

# **City of Pompano Beach**

**City Commission Meeting  
Commission Chamber**

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



## **Agenda**

**Tuesday, December 13, 2022**

**1:00 PM**

**City Commission**

## **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**

*Bishop Charles Ross  
Judah NOW Church*

**PLEDGE OF ALLEGIANCE**

*Led by Kervin Alfred, City Clerk*

**APPROVAL OF MINUTES**

- [23-145](#) Regular City Commission Meeting Minutes of November 8, 2022
- [23-146](#) Special City Commission Meeting (Induction Ceremony) Minutes of November 22, 2022

**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**

- [23-107](#) **Habitat for Humanity Special Presentation**  
Nancy Robin, CEO & Executive Director of Habitat for Humanity of Broward County will make a brief presentation regarding Collier City being a finalist in the Best Affordable Residential category for the 2022 Structures Awards sponsored by South Florida Journal.

**B. PROCLAMATIONS**

- [23-114](#) **Arbor Day Designation**  
Mayor Rex Hardin will proclaim December 13th as Arbor Day in the City of Pompano Beach and present the proclamation to the City's Arborist, Wade Collum.

**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 AGENDA**

1. [23-79](#) Consideration of a request by Leonard A Soderman to transfer ownership of Block 34, Lot 10, Plots 4 & 6 in the North Lawn to Steven C. & Susan M. Soderman as defined in Burial Right Agreement # 882.  
(Fiscal Impact: N/A)

(Staff Contact: Robert A. McCaughan)

2. [23-100](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, ACCEPTING ADDITIONAL GRANT FUNDS IN THE AMOUNT OF \$200,000 FOR AIRPORT SECURITY GATE ENHANCEMENTS, AND CONFIRMING THE CITY'S ADDITIONAL CONTRIBUTION IN THE AMOUNT OF \$50,000; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$50,000)

(Staff Contact: Steven Rocco/Robert McCaughan)

3. [23-102](#) 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 NE 2ND STREET BETWEEN NORTH FLAGLER AVENUE AND NE 3RD AVENUE TO A DUAL DESIGNATION OF NE 2ND STREET AND MCCLELLAN STREET WITH NE 2ND STREET TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500 provided by requester)

(Staff Contact: Robert A. McCaughan)

4. [23-118](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, ACCEPTING A GRANT IN THE AMOUNT OF \$40,000 FOR VALIDATION/MITIGATION OF AIR PARK OBSTACLES, AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$10,000; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$10,000)

(Staff Contact: Steven Rocco/Robert McCaughan)

5. [23-122](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE FDOT DISTRICT FOUR (4) AMENDMENT NUMBER TWENTY-THREE (23) TO LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY OF STATE ROAD 849 (NW 31ST AVENUE); PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert A. McCaughan)

6. [23-123](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE FDOT DISTRICT FOUR (4) AMENDMENT NUMBER TWENTY-FOUR (24) TO LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY OF STATE ROAD 845 (POWERLINE ROAD); PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Robert A. McCaughan)

7. [23-51](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY TO OCCUPY A PORTION OF ALSDORF PARK AS A STAGING AREA FOR ITS DEERFIELD ISLAND SITE IMPROVEMENT CONSTRUCTION PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Mark A. Beaudreau)

8. [23-112](#) 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 LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOUCHER BROTHERS POMPANO BEACH, LLC TO OPERATE THE RENTAL OF BEACH EQUIPMENT AND CABANAS TO THE PUBLIC PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Mark A. Beaudreau)

9. [23-104](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE CITY MANAGER'S APPROVAL OF AN AGREEMENT BETWEEN THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF ARTS AND CULTURE AND THE CITY OF POMPANO BEACH, ACCEPTING A \$150,000 GENERAL PROGRAM SUPPORT GRANT FOR THE POMPANO BEACH ARTS PROJECTS, AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$150,000; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$150,000 matching fund)

(Staff Contact: Ty Tabing)

10. [23-115](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY'S FISCAL YEAR 2023 ANNUAL PUBLIC ART PLAN AND DIRECTING STAFF TO PROCEED WITH THE PROJECTS INCLUDED THEREIN; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$286,165.00)



**Strategic Plan Initiative**

(Staff Contact: Laura Atria/Ty Tabing)

11. [23-117](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A NOTICE OF SITE DEDICATION AND LIMITATION OF USE IN COMPLIANCE WITH THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANT AGREEMENT FOR THE NORTH POMPANO PARK HARDSCAPE AND LANDSCAPE PROJECT; PROVIDING FOR RECORDATION; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$200,000.00)

**G.O. POMPANO!**

(Staff Contact: Fernand Thony/Horacio Danovich)

12. [23-130](#) 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 DANIEL AND BRITTANY RUSHTON, CAROL BOYD AND DAVID NORMAN, AND THE CITY OF POMPANO BEACH, PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

13. [23-131](#) 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 JOHN AND SUSAN FOREMAN, CURRIN M. NICHOL III, AND THE CITY OF POMPANO BEACH, AND A DOCKING EXTENSION AGREEMENT AMONG JOHN AND SUSAN FOREMAN, JOHN MICHAEL AND LINDA BRADSHAW, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

14. [23-134](#) 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 TIMOTHY AND LESLIE PICKETT, VINCENT MURATORE, AND THE CITY OF POMPANO BEACH, AND A DOCKING EXTENSION AGREEMENT BETWEEN TIMOTHY AND LESLIE PICKETT, RENEE MANDERSCHIED AND ANDREW MILL, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)



15. [23-136](#) 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 AGREEMENT AMONG THOMAS C. WALSH AND ELLEN TAKAGI WALSH, IVAN J. SUDIC AND JOHN MARK SUDIC, AND THE CITY OF POMPANO BEACH, AND A SHARED COMMON DOCKING AGREEMENT BETWEEN THOMAS C. WALSH AND ELLEN TAKAGI WALSH, JOSEPH T. WALSH, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** John Sfiropoulos)

16. [23-138](#) 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 MUNICIPAL LIENS BETWEEN THE CITY OF POMPANO BEACH; O'CONNOR HOLDINGS, LLC; BROWARD COUNTY; AND GOLD COAST PLAT PROPERTY OWNERS ASSOCIATION, INC. TO RESOLVE CITY'S PENDING FORECLOSURE ACTION AGAINST 1601 NW 15TH AVENUE; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: \$250,000.00 paid to City of Pompano Beach)

**(Staff Contact:** Fawn Powers)

17. [23-95](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING A SETTLEMENT AGREEMENT AND RELEASE RELATING TO THE SETTLEMENT OF THE LAWSUIT AGAINST WALMART INC., AS PARTIAL SETTLEMENT OF THE ONGOING OPIOID LITIGATION CASE; APPROVING AND AUTHORIZING THE CITY ATTORNEY TO EXECUTE ALL DOCUMENTS PERTAINING TO THIS SETTLEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$94,571.48 paid to the city.)

**(Staff Contact:** Mark E. Berman)

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18. [23-128](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING DARLENE SMITH TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY MOSS, 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. [23-129](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CHARLOTTE BURRIE TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY MOSS, 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. [23-143](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JOSEPH “JOE” CERQUOZZI TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS 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)
21. [23-144](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RICHARD “RICH” DALLY TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS 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)
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**E. REGULAR AGENDA**22. [23-53](#)**P.H. 2023-18: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR A 7.0 GROSS ACRE SITE LOCATED AT 1700 BLOUNT ROAD (NW 30TH AVENUE); PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON OCTOBER 26, 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)

**FIRST READING: NOVEMBER 8, 2022**

(Staff Contact: Jean Dolan/David Recor)

**QUASI-JUDICIAL PROCEEDING**23. [23-54](#)**P.H. 2023-19: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING A PORTION OF THE PROPERTY LOCATED ON THE EAST SIDE OF BLOUNT ROAD (A/K/A NW 30TH AVENUE) APPROXIMATELY ONE HALF-MILE NORTH OF DR MARTIN LUTHER KING, JR. BOULEVARD, COMMONLY KNOWN AS 1700 BLOUNT ROAD, FROM CF (COMMUNITY FACILITIES) TO B-3 (GENERAL BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: NOVEMBER 8, 2022**

(Staff Contact: Jean Dolan/David Recor)

24. [23-99](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON BROWARD COUNTY PLAT NO. 2; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

25. [23-47](#) **P.H. 2023-23: (PUBLIC HEARING 2ND READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE NORTH SIDE OF PARK CENTRAL BOULEVARD, COMMONLY KNOWN AS 1700-1736 PARK CENTRAL BOULEVARD AND ON THE SOUTH SIDE OF PARK CENTRAL BOULEVARD, COMMONLY KNOWN AS 100-140 PARK CENTRAL BOULEVARD FROM OFFICE INDUSTRIAL PARK (OIP) TO GENERAL INDUSTRIAL (I-1); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: NOVEMBER 8, 2022**

(Staff Contact: Jean Dolan/David Recor)

26. [23-48](#) **P.H. 2023-22: (PUBLIC HEARING 2ND READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED ON THE NORTH SIDE OF NW 33RD STREET, BETWEEN N. POWERLINE ROAD AND NW 16TH AVENUE, COMMONLY KNOWN AS 1741 NW 33RD STREET, FROM I-1 (GENERAL INDUSTRIAL) TO I-1X (SPECIAL INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: NOVEMBER 8, 2022**

(Staff Contact: Jean Dolan/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

27. [23-125](#) Approval to award ITB E-37-22 Alsdorf Park Seawall and Dock Replacement to the lowest responsive, responsible bidder, B & M Marine Construction, Inc., at a cost of \$1,781,595.50.  
(Fiscal Impact: \$1,781,595.50)

**(Staff Contact:** Tammy Good)

28. [23-113](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY-WIDE RECREATION FACILITIES AND ACTIVITIES REPORT PREPARED BY BALLARD KING & ASSOCIATES LTD.; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** Mark A. Beaudreau)

29. [23-90](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REVOLVING LOAN PROGRAM FOR POINT SOURCE WATER POLLUTION CONTROL; AND, UPON APPROVAL, AUTHORIZING EXECUTION OF THE CORRESPONDING LOAN AGREEMENT, PLEDGING OF STORMWATER UTILITY FEES AS THE REVENUES TO REPAY THE LOAN, AND PROVIDING FOR CARRYING OUT ALL LOAN RESPONSIBILITIES UNDER THE AGREEMENT; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$875,000. Financed over the maximum SRF 20-year term with Stormwater revenues)

**(Staff Contact:** A. Randolph Brown)

30. [23-25](#)

**P.H. 2023-15: (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 CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND ENCO UTILITY SERVICES FLORIDA, LLC TO PROVIDE UTILITY MAILING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$120,000.00)

**FIRST READING: NOVEMBER 8, 2022**

(Staff Contact: Allison Feurtado)

31. [23-50](#)

**P.H. 2023-17: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 34.0603, "DEFERRED RETIREMENT OPTION PLAN (DROP)," BY AMENDING SECTION 34.0604, "SUPPLEMENTAL RETIREMENT BENEFIT FOR FIREFIGHTERS," TO IMPLEMENT RECENT CHANGES IN THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE POMPANO BEACH PROFESSIONAL FIRE FIGHTERS AND THE CITY OF POMPANO BEACH FOR THE PERIOD BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2025, THAT MODIFIES THE POLICE AND FIREFIGHTERS' RETIREMENT SYSTEM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: NOVEMBER 8, 2022**

(Staff Contact: Ed Beecher)

32. [23-61](#)

**P.H. 2023-16: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 151, "BEACHES AND WATERWAYS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 151.03, "STRUCTURES IN WATERWAYS," TO MODIFY MEASUREMENT STANDARDS AND REQUIREMENTS FOR STRUCTURES LOCATED WITHIN WATERWAYS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: NOVEMBER 8, 2022**

(Staff Contact: John Sfiropoulos)

33. [23-141](#)

**P.H. 2023-26: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 132, "PUBLIC PEACE AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 132.38, "CHRONIC NUISANCE PROPERTY CODE," TO PROVIDE FOR A STREAMLINED PROCESS THAT IS CONSISTENT WITH OTHER CITY CODES FOR IDENTIFYING CHRONIC NUISANCE PROPERTIES AND ENFORCEMENT PROCEDURES FOR THE ABATEMENT OF CHRONIC NUISANCE ACTIVITY OCCURRING AT BOTH RESIDENTIAL AND COMMERCIAL-OWNED PROPERTIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: JANUARY 10, 2023**

(Staff Contact: Tracy A. Lyons)

34. [23-109](#) **P.H. 2023-24: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 132, "PUBLIC PEACE AND SAFETY," BY AMENDING SECTION 132.36, "SEXUAL OFFENDER AND SEXUAL PREDATOR RESIDENCE PROHIBITION," TO EXPAND THE SCOPE OF PROHIBITIONS BY PROVIDING FOR VIOLATIONS OF ADDITIONAL STATE STATUTES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)  
  
(Staff Contact: Tracy A. Lyons)
35. [23-124](#) **P.H. 2023-25: (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 SOFTWARE SUBSCRIPTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ECIVIS, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE  
(Fiscal Impact: \$10,000/ year over three years)  
  
(Staff Contact: Suzette Sibble/Karen Santen)
36. [23-148](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND AEG PRESENTS SE, LLC; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: Revenue generating through escalating rental payments \$2,500.00/ event during the first year; \$3,500 during the second year; and \$4,500 during the third year.)  
  
(Staff Contact: Earl Bosworth)
37. [23-142](#) A RESOLUTION APPOINTING KERVIN ALFRED AS CITY CLERK AND ESTABLISHING A SALARY TO BE PAID; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: As determined by the City Commission)  
  
(Staff Contact: Ed Beecher)

**F. ADDITIONAL AUDIENCE TO BE HEARD**



**G. NEXT SCHEDULED MEETING**

January 10, 2023 at 1:00 p.m. - Regular City Commission Meeting

January 24, 2023 at 6:00 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

**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:**

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**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.**