

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda - Final

Tuesday, February 11, 2020

1:00 PM

City Commission

Rex Hardin, Mayor

Barry Moss, Vice Mayor

Rhonda Eaton, Commissioner

Andrea McGee, Commissioner

Tom McMahon, Commissioner

Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceletha Hammond, 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 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.

HEARING IMPAIRED

If you require the services of a Sign Interpreter, please notify the City Manager's Office 24 hours in advance.

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

Asceleta Hammond, City Clerk

INVOCATION

*Pastor Larry Vinkemulder
First Baptist Church of Pompano Beach*

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[20-264](#)

Regular City Commission Meeting Minutes of January 28, 2020

APPROVAL OF AGENDA

CONSENT AGENDA DISCUSSION

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

A. PROCLAMATIONS

[20-255](#)

Black History Month Observance

Mayor Hardin will proclaim the month of February as Black History Month in the City of Pompano Beach. Hazel Armbrister, Historian for the City of Pompano Beach as well as President of Rock Road Restoration Historical Group will accept the proclamation.

B. 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)

C. CONSENT AGENDA

1. [20-247](#) Approval to award RFQ E-21-19, Stormwater Improvements for N.E. 27th Ave. & 16th St. (Project I) and for Atlantic Blvd. & S. Riverdale Dr. (Project II) to the highest ranked firm, Chen Moore and Associates.
(Fiscal Impact: N/A)

(Staff Contact: Tammy Good/Anthony Alhashemi)

2. [20-220](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DRAINAGE AND ACCESS EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND CHAREN, L.C., ACCEPTING A GRANT OF A DRAINAGE AND ACCESS EASEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$10.00)

(Staff Contact: Matthew Kudrna/Tammy Good)

3. [20-110](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DRAINAGE AND ACCESS EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND COPANS MOTORS, INC., ACCEPTING A GRANT OF A DRAINAGE AND ACCESS EASEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$10.00)

(Staff Contact: Matthew Kudrna/Tammy Good)

4. [20-256](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SEA TURTLE LIGHTING MAINTENANCE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Horacio Danovich)

5. [20-259](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF LIENS BETWEEN THE CITY OF POMPANO BEACH AND 815 39TH STREET EAST CORP. PERTAINING TO VACANT LOT LOCATED AT 3060 NW 3 STREET AND ACCEPT CONVEYANCE OF SAID PROPERTY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$5,117)



Strategic Plan Initiative

(**Staff Contact:** Fawn Powers/Cassandra LeMasurier)

6. [20-253](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2019-50, AND TO APPROPRIATE ANNUAL FUNDS IN AN AMOUNT NOT TO EXCEED TEN THOUSAND DOLLARS (\$10,000.00) PER EACH COMMISSIONER AND THE MAYOR TO UTILIZE SOLELY FOR THEIR SPECIFICALLY REQUESTED CITY EVENTS AND PROGRAMS AND REPORTED TO THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed \$10,000)

(**Staff Contact:** Greg Harrison)

7. [20-262](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, STRONGLY ENCOURAGING THE STATE LEGISLATURE TO APPROVE SENATE BILL 182 AND ANY COMPANION HOUSE BILLS RELATING TO THE PREEMPTION OF RECYCLABLE AND POLYSTYRENE MATERIALS BY AMENDING SECTION 403.7033 AND SECTION 500.90, FLORIDA STATUTES, REPEALING THE PREEMPTION OF LOCAL LAWS REGARDING THE USE OR SALE OF SINGLE-USE PLASTIC BAGS AND POLYSTYRENE MATERIALS; DIRECTING THE CITY CLERK TO TRANSMIT COPIES OF THIS RESOLUTION PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

8. [20-234](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NW 21st AVENUE BETWEEN ATLANTIC BOULEVARD AND NW 8TH STREET TO A DUAL DESIGNATION OF NW 21ST AVENUE AND REV. DANIEL MILLER AVENUE WITH NW 21ST AVENUE TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500 provided by requester)

(Staff Contact: Robert McCaughan)

9. [20-251](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NW 4TH STREET BETWEEN NW 6TH AVENUE AND NW 3RD AVENUE TO A DUAL DESIGNATION OF NW 4TH STREET AND HAROLD L. ABEL STREET WITH NW 4TH STREET TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500 paid by requester)

(Staff Contact: Robert McCaughan)

D. REGULAR AGENDA**QUASI-JUDICIAL PROCEEDING**10. [20-249](#)**P.H. 2020-46: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING TWO TEN-FOOT WIDE EASEMENTS LOCATED ON THE SOUTH SIDE OF SW 9TH STREET, APPROXIMATELY 500 FEET WEST OF ANDREWS AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING11. [19-620](#)**P.H. 2019-119: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT TEXT TO PROVIDE DEVELOPMENT RIGHTS WITHIN THE DESIGNATION OF THE LIVE! RESORTS POMPANO REGIONAL ACTIVITY CENTER (RAC); PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JULY 24, 2019; PROVIDING THAT A TRANSMITTAL HEARING AND AN ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019



Strategic Plan Initiative

(Staff Contact: David Recor/Jean Dolan)

12. [20-191](#)**P.H. 2020-31: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING ARTICLE 3, "ZONING DISTRICTS" OF THE ZONING CODE, TO MODIFY REFERENCES TO THE DUNE VEGETATION LINE TO THE HISTORIC DUNE VEGETATION LINE IN THE DIMENSIONAL STANDARDS TABLES; BY AMENDING SECTION 155.4302., "GENERAL," SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," SECTION 155.5402., "LIGHTING REQUIREMENTS FOR MARINE TURTLE PROTECTION," AND SECTION 155.9301., "REAR PROPERTY LINE AS RELATED TO MEASUREMENTS," TO MODIFY REFERENCES; BY AMENDING ARTICLE 9, PART 5, TERMS AND CONDITIONS," TO MODIFY DEFINITIONS AND DEFINE HISTORIC DUNE VEGETATION LINE; BY AMENDING APPENDIX B: CONSOLIDATED INTENSITY AND DIMENSIONAL STANDARDS, TO MODIFY REFERENCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JANUARY 28, 2020

(Staff Contact: Daniel Keester-O'Mills/David Recor)

13. [20-252](#)**P.H. 2020-45: (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 CONTRACT FOR DISASTER DEBRIS RECOVERY SERVICES BETWEEN THE CITY OF POMPANO BEACH AND T.F.R. ENTERPRISES, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: None until contract is implemented to recover from a disaster.)

(Staff Contact: Russell Ketchum)

14. [20-263](#)**P.H. 2020-44: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 90, "ANIMALS," BY CREATING SECTION 90.22, "COMMUNITY CAT MANAGEMENT," TO PROVIDE DEFINITIONS AND FOR REGULATION OF PRIVATELY OPERATED CAT MANAGEMENT PROGRAMS WITHIN THE CITY; BY AMENDING SECTION 90.27, "FEEDING OF FERAL CATS AND DOGS," BY ADDING PROVISIONS FOR CONSISTENCY WITH COMMUNITY CAT MANAGEMENT REQUIREMENTS; BY DELETING SECTION 90.29, "TRAPPING," IN ITS ENTIRETY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan/Jason Soldini)

E. REPORTS

City Manager

City Attorney

City Clerk

City Commission

F. ADJOURNMENT**BALANCE IN CONTINGENCY**

Oct. 1, 2019

Beginning Balance

\$12,000.00

**CITY OF POMPANO BEACH, FLORIDA
AUDIENCE TO BE HEARD
REQUEST FORM**

NAME: _____

TITLE: _____

COMPANY: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____ EMAIL: _____

PHONE: _____ FAX: _____

EACH SPEAKER IS LIMITED TO THREE (3) MINUTES

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session."

SUBJECT YOU DESIRE TO SPEAK ON:

NOTE: THIS FORM MUST BE COMPLETED AND HANDED TO THE CITY CLERK PRIOR TO THE CALL TO ORDER OF THE MEETING. THE CITY CLERK WILL CALL RESIDENTS AND/OR TAXPAYERS, TO INCLUDE AUTHORIZED REPRESENTATIVES FOR PERSONS PERMITTED TO BE HEARD, AS WELL AS EMPLOYEES OF THE CITY TO SPEAK FIRST. OTHERS DESIRING TO SPEAK WILL THEREAFTER BE CALLED TO SPEAK, EXCEPT WHEN THE PERSON IS A USER OF THE CITY'S WATER OR SEWER SYSTEM AND WISHES TO BE HEARD ON A MATTER RELATED TO THE CITY'S WATER AND/OR SEWER SYSTEM.