

City of Pompano Beach

**City Commission Meeting
Commission Chamber**

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



Agenda

Tuesday, September 26, 2023

6:00 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

*Pastor Branden Jones
Mt. Calvary Baptist Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[23-765](#) Regular City Commission Meeting Minutes of September 12, 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. PROCLAMATION

[23-753](#) **Proclamation for Volunteer Recognition**

Mayor Rex Hardin will recognize CERT Member Fred Balestrieri for his 25 years of volunteer services to the Pompano Beach Community Emergency Response Team.

B. PRESENTATION

[23-764](#) **Recommended 2023-2025 Strategic Plan Presentation**

Quiet Excellence, LLC will provide a brief presentation on the Recommended 2023-2025 Strategic Plan.

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. [23-475](#) Approve ranking order for RFP E-24-23, Janitorial Services, and authorize staff to negotiate contracts with the highest ranked companies for group 1: SFM Services, Inc., and for group 2: Janitorial 5 Star Services LLC.
(Fiscal Impact: No cost at this time)

(Staff Contact: Brian Donovan/Carla Byrd)

2. [23-750](#) Approval to award Invitation to Bid E-28-23, Mulch, to the lowest responsive and responsible bidders, Advanced Mulch, Inc., (Item K), and East Coast Mulch, (Items A, B, L, and M), 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)

3. [23-714](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE STRATEGIC PLAN FOR 2023-2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Ernesto Reyes)

4. [23-640](#) 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 XPRESS YOUTH DEVELOPMENT INSTITUTE, INC. TO PROVIDE AND PROMOTE A YOUTH TRACK AND FIELD COACHING AND INSTRUCTION FOR AGES FIVE THROUGH SEVENTEEN AT MITCHELL/MOORE PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: City to receive a fee of 10% of revenue for every non-resident participant as compensation for the use of the City's property.)

POSTPONED FROM JULY 25, 2023

(Staff Contact: Mark A. Beaudreau)

5. [23-757](#) A RESOLUTION 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 THE CHRISTMAS PALACE, LLC, PROVIDING FOR HOLIDAY LIGHTING AND DECOR SERVICES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$113,973.50)

(Staff Contact: Mark Beaudreau)

6. [23-709](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING THE NE 10TH STREET COMPLETE STREETS IMPROVEMENT PROJECT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 12, 2023

(Staff Contact: John Sfiropoulos)

7. [23-755](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING EASEMENTS TO FLORIDA POWER & LIGHT COMPANY RELATED TO PARCEL Y DEVELOPMENT PROJECTS AT THE AIR PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

8. [23-751](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DRAINAGE EASEMENT AGREEMENT AMONG THE CITY OF POMPANO BEACH AND 113 S RIVERSIDE LLC AND ROYAL QUALITY HOMES OF FLORIDA LLC, ACCEPTING A GRANT OF A DRAINAGE EASEMENT; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: \$75,000)

(Staff Contact: Anthony Alhashemi/Tammy Good)

9. [23-752](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CITY RESOLUTION NO. 2007-129 RELATING TO CREATION OF, AND MEMBERSHIP REQUIREMENTS FOR, THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

10. [23-734](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE CITY MANAGER'S APPROVAL OF WORK AUTHORIZATION NO. 12 PURSUANT TO THE AGREEMENT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND MCCAFFERTY BRINSON CONSULTING, LLC FOR AN EMERGING CONTAMINANT TREATMENT OPTIONS STUDY FOR IMPROVEMENTS TO THE WATER TREATMENT PLANT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$335,000)

(Staff Contact: A. Randolph Brown)

11. [23-744](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC EMERGENCY MEDICAL TRANSPORTATION LETTER OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA AGENCY FOR HEALTH CARE ADMINISTRATION, TO PARTICIPATE IN AN INTERGOVERNMENTAL TRANSFERS (IGT) AND SUPPLEMENTAL PAYMENT PROGRAM FOR MEDICAID MANAGED CARE PATIENTS; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL REQUIRED AGREEMENTS OR DOCUMENTS TO PARTICIPATE IN THE SUPPLEMENT PAYMENT PROGRAM; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Estimate Net Positive \$1,072,149.95)

(Staff Contact: Chad Brocato)

12. [23-756](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING THE UPDATE OF THE MULTIJURISDICTIONAL COUNTYWIDE LOCAL MITIGATION STRATEGY (LMS) PLAN APPROVED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT (FDEM); PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kimberly Cristiano)

E. REGULAR AGENDA**QUASI-JUDICIAL PROCEEDING**13. [23-698](#)**P.H. 2023-82: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TEN-FOOT WIDE UTILITY EASEMENT LYING ON THE EAST SIDE OF NW 31ST AVENUE, APPROXIMATELY 350 FEET SOUTH OF DR. MARTIN LUTHER KING, JR. BOULEVARD, COMMONLY KNOWN AS 1350 NW 31ST AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 12, 2023

(Staff Contact: Jean Dolan/David Recor)

14. [23-699](#)**P.H. 2023-80: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN 20-FOOT WIDE ALLEY LOCATED ON A LOT LYING ON THE SOUTH SIDE OF MCNAB ROAD APPROXIMATELY 1,000 FEET WEST OF FEDERAL HIGHWAY AND RUNNING EAST/WEST ALONG THE SOUTHERN PROPERTY LINE, COMMONLY KNOWN AS 872 E. MCNAB ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 12, 2023

(Staff Contact: Jean Dolan/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

15. [23-700](#)**P.H. 2023-85: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155 OF THE POMPANO BEACH CODE OF ORDINANCES, "ZONING CODE," BY AMENDING SECTIONS 155.3703., "ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)," AND SECTION 155.5102., "OFF-STREET PARKING AND LOADING," TO ELIMINATE PARKING REDUCTIONS THAT RESULT IN LESS THAN ONE PARKING SPACE PER DWELLING UNIT IN RESIDENTIAL DEVELOPMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 12, 2023

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

16. [23-701](#)**P.H. 2023-84: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155 OF THE POMPANO BEACH CODE OF ORDINANCES, "ZONING CODE," BY AMENDING SECTION 155.4225., "COMMERCIAL: VISITOR ACCOMMODATION USES," TO PERMIT A HOTEL OR MOTEL USE BY RIGHT IN THE B-2 ZONING DISTRICT; AND BY AMENDING APPENDIX A: "CONSOLIDATED USE TABLE," TO REFLECT THE PERMITTED USE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 12, 2023

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

17. [23-694](#)**P.H. 2023-83: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 33.076, "MEMBERS," TO MODIFY MEMBERSHIP OF THE PARKS AND RECREATION ADVISORY BOARD BY PROVIDING FOR THE APPOINTMENT OF A MEMBER TO SERVE AT-LARGE AND PROVIDING FOR THE APPOINTMENT OF ALTERNATE MEMBERS; BY PROVIDING FOR APPOINTMENTS OF REGULAR VOTING MEMBERS TO THE BOARD BY THE MAYOR AND BY EACH CITY COMMISSIONER BEGINNING WITH THE NEXT MUNICIPAL ELECTION IN NOVEMBER OF 2024; PROVIDING FOR MODIFICATION OF TERMS OF CURRENT BOARD MEMBERS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 12, 2023

(Staff Contact: Mark E. Berman)

18. [23-717](#)**P.H. 2023-86: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE POMPANO BEACH CODE OF ORDINANCES, RELATING TO THE GENERAL EMPLOYEES' RETIREMENT SYSTEM, BY AMENDING SECTION 34.025 "CONTRIBUTIONS" TO EXTEND THE PERIOD TO PAY MEMBER CONTRIBUTIONS FOR PAST SERVICES; AND BY AMENDING SECTION 34.0263, "DEFERRED RETIREMENT OPTION PLAN (DROP)," BY MODIFYING TERMS OF PARTICIPATION IN DROP; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 12, 2023

(Staff Contact: Bobby Bush/Tracy A. Lyons)

19. [23-746](#)**P.H. 2023-90: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH RELATING TO THE POLICE & FIREFIGHTERS' RETIREMENT SYSTEM BY AMENDING SECTION 34.050, "CONDITIONS OF ELIGIBILITY," TO CORRECT LANGUAGE REGARDING PURCHASE OF PRIOR CONTINUOUS SERVICE; BY AMENDING SECTION 34.0571, "INTERNAL REVENUE CODE COMPLIANCE," TO ACHIEVE COMPLIANCE WITH IRS REQUIREMENTS AND THE SECURE 2.0 ACT; BY AMENDING SECTION 34.059, "ACCRUED BENEFITS," TO PROVIDE ADDITIONAL LANGUAGE TO CLARIFY REQUIREMENTS FOR VESTING OF ACCRUED BENEFITS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Brian Donovan/Bobby Bush)

20. [23-740](#)**P.H. 2023-88: (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 LICENSE, SERVICE AND PRODUCT USAGE TERMS AND CONDITIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ITSA SOLUTIONS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jeff Lantz)

- 21. [23-738](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 27, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

APPLICANTS:

Joan Kovac, **Incumbent** - District 1
 Claudia McMahon, **Incumbent** - District 3
 Spencer Flory, **Altermate 1** - District 3
 Tanya Manfredi - District 1
 Joseph Cerquozzi - District 3
 Cara Driscoll - District 3

(Staff Contact: Kervin Alfred)

- 22. [23-739](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH; FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON SPTEMBER 27, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 23-738 FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

F. ADDITIONAL AUDIENCE TO BE HEARD

G. NEXT SCHEDULED MEETING

October 10, 2023 at 1:00 p.m. - Regular City Commission Meeting

October 24, 2023 at 6:00 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
Mar. 14, 2023	Crime Stoppers Council of Broward County, Inc.	\$5,000.00
Apr. 25, 2023	Broward Partnership Annual Gala	\$5,000.00
Apr. 25, 2023	Broward League of Cities Annual Gala	\$2,000.00
	Total:	\$0

**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.