

# **City of Pompano Beach**

**City Commission Meeting**

**Commission Chamber**

*100 West Atlantic Blvd.*

*Pompano Beach, FL 33060*



## **Agenda**

**Tuesday, March 27, 2018**

**6:00 PM**

### **City Commission**

*Lamar Fisher, Mayor*

*Charlotte J. Burrie, Vice Mayor*

*Rex Hardin, Commissioner*

*Barry Moss, Commissioner*

*Beverly Perkins, Commissioner*

*Michael Sobel, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Asceletha Hammond, City Clerk*

**CALL TO ORDER**

*The Honorable Lamar Fisher  
Mayor, Presiding*

**ROLL CALL**

*Asceleta Hammond, City Clerk*

**INVOCATION**

*Apostle S. Constancia Daley  
Rhema Word Ministries International*

**PLEDGE OF ALLEGIANCE**

*Led by Asceleta Hammond, City Clerk*

**APPROVAL OF MINUTES**

- |                               |   |
|-------------------------------|---|
| <a href="#"><u>18-288</u></a> | Regular City Commission Meeting Minutes of March 13, 2018     |
| <a href="#"><u>18-290</u></a> | Special City Commission Meeting Minutes of September 25, 2017 |
| <a href="#"><u>18-289</u></a> | Special City Commission Meeting Minutes of September 19, 2017 |

**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**

[18-281](#)      **Water Conservation Month**

Mayor Lamar Fisher will proclaim April as Water Conservation Month in the City of Pompano Beach. Utilities Director, Randolph Brown will accept proclamation on behalf of the City.

[18-292](#)      **Blanche Ely High School Basketball Champions**

Mayor Lamar Fisher will present a proclamation to the Blanche Ely High School Boys Basketball Team and Coach Melvin Randall for their success as the Class 8A State Basketball Champions of the State of Florida.

**B. PRESENTATION**[18-283](#)

Presentation of the Actuarial Valuation Report for the City of Pompano Beach General Employees' Retirement System as of October 1, 2017 by Board Actuary, Mr. Todd Green of Cavanaugh Macdonald Consulting, Inc.  
(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

**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 longer, 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 meeting in the event that individuals wishing to speak are not reached during the first session". (Effective November 27, 2007)

**D. CONSENT AGENDA**

1. [18-269](#)

Approve ranking order for RLI E-11-18 Continuing Contract for Electrical Engineering Services, and authorize staff to negotiate contracts with the two highest ranked firms: Hillers Electrical Engineering, Inc. and SGM Engineering, Inc. (No cost at this time.)  
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

2. [18-247](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE STUDY ENTITLED, "POMPANO BEACH SHORT TERM RENTALS: RESEARCH AND RECOMMENDATIONS," PREPARED BY KEITH AND ASSOCIATES, INC.; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Jennifer Gomez/David Recor)

3. [18-265](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR THE MONITORING OF DEVELOPMENT ACTIVITY AND ENFORCEMENT OF PERMITTED LAND USES IN THE EAST TRANSIT ORIENTED CORRIDOR (ETOC); PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



**Strategic Plan Initiative**

(**Staff Contact:** David Recor/Jean Dolan)

4. [18-270](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH PURSUANT TO CHAPTER 96 OF THE CITY'S CODE OF ORDINANCES, ASSESSING THE CITY'S COSTS FOR ABATING PUBLIC NUISANCE CONDITIONS ON REAL PROPERTY(IES) IN THE CITY AND PROVIDING THAT UPON THE RECORDING OF THIS RESOLUTION SAID ASSESSMENT, INCLUDING ADMINISTRATION AND INSPECTION COSTS, SHALL BE A LIEN AGAINST THE PROPERTY(IES) WHICH SHALL BEAR INTEREST AS SET FORTH IN SECTION 55.03, FLORIDA STATUTES, AND BE CO-EQUAL WITH LIENS OF AD VALOREM TAXES; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE RESOLUTION AND TO PROVIDE OWNERS(S) WITH A NOTICE OF LIEN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Miguel A. Núñez/David Recor)

5. [18-260](#) 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 HOLY CROSS HOSPITAL, INC. TO PROVIDE USE OF THE CITY'S AQUATIC CENTERS FOR OUTPATIENT AQUATIC THERAPY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Licensee will pay the city on a monthly basis \$12.50 daily rate individual sessions and \$6.25 for group sessions for each patient. )

(**Staff Contact:** Mark Beaudreau)

6. [18-261](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY, ACCEPTING A GRANT IN THE AMOUNT OF \$58,000.00 TO FINANCE PLAYGROUND EQUIPMENT AT MCNAIR PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City to receive \$58,000 in grant funds)



**Strategic Plan Initiative**

(Staff Contact: Mark Beaudreau)

7. [18-266](#) 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 HOLA MUNDO!, LLC TO PROVIDE A BILINGUAL SUMMER CAMP FOR BOYS AND GIRLS AGES FOUR TO THIRTEEN YEARS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Licensee will pay the city \$3,000 for the use of Beach Pavilion #2.)

(Staff Contact: Mark Beaudreau)

8. [18-267](#) 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 MINORITY HELP, INC. TO HOST A BRAZILIAN FOLK FESTIVAL AT THE MULTI-PURPOSE FIELD LOCATED IN COMMUNITY PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City to provide \$1,688 in in-kind services)



**Strategic Plan Initiative**

(Staff Contact: Mark Beaudreau)

9. [18-272](#) A RESOLUTION 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 NEW HORIZON COMMUNITY DEVELOPMENT CORPORATION, INC., TO PROVIDE SUMMER YOUTH EMPLOYMENT TRAINING PROGRAM SERVICES; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$152,000.00)



**Strategic Plan Initiative**

**(Staff Contact:** Eddie Beecher/Bobby Bush)

10. [18-279](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 2 IN THE AMOUNT OF \$40,805.91, PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA DESIGN DRILLING CORP. FOR THE WATER AND REUSE TREATMENT PLANTS METER REPLACEMENT PROJECT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$40,805.91)

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

11. [18-284](#) 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 5TH AVENUE BETWEEN NW 18TH STREET AND NW 2ND STREET TO A DUAL DESIGNATION OF ELLINGTON AVENUE AND NW 5TH AVENUE WITH NW 5TH AVENUE TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$500 provided by requester))

**(Staff Contact:** Robert McCaughan)

12. [18-287](#) 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 AMONG THE CITY OF POMPANO BEACH, GUSTAVO PINEIRO, AS TRUSTEE, AND AC HOMES, LLC TO RESOLVE PENDING CITY'S FORECLOSURE ACTION AGAINST THE PROPERTIES LOCATED AT 2556 NW 4TH COURT, 412 NW 6TH STREET AND 416 NW 6TH STREET; ACCEPTING CONVEYANCE OF 412 NW 6th STREET AND 416 NW 6th STREET TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Fawn Powers)

13. [18-280](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING THE CERTIFIED RESULTS OF THE MARCH 13, 2018 SPECIAL MUNICIPAL ELECTION FROM THE BROWARD COUNTY CANVASSING BOARD, BROWARD COUNTY SUPERVISOR OF ELECTIONS OFFICE, WITH RESPECT TO THE BOND REFERENDUM CALLED AND HELD IN THE CITY OF POMPANO BEACH, FLORIDA, PURSUANT TO RESOLUTION NO. 2018-01 ADOPTED BY THE CITY COMMISSION ON OCTOBER 10, 2017; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Asceleta Hammond)

**E. REGULAR AGENDA****QUASI-JUDICIAL PROCEEDING**

14. [18-277](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND CONSENTING TO A TERMINATION/RELEASE OF DECLARATION OF RESTRICTIVE COVENANTS FOR PROJECT ACCESS BY AND BETWEEN BRIDGE POWERLINE, LLC AND BROWARD COUNTY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

15. [18-271](#) **P.H. 2018-58: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A FOURTEEN FOOT UTILITY EASEMENT LYING NORTH OF AND PARALLEL TO NE 2ND STREET BETWEEN NE 1ST AVENUE AND NE 2ND AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

16. [18-268](#) 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 DEVELOPER'S AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HABITAT FOR HUMANITY OF BROWARD, INC.; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$641,960.00)



**Strategic Plan Initiative**

(Staff Contact: David Recor/Jae Eun Kim)



17. [18-239](#)**P.H. 2018-54: (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 PFM FINANCIAL ADVISORS, LLC, TO PROVIDE FINANCIAL ADVISORY SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: On an as needed basis, based on the stated fees in the agreement.)

**FIRST READING: MARCH 13, 2018**

(Staff Contact: Andrew Jean-Pierre)

18. [18-240](#)**P.H. 2018-57: (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 REINSTATEMENT AND EXTENSION TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE BROWARD SHERIFF'S OFFICE AND CITY OF POMPANO BEACH ALLOWING FOR THE ADMINISTRATION OF THE COMMUNITY ORIENTED POLICING SERVICES HIRING (COPS) GRANT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Erjeta Diamanti)

19. [18-257](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING AMONG THE CITY OF POMPANO BEACH, AZUR EQUITIES, LLC, AND FLORIDIANS FOOTBALL CLUB INC., RELATING TO THE DESIGN, CONSTRUCTION AND OPERATION OF A SPORTS COMPLEX AT THE CITY'S 12 ACRE PARK IN PALM AIRE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1.5 million)

(Staff Contact: Horacio Danovich)

20. [18-285](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MONTH-TO-MONTH PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CREATIVE CITY COLLABORATIVE OF POMPANO BEACH, INC.; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$65,000 per month = \$390,000 for 6 months )



**Strategic Plan Initiative**

(Staff Contact: Phyllis Korab/Mark Beaudreau)

21. [18-220](#) **P.H. 2018-49: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY DELETING SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," IN ITS ENTIRETY AND CREATING A NEW SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A PERFORMANCE BOND; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; AND BY DELETING SECTION 100.60, "DEFINITION," IN ITS ENTIRETY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**TABLED FROM FEBRUARY 27, 2018**

(Staff Contact: John Sfiropoulos)

22. [18-278](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF MICHAEL DEBERRY, ALTERNATE 2; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants:

Donald H. Totter, District, 1



**Strategic Plan Initiative**

(Staff Contact: Asceleta Hammond)

**F. REPORTS**

*City Manager*

*City Attorney*

*City Clerk*

*City Commission*

**G. ADJOURNMENT**

**BALANCE IN CONTINGENCY**

Oct. 1, 2017	Beginning Balance	\$10,000.00
	Total:	\$10,000.00

**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**

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.