

## Detailed Minutes - Final

### 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*

---

Tuesday, July 26, 2022

6:00 PM

Commission Chamber

---

### City Commission Meeting

#### CALL TO ORDER

The Honorable Rex Hardin, Mayor called the Regular City Commission meeting to order at 6:00 p.m.

#### ROLL CALL

**Present:** Commissioner Rhonda Eaton  
Commissioner Cyndy Floyd  
Commissioner Andrea McGee  
Commissioner Tom McMahon  
Vice Mayor Beverly Perkins  
Mayor Rex Hardin

#### INVOCATION

Pastor Braden Jones of Mt. Calvary Baptist Church offered the invocation.

Pastor Jones acknowledged Vice Mayor Perkins bereavement experienced this week and asked that she be kept in our prayers.

#### PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, City Clerk.

#### APPROVAL OF MINUTES

[22-420](#) Regular City Commission Meeting Minutes of July 12, 2022

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Minutes be APPROVED AS**

**SUBMITTED. The motion carried unanimously.**

**APPROVAL OF AGENDA**

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Agenda be APPROVED AS LISTED. The motion carried unanimously.**

**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.

No Items were pulled for City Commission discussion.

**A. SPECIAL PRESENTATION**

**[22-523](#) Broward Soil and Water Conservation District's Support of Wahoo Bay Park**

Broward Soil and Water Conservation District representatives Richard Denapoli, Chairman and Fred Segal, Vice Chairman presented a formal resolution on behalf of the District in support of the City and Shipwreck Park working together to create Wahoo Bay Park, an underwater experience created to preserve and enhance existing natural resources and provide awareness of the importance of keeping our oceans and reefs healthy and thriving in an entertaining, educational and memorable way.

Robert Wyre of Wahoo Bay mentioned this is an ongoing labor and that it has not been an easy project, however, they are making progress. He indicated that they have established a good relationship with FAU (Florida Atlantic University) and they continue to work with the University of Miami, so the educators are involved in helping to create a curriculum. He thanked the City and Broward Soil and Water Conservation District for acknowledging Wahoo Bay.

Tom DiGiorgio, Economic Development Chair, mentioned that he is always talking about the public private partnerships, and this exemplifies this concept and takes it to a bigger stage. The City has partnered with the Ship Wreck Park, which is a Not-for-Profit organization, but with the add-on of the University of Miami, FAU, the Guy Harvey Foundation, and the real leadership of City staff, this really sets the City apart through public private relationships. So, with the State's agency getting involved and recognizing the City, it raises the bar higher. He thanked everyone involved for this great partnership.

Mayor Hardin concurred with Mr. DiGiorgio's comments and stated this raises the recognition of Wahoo Bay and he thanked Broward Soil and Water Conservation District for elevating the discussion about the project. It is a tremendous project and the City is excited about it, and the principals behind it are grateful.

**This matter was READ AND PRESENTED INTO THE RECORD**

[22-399](#) Strategic Plan 2021-2026 and Action Agenda 2021-2022, 1st Half FY 22 Progress Presentation.  
(Fiscal Impact: N/A)

(Staff Contact: Ernesto Reyes)

Ernesto Reyes, Strategic Performance Manager, provided a brief presentation that serves the purpose of communicating the progress that has been made by staff towards the implementation of the strategies in the Strategic Plan. More specifically, the progress that has been made with the strategies made in Fiscal Year (FY) 2022 Strategic Plan, adopted in April 27, 2021. There are 364 strategies contained in this FY 2022 Plan, and the progress report is for the first 6-month period of FY 2022, which is from October 1, 2021 through March 31, 2022. A copy of the presentation is attached as Exhibit 1.

Mayor Hardin mentioned that all the information as presented by Mr. Reyes will be available and updated on the City's website by next business day. He thanked Mr. Reyes for the work he is doing with the Strategic Plan.

### **This matter was READ AND PRESENTED INTO THE RECORD**

#### **B. AUDIENCE TO BE HEARD**

Mayor Hardin announced that it was time for "Audience To Be Heard" and offered the following guidelines: Once your name is called, please come forward to the podium in front of the commission, state your name and address for the record. Speakers will be limited to three minutes to speak on any item of concern or interest, including those items pulled from the Consent Agenda. In addition, he asked speakers not to speak on any items on tonight's agenda, as they will have that opportunity to do so when that item comes forward. Lastly, he requested that speakers refrain from any emotional outbursts in either support or non-support of the speaker's comments.

The following persons were called to speak:

**Blanche Ely High School New Principal** - Tavares Williams, Principal, Blanche Ely High School, 1201 NW 6th Avenue, Pompano Beach, FL, mentioned that he was invited to the meeting by Vice Mayor Perkins, who represents the district where the Blanche Ely High School is located. He is proud of the tradition at the Blanche Ely High School and is looking forward to continue going on their trajectory of being the premier school in Pompano Beach. Also, they are looking forward to partnering with the City Commission and staff in support of the students at Blanche Ely High School. He mentioned Thursday, July 28, 2022 they have a meet and greet event where members of the community are invited and their culinary students will be putting together a nice presentation, therefore, he invited the Commission to attend. In addition, there is a football game coming up on August 19, 2022 and all are invited to this event as well.

**Update on Housing Issues** - Kendra Hayes, Pompano Beach, FL, thanked Vice Mayor Perkins for inviting her to her re-election campaign gathering. In addition, she expressed thanks from the Broward House for the food donated by Vice Mayor Perkins. She asked what has been done about the housing situation that she

brought before the Commission approximately 5 months ago. She reiterated what Code Enforcement had mentioned to her at the time that it was too hazardous for them to do their job, as well as the Apartment building being sold to new owners. She inquired what will the City Commission be doing with this situation.

**Kester Park Proposed Renovations** - Dr. Kenneth Arnold, Parks and Recreation Advisory Board (Board) member, 1849 E. Atlantic Boulevard, Pompano Beach, FL, stated that the Board had a meeting last Wednesday, July 20, 2022, and Mark Beaudreau, Recreations Programs Administrator, spoke about needing another \$200,000 for Kester Park, and wanted the Board to approve the Park so a bid can be done. Information was sent out with pictures depicting the vision of the New Kester Park, which he provided a copy to the Commission and to the City Clerk for the records.

He mentioned that since 2010, when he commenced serving on the Board he never saw these pictures depicting the new Kester Park, which include a 6-foot fence for the field, so he was a bit upset when this was presented at the meeting. He stated that he understood that the City Commission had approved moving forward with the New Park at its July 12, 2022 meeting. In sum, he indicated that the City Commission is being misled when they were presented with a plan and the Board did not know anything about it. He then provided detail description of some of the renovations that are not depicted as they should to include batting cages for the baseball field, and no covered bleachers on the north side. The proposed renovation drawing, which is supposed to be schematic, but if the 2 drawings were put on highlight, every tree matches up, so when the drawing was done they had something in mind when making it.

Continuing, Dr. Arnold provided the following:

- 1) Kester Park is less than 7 blocks away from Pompano Beach Baseball Complex with 6 baseball fields and 8 full batting cages.
- 2) The Board voted not to put up a permanent fence, instead to put a retractable fence, which they have been working with for over 17 years.
- 3) The use of grass versus artificial turf to be used for the baseball field. He provided a list of disadvantages that an artificial turf would provide to include injuries to the youths.

Finally, he referred to a letter received from Mr. James Balistereri, who has been in business since 1964, and he opined that for houses to be sold in the area of the Park, people would prefer to see a multi-park facility instead of a baseball field.

Dr. Arnold provided a list of things that could be made to save money on the current over-budgeted cost to renovate the Park, to include but not limited to utilizing a retractable fence and grass turf.

Mayor Hardin thanked Dr. Arnold for bringing this to the City Commission's attention from the Board. It is disturbing to him that the Board has not seen and known about the plans for Kester Park renovations. Since the plan was presented to the Commission, he has received some calls about the Park. He will be following up with the City Manager to determine what is going on and to discuss further about the project.

**Donations from Isle Casino (Casino)** - Kelvin Adams, 171 NW 17th Court, Pompano Beach, FL, inquired as to how much money the Casino donated to District 5 since they have been in operation. He mentioned that

usually casinos donate to cities that they operate in. In addition, he wanted to know how much money the casino donated to the Shipwreck Park, which is located in another district.

**McNair Park G.O. Bond Project** - Mr. Adams stated that the south side parking lot is grass at the McNair Park, which will not work. In addition, as a safety hazard, there are no handicap accessibilities on that grassy side. There are 2 handicap parking spaces on the other side of the football field.

Continuing, Mr. Adams asked about the numbers that would assist with getting the video scoreboard for the Park.

Vice Mayor Perkins asked for clarification regarding an entrance way to get into a certain area of the Park.

Mr. Adams explained that on the backside parking lot where there is grass, a handicap person would not be able to get through the grass.

Greg Harrison, City Manager, mentioned that the area referred to by Mr. Adams in this case is for the overflow parking lot. He mentioned that the project is still under construction and he is not clear what Mr. Adams is referring to regarding the parking lot. He will be willing to meet with Mr. Adams on site and explain the layout of the area.

Vice Mayor Perkins requested that the City Manager meet with the residents of that community on the Park project.

**Empowerment Workshop for Northwest Community** - Linda Houston Jones, President, Ashanti Cultural Arts, 3499 Oaks Way, Pompano Beach, FL, mentioned that there are 2 reasons for her appearing before the City Commission. One is to thank the City Commission and the other is to invite the Commission to their community event. Last month, Ashanti Cultural Arts along with the City of Pompano Beach sponsored a workshop at the E. Pat Larkins Community Center on housing. At the event, over 200 residents from the northwest community attended this informative program. This is a 1st of a series of programs that the Cultural Arts will be presenting to the northwest community. The participants did a survey, which overwhelmingly said that the workshop helped them with information on how to acquire housing.

The second workshop will take place Thursday, July 28, 2022 at 6:00 p.m. at the E. Pat Larkins Center. This event will be on finance, business and entrepreneurship. Community leaders will be attending the event that can help the northwest community to become more empowered and self-sufficient.

Finally, Ms. Houston Jones thanked Vice Mayor Perkins and Commissioner Cyndy Floyd that attended the 1st event. Also, she thanked City staff that assisted tremendously to make sure the program was a success and the E. Pat Larkins staff that accommodated those 200 people. She thanked the Parks and Recreation Department, City Manager Greg Harrison, and Assistant City Manager Earl Bosworth. In addition, she invited all the Commissioners to the northwest community and all citizens from Pompano Beach to attend the 2nd series on Thursday, July 28, 2022 at 6:00 p.m. at the E. Pat Larkins Center.

Vice Mayor Perkins thanked Ms. Houston Jones for the event and mentioned that there is such a critical need

in the City for housing. She encouraged her to keep up the good work.

**Youth Sports** - Tyler Ziontz, President, Pompano Beach Riptide Softball, 1124 SW 2nd Avenue, Pompano Beach, FL, president of Riptide Softball organization. He is commenting on behalf of the youth sports, specifically, girls' athletics softball. He mentioned that he checked online for the most recent plan on Kester Park but could not find it and asked if that could be made available to the public. He indicated that at the presentation to the Commission, Horacio Danovich mentioned the batting cages, which are not on the plan. He supports the Park but after listening to Dr. Arnold earlier, he got spun in a different direction.

**Homelessness and Unsafe Issues at Kester Park** - Mr. Ziontz mentioned that for the last 10 years that he has been involved at the Kester Park there have been issues. The bathrooms are horrific and the new bathrooms are still troubled by the homeless issues. In addition, on the playing field there are used condoms, drug paraphernalia and homelessness, which he has not seen being addressed. As part of this project in making this facility beautiful, there is a need for first class baseball and softball facilities. The kids deserve a real fencing, and they are losing the open space park that is unique to Kester Park. However, they are gaining a new sports complex that is needed. He requested that the City look into the homelessness and the issues in the Park, and that sports matter to the City.

**Non-Profit Funding Process** - Delvin M. King, Executive Director, Youth Under Construction, 178 N. Powerline Road, Pompano Beach, FL, stated he requested a list of Non-Profits recipients, but organizations such as Youth Under Construction, as well as other black managed organizations were not approved. Therefore, he is trying to understand the reasons why this is so. He mentioned some of the Non-profit organizations that were awarded funding by the City that he opined are multi-million dollar organizations that are not operating in Pompano Beach. He inquired what he needs to do to get funding for his organization that operates here in the City.

Mayor Hardin mentioned that there is a procedure in place and the City Manager will be able to provide all the information on how the process works.

Greg Harrison, City Manager stated that Mr. King had requested a meeting with his office, which has been set up to go over the process of the procedure in this regard.

**Kester Park Issues** - David van der Most, 432 NE 4th Street, Pompano Beach, FL, stated that he had planned to speak on the Kester Park issues, however, Dr. Arnold did a great job in bringing this to the City Commission's attention. However, he wanted to express his concerns where there appears to be votes being held at times without the Commission having all the necessary data needed to make an informed decision prior to that vote being cast. He mentioned that what went out on Kester Park created confusion in people's mind and people were looking at information for the first time, after the Commission had already voted on the plan.

Continuing, Mr. van der Most mentioned that at previous meetings, he recalls the up and coming consideration to further restrict traffic on Atlantic Boulevard from NE 1st to NE 18th (where Wendy's is located). He indicated that he has heard several people on the Commission voice their frustration and confusion of what was going on, looking at screens and trying to figure what is what. Despite one third of the Commission having confusion, and obviously did not know what was going on, it was voted on and passed unanimously.

Mr. van der Most stated that now there is discussion on the Kester Park project, he finds it disconcerting to know that the Parks and Recreation Advisory Board did not have an opportunity to “weigh in on it.”

In sum, Mr. van der Most stated that the City should not be voting on any issue that they have not been thoroughly briefed upon prior to committing resources.

Finally, Mr. van der Most indicated that he has sat on many committee meetings in the City and at times he has seen little to no participation from the community in various meetings. He asked, “How can the Commission vote if they are not hearing from the citizens. Furthermore, why would people donate their time to committees when people such as Dr. Arnold put so much time into creating reports for the Commission.” So, they should think about how to activate people in the City.

**Mt. Calvary Baptist Church Opportunities for their Property** - Braden Jones, Pastor of Mt. Calvary Baptist Church, 800 NW 8th Avenue, Pompano Beach, FL, stated that he represents the Mt. Calvary Baptist Church in Pompano Beach. He thanked the Mayor and the Commission for consistently providing opportunities for the church as they provide resources back to the community. He invited members of the dais to join them on August 14, 2022 for a Back to School festival with local gospel artist, Kenton Jones, where they will be canvassing the communities, giving back uniforms, shoes, tablets and other things to those individuals that reside in the apartments within the vicinity.

Continuing, Mr. Jones mentioned that the Church is in the process of discussing internally, what they want to do with the property they currently have. So, united, they are discussing the possibilities. They recently reached out to Miriam, Carrillo, Director, Office of Housing and Urban Improvement (OHUI) about the 3 properties on the northeast section that was recently fenced. They wanted to see if in any way possible the City and OHUI could partner with them for any future ways where the church could be included. If not, if there are any affordable housing units being placed there by the City, which will not interfere with any future plans they are looking to do with the property.

Vice Mayor Perkins mentioned that the concern within the community is that whether the 3 houses would interfere with the exit entrance that the church might put on their property. She indicated that she has been receiving calls to this regard.

Mr. Jones provided a brief background on the history of the property he learned about since he has only been with the Church for over a year.

Mayor Hardin suggested that Mr. Jones reach out to City Manager Harrison on the matter to provide him with their concerns and find out the plans for the property.

**Businesses with racial tendencies** - Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, thanked the City Attorney for returning his call when he was looking for information on an issue dealing with whether staff could talk to the residents about doing business with certain people. He hopes when the Commission returns from vacation, if staff brings back proposals for people with racial tendencies that the City does not do business with businesses that have racial tendencies in their background.

**Place to Race Toy Cars** - Mr. Thrower stated that he was at the Barber Shop recently and they mentioned that they would like a place where they can race their toy cars. They have been asking for this over the years, and there is plenty of land but they cannot go to race their toy cars. Therefore, he wanted to know where they could go to enjoy this hobby of racing toy cars.

Mayor Hardin understands Mr. Thrower is talking about Moroso Motorsports Park, but there is not enough land in the City of Pompano Beach to accommodate something of that nature.

**Funding for the Henri Crocket Foundation** - Mr. Thrower indicated that the Henri Crocket Foundation Not-for-Profit organization was mentioned earlier by a prior speaker. He informed the Commission that Henri Crocket this summer, like he does every year, sponsors a Back to School event in the City. Therefore, he would like to find out where did Henry Crocket score during the process of granting funding to Not-for-Profit organizations that are working in the City.

Greg Harrison, City Manager clarified that the prior speaker who mentioned Henri Crocket was only 50% correct. On the 501 (c) 3 Non-Profit applications that went through Strategic Philanthropy, the Henri Crocket application was denied. However, he was funded under the CDBG program that OHUI department funds. He asked for \$20,000 and he will receive \$20,000.

**Churches participation in City's CHDO Program** - Mr. Thrower stated that it is customary that when the City is doing something next to the ministry of that Church mentioned by Mr. Jones earlier, that the City work closely with those ministries. He indicated that it would be good for the churches to become partners with the City's CHDO program to allow them the opportunity to do something with their property such as housing.

### **C. CONSENT AGENDA**

Mayor Hardin requested a motion to Approve/Adopt Items 1- 3 without City Commission discussion.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Consent Agenda be APPROVED. The motion carried unanimously.**

1. [22-490](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ADOPTING A PROGRAM FOR PUBLIC INFORMATION RELATING TO FLOOD HAZARDS IN THE CITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the**



**Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2022-195**

2. [22-513](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOUCHER BROTHERS POMPANO BEACH, LLC TO OPERATE THE RENTAL OF BEACH EQUIPMENT AND CABANAS TO THE PUBLIC PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: The licensee will pay the City an annual minimum guarantee of \$65,000 first year or 20% of gross revenues whichever is greater with minimum guarantee increase of \$2,500 each year.)

(Staff Contact: Mark A. Beaudreau)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2022-196**

3. [22-496](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING RESOLUTION NO. 2020-155 TO REAFFIRM THE ALLOCATION OF FORTY-ONE FLEX UNITS FOR A PROPOSED RESIDENTIAL DEVELOPMENT LOCATED AT 700 NW 31ST AVENUE AND TO PROVIDE AN EXTENSION TO THE TIME ALLOTTED FOR THE ISSUANCE OF A PRINCIPAL BUILDING PERMIT CONSISTENT WITH SECTION 154.61 OF THE CITY CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: (Jean Dolan/David Recor)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.**

**Enactment No: RES. No. 2022-197**

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

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

Mark E. Berman, City Attorney, advised that Items 4 and 5 are listed under Quasi-Judicial Proceeding and are quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff

would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

Asceleta Hammond, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in the following matters.

4. [22-499](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE ELWIRA PLAT LYING ON THE SOUTHEASTERN CORNER OF POWERLINE ROAD AND NW 16TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(**Staff Contact:** Jean Dolan/David Recor)

Jean Dolan, Development Services Department, presented the item and stated it is a proposed Plat for a 0.46-acre property located at 1570 N. Powerline Road, which is on the south eastern corner of Powerline Road and NW 16th Street. The property has a Land Use Designation of Industrial and is zoned I-1. The Plat restricts the property to a maximum of 11,000 square feet of industrial use. The site is currently occupied by a 2,592 square foot structure. The applicant is proposing to demolish the building and construct a new building and parking lot. The Planning & Zoning Board unanimously recommended approval at their hearing of August 25, 2021. Staff recommends approval.

Applicant was present for questions only.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: RES. No. 2022-198**

5. [22-500](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE ATLANTIC INDUSTRIAL PARK PLAT LYING WEST OF THE CSX RAILROAD AT THE TERMINUS OF NW 1ST STREET AND ON THE NORTH SIDE OF NW 1ST STREET EAST OF NW 16TH AVENUE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact: Jean Dolan/David Recor)**

Jean Dolan, Development Services Department, presented the item and stated it is a proposed Plat for approximately 1.7-acre property that is currently vacant. It is located at 1528 W. Atlantic Boulevard between the CSX Railroad track and NW 16th Avenue north of Atlantic Boulevard. The Plat restricts the property to a maximum of 48,000 square feet on Industrial use, which is actually 26% less than the maximum entitlements on the property. The applicant is proposing to construct 4 - 1 story boutique warehouse office buildings each with a small outdoor storage yard. The site accommodates vehicles up to the size of box trucks but no larger. The Conceptual Site Plan was submitted with the Plat and is currently under review by the Development Review Committee. The Site Plan includes a type C buffer with an 8-foot wall adjacent to the residential to the north and west. The buildings are setback 6 feet from the property line adjacent to the residential to the west and 30 feet from the property line to the north. The access will be from the existing unpaved right-of-way for NW 1st Street, which will be paved. Staff will require a right and left out condition into and out of the property to address north bound cut through traffic at NW 16th Avenue. The review standards of the Plat found in Article 5, Section 7 of the Code of Ordinances have been met. Staff recommends approval of the Plat. The Planning & Zoning Board motion to approve failed 3-3 at their hearing on June 22, 2022.

Applicant was present for questions only.

Vice Mayor Perkins inquired what is planned to be put in the warehouses.

Elizabeth Tsouroukdissian, Platting Assistant, Pulice Land Surveyors, Inc., responded that on behalf of the applicant, she is unsure whether they will lease. This is a Plat approval. They have plans to stay low key.

Paola West, Land Planner with Plan West, 10152 Indiantown Road, Unit 159, Jupiter, Florida, provided some information because she is assisting the applicant with the Site Plan. It is in redesign because they have received comments from the Development Review Committee (DRC) and they are working on addressing those comments. They have not resubmitted the Site Plan, but it is moving the same time as the Plat. She understands that they do not have any tenants at this time so they could not say what will be stored in the warehouses, but the project is warehousing with office and there is outdoor storage proposed to be in the back, which will go through the Zoning Board of Appeals (ZBA) for a special exception.

Comr. McGee inquired if they have some idea who they would be marketing the warehouse to, and would this be anything from lawn care maintenance, window installation and that type of business. Or would it be for long term recreational storage.

Ms. West responded that it would be for small items that would need to be stored outside.

Mark Antonelli, 730 NW 9th Street, Fort Lauderdale, FL, was sworn in by the City Clerk. He stated that they do not have any tenants in mind or in place yet. They intend to occupy 2 warehouses, so they will be a tenant. They are a construction company with very little but some stuff they would like to keep outside. The offices and warehouses are small in nature meant for businesses with small items.

Comr. McGee is excited to see this come on board as people are looking for these types of warehouses and offices.

Vice Mayor Perkins asked if they need to notice the surrounding neighbors, but was told because it was a Plat there was no need to notice.

Mayor Hardin wanted to be assured that no tractor trailers would get in the area to unload products. Ms. West indicated that the area is too small to accommodate those big trucks. She also confirmed that when this matter goes before the Zoning Board of Appeals for Special Exception the surrounding property owners will get noticed.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Quasi-Judicial/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Hardin

**No:** Perkins

**Enactment No: RES. No. 2022-199**

**END OF QUASI-JUDICIAL PROCEEDING**

6. [22-510](#) Request City Commission approval to issue purchase orders to Tom Evans Environmental, Inc., the sole certified distributor for EBARA Pumps Americas Corporation, for the purchase of pumps, parts and equipment for the rehabilitation of Wastewater Lift Station 61, based on section 32.45 (Standardization) of the City Code of Ordinances.

(Fiscal Impact: \$918,474.00)

**(Staff Contact: Phil Hyer)**

Nathaniel Watson, Acting Utilities Field Superintendent, presented the item and stated that this is a request to purchase pumps and appurtenances for the rehabilitation of Lift Station 61, located at 2000 SE 5th Court. This particular station was last upgraded in 2001, and on an average, it discharges about 1.6 million gallons of sewer to the Broward County Plant. The design for the station is completed and the project is currently undergoing regulatory permitting and plan review. The standardized pumps being requested are specific to the rehabilitation design of the station. The approval would place the order in cue for in time construction delivery and allow the City to realize a net savings in sales tax and handling fees of \$101,000. This would enhance wastewater services for the area.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, asked if there is an invoice for these parts for the

lift station.

Mr. Watson responded that the quote is included in the backup. Furthermore, staff could get an itemized cost but generally it was requested to put a quote in for what is needed in regard to design.

Mr. Skversky suggested that the Commission be provided with line item costs so they can review everything to ensure this is the proper stuff.

Greg Harrison, City Manager explained the reason there is no invoice at this time as a quote must be in place first to obtain Commission's approval to move forward after which the numbers will be put on an invoice and procurement will commence for the parts.

Mayor Hardin indicated that if Mr. Skversky wanted to find out about what each nut and bolt is valued at within the \$918,474 fiscal impact presented that will come later from the vendor.

David van der Most, 432 NE 4th Street, Pompano Beach, FL, inquired if this is a budgetary number that staff is presenting.

Mr. Watson responded yes.

Mr. van der Most inquired if any consideration has been given to alternate equals if an entire unit had to be replaced, rather than going through one distributor, which could save money. He mentioned he has built several water treatment plants during his career, so his concern is when you get into locking into one individual, prices can get "a bit rocky to say the least." He inquired if there is anybody else that staff could look at for alternates when they have to replace an entire unit.

Mr. Watson responded that they have considered alternates, and are constantly looking for the best bargain for the repair so that they can deliver the service at the best price.

Mr. van der Most requested a tour of the facility.

Mr. Watson mentioned he will take it up with the Utilities Director.

Vice Mayor Perkins asked if the Lift Station currently exist there.

Mr. Watson responded that there is an existing Lift Station that is there, and they are upgrading the Lift Station to make it current to make it more efficient and to keep pace with the population being served.

Mayor Hardin inquired if the City is locked in to use EBARA Pumps across the City, so if a replacement part is acquired it will fit the rest of the pumps. Also, at what point in time would an idea be entertained to not standardize, or they have such good response with this type of pump that they would stay with it and standardize it across the system. He opined that \$918,000 is a lot of money for a non-bid situation. Therefore, when do they make a decision to look at alternates who could provide the same service for less money.

Mr. Watson responded that there are 2 things that are taken into consideration when staff is looking at a particular type of manufacturer. One is the reputation of the pump, and the other is it designed specifically for the use. The pump in and within itself if it is out of the specification of the design for the Lift Station does not serve the purpose. So, staff is constantly solicited by contractors and manufacturers in the field that are looking to provide what is out there in the market. Not only does staff take a look at it but they ask the design engineers to take a look at what is out there in the market place. So, if staff can find the pump that will give the same lift capacity and range dynamic as the EBARA pump and it has the performance history and is cost competitive, then that is something they would look at and go after. It really is a 2-stage process. It is the pump itself and it is the design criteria with respect to the Lift Station.

Mayor Hardin asked how many Lift Stations of this type does the City have.

Mr. Watson responded that they service approximately 60 Lift Stations between Pompano Beach and Lauderdale-By-The-Sea. He mentioned that there is a capital improvement program in place where staff is constantly upgrading and rehabilitating as needed by pump stations and lift stations. In this subject matter, this happens to be a major rehabilitation. He then explained what some rehabilitation that could take place.

**A motion was made by Commissioner McGee, seconded by Commissioner Eaton, that the Regular Agenda/ Approval Request be APPROVED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

7. [22-497](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CLEAN WATER STATE REVOLVING FUND CONSTRUCTION LOAN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA WATER POLLUTION CONTROL FINANCING CORPORATION FOR NE 3RD STREET AND NE 4TH STREET STORMWATER DRAINAGE IMPROVEMENT PROJECT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,840,250 financed over the maximum SRF 20-year term with Stormwater Revenues)

(Staff Contact: Kerone Grant/Nathaniel Watson)

Kerone Grant, Utilities Business Operations Analyst, presented the item and stated that the State Revolving Fund Loan Agreement is for NE 3rd and 4th Streets Stormwater Improvement project. In May, the City Commission approved the loan application, the State reviewed the application, and forwarded the official loan

agreement, which is being presented to the City Commission at this time for approval. There were no changes to the application since the approval in May, however, they did finalize the interest rate, which is zero percent.

Comr. McGee mentioned that the rate was excellent and commended staff for doing a good job with this loan.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: RES. No. 2022-200**

8. [22-449](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO THE PROVISION OF FIRE RESCUE SERVICES, FACILITIES AND PROGRAMS THROUGHOUT THE INCORPORATED AREA OF THE CITY OF POMPANO BEACH, FLORIDA; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE RESCUE ASSESSMENTS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR EXEMPTION; PROVIDING FOR A VACANCY ADJUSTMENT FOR MOBILE HOME PARK PROPERTY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$26,294,305)

**(Staff Contact:** Erjeta Diamanti)

Erjeta Diamanti, Budget Director, presented the item and stated that the purpose of the Fire Assessment program is to provide a dedicated source to the fire operations, and fees paid to the City under this program cannot be used for any other purpose including the EMS services. The preliminary fire assessment rate Resolution is required to be passed by the City Commission as part of the annual process of the adopting of the fire assessment program and fees for fiscal year 2023. This is an update of the assessment roll commencing October 1, 2022.

Continuing, Ms. Diamanti mentioned that the fire assessment fees have been adjusted from last year with Residential rates being \$258 per unit; Non-residential properties per square foot, and Commercial properties is 0.357; Industrial or Warehouse is 0.191; and Institutional 0.441. The proposed fire assessment fees are anticipated to assess \$26,294,305 gross revenues collected by the City. The City will be utilizing the TRIM

notice for this purpose, therefore the final meeting without the fire assessment fees is scheduled for September 12, 2022 at 5:15 p.m. in the City Commission Chamber, which is the first public budget hearing.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: RES. No. 2022-201**

9. [22-454](#) **P.H. 2022-72: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE LIVE! RESORTS POMPANO PD PLAN AS PERMITTED BY SECTION 155.3604., "PLANNED COMMERCIAL/INDUSTRIAL (PCD)," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCE, TO PROVIDE A MODIFIED SIGN CODE FOR ALL PROPERTY AND DEVELOPMENT WITHIN THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: JULY 12, 2022**

**(Staff Contact: Jennifer Gomez)**

Jennifer Gomez, Assistant Director, Development Services Department, presented the item and stated that this is the Second Reading of Live! Resorts Pompano PCD zoning district text amendment for signage. The City Commission voted in favor of the signage text amendment during the First Reading, but gave the applicant some directions specifically to adjust the proposal related to general advertisement and the size and frequency of some of the signage types. Following the First Reading of the Ordinance the applicant has removed the request for general advertising, and instead, clarified that identification of off-premise sponsors on-premise locations will be permitted within the signage. They have also reduced the number of Pylon Signs to 2 total and the size of these signs. They clarified that the roof may now extend more than 10 feet above the building, and they have reduced the maximum square feet of signage allowed per building façade. There are a few other housekeeping items made throughout for clarification and order.

Debbie Orshefsky, on behalf of the applicant stated that Corey Long with the Cordish Companies is also available. She commended staff and particularly the City Attorney for their assistance to come up with a resolution for a dilemma for off-premise sponsors of on-premise activities and locations, which is something that



adds to the vitality and excitement within this kind of facility.

Continuing, Ms. Orshefsky mentioned that they had approached it to have this new thing called the "Sponsorship Sign" and the suggestion that came from the City Attorney's Office and was implemented with staff to look at the need of having that kind of sign versus just having that kind of ability to advertise those off-premise companies for on-premise activities and locations, which the applicant was in favor of. They were able to avoid all the concerns that were raised by the Commission at First Reading. She believes they have come up with a solution that works for everyone and assist the City in creating the kind of sign code that was desirous for this site. The other things they did were all reality checks, which she described in detail. In sum, they trimmed out the fat and cleaned up some language, therefore she wanted to applaud the City Commission, staff and the City Attorney for working with them to come up with what they think is a real success story in terms of a Sign Plan.

Mayor Hardin thanked Ms. Orshefsky for the meeting they had, as well as thanked staff and the City Attorney's Office for figuring ways to address some of the issues that was creating some angst. He believes they have a better product going forward. Good cooperation that is a hallmark of a good City and good corporate partners.

Comr. Floyd thanked them for providing her with a better understanding and making the adjustments.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2022-58**

10. [22-467](#) **P.H. 2022-73: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO MODIFY THE CORRESPONDING CHART TO PROPERLY DESIGNATE DISTRICTS AUTHORIZED FOR DRIVE-THRU SERVICE; AND AMENDING APPENDIX A: "CONSOLIDATED USE TABLE," TO REFLECT SAID ADDITIONAL USE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: JULY 12, 2022****(Staff Contact:** Daniel Keester-O'Mills/David Recor)

Daniel Keester-O'Mills, Principal Planner, Development Services Department, presented the item and stated that this is the Second Reading of an Ordinance to allow for drive throughs as an accessory use in the B-2 zoning district. There have been no changes since First Reading.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2022-59****11. [22-478](#) P.H. 2022-71: (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 THREE-YEAR LABOR AGREEMENT BETWEEN THE POMPANO BEACH PROFESSIONAL FIRE FIGHTERS, LOCAL 1549 OF THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS AND THE CITY OF POMPANO BEACH; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$8.76M over three years )

**FIRST READING: JULY 12, 2022****(Staff Contact:** Brian Donovan/Ed Beecher)

Brian Donovan, Assistant City Manager, presented the item and stated that this is the Second Reading of an Ordinance to adopt a 30-year agreement with the fire union. There have been no changes since First Reading.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2022-60**

12. [22-448](#) **P.H. 2022-76: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE RANKING ORDER FOR RFP E-15-22 FOR TRENCHLESS REHABILITATION AND PIPE BURSTING TECHNOLOGY; AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE HIGHEST-RANKED COMPANY, MURPHY PIPELINE CONTRACTORS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed \$3,000,000 per year (construction))

**SECOND READING: JULY 12, 2022**

(**Staff Contact:** Nathaniel Watson/Phil Hyer)

Nathaniel Watson, Utilities Department, presented the item and stated that this is a reverse Reading so it is actually the First Reading of the proposed Ordinance. The Second Reading was passed without any issues. However, Comr. Eaton had asked with regard to what would be the cost per footage in comparison to pipe bursting versus open cut installation. He indicated that after research, they found that it is about \$200 per foot versus \$350 to \$400 for open cut installation.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: ORD. No. 2022-57**

13. [22-498](#) **P.H. 2022-75: (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 AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MARLIN ENGINEERING, INC. FOR CONSULTANT SERVICES FOR COUNTY SURTAX FUNDED TRANSPORTATION STREETSCAPE IMPROVEMENTS ALONG RIVERSIDE DRIVE FROM ATLANTIC BOULEVARD TO NE 14th STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$699,762.10)

**(Staff Contact:** Fernand Thony/Horacio Danovich)

Horacio Danovich, Stegia LLC, Consultant for the City, presented the item and stated that this item relates to a project that started several years ago, which pertains to improvements on Riverside Drive between Atlantic Boulevard and NE 14th Street. The item was proposed to the County for surtax funding along with 3 other projects. It was highly ranked and was selected to receive full funding for design purposes, and some funding for construction. The design carries \$729,000 of surtax moneys which is available. He then presented an overhead depicting the background of the project and the progress made to date. See **Exhibit 2** attached.

Mr. Danovich stated that the project will take approximately 15 months to be completed in terms of the design process, so there is an anticipated start date of October 1, 2022. In addition, moneys are set aside for 12 months of construction administration that will happen afterwards. He reiterated that there are no City moneys that will be coming to specifically pay for this project, rather, it is surtax moneys that will cover the amount of \$699,000. In addition to that there is \$5.2 million in a separate account that will become available to the City in the future, once the County makes it available. All paper work has been completed with the County so they are ready to begin the process with Marlin Engineering, Inc. subject to the City Commission's approval.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, stated he did not see any bike lanes in the presentation.

Mr. Danovich responded that at the present time they are not entertaining bike lanes. They will try to build this road using complete streets and then try to integrate all modes of transportation throughout the entire project. He confirmed that there is no room for bike lanes.

Comr. McGee congratulated Mr. Danovich for getting through with the surtax and acquiring the funds. She is aware that this is super competitive and they are looking for projects such as this one.

A discussion between Comr. McGee and Mr. Danovich followed on the steps to alternate the roadways to accommodate sidewalks. It will be challenging to create a full linear sidewalk on one side of the street, but they will try to make as much as they can.

Continuing, Mr. Danovich provided comments on traffic calming that he did not include in the backup information. They will use traffic calming devices to slow down traffic in the area.

Comr. Eaton echoed Comr. McGee's points and stated this is another piece of the puzzle in the area and it is a tough street with a lot of speeding, and it would be great to see it beautified and make it more pedestrian and bike friendly. Kudos and great that the moneys came from the County.

Mayor Hardin clarified that there will not be any separate bike lanes because there is no room but similar to part of Cypress Road bikes can use the road itself, and expect the same on Riverside Drive.

Mr. Danovich responded that they will be looking into how they can "share the roads."

Mark Berman, City Attorney, stated that based on what Mr. Danovich commented earlier, he mentioned that this is a new process with the County and there was so much shifting in the process with staff bringing things back before the Commission that were already approved. He praised the efforts of Assistant City Attorney, James Saunders for working closely with the County and Mr. Danovich in getting this project and other projects and trying to work out the many differences. Everyone is trying but it does not mean it was easy. He has showed a lot of patience, and effort, and this is an ongoing process.

Mr. Danovich agreed with Mr. Berman and mentioned that Mr. Saunders' work in this regard was phenomenal. He was able to navigate through the process and help the City with this and his efforts will not go unnoticed.

Mayor Hardin thanked Mr. Berman for bringing this to the Commission's attention and Mr. Saunders for his efforts in this regard.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

14. [22-511](#) **P.H. 2022-74: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING TO TAMPA ELECTRIC COMPANY FOR THE BENEFIT OF ITS NATURAL GAS DIVISION, PEOPLES GAS SYSTEM, A DIVISION OF TAMPA ELECTRIC COMPANY, ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE NATURAL GAS FRANCHISE AGREEMENT TO USE THE PUBLIC RIGHTS- OF-WAY OF THE CITY OF POMPANO BEACH, FLORIDA, AND

PRESCRIBING THE TERMS AND CONDITIONS UNDER WHICH SAID FRANCHISE MAY BE EXERCISED; MAKING FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, presented the item and stated that the City's previous franchise agreement with TECO People's Gas has expired and the renewals can no longer be extended. This is a new agreement with TECO People's Gas for 10 years with 2 - 10-year renewal periods. The terms and conditions are similar to the previous agreement and this same agreement is being used throughout the State. The City receives 6% of gross revenues from TECO People's Gas every month, which amounts to approximately \$130,000 annually.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Ordinance be APPROVED FIRST READING. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

15. [22-515](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING SHARON FORNES TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF MARY ANN BARKER; SAID TERM TO EXPIRE ON SEPTEMBER 26, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Sharon Fornes, Alternate #1, **Incumbent** - District 5

Tod Weston, Alternate #2, **Incumbent** - District 1

Kim Boros - District 3

(Staff Contact: Asceletha Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name SHARON FORNES. Commissioner Floyd nominated Sharon Fornes. The motion carried unanimously.**

**Enactment No: RES. No. 2022-202**

16. [22-516](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING TOD WESTON TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #1, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 22-515 FOR APPLICANTS.**

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name TOD WESTON. Commissioner McGee nominated Tod Weston. The motion carried unanimously.**

**Enactment No: RES. No. 2022-203**

17. [22-517](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING KIM BOROS TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #2, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 22-515 FOR APPLICANTS.**

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name KIM BOROS. Mayor Hardin nominated Kim Boros. The motion carried unanimously.**

**Enactment No: RES. No. 2022-204**

18. [22-518](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING ROBERT ZBIKOWSKI TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Robert Zbikowski, Real Estate Appraiser/**Incumbent** - District 1

Joby Balint, Architect/**Incumbent** - District 1

Salah Elroweny, Landscape Architect General Contractor, **Incumbent** - District 3

Ray Lubomski, Civil Engineer/Alternate #1, **Incumbent** - District 3

Brian Campbell, Minister & Architectural Design/Alternate #2 - District 4

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be **ADOPTED** and to insert the name **ROBERT ZBIKOWSKI**. Commissioner McGee nominated Robert Zbikowski. The motion carried unanimously.

**Enactment No: RES. No. 2022-205**

19. [22-519](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOBY BALINT** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 22-518 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be **ADOPTED** and to insert the name **JOBY BALINT**. Commissioner McGee nominated Joby Balint. The motion carried unanimously.

**Enactment No: RES. No. 2022-206**

20. [22-520](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **SALAH ELROWENY** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 22-518 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be **ADOPTED** and to insert the name **SALAH ELROWENY**. Commissioner McGee nominated Salah Elroweny. The motion carried unanimously.

**Enactment No: RES. No. 2022-207**



21. [22-521](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING BRIAN CAMPBELL TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 22-518 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name BRIAN CAMPBELL. Commissioner McGee nominated Brian Campbell. The motion carried unanimously.**

**Enactment No: RES. No. 2022-208**

22. [22-522](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RAY LUBOMSKI TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**PLEASE REFER TO FILE ID NO 22-518 FOR APPLICANTS.**

(Staff Contact: Asceleta Hammond)

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED and to insert the name RAY LUBOMSKI. Commissioner McGee nominated Ray Lubomski. The motion carried unanimously.**

**Enactment No: RES. No. 2022-209**

23. [22-424](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING THE CITY MANAGER AUTHORITY DURING THE CITY COMMISSION'S AUGUST HIATUS TO PERFORM AND FINISH SUCH MATTERS AS MAY HAVE BEEN BUDGETED AND AUTHORIZED, SUBJECT TO RATIFICATION THEREAFTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Greg Harrison)

Greg Harrison, City Manager, presented the item and stated that this is an annual Resolution that is brought

before the City Commission for approval as they embark on their annual hiatus for the month of August.

**A motion was made by Vice Mayor Perkins, seconded by Commissioner McGee, that the Regular Agenda/ Resolution be ADOPTED. The motion carried by the following vote:**

**Yes:** Eaton  
Floyd  
McGee  
McMahon  
Perkins  
Hardin

**Enactment No: RES. No. 2022-210**

**E. ADDITIONAL AUDIENCE TO BE HEARD**

Asceleta Hammond, City Clerk confirmed that there were no additional speakers for Audience to be Heard.

**F. NEXT SCHEDULED MEETING**

Mayor Hardin announced the next scheduled meetings are as follows:

September 12, 2022 at 5:15 p.m. – First Public Budget Hearing - Special City Commission/ EMS Taxing District Meetings

September 13, 2022 at 1:00 p.m. - Regular City Commission Meeting

September 19, 2022 at 5:15 p.m. – Final Public Budget Hearing - Special City Commission/ EMS Taxing District Meetings

September 27, 2022 at 6:00 p.m. - Regular City Commission Meeting

**G. REPORTS**

**Gregory Harrison, City Manager - Transition of Waste Hauling company** - Mr. Harrison distributed a copy of a briefing for the City Commission regarding the waste hauling transition from Waste Management to Coastal. He asked that the City Commission contact Brian Donovan, Russ Ketchem or himself if there are any questions on this memorandum. Mr. Ketchem has been working hard in getting this organized and he believes it will be a smooth transition.

**Utilities Department Award** - Mr. Harrison announced that another award has been awarded to the Utilities Department. Today, they have been granted a Utilities of the Future Award for 2022 and it is primarily for the planning that the Utilities Department does to keep everything in advance of when things are actually needed.

Mayor Hardin stated this speaks volumes of the management of the City and thanked Mr. Harrison for this report.

**Recognition of City Employees** - Mr. Harrison mentioned that the Chamber of Commerce had a Shining Star Program and he announced that this year Suzette Sibble, Assistant City Manager will be receiving the Guiding Light Award.

The other employee recognized in the South Florida Business Journal was Cindy Lawrence, Risk Manager who was recognized for her efforts in Risk Management.

**Best Wishes** - Mr. Harrison wished the City Commission a Happy Hiatus and said they deserve it because they have spent a lot of time and effort with staff regarding the budget.

**Mark Berman, City Attorney -Tractor Trailers parking in residential neighborhoods** - Mr. Berman stated that at the last meeting Vice Mayor Perkins directed the Police Chief and himself to look at the parking situation with the tractor trailers in residential neighborhoods, and the rest of the Commission joined in this request.

Mr. Berman reported that they have worked diligently on amending the Code accordingly, but it was not done in time to get on the current Agenda, but it is set to appear before the Commission at the first meeting in September.

**Best Wishes** - Mr. Berman wished the City Commission a great and safe time off and will see everybody in September.

**Ascelela Hammond, City Clerk** - No Report.

**Best Wishes** - Ms. Hammond wished the City Commission a restful and peaceful hiatus in August.

**Commissioner Rhonda Eaton - Best Wishes** - Comr. Eaton wished everyone a happy hiatus and look forward to getting back in September.

**Commissioner Cyndy Floyd - Best Wishes** - Comr. Floyd wished everyone a happy hiatus. She also announced that her 55th Birthday will be coming up on August 6, 2022. The Commission wished her Happy Birthday when it comes.

**Assistance with Grant Writing Process** - Comr. Floyd stated that she has discussed with the City Manager getting together to try and come up with possible ways to help people with the grant writing process to make it easier for those folks.

**Involvement in Meetings** - Comr. Floyd indicated that she would like to be involved in the Booster Club meeting and the meeting with Mr. King regarding the grants, so the City Manager could provide her with the dates when they are available.

**Commissioner Andrea McGee - Scuba Diving** - Comr. McGee stated that the mini lobster season is coming up this week, so she encouraged the divers to be careful as they go diving for these.

**Pompano Beach Pier Clean-up** - Comr. McGee announced that Dixie Divers who have been doing pier clean-up in Deerfield Beach for a number of years, will now be doing Pompano Beach pier clean-ups on September 3, 2022, which is the Labor Day weekend. So, they are looking for divers to go in the water and people to clean up on the beach. Last year in Deerfield Beach they had 451 participants, and picked up 610 pounds of trash, including over 638 hooks and 4,829 weights. For more information you can check their website at DXdivers.com.

**Best Wishes** - Comr. McGee wished everyone a great hiatus.

**Commissioner Tom McMahon - Lyons Park Stormwater and Wastewater Improvements** - Comr. McMahon stated that Lyons Park Stormwater and Wastewater improvements are moving forward. He understands that there are heartburns regarding the roads not being available, but this is a major construction project. This is the largest drainage project the City has ever done in the area at the tune of \$25 million. The people who live in the area understands the need for the improvements. The project is moving forward and the Engineering teams are on standby. A second letter will be mailed out that will show the current improvements, what is happening and there are 2 more pages of an updated schedule, as the project encountered delays due to COVID-19 and the hurdles to getting supplies, materials and labor. This has been emailed to all the 400 residents in the Lyons Park area, as well as 200 additional to the surrounding business areas that are impacted by this project. Any questions on this project, he encouraged residents to call the Engineering Department at 954-786-5512.

**Youth Sports Complex** - Comr. McMahon provided an update on the Youth Sports Complex. He toured it last week with the contractor. The project is moving along and they are looking forward to the new decorative fence that will go on 10th Street, which will match the Sample McDougald House looks. The park is shaping up as the parking lot and the new structure in the middle of it can be seen, and the 2 fields that will be lighted with the new LED directional lights. This project should be completed by the end of the year.

**Vice Mayor Beverly Perkins - Ordinance Amendment for Truckers** - Vice Mayor Perkins thanked the City Attorney for looking into the Ordinance for the truckers parking in residential areas.

Vice Mayor Perkins acknowledged a former employee, Jessie Durbin who had worked for the City for approximately 48 years, and who passed away in May. She worked in Payroll in the Finance Department during those years. Therefore, she wanted to acknowledge Ms. Durbin for her services and dedication to the City. Her daughter LaDonna currently works at the Parks and Recreation Department. She wanted the family to know that the Commission appreciated her services for working with the City.

**Best Wishes** - Vice Mayor Perkins wished everyone a great time off.

**Mayor Rex Hardin - Gun Buy Back Event** - Mayor Hardin inquired about the Gun Buy Back event that took place this past Saturday.

Major Wayne Adkins, Chief of Police, Broward Sheriff's Office (BSO), reported that this past Saturday they had the gun buy back program at the E. Pat Larkins Center and in cooperation with the City's Recreation Department and Assistant City Manager Earl Bosworth and his team and the BSO team they obtained from people who voluntarily turned in their firearms - 19 long rifles, 31 handguns with a total of 50 firearms that was turned in. The gift cards that were given out were purchased through the Law Enforcement Trust Fund, so there was no monetary amount coming from the City. The participation was lower than some, because he has seen an over abundance prior, nevertheless, to collect 50 firearms from people who no longer want to keep them is still very significant in an effort to keep the firearms that sometimes end up being stolen to commit crimes on innocent people as well as used for other crimes on the street.

Mayor Hardin appreciated the efforts to get the guns off the street. He mentioned that at the Jasmine Brayboy march, it was one of the wishes of the crowd and those involved in the march in the northwest community to have a Gun Buy Back event to try and stop some of the violence in the community. He thanked all those who were involved and mentioned that they will try this event again.

Vice Mayor Perkins inquired about how much were the gift cards.

Major Adkins responded that the City and BSO gave away \$3,150 worth of gift cards. There were different levels for different calibers of firearms, such as high capacity vs. hand guns vs. rifles vs. shot guns.

**Habitat for Humanity Homeowner** - Mayor Hardin congratulated the latest Habitat for Humanity homeowner, the Miranda family. Last Saturday, he and Comr. Floyd were out there welcoming the new resident, Tanisha Miranda and her family to the Collier City area. He thanked Habitat for Humanity and all the sponsors for making this happen for the Miranda family.

**Acknowledging Lynne Warrick** - Mayor Hardin congratulated resident Lynne Warrick for being inducted into the Senior Hall of Fame by the Area Agency on Aging for Broward County. Ms. Warrick is 99 years young and she is still going strong.

**Acknowledging Laura Atria, Public Art Director** - Mayor Hardin congratulated the City's Public Art Director, Laura Atria, who recently had an art show in Wilton Manors. She had excellent works, tremendous imagination, and she also received funding from Broward County for her Art work.

**Political Signs** - Mayor Hardin mentioned he had some discussion with City Attorney Berman about political signs. It seems that every election there are issues with signs, either there are too many or they are too big or they are screwed into trees. Code Enforcement is always busy trying to stay on top of these signs especially since we are in election season now. So, he wondered if the City could relax the sign Ordinance on political signs only when there is an election. Mr. Berman has some ideas that it could be suspended for 2 months prior to November when it is election for the City. The issue is "dicey" because the sign Ordinance must be content neutral.

A discussion followed among the Commission, specifically Comr. Eaton on types of signs allowed in yards, and right-of-way and how this would impact protected speech.

Mr. Berman stated that they were not including right-of-way in the discussion. The conversation was more geared towards the number of signs on one's personal property and perhaps the size and to have some relief for that. There is no mention of political or campaign signs in the City's Sign Code which had changed based on the Supreme Court's decision some years ago. What is in the Code are for temporary off-premise signs, so an exemption would have to be done for the entire category, which would only be on residential property, or he could do what the Commission wants, but it would be a limited change. However, his concern is that "We are drilling a hole in the bottom of the boat to let the water so to speak" because of the fanaticism they see in the elections that are going on. It would not just be for local elections but it would have to be national or any elections. This would be opening the door and you do not know what you would be inviting into the neighbors' yard. Notwithstanding, he could do it minimally to see if some of these changes maybe in allowing a little bigger temporary off-premise sign or a larger number. He cautioned the Commission in whatever they decide to do should be done carefully and considerately in trying to avoid creating an issue. As it relates to rights-of-way he would not recommend that be considered at this time.

A discussion followed among the Commission to include Comrs. Eaton, McGee, McMahon, Mr. Berman, Mayor Hardin, and Vice Mayor Perkins on the feasibility of relaxing the current sign code during election time.

**Charter School Update** - Mayor Hardin asked that a written update be provided to the City Commission on the City's Charter School on where the City is with it, where are we going, and the plans in place for the School.

**Video Taped Incident Involving Vice Mayor Perkins** - Mayor Hardin indicated that he wanted to discuss the matter regarding the video tape that went National on an incident that took place in Fort Lauderdale involving Vice Mayor Perkins. He mentioned he expressed his disappointment at the last meeting on the matter, and has received numerous emails from people, some expressing that they will not vacation in Pompano Beach, some say they were planning to move to Pompano Beach and have now changed their mind. The episode that took place did damage to the reputation of the City of Pompano Beach. To be honest, he is not satisfied with the way Vice Mayor Perkins treated the situation. He is not so much concerned with what she said to the officer, but what crossed the line in his mind was the fact that she announced her title as Vice Mayor of Pompano Beach and then followed through with her comments to the officer. That to him took it into a completely different realm because that is how the City of Pompano Beach is reflected in that video tape that went International. He said this damaged the City's reputation that they have tried so hard to put forth for the City that we are a welcoming, progressive, friendly on the move City.

Continuing, Mayor Hardin stated that the title of Vice Mayor is one that is awarded to a Commissioner. People have emailed and called him yelling at him to fire her or get her out of office. He explained to them that is not how it works, because she was elected into office by the people of District 4, and she will stay in office. However, Beverly Perkins was not elected by the people of Pompano Beach to be the Vice Mayor, she was elected by the Commission to be the Vice Mayor. It was done at the time and he voted in favor of it and he felt it was the right thing to do. He is not comfortable with Comr. Perkins representing the City as the Vice Mayor any longer. The action that took place that was videotaped has damaged the reputation of the City, and he no longer has the faith that Comr. Perkins is a good representation for the City as a Vice Mayor. Therefore, he would make a motion that Comr. Beverly Perkins be stripped of the title of Vice Mayor and a new Vice Mayor be selected. Comr. McGee seconded the motion.

**MOTION: A motion was made by Mayor Hardin, seconded by Comr. McGee to strip Comr. Perkins of her title as Vice Mayor of the City of Pompano Beach, and a new Vice Mayor be selected. The motion was changed.**

Mayor Hardin stated that he had conferred with City Attorney Berman prior to this and asked if Vice Mayor Perkins would like to address this matter at this time or at a future meeting.

Vice Mayor Perkins indicated that she had already addressed the matter and there was no ticket issued, and provided her take at the last meeting, so she does not plan to do this at every meeting.

Mark Berman, City Attorney, stated that the issue on hand is the motion of removal, and does Vice Mayor Perkins at this time wish to address that, or does she need more time. So, if she does not want to address that, it has been covered for the records. At this point it is just a vote on the motion.

Tundra King, 124 NW 15th Street, Pompano Beach, FL, stated that she is appalled at what she is hearing tonight. It is ironic that the Commission could move so swiftly on something that was on a 50 second clip. In sum, she does not think using a 50 second clip to decide on a person's life, when that person from time to time have come before the Commission requesting the clean up of slum and blight in her district. The entire clip was not shown on the news and she claimed she knows what was on the entire clip. She believes this is what they fight for every day which is equality and racial fairness. She concluded that is not given to the community. She understands why Vice Mayor Perkins would have been upset in that incident.

Ms. King concluded that for "the Commission to make this decision tonight you are continuing to tell us that African-Americans do not matter in the City of Pompano." Perhaps she could have used a better word than a curse word, but there are a lot of days she would want to say some curse words to the Commission because it is frustrating. She does not think it is fair and this has nothing to do with the people that live in the northwest community. She said they are tired of being stepped on. They voted for Comr. Perkins and she has done a good job for the people and they are happy with that.

Delvin King, Pompano Beach, FL, mentioned that he does not agree that Vice Mayor Perkins title be stripped just because of what she said to the officer. He provided some comments of what some police officers represent and their treatment of African-Americans that he feels is unfair and goes unpunished. He stated that Vice Mayor Perkins is a representation of the black community. He suggested that this action should be deferred to another meeting, to have her people speak on her behalf, instead of doing this at the end of the meeting when most people had already left.

Kendra Hayes, Pompano Beach, FL, stated that she is appalled and mad at what she was hearing being done to Vice Mayor Perkins and provided her positive experience with Vice Mayor Perkins who was the only one who came out when she reported her bad experience at the apartment she previously lived. She does not agree with the motion to remove her title. She appreciates the representation that Vice Mayor Perkins gave her when she had problems with bugs in her apartment.

Quinton Thompkins, 436 NW 19th Street, Pompano Beach, FL, stated that he hopes the whole City is

reviewing this meeting tonight. He asked why this was not done at the last meeting instead of now at the end of the meeting. He is not convinced that Mayor Hardin represents the black community. He feels this action is sickening and disturbing and they are not pleased with it. He said if a person is not true to himself then it is impossible to be true to the people. He suggested that this item be tabled until the community can attend a meeting. He stated, "This will not go down like this."

Tom Terwilliger, 3160 NW 1st Avenue, Pompano Beach, FL, stated "People who live in glass houses should not throw stones." He provided his reasons for this comment, which involves a foreclosure that Mayor Hardin experienced and an investigation by Broward County Office of Inspector General on his campaign reports.

Janice Doshenelle, Pompano Beach, FL, alleged that the City saved Mayor Hardin's house from foreclosure with taxpayer's money. She does not agree with the motion he made to un-title Vice Mayor Perkins because what she said to a white police officer.

Janice Simmons, Pompano Beach, FL, stated that she thought this matter went to court before. She stated that nothing should be tabled about this matter, it should be ended. She appealed to the other Commissioners to vote their conscience, and not to vote because their friend voted yes.

Mr. Berman explained that the Vice Mayor is entitled to a notice and a hearing with the opportunity to respond. Since Mayor Hardin offered Vice Mayor Perkins the opportunity if she needed more time to respond and she replied no.

Vice Mayor Perkins stated that the Mayor and City Attorney have met about this situation and discussed it and they put her on the spot and expect her to respond after they have had their side meetings.

Mr. Berman stated that he made it clear that she is entitled to notice and a hearing with an opportunity to respond and he wanted to make sure she is given that opportunity before any action is taken. Since this is coming up at the end of this meeting, she may need more time, and an opportunity to be noticed, and to deal with it.

Mayor Hardin asked if this meant that a motion should be made to put this on an agenda.

Mr. Berman confirmed that this would follow the law that Vice Mayor be given the opportunity to notice to respond to the initial motion made.

Mayor Hardin concluded that this matter would not be dealt with this evening and he would change his motion to set this matter for any agenda item for the next City Commission meeting to be decided at that point in time. Comr. McGee seconded the motion.

Vice Mayor Perkins asked if this matter will be discussed at the beginning of the meeting or the end of the meeting. The next meeting is September 13, 2022 at 1:00 p.m. So, if it is going to be on the agenda it should be placed at the beginning of the Agenda.

Greg Harrison, City Manager wanted clarification if the Commission will vote for the matter to be placed on the



Agenda.

Mayor Hardin responded they will vote whether it will be placed on the Agenda and for it to be placed at the beginning of the Agenda.

Comr. Floyd stated that Vice Mayor Perkins can say she needs more time to look into this.

Vice Mayor Perkins responded yes, she would like the opportunity to get an attorney to look at this as well. She would prefer if the matter could be postponed to the 2nd meeting in September, which will give her more time to deal with her legal advice and go from there.

Comr. Eaton stated that at the last meeting many on the Commission expressed their disappointment and embarrassment that Vice Mayor Perkins action smudged the City's reputation. She opined that Vice Mayor Perkins acted as if she was above the law. She then commented about the police officers facing dangerous situations on a daily basis. So, it is not unusual for them to ask for a person to put their hands outside the window. She agreed with the other Commissioners who may have said it that Vice Mayor Perkins has damaged the reputation of the City, since she is the second most important figure head in the City. So, her actions were disrespectful, smug and entitled and she did not wait for the warning ticket. Therefore, she would support stripping her of the Vice Mayor title, not her Commissioner title. However, she is unsure if this ordeal should be continued so close to the elections. She said should Comr. Perkins get re-elected she would not support her being selected as Vice Mayor.

Comr. Floyd stated that Vice Mayor Perkins apologized and asked what else would they want. It did not appear that she directed the "F bomb at him" yet she apologized. It really pulls at her heart to see anyone get treated unfairly. She thinks this has gone too far.

**MOTION: A motion was made by Mayor Hardin, seconded by Comr. McGee to put a matter of removing the title of Vice Mayor from Comr. Perkins on the next agenda. The motion carried as follows:**

**No: Comr. Eaton (passed her turn)**

**Comr. Floyd**

**Comr. McMahon**

**Vice Mayor Perkins**

**Yes: Comr. McGee**

**Mayor Hardin**

**The motion failed.**

**Best Wishes** - Mayor Hardin wished everyone a great break.

## **H. ADJOURNMENT**

The meeting adjourned at 9:16 p.m.

\_\_\_\_\_  
Rex Hardin, Mayor

\_\_\_\_\_  
Asceleta Hammond, City Clerk

# PROGRESS REPORT

**FIRST HALF (OCTOBER 2021 – MARCH 2022)**

**5 YEAR STRATEGIC PLAN FY 2021 - 2026**



## POMPANO BEACH VISION:

By 2036, Pompano Beach is a superior place to live, visit, and locate or expand a business along the Atlantic Coast of South Florida.

### FY 22- First Half Progress Report

#### State of Local Government Survey 2022 - People, Process, and Tech in the Public Sector

- 5.1.40 Develop RFID Inventory Tracking System for Fire Equipment
- 5.1.22 Public Records Requests, Lobbyist Registration and Other Electronic Payment: Institute
- 6.5.12 Click 2 Gov Online Payment Credit Card System Replacement





Florida's Warmest Welcome

# PROGRESS REPORT

# RIVERSIDE DRIVE IMPROVEMENTS PROJECT

CITY COMMISSION MEETING

JULY 26, 2022

AGENDA ITEM 13 (22-498)



# LOCATION MAP



# THE FIRM

## MARLIN ENGINEERING

- **SELECTED NO. 1 (RFQ P-32-20)**
- **30+ YEARS OF EXPERIENCE**

## SAMPLE LIST OF CLIENTS IN THE PUBLIC SECTOR

- **FDOT DISTRICT 4 (BROWARD), TOWN OF CUTLER BAY, VILLAGE OF PALMETTO BAY, CITY OF SOUTH MIAMI**

## KEY MEMBERS

- **RAMON SORIA, P.E. (36 YEARS OF EXPERIENCE)**
- **BETSY JEFFERS, P.E. (28 YEARS OF EXPERIENCE)**
- **AYCEL FREDI, P.E. (15 YEARS OF EXPERIENCE)**





## SAMPLE PROJECTS OF SIMILAR CHARACTERISTICS



Hollywood Boulevard Streetscape Improvements

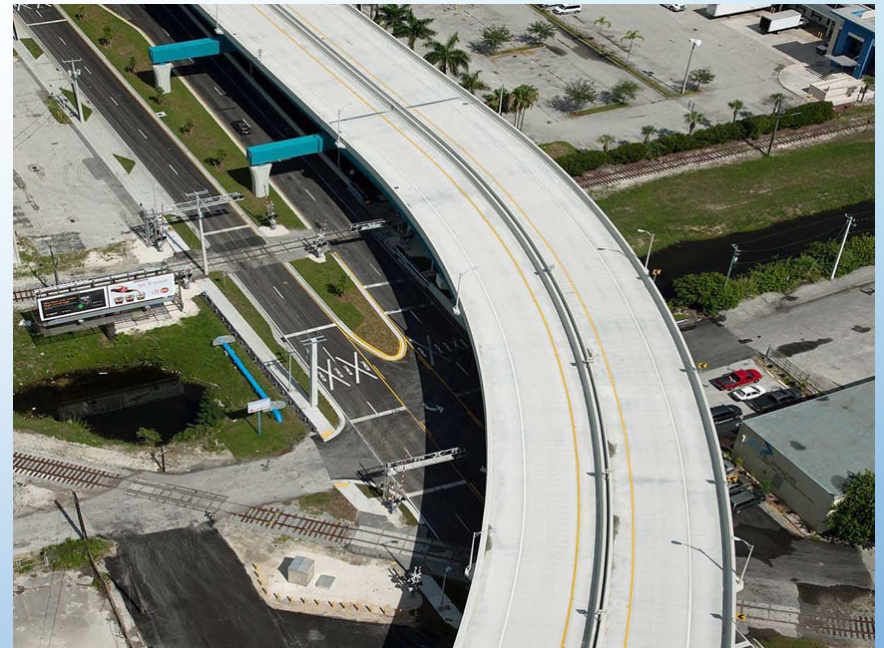


Chase Avenue – W 34 Street Shared Used Path

## SAMPLE PROJECTS OF SIMILAR CHARACTERISTICS



NE 13<sup>th</sup> Street Complete Streets



NE 25<sup>th</sup> Street Viaduct and Reconstruction

# SCOPE OF WORK

- **PRELIMINARY DESIGN ANALYSIS AND REPORTS INCLUDING PRELIMINARY COST ESTIMATE AND TRAFFIC ANALYSIS**
- **IDENTIFY DESIGN CONSTRAINTS AND PROVIDE RECOMMENDATIONS**
- **CONDUCT TESTS (SOILS, CONCRETE STRENGTH, PERMEABILITY/PERCOLATION, DENSITY, POTHOLING, ETC.)**
- **DETAILED COST ESTIMATES (30%, 60%, 90% PLANS)**
- **PRESENTATIONS TO ELECTED OFFICIALS, ADVISORY BOARDS, STAFF, AND THE PUBLIC**
- **PREPARE PLANS FOR REVIEW AND APPROVAL BY CITY AND OUTSIDE GOVERN ENT AGENCIES**
- **PREPARE FINAL CONSTRUCTION PLANS, BIDDING PACKAGE, SPECIFICATIONS, RESPONSES TO REQUEST FOR INFORMATION (RFIS), ETC.**



# FEES AND SCHEDULE

- **\$699,762.10 (INCLUDING \$60,000 TO VERIFY UTILITIES, CONDUCT ADDITIONAL SUBSURFACE EXPLORATION, UNFORESEEN CONDITIONS, ETC.)**
- **30% COUNTY BUSINESS ENTERPRISE (CBE) PARTICIPATION INCLUDING 15% POMPANO BEACH-BASED FIRMS (COMPASS POINT AND QUEST ENGINEERING)**
- **15 MONTHS TO COMPLETE DESIGN FROM NTP – ANTICIPATES START DATE OCTOBER 1, 2022 (AFTER 2<sup>ND</sup> READING)**
- **12 MONTHS FOR CONSTRUCTION ADMINISTRATION SERVICES**

SUMMARY OF COMPENSATION			
Task or Activity ID #	Task Name and/or Activity Description	Fee Amount	Fee Basis
1	Pre-Design Services		
1a	Geotechnical Services- Quest	\$35,000.00	Lump Sum
1b	Survey Services – Compass Point	\$62,810.00	Lump Sum
1c	Traffic Data Collection and Analysis	\$13,927.98	
2	Master Plan Phase		
2a	Workshop/Public Involvement	\$38,255.00	Lump Sum
2b	Concept Design	\$49,444.72	Lump Sum
3	Plans Production		
3a	60% Design Phase	\$51,584.62	Lump Sum
3b	90% Design Phase	\$48,869.64	Lump Sum
3c	100% Design Phase	\$40,724.70	Lump Sum
3d	Final Plans and Specifications Phase	\$40,724.70	Lump Sum
4	Drainage Design- SSN Scope	\$61,908.00	Lump Sum
5	Water and Sewer Design- SSN Scope	\$58,007.00	Lump Sum
6	Landscape Architecture – C,G & Assoc.	\$48,287.50	Lump Sum
7	Post Design Services	\$49,613.44	Lump Sum
8	Construction Administration Services	\$38,604.80	Lump Sum
	Reimbursables (with prior approval)	\$2,000.00	Time and materials
	Unforeseen Conditions (Optional Services)**	\$60,000.00	Time and materials
	Total	<b>\$699,762.10</b>	