

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, January 9, 2024

1:00 PM

City Commission

Rex Hardin, Mayor

Andrea McGee, Vice Mayor

Alison Fournier, Commissioner

Barry Moss, Commissioner

Beverly Perkins, Commissioner

Rhonda Sigerson-Eaton, 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

*Bishop Louis Sanders
Macedonia Missionary Baptist Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[24-130](#)

Regular City Commission Meeting Minutes of December 12, 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. PROCLAMATION

[24-131](#)

Proclamation of Appreciation

Proclamation of Appreciation to Fire Chief Chad Brocato for his years of service with the City of Pompano Beach.

B. 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)

C. CONSENT AGENDA

1. [24-112](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FUNDING AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE BROWARD COUNTY SHERIFF RELATING TO PARTICIPATION IN THE 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT PROGRAM; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$51,650.43, funded by JAG Grant)

(Staff Contact: Allison Feurtado)
2. [24-115](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A STATE REVOLVING FUND AMENDMENT I TO LOAN AGREEMENT WW062470 BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

3. [24-117](#) 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 T E P M, INC. TO DISPLAY AND MAINTAIN THE EXISTING OLD TOWN MURAL PAINTING ON THE EXTERIOR WALL OF THE BUILDING LOCATED AT 135 NE 1ST AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$10)



Strategic Plan Initiative

(Staff Contact: Laura Atria/Ty Tabing)

4. [24-119](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER TWENTY-SIX (26) TO FLORIDA DEPARTMENT OF TRANSPORTATION DISTRICT FOUR (4) INCLUSIVE LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS IN THE RIGHT-OF-WAY OF STATE ROAD A1A (OCEAN BLVD.) FROM MILE POST 9.890 AND MILE POST 12.045; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

5. [24-126](#) 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 POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF POMPANO BEACH FOR CITY'S MAINTENANCE OF MOSAIC ARTWORKS ON THE EXTERIOR WALL OF BUILDING LOCATED AT 731 DR. MARTIN LUTHER KING, JR. BOULEVARD PURSUANT TO THE MOSAIC TEAM PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$10)



Strategic Plan Initiative

(Staff Contact: Laura Atria/Ty Tabbing)

D. REGULAR AGENDA

6. [24-114](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM TO FINANCE SOUTH RIVERSIDE DRIVE STORMWATER IMPROVEMENTS; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; APPROVING AND AUTHORIZING THE LOAN AGREEMENT; ESTABLISHING PLEDGED REVENUES; DESIGNATING AUTHORIZED REPRESENTATIVES; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE LOAN AGREEMENT; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS, PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$4,735,500.00)

(Staff Contact: A. Randolph Brown)

7. [24-63](#) **P.H. 2024-13: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE AMENDING CHAPTER 31, "CITY OFFICIALS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 31.01, "TRAVEL AND SUBSISTENCE ALLOWANCES," TO MODIFY THE PROCEDURES FOR PAYMENT OF AUTHORIZED TRAVEL EXPENSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
(Fiscal Impact: N/A)

FIRST READING: DECEMBER 12, 2023

(Staff Contact: Allison Feurtado)

8. [24-72](#)**P.H. 2024-16: (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 SOFTWARE LICENSE AND SERVICE AGREEMENT BETWEEN UNITED PUBLIC SAFETY, INC. AND THE CITY OF POMPANO BEACH FOR LICENSE PLATE READING TECHNOLOGY FOR PARKING ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$72,248 total for 3 years)

FIRST READING: DECEMBER 12, 2023

(Staff Contact: Jeff Lantz)

9. [24-97](#)**P.H. 2024-18: (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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND NOVA SOUTHEASTERN UNIVERSITY, INC. TO PROVIDE TURTLE MONITORING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$21,500)

(Staff Contact: Russell S Ketchem/Natalie S Holmes)

10. [23-743](#)**P.H. 2023-89: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 70, "GENERAL PROVISIONS," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 70.11, "ILLEGALLY-PARKED VEHICLES," TO PROVIDE FOR THE USE OF ELECTRONIC PARKING ENFORCEMENT TECHNOLOGY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM NOVEMBER 14, 2023

(Staff Contact: Jeff Lantz)

11. [24-107](#)**P.H. 2024-17: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 32.39, "COMPETITIVE BIDDING," TO PROVIDE FOR REVISION TO THE CITY'S PROCUREMENT PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED: DECEMBER 12, 2023

(Staff Contact: Dr. Tammy Good)

12. [24-125](#)

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 DONALD TOTTER, ALTERNATE 2; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Frank Sellers, Jr. - District 3
Kenneth Collins - District 3
Mark Hanke - District 3
Scott Schoen - District 3
Charles MacMichael - District 5

Other Board Memberships

1
1
0
0
0

(Staff Contact: Kervin Alfred)

13. [24-124](#)

Discussion and consideration item for the annual performance evaluation for Mr. Kervin Alfred, City Clerk.

(Fiscal Impact: To be determined by City Commission)

(Staff Contact: Lisa Sonogo/Bobby Bush)

E. ADDITIONAL AUDIENCE TO BE HEARD

F. NEXT SCHEDULED MEETING

January 23, 2024 at 5:00 p.m. - City Commission & CRA Board Joint Special Meeting

January 23, 2024 at 6:00 p.m. - Regular City Commission Meeting

February 13, 2024 at 1:00 p.m. - Regular City Commission Meeting

G. REPORTS

City Manager

City Attorney

City Clerk

City Commission

H. ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2023	Beginning Balance	\$12,000.00
	Total:	\$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:

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.