

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda - Final

Tuesday, September 11, 2018

6:00 PM

City Commission

*Lamar Fisher, Mayor
Charlotte J. Burrie, Vice Mayor
Rex Hardin, Commissioner
Barry Moss, Commissioner
Beverly Perkins, Commissioner
Michael Sobel, Commissioner*

*Gregory P. Harrison, City Manager
Mark Berman, City Attorney
Asceletta Hammond, City Clerk*

CALL TO ORDER

*The Honorable Lamar Fisher
Mayor, Presiding*

ROLL CALL

Asceleta Hammond, City Clerk

INVOCATION

*Pastor Don Worden
First Baptist Church of Pompano Beach*

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[18-564](#) Regular City Commission Meeting Minutes of July 24, 2018

APPROVAL OF AGENDA

CONSENT AGENDA DISCUSSION

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

A. PROCLAMATION

[18-581](#) **Proclamation presentation to the Pompano Beach Junior Lifeguard Team**

Mayor Lamar Fisher will present a proclamation congratulating the Pompano Beach Junior Lifeguard Team for obtaining nine national titles at the USLA Junior Lifeguard National Competition.

B. SPECIAL PRESENTATION[18-574](#)**Check Presentation by Broward County Commissioner Chip LaMarca**

Broward County Commissioner Chip LaMarca will present a symbolic check to the City in the amount of \$10,000 pertaining to the Artwork Grant awarded to the City by the County to finance artwork at the Pompano Beach Pier in the Pompano Beach Fishing Village.

[18-538](#)**Introduction of the City's New Deputy Internal Auditor**

Internal Auditor DC Kiyemba will introduce the new Deputy Internal Auditor, Michael A. Hewett.

[18-530](#)**Northwest Community Building and Engagement Project**

Presentation of the Northwest Community Building and Engagement Project Results by Dr. Wilhelmena Mack, President, W Mack and Associates, Inc.

C. AUDIENCE TO BE HEARD

All persons interested in speaking during "Audience To Be Heard" must fill out a request form and turn it in to the City Clerk prior to the meeting. A request form is located on the last page of the agenda program.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is longer, 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 meeting in the event that individuals wishing to speak are not reached during the first session". (Effective November 27, 2007)

D. CONSENT AGENDA

1. [18-523](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO PIRANHAS, INC. TO UTILIZE THE CITY'S AQUATIC CENTER TO PROVIDE A YOUTH SWIMMING PROGRAM; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

2. [18-547](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BEACH EAGLES, INC. TO OPERATE THE CONCESSION STAND AT NORTH POMPANO PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

3. [18-548](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO COWBOYS BOOSTER CLUB, INC. TO OPERATE THE CONCESSION STAND AT MCNAIR PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

4. [18-549](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO CHIEFS FOOTBALL TEAM, INC. TO OPERATE THE CONCESSION STAND AT MITCHELL/MOORE PARK DURING THE FOOTBALL SEASON; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

5. [18-557](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RATIFYING AND AFFIRMING THE ACTIONS OF THE CITY REGARDING THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND AFFIRMING THE AMENDMENT OF THE REDEVELOPMENT PLAN FOR THE NORTHWEST DISTRICT NUNC PRO TUNC; PROVIDING FOR A TERMINATION DATE OF THE NORTHWEST DISTRICT OF THE COMMUNITY REDEVELOPMENT AGENCY; AND PROVIDING FOR CONFLICTS, SEVERABILITY, AND AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

6. [18-558](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO AGREEMENT FOR LEGAL SERVICES TO REPRESENT INDIGENT DEFENDANTS BETWEEN THE CITY OF POMPANO BEACH AND THE LAW OFFICES OF STEVEN A. SCHAET LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Maximum \$75,000.00 per fiscal year)

(Staff Contact: Mark E. Berman)

7. [18-532](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION AFFIRMING THE CITY'S INTENT TO FUND ALL DESIGN, INSTALLATION AND MAINTENANCE COSTS ASSOCIATED WITH ROUND 2 OF THE PUBLIC ART UTILITY WRAP PROJECT ON FDOT-OWNED PROPERTIES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Laura Atria/David Recor)

8. [18-544](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING INSTALLATION OF SONATA KAZIMIERAITIENE'S COMMUNITY-THEMED MOSAIC AT THE CHARLOTTE BURRIE COMMUNITY CENTER PURSUANT TO THE MOSAIC TEAM PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Laura Atria/David Recor)

9. [18-546](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND CECILIA LUEZA ART PROJECTS, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$30,000.00)



Strategic Plan Initiative

(Staff Contact: Laura Atria/David Recor)

10. [18-561](#) Approval to award Bid E-36-18 Emma Lou Olsen Civic Center Lobby Renovation to the lowest responsive responsible bidder, A Ruiz Kasbar Construction Co., Inc. DBA Ark Construction Co., Inc., at a cost of \$112,654.00.

(Fiscal Impact: \$112,654.00)

(Staff Contact: Sean Bennie/Horacio Danovich)

11. [18-550](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AND LICENSE AGREEMENT FOR RENOVATION AND USE OF THE TERRA MAR DRIVE BRIDGE BETWEEN THE CITY OF POMPANO BEACH AND THE TOWN OF LAUDERDALE-BY-THE-SEA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

12. [18-551](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN FDOT DISTRICT FOUR HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR SIDEWALK CONSTRUCTION ALONG NE 11th AVENUE FROM ATLANTIC BOULEVARD TO NE 10th STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

13. [18-559](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR AND CITY MANAGER’S EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CAMINO REAL GROUP, INC. FOR DEMOLITION SERVICES AT THE PROPERTY LOCATED AT 1213 EAST ATLANTIC BOULEVARD; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$134,795.00)

(Staff Contact: John Sfiropoulos)

14. [18-560](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR AND CITY MANAGER’S EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PARAGON CONSTRUCTION UNLIMITED, INC. FOR DEMOLITION SERVICES AT THE PROPERTY LOCATED AT 700 NE 10TH STREET; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$175,495.00)

(Staff Contact: John Sfiropoulos)

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

15. [18-524](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE FAIRFIELD AT POMPANO BEACH PLAT LOCATED AT 601 AND 621 N. FEDERAL HIGHWAY, AND 1999 AND 2001 NE 6TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

16. [18-528](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO PLAT NOTE AMENDMENT, RENEWAL OF FINDINGS OF ADEQUACY AND MODIFICATION OF CONDITIONAL AGREEMENT ON THE KEVIN THOMAS SCOT GREVE PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

17. [18-531](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2018-121, AND APPROVING AND CONSENTING TO A TERMINATION/RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS FOR PROJECT ACCESS AMONG BRIDGE POWERLINE, LLC, BRIDGE POWERLINE FRONTAGE, LLC AND BROWARD COUNTY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

18. [18-516](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY'S SPONSORSHIP POLICY FOR CITY FACILITIES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Suzette Sibble)

19. [18-554](#) **P.H. 2018-95: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND THE SUPERLATIVE GROUP, INC. TO IDENTIFY CITY ASSETS, AND DEVELOP AND NEGOTIATE SPONSORSHIP AND NAMING RIGHTS CONTRACTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$145,000 retainer and \$600,000-\$3.5 million annual revenues/net of commissions)



Strategic Plan Initiative

(Staff Contact: Suzette Sibble)

20. [18-401](#) **P.H. 2018-91: (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 CONTRACT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND KEITH AND SCHNARS, P.A. FOR OVERHEAD UTILITIES CONVERSION TO UNDERGROUND; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 24, 2018

(Staff Contact: John Sfiropoulos)

21. [18-485](#)

P.H. 2018-92: (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 CONTRACT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND KIMLEY-HORN AND ASSOCIATES, INC., FOR CONTINUING CONTRACT FOR ENGINEERING SERVICES FOR OVERHEAD UTILITIES CONVERSION TO UNDERGROUND; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 24, 2018

(Staff Contact: John Sfiropoulos)

22. [16-32](#)

P.H. 2018-77: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR THE AMP IV HIDDEN HARBOUR, LLC REQUEST OF PROPERTIES LOCATED NORTH OF 14TH STREET, SOUTH OF NE 17TH STREET ON THE EAST SIDE OF FEDERAL HIGHWAY; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON MAY 25, 2016; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

TABLED FROM JUNE 26, 2018

TABLED FROM JUNE 12, 2018

FIRST READING: JANUARY 10, 2017

***With regard to this Item, the applicant requested to postpone this matter to the October 9, 2018 Commission Meeting Agenda.**

(Staff Contact: Maggie Barszewski/David Recor)

23. [18-400](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR EVACUATION SHELTER STAFFING; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

TABLED FROM JUNE 26, 2018

TABLED FROM JUNE 12, 2018

***This is a companion item to Agenda Item 22 and will be postponed to the October 9, 2018 Commission Meeting Agenda.**

(Staff Contact: Maggie Barszewski/David Recor)

24. [18-515](#) **P.H. 2018-96: (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 THIRD AMENDMENT TO THE AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$1,214,355)

(Staff Contact: Brian Donovan/Major John Hale)

25. [18-511](#)

P.H. 2018-97: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 76, "PARKING METERS," BY AMENDING SECTION 76.04, "ENFORCEMENT OF PROVISIONS," TO PROVIDE AUTHORITY TO PARK RANGERS TO ENFORCE PARKING VIOLATIONS WITHIN CITY PARKS; BY AMENDING CHAPTER 90, "ANIMALS," BY AMENDING SECTION 90.02, "AUTHORITY OF LAW ENFORCEMENT OFFICERS," TO PROVIDE AUTHORIZATION TO PARK RANGERS TO ENFORCE ANIMAL VIOLATIONS OBSERVED WITHIN THE CITY PARKS; BY AMENDING SECTION 90.38, "DOG PARK," TO PROVIDE PARK RANGERS WITH AUTHORITY TO ENFORCE THE RULES AND REGULATIONS OF THE CITY'S DOG PARK AND DESIGNATED DOG AREAS IN OTHER PARKS; BY AMENDING CHAPTER 98, "PARKS AND PLAYGROUNDS," BY AMENDING SECTION 98.01, "DEFINITIONS," TO DEFINE THE DUTIES AND AUTHORITY OF PARK RANGERS; BY AMENDING SECTION 98.02, "PROHIBITED ACTS," TO ENUMERATE ADDITIONAL PROHIBITED ACTS WITHIN ANY MUNICIPAL RECREATION FACILITY, MUNICIPAL BEACH AND ADJACENT AREAS THERETO; TO PROVIDE FOR PENALTIES FOR CERTAIN PROHIBITED ACTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Mark Beaudreau)

26. [18-526](#)

P.H. 2018-98: (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 LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BLUEWATER MOVEMENTS, INC. TO UTILIZE THE CITY'S CIVIC CENTER TO CONDUCT ITS ANNUAL POMPANO BEACH SALTWATER CIRCUIT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: In-kind services of \$43,659.63 per year.)

(Staff Contact: Mark Beaudreau)

27. [18-555](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TRANSPORTATION SYSTEM SURTAX INTERLOCAL AGREEMENT AMONG BROWARD COUNTY, THE CITY OF POMPANO BEACH, AND OTHER BROWARD COUNTY CITIES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

F. REPORTS

City Manager
City Attorney
City Clerk
City Commission

G. ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2017	Beginning Balance	\$10,000.00
March 27, 2018	ET Express Booster (Donation to basketball team)	\$2,500.00
April 10, 2018	Dreamers 4 Change Foundation	\$982.92
May 22, 2018	Ashanti Cultural Arts	\$1,000.00
May 22, 2018	Haitian Heritage Month Celebration	\$5,500.00
	Total:	\$17.08

**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

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.