



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 25, 2023

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the City Commission meeting to order at 6:00 p.m.

ROLL CALL

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

INVOCATION

Rev. Fenly Saint Jean of St. Elizabeth of Hungary Catholic Church offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-454](#) Regular City Commission Meeting Minutes of April 11, 2023

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

APPROVAL OF AGENDA

Mayor Hardin announced Items 12 and 13 will be stricken from the Agenda and Items 3, 4 and 5 under the Consent Agenda will be postponed to the May 9, 2023 City Commission meeting. Also, Proclamation #1 - Tribute to Community Leader Lynne Warrick will be presented after Proclamation #2 - Designating Pompano Beach as Autism Friendly.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Agenda be APPROVED AS AMENDED. The motion carried by unanimous voice vote.

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 Item 9 would be pulled for City Commission discussion.

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

Mayor Hardin recognized Broward County Mayor Lamar Fisher and School Board Member Nora Rupert who were in attendance for the proclamation presentation. He then read the Autism Friendly proclamation in its entirety. Margie Hedelund accepted the proclamation on behalf of the Autism Society of South Florida.

Mark Beaudreau, Recreation Programs Administrator announced the upcoming annual Touch-A-Truck event and shared the prior successes of this event. He said he is looking forward to partnering with Fire Rescue and the Police Department this year. Also, the following participants were in attendance for this recognition: Martin Hedelund, Autism Society of South Florida; Fire Chief Chad Brocato and Major Wayne Adkins of the Broward Sheriff's Office.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

[23-419](#) Proclamation of Tribute

Mayor Hardin read the proclamation for community leader Lynne Warrick, who was celebrating her 100th birthday this year. Lynne Warrick accepted the Proclamation. Commissioner Perkins presented Ms. Warrick with flowers and thanked her for her service.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

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

Mayor Hardin read the proclamation recognizing May 2023 as Jewish American Heritage Month in the City of Pompano Beach. Jenn Gipson from the Combat Antisemitism Movement, was the intended person to accept the proclamation, however he was unable to attend the meeting.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

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:

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, recommended that any commercial property owner who received funding from the CRA or the City should pay back that amount, plus interest, when they sell the property. Mayor Hardin acknowledged the recommendation.

Kevin Kosiba, Canal Drive, Pompano Beach distributed materials to the dais. He spoke about the property he owns on Canal Drive. He stated he wants to develop the end of the cut for a handicapped kayak launch. He asked for help from the Pompano Beach Marine Advisory Board. He summarized the materials. Mayor Hardin asked Mr. Kosiba to connect with the City Manager's Office regarding the idea.

Tundra King, 124 NW 15th Street, Pompano Beach, asked the Commission to reconsider changing the 1:00 pm meeting to 6:00 pm. She noted it is difficult for people to attend a daytime meeting.

Connie Bookholt, 4050 Cyprus Hammock Lane, Pompano Beach, asked to address Item 14. Mayor Hardin stated she will have to wait until the item is called to speak.

Chris Brown, no address provided, noted he will wait to speak on Item 14.

Jocelyn Jackson, no address provided, spoke about the Sonata building and the signup process. She stated she addressed the group of potential residents to diffuse the situation. She said approximately 30% of the people were homeless. Therefore, she plans to work with the Marquis group to distribute information in the community.

In addition, Ms. Jackson stated she attended the Economic Development meeting and gave kudos to the Building Department. Also, she commented on the number of projects in Pompano Beach. Lastly, she announced the Mother's Day Celebration to be held on May 14th at Hunter's Park.

Comr. Perkins noted the biggest area of concern in her district is housing. She stated that she has been working with people at Marquis and is aware of residents in need of housing.

Shirley Harden, no address provided, said the homeless people are no longer in and out of the building where she lives. She thanked the City for the work in cleaning up the area and managing the trees. Also, she thanked Cassandra Rhett, the City's Housing and Social Services Manager, for helping the homeless people.

C. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1,2,6,7,8,10 and 11 without City Commission discussion.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

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)

A motion was made by Vice Mayor McGee, seconded by

Commissioner Eaton, that the Consent Agenda/ Resolution be POSTPONED to May 9, 2023. The motion carried by a unanimous voice vote.

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Consent Agenda/ Resolution be POSTPONED to May 9, 2023. The motion carried by a unanimous voice vote.

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Consent Agenda/ Resolution be POSTPONED to May 9, 2023. The motion carried by a unanimous voice vote.

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2023-133

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2023-134

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2023-135

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)

Comr. Fournier said the sign looks large and asked about the lighting.

Max Wemyss, Development Services, said the sign is backlit and will be illuminated on both sides of the bridge with no restriction. He acknowledged he is not aware of another comparable signage agreement.

Comr. Fournier stated she wants to ensure there was nothing bright facing into the neighborhood. She asked if there are brightness standards. Mr. Wemyss said it will not exceed beyond the permissions for street lighting. He displayed an updated graphic image.

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.

Vice Mayor McGee asked if it was similar to the lighted signs at the beach. Mr. Wemyss said they are following the same standards as signs on a building façade, but the code does not grant signs within the right-of-way, which is why it needs to be done through this process.

Mayor Hardin asked if it has been through the Architectural Appearance Committee (AAC). Mr. Wemyss replied that AAC approved the building and clarified the sign does not need to be reviewed by the AAC.

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

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-136

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2023-137

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

Enactment No: RES. No. 2023-138

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be STRICKEN. The motion carried by a unanimous voice vote.

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Quasi-Judicial/ Ordinance be STRICKEN. The motion carried by a unanimous voice vote.

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)

Max Wemyss, Development Services, provided background on the item. He started his presentation by providing context for the proposed text amendment, including a summary of the historic core area, historical transition area, and transit core area. He noted there is a concurrent site plan application for the area indicated in red on the presentation. He continued by reviewing the proposed text amendment for 155.3708, Downtown Pompano Beach Overlay District. He stated the Director of Community Redevelopment Agency has provided a memorandum of support. The application was reviewed by the City's Development Review Committee prior to the January 18, 2023, meeting. The Planning and Zoning Board provided a unanimous recommendation for approval by the City Commission at the March 22, 2023, meeting.

Mayor Hardin stated he met with the developer and spoke with residents about the project.

Nectaria Chakas, Attorney, introduced herself on behalf of the applicant Adam Adache of Old Town Square II. She reviewed the impetus for the proposed text amendment. She noted Mr. Adache is under contract for five neighboring parcels and is currently in site plan review for two of the site parcels. She started her presentation by reviewing the DPOD Overlay District and five parcels. She noted the proposed code amendment only affects the areas west of Founder's Park and is confined to the parcels. She reviewed the modification of height bonus text and displayed an illustration to demonstrate finished floor and grade. She continued by reviewing the modification to massing restriction for historical transition area text and staff revisions. She stated they are fine with the proposed staff revisions. She displayed an image showing how the existing code and proposed code affects the project design. She noted the third code amendment is to change the boundary of the transit core area and she reviewed the existing and proposed maps. She referenced the design of Flagler Village in Fort Lauderdale. The final text amendment is to change parcels to mixed use residential. She reviewed the existing and proposed maps.

Mayor Hardin opened the item for public input. The following are the individuals who gave public comment:

Rick Bunn, 360 SE 15th Avenue, Pompano Beach, thanked the Commission for their service. He said he

joined the Methodist church in the 1970s and expressed concern about the location of the development. He said if the Transit Core Boundary is changed, they will not know the plans for the other three parcels. The properties are located near residential housing and will increase traffic in the neighborhood. He stated his larger concern is the children walking to and from the Pompano Beach Middle School. He said he is not against development, however with regards to this project, he believes to change the boundary is totally unnecessary.

Connie Bookholt, 4050 Cyprus Hammack Lane, Pompano Beach, said it is important that beauty and functionality come together, and this development is beautiful and the downtown area needs to shine, but it also needs functionality. She said change is hard, but change will happen. This project will attract affordable housing and businesses, and will help alleviate tax burdens. In closing, she said they have a change to make and Pompano Beach is the future, therefore she asked the Commission to approve the item.

Ted Galatis, 341 SE 5th Court, Pompano Beach, said he was born and raised in Broward County and served on Wilton Manors City Commission for fourteen years. He stated he does not want Pompano Beach to be like Fort Lauderdale. He referenced Page 4 of the staff report. He said he is opposed to increasing density and it will create more traffic and problems. He urged the Commission to deny the amendment application.

James Laraway, 1071 SE 9th Avenue, Pompano Beach, spoke about revitalization of the downtown area. He said development is needed to support local businesses and revitalizing the area will increase property values, which will lead to sale and increased properties revenues. He does not want to see residents priced out of the market. He said he is for sensible development and the text amendments will pave the way for the right development for the area.

Mike Skversky, 1630 SW 6th Avenue, Pompano Beach, said this project is not affordable housing. He stated he has an issue with the density. He said the density is out of control.

David Hall, 290 SE 8th Court, Pompano Beach, stated he has been following the project for a while. He said the developers hosted a community meeting and concerns were expressed about traffic and parking. He believes the building will provide adequate parking. He noted people were fine when they were previously discussing developing the area for a charter school, but traffic would have been much worse. Furthermore, hundreds of eyes have reviewed the project and no one had an issue with it. In closing, he said the City is getting a return on investment on projects, which is good for the City. Therefore, he urged the Commission to approve the item.

Chris Brown, 450 E. Atlantic Boulevard, Pompano Beach, said density is not the bad guy. When density is allowed, the developer can build smaller, more affordable units. Also, he stated density supports retail and will help the downtown area to thrive. Lastly, he noted density provides more eyes on the street with apartment dwellers.

Jocelyn Jackson, no address provided, said she is excited about the development and supports the project. She said people are being evicted, becoming homeless, and need help. She stated she is going to continue to work with project managers, owners, and will continue to advocate for the City.

Martin T. Fault, Garden Isles, Pompano Beach, said he attended the recent meetings regarding the project and

commented on the history and relocation of the church. He said some residents were concerned about stained glass and noted the applicant said it will be preserved.

Annie Magini, 705 NE 12th Avenue, Pompano Beach, said, as a recent business owner, they are committed to the City. She is excited about the development on the west side. She noted there are prostitutes and drug dealers on the west side at night, but she would rather see restaurants and stores in that area instead. In closing, she said affordable housing is the way to go, therefore she supports the project.

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

Comr. Perkins stated she met with the developer and was happy to know the developer also met with the community. She said she likes to vote with the residents but is getting mixed feelings from the community during the public hearing.

Comr. Fournier said she was in attendance during the community meeting. She stated it was well attended and the residents had differing views. She said there were concerns expressed about increased traffic and acknowledged there are parties with different profit motives regarding the project.

Comr. Fournier acknowledged the applicant's responsiveness to the citizens' concerns. She clarified that the chapel is being relocated and not the sanctuary and noted sadness expressed by some citizens about the demolition of the sanctuary.

Comr. Fournier asked for clarification about workforce housing. Ms. Chakas stated that initially there was no plan to have affordable housing but after hearing concerns the developer decided to set aside 15% of the units as affordable, which is 48 units, assuming 319 units are developed. Comr. Fournier said the 48 units are more valuable than a buyout. She asked for clarification about the statements from one resident that the rents will be under \$2,000 a month and the project will facilitate a Brightline stop in the future. Ms. Chakas said there needs to be density to support a Brightline stop, but she has no knowledge about future Brightline plans.

Comr. Fournier asked if Brightline stops generate a lot of extra traffic. Ms. Chakas said she does not know but she has observed nothing significant living in Fort Lauderdale.

Mayor Hardin stated he has not heard any plans for a Brightline stop, but Pompano Beach has been identified as a stop for the commuter rail along the Brightline corridor.

Comr. Fournier said she is concerned about the density, affordable housing, and traffic. She said the changes will also apply to the additional parcels, one of which is next to a middle school. Ms. Chakas confirmed there could be a future mixed-use project across the street from the middle school.

Comr. Fournier said there seems to be inconsistency about density and traffic. She asked about the traffic plan. Ms. Chakas said they compared traffic that would be generated by the former proposed charter school and this project. She said this project would generate 2,000 less cars per day. She said residential is not as large a traffic generator as commercial and office. Ms. Chakas said traffic is more of a site plan issue and Mr. Adache voluntarily agreed to contribute \$50,000 for traffic mitigation efforts in Old Town.

Adam Adache, 2025 E. Atlantic Boulevard, Pompano Beach, addressed Comr. Fournier question about the middle school. He said the church property has essentially been shut down for 15 years. He noted the main sanctuary has not been operational in 12 years. He stated that activating the area is good for children and schools. He said he did not hear the Brightline statement the same way but acknowledged that density is required for Brightline to select cities for locations. Also, they will have \$2,000 a month units and some less but he cannot say what the average rent will be when the project is complete. He noted, from a developer's perspective, a certain number of square footage is needed to justify a project economically. He said smaller units are an answer to some of the affordability problems.

Comr. Fournier said traffic generation by a school is a false equivalency and said changes were made to Atlantic Boulevard and Atlantic Dixie corridor after they knew a school was not going there. She appreciates the project, affordable component, and funding for traffic mitigation. However, she struggles fitting the puzzle pieces together while the City shrinks roads and adds density.

Vice Mayor McGee said the retail spaces with high ceilings will attract quality tenants. She asked if they bring in a restaurant, will there be adequate parking? Continuing, she said she is familiar with the Manor Edge development and parking challenges and encouraged the applicant to speak to them about what they learned. Ms. Chakas said they currently have a surplus of 84 spaces with room to change it from a retail bay to a restaurant bay.

Vice Mayor McGee asked about the unit mix. Ms. Chakas said it will be 200 one-bedroom units, 100 two-bedroom units, and 19 three-bedroom units. Vice Mayor McGee said it is a good mix and spoke about alternative forms of transportation. She recommended the designers try to ensure the building does not feel monolithic. She thanked Mr. Adache for the traffic mitigation contribution. She appreciated the effort to preserve the stained glass from the church.

Comr. Eaton supports mixed use residential. She said people are needed to revive the downtown and businesses need customers. She said Deerfield Beach built an indigo next to the tri-rail station and centers around commuters. She appreciated the density explanation by Mr. Adache. She stated she is pleased with the affordable housing options. Comr. Eaton said FEMA is consistent about raising the finished floor. She noted that existing finished grade is very difficult to measure. She supports transforming from the old code ideas and said the City is doing smart growth.

Mayor Hardin thanked Mr. Adache for the traffic mitigation donation and adding affordable housing. He said this is protecting the single-family neighborhoods. The City has been planning to have this type of development in this area, however he acknowledged the traffic concerns and said that major traffic projects do exacerbate problems, but it is only temporary. He agreed there is not enough affordable housing and the only way to accommodate more housing is to go with a denser development. He said change is difficult, but he looks forward to the project.

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be

APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Eaton
Moss
Perkins
McGee
Hardin

No: Fournier

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)

Robert McCaughan, Public Works Director, presented the item and stated the proposed Resolution pertains to a first-year renewal option of a Construction Agreement with Weekley Asphalt Paving. This Agreement will be utilized to implement the City's 5-Year Paving Plan. He noted that the cost referenced for this item is the potential fiscal impact. Therefore, at this time, staff is requesting approval of the Construction Agreement and in the future, the Commission will have the option through the Capital Improvement Program (CIP) to approve the funding to implement the paving plan.

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.

Vice Mayor McGee expressed excitement about the item, stating she is looking forward to the paving work as it is what the residents want to see.

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

Yes: Eaton
 Fournier
 Moss
 Perkins
 McGee
 Hardin

Enactment No: RES. No. 2023-139

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Resolution be ADOPTED and to insert the name JERRY BOWMAN, SR. Mayor Hardin nominated Jerry Bowman, Sr. The motion carried unanimously.

Yes: Eaton
 Fournier
 Moss
 Perkins
 McGee
 Hardin

Enactment No: RES. No. 2023-140

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Resolution be ADOPTED and to insert the name KIM BOROS. Vice Mayor McGee nominated Kim Boros. The motion carried unanimously.

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Enactment No: RES. No. 2023-141

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Resolution be ADOPTED and to insert the name JUAN JUSTINIANO. Mayor Hardin nominated Juan Justiniano. The motion carried unanimously.

Yes: Eaton
 Fournier
 Moss
 Perkins
 McGee
 Hardin

Enactment No: RES. No. 2023-142

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)

A motion was made by Vice Mayor McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Resolution be ADOPTED and to insert the name HECTOR G. BARRAGAN. Mayor Hardin nominated Hector G. Barragan. The motion carried unanimously.

Yes: Eaton
 Fournier
 Moss
 Perkins
 McGee
 Hardin

Enactment No: RES. No. 2023-143

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)

Mayor Hardin stated the proposed item involves appointing individuals to represent the City at the Broward

League of Cities.

Comr. Moss nominated Comr. Eaton as she has been serving for a number of years.

Mayor Hardin asked if Comr. Eaton currently serves as Director, to which Comr. Eaton replied yes. However, he said he was unsure who served as Alternate and Second Alternate. Kervin Alfred, City Clerk stated that last year Comr. Eaton was appointed as Director, former Comr. Tom McMahon as Alternate and Vice Mayor McGee as Second Alternate.

A motion was made by Commissioner Eaton, seconded by Vice Mayor McGee, that the Item for Consideration/Discussion be APPROVED, to appoint Commissioner Rhonda Eaton as Director, Vice Mayor Andrea McGee as Alternate and Commissioner Barry Moss as Second Alternate. The motion carried by a unanimous voice vote.

E. 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.

F. NEXT SCHEDULED MEETING

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

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's Report:

Assistant City Manager Brian Donovan congratulated Ms. Cassandra Rhett and BSO for raising food donations for families in need. He announced that the Pompano Beach Town Hall meeting focused on youth mental health and overall good health, will be held on April 27th. Also, he announced the presentation on the new downtown will be held on May 3rd at the Cultural Center. He recognized Randy Brown, Utilities Director, on winning awards for both Professional of the Year and 2023 Collection System of the Year for Medium Category.

City Attorney's Report:

No report.

City Clerk's Report:

City Clerk Alfred noted Alternate 1 Kim Boros has moved up to full membership, so it creates a vacancy for Alternate 1. He added that Amy Varo-Haub currently serves as Alternate 2 and is requesting Commission approval to bring those items forward. Mayor Hardin said to add the items to the next agenda.

Comr. Eaton's Report:

Comr. Eaton said she is ready to go full steam ahead with encouraging residents to hook up to reclaimed water. She wants to know every step of the process to have the most up-to-date information. She recommended hooking up the parks first. She congratulated Mr. Brown on his accomplishments.

Comr. Fournier's Report:

Comr. Fournier congratulated Mr. Brown and thanked Ms. Rhett for her work with the homeless. Next, she said they are seeing a lot of affordable housing buyouts from developers since it cost only a little over \$2,000. She noted the Planning & Zoning spoke about increasing the amount to \$6,000 in 2001.

A motion was made by Commissioner Fournier, seconded by Vice Mayor McGee, to ask city staff to come back with a recommendation for a correct market amount for a developer in lieu of fee and a mechanism for adjusting it up and down every three years to market conditions.

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. Eaton said they had this discussion a year and a half ago. She stated Pompano Beach has the most affordable housing in the County. Nevertheless, she supports staff taking another look on the matter.

Vice Mayor McGee spoke in favor of the motion.

The motion carried by the following roll call vote:

Yes: Eaton
Fournier
Moss
Perkins
McGee
Hardin

Comr. Moss' Report:

Comr. Moss thanked the 86 attendees that attended his April 13th Presentation at John Knox Village. He thanked staff for assisting with the presentation visuals.

Comr. Perkins' Report:

Comr. Perkins asked her fellow Commissioners if they have received any updates on the Pompano Live charity grant. She said it is a grant distributed by the casino and she was asked to appoint a person to serve on the committee. She said her appointee has not been informed about the meetings and she heard they are now giving out their second round of grant funding. Mayor Hardin stated that entity is separate from the City, and they have no affiliation. Comr. Fournier said she met with the developer, and it came up at the meeting in which it was mentioned that each Commissioner should have an appointee on the grant committee. The other Commissioners stated they have not received any updates.

Vice Mayor McGee's Report:

Vice Mayor McGee thanked City staff and Show Management for another successful Seafood Festival. She shared with the Commission an award from the Southeast Police Motorcycle Rodeo banquet for continued appreciation and sponsorship.

Mayor Hardin's Report:

Mayor Hardin announced the launch of Broward College truck driving program. Next, he read an email from Mr. Jim Van Drunan from the Fort Lauderdale Fire and Safety Museum recognizing the work by Mr. Rob Brantley. He announced the 66th Annual League of Cities Gala to be held on June 17th and the Broward Partnership event on May 19th. Consensus was reached to sponsor tables at both events. Mayor Hardin reiterated the invitation for the public to join the downtown presentation on May 3rd.

Mr. Donovan noted the passing of Ernie Siegrist, the City's former Purchasing Director and recognized his service.

H. ADJOURNMENT

The meeting adjourned at 8:21 p.m.

DocuSigned by:
Kervin Alfred
D1C913A8ED334CA...
Kervin Alfred, City Clerk

DocuSigned by:
Rex Hardin
502CB780EB3F480...
Rex Hardin, Mayor

