## City of Pompano Beach City Commission Meeting

Commission Chamber 100 West Atlantic Blvd.

Pompano Beach, FL 33060



# Agenda

Tuesday, January 28, 2025

6:00 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

25-156 Regular City Commission Meeting Minutes of January 14, 2025

#### 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

#### 25-160 <u>2024 AYFL Super Bowl Champions</u>

Mark Beaudreau, Recreation Director will recognize Leonidas Galarza "Coach PJ" and the 8U Pompano Eagles for their first AYFL Super Bowl Championship.

## **B. PROCLAMATION**

#### 25-162 Black History Month Proclaimed in the City of Pompano Beach

Mayor Rex Hardin will proclaim February as Black History Month in the City of Pompano Beach.

#### C. 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)

#### **D. CONSENT AGENDA**

1. 25-134 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY **OFFICIALS** EXECUTE TO А LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO COWBOYS BOOSTER CLUB, INC. TO ORGANIZE AND MANAGE FOOD TRUCK EVENTS AT MCNAIR PARK AND CENTER; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

#### (Staff Contact: Mark A. Beaudreau)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 2. 25-153 POMPANO BEACH. FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY **OFFICIALS** TO EXECUTE А LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO TIGERS ELITE, INC. TO UTILIZE THE SANDSPUR PARK TO PROVIDE А YOUTH COMPETITIVE TRAVEL CHEERLEADING PROGRAM: PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 3. 25-152 POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FDOT DISTRICT NUMBER THIRTY-ONE FOUR (4) AMENDMENT (31)TO **INCLUSIVE** LANDSCAPE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE **IMPROVEMENTS** IN THE **RIGHT-OF-WAY** OF STATE ROAD 5 (NORTH **FEDERAL** HIGHWAY) FROM MILE POST 8.903 TO MILE POST 8.938: PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

#### (Staff Contact: Robert McCaughan)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 4. 25-140 POMPANO BEACH, FLORIDA, APPOINTING **OUENTON** THOMPKINS SR. TO THE CHARTER AMENDMENT ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR А TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

#### (Staff Contact: Kervin Alfred)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 5. 25-143 POMPANO BEACH, FLORIDA, APPOINTING KENNETH STOLAR TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS **APPOINTEE** OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL: PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 6. 25-144 POMPANO BEACH, FLORIDA, APPOINTING CARMEN JONES TO ADVISORY DEVELOPMENT THE COMMUNITY COMMITTEE OF THE OF APPOINTEE OF CITY POMPANO BEACH AS COMMISSIONER BEVERLY PERKINS; SAID TERM TO BE CONCURRENT WITH OF THE APPOINTING THE TERM OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

## (Staff Contact: Kervin Alfred)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 7. 25-145 POMPANO BEACH, FLORIDA. APPOINTING **KIMBERLY** HARMON TO THE CULTURAL ARTS COMMITTEE OF THE CITY POMPANO BEACH AS **APPOINTEE** OF OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

### (Staff Contact: Kervin Alfred)

8. 25-147 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING BRIAN ANTHONY CAMPBELL TO THE EDUCATION ADVISORY COMMITTEE OF THE OF **POMPANO** BEACH. AS **APPOINTEE** OF CITY BEVERLY FOR TERM ТО COMMISSIONER PERKINS, А BE WITH CONCURRENT THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 9. 25-148 POMPANO BEACH. FLORIDA. APPOINTING NOVICE **JOHNSON** TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE **APPOINTEE** OF COMMISSIONER BEVERLY PERKINS, FOR TERM TO BE А OF THE APPOINTING CONCURRENT WITH THE TERM OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

10. 25-149 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING TUNDRA KING TO THE PLANNING AND ZONING BOARD/ LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH AS APPOINTEE OF FOR COMMISSIONER BEVERLY PERKINS, А TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

#### (Staff Contact: Kervin Alfred)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 11. 25-150 POMPANO BEACH, FLORIDA, APPOINTING LINDA THOMAS TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

#### (Staff Contact: Kervin Alfred)

12. 25-151 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING ADA ROGERS TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO ALTERNATE **APPOINTEE** OF BEACH, AS COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

13. <u>25-158</u> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING LUCRETIA HICKS TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BEVERLY PERKINS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

#### (Staff Contact: Kervin Alfred)

14. <u>25-163</u> A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **RICHARD J. LEYS** TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF MAYOR REX HARDIN, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

#### E. REGULAR AGENDA

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

15. <u>25-133</u> P.H. 2025-24: (PUBLIC HEARING 1ST READING) AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A 24-FOOT-WIDE ACCESS EASEMENT LOCATED SOUTH OF PARK CENTRAL BLVD., NORTH OF COPANS ROAD AND WEST OF NORTH ANDREWS AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

#### END OF QUASI-JUDICIAL PROCEEDING

16. <u>25-105</u> Approval to issue purchase orders to Ferguson Enterprises, LLC, for the as-needed annual purchases of Neptune Water Meters, Parts, and Accessories, based on section 32.45 (Standardization) of the City Code of Ordinances. (Fiscal Impact: \$12,200,000 to be spent over the next two years)

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

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF 17. 25-155 POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF LEASE PURCHASE А AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, AS LESSEE, AND TD EQUIPMENT FINANCE, INC., AS LESSOR, WITH TO THE ACQUISITION, PURCHASE, FINANCING AND RESPECT OF LEASING CERTAIN EQUIPMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION AUTHORIZING THEREWITH; AND ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS **RESOLUTION;** PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$9,441,031 over 5 year lease term)

(Staff Contact: Allison Feurtado)

P.H. 2025-14: (PUBLIC HEARING 2ND READING) 18. 25-46 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 THE PAY AMOUNTS FOR TEMPORARY ADJUST POSITION UPGRADES; BY AMENDING SECTION 34.110, "MERIT SALARY INCREASES," TO REFLECT PERFORMANCE PAY **INCREASES;** BY DELETING SECTION 34.113 "LONGEVITY INCREASES." IN ITS AMENDING SECTION ENTIRETY; ΒY 34.126. "PROBATIONARY PERIOD," CHANGE THE TO PERIOD TO SIX-MONTHS FOR NEW HIRES; BY AMENDING SECTION 34.127, "HOURS OF WORK," TO INCORPORATE THE TEN HOUR WORKDAY; ΒY AMENDING SECTION 34.128, "LEGAL HOLIDAYS," ТО ADD NEWLY HOLIDAYS; OBSERVED 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," THE ELIGIBILITY PERIOD; TO CHANGE PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

#### FIRST READING: JANUARY 14, 2025

(Staff Contact: Brian Donovan/Lisa Sonego)

19. P.H. 2025-22: (PUBLIC HEARING 2ND READING) 25-106 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155. "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING THE TABLE OF CONTENTS; BY "GENERAL,"; AMENDING SECTION 155.4201., BY AMENDING SECTION 155.4208., "INSTITUTIONAL: GOVERNMENT USES.": BY AMENDING SECTION 155.4215., "COMMERCIAL: BOAT AND MARINE SALES AND SERVICE USES,"; BY AMENDING SECTION 155.4219.. "COMMERCIAL: MOTOR VEHICLE SALES AND SERVICE USES,"; BY AMENDING SECTION 155.4222., "COMMERCIAL: RETAIL SALES AND SERVICE USES - RETAIL SALES,"; BY AMENDING SECTION 155.4226., "INDUSTRIAL: **INDUSTRIAL** SERVICES USES.,"; BY AMENDING SECTION 155.4227., "INDUSTRIAL: MANUFACTURING AND PRODUCTION SECTION USES,"; BY AMENDING 155.4228., "INDUSTRIAL:. WAREHOUSING FREIGHT MOVEMENT USES,"; AND BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES,"; BY AMENDING **"DEFINITIONS** AND INTERPRETATION," ARTICLE 9, PART 5. "TERMS AND USES DEFINED,"; BY AMENDING APPENDIX, A: "CONSOLIDATED USE TABLE," TO CLARIFY AND DISTINGUISH OUTDOOR ACTIVITIES PERFORMED DURING BUSINESS HOURS AND OUTDOOR STORAGE: PROVIDING FOR SEVERABILITY: PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

#### FIRST READING: JANUARY 14, 2025

(Staff Contact: Max Wemyss)

## 20. <u>25-154</u> P.H. 2025-30: (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 MULTI-YEAR AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CRS MAX CONSULTANTS, INC., FOR PROFESSIONAL SERVICES RELATED TO THE COMMUNITY RATING SYSTEM (CRS) PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$36,500 (Year 1 \$23,500; Year 2&3 \$6,500)

(Staff Contact: Jean Dolan/ Christina Viala)

21. P.H. 2025-31: (PUBLIC HEARING 1ST READING) 25-157 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155 "ZONING CODE" BY AMENDING SECTION 155.3708. "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT" TO MODIFY THE DESIGNATION OF CERTAIN PARCELS FROM "RESIDENTIAL REQUIRED" TO "OPTIONAL RESIDENTIAL" WITHIN THE DENSITY REGULATING PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Max Wemyss)

#### 22. 25-98 P.H. 2025-25: (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)

23. P.H. 2025-26: (PUBLIC HEARING 1ST READING) 25-138 AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY **OFFICIALS** TO EXECUTE THIRD А AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PROSERVE CONCEPTS, LLC, PROVIDING SERVICES AS THE HEAD TENNIS PROFESSIONAL FOR THE POMPANO BEACH TENNIS CENTER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

## F. ADDITIONAL AUDIENCE TO BE HEARD

## G. NEXT SCHEDULED MEETING

January 29, 2025 at 2:00 p.m. - City Commission Workshop February 11, 2025 at 1:00 p.m. - Regular City Commission Meeting February 25, 2025 at 6:00 p.m. - Regular City Commission Meeting

## H. REPORTS

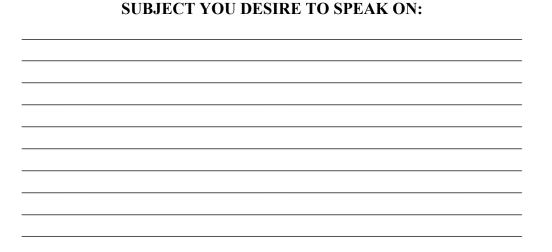
City Manager City Attorney City Clerk City Commission

## I. ADJOURNMENT

| CITY OF POMPANO BEACH, FLORIDA<br>AUDIENCE TO BE HEARD<br>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."



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.