

# **City of Pompano Beach**

**City Commission Meeting**

**Commission Chamber**

*100 West Atlantic Blvd.*

*Pompano Beach, FL 33060*



## **Agenda**

**Tuesday, December 12, 2017**

**6:00 PM**

### **City Commission**

*Lamar Fisher, Mayor*

*Charlotte J. Burrie, Vice Mayor*

*Rex Hardin, Commissioner*

*Barry Moss, Commissioner*

*Beverly Perkins, Commissioner*

*Michael Sobel, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Asceletha Hammond, City Clerk*

**CALL TO ORDER**

*The Honorable Lamar Fisher  
Mayor, Presiding*

**ROLL CALL**

*Asceleta Hammond, City Clerk*

**INVOCATION**

*Elder Harold Westley  
Newborn Holiness Church*

**PLEDGE OF ALLEGIANCE**

*Led by Asceleta Hammond, City Clerk*

**APPROVAL OF MINUTES**

**18-139** Regular City Commission Meeting Minutes of November 14, 2017

**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**

[17-514](#)

**Presentation from the Broward County Property Appraiser**

Marty Kiar, Broward County Property Appraiser, will give an overview of the responsibilities of the Property Appraiser's Office as well as discuss exemptions and tax roll values.

[18-116](#)

**Florida Housing Coalition Award**

The City of Pompano Beach Office of Housing and Urban Improvement was awarded the Florida Housing Coalition's award recognizing the City as a model for effective leveraging of SHIP funds. Miriam Carrillo, Pompano Beach Director of Office of Housing and Urban Improvement and Mark Korman, City of Pompano Beach Program Compliance Manager will present an overview of award.

[18-126](#)**Special Olympics Golf**

Mayor Lamar Fisher to recognize winners of this year's Special Olympics Golf.

- Gold Medal Winner: Stephen Morgan
- Fifth Place Winner: Eric Huzansky
- Coach: Ron Morgan
- Assistant Coach: Scott Fitzsimmons

After several months of practice every Monday at Pompano Beach Municipal Golf Course, Coach Ron Morgan and Assistant Coach Scott Fitzsimmons led a group of 12 athletes to the Regional Finals in Palm Beach. Two athletes, Stephen Morgan and Eric Huzansky won their category and qualified for the State Tournament in Disney.

**B. PROCLAMATIONS**[18-122](#)**Arbor Day**

Mayor Lamar Fisher will proclaim December 12, 2017 as Arbor Day in the City of Pompano Beach. Wade Collum, City of Pompano Beach Urban Forester, will accept proclamation on behalf of the City.

**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.

**D. CONSENT AGENDA**1. [18-128](#)

Approve ranking order for RFP E-34-17 Financial Advisory Services and authorize staff to negotiate a contract with the highest ranked firm PFM Financial Advisory LLC.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

2.     [18-125](#)     Approve ranking order for RFP E-06-18 Pompano Beach Fire Rescue Medical Director and authorize staff to negotiate a contract with the highest ranked firm Michael Farrell, M.D.  
(Fiscal Impact: No cost at this time)

(**Staff Contact:** John Jurgle)

3.     [18-127](#)     Approve ranking order for RLI E-01-18 Continuing Contract for Engineering and Project Management Consultant, Overhead Utilities Conversion to Underground, and authorize staff to negotiate contracts with the two highest ranked firms: Kimley-Horn and Associates, Inc. and Keith and Schnars, P.A.  
(Fiscal Impact: N/A)

(**Staff Contact:** John Sfiropoulos)

4.     [18-119](#)     A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY'S 2018 ANNUAL PUBLIC ART PLAN AND DIRECTING STAFF TO PROCEED WITH PROJECTS INCLUDED IN THE PLAN FOR FY 2018; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$243,650.00)



**Strategic Plan Initiative**

(**Staff Contact:** Laura Atria/David Recor)

5.     [18-132](#)     A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 1549, RELATING TO THE COLLECTIVE BARGAINING AGREEMENT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(**Staff Contact:** Ed Beecher)

**E. REGULAR AGENDA****QUASI-JUDICIAL PROCEEDING**6. [18-115](#)**P.H. 2018-17: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING SOUTH OF WEST ATLANTIC BOULEVARD AND EAST OF SOUTHWEST 27TH AVENUE AND COMMONLY KNOWN AS 20 SW 27TH AVENUE FROM B-2 (COMMUNITY BUSINESS) TO B-3 (GENERAL BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

7. [18-124](#)**P.H. 2018-18: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LOCATED ON NW 31ST AVENUE AND APPROXIMATELY 500 FEET SOUTH OF DR. MARTIN LUTHER KING, JR. BLVD. FROM B-3 (GENERAL COMMERCIAL) TO B-4 (HEAVY BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

8. [18-79](#)**P.H. 2018-11: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, TO ABANDON A UTILITY EASEMENT FOR JOHN KNOX VILLAGE LOCATED AT 651 SW 6TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: NOVEMBER 14, 2017**

(Staff Contact: Maggie Barszewski/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

9. [18-102](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CENTENNIAL BANK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**TABLED FROM NOVEMBER 14, 2017**

(Staff Contact: John Sfiropoulos)

10. [18-129](#) **P.H. 2018-24: (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 115.28, "MEDICAL MARIJUANA DISPENSARIES," TO BAN DISPENSING OF MEDICAL MARIJUANA WITHIN THE CITY; BY AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING ARTICLE 4, "USE STANDARDS," BY AMENDING PART 7, "MEDICAL MARIJUANA ESTABLISHMENTS," TO DELETE THE USE STANDARDS AND REQUIREMENTS FOR MEDICAL MARIJUANA RETAIL ESTABLISHMENTS; BY AMENDING THE DEFINITION AND STANDARDS OF MEDICAL MARIJUANA HEALTH CARE ESTABLISHMENTS AND BY AMENDING THE STANDARDS FOR MEDICAL MARIJUANA INDUSTRIAL ESTABLISHMENT; BY AMENDING SECTION 155.5102., "OFF-STREET PARKING AND LOADING," BY DELETING REFERENCE TO MEDICAL MARIJUANA RETAIL ESTABLISHMENT; BY AMENDING PART 5, "TERMS AND USES DEFINED," BY AMENDING DEFINITIONS AND DELETING REFERENCE TO MEDICAL MARIJUANA RETAIL ESTABLISHMENT; BY AMENDING APPENDIX A: "CONSOLIDATED USE TABLE," TO DELETE REFERENCE TO MEDICAL MARIJUANA RETAIL ESTABLISHMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: David Recor/Jean E. Dolan)

11. [18-121](#)**P.H. 2018-23: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR THE ADOPTION OF THE AMENDMENTS TO THE POMPANO BEACH COMPREHENSIVE PLAN BASED UPON THE EVALUATION AND APPRAISAL REPORT LETTER, WHICH ADDRESSES THE GOALS, OBJECTIVES AND POLICIES IN THE COASTAL MANAGEMENT ELEMENT OF THE COMPREHENSIVE PLAN; AUTHORIZING THE TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

12. [17-547](#)**P.H. 2017-82: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 96, "HEALTH AND SAFETY," BY CREATING SECTION 96.61, "STYROFOAM/POLYSTYRENE FOOD SERVICE ARTICLES," PROVIDING FOR PROHIBITIONS REGARDING SALE OR USE OF EXPANDED POLYSTYRENE FOOD SERVICE ARTICLES BY CITY CONTRACTORS AND SPECIAL EVENT PERMITTEES; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**TABLED FROM JULY 25, 2017 & SEPTEMBER 26, 2017**

(Staff Contact: David Recor/Jean Dolan)

13. [17-621](#)**P.H. 2017-91: (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 MASTER SOLAR ENERGY AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City to receive payments of \$18.00 per Kilowatt from Canopies)

**TABLED FROM SEPTEMBER 26, 2017**

(Staff Contact: Horacio Danovich)

14. [18-117](#)**P.H. 2018-19: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 32.49, "EMERGENCY PROCUREMENT," TO PROVIDE FOR REVISION TO THE CITY'S PROCUREMENT PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Cassandra LeMasurier/Otis Thomas)

15. [18-134](#)**P.H. 2018-21: (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 LABOR AGREEMENT BETWEEN THE FEDERATION OF PUBLIC EMPLOYEES AND THE CITY OF POMPANO BEACH FOR THE CONTRACT PERIOD BEGINNING OCTOBER 1, 2017 AND ENDING SEPTEMBER 30, 2020; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$2,788,765.00)

(Staff Contact: Ed Beecher)



16. [18-133](#)**P.H. 2018-22: (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 34.0603, "DEFERRED RETIREMENT OPTION PLAN (DROP)," BY PROVIDING ADDITIONAL RULES RELATING TO THE DROP LOAN PROGRAM; AND BY AMENDING SECTION 34.066, "DURATION OF PENSION," TO CORRECT AN ERRONEOUS INTERNAL REFERENCE; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Ed Beecher)

17. [17-618](#)**P.H. 2017-90: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO MODIFY RATES AND SERVICE CHARGES FOR COLLECTION OF RESIDENTIAL AND COMMERCIAL GARBAGE AND BULK WASTE IN THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A (Pass Thru))

**FIRST READING: NOVEMBER 14, 2017**

(Staff Contact: Robert McCaughan)

18. [18-77](#)**P.H. 2018-12: (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 CONTRACT FOR PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND KIMLEY-HORN AND ASSOCIATES, INC., A SINGLE CONTRACT FOR ENGINEERING AND RELATED SERVICES FOR AN UPDATED POMPANO BEACH AIR PARK MASTER PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$407,830.00; City's cost share is \$23,283.00)

**FIRST READING: NOVEMBER 14, 2017**

(Staff Contact: Robert McCaughan/Steve Rocco)

19. [18-50](#)**P.H. 2018-13: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, BY AMENDING SECTION 155.4219., "COMMERCIAL: MOTOR VEHICLE SALES AND SERVICES USES," TO PROVIDE DEFINITION, STANDARDS AND PERMITTED LOCATIONS FOR LIMITED AUTO DEALERSHIP - FLEET AUTOMOBILE SALES; BY AMENDING PART 5, "TERMS AND USES DEFINED," BY PROVIDING A DEFINITION FOR FLEET AUTOMOBILES, AND LIMITED AUTO DEALERSHIP - FLEET AUTOMOBILE SALES; BY AMENDING APPENDIX A: "CONSOLIDATED USE TABLE," TO CONFORM TO AMENDMENTS MADE BY THIS ORDINANCE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: NOVEMBER 14, 2017**

(Staff Contact: Paola A. West/David Recor)

20. [18-85](#)**P.H. 2018-15: (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 FIRST AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND ADVANCED DATA PROCESSING, INC., D/B/A INTERMEDIX, FOR AMBULANCE BILLING AND RELATED PROFESSIONAL CONSULTING SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$54,000.00)

**FIRST READING: NOVEMBER 14, 2017**

(Staff Contact: John Jurgle)

21. [18-96](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE NOVEMBER 14, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Louis Riva, District 3

Dennis Smith, District 3

Velma Flowers, District 4

Ricardo Collings, District 5

Daniel P. Diaz, District 5



**Strategic Plan Initiative**

(Staff Contact: Asceleta Hammond)

22. [18-97](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE 1; SAID TERM TO EXPIRE NOVEMBER 14, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 2018-96 FOR APPLICANTS.**



**Strategic Plan Initiative**

**(Staff Contact:** Asceleta Hammond)

23. [18-98](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE 2; SAID TERM TO EXPIRE NOVEMBER 14, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 2018-96 FOR APPLICANTS.**



**Strategic Plan Initiative**

**(Staff Contact:** Asceleta Hammond)

24. [18-120](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE GENERAL EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH FOR THE TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON DECEMBER 6, 2020; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**APPLICANTS:**

Mark Darmanin, **Incumbent** - District 3  
Raymond Nies - District 1  
Phillip Smith - District 1  
Edith Kappler - District 2  
Pamela Moore - District 2  
George M. Abraham - District 3  
Kenneth A. Campbell - District 3  
Susan M. Gingerich - District 5



**Strategic Plan Initiative**

(**Staff Contact:** Asceleta Hammond)

25. [18-135](#) Discussion and consideration for the approval of the ranking of the candidates for the position of Internal Auditor and appointment of City's Internal Auditor.  
(Fiscal Impact: N/A)

(**Staff Contact:** Ed Beecher)

26. [18-140](#) A RESOLUTION APPOINTING DEUSDEDIT C. (DC) KIYEMBA AS INTERNAL AUDITOR AND ESTABLISHING A SALARY TO BE PAID; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(**Staff Contact:** Ed Beecher)

**F. REPORTS**

*City Manager*  
*City Attorney*  
*City Clerk*  
*City Commission*

**G. ADJOURNMENT****BALANCE IN CONTINGENCY**

Oct. 1, 2017	Beginning Balance	\$10,000.00
	Total:	\$10,000.00

**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**

SUBJECT YOU DESIRE TO SPEAK ON:

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**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.