

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, December 10, 2024

1:00 PM

City Commission

Rex Hardin, Mayor

Alison Fournier, Vice Mayor

Audrey Fesik, Commissioner

Beverly Perkins, Commissioner

Rhonda Sigerson-Eaton, Commissioner

Darlene Smith, Commissioner

Gregory P. Harrison, City Manager

Mark Berman, City Attorney

Kervin Alfred, 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

Kervin Alfred, City Clerk

INVOCATION

*Pastor Sharon Stone-Walker
Dove Ministries International*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

25-86	City & CRA Board Joint Special Meeting Minutes of November 12, 2024
25-87	Regular City Commission Meeting Minutes of November 12, 2024
25-88	Special City Commission Meeting Minutes of November 19, 2024 - Induction Ceremony

APPROVAL OF AGENDA**CONSENT AGENDA DISCUSSION**

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

A. SPECIAL PRESENTATION

25-84	<u>Special Appreciation to the City of Pompano Beach</u>
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The Honorable Commissioner Honorio Luis Guevara and Finance Director Angel Edmundo Carvajai, who are representing Mayor Marciana Valdivieso de Poveda and the City of Manta, Ecuador wish to thank the City Commission and the City of Pompano Beach Fire Department for the donation of 18 sets of surplus bunker gear for the Fire Department in Manta, Ecuador. Pompano Beach Fire Chief Steve Hudson along with the City's Facilities Operations Director George Buenaventura were a part of coordinating this effort.

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. [25-82](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DIVISION OF HISTORICAL RESOURCES, ACCEPTING A GRANT IN AN AMOUNT OF \$25,000 FOR THE PROJECT, “EXPANDING FLORIDA HERITAGE: PRESERVING THE LEGACY OF CULTURAL CHANGEMAKERS,”; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$25,000 in grant funds)



Strategic Plan Initiative

(Staff Contact: Ty Tabing)

2. [25-39](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE PUBLIC ART FOR THE ARCHI ONE DEVELOPMENT PROJECT TO EXERCISE THE DENSITY BONUS OPTIONS CONTAINED WITHIN SECTION 155.3709 OF THE CITY’S CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss/Pamela Stanton)

3. [25-77](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SANDS HARBOR RESORT & MARINA LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$86,400 Annual Net Revenue)

(Staff Contact: Jeff Lantz)

4. [25-67](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND THE BROWARD SHERIFF OFFICE RELATED TO THE SAFE NEIGHBORHOOD GRANT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$30,331)

(Staff Contact: Brian Donovan/Major Ellwood)

5. [25-71](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR FILM PERMITTING SERVICES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Chris Clemens)

6. [25-79](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MELISSA BANNER TO THE RECYCLING AND SOLID WASTE ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF TASHAWNA THOMAS AS ALTERNATE 1; SAID TERM TO EXPIRE ON MAY 24, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

D. REGULAR AGENDA

7. [25-66](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY'S FISCAL YEAR 2025 ANNUAL PUBLIC ART PLAN AND DIRECTING STAFF TO PROCEED WITH THE PROJECTS INCLUDED THEREIN; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$282,464.00)

**Strategic Plan Initiative**

(Staff Contact: Ty Tabing)

8. [24-290](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO DECLARATION OF VOLUNTARY RESTRICTIVE COVENANTS MADE BY DIXIE PROPERTIES & INVESTMENTS, LLC AND UPPER POMPANO PROPERTIES & INVESTMENTS, LLC FOR THE BENEFIT OF THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JUNE 11, 2024 AND SEPTEMBER 10, 2024

***With regard to this Item, the Applicant requests to postpone this matter to the February 11, 2025, Commission Meeting Agenda.**

(Staff Contact: Scott Reale/David Recor)

9. [25-56](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DESIGN-BUILD CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND NEW LINE SKATEPARKS FL, INC. TO PROVIDE PROFESSIONAL DESIGN-BUILD SERVICES FOR A MULTIPURPOSE SKATEPARK TO BE LOCATED AT COMMUNITY PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$1,798,000.00)

(Staff Contact: Mark Beaudreau/Tammy Good)

10. [25-81](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND AIRGAS USA, LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$200,000)

(Staff Contact: A. Randolph Brown)

11. [25-44](#) **P.H. 2025-17: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 131, "OFFENSES AGAINST PERSON AND PROPERTY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 131.24, "UNLAWFUL LODGING AND STORAGE OF PERSONAL PROPERTY," TO PROVIDE ADDITIONAL ENFORCEMENT OPTIONS AND PROCEDURES FOR VIOLATION COMPLAINTS AND NOTICE OF SAME; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 12, 2024

(Staff Contact: Mark E. Berman)

12. [25-19](#)**P.H. 2025-11: (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 FOURTH AMENDMENT TO THE CONSTRUCTION MANAGER-AT-RISK AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY FOR THE CONSTRUCTION OF SEGMENT 3 OF THE DIXIE HIGHWAY STREETScape IMPROVEMENTS FROM NE 10TH STREET TO COPANS ROAD AT A GUARANTEED MAXIMUM PRICE OF \$12,984,223.34, AND TO EXECUTE THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY UNDER THE COUNTY TRANSPORTATION SURTAX PROGRAM TO INCREASE THE SCOPE OF WORK, EXTEND THE TERM AND INCREASE MAXIMUM FUNDING AMOUNT, AND TO AUTHORIZE THE PROPER CITY OFFICIALS TO MAKE NONSUBSTANTIVE AMENDMENTS WITHOUT FURTHER COMMISSION APPROVAL AS MAY BE REQUIRED BY BROWARD COUNTY FOR PROGRAM FUNDING, NOT INCLUDING THE GUARANTEED MAXIMUM PRICE, AND TO PROVIDE COPIES OF SUCH AMENDMENTS TO THE CITY COMMISSION AND CITY CLERK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$12,984,223.34 - transportation surtax and tree canopy funds)

FIRST READING: NOVEMBER 12, 2024

(Staff Contact: Fernand Thony/Horacio Danovich)

13. [25-58](#)**P.H. 2025-18: (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 MASTER SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MCCI, LLC AND ADDENDUM NO. 1 TO THE MASTER SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND JUSTFOIA, INC., A SUBSIDIARY OF MCCI, LLC, FOR SOFTWARE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Cost for 1st year \$12,897.12 with annual fee of \$12,300.00)

FIRST READING: NOVEMBER 12, 2024

(Staff Contact: Kervin Alfred)

14. [25-31](#)**P.H. 2025-13: (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 LABOR AGREEMENT BETWEEN THE FEDERATION OF PUBLIC EMPLOYEES AND THE CITY OF POMPANO BEACH FOR THE CONTRACT PERIOD BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2027; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$6.18M over 3 years)

FIRST READING: NOVEMBER 12, 2024

(Staff Contact: Brian Donovan/Lisa Sonego)

15. [25-46](#)**P.H. 2025-14: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," TO COINCIDE WITH THE TERMS OF THE 2024-2027 GENERAL EMPLOYEES COLLECTIVE BARGAINING AGREEMENT BY AMENDING SECTION 34.108, "PAY PLANS," TO ADJUST THE PAY AMOUNTS FOR TEMPORARY POSITION UPGRADES; BY AMENDING SECTION 34.110, "MERIT SALARY INCREASES," TO REFLECT PERFORMANCE PAY INCREASES; BY DELETING SECTION 34.113 "LONGEVITY INCREASES," IN ITS ENTIRETY; BY AMENDING SECTION 34.126, "PROBATIONARY PERIOD," TO CHANGE THE PERIOD TO SIX-MONTHS FOR NEW HIRES; BY AMENDING SECTION 34.127, "HOURS OF WORK," TO INCORPORATE THE TEN HOUR WORKDAY; BY AMENDING SECTION 34.128, "LEGAL HOLIDAYS," TO ADD NEWLY OBSERVED HOLIDAYS; BY AMENDING SECTION 34.129, "VACATION LEAVE," TO ADJUST THE APPLICABLE VACATION CREDITS FOR FULL TIME EMPLOYEES; BY AMENDING SECTION 34.130, "SICK LEAVE," TO ADD ACCUMULATED TIME FOR THE TEN HOUR WORK DAY AND TO REFLECT THE MAXIMUM PAYOUT UPON SEPARATION FROM THE CITY; BY AMENDING SECTION 34.132, "LEAVE OF ABSENCE," TO INCREASE LEAVE WITH PAY BENEFITS; AND BY AMENDING SECTION 34.135, "OUTSIDE STUDY COURSES," TO CHANGE THE ELIGIBILITY PERIOD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Brian Donovan/Lisa Sonogo)

16. [25-38](#)**P.H. 2025-15: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SOFTWARE SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CAMINO TECHNOLOGIES, INC. FOR WEB-BASED SOLUTIONS TO IMPROVE THE PERMIT AND LICENSING PROCESSES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$126,000; \$42,000 annually for three years)

(Staff Contact: Max Wemyss)

17. [25-13](#)**P.H. 2025-16: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PIGGYBACK AGREEMENT FOR ROOFING INSPECTION, MAINTENANCE AND REPAIR SERVICES BETWEEN THE CITY OF POMPANO BEACH AND ADVANCED ROOFING, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Cost will be determined on a project-by-project basis, not to exceed \$150,000)

POSTPONED FROM NOVEMBER 12, 2024

(Staff Contact: George Buenaventura/Mary Rivero)

18. [24-558](#)**P.H. 2025-19: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 51, "SEWERS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 51.05, "WASTEWATER TARIFF," TO MODIFY RATES AND CHARGES FOR SEWER SERVICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

19. [25-74](#)**P.H. 2025-20: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND MILLER ELECTRIC COMPANY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$210,000)

(Staff Contact: Gene Zamoski)

20. [25-47](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF LARRY ERD AS ALTERNATE 2; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

Applicants

Tauhidul Khan - District 1
Jason L. Smith - District 3
Scott McClary - District 3

Other Board Memberships

0
0
0

POSTPONED FROM NOVEMBER 12, 2024

(Staff Contact: Kervin Alfred)

21. [25-76](#) Discussion and consideration item for the annual performance evaluation for Mr. Kervin Alfred, City Clerk.
(Fiscal Impact: To be determined by City Commission)

(Staff Contact: Lisa Sonogo/Bobby Bush)

E. ADDITIONAL AUDIENCE TO BE HEARD**F. NEXT SCHEDULED MEETING**

January 14, 2025 at 1:00 p.m. - Regular City Commission Meeting
January 28, 2025 at 6:00 p.m. - Regular City Commission Meeting

G. REPORTS

City Manager
City Attorney
City Clerk
City Commission

H. ADJOURNMENT

**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:

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.