

# **City of Pompano Beach**

**City Commission Meeting  
Commission Chamber**

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



## **Agenda**

**Tuesday, October 12, 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*

*Asceletha 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**

*Rev. Dr. Greg Fitch  
Psychology and Hospital Chaplain*

**PLEDGE OF ALLEGIANCE**

*Led by Asceleta Hammond, City Clerk*

**APPROVAL OF MINUTES**

[21-832](#) City Commission Meeting Minutes of September 28, 2021

[21-833](#) Special City Commission Meeting Minutes of September 20, 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. PROCLAMATIONS**

[21-840](#) **Red Ribbon Week**

Mayor Hardin will proclaim Red Ribbon Week in the City of Pompano Beach. Melissa Sauer, DDR Officer will accept the proclamation on behalf of PFC Bruce W. Carter Metal of Honor Young Marines.

**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. [21-829](#) Approve ranking order for Request for Proposals (RFP) E-24-21, Residential and Commercial Solid Waste Collection Services, and authorize City staff to negotiate a contract with the highest ranked company, Coastal Waste and Recycling, Inc. (No cost at this time).  
(Fiscal Impact: N/A)

(Staff Contact: Russell Ketchem)

2. [21-801](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE APPROPRIATIONS AGREEMENTS BETWEEN THE CITY OF POMPANO BEACH AND VARIOUS NON-PROFIT CORPORATIONS; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$281,500)

(Staff Contact: Erjeta Diamanti)

3. [21-819](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE MAYOR'S AND CITY MANAGER'S APPROVAL OF A GENERAL RELEASE BETWEEN THE CITY OF POMPANO BEACH AND HIGH TECH ENGINEERING INCORPORATED, RELATING TO REIMBURSEMENT COSTS FOR THE EMERGENCY REPAIR OF THE CITY'S 24' RECLAIMED WATER MAIN GENERALLY LOCATED AT NE 14TH CAUSEWAY AND NE 23RD AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Reimbursement (revenues) in amount of \$167,968.31 )

(Staff Contact: A. Randolph Brown)

4. [21-822](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REGIONAL INTERLOCAL AGREEMENT AMONG THE CITY OF POMPANO BEACH, BROWARD COUNTY SHERIFF'S OFFICE, BROWARD COUNTY AND VARIOUS MUNICIPALITIES FOR COOPERATIVE FIRE, RESCUE, EMERGENCY MEDICAL SERVICES, AND SPECIAL OPERATIONS RESPONSE THROUGH AUTOMATIC AID AND CLOSEST UNIT RESPONSE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



**Strategic Plan Initiative**

(Staff Contact: Chad Brocato)

5. [21-823](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR INSTALLATION AND MAINTENANCE OF BUS SHELTERS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Budgeted funds in City maintenance account)

(Staff Contact: Robert McCaughan)

6. [21-830](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DECLARING SURPLUS AND EXPRESSING THE DESIRE OF THE CITY OF POMPANO BEACH TO CONVEY TO BROWARD COUNTY REAL PROPERTY DESCRIBED AS A THREE-FOOT RIGHT-OF-WAY FOR SOUTH ANDREWS AVENUE; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Cassandra LeMasurier)

#### **D. REGULAR AGENDA**

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

7. [21-807](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE 900 NORTH OCEAN BOULEVARD PLAT LYING ON THE EAST SIDE OF STATE ROAD A1A, NORTH OF NE 8TH COURT AND SOUTH OF NE 10TH STREET; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

##### **END OF QUASI-JUDICIAL PROCEEDING**

8. [21-813](#) Approval to award Invitation To Bid P-27-21, SW 2nd Street Stormwater Improvements to the lowest responsive and responsible bidder, DBF Construction, LLC.  
(Fiscal Impact: \$923,895.50)

(Staff Contact: Tammy Good)

9. [21-827](#) Approval to award T-14-21, Asphaltic Concrete Pavement Surfacing, to the lowest responsive and responsible bidder, Weekley Asphalt Paving, Inc., at an annual estimated cost of \$1,440,547.00.  
(Fiscal Impact: \$1,440,547.00)

(Staff Contact: Robert McCaughan)

10. [21-831](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING AND APPROVING THE POMPANO BEACH AIR PARK MASTER PLAN UPDATE WHICH HAS BEEN PREPARED BY KIMLEY-HORN AND ASSOCIATES, INC.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Steven Rocco/Robert McCaughan)

11. [21-258](#) **P.H. 2021-52: (PUBLIC HEARING 2ND READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR A 12.1 ACRE PORTION OF THE CITY CENTRE MALL SITE LOCATED AT THE SOUTHWEST CORNER OF COPANS ROAD AND FEDERAL HIGHWAY; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JANUARY 27, 2021; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: FEBRUARY 23, 2021**

(Staff Contact: David Recor/Jean Dolan)

12. [21-799](#) **P.H. 2022-01: (PUBLIC HEARING 1ST READING)**  
AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO EXPAND AUTHORIZED AREAS FOR LOCATION OF RESIDENTIAL SWIMMING POOLS; AND BY AMENDING SECTION 155.5302, "FENCES AND WALLS," TO PROVIDE STANDARDS FOR FENCING PROVIDED AS PART OF A PERMITTED RESIDENTIAL SWIMMING POOL, SPA, OR HOT TUB; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jennifer Gomez/David Recor)

**E. NEXT SCHEDULED MEETING**

October 26, 2021 at 6:00 p.m. - Regular City Commission Meeting  
November 9, 2021 at 1:00 p.m. - Regular City Commission Meeting

**F. REPORTS**

*City Manager*  
*City Attorney*  
*City Clerk*  
*City Commission*

**G. ADJOURNMENT**

**BALANCE IN CONTINGENCY**

Oct. 1, 2021	Beginning Balance	\$12,000.00
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**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**

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."

**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.**