

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor

Barry Moss, Vice Mayor

Rhonda Eaton, Commissioner

Andrea McGee, Commissioner

Tom McMahon, Commissioner

Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Ascelela Hammond, City Clerk

Tuesday, September 24, 2019

4:30 PM

Commission Chamber

Special City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the Special City Commission meeting to order at 4:31 p.m.

ROLL CALL

Present: Commissioner Rhonda Eaton
Commissioner Andrea McGee
Commissioner Tom McMahon
Commissioner Beverly Perkins
Mayor Rex Hardin

Excused: Vice Mayor Barry Moss

INVOCATION

The Honorable Rex Hardin, Mayor offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Ascelela Hammond, City Clerk

APPROVAL OF MINUTES

[19-738](#) Special City Commission Meeting Minutes of September 10, 2019

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

APPROVAL OF AGENDA

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Agenda be APPROVED. The motion

carried unanimously.

A. REGULAR AGENDA

Mayor Hardin, prior to commencing the regular agenda, recognized Mr. Danovich, who had an announcement to make about the items.

Horacio Danovich, CIP & Innovation District Director, stated that from the last agenda item, staff reviewed some clauses in the contract and Article 7 was slightly modified to allow the work authorizations as he announced, which the City will award to the contractors in future weeks. All the contractors have acknowledged and agreed to the verbiage. Article 7 will now read:

“Owner shall issue work authorizations specifying a not-to-exceed amount with details and costs for each task to be completed by the construction manager. Pre-construction services costs shall be excluded from the GMP. Construction Manager shall initiate all pre-construction services within ten (10) days of receipt of said work authorization. Pre-construction service cost instead, shall be invoiced to the owner for payment as tasks are completed.”

Mr. Danovich indicated that this will change the language under the initial Article 7.1.1 and will help move the process along.

Mr. Berman confirmed that this declaration will be acceptable and as each item comes up for discussion it will be approved as amended. The amendment concur with the procedure that was stated at the first hearing by Mr. Danovich.

1. [19-687](#) **P.H. 2019-125: (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 MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY, FOR THE CONSTRUCTION OF THE PALM AIRE BRIDGE PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

SECOND READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, thanked Antonio Pucci and Mark Berman and their respective teams in helping to put together the agenda items. There was a lot of work involved and an extensive amount of material to put together, as well as extensive reading. In addition, Peter Brandt, outside counsel who is well experienced with Construction Management at Risk (CMAR) contracts assisted with this

effort. He wanted to recognize all individuals who assisted in a significant way, because without them, the City would not have been able to reach this stage.

Mr. Danovich recommends approval of the item, as well as there has been no changes other than the one mentioned prior.

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, reiterated his comments mentioned at the first reading. His main concern is with the monetary value that is not associated with all eighteen items. He believes the method being used now to utilize CMAR services is not advantageous and the City is missing the economic advantage of having not only local but also other contractors bid on these projects, to give the best quality for the lowest price.

Mayor Hardin enquired if the contracts being approved have any costs to them, as well as is the CMAR process new to the City of Pompano Beach or is it an accepted industry practice.

Mr. Danovich responded that by entering into these contracts, the City is not obliged to pay anybody. Until the City Commission approves the work authorization, none of the CMAR's are receiving any money from the City. Once the work authorization is received they are now under contract for those pre-construction services, in some cases it will be in the range of \$13,000 to \$100,000 plus, which will be the range that some of the CMAR's will receive for being an extension from a procurement standpoint of the City. If the CMAR's were not assisting with this particular service, the City would run several risks: 1) The quality of the product would not be the same, 2) the CMAR will procure each trade that will be used for every project, 3) they vet each subs to ensure they have the credentials and the qualifications to do the projects, and 4) They work with many companies in the market place.

Finally, the CMAR is not a brand new process, he did not invent it, the City of Pompano Beach did not invent it but it is being used widespread in the marketplace for a number of reasons. He then provided an example of a project, the Port Everglades \$2 billion project, that have been done with a CMAR, which can justify why staff is doing this. He assured the Commission that this is the best methodology and the most transparent way to spend every dollar and to show each trade how it is being procured, the best qualified people are being employed to do the projects. He then named a few City projects that have utilized the CMAR successfully resulting in dollars saved. In addition, they are required to seek out local participation.

M. Ross Shulmister, 560 SE 12th Street, Pompano Beach, FL, commented on the process of utilizing a CMAR, which in essence will be substituted for the City Commission and staff to manage the entire construction process of the projects. This is a good way to take care of managing the construction process if staff does not have the experience to do it.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be APPROVED FIRST READING AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-84

2. [19-688](#) **P.H. 2019-126: (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 MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND KIEWIT INFRASTRUCTURE SOUTH CO., FOR THE CONSTRUCTION OF THE SE 5TH AVENUE BRIDGE PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

SECOND READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be APPROVED FIRST READING AS AMENDED. The motion carried by the following roll call vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-85

3. [19-689](#) **P.H. 2019-127: (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 MANAGER-AT-RISK CONTRACT

BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY, FOR THE CONSTRUCTION OF THE TERRAMAR DRIVE BRIDGE PROJECT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

SECOND READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner McGee, seconded by Comr. Eaton that the Regular Agenda/ Ordinance be APPROVED FIRST READING AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-86

4. [19-640](#) **P.H. 2019-116: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BURKHARDT CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE MCNAB ROAD STREETScape IMPROVEMENTS AND MCNAB ROAD BRIDGE REPLACEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

M. Ross Shulmister, 560 SE 12th Street, Pompano Beach, FL, stated that the neighborhood is concerned about the height of the bridge. Therefore, he asked about the status of the design as it relates to the height of the bridge because there were several suggestions provided at the public meeting as to some of the ways to

achieve a higher elevation above the water.

Mr. Danovich responded that the design team met with the counterparts of the different government agencies to understand the requirements of height, base elevations and minimum clearances and so forth. The base elevation is set at 1.83 NAVD (North American Vertical Datum) and the requirements to have a clearance of 6 feet. This would be approximately where the current situation is today with existing clearance. In order to elevate an additional 2 feet or any other extras, it will require an alignment of any exits off the bridge with the existing driveways and existing facilities. There are no noticeable issues on the east side of the bridge, however, there are concerning issues on the west side, specifically, at Cypress Point and Cypress Nook. These two driveways would either need to be shifted, or shutdown or changed completely in order to accommodate an increased elevation of more than 2 feet. He then provided details as to the engineering of the bridge and the impossibility to change it. More creative options are being explored by the design team. There is still a great amount of work to be done to determine what the various governmental agencies will allow. Therefore, he solicited the residents' patience as they work out the complexities of the design.

Mayor Hardin suggested that Mr. Shulmister meet with Mr. Danovich and discuss the details of the design. Comr. McMahon is also involved regarding this issue.

Comr. McGee indicated that she has heard similar concerns from many of the residents in the area. She is aware of the complexities involved and urged the designers to be as creative as possible to overcome some of the current concerns.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-91

5. [19-641](#) **P.H. 2019-108: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BURKHARDT CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE S.R. A1A IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-92

6. [19-662](#) **P.H. 2019-104: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY, FOR THE CONSTRUCTION OF THE DR. MARTIN LUTHER KING, JR. BOULEVARD IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner Perkins, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-93

7. [19-661](#) **P.H. 2019-114: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY, FOR THE CONSTRUCTION OF THE DIXIE HIGHWAY STREETScape IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner Perkins, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following roll call vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-94

8. [19-642](#) **P.H. 2019-105: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BURKHARDT CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE NE 33RD STREET IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton

McGee

McMahon

Perkins

Hardin

Excused: Moss

Enactment No: ORD. No. 2019-95

9. [19-663](#) **P.H. 2019-117: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND KAUFMAN LYNN CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE MCNAIR PARK RENOVATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated the City received its first grant for this particular project, which is approximately \$70,000 for fitness equipment. This was given by the Health System of South Florida.

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

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-96

10. [19-646](#) **P.H. 2019-103: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND SHIFF CONSTRUCTION & DEVELOPMENT, INC. FOR THE CONSTRUCTION OF THE MITCHELL MOORE PARK IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated they are going after every possible grant available for the parks, roads, and projects. He mentioned that in terms of procurement, the City will save money by purchasing, at the same time, products for all the projects, such as trash containers, bicycle racks, and so forth. In this way, had the City bid these individually this saving could not have been realized.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-97

11. [19-658](#) **P.H. 2019-110: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND DIPOMPEO CONSTRUCTION CORPORATION FOR THE CONSTRUCTION OF THE ULTIMATE SPORTS PARK IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-98

12. [19-664](#) **P.H. 2019-115: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND KAUFMAN LYNN CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE KESTER PARK IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019**(Staff Contact:** Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-99

13. [19-648](#) **P.H. 2019-113: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND DIPOMPEO CONSTRUCTION CORPORATION FOR THE CONSTRUCTION OF THE CENTENNIAL PARK IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-100

14. [19-676](#) **P.H. 2019-106: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND WEST CONSTRUCTION, INC., FOR THE CONSTRUCTION OF THE NORTH POMPANO PARK IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-101

15. [19-647](#) **P.H. 2019-111: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND SHIFF CONSTRUCTION & DEVELOPMENT, INC. FOR THE CONSTRUCTION OF THE YOUTH SPORTS

COMPLEX IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-102

16. [19-660](#) **P.H. 2019-109: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND VERDEX CONSTRUCTION LLC FOR THE CONSTRUCTION OF THE SENIOR ACTIVITY CENTER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated this project is coming on great and soon he will be able to share some information with the City Commission.

Comr. Perkins indicated that previously she had requested that the City look at a possible different location for the senior activity center and enquired if staff had an opportunity to look into this matter.

Gregory Harrison, City Manager, responded that he had asked if the Commission was interested in a different location and there was no consensus among the Commission to look for another location.

Comr. Perkins made a motion to direct staff to look into alternate locations for the senior center project. The motion died for lack of a second.

Mayor Hardin asked if the property was purchased for this project.

Mr. Harrison responded yes.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-103

17. [19-666](#) **P.H. 2019-112: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND KAUFMAN LYNN CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE EMERGENCY OPERATION CENTER (EOC) AND FIRE ADMINISTRATIVE BUILDING COMPLEX; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, stated there were no further comments.

A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Ordinance be ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Perkins
Hardin

Excused: Moss

Enactment No: ORD. No. 2019-104

18. [19-669](#) **P.H. 2019-107: (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 CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND KAUFMAN LYNN CONSTRUCTION, INC. FOR THE CONSTRUCTION OF THE PUBLIC SAFETY COMPLEX INTERIOR IMPROVEMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 10, 2019

(Staff Contact: Horacio Danovich)

Horacio Danovich, CIP & Innovation District Director, recommend approval of the item. In addition, he recognized the effort that the Broward Sheriff's Office (BSO) and the Fire department have provided to the City's team to try to make this a cohesive project. They have been helpful every step to assist in identifying issues.

Mayor Hardin thanked City Manager Harrison, Mr. Danovich, the entire staff and everyone who has worked on this, which is a huge achievement for the City. This commenced with the residents voting for the G.O. Bonds and leading to all the work that has gone into it until now. To write all the contracts for the CMAR's and so forth is truly a huge step for the City. He reiterated thanks to the residents, staff, everyone, and the Commission. It is monumental what is being done in the City of Pompano Beach.

Mr. Harrison thanked the Mayor for his acknowledgement and asked that everyone be patient when the City is being torn up for the next five to seven years.

Comr. Eaton echoed Mayor Hardin's sentiments and thanked staff and the City for the great things on the horizon.

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

ADOPTED AS AMENDED. The motion carried by the following vote:

Yes: Eaton
McGee
McMahon
Hardin

Excused: Moss

Absent: Perkins

Enactment No: ORD. No. 2019-105

B. ADJOURNMENT

The meeting adjourned at 5:10 p.m.

Rex Hardin, Mayor

Asceletha Hammond, City Clerk