

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, January 9, 2018

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

*Rev. Dr. Greg Fitch
Psychology and Hospital Chaplain*

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk

APPROVAL OF MINUTES

[18-160](#)

Regular City Commission Meeting Minutes of December 12, 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[18-164](#)**Recognition of Pompano Chiefs Football Teams & Cheerleading Squads**

The Parks, Recreation and Cultural Arts Department will recognize the following Gold Coast Pop Warner Super Bowl football teams and National cheerleading squads from the Pompano Chiefs Program:

Pompano Chiefs Football Super Bowl Champions

Varsity team & Head Coach Calvin Wallace

Jr Pee wee team & Head Coach Quinton Miller

Pompano Chiefs Cheerleading Teams at Nationals

Varsity Squad & Head Coach Richard Copeland

Pee wee Squad & Head Coach Krystal Copeland

Jr Pee wee Squad & Coach Tisha Sapp

Jr Varsity Squad & Coach Dionne Thompson

B. PROCLAMATIONS[18-163](#)**Martin Luther King, Jr. Day**

Mayor Lamar Fisher will proclaim January 15, 2018 as Martin Luther King, Jr. Day in Pompano Beach. Dale Gibson, President of the Martin Luther King, Jr. Committee and Byron Hall, Vice President of the Martin Luther King, Jr. Committee will accept the proclamation.

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. [18-144](#) Approval to award Bid E-05-18 Mitchell Moore Park Concession & Restroom Replacement to the lowest responsive responsible bidder, C. Square Development Co., LLC dba C Square Construction Management, at a cost of \$227,210.00.
(Fiscal Impact: \$227,210.00)

(Staff Contact: John Sfiropoulos)

2. [18-152](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTIGUOUS SHARED COMMON DOCKING AGREEMENT AMONG JOANN SEARS, JOSEPH BEAUDRY, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

3. [18-153](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTIGUOUS SHARED COMMON DOCKING AGREEMENT AMONG JOANN SEARS, WILLIAM AND LAUREN HOUSTON, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

4. [18-149](#) Request of ratification by City Commission for Emergency Procurement of Streetlight Repairs from vendor Gerhold Electric, Inc. in the amount of \$107,765.00.
(Fiscal Impact: \$107,765.00)

(Staff Contact: Robert McCaughan)

5. [18-136](#) 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 ETA NU EDUCATION FOUNDATION, INC. FOR THE BLACK HISTORY EXHIBITION; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$19,910)

**Strategic Plan Initiative**

(Staff Contact: Mark A. Beaudreau)

6. [18-158](#) 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 FLIPPIN' DOGS, LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: City to receive \$100.00 per month)

(Staff Contact: Mark A. Beaudreau)

7. [18-151](#) 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 BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR CONSTRUCTION OF RECLAIMED WATER TRANSMISSION LINES AND SERVICE LINES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$500,000)

**Strategic Plan Initiative**

(Staff Contact: A. Randolph Brown)

8. [18-141](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR THE CITY OF POMPANO BEACH TO BECOME A MEMBER OF THE SEAWALL COALITION; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

**Strategic Plan Initiative**

(Staff Contact: Brian Donovan)

9. [18-145](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **WHITNEY RAWLS** TO THE CHARTER AMENDMENT ADVISORY BOARD OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF JOHN WAY, APPOINTEE OF COMMISSIONER REX HARDIN; FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING CITY OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Asceleta Hammond)

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

10. [18-115](#) **P.H. 2018-17: (PUBLIC HEARING 2ND 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)

FIRST READING: DECEMBER 12, 2017

(Staff Contact: Maggie Barszewski/David Recor)

11. [18-155](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF'S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE CLUB AT PALM AIRE PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Maggie Barszewski/David Recor)

END OF QUASI-JUDICIAL PROCEEDING

12. [18-154](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR A SECOND EXTENSION TO THE 180 DAY TIME FRAME FOR ADOPTION OF THE EAST TRANSIT ORIENTED CORRIDOR (ETOC) LAND USE PLAN AMENDMENT (LUPA); PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

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

13. [18-146](#) **P.H. 2018-25: (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 REINSTATEMENT AND FIRST AMENDMENT TO A PARK LEASE AGREEMENT BETWEEN THE BOARD OF COMMISSIONERS OF THE FLORIDA INLAND NAVIGATION DISTRICT AND THE CITY OF POMPANO BEACH RELATING TO EXCHANGE CLUB PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

14. [18-131](#) **P.H. 2018-26: (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 AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MICHAEL FARRELL, M.D. FOR MEDICAL CONSULTING AND ADVISORY SERVICES TO THE FIRE DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$65,004.16 per fiscal year for 3 years)

(Staff Contact: John Jurgle)

15. [18-157](#)**P.H. 2018-27: (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 SECOND AMENDMENT TO THE AGREEMENT FOR EXTENSION OF THE PARKING MANAGEMENT SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DENISON PARKING, INC. PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$543,867)

(Staff Contact: Suzette Sibble)

16. [18-159](#)**P.H. 2018-30: (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 FIRST AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND DUDE SOLUTIONS, INC. D/B/A FACILITYDUDE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$59,614.17)

**Strategic Plan Initiative**

(Staff Contact: Robert McCaughan)

17. [18-112](#)**P.H. 2018-28: (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 SECOND AMENDMENT TO REAL ESTATE LEASE BETWEEN THE CITY OF POMPANO BEACH AND FEC ROW, LLC F/K/A FDG FLAGLER STATION II, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$13,264 Annual Rent; \$2,500 Security Deposit)

(Staff Contact: Pamela Stanton/David Recor)

18. [18-150](#)**P.H. 2018-29: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN ADDITIONAL THREE MONTHS' TEMPORARY MORATORIUM ON ISSUANCE OF DEVELOPMENT ORDERS AND PERMITS FOR THE CONVERSION OF MULTI-FAMILY APARTMENT BUILDINGS WITH FIVE (5) OR MORE UNITS, TO SHORT-TERM RENTALS; PROVIDING FOR VESTED RIGHTS, APPEALS, AND EXHAUSTION OF ADMINISTRATIVE REMEDIES; AND PROVIDING FOR EARLY TERMINATION UPON PASSAGE OF ORDINANCES REGULATING APARTMENT CONVERSIONS TO SHORT TERM RENTALS IN THE CITY PRIOR TO EXPIRATION OF THE MORATORIUM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Jennifer Gomez/David Recor)

19. [18-129](#)**P.H. 2018-24: (PUBLIC HEARING 2ND 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)

FIRST READING: DECEMBER 12, 2017

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

20. [17-547](#)

P.H. 2017-82: (PUBLIC HEARING 2ND 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)

FIRST READING: DECEMBER 12, 2017

(Staff Contact: David Recor/Jean Dolan)

21. [17-621](#)

P.H. 2017-91: (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 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)

FIRST READING: DECEMBER 12, 2017

(Staff Contact: Horacio Danovich)

22. [18-133](#)**P.H. 2018-22: (PUBLIC HEARING 2ND 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)

FIRST READING: DECEMBER 12, 2017

(Staff Contact: Ed Beecher)

23. [18-147](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 26, 2021; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Donald S. McNiel - *Alternate 2* - District 1

James B. Morehead - *Alternate 1* - District 3

W.P. Davis, Jr. - District 1

Richard Tobin - District 1

Kerry-Ann Parsons - District 2

Charles H. Bechert, III - District 3

David Baumwald - District 4

Nancy Grant - District 5

David Miller - District 5



Strategic Plan Initiative

(Staff Contact: Asceleta Hammond)

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:

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.