

# **City of Pompano Beach**

**City Commission Meeting  
Commission Chamber**

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



## **Agenda**

**Tuesday, October 11, 2022**

**1:00 PM**

### **City Commission**

*Rex Hardin, Mayor*

*Beverly Perkins, Vice Mayor*

*Rhonda Eaton, Commissioner*

*Cyndy Floyd, Commissioner*

*Andrea McGee, Commissioner*

*Tom McMahon, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Asceletha Hammond, 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**

*Asceleta Hammond, City Clerk*

**INVOCATION**

*Elder Harold Westley  
Newborn Holiness Church*

**PLEDGE OF ALLEGIANCE**

*Led by Asceleta Hammond*

**APPROVAL OF MINUTES**

- [23-04](#) Special City Commission Meeting Minutes of September 12, 2022
- [23-05](#) Special City Commission Meeting Minutes of September 19, 2022
- [23-07](#) Regular City Commission Meeting Minutes of September 27, 2022

**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**

- [22-553](#) **Legislative Update**  
Becker Poliakoff and the Legis Group will give a legislative update for 2022, to inform everyone of the actions taken by the Florida Legislature.
  
- [22-619](#) **Marty Kiar, Broward County Property Appraiser**  
Broward County Property Appraiser, Marty Kiar, will address the Commission and residents regarding property values.

[22-626](#)      **Homeless Assistance Center Update**

Dr. Rebecca McGuire, Broward County Human Services Administrator, will give an update on the operations and capital improvements being carried out by Broward County impacting the Homeless Assistance Center on Blount Road.

[22-636](#)      **State Representative Chip LaMarca Check Presentation**

State Representative Chip LaMarca will present the City Commission with a check for the Pompano Beach Riverside Drive Safety and Resilience Project.

**B. PROCLAMATIONS**

[22-620](#)      **Proclamation for Red Ribbon Week**

Mayor Hardin will proclaim Red Ribbon Week in the City of Pompano Beach. Melissa Sauer, Adjunct for PFC Bruce W. Carter MOH Young Marines will receive said proclamation. Red Ribbon Week is an excellent opportunity to promote illicit drug awareness through education and knowledge.

**C. 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)**

**D. CONSENT AGENDA**

1.      [22-641](#)      Approval to award ITB E-27-22, Mulch (Cooperative Bid), to the lowest responsive and responsible bidders, Advanced Mulch, Inc., (Bid Line Item 9), East Coast Mulch, (Bid Line Items 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12), for annual open-end contracts. The estimated annual cost to the City of Pompano Beach for mulch is \$130,000.00.  
(Fiscal Impact: \$130,000.00)

**(Staff Contact: Robert McCaughan)**

2. [22-643](#) Approval to award ITB E-17-22, Concrete Ready-Mix Delivered, to the lowest responsive, responsible bidder, Ozinga South Florida, Inc., to establish an annual, open-end contract, at an estimated cost of \$200,000.00.  
(Fiscal Impact: \$200,000.00)

(Staff Contact: Robert McCaughan)

3. [22-642](#) Approval to award ITB E-24-22, Tennis Court Resurfacing, to the sole bidder, Fast-Dry Courts, Inc., which was deemed a responsive and responsible bidder, at a cost of \$216,810.00.  
(Fiscal Impact: \$216,810.00)

(Staff Contact: Tammy Good/Anthony Alhashemi)

4. [22-632](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF CHANGE ORDER 2 IN THE AMOUNT OF \$298,213.23 PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND VERDEX CONSTRUCTION LLC FOR THE CONSTRUCTION OF THE SENIOR ACTIVITY CENTER; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$298,213.23)

**G.O. POMPANO!**

(Staff Contact: Fernand Thony/Horacio Danovich)

5. [22-599](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH PURSUANT TO CHAPTER 96 OF THE CITY'S CODE OF ORDINANCES, ASSESSING THE CITY'S COSTS FOR ABATING PUBLIC NUISANCE CONDITIONS ON REAL PROPERTY(IES) IN THE CITY AND PROVIDING THAT UPON THE RECORDING OF THIS RESOLUTION SAID ASSESSMENT INCLUDING INSPECTION, ADMINISTRATION AND COLLECTION COSTS, SHALL BE A LIEN AGAINST THE PROPERTY(IES) WHICH SHALL BEAR INTEREST AS SET FORTH IN SECTION 55.03, FLORIDA STATUTES, AND BE CO-EQUAL WITH LIENS OF AD VALOREM TAXES; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE RESOLUTION AND TO PROVIDE OWNER(S) WITH A NOTICE OF LIEN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**POSTPONED FROM SEPTEMBER 27, 2022**

(Staff Contact: Mario Sotolongo)

6. [22-622](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RELEASE OF PARKING AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BUSINESS CENTER, LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Daniel Keester-O'Mills/David Recor)

7. [22-606](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE APPROPRIATIONS CONTRACTS BETWEEN THE CITY OF POMPANO BEACH AND VARIOUS NON-PROFIT CORPORATIONS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$300,000)

(Staff Contact: Erjeta Diamanti)

8. [22-627](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY OF POMPANO BEACH'S 2022 STATE HOUSING INITIATIVE PARTNERSHIP ACT (SHIP) AFFORDABLE HOUSING INCENTIVE STRATEGIES REPORT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Alex Goldstein/Jennifer Gomez)

**E. REGULAR AGENDA**

**QUASI-JUDICIAL PROCEEDING**

9. [22-598](#) **P.H. 2022-92: (PUBLIC HEARING 2ND READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF THE FIFTEEN FOOT WATERLINE UTILITY EASEMENT LOCATED WITHIN THE MACY'S PARCEL OF THE POMPANO CITI CENTRE PLAT, COMMONLY KNOWN AS 1190 - 1200 N.E. 23RD STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**FIRST READING: SEPTEMBER 27, 2022**

(Staff Contact: Jean Dolan/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

10. [23-06](#)**P.H. 2023-06: (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: (i) AN EIGHTH AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND POMPANO PIER ASSOCIATES, LLC; (ii) A FIRST AMENDMENT TO PARCEL C1 GROUND LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND PPA-C1, LLC; (iii) A SECOND AMENDMENT TO PARCEL C2 GROUND LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND PPA-C2, LLC; (iv) A SIXTH AMENDMENT TO PARCEL E GROUND LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND PPA-E, LLC; (v) A FIRST AMENDMENT TO PARCEL R1 GROUND LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND PPA-R1, LLC; (vi) A SECOND AMENDMENT TO PARCEL R2 GROUND LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND PPA-R2, LLC; (vii) A SECOND AMENDMENT TO PARCEL R3 GROUND LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND PPA-R3, LLC; (viii) A SECOND AMENDMENT TO PHASE R4 SPACE LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO



BEACH AND PPA-R4, LLC; (ix) A FIRST AMENDMENT TO PARCEL R5 GROUND LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND PPA-R5, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: OCTOBER 25, 2022**

(Staff Contact: Suzette Sibble)

11. [22-623](#)

**P.H. 2023-01: (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 AN ASSIGNMENT AND FIRST AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PROSERVE CONCEPTS, INC. N/K/A PROSERVE CONCEPTS, LLC, PROVIDING SERVICES AS THE HEAD TENNIS PROFESSIONAL FOR THE POMPANO BEACH TENNIS CENTER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

12. [23-08](#)

**P.H. 2023-02: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND LINE-TEC INC. TO PROVIDE REUSE LINE CONNECTION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$169,000)

(Staff Contact: Shana Coombs/A. Randolph Brown)

13. [22-644](#)**P.H. 2023-03: (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 CONTRACTS FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND SEA DIVERSIFIED, INC., CUMMINS CEDERBERG, INC., AND APTIM ENVIRONMENTAL & INFRASTRUCTURE, LLC FOR CONTINUING CONTRACT FOR ENGINEERING SERVICES FOR MARINE ENGINEERING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Tammy Good)

14. [23-02](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_ TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 27, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants:

Mike DeBerry, **Incumbent** - District 3

Corey Staniscia, Alternate 1 - District 1

Donald Totter, Alternate 2 - District 1

Carlton Gillespie - District 1

Joseph Cerquozzi - District 3

Frank N. Sellers, Jr. - District 3

Corey Thompson, District 4

Charles H. MacMichael - District 5

**(Staff Contact:** Asceleta Hammond)

15. [23-03](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF BRIAN CAMPBELL, ALTERNATE 2; SAID TERM TO EXPIRE ON MAY 16, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Marko Dragojevic, Real Estate Agent - District 3

(Staff Contact: Asceleta Hammond)

**F. ADDITIONAL AUDIENCE TO BE HEARD**

**G. NEXT SCHEDULED MEETING**

October 25, 2022 at 6:00 p.m. - Regular City Commission Meeting

November 8, 2022 at 1:00 p.m. - Regular City Commission Meeting

**H. REPORTS**

*City Manager*

*City Attorney*

*City Clerk*

*City Commission*

**I. ADJOURNMENT**

**BALANCE IN CONTINGENCY**

Oct. 1, 2022

Beginning Balance

\$12,000.00

**CITY OF POMPANO BEACH, FLORIDA  
AUDIENCE TO BE HEARD  
REQUEST FORM**

NAME: \_\_\_\_\_

TITLE: \_\_\_\_\_

COMPANY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ CITY: \_\_\_\_\_

STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_ EMAIL: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

**EACH SPEAKER IS LIMITED TO THREE (3) MINUTES**

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session."

**SUBJECT YOU DESIRE TO SPEAK ON:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE: THIS FORM MUST BE COMPLETED AND HANDED TO THE CITY CLERK PRIOR TO THE CALL TO ORDER OF THE MEETING. THE CITY CLERK WILL CALL RESIDENTS AND/OR TAXPAYERS, TO INCLUDE AUTHORIZED REPRESENTATIVES FOR PERSONS PERMITTED TO BE HEARD, AS WELL AS EMPLOYEES OF THE CITY TO SPEAK FIRST. OTHERS DESIRING TO SPEAK WILL THEREAFTER BE CALLED TO SPEAK, EXCEPT WHEN THE PERSON IS A USER OF THE CITY'S WATER OR SEWER SYSTEM AND WISHES TO BE HEARD ON A MATTER RELATED TO THE CITY'S WATER AND/OR SEWER SYSTEM.**