

MEETING RESULTS!!!
CITY OF POMPANO BEACH
CITY COMMISSION MEETING
AGENDA NO. 2007-16
TUESDAY, MAY 22, 2007
7:00 P.M.

CALL TO ORDER

The Honorable Lamar Fisher
Mayor, Presiding

ROLL CALL

Mary L. Chambers, CMC,
City Clerk

INVOCATION

Pastor James LeTizia
New Covenant Church

PLEDGE OF ALLEGIANCE

Led by Mary L. Chambers, CMC,

APPROVAL OF MINUTES

APPROVED AS SUBMITTED
Regular City Commission Meeting
Minutes of May 8, 2007

APPROVAL OF THE AGENDA

APPROVED AS AMENDED
City Commission

SPECIAL RECOGNITION

Lamar Fisher, Mayor

Aaron Nevins, District Legislative Assistant of Representative Ellyn Bogdanoff's Office
Kimberly Jaeger and Volunteer Kay Wesner, representatives of Senator Jeff Atwater's Office
A representative of Senator Jeremy Ring's Office

SPECIAL PRESENTATION

City Clerk Mary L. Chambers Birthday on May 22nd
Senator Jeremy Ring was not present to speak and present a legislative re-cap to the City Commission.
Commissioner Charlotte Burrie presented an American Flag to Jeff Torrey, President of the Pompano Highlands Civic Association.
Jan Park of the South Florida Race Walkers presented a \$2,000 check to Lou Ambrose of the Dynamos of Pompano Beach

ART IN PUBLIC PLACES PRESENTATION

Certificates presented to the following students by Parks and Recreation Director Tim Tracey,
Recreation Manager Carol Foland and Mayor Lamar Fisher:

CYPRESS ELEMENTARY

Nadine Alcime
Monica Vejar
Aaron Havener
Jose Romero
Jennifer Valdez

McNAB ELEMENTARY

Alex Aycock
Ridgely Ahlgren
Fernando Batista
Suntavia Tyson
Ryan Carson
Bianca Pisani
Kinga Gartner

ART IN PUBLIC PLACES PRESENTATION – CONTINUED

NORCREST ELEMENTARY

Aaron Zuri
Haley Blatt
Nicholas Gallardo
Demi Munn
Anny Santana
Crystal Russo
Pamela Solares
Denise Diaz

CRESTHAVEN ELEMENTARY

Allie Davidowitz
Katherine Jimenez
Sebastian Soran
Teddy Harp
Jon Waters

PALMVIEW ELEMENTARY

Natacha Cilien
Taffy Mesalien
Alexandria Paul
Daphcar Lafleur
Angela Mosley
Wilky Desulme
Naidy Gallumette

POMPANO BEACH ELEMENTARY

Camisha Saint-Preux
Gary Cook
Renee Fatato
Andrea Alejandre

CHARLES DREW ELEMENTARY

Davisha Baxter
Akiva Green
Michael Kemp
Sofia Hernandez
Brianna Sanchious
Carmen Ortega
Kalin Fleurine
Jokensie Beauzil

POMPANO BEACH MIDDLE

Jessica Ciani
Yamilette Borja
Jessica Montanaro
Charles Siemons
Emily Ferrell
Chloe' Rodengren

PROCLAMATION

Lamar Fisher, Mayor

Robert Shelley of American Legion Post 142 received a proclamation proclaiming May 28, 2007 as Memorial Day.

Fire Chief Harry Small received a proclamation proclaiming May 20-26, 2007, as Emergency Medical Services Week.

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. Approval to award Bid H-32-07, Concrete, Ready-Mix, Delivered, to the low responsive bidder, Modern Concrete as prime contractor, and to Supermix Concrete as alternate contractor, for six-month, open-end contracts.

(Staff Contact: Robert McCaughan)

ADOPTED

2. **RES. NO. 2007-185:** 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 ARBORPRO, INC. FOR TREE INVENTORY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert McCaughan)

ADOPTED

3. **RES. NO. 2007-186:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTIES FROM R & A WOODS ENTERPRISES, INC. TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

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

ADOPTED

4. **RES. NO. 2007-187:** 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 BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR CONSTRUCTION AND MAINTENANCE OF CYPRESS CREEK GREENWAY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert McCaughan)

ADOPTED

5. **RES. NO. 2007-188:** A RESOLUTION 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 LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND GREEN FLORIDA DEVELOPMENTS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Harry L. Small)

CONSENT AGENDA – CONTINUED

ADOPTED

6. **RES. NO. 2007-189:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LOCAL GOVERNMENT EMERGENCY RELIEF REIMBURSEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert McCaughan)

ADOPTED

7. **RES. NO. 2007-190:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING THE ABSOLUTE BILL OF SALE FOR THE PHASE 2 WATER DISTRIBUTION SYSTEM FROM ORCHID GROVE COMMUNITY DEVELOPMENT DISTRICT TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Helen Gray)

ADOPTED

8. **RES. NO. 2007-191:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **GEORGE R. FIVEK** TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER REX HARDIN FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 7, 2010; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

ADOPTED

9. **RES. NO. 2007-192:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JAMES KRINSKY** TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER KAY MCGINN FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 7, 2010; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

CONSENT AGENDA – CONTINUED

ADOPTED

10. **RES. NO. 2007-193:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ROBERT CRESTO** TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER KAY MCGINN FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JUNE 1, 2009; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

ADOPTED

11. **RES. NO. 2007-194:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **DESHANDA HENLEY** TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF MAYOR LAMAR FISHER; SAID TERM TO COINCIDE WITH THE TERM OF OFFICE OF THE APPOINTING MAYOR AND SHALL EXPIRE ON JUNE 1, 2010; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

ADOPTED

12. **RES. NO. 2007-195:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE SETTLEMENT OF THE PENDING WORKERS' COMPENSATION CLAIM BY GUY HOUT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Ed Beecher/Michael Smith)

ADOPTED

13. **RES. NO. 2007-196:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE SETTLEMENT OF THE PENDING WORKERS' COMPENSATION CLAIM BY RICHARD W. LEWANDOWSKI; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Ed Beecher/Michael Smith)

APPROVED

14. Approval to award Bid #K-33-07, Amphitheater Fabric Cone Roof Repairs, to sole bidder, Shade America, Inc., in the amount of \$80,995.00, and accompanying budget adjustment.

(Staff Contact: Helen Gray)

CONSENT AGENDA – CONTINUED

APPROVED

15. Approval to award Bid H-41-07, Water Meters, to the single bidder, Neptune Technology Group Inc., for an annual, open-end contract.

(Staff Contact: A. Randolph Brown)

REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

16. **TABLED TO THE JUNE 26, 2007 CITY COMMISSION MEETING**
P.H. 2007-47; ORD. NO. 2007-...: (PUBLIC HEARING 1ST READING)
AN ORDINANCE AMENDING SECTION 155.005 OF CHAPTER 155 OF THE CODE OF ORDINANCES OF THE CITY OF POMPAÑO BEACH, FLORIDA, BY REZONING PROPERTY LYING EAST OF SOUTH OCEAN BLVD. (S.R. A-I-A) AND WEST OF BRINY AVENUE AND NORTH OF SE 4TH 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.

FIRST READING: TABLED ON APRIL 10, 2007

(Staff Contact: Jennifer Gomez/Robin Bird)

17. **TABLED TO THE JULY 10, 2007 CITY COMMISSION MEETING**
Consideration of an appeal of a decision of the Planning & Zoning Board regarding the issuance of a development order issued on behalf of Pompano Beach Resort Development Group, LLC (P&Z #06-12000054) for the construction of a hotel on two parcels of land located at 1350 South Ocean Blvd. The appeal is submitted by the Claridge Condominium Inc.

(Staff Contact: Robin Bird)

END OF QUASI-JUDICIAL PROCEEDING

REGULAR AGENDA – CONTINUED

APPROVED FIRST READING

18. **P.H. 2007-63; ORD. NO. 2007-...: (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 SUNCOM NETWORK SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF MANAGEMENT SERVICES, ENTERPRISE INFORMATION TECHNOLOGY SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gene Zamoski)

APPROVED FIRST READING

19. **P.H. 2007-64; ORD. NO. 2007-...: (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 LETTER OF ELECTION BETWEEN THE CITY OF POMPANO BEACH AND BELLSOUTH TELECOMMUNICATIONS, INC. D/B/A BELLSOUTH BUSINESS SYSTEMS, INC. FOR CENTREX TELEPHONE SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gene Zamoski)

APPROVED FIRST READING

20. **P.H. 2007-65; ORD. NO. 2007-...: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 91, "BOATS AND WATER RECREATION," OF THE POMPANO BEACH CODE OF ORDINANCES BY CREATING A NEW SECTION 91.15, "ESQUIRE LAKE," TO PROHIBIT THE USE OF MOTORIZED WATERCRAFT ON ESQUIRE LAKE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gordon B. Linn)

ADOPTED

21. **RES. NO.; 2007-197:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING A DRAFT OF THE BROWARD COUNTY PUBLIC SCHOOL FACILITIES ELEMENT AND RELATED REQUIRED OBJECTIVES AND POLICIES FOR THE INTERGOVERNMENTAL COORDINATION AND CAPITAL IMPROVEMENT ELEMENTS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Larry W. Schuster)

REGULAR AGENDA – CONTINUED

ADOPTED

22. **RES. NO. 2007-198:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOBY L. BALINT** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE #1, FOR A TERM OF ONE (1) YEAR; SAID TERM TO EXPIRE ON MAY 25, 2008; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

Joby L. Balint (Incumbent/Alternate #1) – District 1

Ray Lubomski – District 1

Irma D. Newmark – District 5

(Staff Contact: Mary L. Chambers)

ADOPTED

23. **RES. NO. 2007-199:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **STEPHEN D. HOLMES** TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 27, 2010; PROVIDING AN EFFECTIVE DATE.

APPLICANTS

Heather E. Brunner – District 1

Donald S. McNeil – District 1

Charles Cavallaro – District 1

John McDermott – District 2

Robert D. Hirsch – District 3

Robert J. Sikorski – District 3

Stephen D. Holmes (Incumbent) – District 3

Alfred W. Ritter (**Incumbent**) – District 5

(Staff Contact: Mary L. Chambers)

ADOPTED

24. **RES. NO. 2007-200:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ALFRED W. RITTER** TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 27, 2010; PROVIDING AN EFFECTIVE DATE.

SEE PREVIOUS ITEM FOR APPLICANTS

(Staff Contact: Mary L. Chambers)

REGULAR AGENDA – CONTINUED

**SELECTED GARLAND KEITH CHADWELL AS CITY MANAGER AND
MICHAEL J. WRIGHT AS THE SECOND CHOICE**

25. Consideration for the selection of a City Manager.

(Staff Contact: Phyllis A. Korab)

REPORTS

Interim City Manager

City Attorney

City Clerk

Internal Auditor

City Commission

ADJOURNMENT: 9:31 P.M.

BALANCE IN CONTINGENCY

Oct. 1, 2006	Beginning Balance	\$ 26,340.00
Jan. 9, 2007	Community Wildlife Habitat Program	\$ (500.00)
May 8, 2007	Broward League of Cities	\$ (1,000.00)
May 8, 2007	The Crockett Foundation	<u>\$ (5,000.00)</u>
	Current Balance:	\$ 19,840.00