

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, June 27, 2023

6:00 PM

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

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

*Elder Robert Kintchen
Christ Fellowship Church of God in Christ*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-587](#)

Regular City Commission Meeting Minutes of June 13, 2023

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

[23-576](#)

Unity in the Community 2023 Scholarship Presentation

Unity in the Community President Mike Blangor along with Mayor Rex Hardin will present the 2023 scholarships to the following high school graduates who are residents of Pompano Beach. Each graduate will receive \$1500. They are as follows:

Name	High School	College / Major
Ana Julia Campos	Pompano Beach HS	UCF / Mechanical Engineering
Islande Charles	Blanche Ely HS	FIU / Criminal Justice
Kayla Derrico	Deerfield Beach HS	Broward College / Business & Mgmt.
Brooke Geller	Dillard HS	Oakwood University / Vocal Performance
Syncere Jean	Blanche Ely HS	Broward College / Robotics Engineering
Edith Lopez	Deerfield Beach HS	Broward College / Business or Biology
Blake Martin	Blanche Ely HS	FAMU / Chemical Engineering
Jalilyia Phillippy	Deerfield Beach HS	FSU / Biochemistry
Ezekial Nguyen Ruiz	Deerfield Beach HS	UCF / Engineering
Carolina Sais	Deerfield Beach HS	Tallahassee Comm. College / Psychology

B. PROCLAMATIONS[23-529](#)**Parks and Recreation Month**

Mayor Rex Hardin will proclaim July as Parks and Recreation month in the City of Pompano Beach. Mark Beaudreau, Recreation Programs Administrator, will accept the proclamation on behalf of the Parks and Recreation Department.

[23-561](#)**Florida Scleroderma Awareness Month**

Mayor Hardin will proclaim June 2023 as Florida Scleroderma Awareness Month in the City of Pompano Beach. Ferne Robin, Executive Director of the National Scleroderma Foundation Southeast Florida Chapter will accept proclamation on behalf of the Chapter.

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 AGENDA1. [23-580](#)

Consideration of a request by Cindy Thorne-Novacek to transfer ownership of Block 14, Lot 53, Plot 1 in the Central Lawn to The City of Pompano Beach
(Fiscal Impact: Refund \$708)

(Staff Contact: Robert A. McCaughan)

2. [23-523](#) 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 THE DISTRICT BOARD OF TRUSTEES OF BROWARD COLLEGE, FLORIDA, TO PROMOTE EDUCATIONAL OPPORTUNITIES FOR CITY RESIDENTS AND EMPLOYEES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JUNE 13, 2023

(Staff Contact: Earl Bosworth)

3. [23-567](#) 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 THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR COST SHARING SUPPORT OF A PROJECT BY THE UNITED STATES GEOLOGICAL SURVEY (USGS) FOR “EVALUATION OF CHANGES TO THE SALINITY DISTRIBUTION WITHIN THE SURFICIAL AQUIFER UNDER PROJECTED FUTURE HYDROLOGIC CONDITIONS, BROWARD COUNTY, FLORIDA”; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$87,437)

(Staff Contact: A. Randolph Brown)

4. [23-570](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, TO CONSTRUCT IMPROVEMENTS ON STATE ROAD A1A FROM NORTH OF ATLANTIC BOULEVARD TO SOUTH OF THE HILLSBORO INLET; AUTHORIZING THE CITY MANAGER TO EXECUTE ANY ANCILLARY DOCUMENTS OR AGREEMENTS IN SUPPORT OF SUCH IMPROVEMENTS WITH NOTICE TO THE CITY COMMISSION AND COPIES PROVIDED TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

G.O. POMPANO!

(Staff Contact: Fernand Thony/Horacio Danovich)

5. [23-581](#) 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 OWNER(S) WITH A NOTICE OF LIEN; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mario Sotolongo)

6. [23-583](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING KAREN BERGER TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH AS ALTERNATE APPOINTEE OF MAYOR REX HARDIN, 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)

7. [23-588](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING JOSEPH CERQUOZZI TO THE ZONING BOARD OF APPEALS 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)

8. [23-585](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING FRANK SELLER, JR. TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF W. P. DAVIS, JR. AS ALTERNATE 1; SAID TERM TO EXPIRE ON JULY 1, 2024; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

E. REGULAR AGENDA

9. [23-590](#) Discussion of the proposed Interlocal Agreement for Solid Waste Disposal and Recyclable Materials Processing Authority.
(Fiscal Impact: Between \$115,574 and \$154,099 Per Year)

(Staff Contact: Brian Donovan/Russell Ketchem)

QUASI-JUDICIAL PROCEEDING

10. [23-521](#) **P.H. 2023-66: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A TEN-FOOT WIDE UTILITY EASEMENT LOCATED ON THE SOUTHWEST CORNER OF RACE TRACK ROAD AND THE CSX RAILROAD, COMMONLY KNOWN AS 777 ISLE OF CAPRI BOULEVARD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: JUNE 13, 2023

(Staff Contact: Jean Dolan/David Recor)

11. [23-572](#)**P.H. 2023-69: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A CERTAIN FIFTEEN-FOOT STRIP OF RIGHT-OF-WAY LYING ON THE WEST SIDE OF DIXIE HIGHWAY BETWEEN NW 15TH PLACE AND NW 15TH COURT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING12. [23-480](#)**P.H. 2023-67: (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 AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND OPENGOV, INC. TO PROVIDE CLOUD BASED SOFTWARE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: For FY 2024 to FY 2028, total cost \$726,038.03)

FIRST READING: JUNE 13, 2023

(Staff Contact: Erjeta Diamanti)

13. [23-574](#)**P.H. 2023-70: (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 AN INTERLOCAL AGREEMENT BETWEEN THE TOWN OF LAUDERDALE-BY-THE-SEA AND THE CITY OF POMPANO BEACH FOR FIRE RESCUE, SUPPRESSION AND PREVENTION SERVICES, AND EMERGENCY MEDICAL SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: FY 2024 to FY 2028, the net revenue would average \$256,281.00 per year.)

(Staff Contact: Chad Brocato)

14. [23-558](#)

P.H. 2023-68: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 152.21, "DEFINITIONS," TO ADD AND DELETE DEFINITIONS; BY AMENDING SECTION 152.27, "VARIANCE AND APPEALS," TO MODIFY A CROSS-REFERENCE; BY AMENDING SECTION 152.29, "FLOOD RESISTANT DEVELOPMENT OF BUILDINGS AND STRUCTURES," TO ADD REGULATIONS FOR ACCESSORY STRUCTURES; AND BY AMENDING SECTION 152.32, "MANUFACTURED HOMES," TO REMOVE SURPLUS LANGUAGE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss/Jean Dolan)

15. [23-554](#)

P.H. 2023-71: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 92, "CEMETERIES," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 92.01, "DEFINITIONS," BY AMENDING THE DEFINITION OF PLOT SIZE; BY AMENDING SECTION 92.02, "DESIGNATION OF NORTH, SOUTH, AND WEST LAWNS," TO REVISE THE DESCRIPTION OF THE SQUARE FOOTAGE AND ACREAGE OF THE CEMETERY; BY AMENDING SECTION 92.05, "EXEMPTIONS AND MODIFICATIONS," TO REMOVE OBSOLETE LANGUAGE; BY AMENDING SECTION 92.06, "CEMETERY HOURS," TO AMEND THE HOURS FOR THE CEMETERY OFFICE; BY AMENDING SECTION 92.32, "PLOT PRICES AND SERVICE CHARGES," TO DELETE THE TABLE FOR SAME; AND BY AMENDING SECTION 92.42, "INTERMENTS, DISINTERMENTS, AND REMOVALS," TO ADD JUNETEENTH AS A CITY HOLIDAY AND MODIFY THE HOURS OF INTERMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

16. [23-582](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING AND ADOPTING THE CITY OF POMPANO BEACH CEMETERY SERVICES AND PRICING LIST, AND PROVIDING THAT SAID LIST BE KEPT IN WRITING AND ON FILE AT THE CEMETERY OFFICE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Estimated \$85,000 increase in FY24 Revenue)

(Staff Contact: Robert McCaughan)

17. [23-553](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF JAMES DAISEY, ALTERNATE 2; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Kenneth Collins - District 3
Cara Driscoll - District 3
Spencer Flory - District 3
Lynne Mitchem - District 3
Nicholas Blair - District 3
Corey Thompson - District 4

(Staff Contact: Kervin Alfred)

18. [23-586](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF FRANK SELLER, JR.; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Cara Driscoll - District 3
Kenneth Stolar - District 3
Jason Smith - District 3
Larry Erd - District 3

(Staff Contact: Kervin Alfred)

F. ADDITIONAL AUDIENCE TO BE HEARD**G. NEXT SCHEDULED MEETING**

July 11, 2023 at 1:00 p.m. - Regular City Commission Meeting

July 18, 2023 at 9:00 p.m. - City Commission Budget Workshop

July 25, 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
Mar. 14, 2023	Crime Stoppers Council of Broward County, Inc.	\$5,000.00
Apr. 25, 2023	Broward Partnership Annual Gala	\$5,000.00
Apr. 25, 2023	Broward League of Cities Annual Gala	\$2,000.00
	Total:	\$0

**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.