

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, February 22, 2022

6:00 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

*Pastor Branden Jones
Mt. Calvary Baptist Church*

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

- [22-201](#) Special City Commission Meeting Minutes of February 8, 2022
- [22-200](#) Regular City Commission Meeting Minutes of February 8, 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. PROCLAMATION

[22-208](#) **Covid-19 Victims and Survivors Memorial Day Proclamation**

Mayor Rex Hardin to proclaim the first Monday in March as “Covid-19 Victims and Survivors Memorial Day” in the City of Pompano Beach, Florida.

B. SPECIAL PRESENTATION

[22-144](#) **Dixie Highway and Atlantic Boulevard Intersection Improvement Project Update**

Paul Kissinger will provide an update to the City Commission on the traffic improvements at the intersection of Dixie Highway and Atlantic Boulevard.

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. [22-186](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE ESTABLISHMENT OF A POMPANO BEACH FIRE ACADEMY AND AUTHORIZATION TO FORM A CITY-OWNED CORPORATION FOR SUCH PURPOSES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

2. [22-179](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY OF POMPANO BEACH’S 2021 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)

3. [22-193](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDO) AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY HABITAT COMMUNITY HOUSING DEVELOPMENT CORPORATION, PROVIDING FOR THE FUNDING AND ADMINISTRATION OF HOME INVESTMENT PARTNERSHIPS PROGRAM PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$200,000 HOME Grant Funding)

(Staff Contact: Alex Goldstein)

4. [22-194](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ASSIGNMENT OF REVOCABLE LICENSE AND MAINTENANCE AGREEMENT AMONG THE CITY OF POMPANO BEACH, FAIRFIELD POMPANO L.P., AS ASSIGNOR, AND DCB MOREA, LLC AND DRC MOREA, LLC, AS ASSIGNEE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

5. [22-199](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING TERMINATION OF THE WATER TAXI OPERATING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BEACH WATER TAXI INC.; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Earl Bosworth)

6. [22-189](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LAUREN COOLEY TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER ANDREA MCGEE, WHICH TERM SHALL COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

7. [22-195](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LINDA M. THOMAS TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF VICE MAYOR BEVERLY PERKINS, WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION.
(Fiscal Impact: N/A)

(Staff Contact: Asceleta Hammond)

8. [22-162](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN JOE SCOTT, SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, AND THE CITY OF POMPANO BEACH RELATING TO THE NOVEMBER 8, 2022 GENERAL ELECTION; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$69,300.00)

(Staff Contact: Asceleta Hammond)

E. REGULAR AGENDA

9. [22-191](#) Consideration to designate NW 7th Street as a dual named road "Hattie Kimbrough Wms." Street.
(Fiscal Impact: \$500 + cost of signs provided by requester)

(Staff Contact: Robert McCaughan)

10. [22-159](#) **P.H. 2022-33: (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 SERVICE CONTRACT NO. 1356 BETWEEN THE CITY OF POMPANO BEACH AND PORT CONSOLIDATED, INC. FOR THE PURCHASE AND DELIVERY OF UNLEADED GASOLINE AND DIESEL FUEL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$955,000 Annually)

FIRST READING: FEBRUARY 8, 2022

(Staff Contact: Robert McCaughan)

11. [22-197](#)**P.H. 2022-38: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO RENTAL HOUSING, BY AMENDING CHAPTER 113, "BUSINESS TAX RECEIPTS," BY AMENDING SECTION 113.41, "RENTAL HOUSING," TO EXPAND INSPECTION REQUIREMENTS OF RENTAL UNIT OWNERS UPON A SALE OR CHANGE IN OWNERSHIP; AMENDING CHAPTER 153, "RENTAL HOUSING CODE," OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 153.08, "SHORT TERM RENTAL PERMIT REQUIRED," TO REVISE PERMIT REGISTRATION REQUIREMENTS AND REVIEW PROCEDURES, CLARIFY PREREQUISITES FOR REVOCATION AND ALIGN VIOLATION AND ENFORCEMENT PROCEDURES CONSISTENT WITH CHAPTER 37, OF THE CITY'S CODE; AND BY AMENDING SECTION 153.26, "MINIMUM STANDARDS FOR SHORT TERM RENTAL," TO EXPAND REQUIRED LEGAL DISCLOSURES TO RENTAL OCCUPANTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jennifer Gomez/David Recor)

12. [22-198](#)**P.H. 2022-39: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.2414., "ZONING USE CERTIFICATE," TO PROVIDE ADDITIONAL STANDARDS FOR APPROVAL; BY AMENDING SECTION 155.8402., "CIVIL REMEDIES," TO PROVIDE ADDITIONAL GROUNDS FOR REVOCATION OF ZONING USE CERTIFICATES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

***This item will be postponed to the March 22, 2022 Agenda.**

(Staff Contact: Jennifer Gomez/David Recor)

13. [22-108](#)

P.H. 2022-14: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ESTABLISHING ELECTION DISTRICTS WITHIN THE CITY OF POMPANO BEACH FOR THE PURPOSE OF REPRESENTATION AND ELECTION OF MEMBERS OF THE CITY COMMISSION; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE, PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM DECEMBER 14, 2021

***This item will be postponed to the June 14, 2022 Agenda.**

(Staff Contact: Phyllis A. Korab/Earl Bosworth)

14. [22-185](#)

P.H. 2022-36: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 115, "MISCELLANEOUS BUSINESSES," BY CREATING SECTION 115.31, "MOTORIZED SCOOTER RENTALS," TO PROHIBIT THE RENTAL OF MOTORIZED SCOOTERS IN THE CITY FOR USE ON CITY STREETS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Earl Bosworth)

15. [22-192](#)**P.H. 2022-37: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING CHAPTER 72, "BICYCLES," BY CREATING SECTION 72.03, "MOTORIZED SCOOTERS AND MICRO MOBILITY DEVICES," BY AMENDING CHAPTER 98, "PARKS AND PLAYGROUNDS," BY AMENDING SECTION 98.01, "DEFINITIONS," AND SECTION 98.02, "PROHIBITED ACTS," BY AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," BY AMENDING SECTION 100.35, "BUILDING OR OBSTRUCTION ON PUBLIC STREETS, SIDEWALKS, AND RIGHT-OF-WAY SWALE AREAS; PEDESTRIAN MEDIAN SAFETY," AND BY AMENDING CHAPTER 131, "OFFENSES AGAINST PERSONS AND PROPERTY," BY AMENDING SECTION 131.21, "OPERATION OF MOTORIZED SCOOTERS," TO MODIFY REQUIREMENTS FOR MOTORIZED SCOOTERS AND TO AMEND THE DEFINITION OF MOTORIZED SCOOTERS TO CONFORM TO STATE STATUTE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**Strategic Plan Initiative****(Staff Contact: Earl Bosworth)****F. NEXT SCHEDULED MEETING**

March 8, 2022 at 12:45 p.m. - Herb Skolnick Cultural Arts Foundation, Inc.

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

March 22, 2022 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, 2021

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

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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.