

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, December 12, 2023

1:00 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 Dr. Gary Colboch
Grace Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[24-111](#) City & CRA Board Joint Special Meeting Minutes of October 12, 2023
[24-110](#) Regular City Commission Meeting Minutes of November 14, 2023

APPROVAL OF AGENDA

CONSENT AGENDA DISCUSSION

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

A. PROCLAMATIONS

[24-74](#) **Proclamation Presentation to Dr. Richard J. Porraro**

Mayor Rex Hardin will present a proclamation to Dr. Richard J. Porraro for his dedication to the City of Pompano Beach.

B. SPECIAL PRESENTATION

[24-118](#) **Presentation by Operation Established Trust**

Gregory Johnson, member of the Operation Established Trust, will give a presentation on their efforts to unite Pompano Beach communities, through partnerships with the Broward Sheriff's Office and local high schools.

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 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)

D. CONSENT AGENDA

1. [24-95](#) Approve the recommendation of the Selection/Evaluation Committee for RFQ T-19-23 City Signage Production and Installation, and authorize staff to negotiate contracts with the responsible and responsive proposers: Art Sign Co., Inc., Bergen Sign Company, Inc., and Don Bell Signs LLC. (No cost at this time.)
(Fiscal Impact: N/A)

(Staff Contact: Tammy Good)

2. [24-82](#) 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 RIPTIDE SOFTBALL, INC., TO USE THE ATHLETIC FIELDS AT COMMUNITY PARK, MITCHELL/MOORE PARK, AND KESTER PARK TO PROVIDE A FEMALE YOUTH SOFTBALL PROGRAM FOR AGES SEVEN TO SEVENTEEN; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$1,550 - Estimated Revenue)

(Staff Contact: Mark A. Beaudreau/Scott Moore)

3. [24-91](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY TO OCCUPY A PORTION OF ALSDORF PARK AS A STAGING AREA FOR ITS DEERFIELD ISLAND SITE IMPROVEMENT CONSTRUCTION PROJECT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

4. [24-92](#) 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: \$9,500 - Estimated Revenue)

(Staff Contact: Mark A. Beaudreau)

5. [24-93](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, ACCEPTING A GRANT IN THE AMOUNT OF \$200,000 FOR RENOVATIONS AT THE POMPANO BEACH ULTIMATE SPORTS PARK; AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$200,000; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: City to receive \$200,000 in grant funds with matching funds of \$200,000.)

(Staff Contact: Mark A. Beaudreau)

6. [24-96](#) 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 PBFC PAL HAMMERHEADS INC. TO USE THE ATHLETIC FIELDS AT COMMUNITY PARK TO PROVIDE SOCCER PROGRAMS FOR YOUTH AGES FIVE TO EIGHTEEN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,150 - Estimated Revenue)

(Staff Contact: Mark A. Beaudreau)

7. [24-67](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS PROGRAM SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE BOYS & GIRLS CLUBS OF BROWARD COUNTY, INC., PROVIDING FOR A MATCHING GRANT TO EXPAND AND RENOVATE THE THOMAS D. STEPHANIS UNIT FACILITY LOCATED AT 212NW 16TH STREET, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$250,000 ARPA State and Local Fiscal Recovery Funds)

(Staff Contact: Suzette Sibble/Alex Goldstein)

8. [24-83](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY'S FISCAL YEAR 2024 ANNUAL PUBLIC ART PLAN AND DIRECTING STAFF TO PROCEED WITH THE PROJECTS INCLUDED THEREIN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$228,732.00)



Strategic Plan Initiative

(Staff Contact: Laura Atria/Ty Tabing)

9. [24-98](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH PURSUANT TO CHAPTER 96 OF THE CITY'S CODE OF ORDINANCES, ASSESSING THE CITY'S COSTS FOR ABATING PUBLIC NUISANCE CONDITIONS ON REAL PROPERTY(IES) IN THE CITY AND PROVIDING THAT UPON THE RECORDING OF THIS RESOLUTION SAID ASSESSMENT, INCLUDING ADMINISTRATION AND INSPECTION COSTS, SHALL BE A LIEN AGAINST THE PROPERTY(IES) WHICH SHALL BEAR INTEREST AS SET FORTH IN SECTION 55.03, FLORIDA STATUTES, AND BE CO-EQUAL WITH LIENS OF AD VALOREM TAXES; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE RESOLUTION AND TO PROVIDE OWNER(S) WITH A NOTICE OF LIEN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mario Sotolongo)

10. [24-100](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DOCKING EXTENSION AGREEMENT AMONG IVAN AND DARLENE MILO, AND GENO ROEFARO, AND THE CITY OF POMPANO BEACH, PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

11. [24-101](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WHAHOO DOCK LLC FOR THE MAINTENANCE OF AN EXISTING DECK ASSOCIATED WITH REAL PROPERTY LOCATED ALONG CANAL DRIVE WITHIN THE CITY'S RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

12. [24-81](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A UTILITY EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND D. R. HORTON, INC., ACCEPTING A GRANT OF A PERPETUAL NON-EXCLUSIVE UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

13. [24-94](#) 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 THE PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SANDS HARBOR RESORT & MARINA LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$50,400 Annual Net Revenue)

(Staff Contact: Jeff Lantz)

E. REGULAR AGENDA

14. [24-78](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, AS LESSEE, AND TD EQUIPMENT FINANCE, INC., AS LESSOR, WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$6,167,372 over 5 year lease term)

(Staff Contact: Allison Feurtado)

15. [24-105](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO PIGGYBACK OFF THE NATIONAL PURCHASING COOPERATIVE'S PROPOSAL #635-21 WITH AWARDED VENDOR INSITUFORM TECHNOLOGIES, LLC FOR CURED-IN PIPE REHABILITATION SERVICES AND TO EXECUTE AN AGREEMENT FOR CURED-IN PIPE REHABILITATION SERVICES NO. 12199 BETWEEN THE CITY OF POMPANO BEACH AND INSITUFORM TECHNOLOGIES, LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$ 2,050,000.00)

(Staff Contact: A. Randolph Brown)

16. [24-59](#) **P.H. 2024-14: (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 CUTTING EDGE INDUSTRIES INC. TO PROVIDE LANDSCAPE INSTALLATION AND MAINTENANCE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Cost will be determined on a project by project basis.)

FIRST READING: NOVEMBER 14, 2023

(Staff Contact: Dr. Tammy Good/Brian Donovan)

17. [24-55](#) **P.H. 2024-15: (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 CREATING SECTION 34.009, "CITY'S LOGO," TO PROVIDE RESTRICTIONS ON USAGE OF THE CITY'S DESIGN MARK (LOGO) OR WORD MARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 14, 2023

(Staff Contact: Mark E. Berman)

18. [24-63](#)**P.H. 2024-13: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE AMENDING CHAPTER 31, "CITY OFFICIALS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 31.01, "TRAVEL AND SUBSISTENCE ALLOWANCES," TO MODIFY THE PROCEDURES FOR PAYMENT OF AUTHORIZED TRAVEL EXPENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
(Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

19. [24-72](#)**P.H. 2024-16: (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 SOFTWARE LICENSE AND SERVICE AGREEMENT BETWEEN UNITED PUBLIC SAFETY, INC. AND THE CITY OF POMPANO BEACH FOR LICENSE PLATE READING TECHNOLOGY FOR PARKING ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$72,248 total for 3 years)

(Staff Contact: Jeff Lantz)

20. [24-107](#)**P.H. 2024-17: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 32.39, "COMPETITIVE BIDDING," TO PROVIDE FOR REVISION TO THE CITY'S PROCUREMENT PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Dr. Tammy Good)

21. [24-66](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE GENERAL EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON DECEMBER 13, 2026; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Mark Darmanin, **Incumbent** - Coral Springs
Phillip Smith - District 1

Other Board Memberships

0
0

(**Staff Contact:** Kervin Alfred)

22. [24-76](#)

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 TO FILL THE UNEXPIRED TERM OF RICHARD J. PORRARO; SAID TERM TO EXPIRE ON MAY 8, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Donald Totter, **Alt. 2** - District 1
Frank Sellers, Jr. - District 3
Kenneth Collins - District 3
Mark Hanke - District 3
Scott Schoen - District 3
Charles MacMichael - District 5

Other Board Memberships

0
1
1
0
0
0

(**Staff Contact:** Kervin Alfred)

23. [24-80](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON DECEMBER 13, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Mary C. Antoine, **Incumbent** - District 1
Tanya Manfredi - District 1
Cara Driscoll - District 3

Other Board Memberships

0
0
0

(Staff Contact: Kervin Alfred)

F. ADDITIONAL AUDIENCE TO BE HEARD**G. NEXT SCHEDULED MEETING**

January 9, 2024 at 1:00 p.m. - Regular City Commission Meeting

January 23, 2024 at 6:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager

City Attorney

City Clerk

City Commission

I. ADJOURNMENT**BALANCE IN CONTINGENCY**

Oct. 1, 2023	Beginning Balance	\$12,000.00
	Total:	\$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.