

City of Pompano Beach

City Commission Meeting Commission Chamber

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



Agenda

Tuesday, May 9, 2023

1:00 PM

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

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

[23-490](#) Regular City Commission Meeting Minutes of April 25, 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. SPECIAL PRESENTATION

[23-478](#) **Special Presentation from the U.S. Small Business Administration**

Mr. Timothy D. Watson, Public Affairs Specialist with the U.S. Small Business Administration will make a presentation consisting of information on how businesses and nonprofits can still obtain assistance through the Economic Injury Disaster Loan (EIDL) because of Hurricane Ian.

B. PROCLAMATIONS

[23-423](#) **Mental Health Awareness Month**

Mayor Rex Hardin will proclaim May as Mental Health Awareness Month in the City of Pompano Beach.

John Linn, President of NAMI Broward and Donna Linn, Chair, NAMI Broward Advocacy Group will accept the proclamation.

[23-424](#)**National Safe Boating Week Proclamation**

Mayor Rex Hardin will proclaim May 20-May 26, 2023 as National Safe Boating Week in Pompano Beach.

Flotilla Commander Harry Silverman will receive the proclamation along with Gwen and Richard Leys and other members from the Flotilla.

[23-462](#)**Proclamation Proclaiming National Childcare Provider Appreciation Day**

Mayor Rex Hardin will proclaim May 12, 2023 as National Childcare Provider Appreciation Day in the City of Pompano Beach. Celcia Hall, Outreach Specialist with the Early Learning Coalition of Broward County, Inc. will accept the proclamation on their behalf.

[23-479](#)**Emergency Medical Services Week Proclaimed**

Mayor Rex Hardin will proclaim Emergency Medical Services Week in the City of Pompano Beach. Matthew Whitton, Assistant Chief of Emergency Medical Services, will accept the proclamation on behalf of the Pompano Beach Fire Rescue.

C. PRESENTATION[23-474](#)

Presentation of the results of the City of Pompano Beach Audit of the Annual Comprehensive Financial Report and Schedule of Expenditures of Federal Awards and State Financial Assistance for the fiscal year ended September 30, 2022 by Keefe McCullough, Independent Certified Public Accountants.

(Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

D. 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)

E. CONSENT AGENDA

1. [23-275](#) Approval to purchase supplies and equipment as-needed from Home Depot U.S.A., Inc., in an estimated annual amount not to exceed \$300,000.00 from budgeted funds in various departments, in accordance with US Communities/Maricopa County Contract 16154.
(Fiscal Impact: \$300,000.00)

(**Staff Contact:** Carla R. Byrd)
2. [23-277](#) Approval to purchase supplies and equipment as-needed from Fastenal Company, Hi-Line Electric Company, Lawson Products, Inc. Lowes Home Center, LLC, and W.W. Grainger, Inc., in an estimated annual amount not to exceed \$400,000.00, in accordance with Omnia Partners Public Sector/Region 4 Education Service Center Contract R192006.
(Fiscal Impact: \$400,000.00)

(**Staff Contact:** Carla R. Byrd)
3. [23-287](#) Approval to purchase supplies and equipment as-needed from Amazon.com Services LLC, in the estimated annual amount of \$450,000.00 from budgeted funds in various departments, in accordance with US Communities/Prince William County Public Schools Contract R-TC-17006.
(Fiscal Impact: \$450,000.00)

(**Staff Contact:** Carla R. Byrd)
4. [23-418](#) Approval to purchase fluoride, as needed, for the Water Treatment Plant, per the City of Fort Lauderdale Cooperative Contract #12595-322, from Dubois Chemicals, Inc. in an estimated annual amount not to exceed \$85,997.00.
(Fiscal Impact: \$85,997.00)

(**Staff Contact:** A. Randolph Brown)
5. [23-473](#) Request of ratification by City Commission for emergency procurement of Lift Station 67 repairs from Trio Development Corporation, in the amount of \$84,560.00.
(Fiscal Impact: \$84,560.00)

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6. [23-407](#) Request of ratification by City Commission for emergency procurement of wastewater main repairs from DBF Construction LLC., in the amount of \$114,750.00
(Fiscal Impact: \$114,750.00)

(Staff Contact: A. Randolph Brown)

7. [23-481](#) 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 PALM YACHT & BEACH CLUB, INC. AND THE CITY OF POMPANO BEACH, ACCEPTING A GRANT OF A NON-EXCLUSIVE UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

8. [23-398](#) Approve the ranking of the Selection/Evaluation Committee for RFP T-14-23, Management and Operation of Beach Kiosk, and authorize staff to negotiate a contract with the highest ranked proposer: PB Pier, LLC.
(No cost at this time.)
(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

9. [23-416](#) Approve ranking order for RFP T-15-23 Youth Sports Program and authorize staff to negotiate contracts with the highest ranked soccer company: PBFC-PAL Hammerheads, Inc., and with sole proposer for baseball: Pompano Baseball, Inc. (No cost at this time.)
(Fiscal Impact: N/A)

(Staff Contact: Mark Beaudreau)

10. [23-487](#) 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 INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE CITY OF LIGHTHOUSE POINT PROVIDING FOR JOINT OPERATION AND MAINTENANCE OF EXCHANGE CLUB PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: NA)

(Staff Contact: Mark Beaudreau)

11. [23-417](#) Approval to award ITB T-36-22 Furnish and Install Ice Machine in Alsdorf Park, to the sole bidder, Kooler Ice, Inc., which was deemed responsive and responsible, at a cost of \$111,250.00.
(Fiscal Impact: \$111,250.00)

(Staff Contact: Tammy Good)

12. [23-446](#) 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 RONALD STAUFFER AND DIANA LOPEZ, AND KARYN ROTHSTEIN AND RONALD ROTHSTEIN, AND THE CITY OF POMPANO BEACH, PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM APRIL 25, 2023

(Staff Contact: John Sfiropoulos)

13. [23-447](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SHARED COMMON DOCKING AREA AGREEMENT AMONG ROBERT AND PRISTY HENDREN, AND JASON AND TAMBRAEANN DICKMAN, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM APRIL 25, 2023

(Staff Contact: John Sfiropoulos)

14. [23-448](#) 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 ROBERT AND PRISTY HENDREN, AND JASON AND TAMBRAEANN DICKMAN, AND THE CITY OF POMPANO BEACH, PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM APRIL 25, 2023

(Staff Contact: John Sfiropoulos)

15. [23-488](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ENDORSING THE SOUTHEAST FLORIDA CLIMATE ACTION PLEDGE AND AGREEING TO ADVANCE STRATEGIC CLIMATE ADAPTATION AND MITIGATION PLANNING, PROGRAMS, POLICIES AND PROJECTS; AND TO ADVANCE THE IMPLEMENTATION OF THE REGIONAL CLIMATE ACTION PLAN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman/Max Wemyss)

16. [23-472](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING KENNETH STOLAR TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, 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)

17. [23-476](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING ALLYSON HALL TO THE EDUCATION ADVISORY COMMITTEE 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)

18. [23-482](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING KERIANN WORLEY TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF VICE-MAYOR ANDREA MCGEE, 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)

19. [23-491](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LUCIENE GOMES TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER RHONDA EATON, 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)

20. [23-485](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING AMY VARO-HAUB TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF KIM BOROS, ALTERNATE 1; SAID TERM TO EXPIRE JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

F. REGULAR AGENDA21. [23-396](#)**P.H. 2023-59: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.3708, "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," TO MODIFY HEIGHT BONUS OPTIONS, TO MODIFY THE MASSING RESTRICTIONS OF THE HISTORIC TRANSITION AREA, TO MODIFY THE TRANSIT CORE AREA BOUNDARY OF THE DENSITY REGULATING PLAN, AND TO MODIFY THE USE REGULATING PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: APRIL 25, 2023

(Staff Contact: Max Wemyss/David Recor)

22. [23-387](#)

Approval to piggyback the City of Tarpon Springs, FL Contract 200076-B-JL "Chemicals for Reverse Osmosis Water Plant" for as-needed purchases of "Sodium Hypochlorite" from Odyssey Manufacturing Co., in an estimated annual amount not to exceed \$576,000.00.

(Fiscal Impact: \$576,000.00)

(Staff Contact: A. Randolph Brown)

23. [23-127](#)**P.H. 2023-61: (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 PIGGYBACK AGREEMENT FOR UTILITY FINDING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND VENEGROUP SERVICES INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$175,000.00)

(Staff Contact: A. Randolph Brown)

24. [23-489](#) **P.H. 2023-62: (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 PIGGYBACK AGREEMENT FOR UTILITY FINDING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND HIGH TECH ENGINEERING INCORPORATED; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: \$175,000.00)

(Staff Contact: A. Randolph Brown)

25. [23-471](#) **P.H. 2023-60: (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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND MILLER ELECTRIC COMPANY, TO PROVIDE PREVENTATIVE MAINTENANCE SERVICES FOR THE CITY'S GENETEC SECURITY CENTER SYSTEM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: Annual maintenance not to exceed \$70,000 and installation, as needed, and as appropriated annually by City Commission)



Strategic Plan Initiative

(Staff Contact: Gene R. Zamoski)

26. [23-486](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF AMY VARO-HAUB, ALTERNATE 2; SAID TERM TO EXPIRE JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: N/A)

APPLICANTS:

Lisa Nothardt - District 3

Anne Ward - District 3

Cara Driscoll - District 3

Lynne Mitchem - District 3

(Staff Contact: Kervin Alfred)

G. ADDITIONAL AUDIENCE TO BE HEARD

H. NEXT SCHEDULED MEETING

May 23, 2023 at 6:00 p.m. - Regular City Commission Meeting

June 13, 2023 at 12:45 p.m. - Pompano Beach Finance Corporation Annual Meeting

June 13, 2023 at 1:00 p.m. - Regular City Commission Meeting

I. REPORTS

City Manager

City Attorney

City Clerk

City Commission

J. ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2022	Beginning Balance	\$12,000.00
Mar. 14, 2023	Crime Stoppers Council of Broward County, Inc.	\$5,000.00
Apr. 25, 2023	Broward Partnership Annual Gala	\$5,000.00
Apr. 25, 2023	Broward League of Cities Annual Gala	\$2,000.00
	Total:	\$0

**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.