

**MEETING RESULTS!!!  
CITY OF POMPANO BEACH  
CITY COMMISSION MEETING  
AGENDA NO. 2007-06  
TUESDAY, JANUARY 9, 2007  
7:00 P.M.**

**CALL TO ORDER**

The Honorable John C. Rayson  
Interim Mayor, Presiding

**ROLL CALL**

Mary L. Chambers, CMC,  
City Clerk

**INVOCATION**

Pastor Robert Kintchen  
Christ Fellowship Church of God in  
Christ

**PLEDGE OF ALLEGIANCE**

Led by Mary L. Chambers, CMC,  
City Clerk

**APPROVAL OF MINUTES**

**APPROVED AS SUBMITTED**  
Regular City Commission Meeting  
of December 12, 2006

**APPROVED AS SUBMITTED**  
Special City Commission Meeting  
of September 20, 2006

**APPROVED AS SUBMITTED**  
Special City Commission Meeting  
of September 13, 2006

**APPROVAL OF THE AGENDA**

**APPROVED AS AMENDED**  
City Commission

**PROCLAMATION**

Interim Mayor John C. Rayson

Presentation of a proclamation honoring Dr. Martin Luther King, Jr. received by Joyce Jackson, MLK President.

**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**

**APPROVED**

1. Approve ranking order for RLI H-85-06 “Professional Engineering and Related Services for an Update to the Pompano Beach Airpark Master Plan”, and authorize staff to negotiate a contract with the highest-ranked firm, MEA Group, Inc.

(Staff Contact: Helen Gray)

**APPROVED**

2. Approve ranking order for RLI H-75-06 “Professional Architectural Services for New Fire Station Number 11 and Public Works Beach Maintenance Equipment Storage Facility”, and authorize staff to negotiate a contract with the highest-ranked firm, Currie Sowards Aguila Architects.

(Staff Contact: Helen Gray)

**STRICKEN**

3. Authorize staff to negotiate a contract with the fourth highest-ranked firm from RLI H-26-06 “Continuing Contract for Engineering Services for Water and Reclaimed Water Treatment Plant Projects”, CH2MHill, Inc.

(Staff Contact: Helen Gray)

**APPROVED**

4. Approval to award Bid K-04-07, Brass Materials (Utility), to the low bidder, HD Supply Waterworks, for a six-month, open-end contract.

(Staff Contact: A. Randolph Brown)

**APPROVED**

5. Approval to award Bid K-02-07, Project 04-879, Mitchell Moore Park/Pool Improvements, to the sole bidder, West Construction Inc., in the amount of \$3,548,942.00, and approval of corresponding Budget Adjustment.

(Staff Contact: Helen Gray)

**ADOPTED**

6. **RES. NO. 2007-85:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RENEWAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MICHAEL FARRELL, M. D. FOR MEDICAL CONSULTING AND ADVISORY SERVICES TO THE FIRE DEPARTMENT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Harry L. Small)

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

7. **RES. NO. 2007-86:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 2006-2007 ALTERNATIVE WATER SUPPLY FUNDING PROGRAM AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SOUTH FLORIDA WATER MANAGEMENT DISTRICT ACCEPTING A \$147,200 GRANT FOR REUSE DISTRIBUTION EXPANSION OF SERVICE AREAS I AND II; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: A. Randolph Brown)

**ADOPTED**

8. **RES. NO. 2007-87:** 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 DR. BRENDA C. SNIPES, SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, AND THE CITY OF POMPANO BEACH RELATING TO THE MARCH 13, 2007 GENERAL ELECTION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

**ADOPTED**

9. **RES. NO. 2007-88:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING GOVERNOR CHARLIE CRIST AND MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT CERTAIN ISSUES OF CONCERN TO MUNICIPALITIES DURING THE 2007 LEGISLATIVE SESSION; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: C. William Hargett, Jr.)

**ADOPTED**

10. **RES. NO. 2007-89:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN EASEMENT TO BELLSOUTH TELECOMMUNICATIONS, INC.; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Helen Gray)

**ADOPTED**

11. **RES. NO. 2007-90:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE SETTLEMENT OF THE PENDING WORKERS' COMPENSATION CLAIM BY ELIZABETH O'DONNELL-PAYNE; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Ed Beecher)

**CONSENT AGENDA – CONTINUED**

**APPROVED**

12. Approval of a budget adjustment in the amount of \$500 within the General Fund to provide appropriation authority to donate funds related to the Certified Community Wildlife Habitat Program.

(Staff Contact: Brian Donovan)

**ADDENDUM**

**APPROVED**

- 12A. Approval of purchase of SK-7641 phosphate solution for corrosion control, as needed, from Pristine Water Solutions, Inc., per the City of Bismarck “Water Treatment Chemicals” bid.

(Staff Contact: A. Randolph Brown)

**APPROVED**

- 12B. Approval of the Pompano Beach Centennial Committee’s request for an official logo of the centennial celebration.

(Staff Contact: C. William Hargett, Jr.)

**REGULAR AGENDA**

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**QUASI-JUDICIAL PROCEEDING**

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13. **TABLED TO THE CITY COMMISSION MEETING OF APRIL 10, 2007**  
**P.H. 2006-99; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE AMENDING SECTION 155.005 OF CHAPTER 155 OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY REZONING PROPERTY LYING EAST OF SOUTH OCEAN BLVD. (S.R. A-1-A) AND WEST OF BRINY AVENUE AND NORTH OF SE 4<sup>TH</sup> STREET AND COMMONLY REFERRED TO AS 308 AND 316 SOUTH OCEAN BLVD. AND 305, 311 AND 317 BRINY AVENUE FROM RM-20 (MULTIPLE FAMILY RESIDENTIAL) TO RM-30 (MULTIPLE FAMILY RESIDENTIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**TABLED: SEPTEMBER 12, 2006 & NOVEMBER 28, 2006 UNTIL JANUARY 9, 2007**

(Staff Contact: Jennifer Gomez/Robin Bird)

**REGULAR AGENDA**

**QUASI-JUDICIAL PROCEEDING**

- TABLED TO THE CITY COMMISSION MEETING OF FEBRUARY 27, 2007**
14. **P.H. 2007-22; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE AMENDING SECTION 155.005 OF CHAPTER 155 OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY REZONING SEVERAL PARCELS LYING WEST OF SOUTH OCEAN BLVD. (S.R. A-1-A), EAST OF HIBISCUS AVENUE, NORTH OF SE 8<sup>TH</sup> STREET AND SOUTH OF SE 7<sup>TH</sup> STREET FROM RM-20 (MULTIPLE FAMILY RESIDENTIAL) TO RM-30 (MULTIPLE FAMILY RESIDENTIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jennifer Gomez/Robin Bird)

- APPROVED FIRST READING**
15. **P.H. 2007-23; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE ABANDONING A PORTION OF A UTILITY EASEMENT LOCATED WITHIN THE PARCEL “A” OF THE ATLANTIC BUSINESS CENTER PLAT ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 169, PAGE 126 OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA, LYING SOUTH OF ATLANTIC BOULEVARD (S.R. 814) AND WEST OF PREMIER DRIVE (SW 21<sup>ST</sup> AVENUE EXTENSION); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jennifer Gomez/Robin Bird)

- APPROVED FIRST READING**
16. **P.H. 2007-25; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE ABANDONING THAT CERTAIN PORTION OF THE RIGHT-OF-WAY FOR NORTHEAST 13<sup>TH</sup> AVENUE LYING BETWEEN NE 9<sup>TH</sup> COURT AND NE 9<sup>TH</sup> STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jennifer Gomez/Robin Bird)

- APPROVED FIRST READING**
17. **P.H. 2007-26; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF THAT CERTAIN FIFTEEN FOOT ALLEYWAY LYING BETWEEN NORTHWEST 8<sup>TH</sup> STREET AND NORTHWEST 6<sup>TH</sup> COURT AND APPROXIMATELY 400 FEET EAST OF NORTHWEST 3<sup>RD</sup> AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jennifer Gomez/Robin Bird)

**REGULAR AGENDA – CONTINUED**

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**QUASI-JUDICIAL PROCEEDING**

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**APPROVED FIRST READING**

18. **P.H. 2007-27; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE ABANDONING TWO TEN FOOT TURN AROUND EASEMENTS LOCATED APPROXIMATELY 150 FEET NORTH OF NW 6<sup>TH</sup> COURT AND 225 FEET EAST OF NW 2<sup>ND</sup> TERRACE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jennifer Gomez/Robin Bird)

**APPROVED FIRST READING**

19. **P.H. 2007-28; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF THAT CERTAIN ALLEYWAY LYING BETWEEN NW 8<sup>TH</sup> STREET AND NW 6<sup>TH</sup> COURT AND APPROXIMATELY 360 FEET EAST OF NW 3<sup>RD</sup> AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jennifer Gomez/Robin Bird)

**ADOPTED**

20. **RES. NO. 2007-91:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE RAMI SALAMEH PLAT LOCATED ON A PARCEL OF LAND LYING IMMEDIATELY SOUTH OF NW 1<sup>ST</sup> STREET AND EAST OF NW 28<sup>TH</sup> AVENUE; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jennifer Gomez/Robin Bird)

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**END OF QUASI-JUDICIAL PROCEEDING**

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**REGULAR AGENDA – CONTINUED**

**ADOPTED**

21. **P.H. 2007-21; ORD. NO. 2007-20: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 90, “ANIMALS”, BY AMENDING SECTION 90.01, “CRUELTY TO ANIMALS”, TO SPECIFY A SEPARATE VIOLATION FOR FAILING TO PROVIDE ADEQUATE SHELTER; AMENDING SECTION 90.05, “DEFINITIONS”, BY MODIFYING THE DEFINITION OF “DANGEROUS DOG” TO CONFORM TO STATE STATUTES AND PROVIDING A DEFINITION FOR DOMESTIC ANIMALS; AMENDING SECTION 90.07, “ANIMAL COMMITTING A NUISANCE”, TO ENHANCE PENALTIES FOR VIOLATIONS; AMENDING SECTION 90.08, “ANIMALS RUNNING AT LARGE”, TO MODIFY CONDITIONS FOR

**REGULAR AGENDA – CONTINUED**

21. **P.H. 2007-21; ORD. NO. 2007-20: (ORDINANCE 2<sup>ND</sup> READING) – CONT'D**

VIOLATIONS; AMENDING SECTION 90.09, “MINIMUM STANDARDS FOR OUTDOOR CONFINEMENT”, TO PROHIBIT CHAINING OR TETHERING OF DOGS; AMENDING SECTION 90.32, “DANGEROUS DOG”, BY MODIFYING REQUIREMENTS FOR OWNERS OF DANGEROUS DOGS; AMENDING SECTION 90.33, “ENFORCEMENT OF VIOLATIONS”, BY PROVIDING FOR PROSECUTION OF VIOLATIONS OTHER THAN BY INFRACTION; CREATING SECTION 90.37, “MUZZLE REQUIREMENTS”, BY PROVIDING REQUIREMENTS FOR MUZZLING OF ANIMALS THAT HAVE ATTACKED; AND AMENDING SECTION 90.99, “PENALTY”, TO PROVIDE FOR PENALTIES FOR COURT PROSECUTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: DECEMBER 12, 2006**

(Staff Contact: Robert A. McCaughan)

**ADOPTED**

22. **P.H. 2007-20; ORD. NO. 2007-21: (ORDINANCE 2<sup>ND</sup> READING)**

AN ORDINANCE AMENDING CHAPTER 92, “CEMETERIES”, OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 92.32, “PLOT PRICES AND SERVICE CHARGES”, TO MODIFY PRICES AND SERVICE CHARGES FOR THE MUNICIPAL CEMETERY, AND TO DELETE CERTAIN REQUIREMENTS; BY AMENDING SECTION 92.44, “CONCRETE BOXES; VAULTS”, TO PROVIDE THAT ALL VAULTS OR BOXES PROVIDED TO THE CITY BE SEALED; BY AMENDING SECTION 92.48, “INTERMENT OF MORE THAN ONE BODY”, TO MODIFY REQUIREMENTS FOR INTERMENT OF MORE THAN ONE BODY; BY AMENDING SECTION 92.65, “MONUMENTS” TO PROVIDE FOR CITY COMMISSION APPROVAL OF MONUMENTS IN CERTAIN SECTIONS OF THE CEMETERY; BY AMENDING SECTION 92.67, “INSTALLATION OF MARKERS” TO MODIFY REQUIREMENTS FOR INSTALLATION OF MEMORIAL MARKERS IN THE SOUTH LAWN SECTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: DECEMBER 12, 2006**

(Staff Contact: Robert A. McCaughan)

**REGULAR AGENDA – CONTINUED**

**ADOPTED**

23. **P.H. 2007-24; ORD. NO. 2007-22: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE AMENDING CHAPTER 34, “CITY POLICY”, OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, RELATING TO THE GENERAL EMPLOYEES’ RETIREMENT SYSTEM, BY AMENDING SECTION 34.010, “DEFINITIONS”, TO REVISE THE DEFINITION OF “CONTINUOUS SERVICE” CONCERNING SERVICE IN THE ARMED FORCES; AMENDING SECTION 34.0262, “ROLLOVER DISTRIBUTIONS TO ELIGIBLE RETIREMENT PLANS”; CREATING A NEW SECTION 34.039, “MAXIMUM PENSIONS”; CREATING A NEW SECTION 34.040, “COMPLIANCE WITH INTERNAL REVENUE CODE”; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; PROVIDING FOR AN EFFECTIVE DATE.

**FIRST READING: DECEMBER 12, 2007**

(Staff Contact: C. William Hargett, Jr.)

**APPROVED FIRST READING**

24. **P.H. 2007-29; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF BEACH, FLORIDA, GRANTING ADDITIONAL 90-DAY TEMPORARY MORATORIUM ON THE ISSUANCE OF RESERVE AND FLEXIBILITY UNITS IN THE CITY FOR THE PURPOSE OF PROTECTING COMMUNITY DEVELOPMENT AND PROMOTING LOW INCOME HOUSING; PROVIDING FOR EXCEPTION FROM THE MORATORIUM; PROVIDING FOR THE DURATION AND EXTENSION OF THE MORATORIUM; PROVIDING FOR NON-CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Larry W. Schuster/J. Mark Leaf)

**ADOPTED**

25. **P.H. 2007-30; RES. NO. 2007-92:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING AMENDMENTS TO THE EVALUATION AND APPRAISAL REPORT; TRANSMITTING COPIES OF THIS RESOLUTION TO THE STATE LAND PLANNING AGENCY AND SOUTH FLORIDA REGIONAL PLANNING COUNCIL; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Larry W. Schuster/J. Mark Leaf)

**ADOPTED**

26. **RES. NO. 2007-93:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE NEW FLOOD CRITERIA MAP; PROVIDING AN EFFECTIVE DATE.

*FLOOD CRITERIA MAP ON FILE IN THE CITY CLERK’S OFFICE.*

**CITY COMMISSION MEETING – JANUARY 9, 2007 – AGENDA NO. 2007-06**

(Staff Contact: Larry W. Schuster/J. Mark Leaf)

**REGULAR AGENDA – CONTINUED**

**APPROVED FIRST READING**

27. **P.H. 2007-34; ORD. NO. 2007-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA AMENDING CHAPTER 152, “BUILDINGS” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 152.21, DEFINITIONS TO AMEND THE DEFINITION OF LOWEST FLOOR; BY AMENDING SECTION 152.22, “FLOOD INSURANCE RATE MAPS AND FLOOD CRITERIA MAP” TO UPDATE MAPS TO INCLUDE ANNEXED AREAS; BY AMENDING SECTION 152.24, FLOODPLAIN REGULATION TO CHANGE NAME OF A BROWARD COUNTY AGENCY AND TO REVISE THE CRITERIA FOR DETERMINING THE ELEVATION OF NEW BUILDINGS; AND BY AMENDING SECTION 152.27 CONFLICTING REGULATION TO INCLUDE LAWS OF STATE OF FLORIDA; PROVIDING A SAVINGS CLAUSE; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Larry W. Schuster/J. Mark Leaf)

**ADOPTED**

28. **RES. NO. 2007-94:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING THE FLORIDA DEPARTMENT OF TRANSPORTATION AND ITS AFFILIATED REGIONAL TRANSPORTATION AGENCIES (REGIONAL TRANSPORTATION ORGANIZATION/REGIONAL TRANSIT AUTHORITY) TO RECOMMEND STRATEGIC INVESTMENT IN THE FLORIDA EAST COAST CORRIDOR AREA, TO EXPAND LOCAL AND REGIONAL PASSENGER SERVICE IN THAT AREA TO MEET THE GROWING TRANSIT NEEDS AND COMPLEMENT FREIGHT INDUSTRY GROWTH IN THE SOUTHEAST FLORIDA AREA; PROVIDING DIRECTION TO THE CITY CLERK; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gordon B. Linn)

**REPORTS**

City Manager  
City Attorney  
City Clerk  
Internal Auditor  
City Commission

**ADJOURNMENT: 8:49 P.M.**

**BALANCE IN CONTINGENCY**

October 1, 2006	Beginning Balance	\$ 26,340.00
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