

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, November 14, 2023

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

*Father Michael Garcia
St. Colman Catholic Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[24-51](#) Regular City Commission Meeting Minutes of October 24, 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

[24-50](#) **Award Presentation by Smart Growth Partnership**

Nadia Locke, Chair of the Recognition Committee from Smart Growth Partnership, will present the City with the Smart Growth Excellence Award for the City of Pompano Beach Sports Complex Park project.

[24-53](#) **Design Award Presentation for the Youth Sports Complex Park**

The City of Pompano Beach has won an award from the Fort Lauderdale Chapter of the American Institute of Architects for the design of the Youth Sports Complex Park. Mr. Jeffrey Huber of BROOKS & SCARPA Architects will make the presentation to the Commission.

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. [24-61](#) Consideration of a request by John C. Guest II to transfer ownership of Block 9, Lot 6, Plots 3 and 4 in the North Lawn back to the City of Pompano Beach.
(Fiscal Impact: \$800.00)

(Staff Contact: Robert McCaughan)

2. [24-11](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE PROGRAM SUBRECIPIENT AGREEMENTS BETWEEN THE CITY OF POMPANO BEACH AND BROWARD PARTNERSHIP FOR THE HOMELESS, INC., COVENANT HOUSE FLORIDA, INC., CROCKETT FOUNDATION, INC., THE RUSSELL LIFE SKILLS AND READING FOUNDATION, INC., LIGHT OF THE WORLD CLINIC, INC., SECOND CHANCE SOCIETY, INC. AND WOMEN IN DISTRESS OF BROWARD COUNTY, INC.; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$140,000.00 Fiscal Year 2023-2024 CDBG Allocation)

(Staff Contact: Alexander Goldstein)

3. [24-52](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DISTRICT FOUR MAINTENANCE MEMORANDUM OF AGREEMENT (MMA) BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, FOR THE INSTALLATION OF SOLAR-POWERED IN-ROAD CROSSWALK LIGHTING ASSEMBLIES AND ASSOCIATED SPECIFIED EQUIPMENT WITHIN THE RIGHT-OF-WAY OF STATE ROAD A1A; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,000 annually)

(Staff Contact: Robert McCaughan)

4. [24-58](#) 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 2 TO LOAN AGREEMENT SW062460 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)

D. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

5. [24-17](#) **P.H. 2024-08: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING TWO 10-FOOT WIDE RIGHTS-OF-WAY LOCATIONS ON THE WEST SIDE OF NE 26TH AVENUE AND A FIVE-FOOT WIDE RIGHT-OF-WAY ON THE EAST SIDE OF NE 26TH AVENUE, NORTH OF NE 13TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 24, 2023

(Staff Contact: Jean Dolan/David Recor)

6. [24-60](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE PHOENIX GOLF CAR PLAT LYING NORTH OF THE INTERSECTION OF ATLANTIC BOULEVARD AND NW 31ST AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

7. [24-08](#) **P.H. 2024-06: (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 MEDICAL DIRECTOR AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND RICHARD J PALEY MD LLC FOR MEDICAL CONSULTING AND ADVISORY SERVICES FOR POMPANO BEACH FIRE RESCUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$70,000)

FIRST READING: OCTOBER 24, 2023

(Staff Contact: Chad Brocato)

8. [23-775](#)**P.H. 2024-09: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 50, "WATER," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 50.02, "WATER DISTRIBUTION; GENERAL; BY MODIFYING THE COST TO TEST WATER METERS; BY AMENDING SECTION 50.03, "WATER TARIFF," BY DELETING SUBSECTION (D) IN ITS ENTIRETY AND REPLACING SUBSECTION (D) TO PROVIDE FOR MODIFIED RATES AND CHARGES; BY AMENDING SECTION 50.04, "INITIAL FEES AND DEPOSITS FOR NEW WATER SERVICE," TO MODIFY FEES FOR INITIATION OF WATER SERVICE; BY AMENDING SECTION 50.08, "RECONNECTION AFTER CUTOFF," BY MODIFYING CHARGES FOR DISCONNECTION AND RE-ESTABLISHMENT OF WATER SERVICE; BY AMENDING SECTION 50.12, "CHANGE SERVICE INSTALLATION COSTS," TO MODIFY FEES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 24, 2023

(Staff Contact: A. Randolph Brown)

9. [24-41](#)**P.H. 2024-10: (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: OCTOBER 24, 2023

(Staff Contact: A. Randolph Brown)

10. [24-43](#)**P.H. 2024-11: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION, OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 53, "STORMWATER MANAGEMENT", BY AMENDING SECTION 53.12, "STORMWATER FEES," TO MODIFY MONTHLY FEES FOR STORMWATER SERVICES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 24, 2023

(Staff Contact: A. Randolph Brown)

11. [24-42](#)**P.H. 2024-12: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 54, "REUSE WATER AND CROSS-CONNECTION CONTROL," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 54.05, "CONNECTION CHARGES AND RATES," TO MODIFY RATES AND CHARGES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 24, 2023

(Staff Contact: A. Randolph Brown)

12. [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)

(Staff Contact: Jeff Lantz)

13. [24-59](#)**P.H. 2024-14: (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 CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CUTTING EDGE INDUSTRIES INC. TO PROVIDE LANDSCAPE INSTALLATION AND MAINTENANCE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Cost will be determined on a project by project basis.)

(Staff Contact: Dr. Tammy Good/Brian Donovan)

14. [24-55](#)**P.H. 2024-15: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 34.009, "CITY'S LOGO," TO PROVIDE RESTRICTIONS ON USAGE OF THE CITY'S DESIGN MARK (LOGO) OR WORD MARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

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

December 12, 2023 at 1:00 p.m. - Regular City Commission Meeting

January 9, 2024 at 1:00 p.m. - Regular City Commission Meeting

January 23, 2024 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, 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

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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.