



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor
Andrea McGee, Vice Mayor
Rhonda Eaton, Commissioner
Alison Fournier, Commissioner
Barry Moss, Commissioner
Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager
Mark Berman, City Attorney
Kervin Alfred, City Clerk

Tuesday, June 27, 2023

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

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

ROLL CALL

Present: Commissioner Rhonda Eaton
Commissioner Alison Fournier
Commissioner Barry Moss
Commissioner Beverly Perkins
Vice Mayor Andrea McGee
Mayor Rex Hardin

INVOCATION

Elder Robert Kintchen of Christ Fellowship Church of God in Christ offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-587](#) Regular City Commission Meeting Minutes of June 13, 2023

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Minutes be APPROVED. The motion carried by a unanimous voice vote.

APPROVAL OF AGENDA

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Agenda be APPROVED AS SUBMITTED. 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 Item 2 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION**[23-576](#) Unity in the Community 2023 Scholarship Presentation**

Mike Blangor, President of Unity in the Community, presented an award to the City in recognition of ongoing support. Mayor Hardin accepted the award on behalf of the City.

Mr. Blangor provided a brief background on the Unity in the Community 2023 Scholarship Program. He along with Mayor Hardin recognized each student individually and they were as follows:

Name	High School	College / Major
Ana Julia Campos	Pompano Beach HS	UCF / Mechanical Engineering
Islande Charles	Blanche Ely HS	FIU / Criminal Justice
Kayla Derrico	Deerfield Beach HS	Broward College / Business & Mgmt.
Brooke Geller	Dillard HS	Oakwood University / Vocal Performance
Syncere Jean	Blanche Ely HS	Broward College / Robotics Engineering
Edith Lopez	Deerfield Beach HS	Broward College / Business or Biology
Blake Martin	Blanche Ely HS	FAMU / Chemical Engineering
Jallyyia Phillippy	Deerfield Beach HS	FSU / Biochemistry
Ezekial Nguyen Ruiz	Deerfield Beach HS	UCF / Engineering
Carolina Sais	Deerfield Beach HS	Tallahassee Comm. College / Psychology

In closing, Mayor Hardin thanked Mr. Blangor and the Unity in the Community volunteers for their efforts.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

B. PROCLAMATIONS**[23-529](#) Parks and Recreation Month**

Mayor Rex Hardin read a Proclamation proclaiming July as Parks and Recreation month in the City of Pompano Beach. Mark Beaudreau, Recreation Programs Administrator, accepted the

proclamation on behalf of the Parks and Recreation Department and expressed appreciation for recognizing July as Parks and Recreation month. Also, he thanked the City Commission, City Manager Greg Harrison, Asst. City Manager Earl Bosworth and the residents for their support.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

23-561 Florida Scleroderma Awareness Month

Mayor Hardin read a Proclamation proclaiming June 2023 as Florida Scleroderma Awareness Month in the City of Pompano Beach. Ferne Robin, Executive Director of the National Scleroderma Foundation Southeast Florida Chapter accepted the proclamation on behalf of the Chapter.

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”. The following speakers were called to speak before the Commission:

Michael Soucy, Pompano Beach, said they experienced 12 car break-ins over three days beginning June 4. He stated he reached out to the City and members of BSO came over for assistance. A survey was created and participation in Citizens on Patrol was identified as a strategy. He said the problem has been solved for now. He applauded BSO for their work and assistance.

Gloria Beze, 2250 SE 5th Street, Pompano Beach, spoke about the car break-ins previously mentioned. She said they followed up by hosting two tenant meetings. She thanked BSO for their support and guidance. She also noted their streetlight problem was resolved.

Audrey Korshoff, 412 Briny Avenue, Pompano Beach, said she represents some of the neighbors in District 1 and spoke about the future development at 580 Briny Avenue. She said she set up a website and petition based upon the concerns she is hearing. The community is against the zoning changes for that property and traffic is a concern for the neighborhood. They want walkable areas in Pompano Beach. Therefore, she recommended the entire Briny Avenue be removed from the Atlantic Overlay zone for any future development. She noted that they love development but want to do it in a responsible and sustainable way.

Jocelyn Jackson, Pompano Beach, thanked specific City departments for their work. She announced the July 29th Summer Splash event. She asked about the new Apollo Sports Center turf. Mayor Hardin recommended Ms. Jackson to get in touch with Horacio Danovich.

D. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1 and 3-8 without City Commission discussion.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to approve the Consent Agenda. The motion carried by a unanimous voice vote.

1. [23-580](#) Consideration of a request by Cindy Thorne-Novacek to transfer ownership of Block 14, Lot 53, Plot 1 in the Central Lawn to The City of Pompano Beach
(Fiscal Impact: Refund \$708)

(Staff Contact: Robert A. McCaughan)

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

2. [23-523](#) 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 THE DISTRICT BOARD OF TRUSTEES OF BROWARD COLLEGE, FLORIDA, TO PROMOTE EDUCATIONAL OPPORTUNITIES FOR CITY RESIDENTS AND EMPLOYEES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JUNE 13, 2023

(Staff Contact: Earl Bosworth)

Mayor Hardin indicated a representative from Broward College was in attendance and there was a video to be shown as well.

Earl Bosworth, Assistant City Manager, introduced Dr. Jennifer Saint-Louis, Associate Vice President of Broward College Strategic Partnership, and Innovation.

Dr. Saint-Louis described the Broward UP program, including demographic information, credentialing data, and number of residents served. She shared a video from Broward College President Hale.

Mayor Hardin thanked Dr. Saint-Louis for their partnership.

Comr. Perkins asked for more details about the partnership and outreach to residents.

Dr. Saint-Louis described the strategies employed through the Memorandum of Understanding (MOU). She noted everything is operationalized through an Impact Manager at Broward College. She said they have Community Engagement Teams who engage with residents and determine economic needs within the community. She added that non-profits also help them spread the word. Dr. Saint-Louis said they also have Career Pathway Navigators, who provide wraparound student support, and noted they also assist students to excel by transitioning from continuing education courses to degree programs. Finally, the Employment Solutions Team pairs a resident with an employer so they can have gainful employment. She mentioned that they work closely with Assistant City Manager Bosworth and Economic Development.

Comr. Perkins expressed concern that they are not reaching the people who really need it. She said residents in her District do not know about this opportunity. She would like to see more work in the community.

Dr. Saint-Louis thanked Comr. Perkins for the feedback and noted the next phase is to partner with community churches, religious organizations, and homeowners' associations. She acknowledged the digital divide and shared an upcoming door-to-door strategy.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the item.

Mayor Hardin asked about their targeted zip codes. Dr. Saint-Louis replied they are 33069 and 33064 but she stated they do not turn away individuals from other communities.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Resolution / Consent Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-176

3. [23-567](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR COST SHARING SUPPORT OF A PROJECT BY THE UNITED STATES GEOLOGICAL SURVEY (USGS) FOR "EVALUATION OF CHANGES TO THE SALINITY DISTRIBUTION WITHIN THE SURFICIAL AQUIFER UNDER PROJECTED FUTURE HYDROLOGIC CONDITIONS, BROWARD COUNTY, FLORIDA"; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$87,437)

(Staff Contact: A. Randolph Brown)

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

Enactment No: RES. No. 2023-177

4. [23-570](#) A RESOLUTION 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 THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, TO CONSTRUCT IMPROVEMENTS ON STATE ROAD A1A FROM NORTH OF ATLANTIC BOULEVARD TO SOUTH OF THE HILLSBORO INLET; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY ANCILLARY DOCUMENTS OR AGREEMENTS IN SUPPORT OF SUCH IMPROVEMENTS WITH NOTICE TO THE CITY COMMISSION AND COPIES PROVIDED TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

G.O. POMPANO!

(Staff Contact: Fernand Thony/Horacio Danovich)

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

Enactment No: RES. No. 2023-178

5. [23-581](#) 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)

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

Enactment No: RES. No. 2023-179

6. [23-583](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING KAREN BERGER TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH AS ALTERNATE APPOINTEE OF MAYOR REX HARDIN, 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)

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

Enactment No: RES. No. 2023-180

7. [23-588](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JOSEPH CERQUOZZI TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH AS ALTERNATE APPOINTEE OF COMMISSIONER ALISON FOURNIER, 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)

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

Enactment No: RES. No. 2023-181

8. [23-585](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING FRANK SELLER, JR. TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH, TO FILL THE

UNEXPIRED TERM OF W. P. DAVIS, JR. AS ALTERNATE 1; SAID TERM TO EXPIRE ON JULY 1, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2023-182

E. REGULAR AGENDA

9. [23-590](#) Discussion of the proposed Interlocal Agreement for Solid Waste Disposal and Recyclable Materials Processing Authority.

(Fiscal Impact: Between \$115,574 and \$154,099 Per Year)

(Staff Contact: Brian Donovan/Russell Ketchem)

Russell Ketchem, Director of Environmental Services, introduced the item. He said the proposed Interlocal Agreement (ILA) is from the Broward League of Cities. He provided the background on the proposed agreement and noted that Pompano Beach has had a seat on the Board of the working group, as well as the Technical Advisory Committee. He reviewed key points of the ILA and noted there is only one opportunity with the ILA. He summarized their current agreement and recommended Broward County move forward without this ILA. He said the ILA is good for some municipalities but he does not recommend it for Pompano Beach at this time.

Mayor Hardin said the working group has been meeting for some time. He said additional members of the working group are in attendance to provide comment.

Beam Furr, Broward County Commissioner, said he arrived in Pompano Beach earlier today to visit Alpha 250, which is a 50-acre property set aside by the now-dissolved Resource Recovery Board for trash. He noted the current proposed ILA started because of that property, seven years ago. He asked the 27 cities to continue to jointly hold the property and not sell it. He stated the County has 4 million tons of trash a year and most is going to landfills around the state. He explained the EPA has indicated the worst location to place trash is in landfills due to the enormous amount of methane it creates and spoke about the impact and climate change effects. The goal is to recycle as much as possible and the ILA is the apparatus. Therefore, he recommended Pompano Beach be a part of the decision-making since the Alpha 250 property is located in the city and it borders Monarch Hill. Also, the cost will be based on population and the master plan for solid waste will take 1-2 years to develop. Lastly, he reiterated his recommendation for Pompano Beach to participate in the proposed ILA.

Bob Mayersohn, Parkland City Commissioner, said the earlier scholarship recipients are the future. He said the ILA will not affect the current Waste Management contract. He spoke about good governance; participation; legacy; environmental impact; and economies of scale.

Comr. Furr said Waste Management does not recycle everything and the difference with this ILA is they can recycle what needs to be recycled. He described the “most favored nation” concept.

Comr. Mayersohn spoke about the cost impact of attempting to join the ILA later. He said that cities should want to have a seat at the table. He encouraged the Commission to vote in favor of the ILA.

The following are the name of individual(s) who give public comment:

Mark Sneed, 350 S. Cypress Road, Pompano Beach, said he is shocked there is not a three-stream option for trash. He said a solid waste dump is not sustainable. They need to figure out a recycling plan and not a solid waste plan. Waste Management does not recycle and it is all thrown in the same place. He concluded stating the Commission should be considering how to reduce the waste.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach asked about the location.

Mayor Hardin said it is a conversation to establish an authority to determine what will happen moving forward. He said the Alpha 250 site is in west Pompano Beach.

Mr. Thrower asked about the benefit to the City. Mayor Hardin said that is what they have been discussing.

Mr. Thrower said if it is in their backyard, they should be receiving money. He said everything is always in their backyard. He does not agree with the ILA and supports staff’s recommendation. He asked the Commission to vote it down.

Mayor Hardin stated that this is not Pompano Beach versus the County. The group was formed by the Broward League of Cities and the County is part of the group. He noted they are looking at the issue from a regional aspect.

Carolyn Rhone, Esquire Lakes, said there used to be a similar place in Coconut Creek and they complained about the smell. She is worried about the scent. She said the 33069 zip code is confusing because it includes a poor area and Palm Aire, which is a rich area.

Jocelyn Jackson, Pompano Beach, asked if the development on Blount Road is where they used to dispose of trash years ago. She asked if the trash will be incinerated. Mayor Hardin clarified that the Alpha 250 site is north of Copans Road and adjacent to Blount Road.

Ms. Jackson said certain things can cause cancer and they need more information.

Janice Simmons, 208 NW 15th Place, Pompano Beach, asked if they trust Mr. Ketchem. Mayor Hardin

answered yes. She said they should listen to him.

Ted Perrella, 1521 SW 2nd Avenue, Pompano Beach, said he heard that his items are not being recycled. He said there is no reason they should not be part of this group and have their voice included. He asked for recycling to be reconsidered by the group. He noted the cost is not a big item.

Mayor closed public input and invited further Commission discussion on the item.

Comr. Furr addressed Mr. Thrower's concern about garbage. He said if Alpha 250 property was used it would likely be used for recycling. He spoke about a circular economy that would benefit Pompano Beach. He noted, since 2013, the recycle rates in the County have gone down as landfill rates have increased.

Mayor Hardin said Alpha 250 property is near the bus repair area, not a bus station.

Comr. Mayersohn said this will help boost the economy in creative ways. He emphasized that a seat at the table is important to express what residents want. He asked for a motion to bring it on an agenda item for a vote.

Mayor Hardin asked Mr. Ketchem about recycling.

Mr. Ketchem explained the reasons for the decrease in recycling. He said they have no costs for recycling in their current agreement. The notion that items are not being recycled are not true. He explained the sorting used in the 1990s and the current single-sort approach, which is done mechanically. He reiterated the materials are 100% being recycled in Pompano Beach.

City Attorney Berman said there is no breach with the current contract. He stated that all the details will be developed in the Facilities Amendment and would be reviewed by all cities. He explained the opt-out provision.

Mayor Hardin clarified that the current proposed agreement is the disposal portion only, not hauling. He stated Coastal would still do the hauling.

Comr. Fournier reiterated they do recycle in Pompano Beach, but not all buildings recycle the same. She expressed concern about changing human behavior for the future. She said she has a healthy skepticism for an authority body. She asked how many sites like Alpha 250 are being considered. She said they should consider a resolution to bring forth a motion at a future meeting.

Vice Mayor McGee expressed concern about the price tag for something they do not yet know. She said the formation funding should be from county, state and federal grants.

Comr. Moss said there are too many unknowns with this item and it costs too much money. He agreed with Vice Mayor McGee that the County should be paying more. He said Pompano Beach provides more affordable housing per capita in the County, but other counties do not do their fair share. Also, the NW section of Pompano Beach does not need a recycling facility. He said this is too little, too early and Pompano Beach is being asked to do too much, with not enough information; therefore, he does not support the item.

Comr. Perkins said she does not want this in her yard at all. She said they need to implement something long term for the environment. She asked if they would place the facility somewhere else if Pompano Beach says no.

Comr. Furr said most of this would happen at the Broward County landfill on 500+ acres. He noted they are trying to preserve the Broward County landfill in the event of an emergency like a large hurricane. He stated they would look at all possible transfer sites and everything is on the table.

Comr. Perkins asked her question again. Comr. Furr said they will discuss the location in the development of the Master Plan. He encouraged the City to be part of the discussion. He briefly discussed the history of the Resource Recovery Group.

Comr. Perkins asked about zoning. Comr. Furr said he was told the site was zoned Industrial.

Comr. Eaton said they need a plan moving forward for waste, but the presentation is vague. She said it is irresponsible to her residents as a steward of their tax dollars to get on board with this.

Comr. Furr said the cities wanted to put the governance cities first and then build the Master Plan. They decided to build the apparatus to make those future decisions. Also, the scope and plans have been written up and are ready to go for an RFP.

Comr. Eaton said they have an excellent deal with their current hauler, and it is worth a lot to their residents.

Mayor Hardin said they have received a better deal independently over the years.

Comr. Fournier said it seems like it is a \$150,000 fee to have a seat at the table. She said it is too expensive just to have input on the Alpha 250 site.

Comr. Moss reiterated that the County and other cities do not do their fair share, and they want to dump things they do not want in Pompano Beach.

Vice Mayor McGee agreed it is an expensive seat at the table. She suggested they could have an audit role.

Mayor Hardin clarified that Pompano Beach does participate on a County level with other communities and appreciate people working together as much as possible. He said they respect processes, and nothing said here tonight changes that.

Vice Mayor McGee asked if there was a time constraint on the proposed ILA.

Mayor Hardin said they want to finalize quickly.

A motion was made by Commissioner Fournier, seconded by Commissioner Perkins, to direct staff to bring forth a Resolution for

consideration on the next scheduled meeting agenda. The motion failed by the following roll call vote:

Yes: Eaton
McGee
Hardin

No: Fournier
Moss
Perkins

Meeting went into Recess

Meeting Reconvened

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that items 10 and 11 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.

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

10. [23-521](#) **P.H. 2023-66: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A TEN-FOOT WIDE UTILITY EASEMENT LOCATED ON THE SOUTHWEST CORNER OF RACE TRACK ROAD AND THE CSX RAILROAD, COMMONLY KNOWN AS 777 ISLE OF CAPRI BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JUNE 13, 2023

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item stating this is the second reading of a request to abandon a 10-foot wide Utility Easement at the Live! Property located at 777 Isle of Capri

Boulevard. Ms. Dolan reported there were no changes since the first reading of the Ordinance and both staff and the Applicant are available to answer any questions.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Ordinance / Quasi-Judicial be ADOPTED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: ORD. No. 2023-56

11. [23-572](#) **P.H. 2023-69: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A CERTAIN FIFTEEN-FOOT STRIP OF RIGHT-OF-WAY LYING ON THE WEST SIDE OF DIXIE HIGHWAY BETWEEN NW 15TH PLACE AND NW 15TH COURT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, stated this is a request to abandon a 15-foot strip of right-of-way along the west side of Dixie Highway between NW 15th Place and NW 15th Court. The Broward County Trafficway Plan requires 80 feet of right-of-way at this specific location on Dixie Highway and this 15-foot strip is considered excess. A utility easement will be retained over the proposed abandon site. The criteria to approve the right-of-way abandonment have been met. Ms. Dolan noted that the Planning & Zoning Board unanimously recommended approval of the abandonment on May 24, 2023. Also, staff recommends approval of the item. Both staff and the Applicant were available to answer any questions.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Ordinance / Quasi-Judicial be APPROVED FIRST READING. The motion carried by the following

roll call vote:

Yes: Eaton
Fournier
Moss
McGee
Hardin

No: Perkins

END OF QUASI-JUDICIAL PROCEEDING12. [23-480](#) **P.H. 2023-67: (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 SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND OPENGOV, INC. TO PROVIDE CLOUD BASED SOFTWARE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: For FY 2024 to FY 2028, total cost \$726,038.03)

FIRST READING: JUNE 13, 2023

(Staff Contact: Erjeta Diamanti)

Erjeta Diamanti, Budget Director, stated this is the second hearing to approve the Agreement with OpenGov, Inc. and she reported there were no changes since the first hearing of the Ordinance.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Ordinance / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: ORD. No. 2023-5713. [23-574](#) **P.H. 2023-70: (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 AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF LAUDERDALE-BY-THE-SEA AND THE CITY OF POMPANO BEACH FOR FIRE RESCUE, SUPPRESSION AND PREVENTION SERVICES, AND EMERGENCY MEDICAL SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: FY 2024 to FY 2028, the net revenue would average \$256,281.00 per year.)

(Staff Contact: Chad Brocato)

Chad Brocato, Fire Chief, introduced the item. He noted everything would be covered in his budget except for the hiring of six (6) individuals who would provide services. He said this is like opening another fire station. He reviewed the projected revenue, including buffers.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the motion.

Comr. Fournier asked if there would be service impacts to Pompano Beach.

Chief Brocato said they ensure service to all Pompano Beach with a minimum staffing policy. There will be a reciprocal impact on the beach area and Sea Ranch Lakes as the units will be closer. He said they will continue their policy of minimum staffing.

Comr. Moss asked if the calculations for service included the increase in number of people during the summer months.

Chief Brocato replied absolutely. He said they do not calculate staffing based entirely on population. They analyzed their prior call volume, like how they project Pompano Beach. He said Lauderdale-By-The-Sea has approximately 750 calls annually.

Comr. Moss asked about the impact on the ISO rating. Chief Brocato stated he believes it will positively impact it.

Mayor Hardin said he looks at this as a positive since there will be more effective coverage and available personnel. He stated it is a win-win situation.

Vice Mayor McGee said Lauderdale-By-The-Sea may be able to respond to certain areas quicker on the southside of the barrier island.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Ordinance / Regular Agenda be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Eaton
 Fournier
 Moss
 Perkins
 McGee
 Hardin

14. [23-558](#) **P.H. 2023-68: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 152.21, "DEFINITIONS," TO ADD AND DELETE DEFINITIONS; BY AMENDING SECTION 152.27, "VARIANCE AND APPEALS," TO MODIFY A CROSS-REFERENCE; BY AMENDING SECTION 152.29, "FLOOD RESISTANT DEVELOPMENT OF BUILDINGS AND STRUCTURES," TO ADD REGULATIONS FOR ACCESSORY STRUCTURES; AND BY AMENDING SECTION 152.32, "MANUFACTURED HOMES," TO REMOVE SURPLUS LANGUAGE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss/Jean Dolan)

Max Wemyss, Sustainability Coordinator, introduced the item and provided feedback from FEMA. He noted the Ordinance has been reviewed by the Florida Division of Emergency Management consultant and is supported by the City's Floodplain Manager and city staff recommends approval.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Ordinance / Regular Agenda be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Eaton
 Fournier
 Moss
 Perkins
 McGee
 Hardin

15. [23-554](#) **P.H. 2023-71: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 92, "CEMETERIES," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 92.01, "DEFINITIONS," BY AMENDING THE DEFINITION OF PLOT SIZE; BY AMENDING SECTION 92.02, "DESIGNATION OF NORTH, SOUTH, AND WEST LAWNS," TO REVISE THE DESCRIPTION OF THE SQUARE FOOTAGE AND ACREAGE OF THE CEMETERY; BY AMENDING SECTION 92.05, "EXEMPTIONS AND MODIFICATIONS," TO REMOVE OBSOLETE LANGUAGE; BY AMENDING SECTION 92.06, "CEMETERY HOURS," TO AMEND THE HOURS FOR THE CEMETERY OFFICE; BY AMENDING SECTION 92.32, "PLOT PRICES AND SERVICE CHARGES," TO DELETE THE TABLE FOR SAME; AND BY AMENDING SECTION 92.42, "INTERMENTS, DISINTERMENTS, AND REMOVALS," TO ADD JUNETEENTH AS A CITY HOLIDAY AND MODIFY THE HOURS OF INTERMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director, introduced the item. He recognized Mr. Terrence Nelson, the City's Grounds Maintenance Supervisor. He noted the recommendation is to remove the pricing from the Ordinance and establish the pricing list in the City's Cemetery's Office.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Ordinance / Regular Agenda be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

16. [23-582](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING AND ADOPTING THE CITY OF POMPANO BEACH CEMETERY SERVICES AND PRICING LIST, AND PROVIDING THAT SAID LIST BE KEPT IN WRITING AND ON FILE AT THE CEMETERY OFFICE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Estimated \$85,000 increase in FY24 Revenue)

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director, introduced the item. He noted they are recommending price increases, including plots and service charges. He said they have 1,600 plots available, and they sell approximately 120 plots a year. He noted even when there is no longer room for plots, they will continue to take care of the cemetery forever. He explained that they recently purchased a columbarium, and have already sold twelve niches. He noted, in the future, full body burials will be difficult in South Florida and cremations would be the way to extend the life of the cemetery.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the motion.

Mayor Hardin thanked Mr. Nelson for his work at the cemetery.

Comr. Perkins asked for clarification about when the next price increase would be. Mr. McCaughan said 2033 but reiterated there may not be any plots available for sale at that point.

Comr. Fournier also thanked Mr. Nelson for his hard work. She said this is the time to do a price increase to keep up with the times.

Comr. Moss asked how the City continues to fund the maintenance of the cemetery once all plots are sold. Mr. McCaughan said revenue does go into a trust fund.

Comr. Perkins asked when this item would go into effect. Mr. McCaughan said the plot price increases on October 1st each year, but the service charges would go into effect with the approval of the Resolution.

Vice Mayor McGee likes the idea of the columbarium to preserve space. She said another stream of revenue could be a memorial wall for those who were cremated and had remains scattered elsewhere.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Resolution / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-183

17. [23-553](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF JAMES DAISEY, ALTERNATE 2; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Kenneth Collins - District 3

Cara Driscoll - District 3

Spencer Flory - District 3

Lynne Mitchem - District 3

Nicholas Blair - District 3

Corey Thompson - District 4

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Resolution / Regular Agenda be ADOPTED and to insert the name KENNETH COLLINS. Vice Mayor McGee nominated Kenneth Collins. The motion carried unanimously.

Enactment No: RES. No. 2023-184

18. [23-586](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF FRANK SELLER, JR.; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Cara Driscoll - District 3

Kenneth Stolar - District 3

Jason Smith - District 3

Larry Erd - District 3

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Resolution / Regular Agenda be

ADOPTED and to insert the name LARRY ERD. Mayor Hardin nominated Larry Erd. The motion carried unanimously.

Enactment No: RES. No. 2023-185

F. ADDITIONAL AUDIENCE TO BE HEARD

Mayor Hardin asked if there were any additional speakers signed-up to speak under Audience to be Heard, to which City Clerk Alfred replied there were none.

G. NEXT SCHEDULED MEETING

Mayor Hardin announced that the next scheduled meetings are as follows:

July 11, 2023 at 1:00 p.m. - Regular City Commission Meeting

July 18, 2023 at 9:00 p.m. - City Commission Budget Workshop

July 25, 2023 at 6:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager's Report:

Greg Harrison, City Manager recognized Brian Donovan for receiving the Chamber of Commerce's City Inspiration and Leadership Award. Also, he announced that the City Commission meetings are now available on YouTube. Lastly, he shared that July is National Ice Cream Month.

City Attorney's Report:

No report.

City Clerk's Report:

Kervin Alfred, City Clerk thanked Sandra King, City's Strategic Communications Admin, for her efforts to ensure the City Commission meetings are now available on YouTube.

Comr. Eaton's Report:

Comr. Eaton mentioned she attended the Citizen on Patrol Awards Gala. She thanked all volunteers who serve the community. She wished everyone a Happy Independence Day.

Comr. Fournier's Report:

Comr. Fournier shared that she also attended the Citizen on Patrol Awards Gala and thanked the volunteers. She thanked the Planning and Zoning Board for their contributions. She recommended some form of recognition for the advisory board members who volunteer their time. She announced the District III

Community Meeting on June 28 at the American Legion at 7:00 P.M. She wished everyone a Happy 4th of July.

Comr. Moss' Report:

Comr. Moss mentioned a perception that there has been an increase in automobile thefts in Palm Aire. He stated he has met with BSO and there be a Town Hall meeting in July for District 5 residents.

Comr. Perkins' Report:

Comr. Perkins shared that they had a nice gathering this morning for Moses Dixon. She said they celebrated Dr. Dixon as being the first supervisor at West Side Park as he has never been recognized. She thanked Ms. Carmen Jones for hosting the event.

Vice Mayor McGee's Report:

Vice Mayor McGee wished everyone a Happy 4th of July and shared the schedule of events.

Mayor Hardin's Report:

Mayor Hardin thanked the Friends of the Northwest Library for the annual Blues and Sweet Potato Pie Festival. He agreed that the Dr. Dixon event was wonderful. He noted they used to do a volunteer breakfast prior to Covid and said bringing back the event would be a nice gesture. Mayor Hardin recommended doing something to recognize Mr. Richard Perraro for his work on the Golf Advisory Board. He asked City Manager Harrison to explore options to recognize him. He wished everyone a Happy 4th of July.

I. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Rex Hardin, Mayor

Kervin Alfred, City Clerk