

**MEETING RESULTS!!!**  
**CITY OF POMPANO BEACH**  
**CITY COMMISSION MEETING**  
**AGENDA NO. 2010-01**  
**TUESDAY, OCTOBER 13, 2009**  
**7:00 P.M.**

**CALL TO ORDER**

The Honorable Lamar Fisher  
Mayor, Presiding

**ROLL CALL**

Mary L. Chambers, MMC,  
City Clerk

**INVOCATION**

Rabbi Tzvi Dechter  
Chabad Synagogue Hillsboro Beach

**PLEDGE OF ALLEGIANCE**

Led by Mary L. Chambers, MMC,  
City Clerk

**APPROVAL OF MINUTES**

**APPROVED AS SUBMITTED**  
Regular City Commission Meeting  
Minutes of September 22, 2009

**APPROVAL OF THE AGENDA**

**APPROVED AS SUBMITTED**  
City Commission

**PROCLAMATIONS**

Mayor Lamar Fisher

*National School Lunch Week*

Darlene Moppert, Program Manager of Nutrition Education for the Broward County School Board accepted proclamation.

Gayle Roberts and Leslie Thiesen, Food and Nutrition Services Managers of the Broward County School Board, accepted the National School Lunch Week proclamation in Ms. Moppert's absence.

**SPECIAL PRESENTATION**

Broward Sheriff Al Lamberti responded to the Willdan Homeland Security Study.

**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**

**ADOPTED**

1. **RES. NO. 2010-01:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF AGREEMENT FOR IMMUNIZATION BY PARAMEDICS BETWEEN BROWARD COUNTY HEALTH DEPARTMENT AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Harry L. Small)

**ADOPTED**

2. **RES. NO. 2010-02:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND ADDENDUM, TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ADVANCED DATA PROCESSING, INC., PROVIDING FOR RESCUE AMBULANCE BILLING AND RELATED PROFESSIONAL SERVICES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Harry L. Small)

**ADOPTED**

3. **RES. NO. 2010-03:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HEALTHY MOTHERS/HEALTHY BABIES COALITION OF BROWARD COUNTY, INC. TO PROVIDE PREGNANT AND PARENTING WOMEN AND TEENS WITH ACCESS TO PREVENTIVE CARE, CHILDBIRTH AND PARENTING EDUCATION TO REDUCE INFANT MORTALITY AND IMPROVE HEALTHY BIRTH OUTCOMES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/Ernesto Reyes)

**ADOPTED**

4. **RES. NO. 2010-04:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MENTAL HEALTH ASSOCIATION OF BROWARD COUNTY, INC. TO PROVIDE PROGRAMS THAT FOSTER SKILLS FOR MENTAL WELLNESS THROUGH PREVENTION AND EDUCATION AND TO PROVIDE RECREATION SUPPORT TO THOSE WITH MENTAL ILLNESSES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/Ernesto Reyes)

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

5. **RES. NO. 2010-05:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND AREAWIDE COUNCIL ON AGING OF BROWARD COUNTY, INC. TO PROVIDE MEALS TO OLDER PERSONS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/Ernesto Reyes)

**ADOPTED**

6. **RES. NO. 2010-06:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD HOMEBOUND PROGRAM, INC. TO PROVIDE CASE MANAGEMENT AND IN-HOME SERVICES TO ELDERLY AND DISABLED ADULTS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/Ernesto Reyes)

**ADOPTED**

7. **RES. NO. 2010-07:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SENIOR VOLUNTEER SERVICES, INC. TO ENGAGE OLDER ADULTS IN VOLUNTEER SERVICE TO MEET CRITICAL COMMUNITY NEEDS AND ENRICH THE LIVES OF VOLUNTEERS BY TUTORING AND MENTORING CHILDREN, AND PROVIDING SUPPORT AND COMPANIONSHIP TO FRAIL ELDERLY AND ADULTS WITH DISABILITIES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/Ernesto Reyes)

**ADOPTED**

8. **RES. NO. 2010-08:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BEACH HISTORICAL SOCIETY, INC. TO PROVIDE THE MAINTENANCE OF HISTORICAL BUILDINGS AND TO PROVIDE CATALOGING AND STORAGE OF HISTORICAL RECORDS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/Ernesto Reyes)

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

9. **RES. NO. 2010-09:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FAMILY CENTRAL, INC. TO PROVIDE SUBSIDIZED CHILDCARE FOR CHILDREN AT RISK OF ABUSE OR NEGLECT, OR ECONOMICALLY DISADVANTAGED, AND OFFER TRAINING, COACHING AND EDUCATIONAL SUPPORT THAT IMPROVES THE QUALITY OF CARE FOR YOUNG CHILDREN; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/Ernesto Reyes)

**ADOPTED**

10. **RES. NO. 2010-10:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO AN URBAN AND COMMUNITY FORESTRY GRANT MEMORANDUM OF AGREEMENT WITH THE STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, PROVIDING AN EFFECTIVE DATE. (Projected City cost share: \$7,500.00)

(Staff Contact: Robert A. McCaughan)

**ADOPTED AS AMENDED**

11. **RES. NO. 2010-11:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH APPROVING THE SECOND AMENDMENT TO THE CITY OF POMPANO BEACH STATE HOUSING INITIATIVE PARTNERSHIP PROGRAM (SHIP) LOCAL HOUSING ASSISTANCE PLAN (LHAP) FOR FISCAL YEAR 2009-2012; ADOPTING A NEW CONSTRUCTION STRATEGY; ADOPTING REVISED TERMS AND LIMITS FOR FIRST TIME HOMEBUYER PROGRAM; AND DIRECTING STAFF TO SUBMIT THE AMENDED LOCAL HOUSING ASSISTANCE PLAN FOR REVIEW AND APPROVAL BY THE FLORIDA HOUSING FINANCE CORPORATION; AUTHORIZING THE CITY TO DISCHARGE THE TERMS AND CONDITIONS OF THE ADOPTED PLAN; PROVIDING AN EFFECTIVE DATE. (No cost at this time.)

(Staff Contact: Miriam Carrillo)

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

12. **RES. NO. 2010-12:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PROGRAM PROVIDER AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD REGIONAL HEALTH PLANNING COUNCIL, INC. RELATING TO THE HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM; PROVIDING AN EFFECTIVE DATE. (These funds were made available from the American Recovery and Reinvestment Act of 2009 and will provide \$428,309.00 in project delivery funding.)

(Staff Contact: Miriam Carrillo)

**ADOPTED**

13. **RES. NO. 2010-13:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING AN ENERGY BLOCK GRANT FROM THE UNITED STATES DEPARTMENT OF ENERGY, FOR ENERGY SAVING RETROFIT OF CITY HALL AND OTHER ENERGY SAVING PROJECTS; CONFIRMING THE CITY'S CONTRIBUTION; AND AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AND EXECUTE ALL APPROPRIATE AGREEMENTS; PROVIDING AN EFFECTIVE DATE. (Federal Grant: \$1,038,200; City Share: \$1,005.880.)

(Staff Contact: Robert A. McCaughan)

**ADOPTED**

14. **RES. NO. 2010-14:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOAN KOVAC** TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY, TO FILL THE UNEXPIRED TERM OF RICHARD KLOSIEWICZ; SAID TERM TO EXPIRE ON JULY 1, 2010; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

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**REGULAR AGENDA**

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**QUASI-JUDICIAL PROCEEDING**

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**ADOPTED**

15. **RES. NO. 2010-15:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CORAL CADILLAC PLAT LOCATED ON A PARCEL OF LAND LYING WEST OF FEDERAL HIGHWAY (U.S. HIGHWAY #1) AND NORTH OF NE 51<sup>ST</sup> STREET; PROVIDING FOR ALLOCATION OF THE FLEXIBILITY RULE FOR COMMERCIAL USE; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gary Ilardi/Robin M. Bird)

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**END OF QUASI-JUDICIAL PROCEEDING**

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**REGULAR AGENDA - CONTINUED**

16. **TABLED TO THE OCTOBER 27, 2009 CITY COMMISSION MEETING**  
**P.H. 2009-76; ORD. NO. 2010-:** (ORDINANCE 2<sup>ND</sup> READING)  
AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO DECREASE THE SERVICE CHARGES FOR THE COLLECTION AND DISPOSAL OF REFUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: SEPTEMBER 22, 2009)**

(Staff Contact: Robert A. McCaughan)

**ADOPTED**

17. **RES. NO. 2010-16:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT NUMBER 1 BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RELATING TO THE PROJECT TO REHABILITATE RUNWAY 15/33 AT THE POMPANO BEACH AIR PARK; PROVIDING AN EFFECTIVE DATE.  
(Total Grant Share: FDOT - \$1.4M; City - \$360K)

(Staff Contact: Steve Rocco/Robert A. McCaughan)

**REGULAR AGENDA – CONTINUED**

**ADOPTED**

18. **RES. NO. 2010-17:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AN APPLICATION FOR EXPANSION OF THE BROWARD COUNTY/FORT LAUDERDALE ENTERPRISE ZONE; PROVIDING FOR THE ESTABLISHMENT OF AN AREA FOR CONSIDERATION AS AN ENTERPRISE ZONE; DEFINING THE AREA THAT EXHIBITS EXTREME AND UNACCEPTABLE LEVELS OF POVERTY, EMPLOYMENT, PHYSICAL DETERIORATION AND ECONOMIC DISINVESTMENT; FINDING THE MEANS OF REHABILITATION, CONSERVATION OR REDEVELOPMENT OF SUCH AREA; FINDING THAT IT IS NECESSARY FOR THE PRIVATE SECTOR TO INVEST ITS OWN RESOURCES TO BUILD OR REBUILD THE ECONOMIC VITALITY OF THE AREA; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Dr. Alexander Medina/Miriam Carrillo)

**ADOPTED**

19. **RES. NO. 2010-18:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **AL SIEFERT** TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 24, 2012; PROVIDING AN EFFECTIVE DATE.

**APPLICANTS**

James Bennett – District 1

James R. Bunn – District 3

Anthony B. Cusanelli – (Incumbent) – District 1

Donald A. Dare – District 1

Linell Otis Jackson – District 5

Kyle S. McPhail – District 1

Gary S. Ruderman – District 1

***Al Siefert – District 1***

Vicente M. Thrower – District 4

(Staff Contact: Mary L. Chambers)

**REGULAR AGENDA – CONTINUED**

**ADOPTED**

20. **RES. NO. 2010-19:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, OPPOSING BROWARD COUNTY’S PROPOSAL TO CHARGE FOR THE FIRST TIME, MUNICIPALITIES IN THE COUNTY FOR TOXICOLOGICAL SERVICES; URGING MUNICIPALITIES THROUGHOUT BROWARD COUNTY TO OPPOSE THE COUNTY’S PROPOSED NEW CHARGES FOR SUCH SERVICES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Phyllis A. Korab)

**THE CITY COMMISSION ACCEPTED THE MERCER GROUP’S RECOMMENDATION TO INTERVIEW THE FOUR FINALISTS (DENNIS BEACH, T.C. BROADNAX, GARY SHIMUN AND JAMES TWOMBLY); AS WELL AS, AGREED TO HAVE EACH CANDIDATE MAKE A 10-15 MINUTE PRESENTATION, FOLLOWING BY INTERACTION WITH THE PUBLIC. HOWEVER, THE DATES HAVE YET TO BE FINALIZED.**

21. Consideration of Mercer Group recommendation on finalists for the City Manager position and determination of which candidates to bring to the City of Pompano Beach for interviews.

(Staff Contact: Phyllis A. Korab)

**REPORTS**

City Manager  
City Attorney  
City Clerk  
Internal Auditor  
City Commission

**ADJOURNMENT: 10:30 P.M.**

**BALANCE IN CONTINGENCY**

October 1, 2009	Beginning Balance	\$ 8,340.00
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**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:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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**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.**