

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, April 12, 2022

1:00 PM

City Commission

Rex Hardin, Mayor

Beverly Perkins, Vice Mayor

Rhonda Eaton, Commissioner

Cyndy Floyd, Commissioner

Andrea McGee, Commissioner

Tom McMahon, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceletha Hammond, City Clerk

GOVERNMENT IN THE SUNSHINE

The State of Florida pioneered the concept of "Government in the Sunshine," and, accordingly, all meetings of the Pompano Beach City Commission - except those to discuss labor negotiations and litigation strategy, are open to the public. The Commission welcomes the involvement and participation of the citizens.

PROCEDURE

The City Commission has adopted Robert's Rules of Order, Newly Revised.

CITY COMMISSION MEETING TIMES

The City Commission meets two (2) times a month:

Second Tuesday of the month: City Commission Meeting - 1:00 p.m.

Fourth Tuesday of the month: City Commission Meeting - 6:00 p.m.

ADDRESSING THE CITY COMMISSION

"Audience To Be Heard" is scheduled for a thirty (30) minute period at the beginning of the City Commission Meeting, and will be continued to the end of the meeting for those speakers who were not heard during the initial thirty-minute period. All persons interested in speaking during "Audience To Be Heard" must fill out and submit a request form to the City Clerk prior to the call of order of the meeting. Speakers will be limited to three minutes to speak on any matter, which is NOT on the Regular Agenda, or removed from the Consent Agenda, and are requested to approach the podium and state his/her name and address and, if appropriate, the organization they represent, for the record. A request form can be found on the last page of the Agenda program.

ACCESSIBILITY

If you require the services of a Sign Interpreter, please notify the City Manager's Office at (954) 786-4601, 24 hours in advance. Should you require any other assistance to attend or participate in the meeting, please contact the City's ADA Coordinator at (954) 786-4626 at least 24 hours prior to the meeting.

NOTE: Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

*The Honorable Rex Hardin
Mayor, Presiding*

ROLL CALL

Asceleta Hammond, City Clerk

INVOCATION

*Apostle John L. Mohorn
Word of the Living God Ministries*

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

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. PRESENTATION

[22-244](#)

Presentation of the Actuarial Valuation Report for the City of Pompano Beach Police and Firefighters Retirement System as of October 1, 2021 as prepared by Nyhart and presented by Mr. Lawrence Watts, Jr., Director of Southeast Defined Benefit Operations.
(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

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. [22-283](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TOLLING THE EXPIRATION TIME PERIOD FOR A DEVELOPMENT ORDER DURING USE OF THE PROPERTY FOR A PUBLIC PURPOSE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

2. [22-284](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COVERED HOMELESS ORGANIZATION (CHO) END USER LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR ONGOING HOMELESS MANAGEMENT INFORMATION SYSTEM ACTIVITIES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Cassandra Rhett)

3. [22-285](#) 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 UNIFICATION OF DEVELOPMENT BETWEEN THE CITY OF POMPANO BEACH AND U-HAUL CO OF FLORIDA FOR PROPERTY LOCATED AT 790-820 SW 12TH AVENUE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

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

4. [22-263](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE PUBLIC ART FOR THE POMPANO STATION DEVELOPMENT PROJECT TO EXERCISE THE DENSITY BONUS OPTIONS CONTAINED WITHIN SECTION 155.3709.E.2.d. OF THE CITY'S CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

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

5. [22-296](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE SETTLEMENT OF THE EMINENT DOMAIN LAND ACQUISITION LITIGATION BETWEEN THE CITY OF POMPANO BEACH, FLORIDA, AND 1081 NW 27 AVE, LLC ET AL.; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$178,580.00)

(Staff Contact: Mark E. Berman)

6. [22-309](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING THE INDEPENDENT, SOVEREIGN NATION OF UKRAINE AND THE UKRAINIAN PEOPLE, INCLUDING THE LOCAL UKRAINIAN-AMERICAN POPULATION; URGING A PROMPT END TO THE CONFLICT, A FULL WITHDRAWAL OF RUSSIAN FORCES, AND FINANCIAL REPARATIONS BY RUSSIA TO REBUILD UKRAINE; URGING THE PROVISION OF SUPPLIES AND AID TO UKRAINE BY THE UNITED STATES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

D. REGULAR AGENDA**QUASI-JUDICIAL PROCEEDING**7. [22-253](#)**P.H. 2022-49: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A 13-FOOT WIDE SIDEWALK AND LANDSCAPE EASEMENT LOCATED ALONG THE NORTHERN PROPERTY LINE OF PROPERTY LOCATED TO THE SOUTH OF RACE TRACK ROAD BETWEEN POWERLINE ROAD AND THE CSX RAILROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MARCH 22, 2022

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING8. [22-294](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE TOURISM STRATEGIC PLAN 2022, PREPARED BY JLL TOURISM & DESTINATIONS PRACTICE, PROVIDING A BLUEPRINT FOR TOURISM ACTIVITIES TO ENHANCE THE CITY'S TOURISM PRODUCT, REFINE THE MARKETING STRATEGY AND DETERMINE ORGANIZATIONAL NEEDS TO EXECUTE A COMPREHENSIVE TOURISM PLAN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Earl Bosworth)

9. [22-197](#)**P.H. 2022-38: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO RENTAL HOUSING, BY AMENDING CHAPTER 113, "BUSINESS TAX RECEIPTS," BY AMENDING SECTION 113.41, "RENTAL HOUSING," TO EXPAND INSPECTION REQUIREMENTS OF RENTAL UNIT OWNERS UPON A SALE OR CHANGE IN OWNERSHIP; AMENDING CHAPTER 153, "RENTAL HOUSING CODE," OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 153.08, "SHORT TERM RENTAL PERMIT REQUIRED," TO REVISE PERMIT REGISTRATION REQUIREMENTS AND REVIEW PROCEDURES, CLARIFY PREREQUISITES FOR REVOCATION AND ALIGN VIOLATION AND ENFORCEMENT PROCEDURES CONSISTENT WITH CHAPTER 37, OF THE CITY'S CODE; AND BY AMENDING SECTION 153.26, "MINIMUM STANDARDS FOR SHORT TERM RENTAL," TO EXPAND REQUIRED LEGAL DISCLOSURES TO RENTAL OCCUPANTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MARCH 22, 2022

(Staff Contact: Jennifer Gomez/David Recor)

10. [22-276](#)**P.H. 2022-46: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.3507., "LOCAL ACTIVITY CENTER (LAC)," TO PROVIDE PERMITTED USE CATEGORIES, INTENSITY, DIMENSIONAL, DEVELOPMENT, AND PROCEDURAL STANDARDS FOR LAC - JOHN KNOX VILLAGE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MARCH 22, 2022



Strategic Plan Initiative

(Staff Contact: Jennifer Gomez/David Recor)

11. [22-198](#)

P.H. 2022-39: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.2414., "ZONING USE CERTIFICATE," TO PROVIDE ADDITIONAL STANDARDS FOR APPROVAL; BY AMENDING SECTION 155.8402., "CIVIL REMEDIES," TO PROVIDE ADDITIONAL GROUNDS FOR REVOCATION OF ZONING USE CERTIFICATES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM MARCH 22, 2022

***This item will be stricken from this Agenda to allow for the re-advertising of the amended title.**

(Staff Contact: Jennifer Gomez/David Recor)

12. [22-279](#)**P.H. 2022-52: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA AUTHORIZING THE ADVANCE REFUNDING AND DEFEASANCE OF ALL OF THE OUTSTANDING TAXABLE CERTIFICATES OF PARTICIPATION (PARKING GARAGE PROJECT), SERIES 2015; APPROVING THE FORM, AND AUTHORIZING THE EXECUTION OF, A 2022 GROUND LEASE; APPROVING THE FORM, AND AUTHORIZING THE EXECUTION OF A MASTER TRUST AGREEMENT TO PROVIDE FOR THE ISSUANCE FROM TIME TO TIME OF SERIES OF CERTIFICATES OF PARTICIPATION; APPROVING THE FORM, AND AUTHORIZING THE EXECUTION OF A SERIES 2022 SUPPLEMENTAL TRUST AGREEMENT, SUPPLEMENTING THE MASTER TRUST AGREEMENT, TO PROVIDE FOR THE ISSUANCE OF NOT EXCEEDING \$25,500,000 IN AGGREGATE PRINCIPAL AMOUNT OF REFUNDING CERTIFICATE OF PARTICIPATION, SERIES 2022 (FEDERALLY TAXABLE) EVIDENCING AN UNDIVIDED PROPORTIONATE INTEREST OF THE OWNER THEREOF IN BASIC RENT PAYMENTS TO BE MADE UNDER A MASTER LEASE-PURCHASE AGREEMENT (PARKING MASTER LEASE PROGRAM) BY THE CITY OF POMPANO BEACH, FLORIDA; APPOINTING THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS TRUSTEE UNDER THE MASTER TRUST AGREEMENT, AS SUPPLEMENTED AND AMENDED FROM TIME TO TIME; APPROVING THE FORMS, AND AUTHORIZING EXECUTION OF, A MASTER LEASE-PURCHASE AGREEMENT (PARKING MASTER LEASE PROGRAM) AND LEASE SCHEDULE NO. 2022 THERETO; APPROVING THE FORM, AND AUTHORIZING EXECUTION OF, AN ASSIGNMENT OF LEASE AGREEMENT; APPROVING THE FORM, AND AUTHORIZING EXECUTION OF, AN ASSIGNMENT OF GROUND LEASE AGREEMENT; APPROVING THE FORM, AND AUTHORIZING EXECUTION OF, AN ESCROW DEPOSIT AGREEMENT AND APPOINTING THE BANK OF NEW YORK MELLON TRUST COMPANY, N.A. AS ESCROW AGENT THEREUNDER; AWARDED THE SALE OF THE SERIES 2022 CERTIFICATE TO TRUIST BANK PURSUANT TO A NEGOTIATED PRIVATE PLACEMENT; AUTHORIZING ALL REQUIRED ACTIONS IN CONNECTION WITH THE ISSUANCE OF THE SERIES 2022 CERTIFICATE AND ADVANCE REFUNDING AND DEFEASANCE OF THE OUTSTANDING SERIES 2015 CERTIFICATES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Present value savings of approximately \$2.2 million over the remaining life of the refunded certificates or approximately \$200,000 per year)

(Staff Contact: Suzette Sibble)

13. [22-298](#)**P.H. 2022-47: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," BY AMENDING SECTION 152.12, "BUILDING PERMIT FEES," TO MODIFY PERMIT FEES FOR PHOTOVOLTAIC SYSTEMS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Carpelo Jeoboam/Michael Rada)

14. [22-267](#)**P.H. 2022-53: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 50, "WATER," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 50.02, "WATER DISTRIBUTION; GENERAL," TO PROVIDE ADDITIONAL REQUIREMENTS FOR CONNECTION TO AND USE OF THE CITY'S WATER SYSTEM; AMENDING SECTION 50.03, "WATER TARIFF," TO MODIFY RATES AND CHARGES; BY AMENDING SECTION 50.04, "INITIAL FEES AND DEPOSITS FOR NEW WATER SERVICE," TO PROVIDE FEES FOR TERMINATION OF SERVICE TO COVER COSTS; BY AMENDING SECTION 50.05, "CONSERVATION," TO PROVIDE INTENT AND PURPOSE, DEFINITIONS, TO MODIFY IRRIGATION REQUIREMENTS AND PROCEDURES, AND TO PROVIDE FOR ENFORCEMENT AND PENALTIES FOR VIOLATION; BY AMENDING SECTION 50.08, "RECONNECTION AFTER CUTOFF," TO MODIFY PROCEDURES FOR RECONNECTION; BY CREATING SECTION 50.09, "BROWARD COUNTY WELLFIELD PROTECTION MUNICIPAL CODE - ARTICLE XIII," TO ADOPT THE COUNTY'S PROVISIONS FOR WELLFIELD PROTECTION; BY AMENDING SECTION 50.11, "PRIVATE WATER SUPPLY," TO MODIFY REQUIREMENTS; AND BY AMENDING SECTION 50.13, "CAPITAL RECOVERY FEES," TO PROVIDE FOR A WATER CAPITAL RECOVERY FEE CREDIT; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

- 15. [22-302](#) Consideration for choosing a Director, Alternate and Second Alternate to attend and vote at any Board of Directors or General Membership Meeting of the Broward League of Cities Meetings where he/she represents his/her municipality.
(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

E. NEXT SCHEDULED MEETING

April 26, 2022 at 5:30 p.m. - Pompano Beach Finance Corporation Special Meeting

April 26, 2022 at 6:00 p.m. - Regular City Commission Meeting

F. REPORTS

- City Manager*
- City Attorney*
- City Clerk*
- City Commission*

G. ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2021	Beginning Balance	\$12,000.00
--------------	-------------------	-------------

**CITY OF POMPANO BEACH, FLORIDA
AUDIENCE TO BE HEARD
REQUEST FORM**

NAME: _____

TITLE: _____

COMPANY: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____ EMAIL: _____

PHONE: _____ FAX: _____

EACH SPEAKER IS LIMITED TO THREE (3) MINUTES

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session."

SUBJECT YOU DESIRE TO SPEAK ON:

NOTE: THIS FORM MUST BE COMPLETED AND HANDED TO THE CITY CLERK PRIOR TO THE CALL TO ORDER OF THE MEETING. THE CITY CLERK WILL CALL RESIDENTS AND/OR TAXPAYERS, TO INCLUDE AUTHORIZED REPRESENTATIVES FOR PERSONS PERMITTED TO BE HEARD, AS WELL AS EMPLOYEES OF THE CITY TO SPEAK FIRST. OTHERS DESIRING TO SPEAK WILL THEREAFTER BE CALLED TO SPEAK, EXCEPT WHEN THE PERSON IS A USER OF THE CITY'S WATER OR SEWER SYSTEM AND WISHES TO BE HEARD ON A MATTER RELATED TO THE CITY'S WATER AND/OR SEWER SYSTEM.