	Total:	\$7,000.00

**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.