

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, March 28, 2023

6:00 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 Gonzalo Venegas
Community Christian Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-383](#) Regular City Commission Meeting Minutes of March 14, 2023

APPROVAL OF AGENDA

CONSENT AGENDA DISCUSSION

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

A. SPECIAL PRESENTATION

[23-372](#) **Pompano Eagles Recognition**

Mayor Rex Hardin will recognize the 2022 7U Football Team from the Pompano Eagles as back to back Super Bowl Champions. After winning the Super Bowl in 2021, the team came back to defend their title and went 13-0 for the season. The City would like to congratulate the team, coach Juan Cintron, assistant coaches and parents for a winning season.

B. PROCLAMATIONS[23-363](#)**Child Abuse Prevention Month**

Mayor Rex Hardin will proclaim April as Child Abuse Prevention Month in the City of Pompano Beach. Nicholas Hessing, Government Affairs Manager of the Children's Services Council of Broward County will accept the proclamation.

C. AUDIENCE TO BE HEARD

All persons interested in speaking during "Audience To Be Heard" must fill out a request form and turn it in to the City Clerk prior to the meeting. A request form is located on the last page of the agenda program.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session". (Effective May 28, 2019)

D. CONSENT AGENDA1. [23-373](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF A MUNICIPAL MASTER LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND YAMAHA MOTOR FINANCE CORPORATION, U.S.A. FOR THE LEASE OF 144-DR2E LITHIUM GOLF CARS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Monthly lease payments of \$5,930.48 over 48 months)

(Staff Contact: Allison Feurtado)

2. [23-378](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING POMPANO BEACH RESOLUTION NO. 95-112 AND RESOLUTION NO. 2016-180 BY AMENDING SECTION 3, MEMBERSHIP, TO PROVIDE FOR ADDITIONAL ALTERNATE MEMBERS OF THE EDUCATION ADVISORY COMMITTEE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

3. [23-379](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA INTERNATIONAL PARKING SYSTEM, LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Revenue Generating, \$25 per space each month)

(Staff Contact: Jeff Lantz)

4. [23-386](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE AND GOVERNOR TO FUND, DEVELOP AND PROVIDE A NO OR LOW INTEREST LONG-TERM LOAN PROGRAM FOR QUALIFYING FLORIDA CONDOMINIUM OR COOPERATIVE OWNERS BURDENED WITH HIGH SPECIAL ASSESSMENTS FOR STRUCTURAL REPAIRS MANDATED BY THE 2022 LEGISLATURE THROUGH THE PASSAGE OF SENATE BILL 4-D; AND IN ADDITION TO OR IN LIEU THEREOF, TO AMEND THE REQUIREMENTS TO PROVIDE ADDITIONAL TIME FOR COMPLIANCE WITH FUNDING REQUIREMENTS; PROVIDING FOR AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

E. REGULAR AGENDA5. [23-147](#)**P.H. 2023-47: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR A 5.76 GROSS ACRE SITE LOCATED ON THE WEST SIDE OF NW 31ST AVENUE, EAST OF THE FLORIDA TURNPIKE GENERALLY LOCATED AT 1201 NW 31ST AVENUE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON NOVEMBER 16, 2022; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM FEBRUARY 28, 2023

(Staff Contact: Jean Dolan/David Recor)

QUASI-JUDICIAL PROCEEDING6. [23-149](#)**P.H. 2023-48: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING THE PROPERTY COMPRISED OF THREE PARCELS LYING ON THE WEST SIDE OF NW 31st AVENUE, EAST OF THE FLORIDA TURNPIKE AND INCLUDING THE PROPERTY COMMONLY KNOWN AS 1201 NW 31ST AVENUE FROM B-3 (GENERAL BUSINESS) AND B-4 (HEAVY BUSINESS) TO I-1 (GENERAL INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM FEBRUARY 28, 2023

(Staff Contact: Jean Dolan/David Recor)

7. [23-374](#) **P.H. 2023-54: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE SOUTH SIDE OF NW 4TH COURT, APPROXIMATELY 250 FEET EAST OF NW 31ST AVENUE AND COMMONLY KNOWN AS 3061 NW 4TH COURT FROM B-3 (GENERAL BUSINESS) TO B-2 (COMMUNITY BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

8. [23-370](#) **P.H. 2023-55: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A 30-FOOT WIDE PORTION OF THE NE 13TH AVENUE RIGHT-OF-WAY BETWEEN NE 9TH STREET AND NE 8TH COURT, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

9. [23-295](#) **P.H. 2023-50: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, "BY AMENDING SECTION 152.13, "FORTY YEAR SAFETY INSPECTIONS," TO MODIFY THE INTERVALS, REFERENCES AND PROCEDURES FOR BUILDING SAFETY INSPECTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: MARCH 14, 2023

(Staff Contact: Michael Rada/Carpelo Jeoboam)

10. [23-298](#)

P.H. 2023-51: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 154, "PLANNING," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 154.61, "REDEVELOPMENT AND FLEXIBILITY UNITS," TO MODIFY REQUIREMENTS TO PROVIDE INCENTIVES FOR MIXED INCOME RESIDENTIAL DEVELOPMENT; AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.3302., "LIMITED BUSINESS (B-1)," SECTION 155.3303., "COMMUNITY BUSINESS (B-2)," SECTION 155.3304., "GENERAL BUSINESS (B-3)," AND SECTION 155.4202., "RESIDENTIAL: HOUSEHOLD LIVING USES," TO CLARIFY AND AMEND STANDARDS FOR MIXED INCOME RESIDENTIAL DEVELOPMENT USING BROWARD COUNTY LAND USE PLAN POLICIES 2.16.3 AND 2.16.4; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MARCH 14, 2023

(Staff Contact: Jean Dolan/David Recor)

11. [23-331](#)

P.H. 2023-52: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, "PARKS AND PLAYGROUNDS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 98.09, "ALSDORF PARK," TO MODIFY REQUIREMENTS AND TO SET NEW PROHIBITIONS AND REGULATIONS FOR USE OF PARK FACILITIES; PROVIDING FOR VIOLATIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MARCH 14, 2023

(Staff Contact: Mark A. Beaudreau)

12. [23-359](#)**P.H. 2023-53: (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 FIRST AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND PFM FINANCIAL ADVISORS, LLC, TO PROVIDE FINANCIAL ADVISORY SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: MARCH 14, 2023

(Staff Contact: Allison Feurtado)

13. [23-371](#)**P.H. 2023-56: (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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BEACH RAKER, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$252,000)

(Staff Contact: Russell S. Ketchem)

14. [23-382](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF JAMES MOREHEAD, ALTERNATE 2; SAID TERM TO EXPIRE ON JUNE 13, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Robert Whitsett - District 3

Sarahca Peterson - District 4

Danika Jackson - District 5

(Staff Contact: Kervin Alfred)

F. ADDITIONAL AUDIENCE TO BE HEARD

G. NEXT SCHEDULED MEETING

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

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

May 9, 2023 at 1:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager

City Attorney

City Clerk

City Commission

I. 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
	Total:	\$7,000.00

**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.