

**Detailed Minutes - Final**

**City Commission**

*Rex Hardin, Mayor*

*Barry Moss, Vice Mayor*

*Rhonda Eaton, Commissioner*

*Andrea McGee, Commissioner*

*Tom McMahon, Commissioner*

*Beverly Perkins, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Ascelela Hammond, City Clerk*

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Monday, October 7, 2019

6:00 PM

Commission Chamber

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**City Commission Meeting**

**CALL TO ORDER**

The Honorable Rex Hardin, Mayor, called the meeting to order at 6:00 p.m.

**ROLL CALL**

**Present:** Commissioner Rhonda Eaton  
Commissioner Andrea McGee  
Commissioner Tom McMahon  
Commissioner Beverly Perkins  
Vice Mayor Barry Moss  
Mayor Rex Hardin

**INVOCATION**

Elder Harold Westley of Newborn Holiness Church offered the invocation.

**PLEDGE OF ALLEGIANCE**

Led by Ascelela Hammond, City Clerk.

**APPROVAL OF MINUTES**

[20-07](#) Special City Commission Meeting Minutes of September 19, 2019

**A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Minutes be APPROVED. The motion carried unanimously.**

[20-06](#) Special City Commission Meeting Minutes of September 24, 2019

**A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Minutes be APPROVED. The motion carried**

**unanimously.**

[19-693](#) Regular City Commission Meeting Minutes of September 24, 2019

**A motion was made by Vice Mayor Moss, seconded by Commissioner McGee, that the Minutes be APPROVED. The motion carried unanimously.**

#### **APPROVAL OF AGENDA**

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Agenda be APPROVED AS AMENDED. The motion carried unanimously.**

#### **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.

Mayor Hardin announced that items 4 and 10 would be pulled for City Commission discussion.

#### **A. SPECIAL PRESENTATION**

[19-750](#) KAPOW AWARD PRESENTATION

John Casbarro, President of Learning for Success, Inc. presented the Mayor and City Commission with the KAPOW Award (KIDS AND THE POWER OF WORK) for the City's support of partnerships with schools in the City of Pompano Beach through the KAPOW Program. City Recreation staff who were recognized are: Greg Jones, Recreation Supervisor; Nick Lazazzara, Recreation Supervisor; Ronnie McDougle, Recreation Supervisor; Bosette Seymour, Recreation Leader; Chelsea Anderson, Interim Recreation Supervisor; Asceleta Hammond, City Clerk; Tammy Good, CIP Project Manager; Mark Beaudreau, Recreation Programs Administrator and Sharlene Basdeo, Crystal Lake Middle School Teacher.

**The Special Presentation was READ AND PRESENTED INTO THE RECORD.**

#### **B. PROCLAMATIONS**

[19-724](#) National School Lunch Week Proclamation

Mayor Hardin proclaimed National School Lunch Week in the City of Pompano Beach. Representatives from the Food and Nutrition Services Department of the Broward County School system were in attendance to

receive the proclamation.

**The Proclamation was READ AND PRESENTED INTO THE RECORD.**

**C. AUDIENCE TO BE HEARD**

Mayor Hardin announced that it was time for "Audience To Be Heard" and offered the following guidelines: Once your name is called, please come forward to the podium in front of the commission, state your name and address for the record. Speakers will be limited to three minutes to speak on any item of concern or interest, including those items pulled from the Consent Agenda. In addition, he asked speakers not to speak on any items on tonight's agenda, as they will have that opportunity to do so when that item comes forward. Lastly, he requested that speakers refrain from any emotional outbursts in either support or non-support of the speaker's comments.

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)

**The following persons were called to speak:**

**Expressions of Appreciation** - Florida State Representative Patricia Williams, District 92, thanked the City and various organizations, such as Broward Sheriff's Office (BSO), Feeding Florida, House of God, and New Beginning for their participation in the September 28, 2019, Food Distribution event. She reported they fed over 300 families, which equals to over 1,200 people approximately, therefore, when everybody joins together it makes a big difference. She indicated that the Assistant City Manager was wonderful, the group and employees that were sent out on that day were excellent. Therefore, she appreciated the efforts of the City Commission and staff to make this event happen in the City of Pompano Beach.

Mayor Hardin expressed appreciation to State Representative Williams for all her services and mentioned that he knows she works hard in Tallahassee on behalf of the City. Therefore, coming home to do this event is great.

**Health and Wellness Fair** - Mary Phillips, Small Biz CEDC, 384 NW 19th Street, Pompano Beach, FL, informed that they would be having their sixth annual community health and wellness fest in the City of Pompano Beach at the E. Pat Larkins Center, on November 9, 2019, from 10:00 a.m. until 3:00 p.m. They will have food giveaways and health screenings from 10:00 a.m. to 1:00 p.m., and from 1:00 p.m. to 3:00 p.m. they will have health care registration. She thanked the sponsors for their participation in the event. They are City of Pompano Beach, as well as major sponsors Broward Health, Wayne Barton Study Center, 15th Street Church of God, Care Plus and Devoted Health.

**CERT Program** - Mrs. Phillips stated that they have a CERT program, which they have been trying to

organize for a number of years and they finally received approval for a grant with BSO LEFT, which comes through BSO. It is a career in education and readiness training program for millennials 18 years to 35 years. High school diploma is not required; however, a willingness to learn is essential. These students will be taught how to paint houses, to do vinyl and wood flooring. It will be a two-month program and applications can be picked up at Small Biz CEDC, 164 North Powerline Road, Pompano Beach FL 33069, telephone 954-978-3288. Finally, the program is open for anyone residing in Broward County.

**Exhibit at Historical Ali Cultural Arts Building** - Hazel Armbrister, President, Rock Road Restoration Historical Group, 353 Dr. Martin Luther King Blvd., Pompano Beach, FL, informed that there is an exhibit at the Historical Ali Cultural Arts building and the time for display has been extended from October 1 through October 30, 2019. The time is from 10:00 a.m. through 6:00 p.m., Tuesday through Friday, and Saturday from 10:00 a.m. to 4:00 p.m. This historical exhibit will display the jerseys, caps and other information about persons that were a part of the old Negro baseball league. Some of those persons resided in the City of Pompano Beach and Broward County. One such persons, Carl Jefferson, who was a coach at the old Westside Park. Through the efforts of former Commissioner Ed Phillips, when he served as Commissioner, the City received the baseball field at Westside Park and is named after Carl Jefferson. Therefore, the old Negro baseball league is alive and well and she invited everyone to go by to see it.

**Unity in the Community** - Carolyn Mann, President, Unity in the Community, 3021 NE 13th Avenue, Pompano Beach, FL, spoke on behalf of Unity in the Community regarding Item 7 on the Agenda and thanked the City Commission for their support. She reminded everyone that on January 25, 2020, from 11:00 a.m. to 4:00 p.m., the ninth annual Unity in the Community Family Fun Day event at the Community Park would take place. It will be a free day to bring the community together and one of the highlights is an auction of a ride on the Goodyear Blimp. The proceeds will go to fund scholarships for students who live in Pompano Beach.

**Usman Palm Aire Request to Reconsider Item** - Shai Ozery, Esq., representing Usman Palm Aire, Robert N. Hartsell, P.A., 61 NE 1st Street, Suite C, Pompano Beach, FL, stated that at the last Commission meeting, September 24, 2019, during the quasi-judicial hearing, the Commission did not approve item 19, which was for fifty-eight flex units to be allocated to Usman Palm Aire at 1001 SW 26th Avenue, Pompano Beach, FL. Because of the hearing, his client has been left with no viable permissible use by right on the property. They believe there was a fundamental misunderstanding by the opposition to the project and that the evidence considered by the Commission was beyond the criteria under the code. Therefore, they have tried to alleviate the concerns and they are not aware of any existing concerns remaining in opposition to the project.

Continuing, Mr. Ozery is requesting that the City Commission grant a request for rehearing on the agenda item to be held for hearing in January 2020. This will afford the applicant time to meet with the community to discuss any issues that remain and exists, resolve them and modify the request for allocation accordingly. On behalf of the applicant they are willing to pay any required costs for rescheduling for the hearing.

Mayor Hardin asked if it is permissible to reconsider this item.

Mark Berman, City Attorney, responded this is for the next hearing and a motion for reconsideration could be discussed at this time. The issue would not be addressed at this time, rather a notice would have to be sent to all the original people who were noticed prior so they could return to be heard again as well. The motion would



have to be made by a prevailing member from the original vote made regarding the item.

**MOTION: A motion was made by Commissioner Perkins, seconded by Commissioner McGee to grant reconsideration of hearing the item. All voted in favor except Vice Mayor Moss.**

In response to Comr. McGee's question regarding the ideal time to bring back the item for hearing, Mr. Ozery responded that the January 2020 date would allow them sufficient time to speak with the community and address any concerns that exist and are remaining.

Vice Mayor Moss indicated that considering the time constraints, suggested that they have their meetings with the community and then return to the Commission and request reconsideration, which could be done in January or February.

Mayor Hardin determined that due to the process involved with the item, the actual reconsideration should take place at the current meeting.

The following persons spoke in opposition to the motion to reconsider the item:

- 1) Thomas Drum, 2700 NE 8th Street, Pompano Beach, FL
- 2) Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL
- 3) Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, suggested tabling the item until the next meeting.

The following persons spoke in favor of the motion to reconsider the item.

- 1) Jacques Dumornay, Pastor, First Haitian Baptist Pompano, 333 Dr. Martin Luther King, Jr. Boulevard, Pompano Beach, FL

Vice Mayor Moss expressed concern regarding the Palm Aire community not getting the opportunity to come before the Commission to express their opinion. He understands it is a motion to reconsider, nevertheless he thinks it would have been better had the residents of Palm Aire known this was happening and given the opportunity to attend the meeting.

Mayor Hardin indicated that a letter was emailed, which he did not receive a copy of it.

Mr. Berman indicated that the letter was emailed on October 3, 2019 to all Commissioners, the City Clerk, and his office. Therefore, because the meeting was backed up to Monday, which normally it would be on Tuesday, there was no opportunity to put it on this Agenda and provide more notice.

Comr. McMahon understands that this is a motion to put the item back on the agenda then all the proper notifications, mailings and those things would go back to the residents of Palm Aire so they could come in and hear his different plans. During the gap he should perhaps be reaching out to some of those people he knows that is opposed to the project. In sum, the public will be notified by new notice and mailings and the

applicant would pay all the initial charges.

Vice Mayor Moss indicated that he checked his email and did not see the letter.

Mayor Hardin reiterated that the motion is to reconsider the original item at a date to be determined in the future, perhaps in January 2020, with all the proper notification being adhered to.

Comr. Perkins enquired if the reconsideration would be for a second hearing.

Mayor Hardin explained that the original request was done by resolution for flex units, which is only one reading, so there is no first and second reading on this item. Therefore, that single hearing would be brought back in the future for a re-hearing.

Mayor Hardin asked Vice Mayor Moss' opinion on what is the ideal date for the Palm Aire community to bring back this item.

Vice Mayor Moss responded he would suggest a later date because half of Palm Aire residents are "snowbirds" and in January they would return and they would need the opportunity to express themselves as well.

Mayor Hardin asked for the second meeting in January, which is January 28, 2020, which could be set for the possible hearing, if the motion passes.

**Bulk Trash Issue on NE 35th Street** - Ralph Daniels, 630 NE 35th Street, Pompano Beach, FL, complained that somebody who resides on his street has cut down an entire farm of mango trees and piled them up at various different locations on the street. He did get Comr. Eaton involved regarding the matter.

Mayor Hardin suggested that Code Enforcement and the Solid Waste Departments needed to be informed about the situation.

Mr. Daniels indicated that he had done some investigating and had the route manager cleaning up the overly bulky trash on Saturday, but by Monday morning more trash was hauled back out on the street and by Saturday was picked up, but more reappeared by Monday and the street is again still full of trash. He wanted to know how much trash are people allowed to put out weekly, as well as to spread it all over the street, which in this case it appears to come from one house.

Comr. Eaton learned there is a mango firm, property owner; however, she is unaware of the regulations regarding a business. It appears the owner owns a number of properties on the street as well. She is unaware at what level this action should be adjudicated.

Mayor Hardin directed City Manager Harrison to meet with the Code Enforcement personnel to get them to investigate the issue at 551 NE 35th Street.

Both Comr. Eaton and Mr. Daniels understand that the Code Enforcement officers have already gone to the location and that William Longhini, Code Compliance inspector was being sent pictures of the condition by Comr. Eaton who indicated that this situation might be “a little over the top.”

Mark Berman, City Attorney, stated that there are limitations as to how much bulk can be put out for collection. He advised that Mr. Daniels speak with Russell Ketchem, Solid Waste Manager who is in charge of the waste management.

**Signage** - Mr. Daniels complained about the signs on NE 33rd Street that request not to block the intersection, which is near the Moose Lodge, they straightened the stop sign but the “Do Not Block Intersection” did not. In addition, there is another sign on NE 35th Street by the car lot that is leaning over.

Comr. Eaton asked Mr. Daniels to contact her about the signs and she will work with the Public Works Department to resolve the issued.

**Tiger Trail Festival Video Presentation** - Ed Phillips, Chairman, Tiger Trail Festival, 384 NW 19th Street, Pompano Beach, FL, stated that he has a short presentation he would like to show the Commission regarding the upcoming events of the Tiger Trail Festival.

Mayor Hardin clarified that Sandra King, Public Information Director, cleared the video presented by Mr. Phillips.

Mr. Phillips thanked the City for their partnership in this endeavor. He also acknowledged the various City departments and components that came out to volunteer and the Commission who has aided and facilitated the event. This takes place in collaboration with Black History Month, which is American history.

Rodrick Phillips, 2620 NW 10th Street, Pompano Beach, FL, stood in support of Ed Phillips presentation. Also, Mary Phillips, added that there are four events, the Black Tie Gala, the 5K Run, the Tiger Trail Festival Event where participants come from Miami and Palm Beach counties, as well as a Gospel Fest.

**Non-Profit Appreciation for City Funds** - Ken Herman, President, Hillsboro Lighthouse Preservation Society, 3202 Robbins Road, Pompano Beach, FL, indicated that he is representing the Hillsboro Lighthouse Preservation Society, as one of the non-profits that the City of Pompano Beach has graciously supports, as well as one of the many municipalities that assist them to keep the Lighthouse going.

Mr. Herman expressed thanks to the Commission and provided highlights of some of the things they have done recently and where they are spending the funds. In sum, they spent \$70,000 in renovating the lighthouse and completely refurbished the museum on the north end. This past July, Pompano Appreciation Month, they offered complimentary boat rides to any member of the City upon proof of membership to see the museum and lighthouse. He invited everyone to visit them next July when the event will take place again.

**Appreciation for the City's Assistance** - Andy Cherenfant, President, Save Our Boys, 43 S. Powerline Road, Pompano Beach, FL, thanked Mayor Hardin, Vice Mayor Moss, Commissioners and City Manager Harrison for supporting item seven under Consent Agenda. He indicated that with the support of the City, State

Representative of Florida, Al Jacquet, has recognized their Save Our Boys in the Haitian Heritage community with a tribute for the work they are doing within the City of Pompano Beach, supporting the Haitian community and getting the word out about the progress in the City.

**Delta Sigma Theta Sorority** - Tundra M. King, Chairperson for Social Action, Delta Sigma Theta Sorority, 124 NW 15th Street, Pompano Beach, FL, stated that they are a national organization comprised of over 200,000 college educated women and they are a not for profit organization. They have a local Chapter, which is the North Broward County Alumnae Chapter and they would like to partner with the City with a number of things they have going on. They work with many youths from the City of Pompano Beach High Schools that are involved in their gyms and academic programs.

Ms. King mentioned she did see the Mayor at the Back Pack Give Away, where they assisted in giving away back packs, which is some of the things they do in the community. Many of the funds raised in a year, is money given away to many of the local students for college scholarships. They register people to vote, although they cannot tell people who to vote for, because their organization is non-partisan; however, they do want to educate people on the importance of voting and getting them involved in their local community. Pompano Beach is one of those areas where they serve. Currently, they serve eight (8) other cities, but she is biased, because she is a local grown Pompano Beach resident.

Continuing Ms. King indicated that they would like to partner with the City with a lot of the other things going on. She feels they have that special connection, as well as with many people who work for the City that they can join forces and really make an impact in the community. She invited the Commission to come out to some of their events. The next upcoming event is going to be held this Saturday, October 12, 2019, at the Tradewinds Park, 3600 West Sample Road, Suite B, Coconut Creek, FL 33073, which is a 5K run/walk to include those people who cannot run. There are avid runners and some may get offended if they are told they cannot run, but those who cannot run can walk, because they want everybody to come out.

Ms. King mentioned that she is a breast cancer survivor so this is one of those events very near and dear to her heart. All the funds raised will be given to the American Cancer Society. Finally, Ms. King indicated that she would be remiss if she left out that Pompano has been gracious to them in numerous of the events that they have held in the City of Pompano Beach. Therefore, they would like to continue their partnership and expand it even more.

Mayor Hardin thanked Ms. King for all the good work that they do for the City.

#### **D. CONSENT AGENDA**

1. [20-02](#) Approval to purchase Office Supplies, as needed, from Office Depot, per the City of Tamarac RFP #19-12R, issued on behalf of the Southeast Florida Governmental Purchasing Cooperative Group, at an estimated total cost of \$165,000 per year.  
(Fiscal Impact: \$165,000.00)



(Staff Contact: Jill Klaskin Press)

2. [19-737](#) Carol Gordon is requesting to Transfer Ownership of Block 12, Lot 5, Plot 21 in The North Lawn to The City of Pompano Beach  
(Fiscal Impact: \$455.76)

(Staff Contact: Robert McCaughan)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

3. [20-04](#) A RESOLUTION 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 A-EXCELLENT SERVICE, INC. TO PROVIDE HVAC MAINTENANCE AND REPAIR SERVICES; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$200,000)

(Staff Contact: Robert McCaughan)

**Enactment No: RES. No. 2020-01**

4. [20-01](#) Approval to award Bid T-36-19 Carbon Dioxide, Liquid, Bulk Delivery (Co-operative Bid) to the responsive, responsible bidder Airgas USA, LLC to establish an annual contract. The estimated annual cost to the City for carbon dioxide is \$33,957.00.  
(Fiscal Impact: \$33,957.00)

(Staff Contact: A. Randolph Brown)

Comr. McMahon pulled the item for City Commission discussion. He enquired if the prices paid from 2016, is the same today, because the City appears to be saving \$87 per ton of products and delivery. Therefore, he thanked staff for doing so well in the purchasing department for saving money, which in this case it was a total of \$13,000.

A Randolph Brown, Utilities Director, stated that as part of this type of effort that the City and the Utilities Department puts forward, they were awarded the Utility of the Future Today, in recognition of the achievements of forward thinking, innovative water utilities, and providing resilient value added services to communities. This is particular in watershed, stewardship, recovery of resources such as water, energy and nutrients. The utility of the future framework provides a model for utilities of all sizes to achieve more efficient operation and enhanced productivity in long-term sustainability. The program is supported by the National Association of Clean Water agencies, Water Environment Federation, the Water Reuse Association with input from the USEPA. Finally, Mr. Brown announced that the City of Pompano Beach was one of 43 utilities recognized across the United States for their effort, with an emphasis on reuse this year.

Mayor Hardin and the Commissioners commended Mr. Brown and his team for this awesome accomplishment.

Comr. McMahon congratulated Mr. Brown and indicated that it is exciting to hear this good news, especially when there are other cities in the county that are struggling with their utilities. He is proud of the department.

Mr. Brown thanked the Commission for supporting the Department throughout the years and for their assistance in making the utilities sustainable and financially sound to continue to make the improvements through the years.

Mayor Hardin added that he brags about his City accomplishments with its reuse facilities and everything else that is done in our City. He thanked staff for all that they are doing and, "hats off" to them for achieving a 43rd position in the country.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Consent Agenda/ Approval Request be APPROVED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

5. [19-726](#) Approve ranking order for RLI E-28-19, Raw Water Well Consulting Services, and authorize staff to negotiate a contract with the highest ranked firm, Tetra Tech, Inc. (No cost at this time.)  
(Fiscal Impact: N/A)

**(Staff Contact: A. Randolph Brown)**

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

6. [19-742](#) 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. 18 IN THE NOT TO EXCEED AMOUNT OF \$88,110.00 PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MCCAFFERTY BRINSON CONSULTING, LLC FOR CONTINUING ENGINEERING SERVICES; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$88,110)

(Staff Contact: A. Randolph Brown)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2020-02**

7. [19-734](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE MISCELLANEOUS APPROPRIATIONS AGREEMENTS BETWEEN THE CITY OF POMPANO BEACH AND VARIOUS NON-PROFIT CORPORATIONS; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$247,000.00)

(Staff Contact: Erjeta Diamanti)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2020-03**

8. [19-677](#) 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. 9 IN THE AMOUNT OF \$91,450.00 PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MUNSON DESIGN & CONSULTING, INC. FOR SURVEY AND DESIGN SERVICES FOR NE 3RD STREET AND NE 4TH STREET DRAINAGE IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$91,450.00)

(Staff Contact: Chris Schlageter/Tammy Good)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2020-04**

9. [19-702](#) 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. 2 IN THE NOT TO EXCEED AMOUNT OF \$198,803.00 PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CRAIG A. SMITH & ASSOCIATES FOR CIVIL ENGINEERING SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$198,803.00)

(Staff Contact: Matthew Kudrna/Tammy Good)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2020-05**

10. [19-743](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TERMINATING THE AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR GRANT FUNDS TO FINANCE PLAYGROUND



EQUIPMENT AT MCNAIR PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



**Strategic Plan Initiative**

(Staff Contact: Mark Beaudreau)

Comr. Perkins pulled the item for City Commission discussion. Comr. Perkins stated that the City received a grant from Broward County Safe Parks and Land Preservation, and funds were taken from the McNair Park and moved to the Novelty Park. She asked if it is possible for the City to apply for a grant from the Broward County Safe Parks and Land Preservation for the Weaver Park, because lights are needed in that park.

Mark Beaudreau, Recreation Programs Administrator, responded by providing a background on how the grant was acquired and directed to be spent at the Novelty Park. County Commissioner Bogen was interested to spend his portion from the Safe Park Bond Issue, which was allotted from the year 2000, which did not come to fruition until now.

Greg Harrison, City Manager, in response to Comr. Perkins' request to explore the possibility to get funding for lighting at Weaver Park, he indicated that staff could explore the possibilities.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Consent Agenda/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

**Enactment No: RES. No. 2020-06**

11. [19-744](#) 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 BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR GRANT FUNDS TO FINANCE PLAYGROUND EQUIPMENT AT NOVELTY PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$58,000 in grant funding from the Broward County Park

Bond Program)



**Strategic Plan Initiative**

(Staff Contact: Mark Beaudreau)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2020-07**

12. [19-752](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT AWARD AGREEMENT FOR THE 2019 HEALTHY ENVIRONMENTS SUPPORTING PHYSICAL ACTIVITY GRANT BETWEEN THE CITY OF POMPANO BEACH AND HEALTH FOUNDATION OF SOUTH FLORIDA, INC., ACCEPTING A GRANT IN THE AMOUNT OF \$71,225 FOR THE REPLACEMENT OF EXERCISE EQUIPMENT IN MCNAIR PARK; AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$146,155; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$71,225 grant funds/matching funds \$146,155)



**Strategic Plan Initiative**

(Staff Contact: Mark Beaudreau)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2020-08**

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

Mark E. Berman, City Attorney, advised that items 13-17 are listed under Quasi-Judicial Proceeding and are quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

Ascleta Hammond, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in the following matters.

13. [19-719](#) P.H. 2019-130: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING EAST OF NORTH OCEAN BOULEVARD AND SOUTH OF NE 12TH STREET AND COMMONLY KNOWN AS 1116 N. OCEAN BOULEVARD FROM RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT) BY MODIFYING THE CURRENT APPROVED PLANNED DEVELOPMENT (PD) PLAN; PROVIDING FOR APPROVAL AND CONFORMANCE TO THE PD PLAN AND STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 24, 2019

(Staff Contact: David Recor/Scott Reale)

Jim Hickey, Consulting Planner, for City of Pompano Beach, Calvin Giordano & Associates, 1800 Eller Drive, Fort Lauderdale, FL, presented the item and stated that the item was presented to the Commission at the September 24, 2019 meeting. This is to amend a previously Residential Planned Unit Development (RPUD). The modifications include reducing the number of towers from two to one, reducing the number of units from 130 to 105, which will reduce the density on site from 45 to 36. The podium is being reduced from two story, as well as the reduction in pervious. The only increase is the height of the building. Staff required two conditions of approvals, 1) To dedicate the public beach access on the south side of the property. 2) They should receive

the airpark obstruction permit. This was approved at the Planning and Zoning on July 24, 2019.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, asked how many one bedrooms would be built.

Robert B. Lochrie, III, Esq., Lochrie & Chakas Attorneys At Law, 401 E. Broward Boulevard, Ste. 303, Fort Lauderdale, FL, responded that the project includes 51- two bedroom units and 54 - three bedroom units.

Comr. Perkins asked if they did any community outreach.

Mr. Lochrie responded that they reached out to their direct neighbors and had several meetings particular with the condominium association directly to the south, as well as those to the north.

Comr. Perkins enquired if they were reducing the units from 130 to 105 and wanted to know how it would work with the parking spaces and guest parking.

Mr. Lochrie responded that the garage space was modified and the number of spaces was decreased.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Ordinance be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

**Enactment No: ORD. No. 2020-01**

14. [19-708](#) P.H. 2019-129: (PUBLIC HEARING 2ND READING)  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A SIX-FOOT UTILITY EASEMENT LOCATED ON THE NORTHWEST CORNER OF THE INTERSECTION OF SW 2ND PLACE AND SW 14TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 24, 2019



(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services, presented the item and stated that the applicant is requesting to abandon a six-foot wide utility easement at the property located at 1502 SW 2nd Place. There have been no amendments to the application since the first reading.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Ordinance be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

**Enactment No: ORD. No. 2020-02**

15. [19-745](#) P.H. 2020-02: (PUBLIC HEARING 2ND READING)  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE SOUTHWEST CORNER OF WEST MCNAB ROAD AND SOUTH DIXIE HIGHWAY FROM B-4 (HEAVY BUSINESS) TO B-3 (GENERAL BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

FIRST READING: OCTOBER 7, 2019

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services, presented the item and stated that the item is one of three items related to the same project. Therefore, she would do one presentation (**Exhibit I**), for all three items and the City Attorney would read the titles of each so the City Commission will vote on them separately. The first item 15, is the Aviara project to rezone one of the parcels from B-4 (Heavy Business) to B-3 (General Business), the next agenda item 16, is to assign flexibility units to the project, and item 17, is for the plat approval. The subject property is located west of South Dixie Highway on the south side of McNab Road.

Continuing, Ms. Dolan mentioned that for item 16, the The applicant is requesting a rezoning for approximately

2.485 acres from B-4 (Heavy Business) to B-3 (General Business).

Item 17, is an application for the plat, because the property has never been previously platted. **Exhibit I** attached, provides details on all three items.

Mike Vonder Meulen, Keith and Associates, 301 East Atlantic Boulevard, Pompano Beach, confirms that the presentation made earlier covers most of the items that he would also present. Therefore, in the best interest of time, he would defer his presentation. However, there are two items he wanted to bring to the Commission's attention, which is the property that used to be a "junk yard" where they stored a lot of wrecked vehicles, which are now gone. They are now remediating the soil so the residential/mixed use development can occur.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, asked how many affordable units allocated to the project.

Mayor Hardin responded that in the backup it indicates that it has not yet been determined.

Mr. Vonder Meulen added that they are unsure of the particular mix, hence they tried to portray that in their report. Options are available up to the time of approval of the site plan. The intent is to have some workforce housing in there. He then explained the approval process involved with the project.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, asked what kind of commercial use they would have at the location.

Mr. Vonder Meulen responded that the intent on this project is that because it is located on two busy streets, McNab Road and Dixie Highway, there is one building that would be available to commercial, retail and those types, which could range from salons, restaurants, and office space. The parking will be directly behind so there will be street frontage and pedestrian activity that can occur with the building. The one further along on Dixie Highway will become a solely residential building. He mentioned that although it was zoned commercial, half of the property has a residential land use underneath, although it was used for heavy industrial junkyard type use. He then provided some details on the vision for the area as found in the Corridor Study.

Vice Mayor Moss wanted to comment on the flex units but could wait until the next item comes up for discussion.

Comr. Perkins asked who was the developer for the project.

Mr. Vonder Meulen responded that the name of the developer is Mag Realty, and is a fairly new developer, who is currently doing a townhouse project in Lake Worth, West Palm Beach County.

Comr. McGee indicated that it is exciting to see the beautification happening in the area and to see a project such as this one coming in. She had a request that these type of developments coming in to keep a look out for the parking spaces to unit ratio, and to consider real life needs.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Ordinance be APPROVED FIRST READING.. The motion carried by the following roll call vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

16. [19-746](#) P.H. 2020-03: (PUBLIC HEARING)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A MAXIMUM OF ONE HUNDRED EIGHTY EIGHT (188) FLEX UNITS FOR A PROPOSED RESIDENTIAL DEVELOPMENT LOCATED ON THE SOUTHWEST CORNER OF SOUTH DIXIE HIGHWAY AND WEST MCNAB ROAD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Jean Dolan/David Recor)

Jean Dolan, Development Services, presented the item and stated that the same presentation she made earlier applies to this item.

Vice Mayor Moss mentioned that he meets with his constituents weekly and this item generated a robust conversation among the group and there were many questions, because people generally do not know what flex units are, then he explained how he understands it. Flex units is something a municipality has in its toolbox that they can use to help encourage good development in a place where it needs to happen. Therefore, this is a brilliant idea especially for the subject area, which is close to his district but located in Comr. McMahon's district. The area is a junkyard, which is a graveyard for cars and adds nothing to the community in terms of economic rewards, tax base, providing people a place to work, and a place to live. However, he has some concerns with the application of flex units in Palm Aire.

Ms. Dolan indicated that Vice Mayor Moss is generally correct in his understanding and explained that flex units enables the approval of a project without having to do a Land Use Plan Amendment, because this process takes a long time and this is another path a developer could go. When the City runs out of flex units, eventually people will have to do Land Use Amendments.

Vice Mayor Moss suggested to everybody to include those who watch TV, those who serve on the Planning and Zoning Board and the Zoning Board of Appeals, as well as staff going forward when they receive

applications for flex units to think if it does something good for the community, does this take a bad situation and make it better, or is it something that is handed out to people just because they ask for it. He concluded that this item is a classic example of a good reason to give flex units, however, there are other instances when this is not a good reason to give them out.

Comr. McMahon thinks this is an exciting project. This location is nearby where he resides and for many years he has driven by this eyesore of a junkyard in the City, therefore, this is showing progress and great things happening in the City.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

**Enactment No: RES. No. 2020-09**

17. [19-748](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE AVIARA EAST PLAT LYING ON THE SOUTHWEST CORNER OF WEST MCNAB ROAD AND SOUTH DIXIE HIGHWAY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** Jean Dolan/David Recor)

Jean Dolan, Development Services, presented the item and stated that this is the plat that is companion of the previous two items. This will restrict development to 20,000 square feet of commercial space and the 229 midrise units.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:**



**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

**Enactment No: RES. No. 2020-10**

**END OF QUASI-JUDICIAL PROCEEDING**

18. [19-623](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DUC POMPANO, LLC FOR THE PROPERTY LOCATED AT 113 NE 1ST AVENUE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 24, 2019

(Staff Contact: Cassandra LeMasurier)

Cassandra LeMasurier, Real Property Manager, presented the item and stated that DUC Pompano, LLC (DUC) that owns the old bank building located at 61 NE 1st Street has indicated their desire to enter into a lease with the City of Pompano Beach for a city-owned property located at 113 NE 1st Avenue. The City property is a 2,500 square foot area with landscaping and pavers north of the old bank building and directly south of Kelly's chemical supplies, and lying north of the BaCa building in the downtown area. DUC is completing renovations of the old bank building for use as a restaurant and they would like to lease the City's property to use it as an outdoor seating area. In accordance with Section 250 of the City's Charter, the Lessee has agreed to expend \$38,400 in capital improvements, which would include replacing existing landscaping and pavers, installing benches, tables and chairs, lighting, irrigation, security cameras, gazebo or similar structure, fencing and electrical upgrades as needed. The lease term would be for an initial period of ten years with four additional ten-year renewal options available. Therefore, staff is requesting City Commission approval to enter into the lease with DUC Pompano, LLC.

Mayor Hardin asked if there are any traffic restrictions in the area, because they are referring to the location across the alleyway.

Ms. LeMasurier responded right and explained the alleyway, which is not a thoroughfare that goes all the way that connects through that.

Comr. Perkins asked what type of restaurant are they planning to place there.

Ms. LeMasurier responded that she does not have a specific indication of the type of restaurant, but the Lessee is available to answer the question.

Joe Usman, 61 NE 1st Street, Pompano Beach, FL, provided a brief background of the area. However, he is unsure of what kind of restaurant he will put at that location.

**A motion was made by Commissioner Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

**Enactment No: RES. No. 2020-11**

19. [19-649](#) 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 RESTRICTIONS BETWEEN POMPANO BEACH LIVING, LLC AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 10, 2019 & OCTOBER 7, 2019

(Staff Contact: Scott Reale/David Recor)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be POSTPONED until October 22, 2019 City Commission meeting. The motion carried unanimously.**

20. [19-700](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING THE FIVE-YEAR CAPITAL IMPROVEMENT PLAN FOR THE CITY OF POMPANO

BEACH FOR FISCAL YEARS 2020 THROUGH 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$16,359,563 for General Capital Projects FY 2020)

(**Staff Contact:** Erjeta Diamanti/Tammy Good)

Erjeta Diamanti, Budget Manager, presented the item and stated that the purpose of the resolution is to adopt the five-year Capital Improvement Plan (CIP). The budget for Fiscal Year 2019-2020 has been adopted. The City Commission had the opportunity to review the five-year CIP during the July budget workshop, since then staff added one more CIP for the canal dredging for the next five years. During the development of the plan several advisory boards were asked for their input and feedback, which is included in the backup documents. In response to some of Comr. Perkins' concerns on the Weaver Park project, in the plan there is \$25,000 allocated for this fiscal year for design and perhaps City fees, \$90,000 for construction in fiscal year 2021, and \$75,000 for the following year. As indicated by the City Manager earlier, other areas can be explored to identify grants.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

**Enactment No: RES. No. 2020-12**

21. [20-05](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE CITY MANAGER'S SUBMITTAL OF A GRANT APPLICATION TO THE U.S. DEPARTMENT OF JUSTICE, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE FORMULA GRANT PROGRAM; AND, IF AWARDED, AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE GRANT AGREEMENT; PROVIDING AN OPPORTUNITY FOR PUBLIC COMMENT TO CITIZENS, NEIGHBORHOODS AND COMMUNITY-BASED ORGANIZATIONS; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$501,886)

(Staff Contact: Andrew Jean-Pierre)

Andrew Jean-Pierre, Finance Director, presented the item and stated that this is to ratify the City's application for the Edward Byrne JAG grant program. For the second consecutive year, the City is a lead agency for the grant. The application was open to all municipalities on July 25, 2019, and the grant was awarded to the City on September 19, 2019.

Comr. Perkins asked for a breakdown of how the grant was expended last year.

Mr. Jean-Pierre stated that approximately \$67,000, which is the City's portion of the grant is yet to be spent on the homeless outreach because of some requirements from the grantor, which must be cleared and sent to other cities.

Comr. Eaton asked about the criteria of where the funds can be used, which could be on efforts for neighborhood policing, and community safety.

Major Wayne Adkins, Broward Sheriff's Office (BSO), responded that the local Justice Assistance Grants (JAG) usually run two years behind. So, the City is just receiving moneys for the year 2017 grant, which has been allocated and brought before the City Commission and approved about three years ago for homeless outreach. The 2018 grant is in the works currently.

Comr. Perkins asked for a breakdown for how the funds were spent three years ago.

Major Adkins indicated that these grants can be used for law enforcement purposes and a range over time for equipment, whatever type of program needed for community policing and for community outreach, which must be spent for law enforcement purposes.

Mayor Hardin pointed out that in the backup material, although it states fiscal impact is approximately \$502,000, the City's portion is only \$114,000.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin



**Enactment No: RES. No. 2020-13**22. [19-526](#) P.H. 2019-91: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.12, "COLLECTION REGULATIONS," BY MODIFYING PROCEDURES AND SETTING SPECIAL SERVICE FEES FOR SPECIAL COLLECTIONS; AND BY AMENDING SECTION 96.22, "REQUIREMENTS FOR RECOVERED MATERIALS HAULERS," TO MODIFY REQUIREMENTS FOR RECOVERED MATERIALS HAULERS OPERATING IN THE CITY; PROVIDING FOR PENALTIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 24, 2019

(Staff Contact: Russell S. Ketchem)

Russell Ketchem, Solid Waste Manager, presented the item and stated that it is a second reading of the proposed changes of Chapter 96 of the Code of Ordinance pertaining to special services for special collection due to overloaded dumpsters and requiring registration of recovery materials hauler. The proposed amendment to Chapter 96.12 is a special service fee for the collection and disposal of materials. Overloading a dumpster creates additional time for the driver to clean up the spilled materials and causes disruption of service. Moreover, the overloaded containers spill garbage on the ground causing vermin and other nuisance, as well as it creates human health issues. The goal of the program is to have customers right size their service to implement recycling, to increase the days of service or the size of the container. It will also help the City to address the unsightly issues and potential safety and health hazards of an overloaded garbage dumpster.

Continuing, Mr. Ketchem indicated that customers who have the correct level of service avoids overloaded situations and reduces the negative impacts to the community. He then provided a brief background on the experiences and impacts of overloaded dumpsters observed.

Mr. Ketchem indicated that there will be an education program and after thirty days of the mailed notice to customers, the implementation of the program will be noticed, so they will have the opportunity to correct size and are encouraged to correct size their service if necessary. A credit for the special service fee will be issued after the implementation of the program, when the customer corrects the issue. He then presented a short video of how information will be captured regarding the issues on hand and processed, which would result in a hearing before the City's Special Magistrate.

Additionally, the second part of the item is a proposal for an amendment to Chapter 96.22, which requires company that haul recovery materials to register with the City. This will allow the City to assure companies that hire these recovered materials haulers that the actual recovery materials that are being captured are being recycled and not just disposed of. Currently, there is no mechanism for a company that cancels a contract when it is determined that hauler improperly handles the materials. This proposal does not conflict with Florida Statutes that allow for open competition on commercial recovered material haulers. The intent is to keep haulers from entering the City of Pompano Beach to poach materials illegally.

Comr. McGee understands that there are individual haulers that drive around the neighborhoods and pick up appliances and things of that nature, and asked how does this rule apply to them because they are not contracted.

Mr. Ketchem explained that this requirement is not targeting those individuals but it is for the haulers that have the business of hauling and are fully a hauling business. This is not for those who are scrap metal persons.

Vice Mayor Moss noticed that all three videos were in the Palm Aire area. He was unaware of the cameras and thinks this is a good idea and will share this with his community.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
Perkins  
Moss  
Hardin

**No:** McMahon

**Enactment No: ORD. No. 2020-03**

23. [19-488](#) P.H. 2020-01: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 113, "BUSINESS TAX RECEIPTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 113.28, "EXEMPTIONS," TO MODIFY PERSONS ENTITLED TO BUSINESS TAX RECEIPTS AND BY AMENDING SECTION 113.39, "BUSINESS TAX RECEIPT SCHEDULE," TO MODIFY FEES FOR SPECIAL EVENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Approximately \$1,000 less in BTR Fees collected / year)

FIRST READING: OCTOBER 7, 2019

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

Jennifer Gomez, Assistant Director, Development Services Department, presented the item and stated that the proposed Business Tax Receipt (BTR) text amendment is a housekeeping item to make the City's code of ordinances more consistent with the Florida Statutes. The Florida Statutes changed recently to offer additional exemptions with four BTR categories. The City's code will now cross-reference that Florida Statutes to minimize the needs to keep coming back and update it as they offer new exemptions and staff has eliminated this requirement. In addition to being consistent with the Florida Statutes, it also helps to streamline the City's process so people do not have to acquire their special event permit and come back to the office to get a second BTR.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

24. [20-03](#) P.H. 2020-04: (PUBLIC HEARING 2ND READING)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 801 NORTHEAST 33RD STREET, POMPANO BEACH, FLORIDA 33064 IDENTIFIED BY FOLIO NO. 4842-24-01-0090 AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES FOR THE PURPOSE OF REHABILITATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

## FIRST READING: OCTOBER 7, 2019

(Staff Contact: Chris Clemens)

Chris Clemens, Economic Development Manager, presented the item and stated that this is the first reading of a resolution for St. Elizabeth's brownfield eligibility application, which is located in District 2, south of Sample Road and east of Dixie Highway. He explained the five statutory criteria to qualify for brownfield status: 1) An agreement to develop and rehabilitate the site; 2) Economic productivity; 3) Consistency with the local Comp Plan; 4) Public notice and comment and 5) Reasonable financial assurance. St. Elizabeth has met the five statutory criteria and staff recommends approval.

Vice Mayor Moss reiterated that this is another example where the granting of flex units will do something that will make the community better. St. Elizabeth has maintained their facility very well and they are going to be adding more affordable homes, which will be a win - win for everybody and it is going to "do good."

Comr. Eaton indicated that St. Elizabeth has been doing an excellent job in the renovation, so this is a great move and a good job and she will be supporting the venture.

**A motion was made by Vice Mayor Moss, seconded by Commissioner Eaton, that the Regular Agenda/ Resolution be APPROVED FIRST READING. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

25. [19-753](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MIKE DEBERRY TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 27, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants:  
Mike DeBerry, Incumbent - District 3  
Mary Beth McCabe, District 1



Corey Staniscia, District 1

Corey Thompson, District 4

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED, and to insert the name MIKE DEBERRY who was nominated by Mayor Hardin. The motion carried unanimously.**

**Enactment No: RES. No. 2020-14**

26. [19-754](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LINDA HOUSTON JONES TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE 1 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 15, 2022; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants:

LaToya Almonord, Incumbent/Alter. 1 - District 1

Donna Russo, Incumbent/Alter. 2 - District 1

Lisa Ferreri - District 1

Allyson L. Hall - District 2

Katherine Kahn - District 2

Sarahca Peterson - District 3

Velma Flowers - District 4

Marcus A. McDougale - District 4

Whitney Rawls - District 4

Mandie Striggles - District 4

Veronica Thomas - District 4

Corey Thompson - District 4

Andy Cherenfant - District 5

Linda H. Jones - District 5

(Staff Contact: Asceleta Hammond)

Vice Mayor Moss indicated that he is keen to keep incumbents in place because they spend a lot of time learning the ropes. So, to throw them out is not a nice thing to do. However, in this case the incumbent, Ms. LaToya Almonord has only attended three out of twenty-six meetings for 11% of the meetings held. Therefore, he thinks this would disqualify her from being appointed, so he nominated Linda Houston Jones.



**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED. Vice Mayor Moss nominated Linda Houston Jones and Commissioner Perkins nominated Mandie Striggles. The name LINDA HOUSTON JONES was inserted. The motion carried by the following vote:**

**Yes:** Eaton  
McGee  
McMahon  
Moss  
Hardin

**No:** Perkins

**Enactment No: RES. No. 2020-15**

27. [19-755](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING DONNA RUSSO TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE 2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 15, 2022; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)\

PLEASE REFER TO FILE ID NO 2019-754 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED, and to insert the name DONNA RUSSO, who was nominated by Vice Mayor Moss. The motion carried unanimously.**

**Yes:** Eaton  
McGee  
McMahon  
Perkins  
Moss  
Hardin

**Enactment No: RES. No. 2020-16**

28. [19-756](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF

POMPANO BEACH, FLORIDA, APPOINTING JOAN KOVAC TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH TO SERVE A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Joan Kovac, Incumbent - District 1

Claudia McMahon, Incumbent - District 3

Keith Haag, District 1/Alternate 1

Veronica Thomas, District 4/Alternate 2

Claudia Mazzocchi - District 1

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED, and to insert the name JOAN KOVAC who was nominated by Vice Mayor Moss. The motion carried unanimously.**

**Enactment No: RES. No. 2020-17**

29. [19-757](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CLAUDIA MCMAHON TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH TO SERVE A TERM OF TWO YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 13, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 2019-756 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Moss, seconded by Commissioner Perkins, that the Regular Agenda/ Resolution be ADOPTED, and to insert the name CLAUDIA MCMAHON who was nominated by Mayor Hardin. The motion carried unanimously.**

**Enactment No: RES. No. 2020-18**

**F. REPORTS**

**City Manager, Gregory Harrison - Parking Signs** - Mr. Harrison indicated that Jeff Lantz, the new Parking Director provided a memo with an attached sign, which he distributed to the City Commission. These will be placed as Veteran Parking Only signs, and will be scattered in different parts of the City so those veterans occupying the spaces would not have to pay parking fees.

Comr. McGee agreed it is a great idea and asked if there will be a sticker for the attendants to identify a veteran.

Mr. Harrison indicated it will be from an honor system and people who are not veterans should not be parking in the space where these signs are.

**Give Away** - Mr. Harrison displayed a sample give away, which will contain goodies and a note from the City Manager welcoming businesses to the City, which will be given to those people with a new Business Tax Receipt (BTR).

**Solid Waste Rates** - Mr. Harrison provided a memorandum for the records addressing the solid waste rates effective for 2019-2020 fiscal year. This is already in the existing contract but this is to document it in the minutes that this will be part of the records for this meeting. **Exhibit II**

**City Attorney, Mark Berman** - No Report - Mr. Berman asked if it is the desire of the City Commission to establish a policy for the Veteran's Parking and to vote on it.

Mayor Hardin indicated that the City Manager is perhaps looking for the endorsement of the Veteran's Parking idea from the Commission. He asked for a motion to approve the Veteran's Parking idea that the City Manager outlined.

**MOTION: A motion was made by Vice Mayor Moss, seconded by Comr. Perkins to approve the Veteran's Parking Sign as outlined earlier by the City Manager. The motion carried unanimously.**

**City Clerk, Ascelela Hammond** - No Report

**City Commissioner, Rhonda Eaton - Cresthaven Civic Association Meeting** - Comr. Eaton announced that the Cresthaven Civic Association is this Thursday, October 10, 2019 at the Moose Lodge at NE 33rd and Dixie Highway. It starts at 7:00 p.m.

**Highlands Civic Association meeting** - Comr. Eaton reported that she attended the Highlands Civic Association meeting on the first Tuesday of the month, which is their normal meeting time for the Highlands Triangle Park. County Commissioner Lamar Fisher attended the meeting and provided them an update on what has been happening in Broward County and some of the things he is doing to support the City of Pompano Beach.

**FPL Street Lighting** - Comr. Eaton reported that she attended the Broward County Annual Labor Ball this past weekend, which is in support of the working men and women in Broward. She met up with Ben Wesley, one of the senior governmental FP&L representatives and continued to remind him of how important it is for

the City of Pompano to get up to date on the street lights, especially in the Crystal Lake area.

**City Commissioner, Andrea McGee - Bahamian Hurricane Dorian Continue Efforts** - Comr. McGee reported that efforts continue at the Sands Hotel and Marina to keep getting Bahamian Relief Efforts out from Shipwreck Park and so many of the local boaters. The outreach is incredible for this long road ahead.

**Visit to Washington, DC** - Comr. McGee indicated that she is looking forward to represent the City in Washington, DC in the next two weeks, and to try and keep the representatives focused on Pompano Beach.

**City Commissioner, Tom McMahon - Cypress Civic Association** - Comr. McMahon announced that the Cypress Civic Association meeting is scheduled for Wednesday, October 16, 2019, at the Emma Lou Olson Center.

**Veterans Parking Signs** - Comr. McMahon thanked the City Manager for the Veteran Parking Signs, which is a great thing to do, and he thinks this is something that the veterans deserve.

**City Commissioner, Beverly Perkins - Feeding the Homeless Population** - Comr. Perkins reported that Pastor Terrence Kearney from the Abyssinian Missionary Baptist Church, feeds the community weekly on Wednesday, from 3:00 p.m. to 5:00 p.m., which attracts quite a large crowd. She invited the Commission to stop by to meet and greet the people in the neighborhood.

**Blanche Ely High School Homecoming Parade** - Comr. Perkins reported that the Blanche Ely Homecoming Parade will take place on Friday, October 11, 2019, with the parade starting at 2:00 p.m., which will begin and end at Ely High School. Homecoming game will take place the same night of October 11, 2019, at the Blanche Ely High School so they will be requiring Broward Sheriff's Office (BSO) on guard and alert and to help with the traffic, as NW 6th Avenue is congested whenever there is a game.

**Lighting at NW 15th Street Railroad Crossing** - Comr. Perkins asked for an update on the railroad crossing on NW 15th Street and the possibility of lighting the area near the tracks. A few months ago, two girls were killed and she had asked if lighting could be placed in the location to alert people not familiar with the area that there is a railroad crossing.

**Mothers Against Gun Violence Event** - Comr. Perkins reported that "Enough is Enough Mothers Against Gun Violence" event will take place on Saturday, October 12, 2019, at the Apollo Park, at 1580 NW 3rd Avenue, located right behind the Boys and Girls Club. They are inviting everyone to come out and support the moms and the families that were killed by guns, so that they can try to stop the gun shootings in the City of Pompano Beach.

**Alarms.com Report** - Comr. Perkins indicated that while browsing her computer looking at Alarms.com, they listed the top 100 most dangerous large cities in America for 2019, conducted by the national council for home and safety security. Pompano Beach was listed as 24, from 1-100, as one of the most dangerous cities in America. Comr. Perkins indicated that perhaps the City could have more events on gun violence, crimes and things of that sort to get on board, and work with BSO to see what can be done to prevent some of the crimes in the City.

**Trash Pick Up** - Comr. Perkins appealed to her community to assist with picking up the trash in the community and stop throwing it down. Code Compliance has been doing a wonderful job to assist with picking up the bulk trash. However, as soon as she calls, after three days it is back on the streets. Therefore, she is asking if "You see something say something" because they are working to get the trash out of the community. She thanked Janice for the work she has been doing in this regard.


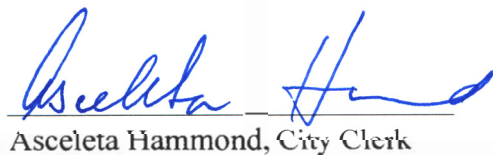
**Vice Mayor, Barry Moss** - No Report

**Mayor, Rex Hardin - Mothers Against Gun Violence Event** - Mayor Hardin followed up on Comr. Perkins report for this Saturday, October 12, 2019 at the Apollo Park, the Gun Violence Awareness event. He is looking forward to that and it ties into the message that was mentioned earlier. This is a community and everyone must work together to solve the problems, whether it is garbage on the street or gun violence in the neighbors. In sum, it is trying to get people engaged and when somebody is shot in the community, somebody knows something. Therefore, if that person who knows something is not comfortable enough to talk to the BSO deputies, then we will not get the information on how to solve these crimes. Therefore, this event is about getting everybody to become more aware on how they could assist in getting these crimes solved. He thanked everyone that is making an effort in working on this together.

Comr. Perkins added that almost every two weeks there is a shooting in the city, which is reported by the Channel 7 news. She reiterated that these activities must stop.

**G. ADJOURNMENT**

The meeting adjourned at 8:14 p.m.

  
\_\_\_\_\_  
Rex Hardin, Mayor  
\_\_\_\_\_  
Ascleeta Hammond, City Clerk





Aviara



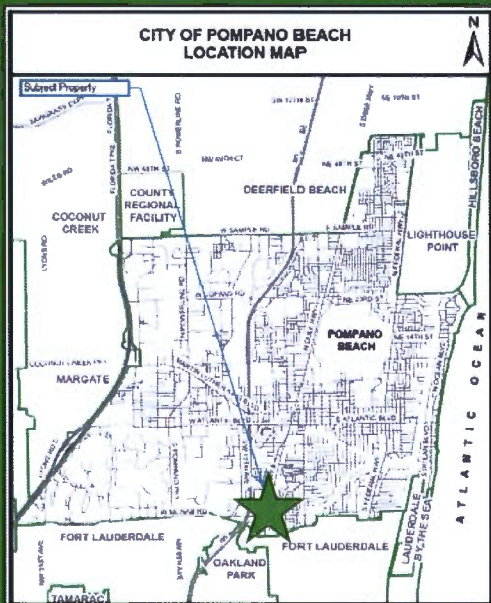
Site Specific Rezoning,  
Flexibility Units, and Plat

October 2019



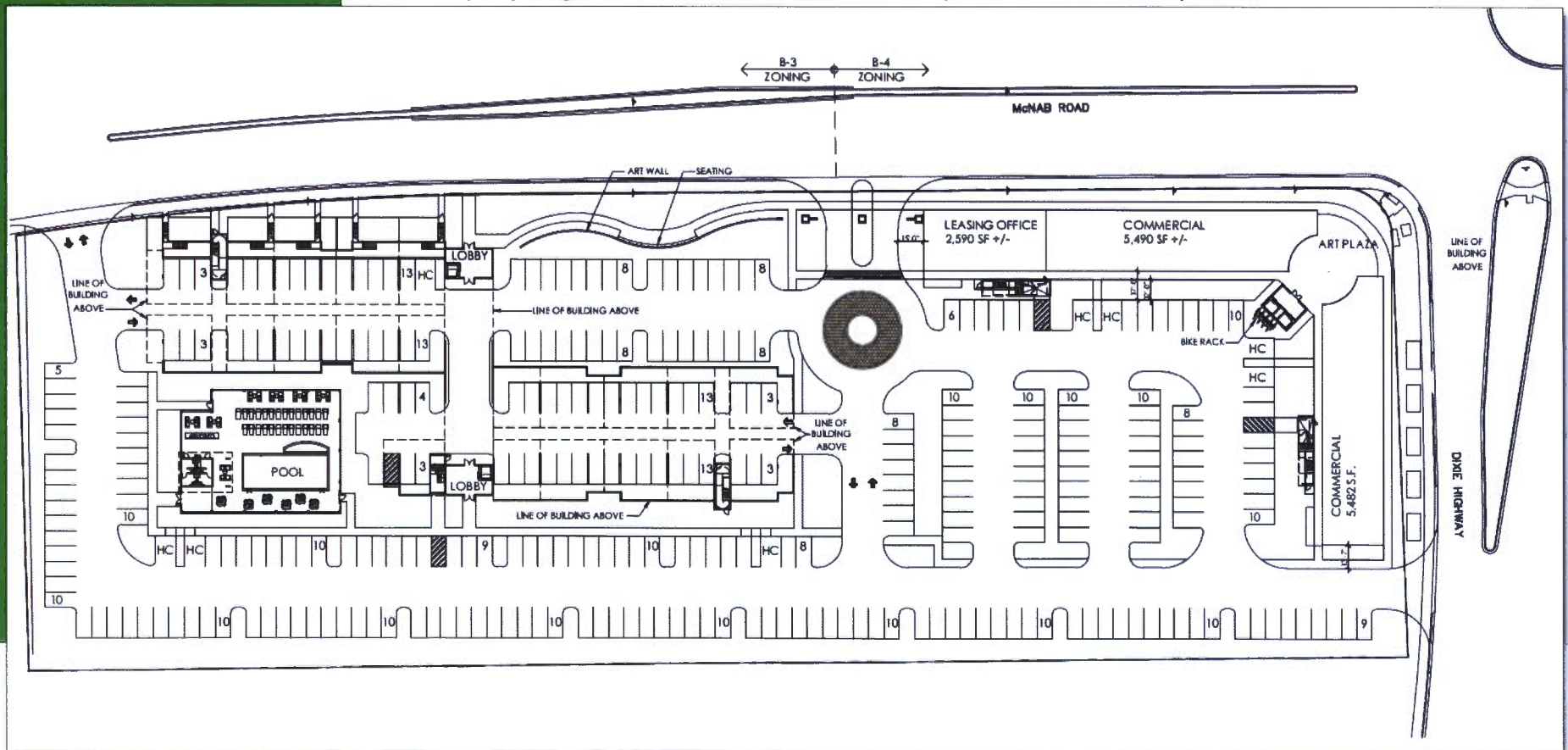
# Project Overview

- The applicant has filed 3 applications in order to develop a mixed-use project.
  - Applications include:
    - Agenda Item #15 - Rezoning the B-4 parcel to B-3
    - Agenda Item #16 - Assignment of Flexibility Units
    - Agenda Item #17 - Plat Approval
  - The subject property is located west of South Dixie Highway, on the south sides of West McNab, as depicted on the map (below).
  - There are 3 separate parcels that are identified in the maps.



# Conceptual Plan

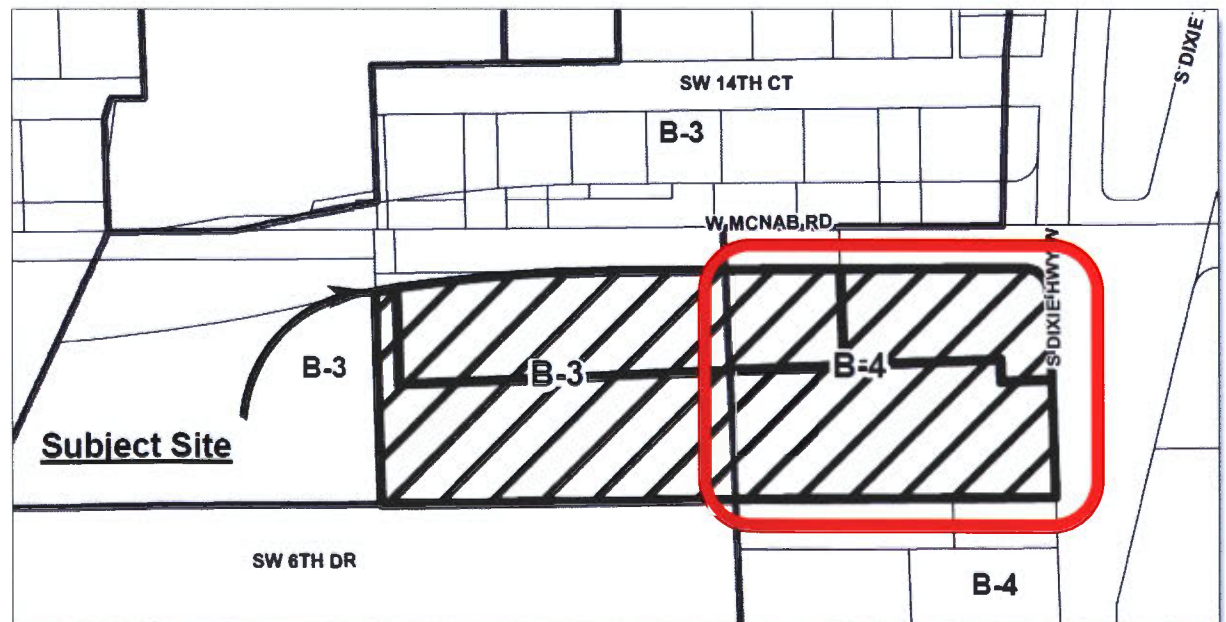
- 229 unit development, with two buildings. One six-story mixed-use building on the corner of Dixie Highway & McNab Road, and the other is a eight-story residential building.
- The applicant must meet the flex-affordable housing commitment by either providing affordable housing or paying to the in-lieu of fee (\$2,333 / unit).





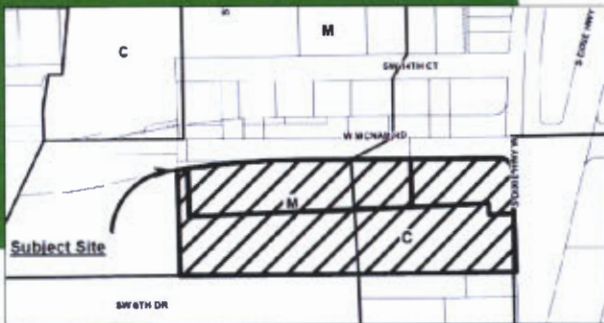
## Agenda Item #15: Rezoning

- The applicant is requesting a rezoning for approximately 2.485 acres from B-4 (Heavy Business) to B-3 (General Business).
- The B-3 District will allow a mixed use building with residential units be built with the allocation of flex units.
- The Planning and Zoning Board recommended approval of this request.



## Item #16: Flexibility Units

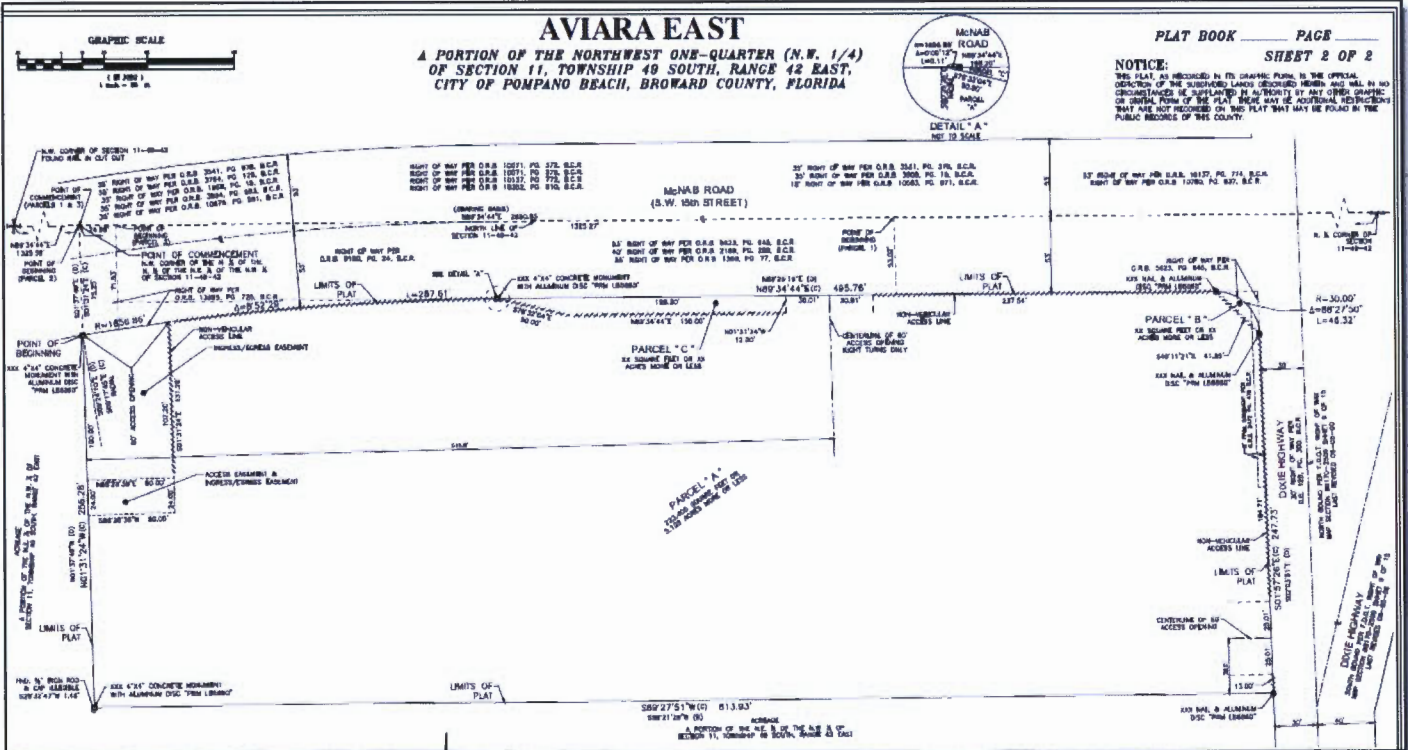
- Based on the existing land use (without the allocation of Flexibility Units), the permitted residential density allowed on the property would be 41 units.
- The applicant is requesting 188 Flexibility Units
  - 115 of the Flexibility Units are proposed to be allocated to the portion of the property with a Commercial Land Use Designation
  - 73 of the Flexibility Units will be allocated to the portion of the property with the Residential Land Use
- P&Z recommended approval with the following conditions:
  - Substantial conformity to conceptual site plan
  - Compliance with affordability requirements prior to site plan approval





Item #17: Plat

- The applicant has requested to plat the property, as the property has never been platted.
- The plat restricts the property to a maximum of 20,000 square feet of commercial use and 229 midrise residential units.
- The P&Z Board recommended approval of the plat.



# Combined Application Summary

- Provided that each of these applications are approved:
  - The rezoning would remove the property from B-4 zoning to B-3 zoning which will allow a mixed-use building with residential uses.
  - The flexibility units would allow the residential structure on commercial land & increase the allowed density on the residential land.
  - the 5.129 acre property will be platted for 229 midrise units which is approximately 45 units per acre.





## Exhibit 2

Solid Waste Department  
Russell S. Ketchem, Solid Waste Manager

City of Pompano Beach, Florida  
1190 NE 3<sup>rd</sup> Avenue, Bldg. B., Pompano Beach, Florida 33060  
Phone: 954.786.5516 | Email: Russell.Ketchem@copbfl.com

### MEMORANDUM

TO: Greg Harrison, City Manager

FROM: Russell Ketchem, Solid Waste Manager 

COPY: Brian Donovan, Assistant City Manager

SUBJECT: 2019/20 Solid Waste Rates

DATE: 3 October 2019

---

The Solid Waste Department received from Waste Management a notice of adjustment of hauling and disposal rates to be effective October 1, 2019. The change is in accordance with our current Waste Management contracts which allows an annual rate adjustment based on the Consumer Price Index (CUURA320SA0) and Producer Price Index (WPUFD413112). The hauling adjustment based on the Indexes is an applied 2.06% increase, with an adjustment to the disposal rate of a \$1.69 per ton increase. The impact of the rate adjustment equates to a \$0.36 increase in the monthly garbage bill for a single family residence.



# City of Pompano Beach

## Solid Waste Collection and Disposal Rate Schedule

House

RESIDENTIAL AUTOMATED CURBSIDE CART SERVICE								
Service >	Single Family, Duplex, Triplex		Trailer Pad		Multi-Dwelling Cans		Backdoor (surcharge)	
	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19
Rate/Mo	\$ 17.92	\$ 18.28	\$ 14.12	\$ 14.42	\$ 13.62	\$ 13.91	\$ 10.35	\$ 10.56

20.56 20.92 ← WHAT THE CUSTOMER PAYS

\$83.82 2019/20 Tip \$ Per Ton  
\$1.69 increase

\$82.13 2018/19 Tip \$ Per Ton

MULTIFAMILY RESIDENTIAL CONTAINERIZED (NON-COMPACTED)														
Freq >>	1x/wk		2x/wk		3x/wk		4x/wk		5x/wk		6x/wk		7x/wk	
Size (yds)	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19
1	N/A	N/A	\$ 118.96	\$ 121.41	\$ 178.44	\$ 182.11	\$ 237.94	\$ 242.83	\$ 297.41	\$ 303.54	\$ 356.88	\$ 364.23	\$ 416.38	\$ 424.96
2	N/A	N/A	\$ 163.34	\$ 166.70	\$ 244.97	\$ 250.01	\$ 326.62	\$ 333.35	\$ 408.28	\$ 416.69	\$ 489.96	\$ 500.05	\$ 571.61	\$ 583.39
3	N/A	N/A	\$ 207.67	\$ 211.95	\$ 311.51	\$ 317.93	\$ 415.33	\$ 423.88	\$ 519.15	\$ 529.84	\$ 623.00	\$ 635.83	\$ 726.83	\$ 741.80
4	N/A	N/A	\$ 252.01	\$ 257.20	\$ 378.03	\$ 385.81	\$ 504.04	\$ 514.42	\$ 630.06	\$ 643.03	\$ 756.05	\$ 771.62	\$ 882.06	\$ 900.22
6	N/A	N/A	\$ 304.86	\$ 311.13	\$ 457.27	\$ 466.68	\$ 609.71	\$ 622.27	\$ 762.14	\$ 777.83	\$ 811.08	\$ 827.78	\$ 1,066.99	\$ 1,088.96
8	N/A	N/A	\$ 357.68	\$ 365.04	\$ 536.52	\$ 547.57	\$ 715.39	\$ 730.11	\$ 894.23	\$ 912.64	\$ 1,073.06	\$ 1,095.14	\$ 1,251.91	\$ 1,277.68

MULTIFAMILY RESIDENTIAL CONTAINERIZED (COMPACTED)														
Freq >>	1x/wk		2x/wk		3x/wk		4x/wk		5x/wk		6x/wk		7x/wk	
Size (yds)	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19
2	N/A	N/A	\$ 431.14	\$ 440.00	\$ 646.65	\$ 659.96	\$ 862.19	\$ 879.96	\$ 1,077.76	\$ 1,099.96	\$ 1,293.34	\$ 1,319.97	\$ 1,508.87	\$ 1,539.95
3	N/A	N/A	\$ 600.02	\$ 612.37	\$ 900.03	\$ 918.57	\$ 1,200.06	\$ 1,224.77	\$ 1,500.05	\$ 1,530.95	\$ 1,800.05	\$ 1,837.11	\$ 2,100.10	\$ 2,143.35
4	N/A	N/A	\$ 768.94	\$ 784.79	\$ 1,153.43	\$ 1,177.17	\$ 1,537.87	\$ 1,569.54	\$ 1,922.37	\$ 1,961.93	\$ 2,306.82	\$ 2,354.34	\$ 2,691.31	\$ 2,746.72
6	N/A	N/A	\$ 1,061.97	\$ 1,083.83	\$ 1,592.91	\$ 1,625.70	\$ 2,123.88	\$ 2,167.63	\$ 2,654.88	\$ 2,709.53	\$ 3,185.84	\$ 3,251.45	\$ 3,716.81	\$ 3,793.35

# City of Pompano Beach

## Solid Waste Collection and Disposal Rate Schedule

COMMERCIAL CART SERVICES (2X PER WEEK)								
Service >>	1 - 96 gal Cart		2 - 96 gal Cart		3 - 96 gal Cart		4 - 96 gal Cart	
	Start	10/1/19	Start	10/1/19	Start	10/1/19	Start	10/1/19
Rate/Mo	\$ 86.63	\$ 88.33	\$ 133.94	\$ 136.53	\$ 180.21	\$ 183.67	\$ 227.54	\$ 231.89

COMMERCIAL CONTAINERIZED (NON-COMPACTED)														
Freq >>	1x/wk		2x/wk		3x/wk		4x/wk		5x/wk		6x/wk		7x/wk	
Size (yds)	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19
1	\$ 117.91	\$ 120.25	\$ 235.82	\$ 240.51	\$ 353.77	\$ 360.79	\$ 471.69	\$ 481.07	\$ 589.60	\$ 601.32	\$ 707.51	\$ 721.58	\$ 825.43	\$ 841.83
2	\$ 180.57	\$ 184.12	\$ 361.21	\$ 368.31	\$ 541.79	\$ 552.44	\$ 722.40	\$ 736.59	\$ 902.99	\$ 920.75	\$ 1,083.60	\$ 1,104.90	\$ 1,264.20	\$ 1,289.05
3	\$ 243.24	\$ 247.99	\$ 486.56	\$ 496.08	\$ 729.85	\$ 744.11	\$ 973.11	\$ 992.13	\$ 1,216.40	\$ 1,240.18	\$ 1,459.67	\$ 1,488.21	\$ 1,702.95	\$ 1,736.23
4	\$ 305.92	\$ 311.88	\$ 611.93	\$ 623.85	\$ 917.88	\$ 935.76	\$ 1,223.82	\$ 1,247.67	\$ 1,529.79	\$ 1,559.60	\$ 1,835.75	\$ 1,871.52	\$ 2,141.71	\$ 2,183.44
6	\$ 413.32	\$ 421.33	\$ 826.76	\$ 842.77	\$ 1,240.16	\$ 1,264.17	\$ 1,653.55	\$ 1,685.57	\$ 2,066.91	\$ 2,106.94	\$ 2,480.30	\$ 2,528.32	\$ 2,893.70	\$ 2,949.72
8	\$ 520.72	\$ 530.76	\$ 1,041.61	\$ 1,061.70	\$ 1,562.43	\$ 1,592.57	\$ 2,083.24	\$ 2,123.43	\$ 2,604.06	\$ 2,654.29	\$ 3,124.85	\$ 3,185.13	\$ 3,645.68	\$ 3,716.01

COMMERCIAL CONTAINERIZED (COMPACTED)														
Freq >>	1x/wk		2x/wk		3x/wk		4x/wk		5x/wk		6x/wk		7x/wk	
Size (yds)	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19
2	\$ 303.96	\$ 309.54	\$ 607.97	\$ 619.14	\$ 911.92	\$ 928.67	\$ 1,215.93	\$ 1,238.24	\$ 1,519.89	\$ 1,547.81	\$ 1,823.86	\$ 1,857.34	\$ 2,127.85	\$ 2,166.91
3	\$ 421.46	\$ 429.10	\$ 842.88	\$ 858.21	\$ 1,264.34	\$ 1,287.31	\$ 1,685.76	\$ 1,716.39	\$ 2,107.19	\$ 2,145.49	\$ 2,528.68	\$ 2,574.64	\$ 2,950.10	\$ 3,003.70
4	\$ 538.92	\$ 548.67	\$ 1,077.82	\$ 1,097.28	\$ 1,616.72	\$ 1,645.93	\$ 2,155.61	\$ 2,194.57	\$ 2,694.53	\$ 2,743.23	\$ 3,233.43	\$ 3,291.88	\$ 3,772.35	\$ 3,840.52
6	\$ 751.40	\$ 764.85	\$ 1,502.83	\$ 1,529.69	\$ 2,254.27	\$ 2,294.58	\$ 3,005.67	\$ 3,059.43	\$ 3,757.07	\$ 3,824.27	\$ 4,508.51	\$ 4,589.10	\$ 5,259.92	\$ 5,353.96



## City of Pompano Beach

### Solid Waste Collection and Disposal Rate Schedule

ANCILLARY SERVICES - RESIDENTIAL AND COMMERCIAL CONTAINERIZED										
Service >>	Container Rollout (per Svc)		Casters (per Mo, per Cont)		Special Pickup (per Yard)		Locking (per Mo. Per Cont)		Ticketed Service* (Per Yard)	
	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19
<b>Rate/Mo</b>	\$ 10.35	\$ 10.56	\$ 6.46	\$ 6.59	\$ 15.52	\$ 15.84	\$ 10.35	\$ 10.56	\$ 3.11	\$ 3.17

\* Ticketed service is a surcharge amount for requesting on-call ticketed service and is billed on top of standard monthly collection and disposal charges .

ROLLOFF SERVICES						
Price Per Pull	Solid Waste (MSW) Open Top <sup>1</sup>		Solid Waste (MSW) Compactor <sup>1</sup>		Construction & Demo Flat Rate Price <sup>2</sup>	
Size (yds)	10/1/18	10/1/19	10/1/18	10/1/19	10/1/18	10/1/19
<b>10</b>	\$ 211.60	\$ 215.96	\$ 315.99	\$ 322.50	\$ 337.92	\$ 344.88
<b>15</b>	\$ 216.51	\$ 220.97	\$ 352.40	\$ 359.66	\$ 411.18	\$ 419.65
<b>20</b>	\$ 221.42	\$ 225.98	\$ 388.83	\$ 396.84	\$ 484.45	\$ 494.42
<b>30</b>	\$ 231.25	\$ 236.01	\$ 461.67	\$ 471.18	\$ 630.96	\$ 643.96
<b>40</b>	\$ 241.08	\$ 246.05	\$ 534.52	\$ 545.53	\$ 777.48	\$ 793.48

<sup>1</sup> - Plus disposal based on weight at the current disposal rate per ton

<sup>2</sup> - Rate all inclusive (includes pull charge, disposal and 12% franchise fee)



Facility: Reuter Recycling  
 Computation of Tipping Fee Increase  
 Effective: October 1, 2019  
 For the City of Pompano Beach

FINAL

Series ID	Index Measurement	
	WPUFD413112	CUURA320SA0
	Producer Price	Consumer Price
<u>Index as of</u>		<u>Index as of</u>
9/30/2017	157.90	10/31/17 258.456
9/30/2018	161.20	10/31/18 267.280
Percent Change	2.09%	Percent Change 3.41%
	(P) = preliminary	

Tipping Fee Adjustment % :

Producer Price	2.09%
Consumer Price	3.41%
Total Change	5.50%
divided by	2
Average Change	2.752%
percentage of change approved	75.00%
Tipping fee adjustment %	2.06%

Fee Structure

September 30, 2019 base fee	\$ 82.13
Tipping fee adjustment %	2.06%
Tipping fee adjustment	\$ 1.69
October 1, 2019 base fee	----->----->----->----->

\$ 82.13
\$ 1.69
<b>\$ 83.82</b>

Rebate

Rebate - October 1, 2018	\$ 921,870
Tipping fee adjustment %	2.06%
Rebate - adjustment	18,990.53
Rebate - October 1, 2019	

*Tip Fee* →

\$ 921,870.16
\$ 18,990.53
<b>\$ 940,860.68</b>

← *REBATE T. City*

Bureau of Labor Statistics

**CPI-All Urban Consumers (Current Series)**  
**Original Data Value**

**For the City of Pompano Beach CPI Change**

**Series Id:** CUURS35BSA0, CUUSS35BSA0

**Not Seasonally Adjusted**

**Series Title:** All items in Miami-Fort Lauderdale-West Palm Beach, FL, all urban consumers, not seasonally adjusted

**Area:** Miami-Fort Lauderdale-West Palm Beach, FL

**Item:** All items

**Base Period:** 1982-84=100

**Years:** 2009 to 2019

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2009		220.589		220.740		221.485		221.306		222.416		222.943	221.387	220.674	222.100
2010		222.505		222.625		222.390		222.803		223.631		224.907	223.062	222.553	223.570
2011		227.451		231.503		231.197		232.749		232.141		231.794	230.851	229.524	232.178
2012		234.043		236.095		233.991		236.110		236.793		235.023	235.207	234.526	235.889
2013		238.524		238.124		237.815		237.438		238.858		239.417	238.179	237.921	238.437
2014		242.268		244.073		243.428		243.124		244.130		242.676	243.147	242.921	243.372
2015		243.283		245.195		246.245		246.348		246.789		246.597	245.419	244.327	246.511
2016		247.126		248.741		250.208		250.263		251.571		253.629	249.790	248.156	251.424
2017		256.890		255.708		255.134		255.898		258.456		258.238	256.681	255.916	257.446
2018		264.990		264.696		265.973		265.062		267.280		265.731	265.065	264.152	265.978
2019		268.288		270.553		269.119								268.974	

CPI-U Index Change = 8.824

CPI Change = 3.41%

PPI Change = 2.09%

Sum of Changes = 5.50%

Divided by 2 = 2.75%

Times 75% = 2.06%

# Bureau of Labor Statistics

## PPI Commodity Data Original Data Value

**Series Id:** WPUFD413112  
**Not Seasonally Adjusted**  
**Series Title:** PPI Commodity data for Final demand-Durable  
**Group:** Final demand  
**Item:** Durable consumer goods  
**Base Date:** 198200  
**Years:** 2009 to 2019

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2009	144.3	144.3	144.1	144.4	144.2	144.7	143.3	143.8	142.9	144.8	145.4	144.9
2010	145.4	145.2	145.0	144.8	145.0	144.3	144.2	144.3	144.2	145.8	145.6	145.3
2011	145.7	146.0	146.2	146.8	146.6	146.9	147.2	147.3	147.3	149.7	149.7	149.5
2012	150.2	150.3	150.3	150.5	150.2	150.4	151.0	150.9	150.5	152.5	152.7	152.5
2013	152.3	152.3	152.2	152.2	151.8	151.6	151.3	151.3	151.3	153.4	153.7	154.0
2014	154.4	154.4	153.6	153.5	153.2	153.0	153.0	153.0	152.7	155.2	155.0	154.5
2015	155.4	156.1	155.9	155.6	155.6	155.4	155.7	155.2	155.2	156.9	156.8	156.7
2016	156.4	156.7	156.5	156.4	156.4	156.5	155.9	155.7	155.7	158.0	157.8	158.3
2017	158.1	158.1	158.5	158.7	158.1	158.1	157.8	157.8	157.9	159.7	160.1	160.2
2018	160.1	160.1	160.3	160.5	160.6	160.9	160.9	160.9	161.2	162.9	162.9	162.8
2019	163.5	163.6	163.1	163.1	163.2	163.2						

Index Change = 3.300

CPI Change = 2.09%