# City of Pompano Beach City Commission Meeting

## **Commission Chamber**

100 West Atlantic Blvd. Pompano Beach, FL 33060



### **Agenda**

**Tuesday, July 13, 2021** 

1:00 PM

### **City Commission**

Rex Hardin, Mayor Beverly Perkins, Vice Mayor Rhonda Eaton, Commissioner Cyndy Floyd, Commissioner Andrea McGee, Commissioner Tom McMahon, 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 open to the 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" is scheduled for a thirty (30) minute period at the beginning of the City Commission Meeting, and will be continued to the end of the meeting for those speakers who were not heard during the initial thirty-minute period. All persons interested in speaking during "Audience To Be Heard" must fill out and submit a request form to the City Clerk prior to the call of order of the meeting. Speakers will be limited to three minutes to speak on any matter, which is NOT on the Regular Agenda, or removed from the Consent Agenda, and are requested to approach the podium and state his/her name and address and, if appropriate, the organization they represent, for the record. A request form can be found on the last page of the Agenda program.

#### **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

#### **INVOCATION**

Rabbi Tzvi Dechter Chadbad of North Broward Beaches

#### **PLEDGE OF ALLEGIANCE**

Led by Asceleta Hammond, City Clerk

#### **APPROVAL OF MINUTES**

21-695 City Commission Budget Workshop Minutes of June 22, 2021

21-694 City Commission Meeting Minutes of June 22, 2021

#### 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. PRESENTATION

21-611 Strategic Plan 2020-2025 and Action Agenda 2020-2021 Quarterly Progress

Presentation.

(Fiscal Impact: N/A)

(Staff Contact: Ernesto Reyes)

#### **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 less, 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 (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session". (Effective May 28, 2019)

#### C. CONSENT AGENDA

1. <u>21-684</u> Approve ranking order for RFP P-03-21 Debt Collection Services and authorize staff to negotiate a contract with the highest ranked firm, Transworld Systems, Inc.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

2. 21-678 Approve ranking order for RFP P-18-21 Construction Services for Pier Street West and authorize staff to negotiate a contract with the highest ranked firm, MBR Construction, Inc.

(Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 3. 21-679 **POMPANO PERPETUAL** BEACH, FLORIDA, **GRANTING** Α TO THE STATE OF **FLORIDA** DEPARTMENT OF **EASEMENT** TRANSPORTATION; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Horacio Danovich)

4. 21-606

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** \$399,122.47 FOR THE LYONS PARK PROJECT, PURSUANT TO THE CONTRACT **FOR** CONSULTING/PROFESSIONAL BETWEEN THE CITY OF POMPANO BEACH AND R. J. BEHAR & COMPANY, INC.: PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$399,122.47)

## Strategic Plan Initiative

(Staff Contact: Tammy Good/Matthew Kudrna)

5. <u>21-660</u>

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY'S 2021-2022 CDBG/HOME ANNUAL ACTION PLAN FUNDING RECOMMENDATIONS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Revenue- CDBG-\$1,065,438 & HOME-\$452,747)

(Staff Contact: Miriam Carrillo/Alex Goldstein)

6. 21-683

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY'S 2021-2022 ANNUAL ACTION PLAN AND AUTHORIZING THE PROPER CITY OFFICIALS TO **EXECUTE** THE LOCAL **GOVERNMENT** SPECIFIC CDBG CERTIFICATIONS, CERTIFICATIONS, **OPTIONAL** CDBG, SPECIFIC HOME CERTIFICATIONS AND CERTIFICATION APPENDIX TO CERTIFICATIONS; **PROVIDING** AN **EFFECTIVE** DATE.

(Fiscal Impact: Grant Revenue- CDBG \$1,065,438 & HOME \$452,747)

(Staff Contact: Miriam Carrillo/Alex Goldstein)

7. 21-674

A RESOLUTION 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 HANSA AND GIRISH PATEL TO PROVIDE PARKING AT SE 2nd STREET ON BRINY AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: 50/50 Revenue split)

(Staff Contact: (Jeff Lantz)

8. <u>21-671</u>

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MANAGER'S APPROVAL OF THE MEMORANDUM DISPOSAL OF UNDERSTANDING FOR HURRICANE **DEBRIS** BETWEEN THE **CITY POMPANO** BEACH OF AND WASTE MANAGEMENT INC. OF FLORIDA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

#### (Staff Contact: Russell Ketchem)

9. 21-649

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, EXPRESSING ITS SUPPORT OF THE BROWARD COUNTY AUDIT OF THE ANIMAL CARE AND ADOPTION DIVISION, REPORT NO. 21-05, DATED DECEMBER 16, 2020; PROVIDING FOR ITS SUPPORT OF THE IMPLEMENTATION OF GUIDELINES AND BEST PRACTICES BY THE ANIMAL CARE AND ADOPTION DIVISION WITH THE GOAL OF PROVIDING BETTER CARE FOR THE DOGS AND CATS MAINTAINED AT THE SHELTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

10. 21-659

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING THE ACTION OF THE FORT LAUDERDALE CITY COMMISSION TO MEMORIALIZE AND HONOR RUBIN STACY BY AND THROUGH ITS DESIGNATION OF A ROADWAY PORTION IN HIS NAME; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

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

11. 21-681

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING THE PURDUE PHARMA, L.P. BANKRUPTCY PLAN; AUTHORIZING THE CITY ATTORNEY TO TAKE ALL REQUIRED ACTIONS WITH REGARD TO SUCH APPROVAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

12. **21-667** 

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>TUNDRA M. KING</u> TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF VICE MAYOR 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)

(Staff Contact: Asceleta Hammond)

#### D. REGULAR AGENDA

#### **QUASI-JUDICIAL PROCEEDING**

13. <u>21-595</u>

#### P.H. 2021-80: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE SOUTHWEST CORNER OF N. OCEAN BLVD. AND NE 7TH COURT COMMONLY KNOWN AS 723 N. OCEAN BLVD. FROM RM-20 (MULTIPLE-FAMILY RESIDENCE 20) TO RPUD (RESIDENTIAL PLANNED UNIT DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JUNE 22, 2021

(Staff Contact: Daniel Keester/David Recor)

14. 21-644

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 POMPANO BEACH RESIDENCES PLAT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

#### 15. P.H. 2021-85: (PUBLIC HEARING 1ST READING) 21-643

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LAKE SANTA BARBARA LOCATED ΑT **300 AND** 400 CIRCLE DRIVE. SINGLE-FAMILY RESIDENCE **FROM** 1 (RS-1) TO SINGLE-FAMILY RESIDENCE 2 (RS-2); **PROVIDING** FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE (Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

#### END OF QUASI-JUDICIAL PROCEEDING

16. 21-696 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, NAMING DAN HOBBY HONORARY CITY HISTORIAN; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

17.

21-669

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. \$292,490.00, **PURSUANT** THE **AMOUNT** OF TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND KIEWIT INFRASTRUCTURE SOUTH COMPANY FOR SEAWALLS UNDER THE SE 5TH AVENUE BRIDGE PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$292,490.00)

(Staff Contact: Horacio Danovich)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY 18. 21-668 BEACH, FLORIDA, APPROVING THE **FORM** PRELIMINARY AGREEMENT FOR ISSUANCE OF REVENUE BONDS BY AND BETWEEN THE CITY AND JOHN KNOX VILLAGE OF FLORIDA, INC. **AND AUTHORIZING EXECUTION** THEREOF; PROVIDING FOR **CERTAIN OTHER MATTERS** WITH RESPECT **PROVIDING** THERETO; **FOR** CONFLICTS; **PROVIDING** AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Andrew Jean-Pierre)

19. 21-662

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO ACCEPT THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REVOLVING LOAN FOR GATEWAY DRIVE, KENDALL LAKE & SOUTH WEST (SW) 2ND STREET STORMWATER IMPROVEMENT PROJECT; UPON APPROVAL, EXECUTE THE CORRESPONDING LOAN AGREEMENT, PLEDGING OF STORMWATER UTILITY FEES AS THE REVENUES TO REPAY THE LOAN, AND PROVIDING FOR CARRYING OUT ALL LOAN RESPONSIBILITIES UNDER THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$8,846,118 (principal payments only, no interest) - with Stormwater Utilities Fees)

(Staff Contact: A. Randolph Brown)

20. 21-697

#### P.H. 2021-87: (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 INTERLOCAL AGREEMENT FOR THE **CREATION** OF THE TRANSPORTATION CONSTRUCTION **ENGINEERING** & COOPERATIVE **AMONG** THE OF **POMPANO CITY** BEACH, BROWARD METROPOLITAN **PLANNING** ORGANIZATION, **AND** LOCAL **PROVIDING** SEVERAL MUNICIPALITIES; FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$100,000 first year for initial fee and \$25,000 per year thereafter)

FIRST READING: JULY 27, 2021

(Staff Contact: Greg Harrison)

#### 21. 21-608 P.H. 2021-79: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH. FLORIDA. **AMENDING CHAPTER** 152. "BUILDINGS." BY AMENDING SECTION 152.06. "CONSTRUCTION **MITIGATION** SCREENING," **DEBRIS** AND TO **MODIFY** CONDITIONS REQUIREMENTS AND FOR **TEMPORARY** CONSTRUCTION FENCING: **PROVIDING** FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JUNE 22, 2021

(Staff Contact: Jennifer Gomez/Michael Rada)

#### 22. 21-657 P.H. 2021-82: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CORRECTING THE FUTURE LAND USE MAP BY MODIFYING THE MAP TO REFLECT THE PROPER LAND USE DESIGNATION FOR THE PROPERTIES LOCATED AT 2639 NORTH RIVERSIDE DRIVE AND 1340 SOUTH OCEAN BOULEVARD; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

#### 23. 21-658 P.H. 2021-83: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF **POMPANO** BEACH. FLORIDA. **AMENDING** CHAPTER 155. "ZONING CODE," **POMPANO BEACH** OF THE **CODE** OF ORDINANCES. BY**AMENDING** SECTION 155.730, "RECONSTRUCTION OR REPAIR AFTER DAMAGE," TO MODIFY SEVERABILITY: REOUIREMENTS: PROVIDING FOR AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

#### 24. 21-693

#### P.H. 2021-84: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING SECTION 34.053, "NORMAL RETIREMENT DATE" OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES RELATING TO THE POMPANO BEACH POLICE AND FIREFIGHTERS RETIREMENT SYSTEM, TO ESTABLISH A ONE-TIME EARLY RETIREMENT INCENTIVE FOR ELIGIBLE FIREFIGHTER MEMBERS BASED UPON LENGTH OF SERVICE AND ATTAINED AGE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$15,004)

(Staff Contact: Ed Beecher/Peter McGinnis)

25. **21-661** 

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_\_\_TO THE POMPANO BEACH POLICE & FIREFIGHTERS' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 12, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

#### APPLICANTS:

David Hall, *Incumbent* - District 3 Robert J. Sikorski - District 1 Kenneth A. Campbell - District 3 Rita Neri - Coconut Creek

(Staff Contact: Asceleta Hammond)

26. **21-680** 

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_\_TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF HENRY LESBURT AS ALTERNATE #3; SAID TERM TO EXPIRE ON JUNE 11, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

#### **APPLICANTS**:

Lisa Ferreri - District 1

Eve Lewis - District 3

Louis Riva - District 3

Carmen Jones - District 4

Marcus A. McDougle - District 4

Daniel P. Diaz - District 5

Danika Jackson - District 5

(Staff Contact: Asceleta Hammond)

27. 21-621

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_\_TO THE CULTURAL ARTS COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS: SAID TERM TO EXPIRE ON JULY 13, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

#### **APPLICANTS**:

LaToya Almonord - District 1

Mary C. Antoine - District 1

Carlton Gillispie - District 1

Donna Russo - District 1

Eve Lewis - District 3

Monifa Aruwajoye - District 4

Marcus McDougle - District 4

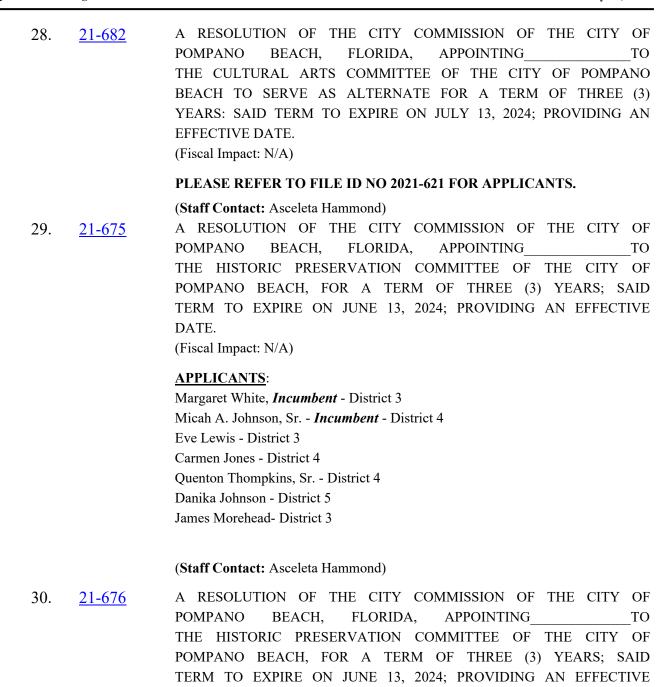
David Miller - District 4

Tony Parrish - District 4

Ethel Robinson-Burns - District 4

Shellie Morrison - District 5

(Staff Contact: Asceleta Hammond)



PLEASE REFER TO FILE ID NO 21-675 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

DATE.

(Fiscal Impact: N/A)

31. 21-677

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_\_TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE 2, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 13, 2024; PROVIDING AN EFFECTIVE DATE.

PLEASE REFER TO FILE ID NO 21-675 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)

(Fiscal Impact: N/A)

#### E. NEXT SCHEDULED MEETING

July 19, 2021 at 9:00 a.m. - Budget Workshop

July 27, 2021 at 5:00 p.m. - Special Meeting

July 27, 2021 at 6:00 p.m. - Regular Meeting

#### F. REPORTS

City Manager

City Attorney

City Clerk

City Commission

#### G. ADJOURNMENT

#### **BALANCE IN CONTINGENCY**

Oct. 1, 2020 Beginning Balance \$12,000.00

## CITY OF POMPANO BEACH, FLORIDA AUDIENCE TO BE HEARD

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needed to perm beginning of eac be heard" session	nit ten members o ch City Commissio on shall be contin- uals wishing to speak	of the public to on meeting for the ued at the end o	speak, which e "audience of the Com- ing the first so		et aside at the ne "audience to
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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.