

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, February 11, 2025

1:00 PM

City Commission

Rex Hardin, Mayor

Alison Fournier, Vice Mayor

Audrey Fesik, Commissioner

Beverly Perkins, Commissioner

Rhonda Sigerson-Eaton, Commissioner

Darlene Smith, 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

*Reverend Ronald Perkins
Senior Chaplain*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[25-182](#) Regular City Commission Meeting Minutes of January 28, 2025

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

[25-159](#) **Donation to Community Court**

Jim Jankowski from Cutting Edge Industries Inc. will present a \$50,000 donation to Cassandra Rhett, Homeless Housing Social Services.

B. PROCLAMATIONS

[25-162](#) **Black History Month Proclaimed in the City of Pompano Beach**

Mayor Rex Hardin will proclaim February as Black History Month in the City of Pompano Beach.

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. [25-166](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY, ACCEPTING A GRANT IN THE AMOUNT OF \$13,500 TO SUPPORT CULTURAL ARTS PROGRAMMING; AND CONFIRMING THE CITY’S CONTRIBUTION IN AN AMOUNT OF \$16,500; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: \$30,000 - (\$16,500 City; \$13,500 Grant))

**Strategic Plan Initiative**

(Staff Contact: Tyrone Tabing)

2. [25-167](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING CITY OF POMPANO RESOLUTION NO. 2021-306 RELATING TO A STATE HIGHWAY LIGHTING MAINTENANCE AND COMPENSATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, FOR LIGHTING IMPROVEMENTS ON VARIOUS STREETS WITHIN THE CITY, PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

3. [25-170](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 12 IN THE AMOUNT OF \$170,895.00 PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND HDR ENGINEERING, INC. FOR AIR PARK CONSULTING SERVICES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$170,895.00 - \$12,344.75 City; \$150,205.50 FAA Grant; \$8,344.75 FDOT Grant)

(Staff Contact: Dr. Tammy Good)

4. [25-179](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACKNOWLEDGING APPOINTMENTS BY THE MAYOR AND OR CITY COMMISSIONERS TO FILL THE POSITIONS ON CITY BOARDS AND COMMITTEES; PROVIDING FOR MEMBERSHIP TERMS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

5. [25-133](#) **P.H. 2025-24: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A 24-FOOT-WIDE ACCESS EASEMENT LOCATED SOUTH OF PARK CENTRAL BLVD., NORTH OF COPANS ROAD AND WEST OF NORTH ANDREWS AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: JANUARY 28, 2025

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

6. [24-290](#) 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 DECLARATION OF VOLUNTARY RESTRICTIVE COVENANTS MADE BY DIXIE PROPERTIES & INVESTMENTS, LLC AND UPPER POMPANO PROPERTIES & INVESTMENTS, LLC FOR THE BENEFIT OF THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM JUNE 11, 2024, SEPTEMBER 10, 2024 AND DECEMBER 10, 2024

***With regard to this Item, the Applicant requests to postpone this matter to the May 13, 2025 Commission Meeting Agenda.**

(Staff Contact: Scott Reale/David Recor)

7. [25-155](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, AS LESSEE, AND TD EQUIPMENT FINANCE, INC., AS LESSOR, WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$9,441,031 over 5 year lease term; \$1,888,206 annually)

(Staff Contact: Allison Feurtado)

8. [25-171](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING AWARD OF ITB #P-16-24 NE 27TH AVENUE AND NE 16TH STREET STORMWATER IMPROVEMENTS TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER DBF CONSTRUCTION, LLC AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT NO. 12676; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: \$4,533,498.90)

(Staff Contact: Dr. Tammy Good/A. Randolph Brown)

9. [25-154](#) **P.H. 2025-30: (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 MULTI-YEAR AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CRS MAX CONSULTANTS, INC., FOR PROFESSIONAL SERVICES RELATED TO THE COMMUNITY RATING SYSTEM (CRS) PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$36,500 (Year 1 \$23,500; Year 2&3 \$6,500))

FIRST READING: JANUARY 28, 2025

(Staff Contact: Jean Dolan/ Christina Viala)

10. [25-157](#) **P.H. 2025-31: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155 “ZONING CODE” BY AMENDING SECTION 155.3708, “DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT” TO MODIFY THE DESIGNATION OF CERTAIN PARCELS FROM “RESIDENTIAL REQUIRED” TO “OPTIONAL RESIDENTIAL” WITHIN THE DENSITY REGULATING PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: JANUARY 28, 2025

(Staff Contact: Max Wemyss)

11. [25-98](#)

P.H. 2025-25: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 51, "SEWERS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 51.05, "WASTEWATER TARIFF," TO MODIFY RATES AND CHARGES FOR SEWER SERVICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JANUARY 28, 2025

(Staff Contact: A. Randolph Brown)

12. [25-138](#)

P.H. 2025-26: (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 THIRD AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PROSERVE CONCEPTS, LLC, PROVIDING SERVICES AS THE HEAD TENNIS PROFESSIONAL FOR THE POMPANO BEACH TENNIS CENTER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JANUARY 28, 2025

(Staff Contact: Mark A. Beaudreau)

13. [25-104](#)**P.H. 2025-21: (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 LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DANIA PIER MANAGEMENT CORP., TO PROVIDE MAINTENANCE AND OPERATION OF THE CITY'S FISHING PIER BAIT SHOP; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$108,000)

POSTPONED FROM JANUARY 14, 2025



Strategic Plan Initiative

(Staff Contact: Mark A. Beaudreau)

14. [25-141](#)**P.H. 2025-29: (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 A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CIRCUIT TRANSIT, INC., PROVIDING FOR MICRO TRANSIT TRANSPORTATION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$325,656 - \$135,147 FDOT; \$190,509 City)

(Staff Contact: Jeff Lantz)

15. [25-142](#)**P.H. 2025-31: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING THE TABLE OF CONTENTS OF CHAPTER 155 BY MODIFYING REFERENCES IN PART 3 OF ARTICLE 9, "DEFINITIONS AND INTERPRETATION," TO INCLUDE PREVIOUSLY APPROVED CODE PROVISIONS; BY AMENDING SECTION 155.3708, "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT" TO AMEND THE PERMITTED USE AREAS IN TABLE 155.3708.H.1.a." TO BE CONSISTENT WITH OTHER TABLES AS APPROVED; BY AMENDING THE "TABLE OF CONTENTS," OF ARTICLE 4 TO UPDATE ESTABLISHED SECTIONS WITHIN SAID ARTICLE; BY AMENDING SECTION 155.4201.E.2 TO REFERENCE PERMITTED USE TABLES THAT MAY CONTROL OR GOVERN OVERLAY DISTRICTS OR PLANNED DEVELOPMENTS TO PROPERLY REFLECT CURRENT STANDARDS; BY AMENDING PART 5, "TERMS AND USES DEFINED," OF ARTICLE 9, "DEFINITIONS AND INTERPRETATION" TO INCLUDE PREVIOUSLY APPROVED DEFINITIONS PROVIDED IN ARTICLE 4; BY AMENDING APPENDIX, A: "CONSOLIDATED USE TABLE," TO MODIFY SAME TO ELIMINATE DISCREPANCIES BETWEEN THE APPENDIX AND THE ARTICLE IT REFERENCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss)

16. [25-172](#)**P.H. 2025-35: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3505. TRANSPORTATION (T), TO MODIFY HEIGHT STANDARDS, SETBACKS AND TREE MITIGATION AREAS AND LANDSCAPE REQUIREMENTS; AND BY AMENDING SECTION 155.4207. VOCATIONAL OR TRADE SCHOOL TO PERMIT THE USE IN THE TRANSPORTATION (T) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

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17. [25-173](#) **P.H. 2025-33: (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 46.4 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF THE POMPANO BEACH AIR PARK; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JANUARY 22, 2025; 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)

(Staff Contact: Jean Dolan/Steve Rocco)
18. [25-174](#) **P.H. 2025-34: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING AN ENVIRONMENTALLY SENSITIVE LANDS (ESL) MAP AMENDMENT TO REMOVE FOUR ESL DESIGNATED SITES LOCATED ON THE POMPANO BEACH AIR PARK; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JANUARY 22, 2025; 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)

(Staff Contact: Jean Dolan/Steve Rocco)
19. [25-178](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CREATING A BUDGET REVIEW COMMITTEE; PROVIDING FOR MEMBERSHIP, QUALIFICATIONS, TERMS, POWERS, DUTIES AND FOR REMOVAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

20. [25-180](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF TOD WESTON; SAID TERM TO EXPIRE SEPTEMBER 11, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

<u>Applicants</u>	<u>Other Board Memberships</u>
Anne Ward, Alternate 1 - District 3	0
Lisa Katz - District 1	0
Lisa Nothardt - District 3	0
Mary B. Fleck - District 3	0

(Staff Contact: Kervin Alfred)

21. [25-181](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF NANCY OLSON; SAID TERM TO EXPIRE MAY 15, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 25-180 FOR APPLICANTS

(Staff Contact: Kervin Alfred)

F. ADDITIONAL AUDIENCE TO BE HEARD

G. NEXT SCHEDULED MEETING

February 25, 2025 at 6:00 p.m. - Regular City Commission Meeting

March 11, 2025 at 1:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager

City Attorney

City Clerk

City Commission

I. ADJOURNMENT

**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.