

# **City of Pompano Beach**

**City Commission Meeting**

**Commission Chamber**

*100 West Atlantic Blvd.*

*Pompano Beach, FL 33060*



## **Agenda**

**Tuesday, March 13, 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**

*Ascelela Hammond, City Clerk*

**INVOCATION**

*Rev. James Smith  
New Jerusalem Missionary Baptist Church*

**PLEDGE OF ALLEGIANCE**

*Led by Ascelela Hammond, City Clerk*

**APPROVAL OF MINUTES**

**18-258**      Regular City Commission Meeting Minutes of February 27, 2018

**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**

[18-248](#)      **Tiger Trail Festival Inc. Donations**

On behalf of Tiger Trail Festival Inc., Tiger Trail Chairman Ed Phillips will present donations to various deserving community groups.

**B. PROCLAMATIONS**[18-250](#)**Firefighter Appreciation Month**

Mayor Lamar Fisher along with Jeaneece Washington, Fundraising Coordinator for MDA, will recognize the Pompano Beach Firefighters for their efforts on behalf of the Muscular Dystrophy Association. Accepting a proclamation on behalf of the firefighters will be Paramedic- Firefighter Michael Cleveland, Fire Captain and Fire Union President Steve Hudson and Fire Chief John Jurgle,

[18-256](#)**Women's History Coalition Month**

Mayor Lamar Fisher will proclaim March 2018 as "Women's History Coalition Month" in the City of Pompano Beach and present a proclamation to Joanne Sterner, member of the Women's History Coalition.

**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 longer, 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 meeting in the event that individuals wishing to speak are not reached during the first session". (Effective November 27, 2007)

**D. CONSENT AGENDA**1. [18-249](#)

A RESOLUTION 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 LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO PIRANHAS, INC. TO PROVIDE VOLUNTEER LEADERSHIP, ADMINISTRATIVE AND COACHING SERVICES TO THE POMPANO PIRANHAS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

2. [18-245](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING THE ENHANCED LOCAL MITIGATION STRATEGY (ELMS) PASSED BY THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kimberly Spill-Cristiano/Jennifer Gomez/David Recor)

3. [18-246](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE STUDY ENTITLED, "POMPANO BEACH, FLORIDA: PRINCIPLES TO GUIDE ZONING FOR COMMUNITY RESIDENCES FOR PEOPLE WITH DISABILITIES," PREPARED BY DANIEL LAUBER, AICP; PROVIDING DIRECTION TO PREPARE AMENDMENTS TO THE CITY'S CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



**Strategic Plan Initiative**

(Staff Contact: Jennifer Gomez/David Recor)

4. [18-234](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A STATE-FUNDED GRANT AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT, FOR THE PURPOSE OF INCREASING THE AMOUNT OF GRANT FUNDING FROM \$194,000.00 TO \$294,000.00 TO PROVIDE RESIDENTIAL WIND MITIGATION RETROFIT IMPROVEMENTS; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AND TO EXECUTE ALL APPROPRIATE DOCUMENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$294,000.00)



**Strategic Plan Initiative**

(Staff Contact: Miriam Carrillo)

5. [18-229](#) Approval of 2017 Affordable Housing Incentive Strategy Report.  
(Fiscal Impact: N/A)



**Strategic Plan Initiative**

(Staff Contact: Miriam Carrillo/Mark Korman)

6. [18-219](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **RICHARD SASSO** TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL INC. OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER MICHAEL SOBEL; FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**Strategic Plan Initiative**

(Staff Contact: Asceleta Hammond)

**E. REGULAR AGENDA**

7. [18-262](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING AND DIRECTING THE FILING OF A LAWSUIT SEEKING A DECLARATION THAT THE PROVISIONS PUNISHING ELECTED OFFICIALS SET FORTH IN SECTION 790.33, FLORIDA STATUTES, FOR VIOLATING THE PREEMPTION RELATED TO THE REGULATION OF FIREARMS AND AMMUNITION ARE INVALID, AND INVITING OTHER LOCAL GOVERNMENTS TO JOIN THE LAWSUIT; PROVIDING FOR AN EFFECTIVE DATE.  
(Fiscal Impact: Maximum of \$10,000.00)

(Staff Contact: Mark E. Berman)

8. [18-263](#) Discuss and consider a service contract with W Mack and Associates, Inc.  
(Fiscal Impact: \$74,500.00)

(Staff Contact: Greg Harrison)

9. [18-242](#) Consideration to designate NW 5th Avenue as a dual named road "Ellington Avenue".  
(Fiscal Impact: \$500 provided by requester to the City)

(Staff Contact: Robert McCaughan)

10. [18-239](#)**P.H. 2018-54: (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 PFM FINANCIAL ADVISORS, LLC, TO PROVIDE FINANCIAL ADVISORY SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: On an as needed basis, based on the stated fees in the agreement.)

(Staff Contact: Andrew Jean-Pierre)

11. [18-255](#)**P.H. 2018-56: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN ADDITIONAL 90-DAY TEMPORARY MORATORIUM TO PROHIBIT THE ACCEPTANCE OR PROCESSING OF ANY APPLICATION FOR A PERMIT, DEVELOPMENT ORDER, OR ANY OTHER OFFICIAL ACTION OF THE CITY HAVING THE EFFECT OF PERMITTING OR ALLOWING THE CONSTRUCTION OF WIRELESS COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY CONTROLLED BY THE CITY; PROVIDING FOR EARLY TERMINATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

12. [18-221](#)**P.H. 2018-50: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY CREATING A NEW SECTION 32.40, "LOCAL BUSINESS PROGRAM," TO PROVIDE FOR AMENDMENT TO THE CITY'S PROCUREMENT PROCEDURES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: FEBRUARY 27, 2018**

(Staff Contact: Chris Clemens/Otis J. Thomas)

**QUASI-JUDICIAL PROCEEDING**

13. [18-243](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TOLLING THE EXPIRATION TIME PERIOD FOR A DEVELOPMENT ORDER DURING USE OF THE PROPERTY FOR A PUBLIC PURPOSE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

14. [18-191](#)**P.H. 2018-45: (PUBLIC HEARING)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ALLOCATING A MAXIMUM OF NINETY-NINE (99) FLEX UNITS FOR A PROPOSED RESIDENTIAL DEVELOPMENT LOCATED IN PALM AIRE, WEST OF POWERLINE ROAD AND SOUTH OF PALM AIRE DRIVE NORTH ON PROPERTY COMMONLY KNOWN AS 2606 PALM AIRE DRIVE NORTH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**TABLED FROM FEBRUARY 27, 2018**

(Staff Contact: Jean Dolan/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

15. [18-121](#)**P.H. 2018-55: (PUBLIC HEARING 2ND 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; AND PROVIDES AN UPDATE TO THE COASTAL HIGH HAZARD AREA MAP; AUTHORIZING THE TRANSMITTAL OF THE COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: DECEMBER 12, 2017**

(Staff Contact: Jean Dolan/David Recor)

16. [18-180](#)**P.H. 2018-37: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.3205, "SINGLE-FAMILY RESIDENCE 4 (RS-4)," SECTION 155.3207, "TWO-FAMILY RESIDENCE (RD-1)," SECTION 155.3302, "LIMITED BUSINESS (B-1)," SECTION 155.3307, "COMMERCIAL RECREATION (CR)," SECTION 155.3502, "PARKS AND RECREATION (PR)," AND SECTION 155.3505, "TRANSPORTATION (T)," TO REVISE MINIMUM AND MAXIMUM REQUIREMENTS IN ZONING CODE DIAGRAMS TO CONFORM WITH CORRESPONDING TABLES, AND BY DELETING CERTAIN UNNECESSARY DIAGRAMS; BY AMENDING SECTION 155.4210, "INSTITUTIONAL: OPEN SPACE USES," TO AMEND THE DEFINITION OF "PARK OR PLAZA" AND MODIFY STANDARDS FOR SAME; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: FEBRUARY 27, 2018**

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



17. [18-251](#)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF CHRISTOPHER MULLON, ARTIST; SAID TERM TO EXPIRE ON FEBRUARY 1, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Mimi Botscheller, **Art Professor/Alternate #2** - District 1  
Terrence Davis, **Curator/Incumbent** - District 1  
Tobi Aycock, **Architect/Contractor/Incumbent** - District 3  
Kelly Ann Maguire, **Art Agent/Incumbent** - Fort Lauderdale  
Carol Dickler, **Fashion Designer** - District 1  
Joseph A. Grisafi, **Resident** - District 1  
Mary Lou Hamilton, **Designer** - District 1  
Amanda Hart, **Designer** - District 1  
Dwight Hoffman, **Teacher** - District 1  
Carol Romano, **Resident** - District 1  
Donna Russo, **Art Teacher** - District 1  
Edith Kappler, **Resident** - District 2  
Sharon Stone-Walker, **Business Developer** - District 2  
Michael Tipton, **Performing Arts Manager** - District 2  
Dahlia Baker, **Program Assistant** - District 3  
John Cote, **Artist** - District 3  
Michelle R. Cote, **Office Manager/Bookkeeper** - District 3  
Patricia Knight, **Art Teacher** - District 3  
Sarahca Peterson, **CEO** - District 3  
Tyler Townsend, **Museum/Collector** - District 3  
Jazzmann LeSane, **Founder/President** - District 4  
Karen Jean Leventhal, **Free Lance Writer** - District 5  
David Miller, **Graphic Artist** - District 5  
Shellie Morrison, **Business Owner** - District 5  
Ellen Scheffler, **Furniture Designer** - District 5  
Mona Silverstein, **Landscape Designer** - District 5  
Agata Mosery, **Designer** - Boca Raton  
Cherie Saleeby, **Artist** - Hillsboro Beach



**Strategic Plan Initiative**

(Staff Contact: Asceleta Hammond)

18. [18-252](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_AS A CURATOR, TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 1, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 18-251 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

19. [18-253](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_AS AN ARCHITECT/CONTRACTOR TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 1, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 18-251 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

20. [18-254](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_AS AN ART AGENT, TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 1, 2020; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 18-251 FOR APPLICANTS.**

(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:

\_\_\_\_\_  
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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.