

**MEETING RESULTS!!!  
CITY OF POMPANO BEACH  
CITY COMMISSION MEETING  
AGENDA NO. 2007-12  
TUESDAY, MARCH 27, 2007  
7:00 P.M.**

**CALL TO ORDER**

The Honorable Lamar Fisher  
Mayor, Presiding

**ROLL CALL**

Mary L. Chambers, CMC,  
City Clerk

**INVOCATION**

Dr. Matthew Moore  
Deerfield Church Christ

**PLEDGE OF ALLEGIANCE**

Led by Mary L. Chambers, CMC,

**APPROVAL OF MINUTES**

**APPROVED AS SUBMITTED**  
Regular City Commission Meeting  
of March 13, 2007

**APPROVAL OF THE AGENDA**

**APPROVED AS SUBMITTED**  
City Commission

**PROCLAMATION**

Mayor Lamar Fisher

Major Frank Lightbourn received a proclamation proclaiming April 8-14, 2007 as, **“National Public Safety Telecommunications 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-25-07, Transformer Replacement (Rebid), to the low bidder, Mills Electric Service, Inc., in the amount of \$25,995.00.

(Staff Contact: A. Randolph Brown)

**APPROVED**

2. Approval to award Bid H-20-07, Project 02-830, Drainage System Improvements for Basin CT 3-4, to the low bidder, Metro Express, Inc., in the amount of \$281,024.00, and approval of accompanying budget adjustment.

(Staff Contact: Helen Gray)

**APPROVED**

3. Approval to award Bid H-21-07, Project 06-912, Taxiway N Pavement Widening, to the low bidder, Florida Blacktop, Inc., in the amount of \$274,487.78, and approval of accompanying budget adjustment.

(Staff Contact: Helen Gray)

**ADOPTED**

4. **RES. NO. 2007-151:** A RESOLUTION APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE SATISFACTIONS OF MORTGAGES PERTAINING TO FIRST TIME HOMEBUYER LOANS AND HOUSING REHABILITATION LOANS GIVEN BY THE CITY OF POMPANO BEACH FOR NUMEROUS PROPERTIES LOCATED IN THE CITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: A. Richard Bowman/Phyllis Korab)

**ADOPTED**

5. **RES. NO. 2007-152:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUMMER FOOD SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Tim Tracey)

**CONSENT AGENDA - CONTINUED**

**ADOPTED**

6. **RES. NO. 2007-153:** 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 SCHOOL BOARD OF BROWARD COUNTY, FLORIDA, PROVIDING FOR THE USE OF SCHOOL BUSES FOR PURPOSES OTHER THAN PUPIL TRANSPORTATION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Tim Tracey)

**ADOPTED**

7. **RES. NO. 2007-154:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF LIENS BETWEEN THE CITY OF POMPANO BEACH AND JAMES SALLEY TO RESOLVE PENDING FORECLOSURE LITIGATION OF CODE ENFORCEMENT LIENS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Fawn Powers)

**ADOPTED**

8. **RES. NO. 2007-155:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND ACCESSIBLE PLANNING SERVICES, INC. FOR CONSULTING AND PROFESSIONAL SERVICES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Ed Beecher/Michael Smith)

**REGULAR AGENDA**

**ACCEPTED THE REPORT**

9. Presentation of the Actuarial Valuation Report for the City of Pompano Beach General Employees' Retirement System by Mr. Ira Summer, Board Actuary.

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

**REGULAR AGENDA**

**ADOPTED**

10. **RES. NO. 2007-156:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING A SETTLEMENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BDI CONSTRUCTION COMPANY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Helen Gray)

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**QUASI-JUDICIAL PROCEEDING**

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**ADOPTED**

11. **RES. NO. 2007-157:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE 744 PLAT LOCATED ON A PARCEL OF LAND LYING IMMEDIATELY EAST OF FEDERAL HIGHWAY (U.S. 1) AND BETWEEN NE 8<sup>TH</sup> STREET AND NE 6<sup>TH</sup> STREET; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jennifer Gomez/Robin Bird)

**ADOPTED**

12. **P.H. 2007-44; ORD. NO. 2007-41: (ORDINANCE 2ND READING)**  
AN ORDINANCE AMENDING SECTION 155.005, “ZONING DISTRICTS”, OF CHAPTER 155, “ZONING CODE”, OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY REZONING THE PROPERTY LYING NORTH OF NW 22<sup>ND</sup> COURT AND EAST OF POWERLINE ROAD (ST. RD. #845) AND COMMONLY KNOWN AS 2250 NORTH POWERLINE ROAD FROM I-1 (GENERAL INDUSTRIAL) TO B-4 (HEAVY BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 13, 2007**

(Staff Contact: Jennifer Gomez/Robin Bird)

**ADOPTED**

13. **P.H. 2007-52; ORD. NO. 2007-42: (ORDINANCE 2ND READING)**  
AN ORDINANCE ABANDONING THAT CERTAIN PORTION OF THE RIGHT-OF-WAY FOR SW 1<sup>ST</sup> STREET BETWEEN SW 1<sup>ST</sup> AVENUE AND SOUTH CYPRESS ROAD, FOR SW 1<sup>ST</sup> COURT BETWEEN SW 1<sup>ST</sup> AVENUE AND SW 1<sup>ST</sup> TERRACE AND FOR SW 1<sup>ST</sup> TERRACE BETWEEN SW 1<sup>ST</sup> COURT AND SW 1<sup>ST</sup> STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 13, 2007**

(Staff Contact: Jennifer Gomez/Robin Bird)

**REGULAR AGENDA – CONTINUED**

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**QUASI-JUDICIAL PROCEEDING – CONTINUED**

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**ADOPTED**

14. **P.H. 2007-51; ORD. NO. 2007-43: (ORDINANCE 2ND READING)**  
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF THAT CERTAIN ALLEYWAY LYING BETWEEN NE 15<sup>TH</sup> TERRACE AND NE 16<sup>TH</sup> AVENUE AND NORTH OF SAMPLE ROAD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 13, 2007**

(Staff Contact: Jennifer Gomez/Robin Bird)

15. **STRICKEN (REQUESTED THAT STAFF READVERTISE ORDINANCE)**  
**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.

**FIRST READING: Tabled JANUARY 9, 2007 AND FEBRUARY 27, 2007 UNTIL MARCH 27, 2007.**

(Staff Contact: Jennifer Gomez/Robin Bird)

**APPROVED FIRST READING**

16. **P.H. 2007-53; ORD. NO. 2007-....: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN SIX FOOT UTILITY EASEMENT LYING SOUTH OF SE 6<sup>TH</sup> STREET AT THE INTERSECTION WITH HIBISCUS AVENUE; PROVIDING FOR SEVERABILITY; 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 AS AMENDED**

17. **P.H. 2007-50; ORD. NO. 2007-44: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE AMENDING CHAPTER 50, “WATER”, OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 50.02, “WATER DISTRIBUTION; METERS”, BY AMENDING ITS TITLE TO, “WATER DISTRIBUTION; GENERAL”; REQUIRING NEW DEVELOPMENTS GREATER THAN ONE ACRE TO PROVIDE MASTER METERS; PERMITTING A CONTRACTOR TO MAKE CONNECTIONS TO THE CITY SYSTEM; PERMITTING FITTINGS WITHIN TWO FEET OF METER; REQUIRING AWWA STANDARDS FOR METERS; REQUIRING PERMITS FOR TESTING AND REPAIRS TO BE OBTAINED FROM THE CITY’S BUILDING DEPARTMENT; REQUIRING INSTALLATION OR REPAIR OF BACKFLOW DEVICES WITHIN FIVE WORKING DAYS OF NOTICE; REQUIRING THE INSTALLATION OF A BACKFLOW PREVENTION ASSEMBLY FOR UNAPPROVED USE OF UNMETERED FIRE LINE; REQUIRING PAYMENT OF REPAIR OR REPLACEMENT OF UTILITY APPURTENANCES WITHIN FIVE DAYS OF NOTICE AND PROVIDING THAT SUCH COSTS MAY BE APPLIED TO CUSTOMERS’ ACCOUNTS; DETERMINING THE DISTANCE THE WATER SYSTEM MUST BE EXTENDED; REQUIRING A PERMIT TO WITHDRAW WATER FROM FIRE HYDRANTS; AND UPDATING AND CLARIFYING OTHER PROVISIONS; AMENDING SECTION 50.03, “WATER TARIFF”, TO PROVIDE FOR TERMS AND CONDITIONS FOR THE SALE OF CITY WATER; AMENDING SECTION 50.04, “INITIAL FEES AND DEPOSITS FOR NEW WATER SERVICE,” TO PROVIDE THAT CITY MAY EXPEND REUSE WATER DEPOSIT DUE TO NONPAYMENT OF SERVICES; AMENDING SECTION 50.05, “CURTAILMENT OF USAGE”, BY AMENDING THE TITLE TO, “CONSERVATION”; PROVIDING RESTRICTIONS AND PENALTIES DURING A WATER SHORTAGE AND VARIANCE PROCEDURES; ESTABLISHING CONSERVATION WATER USAGE REQUIREMENTS; AMENDING SECTION 50.06, “BILLING”, SECTION 50.07, “DELINQUENT BILLS”, SECTION 50.10, “UNLAWFUL USE OF CITY WATER”, AND SECTION 50.13, “CAPITAL RECOVERY FEES”, TO CLARIFY AND UPDATE VARIOUS PROVISIONS; AMENDING SECTION 50.08, “RECONNECTION AFTER CUTOFF”, TO PROVIDE WHEN UTILITY SERVICE SHALL BE REESTABLISHED FOR FAILURE TO MAKE TIMELY PAYMENT; SECTION 50.09; “WATER FROM FIRE HYDRANTS”, AND SECTION 50.14, “RESTRICTIONS ON IRRIGATION”, ARE HEREBY DELETED IN THEIR ENTIRETIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 13, 2007**

(Staff Contact: A. Randolph Brown)

**REGULAR AGENDA – CONTINUED**

**APPOINTED COMMISSIONER BRUMMER AS DIRECTOR, MAYOR FISHER AS ALTERNATE AND COMMISSIONER BURRIE AS SECOND ALTERNATE**

18. Consideration of appointing Director, Alternate and Second Alternate as voting delegates to the Broward League of Cities.

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

**REPORTS**

City Manager  
City Attorney  
City Clerk  
Internal Auditor  
City Commission

**ADJOURNMENT: 9:24 P.M.**

**BALANCE IN CONTINGENCY**

Oct. 1, 2006	Beginning Balance	\$ 26,340.00
Jan. 9, 2007	Community Wildlife Habitat Program	<u>\$ (500.00)</u>
	<b>Current Balance:</b>	<b>\$ 25,840.00</b>