

# **City of Pompano Beach**

## **City Commission Meeting Commission Chamber**

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



## **Agenda**

**Tuesday, May 24, 2022**

**6:00 PM**

### **City Commission**

*Rex Hardin, Mayor*

*Beverly Perkins, Vice Mayor*

*Rhonda Eaton, Commissioner*

*Cyndy Floyd, Commissioner*

*Andrea McGee, Commissioner*

*Tom McMahon, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Asceletta 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 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**

*Asceleta Hammond, City Clerk*

**INVOCATION**

*Rev. Dr. Greg Fitch  
Psychology and Hospital Chaplain*

**PLEDGE OF ALLEGIANCE**

*Led by Asceleta Hammond, City Clerk*

**APPROVAL OF MINUTES**

[22-392](#) Regular City Commission Meeting Minutes of May 10, 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**

[22-396](#) **Dune Planting Progress Update**

Mr. Lee Gottlieb of the South Florida Audubon Society will give an update to the City Commission pertaining to the dune planting progress on Pompano Beach.

**B. PROCLAMATIONS**

[22-387](#) **National Gun Violence Awareness Day**

Mayor Rex Hardin will proclaim June 3, 2022 as “National Gun Violence Awareness Day” in the City of Pompano Beach. Susan El Sheikh, Volunteer Lead for the Broward County Chapter of Moms Demand Action for Gun Sense in American will accept the proclamation on behalf of the organization. Also in attendance will be members Cristina Rodrigues and Elizabeth Weigard.

**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. [22-380](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, TO CONSTRUCT IMPROVEMENTS ON STATE ROAD A1A FROM SUNSET LANE TO SE 1ST STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**G.O. POMPANO!**

(Staff Contact: Fernand Thony/Horacio Danovich)

2. [22-386](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 22-57, AND GRANTING AN EASEMENT TO BROWARD COUNTY FOR THE CONSTRUCTION OF BUS SHELTER #1533; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

3. [22-383](#) 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 WALGREENS BOOTS ALLIANCE, INC. AND WALGREEN CO. (WALGREENS), 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: Approximately \$2,079,927.00 paid to the City over a period of 18 years.)

(Staff Contact: Mark E. Berman)

**E. REGULAR AGENDA**

**QUASI-JUDICIAL PROCEEDING**

4. [22-372](#) **P.H. 2022-61: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A SIX FOOT UTILITY EASEMENT LOCATED ON THE WEST SIDE OF FEDERAL HIGHWAY BETWEEN NE 31ST STREET AND NE 33RD STREET, COMMONLY KNOWN AS 3207 N. FEDERAL HIGHWAY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

5. [22-351](#)

**P.H. 2022-59: (PUBLIC HEARING 2ND 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 AMENDING SECTION 100.01, "MINIMUM RIGHT-OF-WAY," TO PROVIDE EXCEPTIONS FOR REQUIRED RIGHT-OF-WAY WIDTH IN CERTAIN DESIGNATED AREAS, AND AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.5704., "FRONTAGE AND ACCESS," TO PROVIDE FOR SPECIFIC UTILITY AND PUBLIC SAFETY ACCESS REQUIREMENTS FOR PROPERTIES IN CERTAIN DESIGNATED AREAS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: MAY 10, 2022**



**Strategic Plan Initiative**

(Staff Contact: Jean Dolan/John Sfiropoulos)

6. [22-379](#)

**P.H. 2022-62: (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 FIRST AMENDMENT TO LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY RELATING TO MCNAB PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Nguyen Tran/Sarah Mulder)

7. [22-384](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH AS ALTERNATE #2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 11, 2025; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**APPLICANTS:**

Ray Lubomski, Alternate 2/**Incumbent** - District 3  
Richard Dally - District 3  
Derek Lewis - District 3  
Louis Riva - District 3  
Carmen Jones - District 4

(Staff Contact: Asceleta Hammond)

8. [22-385](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF LISA FERRERI, ALTERNATE #3; SAID TERM TO EXPIRE ON JUNE 11, 2024; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 22-384 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

9. [22-388](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF DEDRICK WATKINS, ALTERNATE #2; SAID TERM TO EXPIRE ON MAY 14, 2023; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**APPLICANTS:**

Brooke Johnston - District 1  
Tanya Manfredi - District 1  
Mary Lou Ruderman - District 1  
Richard Dally - District 3

(Staff Contact: Asceleta Hammond)

10. [22-391](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF GAIL A. DEANGELIS, REAL ESTATE PROPERTY MANAGER; SAID TERM TO EXPIRE ON SEPTEMBER 12, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Toshia R. Drummond, **Real Estate Broker** - Plantation

**(Staff Contact:** Asceleta Hammond)

**F. ADDITIONAL AUDIENCE TO BE HEARD**

**G. NEXT SCHEDULED MEETING**

June 14, 2022 at 1:00 p.m. - Regular City Commission Meeting

June 28, 2022 at 5:00 p.m. - City Commission Budget Workshop

June 28, 2022 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, 2021

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.**