

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, April 25, 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

Any person requiring auxiliary aids and services may call the City Clerk's Office at (954) 786-4611 at least two calendar days prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service at 1-800-955-8770 or 1-800-955-8771.

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

*Rev. Fenly Saint Jean
St. Elizabeth of Hungary Catholic Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-454](#) Regular City Commission Meeting Minutes of April 11, 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. PROCLAMATIONS

[23-419](#) **Proclamation of Tribute**

Mayor Rex Hardin will pay tribute to community leader Lynne Warrick on her 100th birthday.

[23-457](#) **Proclamation Designating Pompano Beach as Autism Friendly**

Mayor Rex Hardin will proclaim Pompano Beach as being officially recognized as Autism Friendly. The following participants will be in attendance for this recognition:

Margi and Martin Hedelund, Autism Society of South Florida, Mark Beaudreau, Recreation Programs Administrator, Fire Chief Chad Brocato, Pompano Beach Fire Rescue and Major Wayne Adkins, Broward Sheriff's Office.

[23-458](#)**Proclamation Recognizing Jewish American Heritage Month**

Mayor Rex Hardin will recognize May 2023 as Jewish American Heritage Month in the City of Pompano Beach. Jenn Gipson from the Combat Antisemitism Movement will accept the proclamation.

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. [23-427](#) Consideration of a request by Roy Dobbins to Transfer Ownership of Block 32, Lot 5, Plots 1, 3 & 4 in the South Lawn to Kenny Stolar.
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

2. [23-429](#) Consideration of a request by Theresa Theban to transfer ownership of Block 23, Lot 19, plot 1, in the West Lawn to William Jensen. Lucy Albanese requests to transfer ownership of Block 23, Lot 19, plot 2 in the West Lawn to William Jensen
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

3. [23-446](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DOCKING EXTENSION AGREEMENT AMONG RONALD STAUFFER AND DIANA LOPEZ, AND KARYN ROTHSTEIN AND RONALD ROTHSTEIN, AND THE CITY OF POMPANO BEACH, PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

4. [23-447](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SHARED COMMON DOCKING AREA AGREEMENT AMONG ROBERT AND PRISTY HENDREN, AND JASON AND TAMBRAEANN DICKMAN, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

5. [23-448](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DOCKING EXTENSION AGREEMENT AMONG ROBERT AND PRISTY HENDREN, AND JASON AND TAMBRAEANN DICKMAN, AND THE CITY OF POMPANO BEACH, PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

6. [23-393](#) 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 HOLA MUNDO!, LLC TO PROVIDE A BILINGUAL SUMMER CAMP FOR BOYS AND GIRLS AGES FOUR TO THIRTEEN YEARS AT THE MAIN PUBLIC BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: City will receive \$3,000 as compensation for use of City property.)

(Staff Contact: Mark A. Beaudreau)

7. [23-394](#) 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 LIVING WATER SURF SCHOOL LLC TO PROVIDE INSTRUCTION IN OCEAN AWARENESS AND SURFING FUNDAMENTALS TO CHILDREN AGES FIVE TO SIXTEEN AT NORTH OCEAN PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: City to receive \$4,500 as compensation for the use of the City's property and services.)

(Staff Contact: Mark A. Beaudreau)

8. [23-449](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A HURRICANE NICOLE FEDERALLY-FUNDED SUBAWARD AND GRANT AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT, AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT THE GRANT AND TO EXECUTE ALL APPROPRIATE DOCUMENTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$56,000 - Revenue)

(Staff Contact: Kimberly Cristiano)

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9. [23-433](#) 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 THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND G&C POMPANO STATION, LLC FOR THE CONSTRUCTION OF AN OVERHEAD WALKWAY EXTENDING INTO THE AIRSPACE OVER AND WITHIN NE 24TH AVENUE BETWEEN ATLANTIC BOULEVARD AND NE 2ND STREET; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss/David Recor)
10. [23-470](#) 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 THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, RELATING TO THE REVOLVING LOAN AGREEMENT NO. DW062480 FOR DRINKING WATER FACILITIES; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)
11. [23-453](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING KIMBERLY HARMON TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE APPOINTEE OF COMMISSIONER RHONDA EATON, 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)

D. REGULAR AGENDA12. [23-147](#)**P.H. 2023-47: (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 5.76 GROSS ACRE SITE LOCATED ON THE WEST SIDE OF NW 31ST AVENUE, EAST OF THE FLORIDA TURNPIKE GENERALLY LOCATED AT 1201 NW 31ST AVENUE; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON NOVEMBER 16, 2022; 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)

POSTPONED FROM FEBRUARY 28, 2023 AND MARCH 28, 2023

(Staff Contact: Jean Dolan/David Recor)

QUASI-JUDICIAL PROCEEDING13. [23-149](#)**P.H. 2023-48: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING THE PROPERTY COMPRISED OF THREE PARCELS LYING ON THE WEST SIDE OF NW 31st AVENUE, EAST OF THE FLORIDA TURNPIKE AND INCLUDING THE PROPERTY COMMONLY KNOWN AS 1201 NW 31ST AVENUE FROM B-3 (GENERAL BUSINESS) AND B-4 (HEAVY BUSINESS) TO I-1 (GENERAL INDUSTRIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM FEBRUARY 28, 2023 & MARCH 28, 2023

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

14. [23-396](#) **P.H. 2023-59: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.3708, "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," TO MODIFY HEIGHT BONUS OPTIONS, TO MODIFY THE MASSING RESTRICTIONS OF THE HISTORIC TRANSITION AREA, TO MODIFY THE TRANSIT CORE AREA BOUNDARY OF THE DENSITY REGULATING PLAN, AND TO MODIFY THE USE REGULATING PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: n/a)

(Staff Contact: Max Wemyss / David Recor)

15. [23-442](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIAL TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WEEKLEY ASPHALT PAVING, INC. FOR ASPHALTIC CONCRETE PAVEMENT SURFACING; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$1,946,895.00)

(Staff Contact: Robert McCaughan)

16. [23-450](#) 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 FOR A TERM OF THREE (3) YEARS: SAID TERM TO EXPIRE ON APRIL 26, 2026; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Jerry Bowman, Sr. - **Incumbent** - District 3
Kim Boros, Alternate 1 - District 3
Amy Varo-Haub, Alternate 2 - District 3
Lisa Nothardt - District 3
Anne Ward - District 3
Cara Driscoll - District 3
Lynne Mitchem - District 3

(Staff Contact: Kervin Alfred)

17. [23-452](#) 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 FOR A TERM OF THREE (3) YEARS: SAID TERM TO EXPIRE ON APRIL 26, 2026; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)
PLEASE REFER TO FILE ID NO 23-450 FOR APPLICANTS.
(Staff Contact: Kervin Alfred)
18. [23-456](#) 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 AS ARCHITECT; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON APRIL 26, 2026; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)
APPLICANTS:
Juan Justiniano, *Architect, Incumbent* - Coral Springs
(Staff Contact: Kervin Alfred)
19. [23-461](#) 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 AS AN ENGINEER; FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON APRIL 26, 2026; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)
APPLICANTS:
Hector G. Barragan, Structural Engineer, **Incumbent** - District 1
(Staff Contact: Kervin Alfred)
20. [23-444](#) Consideration for choosing a Director, Alternate and Second Alternate to attend and vote at any Board of Directors or General Membership Meeting of the Broward League of Cities Meetings where he/she represents his/her municipality.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

E. ADDITIONAL AUDIENCE TO BE HEARD

F. NEXT SCHEDULED MEETING

May 3, 2023 at 5:30 p.m. - Joint Workshop of the City of Pompano Beach & Pompano Beach CRA

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

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

G. REPORTS

City Manager

City Attorney

City Clerk

City Commission

H. 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
	Total:	\$7,000.00

**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.