

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, September 24, 2024

6:00 PM

City Commission

Rex Hardin, Mayor

Andrea McGee, Vice Mayor

Alison Fournier, Commissioner

Barry Moss, Commissioner

Beverly Perkins, Commissioner

Rhonda Sigerson-Eaton, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Kervin Alfred, City Clerk

GOVERNMENT IN THE SUNSHINE

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

PROCEDURE

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

CITY COMMISSION MEETING TIMES

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

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

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

ADDRESSING THE CITY COMMISSION

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

ACCESSIBILITY

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

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

CALL TO ORDER

*The Honorable Rex Hardin
Mayor, Presiding*

ROLL CALL

Kervin Alfred, City Clerk

INVOCATION

*Pastor Branden Jones
Mt. Calvary Baptist Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[24-588](#) Regular City Commission Meeting Minutes of September 10, 2024

APPROVAL OF AGENDA**CONSENT AGENDA DISCUSSION**

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

A. 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)

B. CONSENT AGENDA1. [24-581](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2003-111; AND TO APPROVE CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NE 10TH STREET BETWEEN FEDERAL HIGHWAY AND DIXIE HIGHWAY TO A DUAL DESIGNATION OF CENTENNIAL DRIVE AND NE 10th STREET, WITH NE 10TH STREET TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Rob McCaughan)

2. [24-458](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING ALYSON MORALES TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH AS ALTERNATE APPOINTEE OF COMMISSIONER ALISON FOURNIER TO FILL THE UNEXPIRED TERM OF JOSEPH CERQUOZZI, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

3. [24-595](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMERICAN RESCUE PLAN ACT (ARPA) SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND EXPERIENCE AVIATION, INC., FUNDING, ON A REIMBURSABLE AND LIMITED BASIS, A PRE-APPRENTICESHIP & WORKFORCE DEVELOPMENT STEM PROGRAM, IN THE MAXIMUM AMOUNT OF \$200,000, THAT PROVIDES INSTRUCTION, HANDS-ON TRAINING AND JOB PLACEMENT FOR TECHNICAL CAREER POSITIONS IN THE AVIATION INDUSTRY TO LOCAL HIGH SCHOOL STUDENTS AND ADULTS; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: \$200,000, ARPA Grant Funds)

(Staff Contact: Brian Donovan)

C. REGULAR AGENDA**4. 24-592**

Consideration to authorize the City Manager to work with the Florida Society of the Sons of the American Revolution on an Obelisk to be installed at the Fisher Family Pier.

(Fiscal Impact: Estimated at \$125,000 to be funded by the Florida Society of the Sons of the American Revolution.)

(**Staff Contact:** John Sfiropoulos/Sandra King)

QUASI-JUDICIAL PROCEEDING**5. 24-545**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE QCM PLAT LYING WEST OF NW 28TH AVENUE, ON THE NORTH SIDE OF WEST ATLANTIC BLVD.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

6. 24-528**P.H. 2024-60: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A 10-FOOT WIDE UTILITY EASEMENT LOCATED ON THE EAST SIDE OF SE 28TH AVENUE, AT THE TERMINUS OF SE 6TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2024

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

END OF QUASI-JUDICIAL PROCEEDING

7. [24-394](#)

P.H. 2024-46: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE SERVICE CONTRACT NO. 12369 BETWEEN THE CITY OF POMPANO BEACH AND TRIO DEVELOPMENT CORPORATION FOR LIFT STATION REHABILITATION AND REPAIR SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed \$4,000,000 per year)

FIRST READING: SEPTEMBER 10, 2024

(Staff Contact: A. Randolph Brown)

8. [24-456](#)

P.H. 2024-53: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND VELVET ANVIL, LLC FOR THE DESIGN AND FABRICATION OF A SEAHORSE SCULPTURE TO BE ATTACHED TO THE LADY LUCK IN SHIPWRECK PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$35,000.00)

FIRST READING: SEPTEMBER 10, 2024



(Staff Contact: Ty Tabing)

9. [24-555](#)**P.H. 2024-63: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 34.107, "POSITION CLASSIFICATION PLAN," BY RECLASSIFYING CERTAIN POSITIONS, BY CREATING NEW POSITIONS, BY RETITLING CERTAIN POSITIONS, AND BY RETITLING AND RECLASSIFYING CERTAIN POSITIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$416,761)

FIRST READING: SEPTEMBER 12, 2024**Strategic Plan Initiative**

(Staff Contact: Lisa Sonego/Bobby Bush)

10. [24-531](#)**P.H. 2024-62: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DON BELL SIGNS LLC FOR FABRICATION, INSTALLATION AND REPAIR OF SIGNAGE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2024

(Staff Contact: Dr. Tammy Good/Matthew Kudrna)

11. [24-466](#)**P.H. 2024-52-B: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES IN ACCORDANCE WITH SECTION 166.04151.(7), FLORIDA STATUTES; BY AMENDING SECTION 155.2407, "SITE PLAN," TO PROVIDE THE REQUIRED ADMINISTRATIVE APPROVAL PROCESS FOR QUALIFIED LIVE LOCAL ACT PROJECTS; BY AMENDING SECTION 155.4202., "RESIDENTIAL: HOUSEHOLD LIVING USES," BY DELETING SUBSECTION A, "STANDARDS APPLICABLE TO HOUSEHOLD LIVING USES" IN ITS ENTIRETY AND REPLACING IT WITH NEW SUBSECTION A, "MIXED INCOME RESIDENTIAL AND MIXED USE DENSITY BONUS POLICIES" TO RESTATE AND PROVIDE MIXED-INCOME HOUSING REQUIREMENTS AND POLICIES; AND BY AMENDING ARTICLE 9: DEFINITIONS AND INTERPRETATION, BY AMENDING PART 5, "TERMS AND USES DEFINED", TO MODIFY AND PROVIDE ADDITIONAL DEFINITIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2024

(Staff Contact: Jean Dolan/David Recor)

12. [24-455](#)**P.H. 2024-55: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE LIVE! RESORTS POMPANO PD PLAN AS PERMITTED BY SECTION 155.2405., "PLANNED DEVELOPMENT," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, TO UPDATE APPLICABLE LEGAL DESCRIPTIONS AND TO AMEND THE PCD USE TABLES TO PROVIDE TWO ADDITIONAL LIGHT INDUSTRIAL USES WITHIN THE ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 23, 2024

(Staff Contact: Max Wemyss/Jean Dolan)

13. [24-570](#)**P.H. 2024-64: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COLT SOUTH FLORIDA OWNER LP FOR THE FIRE LOGISTICS FACILITY, EXERCISING A ONE YEAR LEASE EXTENSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$168,500)

(**Staff Contact:** Steve Hudson)

14. [24-576](#)**P.H. 2024-65: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY TO PROVIDE COMMUNITY SHUTTLE SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$480,000 - funded with Broward County surtax funds)

(**Staff Contact:** Robert McCaughan)

15. [24-560](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE 2, TO FILL THE UNEXPIRED TERM OF SCOTT SCHOEN; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Francis D. Santos - District 3
Mark Hanke - District 3
Robert Hendren - District 3
Roy A. Wilhoite - District 3

Other Board Memberships

0
1
0
0

(**Staff Contact:** Kervin Alfred)

16. [24-584](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD OF THE CITY OF POMPANO BEACH AS GENERAL CONTRACTOR; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 22, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

Applicants

Donald Joseph, **Incumbent** - Boca Raton
David Bourns - District 1

Other Board Memberships

0
0

(Staff Contact: Kervin Alfred)

17. [24-585](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD OF THE CITY OF POMPANO BEACH AS PROPERTY MANAGER; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 22, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

Applicants

Donna Childrey, **Incumbent** - District 5

Other Board Memberships

0

There are no other applications on file that meet the criteria required to serve on this position.

(Staff Contact: Kervin Alfred)

D. ADDITIONAL AUDIENCE TO BE HEARD**E. NEXT SCHEDULED MEETING**

October 8, 2024 at 1:00 p.m. - Regular City Commission Meeting
October 22, 2024 at 6:00 p.m. - Regular City Commission Meeting

F. REPORTS

City Manager

City Attorney

City Clerk

City Commission

G. ADJOURNMENT

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

NAME: _____

TITLE: _____

COMPANY:

ADDRESS: _____ CITY: _____

STATE: ZIP: EMAIL:

PHONE: _____ FAX: _____

EACH SPEAKER IS LIMITED TO THREE (3) MINUTES

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

SUBJECT YOU DESIRE TO SPEAK ON:

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