



# City of Pompano Beach

100 West Atlantic Blvd.  
Pompano Beach, FL 33060

## Detailed Minutes - Final

### 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*

Tuesday, April 11, 2023

1:00 PM

Commission Chamber

### City Commission Meeting

#### CALL TO ORDER

The Honorable Rex Hardin, Mayor called the City Commission meeting to order at 1:00 p.m.

#### ROLL CALL

**Present:** Commissioner Alison Fournier  
Commissioner Barry Moss  
Commissioner Beverly Perkins  
Vice Mayor Andrea McGee  
Mayor Rex Hardin

**Absent:** Commissioner Rhonda Eaton

#### INVOCATION

Rev. Dr. Greg Fitch, Psychology and Hospital Chaplain offered the invocation.

#### PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

#### APPROVAL OF MINUTES

[23-415](#) Regular City Commission Meeting Minutes of March 28, 2023

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Minutes be APPROVED. The motion carried by a unanimous voice vote.**

**APPROVAL OF AGENDA**

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Agenda be APPROVED AS SUBMITTED. The motion carried unanimously.**

**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.

Mayor Hardin announced that no items would be pulled under the Consent Agenda for City Commission discussion.

**A. PROCLAMATION****[23-422](#) National Autism Awareness Month Proclamation**

Mayor Hardin proclaimed the month of April as National Autism Awareness Month in the City of Pompano Beach and read in its entirety the National Autism Awareness Month proclamation. Mrs. Margie Hedelund accepted the proclamation on behalf of the Autism Society of Florida. Ms. Juliana Carranza Escobar also accepted the proclamation on behalf of Constituency Board, University of Miami - Center for Autism and Related Disabilities.

**The Proclamation was READ AND PRESENTED INTO THE RECORD.**

**C. SPECIAL PRESENTATION****BSO Update - Collier City Incident**

Major Wayne Adkins stated that he, Mayor Hardin, and Commissioner Moss attended a news conference this morning to announce an arrest that has been made in the February 26 homicide in Collier City. He provided background on the incident and acknowledged the two victims who died. He said the now 18-year-old suspect has been charged with two counts of first-degree murder and three counts of first-degree murder, as well as he confirmed the suspect is in custody. Also, he acknowledged the work of the detectives on the case and said they are still seeking additional perpetrators.

Lastly, Major Adkins spoke about the \$10,000 Crimestoppers reward, which includes an additional \$500 from the Kappa foundation. He confirmed the reward is contingent on valuable tips and reminded the community the tips can be anonymous.

**B. AUDIENCE TO BE HEARD**

Mayor Hardin announced that it was time for "Audience To Be Heard". The following speakers were called to speak before the Commission:

**Pat Russell Anderson, Pompano Beach**, spoke about Lighthouse Point. She displayed a map and noted she provided all her research and maps to the Building Official Michael Rada, before he got sick. She indicated the property location on the map is in Pompano Beach and not Lighthouse Point even though it is not labeled as such. She stated that is deceptive and needs to stop. She said she also provided the information to the City Clerk and Mayor at Lighthouse Point. She asked for answers and said Bill Gallo should be hired to correct the terrible episode. She noted she also has a certification from Oklahoma.

**Wendy (No last name provided), 590 NW 21st Court, Pompano Beach**, spoke about her desire to set up a tent for her realty business. She said she spoke with City staff who informed her there was no permit necessary and she just needed a 10 x 10 tent, table, and two chairs. She noted someone took a picture of her and reported her to Code Enforcement. She stated she was instructed to attend the City Commission meeting to seek permission.

Mayor Hardin asked for further clarification.

Wendy stated her tent was at the beach and her intention was providing marketing materials and to generate leads.

Mayor Hardin said he received the picture. He noted unless there was a special event in the beach area, she is not permitted to set up her tent to generate leads. He said the City Manager's Office and Parks and Recreation Department can assist her with a special event permit. He acknowledged what appeared to be miscommunication and misinformation given to her. Mayor Hardin directed Wendy to Mark Beaudreau from Parks and Recreation.

Wendy also spoke about animals in restaurants and dogs drinking out of glasses and eating off plates. Mayor Hardin encouraged her to address her concerns with the specific restaurant.

Wendy expressed concern about beach parking garages overcharging. Mr. Beaudreau invited her to connect with him on her concerns.

Vice Mayor McGee added that the green lawn is artificial and delicate and that's why special event permits and insurance are needed.

**David Miller, 2621 NW 13th Street, Pompano Beach**, thanked Comr. Moss and Mayor Hardin on behalf of the Circle of Brotherhood Pompano Beach Chapter for attending the news release. He also thanked the Kappa Foundation for increasing the award. Moreover, he thanked Mayor Hardin for attending the Collier City Trailblazer event. He spoke about the renovations to Adderly Park and the great Easter Weekend. He announced an art workshop on April 12 for Autism Awareness Month.

**Hunter O'Hanian, 401 North Riverside Drive, Pompano Beach**, distributed materials to the dais. He stated there are defects in the Pompano City Code and referenced the development project at 407-419 North Riverside Drive. He said the project will be next door to the oldest multi-family home in Pompano Beach. He reviewed the following 6 city code issues: notice to abutters; engagement with the neighborhood in the design

process; disregard for the homeowners' water views; elimination of affordable housing; and no accountability for disruption. He asked the City Commission to intervene with the pending application.

Mayor Hardin acknowledged the City Commission has Mr. O'Hanian's written document.

**Barrett Moore (no address provided)** spoke about programs to assist homeowners to remodel their houses. She stated she was previously approved to improve their house and was told \$70,000 was raised but then it was stolen. She said they were able to get their roof fixed and thereafter she applied for the City's Pilot program and was approved. However, when she called a month ago, a City staff member told her they were still working on it. When she called today, she was informed she had violations and could not receive assistance. Ms. Moore said they do not have violations from the City, and she is confused why she was approved and are now being told they cannot get assistance.

Mayor Hardin asked City Manager Harrison to look into the matter. City Manager Harrison directed Ms. Moore to another City staff member in the chamber.

**Jocelyn Jackson, Pompano Beach**, said First Class Motion held their first event on Easter Sunday and despite the weather, between 400-500 people attended. She thanked Five Star Liquors for sponsoring the event. She said she will be working diligently with City staff and the first-time homebuyers program and noted that Alex Goldstein and Miriam Carrillo of the Office of Housing and Urban Improvement are doing an awesome job and commended their open-door policy. Also, she announced that she will be meeting with community members once a month to help residents complete their applications. Lastly, she expressed excitement about the new Downtown Project and gave a shout-out to BSO for assisting with her various events.

**Sarahca Peterson, 103 NW 7th Avenue, Pompano Beach**, read quotes from James Baldwin and Nina Simone. She said she is partnering with the City to produce the Pompano Beach Soundtrack: Volume I. She acknowledged the 3 creatives who joined her at the podium and summarized their credentials. She said her advocacy for arts and culture is about humanity and the direction we are going and stated they will be scouting talent at the monthly Lyric Lab, held every third Wednesday of the month. Lastly, she noted that the month of April is National Poetry Month.

#### **D. CONSENT AGENDA**

Mayor Hardin requested a motion to Approve/Adopt Items 1-4 without City Commission discussion.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, to approve the Consent Agenda. The motion carried by a unanimous voice vote.**

1. [23-395](#) 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. 3 IN THE AMOUNT OF \$37,191.98, PURSUANT TO THE CONSTRUCTION MANAGER-AT-RISK

CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND VERDEX CONSTRUCTION LLC FOR THE CONSTRUCTION OF THE SENIOR ACTIVITY CENTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$37,191.98)

**G.O. POMPANO!**

(Staff Contact: Fernand Thony/Horacio Danovich)

**Enactment No: RES. No. 2023-125**

2. [23-421](#) 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. 3 IN THE AMOUNT OF \$115,354.35 PURSUANT TO THE DESIGN-BUILD CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND WEST CONSTRUCTION, INC. FOR FIRE STATION 61; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$115,354.35)

**G.O. POMPANO!**

(Staff Contact: Fernand Thony/Horacio Danovich)

**Enactment No: RES. No. 2023-126**

3. [23-375](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND BRODIN STUDIOS, INC. TO DESIGN AND FABRICATE A BRONZE BUST OF MS. HAZEL ARMBRISTER FOR INSTALLATION IN THE COURTYARD OF THE HISTORIC ALI CULTURAL ARTS BUILDING; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$49,400.00)

 **Strategic Plan Initiative**

(Staff Contact: Laura Atria/Ty Tabing)

**Enactment No: RES. No. 2023-127**

4. [23-343](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING EMILY LACKEY TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE 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)

**Enactment No: RES. No. 2023-128**

**E. REGULAR AGENDA**

**QUASI-JUDICIAL PROCEEDING**

Mark E. Berman, City Attorney, advised that items 5, 6 and 7 are listed under Quasi-Judicial Proceeding and are quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

Kervin Alfred, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in the following matters.

5. [23-370](#) **P.H. 2023-55: (PUBLIC HEARING 2ND 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)

**FIRST READING: MARCH 28, 2023**

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated this is the second reading in regard to the subject right-of-way and there have been no changes since the first reading of the Ordinance.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Quasi-Judicial/ Ordinance be ADOPTED. The motion carried by the following roll call vote:**

**Yes:** Fournier

Moss

Perkins

McGee

Hardin

**Absent:** Eaton

**Enactment No: ORD. No. 2023-47**

6. [23-374](#) **P.H. 2023-54: (PUBLIC HEARING 2ND 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)

**FIRST READING: MARCH 28, 2023**

(Staff Contact: (Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated this is the second reading of the rezoning of 3061 NW 4th Court to allow a single-family home on the subject site. Also, she stated there have been no changes since the first reading.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Quasi-Judicial/ Ordinance be ADOPTED. The motion carried by the following roll call vote:**

**Yes:** Fournier

Moss

Perkins

McGee

Hardin

**Absent:** Eaton

**Enactment No: ORD. No. 2023-48**

7. [23-389](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE JALI PLAT LYING ON THE SOUTHWEST CORNER OF NE 6TH STREET AND FEDERAL HIGHWAY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services, provided background on the item. She noted both existing structures will be torn down to prepare the site for redevelopment. She reviewed the subject site and noted the plat restricts the subject property to 163 hotel rooms. The Planning and Zoning Board recommended approval at their February 22, 2023 meeting and staff recommends approval as well.

Mayor Hardin asked the applicant if they would like to make a presentation. The applicant responded they are present for questions only.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the motion.

Comr. Fournier asked if this is the only time the Commission would see this application if the project meets all code requirements. Ms. Dolan responded correct. Comr. Fournier expressed development concerns about parking, traffic, and drainage in the corridor and overlay districts. She wants to make sure there is a feedback loop. She stated she does not have issues with this plat, but said there can be a lack of public input on projects that later leads to surprises for the community. She recommended a better process to let residents know what projects are coming.

Mayor Hardin agreed more information is better and asked if it will be seen again by Planning & Zoning. Ms. Dolan said yes. Comr. Fournier said that residents are not noticed for a site plan.

Vice Mayor McGee asked about the hotel dining area and whether it is open to the public. Mr. Stephen Tilbrook, Ackerman LLP, introduced himself on behalf of the applicant, and stated it is a limited-service hotel and dining will be primarily for hotel guests. He stated it is not a restaurant that serves the public, rather, a breakfast room for residents. Vice Mayor McGee recommended an opportunity to make the restaurant and amphitheater a more interactive space for the public. Mr. Tillbrook said he will take that suggestion back to the developer.

Comr. Perkins expressed concern about parking in that area.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following roll call vote:**



**Yes:** Fournier

Moss

Perkins

McGee

Hardin

**Absent:** Eaton

**Enactment No: RES. No. 2023-129**

**END OF QUASI-JUDICIAL PROCEEDING**

8. [23-278](#) Approval to award ITB E-33-22 Kendall Lake Stormwater Improvements Project (Surtax Funded Project), to the lowest responsive and lowest responsible bidder, Man-Con, Incorporated, at a cost of \$5,165,106.15.  
(Fiscal Impact: \$5,165,106.15)

**(Staff Contact:** Tammy Good)

Tammy Good, CIP Manager, provided background on the item, including the timeline of the RFP. She said 3 bids were received and one bidder did not provide sufficient evidence to substantiate prior experience of similar complexity and scope. She said they must be mindful of the disruptions in the residential area. She said Man-Con's construction schedule for the project is 200 days. She reiterated the project received \$3.3M in surtax monies.

Mayor Hardin opened the floor to public input. No one came forth to speak on the item. Therefore, the Mayor closed public input and invited further Commission discussion on the motion.

Comr. Perkins said this project is needed for the Kendall Lakes area because the residents facing the lake can barely get into their driveways following rain. She asked for the residents to be notified about the project.

Comr. Fournier agreed with Comr. Perkins that the residents need to be notified about what is going to happen and the disruption to their lives.

Mayor Hardin said it is a much-needed improvement and expressed gratitude about the surtax funding.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Regular Agenda/ Approval Request be APPROVED. The motion carried by the following roll call vote:**

**Yes:** Fournier

Moss

Perkins

McGee

Hardin

**Absent:** Eaton

9. [23-388](#) **P.H. 2023-58: (PUBLIC HEARING)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A MAXIMUM OF THIRTY-EIGHT FLEX UNITS FOR A PROPOSED MIXED INCOME HOUSING DEVELOPMENT GENERALLY AT 2050 DR. MARTIN LUTHER KING, JR. BOULEVARD; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: N/A)

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

Jean Dolan, Development Services, provided background on the item. She started her presentation by reviewing the general location and provided a context aerial image. She reviewed the flex receiving area map and income restricted housing buffer. She noted Powerline Road between Atlantic Boulevard and NW 15th Street is limited to 20% deed restricted affordable housing due to the existing concentration of low/very low-income projects in this corridor. She stated it is a good candidate for Moderate Income Housing using bonus Policy 2.16.3, which requires less than 15% deed restricted affordable housing. She confirmed the applicant has agreed to use bonus Policy 2.16.3. She continued her presentation by reviewing the adjacent zoning map designations and summarized affordable housing in Gateway, Marquis Apartments, Golden Acres, Hunter's Manor PUD, and the proposed 2050 MLK project. She displayed the conceptual site plan. She reviewed the flex allocation plus County Policy 2.16.3 Bonus Units. She noted the proposed project will be providing 38 deed restricted moderate income units and thus the density bonus offered by Policy 2.16.3 will provide 6 bonus units for every moderate-income unit deed restricted for 30 years. She added that the Mixed Incoming Housing Code amendment allowing 2.5 times B3 density for residential-only projects using Policy 2.16.3 was approved by the Commission on March 28, 2023. She reviewed the Comprehensive Plan Goals, Objectives and Policies that support the project. She concluded by stating Planning & Zoning recommended approval with conditions on February 22, 2023, and the applicant will provide details on how the conditions were met. She added that staff recommends approval.

Mr. Dwayne Dickerson, Attorney with Dunay, Miskel, and Backman LLP, introduced himself on behalf of the Applicant. He began his presentation by displaying the project location and summarized the request. He noted the applicant will be utilizing Policy 2.16.3 for flex unit allocation, thus reducing the flex units by +/- 85% from 261 units to 38 flex units. He confirmed the 38 units will be moderate-income restricted and deed restricted for 30 years. He reviewed the Conceptual Site Plan and added the access to the building will be on Dr. Martin Luther King, Jr. Boulevard. He added it will be a gated community and include amenities. He said they are meeting all code requirements and are not currently requesting any variances. He noted and reviewed the two

concerns expressed by the Planning & Zoning Board which included orientation of Building D and billboards on the property. He confirmed the billboards will be removed from the site, pending any legal releases. He added they provided a traffic circulation analysis that demonstrates the project will have minimal impact. He reviewed additional Planning & Zoning Board conditions of approval. He noted the following: sidewalks from each building to the parking structure have been provided; plans have been revised to include a playground and resident amenity area; plans have been revised to show the leasing office and parking; a graphic of the 6' high painted aluminum perimeter fence has been provided; and the CRC will be provided prior to the issuance of building permit. He stated they hosted a virtual community meeting on March 15, 2023, and will participate in a second community meeting on April 19, 2023, at the E. Pat Larkins Center.

City Attorney Berman stated the City did not require removal of the billboards from the site. Attorney Dickerson confirmed the developer voluntarily removed them based on feedback.

Mayor Hardin opened the public hearing.

The following are the name of individual(s) who gave public comment:

Ms. Jocelyn Jackson, Pompano Beach, asked if the store on the corner will be demolished. Mayor Hardin confirmed it will be going away. Ms. Jackson asked about a street on the rear of the project. Mr. Dickerson stated there is no street behind the project. He also confirmed the convenience store will be demolished and added another development will be on the land south of the project site. Ms. Jackson asked about the development south of the project site and whether they will be flex units. Mayor Hardin responded that has yet to be determined. Ms. Jackson asked whether the development along Powerline Road will be apartment units only or whether they have a commercial component. Mayor Hardin said it is residential so they will be mixed use. Ms. Dolan said Gateway is the property to the south and they are apartments, and the single-family homes are south of 9th Street. Ms. Jackson asked how many units will be affordable housing. Mr. Dickerson replied 38 affordable units and said the project completion will be closer to the 3rd or 4th quarter of next year. Ms. Jackson asked the name of the developer. Attorney Dickerson replied it is Market Demand Premium Development from Miami Dade County.

Mayor Hardin clarified the Gateway is not yet built and could change.

Mayor closed public input and invited further Commission discussion on the motion.

Vice Mayor McGee expressed concern about parking. She stated three-bedroom units typically have two drivers. Attorney Dickerson explained that the code has changed so they changed their calculations as well to be one parking space for every 1,000 square feet of gross floor area for the one and two-bedroom units. He said the three-bedroom units have two spaces. Mr. Dickerson reviewed the calculations and added that, as part of the DRC process, they will reconfirm the calculations are correct, so they meet code requirements. Vice Mayor McGee said the account does not always account for real life. She recommended building in additional spaces for the two-bedrooms and guests as well. Mr. Dickerson acknowledged the suggestion. Vice Mayor McGee asked about ADA parking. Mr. Dickerson explained the one-way drive aisle past the gate is 24 feet, which allows enough space to drop off someone who has ADA issues and still not block the thru lane for other vehicles arriving. Vice Mayor McGee asked about ADA accommodations for a single person who does not

have someone dropping them off. Mr. Dickerson said they will follow federal guidelines. Vice Mayor McGee recommended they think past the federal requirements. Mr. Dickerson said Vice Mayor McGee's comments were well received.

Comr. Fournier said she is happy to see the billboard resolution and the addition of the playground. She stated she shares Vice Mayor McGee's concerns about parking. She asked about the closest bus stops. Mr. Dickerson said they are providing accommodations for an existing bus pad just east of the main access. Comr. Fournier said the walk from the parking garage from Building B looks long. She asked them to reexamine the parking numbers. Comr. Fournier asked how many people attended the virtual community meeting. Mr. Dickerson replied that just a few attended and had no comments.

Comr. Moss reiterated the concerns expressed by Vice Mayor McGee and Comr. Fournier about parking. He said anyone coming as a guest will need to park a few blocks away and stated they may need to include another level on the parking garage. He said it may adversely affect the ability to rent the units. Mr. Dickerson restated they will review again as part of the site plan process.

Mayor Hardin asked for clarification on the billboard removal and legal releases. Mr. Dickerson said they are invested in removing the billboards. He noted the legal agreements have been between the property owner and the billboard tenants. He reiterated they want to eliminate the billboards and are committed to unwind the legal agreements. He said they have agreed to do what is necessary to remove them.

City Attorney Berman read Section 70.20 of the Florida Statute regarding removal of billboards. He said the City has made it clear the signs are the responsibility of the developer and the City is not forcing or demanding removal. Mayor Hardin stated he was just asking Mr. Dickerson for clarification. Mr. Dickerson said the development team thinks removal is the right thing to do and will make for a better development. He said they have incentive to remove the billboards from the site.

Comr. Perkins said the parking garage needs adjustments. She thanked them for considering her request to gate the community. She invited residents to attend the April 19, 2023 Community Meeting.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following roll call vote:**

**Yes:** Fournier

Moss

Perkins

McGee

Hardin

**Absent:** Eaton

**Enactment No: RES. No. 2023-130**

10. [23-392](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ADDENDUM NO. 2 TO THE SANITARY SEWER AGREEMENT BETWEEN THE TOWN OF LAUDERDALE-BY-THE-SEA AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

 **Strategic Plan Initiative**

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, presented the item and stated the proposed Resolution is to accept the construction of a sanitary sewer system at the Palm Club located in the Town of Lauderdale-By-The-Sea. As a result, the City will gain 119 new customers and will maintain control of the system since there will be a direct connection between this system and the City's system.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following roll call vote:**

**Yes:** Fournier  
Moss  
Perkins  
McGee  
Hardin

**Absent:** Eaton

**Enactment No: RES. No. 2023-131**

11. [23-400](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT 1 TO LOAN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA WATER POLLUTION CONTROL FINANCING CORPORATION FOR NE 3RD STREET AND NE 4TH STREET STORMWATER DRAINAGE IMPROVEMENT PROJECT TO INCLUDE PROJECTS FOR NW 16TH LANE, US-1 AND NE 14TH STREET CAUSEWAY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$6,344,000 financed over the maximum SRF 20-year term with Stormwater Revenue)

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, stated the proposed item pertains to an Amendment to a State Revolving Loan fund. This Amendment will merge the City's existing loans into one loan.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following roll call vote:**

**Yes:** Fournier  
Moss  
Perkins  
McGee  
Hardin

**Absent:** Eaton

**Enactment No: RES. No. 2023-132**

12. [23-371](#) **P.H. 2023-56: (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 BEACH RAKER, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$252,000)

**FIRST READING: MARCH 28, 2023**

(Staff Contact: Russell S. Ketchem)

Russell Ketchem, Director of Environmental Services, stated this is the second reading of the proposed Contract for beach cleaning services. Also, he said there have been no changes since the first reading of the Ordinance.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Moss, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following roll call vote:**

**Yes:** Fournier

Moss

Perkins

McGee

Hardin

**Absent:** Eaton

**Enactment No: ORD. No. 2023-49**

**F. ADDITIONAL AUDIENCE TO BE HEARD**

Mayor Hardin asked if there were any additional speakers signed-up to speak under Audience to be Heard, to which City Clerk Alfred replied there were none.

**G. NEXT SCHEDULED MEETING**

Mayor Hardin announced that the next scheduled meetings are as follows:

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

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

May 23, 2023 at 6:00 p.m. - Regular City Commission Meeting

**H. REPORTS**

**City Manager's Report:**

City Manager Harrison said he has been spending a lot of time on the SRO dilemma. He noted an item was on the School Board's Agenda regarding reimbursements for SRO agreements of \$73,000 per SRO but the actual cost is \$165,000. He then stated the School Board approved \$103,000 per SRO this afternoon. He noted the City has not been paid since August.

Continuing, Mr. Harrison announced a presentation for the remaining proposals for the Invitation to Negotiate for the new downtown will be held May 3rd at the Cultural Center. He stated it will be a joint City Commission and CRA meeting and the public is invited as well.

**City Attorney's Report:**

City Attorney Berman introduced the new Assistant City Attorney Jill Ziluck.

**City Clerk's Report:**

No report.

**Comr. Eaton's Report:**

Comr. Eaton was absent from the meeting.

**Comr. Fournier's Report:**

Comr. Fournier watched the press conference and noted the collaborative efforts. She thanked everyone for their work on the double homicide case. She thanked the City for listening and responding to resident concerns in Old Pompano. She announced that they are installing speed tables on 1st, 2nd, and 3rd Streets. She noted the Atlantic Boulevard barricades have been removed so all three lanes on westbound Atlantic are now open and the gridlock is gone. She announced the monthly community meeting on April 12 at the American Legion. She noted Captain Torres will be in attendance to talk about public safety and answer questions.

**Comr. Moss' Report:**

Comr. Moss thanked the Broward Sheriff's Office for their work on the Collier City incident. He said he will be at John Knox Village on April 20th for a presentation.

**Comr. Perkins' Report:**

Comr. Perkins requested again to have the Commission Districts listed under the staff contact on the Commission agenda and not in the backup materials. City Manager Harrison said practically every agenda item affects the City, so it is difficult to assign an item to a specific district. Comr. Perkins said she is requesting the same thing that is done for the Planning & Zoning Board. Next, she thanked Parks and Recreation for the Easter event held on Saturday at the Adderly park. Also, she thanked Greg Jones and staff. She mentioned the Smooth Sounds Soiree was successful and well organized by staff. She said staff estimated 1,200 people was in attendance. Finally, Comr. Perkins announced her next community meeting will be held on April 19 at the E. Pat Larkins Center.

Comr. Perkins wished City Attorney Berman a belated Happy Birthday.

**Vice Mayor McGee's Report:**

Vice Mayor McGee asked for consensus to direct Building Department staff look into altering the code to be more reflective of real-life parking in new buildings. Mayor Hardin clarified her request.

**A motion was made by Vice Mayor McGee, seconded by Commissioner Fournier, for staff to look into different parking requirements throughout the building code and how they could be better aligned with real life.**

Comr. Moss said if there is not enough parking, they will park in areas they should not. He agreed with Vice Mayor McGee.

Mayor Hardin opened the floor for public input. No one came forth to speak, therefore the Mayor closed the



public input.

**In a voice vote, the motion was unanimously approved. Comr. Eaton was absent.**

**Mayor Hardin's Report:**

Mayor Hardin said it is great there are speed tables being installed in Old Pompano. He stated he has spoken with the City Manager, Old Pompano residents, and a developer to discuss traffic in that area and throughout the City. He said the traffic issues are also connected to growth and development. He mentioned he attended the Habitat for Humanity home dedication on May 1 and was also attended by Comr. Perkins. He said 15 new homes were dedicated and there are a few more homes. He thanked area pastors for the community meeting held on April 4 which featured Comr. Moss, Sheriff Tony, and Broward County Commissioner McKinzie as panelists discussing gun violence. He noted Commissioner McKinzie noted there was County funding available to help with issues.

**I. ADJOURNMENT**

The meeting adjourned at 3:01 p.m.

\_\_\_\_\_  
Rex Hardin, Mayor

\_\_\_\_\_  
Kervin Alfred, City Clerk