

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda - Final

Tuesday, March 26, 2019

6:00 PM

City Commission

Rex Hardin, Mayor

Barry Moss, Vice Mayor

Rhonda Eaton, Commissioner

Andrea McGee, Commissioner

Tom McMahon, Commissioner

Beverly Perkins, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Asceletha Hammond, City Clerk

CALL TO ORDER

*The Honorable Rex Hardin
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

19-323 Regular City Commission Meeting Minutes of March 12, 2019

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. PROCLAMATIONS

[19-333](#)

Ashanti Cultural Arts and Enrichment, Inc.'s 29th Anniversary

Mayor Hardin will present Linda Houston Jones, founder of Ashanti Cultural Arts and Enrichment, LLC. with a proclamation in honor of their 29th anniversary.

[19-303](#)

Boys & Girls Club Week

Mayor Hardin will proclaim April 8th through April 12th, 2019 as Boys and Girls Club Week in the City of Pompano Beach, Florida. Accepting the proclamation will be Brandon McCall, Club Director from the Boys and Girls Club of Broward County, Thomas D. Stephanis Unit.

B. 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)

C. CONSENT AGENDA

1. [19-292](#) 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 THE CITY OF POMPANO BEACH AND SHOHINI GHOSH, RELATING TO PURCHASE AND INSTALLATION OF A SCULPTURE AT ANNIE ADDERLY GILLIS PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$25,000.00)



Strategic Plan Initiative

(Staff Contact: Laura Atria/Phyllis Korab)

2. [19-298](#) Approval to piggyback Broward County Contract #X2114362B1, Fencing - New, Repairs, and Replacement Services for the installation of steel picket fencing at Municipal Cemetery.

(Fiscal Impact: \$169,372.50)

(Staff Contact: Robert McCaughan)

3. [19-332](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO OPPOSE HOUSE BILL 3; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE FLORIDA LEAGUE OF CITIES, THE MEMBERS OF THE BROWARD COUNTY LEGISLATIVE DELEGATION, AND OTHER INTERESTED PARTIES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(**Staff Contact:** Mark E. Berman)

4. [19-224](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FLORIDA HUMANITIES COUNCIL, ACCEPTING A GRANT IN THE AMOUNT OF \$5,000 FOR THE POMPANO BEACH HISTORICAL TIMELINE DISPLAY; AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$5,000; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$5,000)

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

5. [19-328](#) 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 RAYMOND MICHAEL LANKHEIM, AND MMJC REALTY, LLC, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(**Staff Contact:** John Sfiropoulos)

6. [19-316](#) 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 BETWEEN THE CITY OF POMPANO BEACH AND ERIC EICKHORN, ACCEPTING A GRANT OF UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$10.00)

(Staff Contact: John Sfiropoulos)

7. [19-317](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 1 IN AN AMOUNT NOT TO EXCEED \$155,439.45 FOR THE LYONS PARK IMPROVEMENT PROJECT, PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND R. J. BEHAR & COMPANY, INC.; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$155,439.45)

(Staff Contact: John Sfiropoulos)

8. [19-309](#) 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 HOLY CROSS HOSPITAL, INC. PROVIDING FOR THE USE OF THE CITY'S AQUATIC CENTERS FOR OUTPATIENT AQUATIC THERAPY; PROVIDING AN EFFECTIVE DATE
(Fiscal Impact: Licensee will pay the city on a monthly basis \$12.50 daily rate individual sessions and \$6.25 for group sessions for each patient.)

(Staff Contact: Mark A. Beaudreau)

9. [19-331](#) 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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND NEW HORIZON COMMUNITY DEVELOPMENT CORPORATION, INC., TO PROVIDE SUMMER YOUTH EMPLOYMENT TRAINING PROGRAM SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$152,000.00)



Strategic Plan Initiative

(Staff Contact: Bobby Bush/Ed Beecher)

10. [19-304](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **WILLIE E. MILLER** TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Asceleta Hammond)

11. [19-305](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JANICE A. SIMMONS** TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, WHICH TERM SHALL COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Asceleta Hammond)

D. REGULAR AGENDA

12. [19-290](#) Presentation of Internal Audit Memorandum 19-03 Activity Report for completed and ongoing audit projects as well as follow up for implementations from previous audit projects covering the 14 month period from January 2018 through February 2019.
(Fiscal Impact: N/A)

POSTPONED FROM MARCH 12, 2019



Strategic Plan Initiative

G.O. POMPANO!

(Staff Contact: Deusededit (DC) Kiyemba)

13. [19-327](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A HURRICANE IRMA FEDERALLY FUNDED SUB-AWARD AND GRANT AGREEMENT BETWEEN THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT AND THE CITY OF POMPANO BEACH, AND AUTHORIZING THE MAYOR OR VICE MAYOR, CITY MANAGER AND CITY CLERK TO EXECUTE ALL APPROPRIATE DOCUMENTS REQUIRED FOR GRANT APPLICATION, CONTRACT, MODIFICATION AND OTHER GRANT RELATED DOCUMENTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$5,489,945.27)

(Staff Contact: Kimberly Spill-Cristiano/Andrew Jean-Pierre)

QUASI-JUDICIAL PROCEEDING

14. [19-87](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE BLANCHE ELY PLAT LOCATED ON BOTH THE EAST AND WEST SIDE OF NW 6TH AVENUE, NORTH OF NW 16TH STREET; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FILE# 19-87 FOR RECONSIDERATION

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

END OF QUASI-JUDICIAL PROCEEDING

15. [19-286](#) 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 THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR THE CONSTRUCTION OF TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTION OF DR. MARTIN LUTHER KING, JR. BLVD. AND NORTHWEST 27TH AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM MARCH 12, 2019

(Staff Contact: Horacio Danovich)

16. [19-288](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MAINTENANCE AND CONSTRUCTION EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM MARCH 12, 2019

(Staff Contact: John Sfiropoulos)

17. [19-299](#) Approval to piggyback Broward County contract #Y2114640B1 for Lift Station Rehabilitation and Repair as needed, from Trio Development Corporation., at a cost of \$400,000.00 per year for FY19, FY20, and \$600,000.00 for FY21.

(Fiscal Impact: \$400,000.00)

(Staff Contact: A. Randolph Brown)

18. [19-235](#)

P.H. 2019-34: (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 AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND DONALD GIALANELLA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$35,000.00)

FIRST READING: MARCH 12, 2019



Strategic Plan Initiative

(Staff Contact: Laura Atria/Phyllis Korab)

19. [19-246](#)

P.H. 2019-35: (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 SITESECURE, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500,000)

FIRST READING: MARCH 12, 2019

(Staff Contact: Eugene R. Zamoski)

20. [19-284](#)

P.H. 2019-57: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 36, "TAXATION AND FINANCE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 36.090, "ADDITIONAL HOMESTEAD EXEMPTION," TO CLARIFY APPLICATION OF ADDITIONAL HOMESTEAD EXEMPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Erjeta Diamanti)

21. [19-300](#)**P.H. 2019-58: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.12, "COLLECTION REGULATIONS," TO PROVIDE FOR RESIDENTIAL EXCESS BULK TRASH COLLECTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Russell Ketchem)

22. [19-307](#)**P.H. 2019-59: (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 AGREEMENT FOR SCHOOL CROSSING GUARD SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE BUTLER GROUP OF SOUTH FLORIDA, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$594,594)

(Staff Contact: Mark A. Beaudreau)

23. [19-295](#)**P.H. 2019-61: (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 AGREEMENT AND SUB-AGREEMENTS FOR GOVERNMENT BANKING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND JPMORGAN CHASE BANK, N.A.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$12,000.00)

(Staff Contact: Andrew Jean-Pierre)

24. [19-296](#)

P.H. 2019-62: (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 AGREEMENT FOR MERCHANT PAYMENT CARD PROCESSING AMONG THE CITY OF POMPANO BEACH, PAYMENTECH, LLC AND JPMORGAN CHASE BANK, N.A.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$31,000 annually)

(Staff Contact: Andrew Jean-Pierre)

25. [19-338](#)

To consider reviewing potential charter changes regarding election and terms of office.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

26. [19-339](#)

To consider a request from the Town of Lauderdale-By-The-Sea for \$150,000.00 for Sanitary Sewer Conversion.

(Fiscal Impact: \$150,000.00)

(Staff Contact: Greg Harrison)

E. REPORTS

City Manager

City Attorney

City Clerk

City Commission

F. ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2018	Beginning Balance	\$12,000.00
Mar. 5, 2019	Broward League of Cities Annual Gala	\$5000.00
Mar. 5, 2019	Sample McDougald House Event	\$3000.00
	Total:	\$4,000.00

**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.