

**City of Pompano Beach**  
**Virtual City Commission Meeting**  
**Commission Chamber**

*100 West Atlantic Blvd.  
Pompano Beach, FL 33060*



**Agenda**

**(REVISED)**

**Tuesday, October 27, 2020**

**1:00 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*

*Asceleta Hammond, City Clerk*

## **GOVERNMENT IN THE SUNSHINE**

The State of Florida pioneered the concept of "Government in the Sunshine," and, accordingly, all meetings of the Pompano Beach City Commission - except those to discuss labor negotiations and litigation strategy, are public. The Commission welcomes the involvement and participation of the citizens.

## **PROCEDURE**

The City Commission has adopted Robert's Rules of Order, Newly Revised.

## **CITY COMMISSION MEETING TIMES**

The City Commission meets two (2) times a month:

Second Tuesday of the month: City Commission Meeting - 1:00 p.m.

Fourth Tuesday of the month: City Commission Meeting - 6:00 p.m.

## **ADDRESSING THE CITY COMMISSION**

Audience To Be Heard - Due to Covid-19, this section of the meeting will be postponed until further notice.

## **VIRTUAL CITY COMMISSION MEETING PROCEDURES**

Until further notice, to promote social distancing and avoid risk of additional community spread of the Coronavirus (COVID-19), Pompano Beach City Commission Meetings will not be open to physical attendance by members of the public, the media, or general City staff.

The City Commission Meetings will be conducted remotely utilizing a platform for video and audio conferencing. The Elected Officials will participate individually and apart from each other in their offices at City Hall. City Staff will be participating remotely from their offices or from their home.

Interested parties can view the Commission Meeting on Comcast Ch. 78 live and through rebroadcast as well as through live streaming and archive on the City's website at [www.pompanobeachfl.gov](http://www.pompanobeachfl.gov).

Members of the Community who wish to participate in the meeting and speak on any item on the Consent or Regular Agenda must utilize the new remote public participation option. This option promotes social distancing, while still offering interested parties the opportunity to participate in matters coming before the City Commission.

**In Order to Comment on an Item Remotely, Participants Must Have:**

- Access to the internet (to register)

- A working email address (to receive your confirmation and dial in number)
- A telephone (to dial in to the meeting)

**Speaking About an Agenda Item (Remotely):**

- Anyone who wishes to address the City Commission remotely (via telephone) on an Agenda Item must pre-register by 9:00 a.m. the day of the meeting.
- When there is an upcoming Commission Meeting, the link to register will appear on the Commission Page when the agenda is posted.
- The link will direct you to a Registration Form
- All fields of information on the Registration Form are required.
- After submitting your registration online, you will receive an email confirmation. On the day of the meeting you will receive the telephone number to call.
- Normal Commission Meeting procedures such as the invocation, Pledge of Allegiance and Audience-to-be-Heard will be suspended during the Virtual Commission Meetings process.

**On the day of the Meeting:**

- Participants must call the telephone number provided. They can call up to 10 minutes prior to the meeting start time. The call will be answered and they will be put into a "Listen Only" mode, until the Agenda Item number they have signed up to speak about is called and the public input part of the item begins.
- When it is time for the participant to speak, the Mayor will direct the conference operator to unmute their line. The Mayor will ask the caller to introduce themselves and will remind the caller how much time they have to speak.
- Each remote participant will have three minutes to speak.
- Participants watching the webcast/broadcast from a remote location, must mute the speaker on the device they are watching the meeting BEFORE their line is unmuted to speak. This will prevent feedback on the webcast/broadcast. If there is interference or feedback on the call, the participant may be disconnected should the interference cause disruption to the meeting.
- Note there is a short delay between the live meeting and what is broadcast on Ch. 78 or web streaming
- When the speaker's time expires, they will be placed on "Listen Only" mode and the next speaker in line will be able to participate, and/or the meeting will otherwise continue.
- At the conclusion of the participant's comments, they can either hang up, or stay on the line and listen to the meeting.

**This procedure shall be followed for any item on the Commission Agenda that includes public participation.**

**ACCESSIBILITY**

If you require the services of a Sign Interpreter, please notify the City Manager's Office at (954) 786-4601, 24 hours in advance. Should you require any other assistance to attend or participate in the meeting, please contact the City's ADA Coordinator at (954) 786-4626 at least 24 hours prior to the meeting.

**NOTE:** Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

**CALL TO ORDER**

*The Honorable Rex Hardin  
Mayor, Presiding*

**ROLL CALL**

*Asceleta Hammond, City Clerk*

**APPROVAL OF MINUTES**

- [21-24](#) Special Virtual City Commission Meeting Minutes of September 21, 2020  
[21-23](#) Virtual City Commission Meeting Minutes of September 22, 2020

**APPROVAL OF AGENDA****CONSENT AGENDA DISCUSSION**

The Commission may pull items from the Consent Agenda. A person may request an item be pulled from the Consent Agenda for discussion on the Regular portion of the agenda upon advance written request, as per the instruction under [Speaking About an Agenda Item \(Remotely\)](#) above.

**A. CONSENT AGENDA**

1. [20-625](#) 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 STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, ACCEPTING A GRANT IN THE AMOUNT OF \$200,000 FOR THE NORTH POMPANO PARK HARDSCAPE AND LANDSCAPE PROJECT, AND CONFIRMING THE CITY'S MATCHING CONTRIBUTION IN AN AMOUNT OF \$200,000; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$200,000 grant with matching funds of \$200,000)

(Staff Contact: Mark A. Beaudreau)

2. [21-05](#) 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 LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND XPRESS YOUTH DEVELOPMENT INSTITUTE, INC. TO USE VARIOUS CITY OWNED FACILITIES TO PROVIDE A TRACK AND FIELD PROGRAM; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

3. [21-09](#) 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 THE MCDOUGLE FAMILY FOUNDATION, INC., TO UTILIZE VARIOUS CITY PARKS TO PROVIDE AN ATHLETIC COLLEGE PREPARATORY PROGRAM; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

4. [20-623](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT A GRANT APPLICATION TO BROWARD COUNTY AND TO EXECUTE A BROWARD BOATING IMPROVEMENT PROGRAM FY 2020-2021 AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH ACCEPTING A GRANT IN AN AMOUNT OF UP TO \$375,000, FOR THE REPLACEMENT OF THE SEAWALL AT ALSDORF PARK; AND CONFIRMING THE CITY'S MATCHING CONTRIBUTION IN AN AMOUNT OF \$375,000; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$375,000.00)

(Staff Contact: Tammy Good/Anthony Alhashemi)

5. [21-14](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SANITARY SEWER AND ACCESS EASEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FOOTZEE, LLC, ACCEPTING A GRANT OF A PERPETUAL SANITARY SEWER AND ACCESS EASEMENT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** John Sfiropoulos)

6. [21-03](#) A RESOLUTION 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 TETRA TECH, INC. FOR DESIGN AND CONSULTING SERVICES TO PROVIDE FOR WELLFIELD STUDY SERVICES FOR THE EASTERN AND WESTERN WELLFIELD RAW WATER RELOCATION STUDY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$357,432.00)

 **Strategic Plan Initiative**

**(Staff Contact:** A. Randolph Brown/Chris Schlageter)

7. [20-598](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY AESTHETIC FEATURE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FLORIDA DEPARTMENT OF TRANSPORTATION AFFIRMING THE CITY'S INTENT TO FUND ALL DESIGN, INSTALLATION AND MAINTENANCE COSTS ASSOCIATED WITH ROUND 3 OF THE PUBLIC ART UTILITY WRAP PROJECT ON FDOT-OWNED PROPERTIES; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

 **Strategic Plan Initiative**

**(Staff Contact:** Laura Atria/Phyllis A. Korab)

8. [20-613](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2020-50 AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PERPETUAL BEACH STORM DAMAGE REDUCTION EASEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY, FLORIDA, RELATING TO THE BROWARD COUNTY SHORE PROTECTION PROJECT; PROVIDING AN EFFECTIVE DATE  
(Fiscal Impact: N/A)

**(Staff Contact:** Robert McCaughan)

9. [21-06](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION, ACCEPTING A GRANT IN THE MAXIMUM AMOUNT OF \$400,000 FOR AIRPORT SECURITY GATE ENHANCEMENT, AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$100,000; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$100,000)

**(Staff Contact:** Robert McCaughan/Steven Rocco)

10. [20-626](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT PARTICIPATION AND REIMBURSEMENT AGREEMENT IN THE AMOUNT OF \$1,833,884.00, FOR CONSTRUCTION OF SUPPLEMENTAL SAFETY IMPROVEMENTS AT SELECTED RAILROAD CROSSINGS BETWEEN THE CITY OF POMPANO BEACH AND BRIGHTLINE TRAINS FLORIDA LLC; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: Matching Cost \$366,777)

**(Staff Contact:** Brian Donovan)



11. [20-628](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPROVE A CORRECTED LEGAL DESCRIPTION RELATING TO THE MARQUIS PLAT LOCATED AT 1820 DR. MARTIN LUTHER KING, JR. BOULEVARD; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

12. [21-04](#) 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 BIG FISH ENTERTAINMENT LLC, TO ALLOW ON-SITE FILMING OF THE A&E NETWORK'S DOCUMENTARY, "LIVE RESCUE," WHICH SHOWCASES THE DAILY LIFE OF THE EMERGENCY RESPONDER; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Chad Brocato)

13. [20-631](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LED LIGHTING AGREEMENT WITH A CITY CONTRIBUTION OF \$16,443.97 AND A LED LIGHTING AGREEMENT WITH A CITY CONTRIBUTION OF \$102,587.97 BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY, BOTH FOR LIGHTING IMPROVEMENTS IN THE OLD POMPANO NEIGHBORHOOD; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$119,031.94)

(Staff Contact: Horacio Danovich)

14. [20-634](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INSTALLATION OF REQUIRED IMPROVEMENTS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR CONSTRUCTION OF CERTAIN ROAD IMPROVEMENTS ALONG MCNAB ROAD AND NW 21ST AVENUE RELATED TO THE FIRE STATION 114 PROJECT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

15. [21-22](#) Approve ranking order for RLI E-23-20, Continuing Contract for Engineering Services for Water and Reuse Treatment Plant Projects, and authorize staff to negotiate contracts with the responsive firms, Carollo Engineers Inc., Eckler Engineering, Inc., Globaltech, Inc., McCafferty Brinson Consulting, LLC, Stantec Consulting Services, Inc., and Tetra Tech. (No cost at this time.).  
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

## **B. REGULAR AGENDA**

16. [20-565](#) **P.H. 2020-88: (PUBLIC HEARING 2ND READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT TEXT TO PROVIDE DEVELOPMENT RIGHTS WITHIN THE DESIGNATION OF THE LIVE! RESORTS POMPANO REGIONAL ACTIVITY CENTER (RAC); PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 26, 2020; PROVIDING THAT A TRANSMITTAL HEARING AND AN ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**FIRST READING: SEPTEMBER 8, 2020**

 **Strategic Plan Initiative**

(Staff Contact: Jean Dolan/David Recor)

**QUASI-JUDICIAL PROCEEDING**

17. [20-572](#) **P.H. 2020-89: (PUBLIC HEARING 2ND READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING SOUTH OF RACE TRACK ROAD (SW 3RD ST.), EAST OF S. POWERLINE ROAD (SW 26TH AVE.), WEST OF THE TRI-RAIL RAILROAD TRACK, AND NORTH OF N. CYPRESS BEND DRIVE FROM PCD (PLANNED COMMERCIAL/INDUSTRIAL DISTRICT) TO AMENDED PCD (PLANNED COMMERCIAL/INDUSTRIAL DISTRICT); PROVIDING FOR CONFORMANCE TO AN APPROVED MASTER PLAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**FIRST READING: SEPTEMBER 8, 2020**



**Strategic Plan Initiative**

(Staff Contact: Max Wemyss/David Recor)

18. [20-647](#) 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 ARVIDA POMPANO PARK PLAT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

- 18A. [21-30](#) 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 POMPANO PARK RACINO PLAT; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

19. [20-644](#) **P.H. 2021-01: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR THE ABANDONMENT OF THE POMPANO INDUSTRIAL PARK (PIP) DEVELOPMENT OF REGIONAL IMPACT AND ITS ASSOCIATED DEVELOPMENT ORDER; PROVIDING FOR FINDINGS OF FACT; PROVIDING FOR THE ABANDONMENT; AUTHORIZING STAFF TO RECORD AND TRANSMIT THE ORDINANCE OF ABANDONMENT; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: NA)

(Staff Contact: Jean Dolan/David Recor)

**END OF QUASI-JUDICIAL PROCEEDING**

20. [20-593](#) Approval to award Bid P-31-20, Reclaimed Water Treatment Plant (RWTP) Piping Modification and Production Improvements to the lowest responsive responsible bidder, Florida Design Drilling Corp.

(Fiscal Impact: \$2,025,000.00)

(Staff Contact: Phil Hyer/A. Randolph Brown)

21. [20-617](#) Approval to rollover funding from Fiscal Year 2020 to Fiscal Year 2021, for capital outlay and operating expenditures totaling \$1,996,635.

(Fiscal Impact: \$1,996,635)

(Staff Contact: Erjeta Diamanti)

22. [20-655](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF ECONOMIC OPPORTUNITY, ACCEPTING FINANCIAL ASSISTANCE ON A COST REIMBURSEMENT BASIS IN THE AMOUNT OF UP TO \$35,000.00 TO DEVELOP A GREENHOUSE GAS INVENTORY AND REDUCTION STRATEGY FOR THE CITY AND ITS LOCAL GOVERNMENT OPERATIONS; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$35,000 Grant Award)



**(Staff Contact:** Max Wemyss)

23. [21-13](#) 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 THE CITY OF FORT LAUDERDALE TO PROVIDE BULK POTABLE WATER DURING TIMES OF EMERGENCY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$598,910 (50% of cost to be reimbursed by City of Ft. Lauderdale))

**(Staff Contact:** A. Randolph Brown)

24. [20-481](#)

**P.H. 2020-76: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.46, "COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY," PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING REQUIREMENT OF A PERMIT; PROVIDING APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR A BOND; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR FEES AND TAXES; PROVIDING ENFORCEMENT REMEDIES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**POSTPONED FROM SEPTEMBER 8, 2020**

**FIRST READING: JULY 28, 2020**

(Staff Contact: John Sfiropoulos)

25. [19-720](#)**P.H. 2019-132: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA AMENDING THE COMPREHENSIVE PLAN, FUTURE LAND USE ELEMENT TEXT TO PROVIDE DEVELOPMENT RIGHTS WITHIN THE DESIGNATION OF THE DOWNTOWN POMPANO TRANSIT ORIENTED CORRIDOR (DPTOC); PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON AUGUST 28, 2019; PROVIDING THAT A TRANSMITTAL HEARING AND AN ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: SEPTEMBER 24, 2019****Strategic Plan Initiative**

(Staff Contact: David Recor/Jean Dolan)

26. [20-476](#)**P.H. 2020-82: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING AN UPDATE TO ALL ELEMENTS OF THE COMPREHENSIVE PLAN; TO INCLUDE A NEW CLIMATE CHANGE ELEMENT; TO INCORPORATE THE CONCEPT OF SUSTAINABILITY THROUGHOUT ALL ELEMENTS OF THE PLAN; AND INCLUDE AMENDMENTS RESULTING FROM CHANGES TO THE POPULATION PROJECTIONS FOR THE 2040 PLANNING HORIZON AND CHANGES RESULTING FROM THE 2017 ADOPTION OF THE UPDATED BROWARD COUNTY LAND USE PLAN; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JUNE 24, 2020; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: JULY 28, 2020**

(Staff Contact: Jean Dolan/David Recor)

27. [20-642](#)

**P.H. 2021-02: (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 155.2408., "BUILDING DESIGN," TO PROVIDE FOR ALTERNATIVES TO BUILDING DESIGN STANDARDS IN THE TRANSIT-ORIENTED (TO) DISTRICT; BY AMENDING SECTION 155.2421., "ADMINISTRATIVE ADJUSTMENT," TO MODIFY TABLE 155.2421.B.1, "ALLOWABLE ADMINISTRATIVE ADJUSTMENT," TO REFLECT MODIFICATIONS TO THE ZONING CODE; AND BY AMENDING SECTION 155.3501., "TRANSIT ORIENTED (TO)," TO AUTHORIZE THE DIRECTOR OF DEVELOPMENT SERVICES TO ADMINISTRATIVELY ADJUST ACTIVE USE STANDARDS AT CERTAIN SPECIFIC LOCATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

28. [20-643](#)

**P.H. 2021-03: (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 155.4211., "INSTITUTIONAL: OTHER INSTITUTIONAL USES," TO MODIFY PERMITTED USES IN THE I-1X DISTRICT TO PERMIT LODGES OR CLUB USES AND AMENDING APPENDIX A TO MODIFY THE TABLE TO CONFORM TO CHANGES IN THE ZONING CODE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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



29. [21-19](#)**P.H. 2021-10: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 113, "BUSINESS TAX RECEIPTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 113.39, "BUSINESS TAX RECEIPT SCHEDULE," AND BY AMENDING CHAPTER 115, "MISCELLANEOUS BUSINESSES," TO AMEND SECTION 115.18, "MOVING VENDOR, ITINERANT MERCHANT, OR PEDDLER," AND SECTION 115.19, "PIER AREA VENDING," TO MODIFY REQUIREMENTS FOR MOBILE VENDORS IN THE CITY; AND BY AMENDING CHAPTER 155, "ZONING CODE," BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO PROVIDE DISTRICTS WHERE MOBILE VENDORS ARE PERMITTED ON PRIVATE PROPERTY, AND TO PROVIDE A DEFINITION AND STANDARDS FOR MOBILE VENDORS; BY AMENDING APPENDIX A, "CONSOLIDATED USE TABLE," TO REFLECT MODIFICATIONS MADE TO THE ZONING CODE FOR MOBILE VENDORS ON PRIVATE PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jennifer Gomez/David Recor)

30. [20-447](#)**P.H. 2020-78: (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 PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WELLS FARGO BANK, N.A., FOR THE USE OF THE PARKING LOT LOCATED AT 199 N. OCEAN BLVD.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$40,000 Net Revenue)

**POSTPONED FROM JULY 28, 2020 & SEPTEMBER 8, 2020**



Strategic Plan Initiative

(Staff Contact: Jeff Lantz)

31. [20-657](#) **P.H. 2021-04: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.35, "BUILDING OR OBSTRUCTION ON PUBLIC STREETS, SIDEWALKS, AND RIGHT-OF-WAY SWALE AREAS; PEDESTRIAN MEDIAN SAFETY," TO DELETE INCONSISTENT LANGUAGE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)  
  
(Staff Contact: Mark E. Berman)
32. [21-01](#) **P.H. 2021-07: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 33, "BOARDS AND COMMISSIONS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 33.130, "NUISANCE ABATEMENT BOARD," TO MODIFY THE CODE TO CONFORM WITH CHANGES MADE TO FLORIDA STATUTES, THROUGH THE PASSAGE OF HOUSE BILL 625 IN THIS YEAR'S LEGISLATIVE SESSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)  
  
(Staff Contact: Tracy A. Lyons/Mark E. Berman)
33. [21-02](#) **P.H. 2021-08: (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 CONSENT ASSIGNMENT AND SECOND AMENDMENT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND MILLER ELECTRIC COMPANY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: On an as needed basis, based on the stated fees in the agreement, subject to appropriation of funding in various City accounts (i.e. IT, Parks & Recreation, etc.)  
  
(Staff Contact: Gene Zamoski)

34. [21-12](#)**P.H. 2021-05: (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 RESIDENTIAL AND COMMERCIAL SOLID WASTE COLLECTION SERVICES BETWEEN THE CITY OF POMPANO BEACH AND WASTE MANAGEMENT INC. OF FLORIDA D/B/A REUTER RECYCLING OF FLORIDA, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Russell S. Ketchem)

35. [21-11](#)**P.H. 2021-06: (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 DISPOSAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WASTE MANAGEMENT INC. OF FLORIDA D/B/A REUTER RECYCLING OF FLORIDA, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Russell S. Ketchem)

36. [21-18](#)**P.H. 2021-09: (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: (i) A SIXTH AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT AGREEMENT RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND POMPANO PIER ASSOCIATES, LLC; (ii) A FOURTH AMENDMENT TO PARCEL E GROUND LEASE RELATING TO CITY PROPERTY LYING BETWEEN NORTH OCEAN BOULEVARD (A1A) AND THE ATLANTIC OCEAN AND BETWEEN ATLANTIC BOULEVARD (S.R. 814) AND NE 5TH STREET, BETWEEN THE CITY OF POMPANO BEACH AND PPA-E, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Adriane Esteban/Greg Harrison)

37. [21-07](#)

Consideration to the request from BSO for the funding of \$790,000.00 to enter into a three-year service contract with ShotSpotter to provide gunshot detection, location and forensic analysis service for the City.

(Fiscal Impact: \$790,000 to be paid as follows. \$270,000 of this amount will be funded in the current year from General Fund Balance. The remaining amount will be paid off in 2 installments of \$260,000 subject to annual appropriation from the General Fund in FY 2022 & FY 2023)

(Staff Contact: Greg Harrison)

**C. REPORTS**

*City Manager*

*City Attorney*

*City Clerk*

*City Commission*

**D. NEXT SCHEDULED MEETING**

*November 10, 2020 at 1:00 p.m.*

**E. ADJOURNMENT**

**BALANCE IN CONTINGENCY**

Oct. 1, 2020

Beginning Balance

\$12,000.00