

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda - Final

Tuesday, April 9, 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

Ascelela Hammond, City Clerk

INVOCATION

*Rabbi Tzvi Dechter
Chadbad of North Broward Beaches*

PLEDGE OF ALLEGIANCE

Led by Ascelela Hammond, City Clerk

APPROVAL OF MINUTES

[19-346](#) Regular City Commission Meeting Minutes of March 26, 2019

[19-347](#) Special City Commission Meeting Minutes of March 26, 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. SPECIAL PRESENTATION

[19-302](#) A presentation of the Actuarial Valuation Report for the City of Pompano Beach General Employees' Retirement System as of October 1, 2018 by Board Actuary Mr. Todd Green of Cavanaugh Macdonald Consulting, LLC
(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

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. [19-337](#) Approval to award RFQ P-08-19, Construction Management at Risk (CMAR) for Various Streetscape Improvement Projects to the highest ranked firms, The Whiting Turner Contracting Co. and Burkhardt Construction, Inc.
(Fiscal Impact: N/A)

G.O. POMPAÑO!

(Staff Contact: Horacio Danovich)

2. [19-344](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPAÑO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT PROPOSAL IN AN AMOUNT OF \$30,000.00 TO THE NATIONAL RECREATION AND PARK ASSOCIATION AND WALT DISNEY COMPANY PLAY SPACES GRANT PROGRAM FOR THE PURPOSE OF OBTAINING FUNDS FOR PURCHASING AND INSTALLING ALL-INCLUSIVE PLAYGROUND EQUIPMENT AT SGT. KIP A. JACOBY PARK; CONFIRMING THE CITY’S CONTRIBUTION IN AN AMOUNT UP TO \$30,000.00; AND, IF AWARDED, AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE ALL APPROPRIATE DOCUMENTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$30,000 grant with matching funds of \$30,000 from the City)

(Staff Contact: Mark A. Beaudreau)

3. [19-345](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND CONSENTING TO AN ASSIGNMENT AND ASSUMPTION OF PARKING LICENSE AGREEMENT BETWEEN SANDS HARBOR, INC., AS ASSIGNOR, AND SANDS HARBOR RESORT & MARINA, LLC, AS ASSIGNEE, AND AUTHORIZING THE EXECUTION OF THE APPROVAL AND CONSENT BY THE PROPER CITY OFFICIALS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Suzette Sibble)

4. [19-357](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE APPROPRIATION OF A NOT TO EXCEED AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00) FOR THE EASTER EGG HUNT AND LUNCH CO-SPONSORED BY COMMISSIONER EATON AND THE CRESTHAVEN CIVIC ASSOCIATION, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,000.00)

(**Staff Contact:** Greg Harrison)

5. [19-356](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HILLSBORO INLET DISTRICT PROVIDING FOR HILLSBORO INLET DISTRICT'S USE OF A PUBLIC PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Mark A. Beaudreau)

D. REGULAR AGENDA

6. [19-354](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PIGGYBACK AGREEMENT FOR ROADWAY AND MISCELLANEOUS CONSTRUCTION BETWEEN THE CITY OF POMPANO BEACH AND DP DEVELOPMENT, LLC TO PROVIDE TRAFFIC SIGNAL IMPROVEMENTS AT THE INTERSECTION OF DR. MARTIN LUTHER KING, JR. BLVD.AND NORTHWEST 27TH AVENUE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$484,970.90 to be reimbursed by Broward County)

(Staff Contact: Horacio Danovich)

7. [19-265](#) **P.H. 2019-53: (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 PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND WEST CONSTRUCTION, INC., FOR FIRE STATION #52; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$5,723,368.64)

POSTPONED FROM MARCH 26, 2019

FIRST READING: MARCH 12, 2019

G.O. POMPANO!

(Staff Contact: Horacio Danovich)

8. [19-266](#)**P.H. 2019-54: (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 PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND WEST CONSTRUCTION, INC., FOR FIRE STATION #61; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$5,746,702.82)

POSTPONED FROM MARCH 26, 2019

FIRST READING: MARCH 12, 2019

G.O. POMPANO!

(Staff Contact: Horacio Danovich)

9. [19-267](#)**P.H. 2019-52: (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 PROFESSIONAL CONSULTING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND DIPOMPEO CONSTRUCTION CORPORATION, FOR FIRE STATION #114; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$5,750,000.00)

POSTPONED FROM MARCH 26, 2019

FIRST READING: MARCH 12, 2019

G.O. POMPANO!

(Staff Contact: Horacio Danovich)

10. [19-284](#)**P.H. 2019-57: (PUBLIC HEARING 2ND 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)

FIRST READING: MARCH 26, 2019

(Staff Contact: Erjeta Diamanti)

11. [19-295](#)**P.H. 2019-61: (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 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)

FIRST READING: MARCH 26, 2019

(Staff Contact: Andrew Jean-Pierre)

12. [19-296](#)**P.H. 2019-62: (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 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)

FIRST READING: MARCH 26, 2019

(Staff Contact: Andrew Jean-Pierre)

13. [19-300](#)**P.H. 2019-58: (PUBLIC HEARING 2ND READING)**

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

(Fiscal Impact: N/A)

FIRST READING: MARCH 26, 2019

(Staff Contact: Russell Ketchum)

14. [19-307](#)**P.H. 2019-59: (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 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: \$647,434.20)

FIRST READING: MARCH 26, 2019

(Staff Contact: Mark A. Beaudreau)

15. [19-343](#)**P.H. 2019-64: (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 FOR POST DISASTER EMERGENCY CATERING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND PICCADILLY HOLDINGS RESTAURANTS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Services to be provided on a stand-by basis per agreement rates.)

(Staff Contact: Mark A. Beaudreau)

16. [19-342](#)**P.H. 2019-65: (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 FOR POST DISASTER EMERGENCY CATERING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND DRC EMERGENCY SERVICES, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Services to be provided on a stand-by basis per agreement rates.)

(Staff Contact: Mark A. Beaudreau)

17. [19-326](#)**P.H. 2019-66: (PUBLIC HEARING 1ST 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 155.2411., "TREE PERMIT," TO CLARIFY TREE PERMIT REQUIREMENTS; BY AMENDING SECTION 155.4228., "INDUSTRIAL; WAREHOUSING AND FREIGHT MOVEMENT USES," AND SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO SIMPLIFY SCREENING AND BUFFER REQUIREMENTS; BY AMENDING SECTION 155.5203., "LANDSCAPING," TO MODIFY LANDSCAPING AREA REQUIREMENTS BETWEEN VEHICULAR USE AREAS AND BUILDINGS; BY AMENDING SECTION 155.5204., "TREE PRESERVATION," TO EXPAND EXCEPTIONS FOR TREE PRESERVATION; BY AMENDING SECTION 155.5902., "MAINTENANCE," TO ADOPT STATE APPRAISAL METHOD FOR MAINTENANCE GUARANTEES; BY AMENDING SECTION 155.8202., "SPECIFIC VIOLATIONS," PROVIDING FOR VIOLATION OF NONCOMPLIANCE WITH APPROVED LANDSCAPE PLAN; BY AMENDING ARTICLE 9, PART 5, "DEFINITIONS AND INTERPRETATION" TO MODIFY THE DEFINITION OF "TREE ABUSE" TO PROVIDE FOR ADDITIONAL TREE PROTECTION REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**Strategic Plan Initiative**

(Staff Contact: Wade F. Collum/David Recor)

18. [19-340](#)

Consideration for appointing a Director, Alternate, and Second Alternate to the Broward League of Cities to attend and vote at any Board of Directors or General Membership meeting held where he/she represents his/her municipality, for a term to commence May 19, 2019 through to May, 2020.

(Fiscal Impact: N/A)

(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.