

**CITY OF POMPANO BEACH
CITY COMMISSION MEETING
AGENDA NO. 2010-09
TUESDAY, NOVEMBER 24, 2009
7:00 P.M.**

CALL TO ORDER

The Honorable Lamar Fisher
Mayor, Presiding

ROLL CALL

Mary L. Chambers, MMC,
City Clerk

INVOCATION

Pastor Foster Schmitt, II
First Church of the Nazarene

PLEDGE OF ALLEGIANCE

Led by Mary L. Chambers, MMC,
City Clerk

APPROVAL OF MINUTES

Regular City Commission Meeting of
November 10, 2009

Special City Commission Meeting of
July 21, 2009

APPROVAL OF THE AGENDA

City Commission

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.

CONSENT AGENDA

1. Approval to purchase document imaging services as needed from Advanced Data Solutions, Inc., in the estimated annual amount of \$24,000 from budgeted funds in the I.T. department, per the Orange County, Florida contract #Y8-183A.

(Staff Contact: Gene Zamoski)

2. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING AN AMENDMENT TO THE INTERLOCAL AGREEMENT FOR PUBLIC SCHOOL FACILITIES PLANNING IN ORDER TO AVOID THE CURRENTLY PROPOSED SCHOOL BOUNDARY CHANGES IN BROWARD COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

(Staff Contact: Gordon B. Linn)

3. **RES. NO. 2010-.....:** 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, A SOFTWARE SUPPORT AGREEMENT, AND A PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND EXECUTIME SOFTWARE, LLC, FOR THE TIME AND ATTENDANCE SOFTWARE SYSTEM; PROVIDING AN EFFECTIVE DATE. (Cost: \$42,104)

(Staff Contact: Robert A. McCaughan)

4. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ENTERPRISE MANAGEMENT SYSTEM CUSTOMER AGREEMENT BETWEEN DIGITAL PAYMENT TECHNOLOGIES CORP. AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

CONSENT AGENDA - CONTINUED

5. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Phyllis A. Korab)

6. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND TRADEMARK METALS RECYCLING, LLC; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Helen Gray/A. Randolph Brown)

REGULAR AGENDA

7. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING A DONATION OF A 1996 PUMPER FIRE TRUCK TO THE BENNDALE, MISSISSIPPI VOLUNTEER FIRE DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Harry L. Small)

QUASI-JUDICIAL PROCEEDING

8. **P.H. 2010-13; ORD. NO. 2010-....:** (PUBLIC HEARING 1ST READING) AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A 13 FOOT WIDE PORTION OF THE RIGHT-OF-WAY FOR NW 15TH STREET LYING WEST OF NW 12TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Vicky L. Newson/Robin M. Bird)

END OF QUASI-JUDICIAL PROCEEDING

REGULAR AGENDA - CONTINUED

9. **P.H. 2010-11; ORD. NO. 2010-....: (ORDINANCE 2ND READING)**
AN ORDINANCE AMENDING CHAPTER 155, “ZONING CODE,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.003, “DEFINITIONS,” TO PROVIDE FOR A DEFINITION OF RECYCLING CONTAINER; AMENDING SECTION 155.037, “DUMPSTER ENCLOSURES,” TO REQUIRE ENCLOSURES FOR RECYCLING CONTAINERS AND PROVIDING FOR EXEMPTIONS TO SAID REQUIREMENT; AND BY AMENDING SECTION 155.113, “REQUIREMENTS IN VARIOUS ZONES,” TO PROVIDE A PARKING SPACE CREDIT FOR RECYCLING CONTAINERS ON MULTI-FAMILY PROPERTIES THAT MEET CERTAIN REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: NOVEMBER 10, 2009

(Staff Contact: Chris Clemens/Robin M. Bird)

10. **P.H. 2010-12; ORD. NO. 2010-....: (ORDINANCE 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 CONSULTANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND RAFTELIS FINANCIAL CONSULTANTS, INC. FOR UTILITY RATE CONSULTING SERVICES FOR WATER, WASTEWATER, REUSE AND STORMWATER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Five Year Total Compensation: \$150,680)

FIRST READING: NOVEMBER 10, 2009

(Staff Contact: A. Randolph Brown)

REGULAR AGENDA - CONTINUED

11. **P.H. 2010-14; ORD. NO. 2010-....: (ORDINANCE 2ND READING)**
AN ORDINANCE AMENDING CHAPTER 34, "CITY POLICY," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO THE POLICE & FIREFIGHTERS' RETIREMENT SYSTEM BY AMENDING SECTION 34.045, "DEFINITIONS," TO INCLUDE A LUMP SUM PAYMENT FOR FISCAL YEAR 2008/2009 IN THE DEFINITION OF "EARNINGS"; STRIKING SECTION 34.060 (D) AND CREATING A NEW SECTION 34.0603, "DEFERRED RETIREMENT OPTION PLAN (DROP)," INCORPORATING DROP RULES AND REGULATIONS INTO THE CITY'S CODE OF ORDINANCES AS AGREED UPON AND NEGOTIATED BY THE CITY AND THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING AN EFFECTIVE DATE.

FIRST READING: NOVEMBER 10, 2009

(Staff Contact: Michael Smith)

12. **P.H. 2010-16; ORD. NO. 2010-....: (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 FIRST AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PRIMECO PERSONAL COMMUNICATIONS, L.P. NOW KNOWN AS VERIZON WIRELESS PERSONAL COMMUNICATIONS LP D/B/A VERIZON WIRELESS TO MODIFY THE EXHIBITS WHICH SET FORTH THE EQUIPMENT TO BE UTILIZED AT THE PROPERTY SUBJECT TO THE LEASE AGREEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gene Zamoski)

13. **P.H. 2010-05; ORD. NO. 2010-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.113, "REQUIREMENTS IN VARIOUS ZONES," TO REVISE THE DEFINITION OF COMMERCIAL VEHICLE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: TABLED OCTOBER 27, 2009

(Staff Contact: Ed Snyder/Robin M. Bird)

REGULAR AGENDA - CONTINUED

14. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE GENERAL EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON DECEMBER 6, 2012; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

Michael Miller – (Incumbent) – District 1

(Staff Contact: Mary L. Chambers)

15. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE DECEMBER 12, 2012; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

Daniel Horak – District 3

Linnell Otis Jackson – District 5

Michael Miller – (Incumbent) – District 1

Joseph Wells – District 4

(Staff Contact: Mary L. Chambers)

16. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF EMMA ELLINGTON AS ALTERNATE #1; SAID TERM TO EXPIRE JULY 1, 2010; PROVIDING AN EFFECTIVE DATE.

(PLEASE REFER TO PREVIOUS ITEM FOR APPLICANTS)

(Staff Contact: Mary L. Chambers)

REGULAR AGENDA - CONTINUED

17. **RES. NO. 2010-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE JULY 1, 2012; PROVIDING AN EFFECTIVE DATE.

(PLEASE REFER TO PREVIOUS ITEM FOR APPLICANTS)

(Staff Contact: Mary L. Chambers)

REPORTS:

City Manager

City Attorney

City Clerk

Internal Auditor

City Commission

ADJOURNMENT

BALANCE IN CONTINGENCY

| | | | |
|---------------|-------------------------------------|----|-----------------|
| Oct. 1, 2009 | Beginning Balance | \$ | 8,340.00 |
| Oct. 13, 2009 | Broward County Mayor's Charity Gala | | <u>2,000.00</u> |
| | Balance: | \$ | 6,340.00 |

**CITY OF POMPANO BEACH, FLORIDA
AUDIENCE TO BE HEARD
REQUEST FORM**

NAME: _____

TITLE: _____

COMPANY: _____

ADDRESS: _____

CITY: _____ STATE: _____ ZIP: _____

PHONE: _____ FAX: _____

**THIS FORM MUST BE COMPLETED AND HANDED TO THE CITY CLERK
TWENTY (20) MINUTES PRIOR TO THE SCHEDULED MEETING.**

ALL DISCUSSION IS LIMITED TO THREE (3) MINUTES

SUBJECT ON WHICH YOU WISH TO SPEAK: _____

IT IS UNLAWFUL FOR ANY INDIVIDUAL TO DISTURB OR INTERRUPT ANY MEETING OF THE CITY COMMISSION. THE USE OF SLANDEROUS, OBSCENE OR PROFANE LANGUAGE, PERSONALLY ABUSIVE ATTACKS UPON ANY PERSON, PHYSICAL VIOLENCE OR THE THREAT THEREOF, OR OTHER LOUD AND BOISTEROUS BEHAVIOR WHICH DISTURBS OR OTHERWISE DISRUPTS THE ORDERLY CONDUCT OF THE MEETING AND A FAILURE TO COMPLY WITH ANY LAWFUL DECISION OR ORDER OF THE MAYOR OR OF A MAJORITY OF THE COMMISSION SHALL CONSTITUTE A DISTURBANCE. PERSONALLY ABUSIVE ATTACKS INCLUDE INSULTS, DISCOURTEOUS COMMENTS AND DEFAMATORY STATEMENTS.