



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, May 9, 2023

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the City Commission meeting to order at 1:00 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

Pastor Dr. Gary Colboch of Grace Church offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-490](#) Regular City Commission Meeting Minutes of April 25, 2023

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Minutes be APPROVED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

APPROVAL OF AGENDA

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

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 Items 8 through 11 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION

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

Mayor Hardin introduced Timothy D. Watson, Public Affairs Specialist with the U.S. Small Business Administration. Mr. Watson gave a presentation on how businesses and nonprofits that were impacted by Hurricane Ian can obtain assistance through the Economic Injury Disaster Loan (EIDL) program.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

B. PROCLAMATIONS

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

Mayor Hardin read a proclamation declaring 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 accepted the proclamation.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

23-424 National Safe Boating Week Proclamation

Mayor Rex Hardin read a proclamation proclaiming May 20 through May 26, 2023 as National Safe Boating Week in Pompano Beach. Flotilla Commander Harry Silverman accepted the proclamation.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

23-462 Proclamation Proclaiming National Childcare Provider Appreciation Day

Mayor Rex Hardin read a proclamation proclaiming May 12, 2023 as National Childcare Provider Appreciation Day in the City of Pompano Beach. Renee Jaffe, Chief Executive Officer with the Early Learning Coalition of Broward County, Inc. accepted the proclamation on their behalf. Ms. Jaffe recognized Otis Kemp, business owner of Apple Seed, a childcare provider. Mr. Kemp thanked the City and Early Learning Coalition for supporting childcare providers, specifically those in Pompano Beach.

Comr. Perkins recognized Mr. Kemp for his contributions in the community as a childcare provider and gospel singer.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

23-479 Emergency Medical Services Week Proclamation

Mayor Hardin proclaimed Emergency Medical Services Week in the City of Pompano Beach. Chad Brocato, Fire Chief accepted the proclamation on behalf of the Pompano Beach Fire Rescue.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

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)

Allison Feurtado, Finance Director, provided background information on the item on the annual audit. She stated this was the eleventh year the City received a clean opinion on the audited financial report. She introduced Steven Emery and Michael Barnett from Keefe McCullough, Independent Certified Public

Accountants. Mr. Emery stated the opinion is unmodified, meaning there are not material misstatements. He noted they also issued another report in the back of the financial statements that covers the internal control over financial reporting and then compliance with state statutes, laws, regulations, grant agreements, etc. He stated that both reports are clean opinions. He added they also issued a report on state and federal awards and the three reports are clean as well. He reviewed the financial highlights including budgetary compliance; pension plans; long-term debt of the City; and the overall financial health of the City. He noted, in 2022, the City was awarded the Certificate of Achievement in Financial Excellence from the General Finance Officer Association and he believes the City will receive the certificate again in 2023. He explained the new lease implementation standard and described a new subscription standard for FY23.

Comr. Eaton thanked staff for being good stewards of the taxpayers' money.

Mayor Hardin reiterated this is the City's eleventh year receiving a clean opinion and asked if there is any level higher than unmodified. Mr. Emery said there is nothing higher and emphasized that they issued several opinions, and all were unmodified. He added that it is rare to receive a clean Governmental Auditing Standards opinion and Certificate of Achievement in Financial Excellence consecutively.

Mayor Hardin thanked Ms. Feurtado and her staff.

The Presentation was READ AND PRESENTED INTO THE RECORD.

D. 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:

Pat Russell Anderson, Pompano Beach, displayed a map of Lighthouse Point and Pompano Beach. She spoke about land grabs in 2016, She also displayed an illustrative map of NE 24th Street between Lighthouse Point and Pompano Beach to address Exchange Club Park. She said the house next door to her's had the zip code. She asked City Attorney Berman to put an end to the "smash" that happened to her house in 2017. She said she is trying to avoid probate and said it has been going on for 6 years. She said the matter is with the FBI now.

Saracha Peterson, no address provided, asked if people need cable to watch the City Commission meetings on Channel 78. Mayor Hardin responded that the meetings are also livestreamed on the City's website. Ms. Peterson said not a lot of people have cable and the City needs to do better to communicate the meeting livestream information to the residents. She suggested more communication via social media and noted the City of Tamarac livestreams their meetings on Facebook. She said the May 3rd Downtown presentations were great, but the presenters were not prepared to address the community that would take the brunt of the project. She said the presenters need to better understand the history to preserve culture. She asked about the City's proactive plans to ensure there is no mass displacement of the community in that area. She said she is expressing the community concerns for those who cannot attend the meetings.

Avi Goldfedder, Pompano Highlands, said he is a renter, so he does not want to share his landlord's address publicly. He said he took off work to attend the meeting. He spoke about navigating the City lately and said development makes it more impossible. He said the City Commission took on the project with power and prestige without any consideration for mass displacement, gentrification, and safety of pedestrians. In closing, he stated he will be collecting signatures for a petition to take to the Attorney General.

E. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1-7 and 12-20 without City Commission discussion.

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.

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)

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. [23-277](#) 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)

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.

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)

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.

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)

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.

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)
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.
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)

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.

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)

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. 2023-144

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)

Comr. Fournier said she was happy with the competitive process. She wants to make sure they make a good deal for the residents of the City with this agreement. She would like to see both a flat amount and a percent of sales.

Mr. Mark Beaudreau, Recreation Parks Administrator, said they will look into Comr. Fournier's recommendation.

Comr. Eaton recognized the vendor's previous development successes.

Vice Mayor McGee agreed with Comr. Eaton and said she is excited to see the Snack Shack development.

Mayor Hardin agreed and thanked the vendor for participating in the redevelopment of Pompano Beach.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

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)

Comr. Perkins asked about sports management. Mr. Beaudreau stated it is for youth soccer.

Comr. Perkins asked about the terms and funding source. Mr. Beaudreau said all sports agreements have no revenue back to the City, but they receive the nominal fees for non-resident participation. He said, historically, the terms are 3-years with two 1-year extensions.

Comr. Fournier said Hammerheads, Inc. is a great organization but that Pompano Baseball, Inc. falls a little short. She highlighted parent feedback regarding Pompano Baseball, Inc. including concerns about communications, equipment, competitiveness, and disorganization. She said only 200 youth play baseball, as opposed to 1,000 playing tackle football and 400 playing soccer. She provided a comparison of 700 youth playing baseball in Fort Lauderdale. She added that baseball participation seems to fall off after kids turn 8 years old and they either play elsewhere or quit. She suggested program improvements or for staff to see whether the program can be brought back in-house, or a new partnership established.

Mr. Beaudreau stated Fort Lauderdale is significantly larger in population than Pompano Beach, likely providing the higher participation numbers. He spoke about potential options including in-house oversight, partnering with Pompano Baseball, Inc. with more City oversight, or contract out to another nearby city.

Comr. Fournier said she would like to see options brought back. Mr. Beaudreau said his office has not received one complaint about Pompano Baseball, Inc. He said if his office needs to have more oversight of Pompano Baseball, Inc., they can.

Comr. Fournier said they have beautiful fields and successful programs, but it is time to look at other options.

Mayor Hardin reiterated Mr. Beaudreau's statement about not receiving complaints. He said he needs more evidence to support Pompano Baseball, Inc. is doing a bad job.

Comr. Fournier asked if they solicit anonymous feedback about baseball. Mr. Beaudreau said no. Comr. Fournier said she is not surprised complaints have not percolated to Mr. Beaudreau since the program is separate from the City's programs.

Comr. Fournier said she will forward the feedback she received, including more critical feedback than what she read aloud. She said they need to reset and rebuild the baseball program.

Mayor Hardin said he wants the best for all residents and visitors. He encouraged Comr. Fournier to forward

critical feedback to City staff for any program so they can make changes.

Comr. Fournier stated she has forwarded Mr. Beaudreau feedback in the past. Mr. Beaudreau acknowledged Comr. Fournier did bring forth feedback years ago, they met with Pompano Baseball, Inc. and she was included on one of their committees. Comr. Fournier said she does not know what committee Mr. Beaudreau is referencing. He said he thought she was involved in Pompano Baseball, Inc. concessions. Comr. Fournier said no.

Mr. Beaudreau said he is meeting with Pompano Baseball, Inc. on Thursday and with more oversight from the City, the program can meet greater expectations. He said they all want what is best for the kids.

Mayor Hardin confirmed the agreement will come back to the Commission for approval. He requested Mr. Beaudreau to keep the entire Commission updated on all information going forward.

Comr. Eaton said it is uncomfortable to be forced to vote based on hearsay and with no proof about Pompano Baseball, Inc.

Comr. Moss said it is likely the parents would complain directly to the organization and not to the City and believes Comr. Fournier's complaints are valid and she represents her constituents. Also, she has a right to express her opinion. He asked why there was only one bidder.

Mr. Beaudreau said they were the only provider who bid.

Comr. Eaton said Comr. Fournier was expressing dissatisfaction from families so it is hearsay. She said if there are problems, the Recreation Department should investigate. She said the issue is truth and integrity.

Comr. Moss provided an example of hearsay versus direct testimony. He said he believes Comr. Fournier has heard directly from people about their unhappiness with the baseball program.

Comr. Fournier said she will continue to share all feedback she receives.

Vice Mayor McGee said she does not know the current state of Pompano Beach baseball. She encouraged Comr. Fournier to share the feedback with Mr. Beaudreau and recommended soliciting ongoing feedback about all programs.

Comr. Perkins said their job is to talk and listen to the residents. She said as elected officials, it is ok to bring back feedback from their Districts.

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

Yes: Eaton
 Fournier
 Moss
 Perkins
 McGee
 Hardin

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)

Comr. Eaton stated she mistakenly pulled this item.

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 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. 2023-145

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)

Mayor Hardin asked why the City has decided to install and operate as opposed to an outside vendor, which has been discussed in the past.

Ms. Tammy Good, CIP manager, said they did solicit for partnerships in 2019 and received three responses. She stated they started negotiations with the highest ranked firm but could not come to an agreement on terms. She explained the decision to purchase the machine and fund the maintenance.

Comr. Moss asked how the machine works with accepting payment. Ms. Good said it will be credit card only and the purchase options will be a 10- or 20-pound bag of ice. She said they believe it will be revenue generating. Comr. Moss asked about the ice supply. Ms. Good said they can purchase the ice from the vendor selling the machine or another one.

Comr. Moss asked about the cost of the ice to the City and buyer. Ms. Good said she did not do a rate of return per bag, rather on an annual basis. She suggested they could net over \$40K annually, even with conservative figures.

Comr. Fournier asked if the ice making is automated. Ms. Good said yes.

Comr. Fournier asked about the initial investment. Ms. Good replied that the initial cost is \$175,000 including the machine, the slab, electrical, and plumbing.

Comr. Eaton said it is a great amenity for boaters and she supports the item.

Ms. Good said this machine is better than the ones proposed by the bidders in 2019.

Vice Mayor McGee said the City's maintenance staff will service it at a greater rate. She said it will be a great amenity.

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 Approval Request / Consent Agenda be APPROVED. The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

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)

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. 2023-146

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)

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. 2023-147

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)

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. 2023-148

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)

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. 2023-149

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)

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. 2023-150

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)

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. 2023-151

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)

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. 2023-152

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)

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. 2023-153

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)

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. 2023-154

F. REGULAR AGENDA

21. [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)

Max Wemyss, Sustainability Coordinator, Development Services Department stated this is the second reading of the Ordinance and there has been no changes since the first reading. Both he 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 / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Eaton

Moss

McGee

Hardin

No: Fournier

Perkins

Enactment No: ORD. No. 2023-50

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)

Randolph Brown, Utilities Director stated the proposed Contract is for disinfectant supplies to treat the City’s water and reuse water. He noted there has been an increase in cost for the supplies, and the cost amount was the best they were able to find.

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 commented on the increase in cost. She asked if staff anticipates the cost to continue to rise? Mr. Brown responded by stating the cost increase is due to a continuation of supply chain issues, Covid-19, lack of drivers and so forth.

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

Yes: Eaton

Fournier

Moss

Perkins

McGee

Hardin

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)

Randolph Brown, Utilities Director stated that staff is piggybacking off a Broward County Contract for line locating services. He noted this is a new vendor and they are not familiar with the City; therefore, staff is giving this vendor an opportunity in order to test its services. However, the next agenda item is with a vendor that is familiar with the City in providing this service.

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.

In response to Mayor Hardin's question, Mr. Brown indicated the proposed vendor's services are inexpensive and was available through the Broward County Contract. Not only does it include utilities services, but also public works, building facilities and traffic services.

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

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)

Randolph Brown, Utilities Director stated that this is a Contract for line locating services. He said the City has a long standing relationship with the vendor, High Tech Engineering Incorporated.

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

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)

Gene R. Zamoski, Chief Information Officer stated the City uses the Genetec video security unified system which includes video security cameras and ALPR (Automatic License Plate Recognition) cameras. This system is operated and monitored by Broward Sheriff's Office (BSO). This amendment is being put forward to Commission as an Ordinance for a bid waiver due to standardization that is allowed for in the General Services Manual.

In addition, Mr. Zamoski said Miller Electric formally known as SiteSecure, installed the City's ALPR system

as a subcontractor of Johnson Controls who was awarded a contract with RFP H-45-13 “Automatic License Plate Recognition System” and is the only certified and approved Genetec vendor for the Southeast US territory that can sell and service our existing Genetec System. Miller Electric holds the CJIS (Criminal Justice Information System) certification required to work with this sensitive data.

In closing, Mr. Zamoski stated this amendment will provide installation of services, new Genetec cameras and equipment. This Amendment to the current three-year contract will expire on November 2024 and funding will come from the Information Technologies account.

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. Perkins asked if the video security services are similar to the real time cameras operated by BSO, to which Mr. Zamoski replied yes.

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

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)

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

ADOPTED and to insert the name LYNNE MITCHEM. Commissioner Fournier nominated Lynne Mitchem. The motion carried unanimously.

Enactment No: RES. No. 2023-155

G. 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.

H. NEXT SCHEDULED MEETING

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

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's Report:

Suzette Sibble, Assistant City Manager invited Russell Ketchum, Environmental Services Director, to provide a topic overview for Commission direction. Mr. Ketchum stated that they have been approached by the Broward League of Cities, who formed a Solid Waste Working Group, to consider an Interlocal Agreement for disposal and recycling Solid Waste Authority. He noted legal has returned an opinion that states since they are in an existing disposal agreement with Waste Management, they do not have the ability to enter into the Interlocal Agreement at this time. He stated that staff recommends not executing the ILA.

Mayor Hardin asked if the City Commission has seen the Interlocal Agreement. Ms. Sibble said no. Mayor Hardin noted that he was a member of the Solid Waste Working Group and has a copy of the Interlocal Agreement. He will forward to the other City Commissioners. Mayor Hardin asked for the background.

Mr. Ketchum provided a historical background on past Interlocal Agreements and summarized the currently proposed agreement. He reviewed areas of significant change, including a currently unknown financial commitment.

Mayor Hardin said their current agreement has exceptionally low rates for hauling and garbage. He noted the Solid Waste Working Group needs high participation to make it work. He thanked staff for the update and asked Mr. Ketchum to distribute a copy of the Interlocal Agreement to all Commissioners.

Mrs. Sibble reported on the legislative session. She said Senators Pizzo, Pulsky, and Bradley will be conducting a Town Hall at the Cultural Center on May 12 from 2:00 - 4:00 P.M. They will be discussing

several topics including changes to the condo reform, homeowners' association bill of rights, tort reform and insurance accountability, and hurricane protection. She noted their aides are reaching out to homeowners' associations directly to ensure they are advised of the meeting.

Vice Mayor McGee asked if there is enough time to make the meeting public so she and Comr. Moss can both attend. Comr. Moss said it is unfortunate the Town Hall is happening so quickly because some homeowners' associations need more time to provide notice to residents. He said he is going to ask the Senators to come to Palm Aire and present in June so there is enough lead time. Also, he expressed concern about a potentially disappointing turnout for the May 12th meeting.

Mayor Hardin said Commissioners can attend the meeting and speak to people individually without violating the Sunshine Law.

City Attorney's Report:

No report.

City Clerk's Report:

No report.

Comr. Eaton's Report:

Comr. Eaton referenced the packet sent regarding the 5th Avenue Industrial Park. She described challenges and the efforts made to clean up the area. She announced that the Cresthaven Civic Association will be hosting a BSO presentation on May 11th at the Charlotte Burrie Center.

Comr. Fournier's Report:

Comr. Fournier announced that May is Water Safety Month and shared drowning statistics. She encouraged residents to visit Watersmart Broward for a swim lesson coupon. She announced the Education Committee recently met for the first time this year and thanked the Committee members for serving. She summarized a message she received about the death of longtime resident Reverend Al Fennel. She said the District 3 Traffic Task Force will be meeting on May 10th at the Cultural Center.

Comr. Moss' Report:

Comr. Moss said he is looking forward to the South Kitchen and Bar ribbon cutting. He noted he will not be able to attend the upcoming bus tour sponsored by the Pompano Beach Historical Society but encouraged the other Commissioners to go. He announced the Station 61 ribbon cutting on May 17th and the Teachers Appreciation Luncheon on May 22nd.

Comr. Perkins' Report:

Comr. Perkins congratulated two university students, Michael Forrest and Julea Williams, for their invitation into the Elite 8 basketball tournament.

Vice Mayor McGee’s Report:

Vice Mayor McGee thanked Pompano Proud for adopting the dune at Lifeguard Station 3. She reminded residents not to disturb the dunes. She encouraged people to get involved in Youth Environmental Alliance and noted they will be compiling a document of plants that can be recommended to developers.

Mayor Hardin’s Report:

Mayor Hardin apologized for not being able to attend the Teachers Appreciation Luncheon due to a conflicting engagement. He mentioned he briefly attended Mother Mary Joe Fulton’s 106th drive-by birthday with Comr. Perkins.

J. ADJOURNMENT

The meeting adjourned at 3:12 p.m.

DocuSigned by:
Kervin Alfred
D1C913A8ED334CA...
Kervin Alfred, City Clerk

DocuSigned by:
Rex Hardin
502CB780EB3F480...
Rex Hardin, Mayor

