

Meeting Date: February 22, 2011

Agenda Item

26

REQUESTED COMMISSION ACTION:

Consent

Ordinance

X Resolution

Consideration/
Discussion

Presentation

SHORT TITLE APPOINTMENT TO THE UNSAFE STRUCTURES AND HOUSING APPEALS
BOARDS/NUISANCE ABATEMENT BOARD

Summary of Purpose and Why:

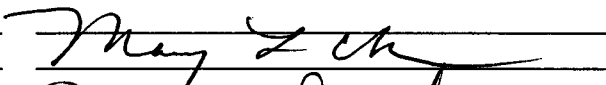
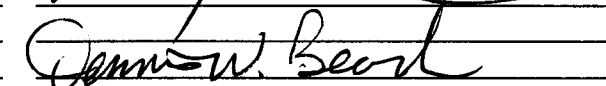
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 22, 2014; PROVIDING AN EFFECTIVE DATE.

APPLICANTS: Hector G. Barragan – *Incumbent* – District 1

This is a City Commission's Appointment. Additionally, there is only one application on file for a qualified engineer.

The Unsafe Structures Board and Housing Appeals Board/Nuisance Abatement Board have a strict criterion, which governs its membership. Therefore, the law requires: a Registered Engineer, a Registered Architect, a General Building Contractor, an Electrical Contractor, and Attorney at Law, a Plumbing Contractor, a Real Estate Appraiser, a Real Estate Property Manager and Citizen with experience and background in the field of social problems.

- (1) Origin of request for this action: City Clerk's Office
- (2) Primary staff contact: Mary L. Chambers Ext. 4611
- (3) Expiration of contract, if applicable: _____
- (4) Fiscal impact and source of funding: _____

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE
City Clerk's Office	2/10/11	Approve	
<input checked="" type="checkbox"/> City Manager	_____	_____	

ACTION TAKEN BY COMMISSION:

Ordinance	Resolution	Consideration	Workshop
1 st Reading	1 st Reading	Results:	Results:
_____	_____	_____	_____
2 nd Reading	_____	_____	_____
_____	_____	_____	_____

RESOLUTION NO. 2011-_____

CITY OF POMPANO BEACH
Broward County, Florida

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 22, 2014; PROVIDING AN EFFECTIVE DATE.

WHEREAS, _____ is well qualified to serve as a member of the Unsafe Structures and Housing Appeals Board/Nuisance Abatement Board of the City of Pompano Beach and the City Commission desires to appoint a member thereto; now, therefore,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:

SECTION 1: That _____ is hereby appointed to the Unsafe Structures and Housing Appeals Board/Nuisance Abatement Board for a term of three (3) years; said term to expire on February 22, 2014.

SECTION 2: This Resolution shall become effective upon passage.


PASSED AND ADOPTED this ____ day of _____, 2011

LAMAR FISHER, MAYOR

ATTEST:

MARY L. CHAMBERS, CITY CLERK

MEMORANDUM

DATE: January 26, 2011
TO: Mary Chambers, City Clerk
FROM: Linda R. Hora, Advisory Board Secretary 
SUBJECT: ATTENDANCE REPORT

In accordance with your request, I am submitting the following attendance record:

UNSAFE STRUCTURES AND HOUSING APPEALS BOARD

Hector Barragan

Attendance computed from March of 2005 through January of 2011.

Meetings Held:	58
Meetings Attended:	45
% Meetings Attended:	78%



**CITY OF POMPANO BEACH, FLORIDA
ADVISORY BOARD/COMMITTEE APPLICATION**

City Clerk's Office
Post Office Drawer 1300
Pompano Beach, Florida 33061

Phone No. (954) 786-4611
Facsimile No. (954) 786-4095

IN ORDER TO ASSIST THE CITY COMMISSION IN MAKING MUNICIPAL BOARD AND COMMITTEE APPOINTMENTS, THE FOLLOWING INFORMATION IS REQUESTED:

NAME OF BOARD/COMMITTEE: UNSAFE STRUCTURES

NAME OF APPLICANT: HECTOR G. BARRAGAN

RESIDENCY ADDRESS: 2840 NE 14th STREET CSY, APT: A-309, POMPANO BEACH

ZIP CODE: 33062 HOME PHONE NO.: (964) 785-8056

MAILING ADDRESS: 2840 NE 14th STREET CSWY, APT: A-309

CITY/STATE/ZIP CODE: POMPANO BEACH, FL 33062

ARE YOU A CITY RESIDENT? YES: X NO: _____

IF YES, PLEASE INDICATE DISTRICT YOU RESIDE IN: (1) 2 3 4 5 *ok*

DO YOU OWN REAL PROPERTY IN POMPANO BEACH? YES: X NO: _____

ARE YOU A REGISTERED VOTER? YES: _____ NO: X

HAVE YOU BEEN CONVICTED OF A FELONY IN FLORIDA, OR ANY OTHER STATE, WITHOUT YOUR CIVIL RIGHTS HAVING BEEN RESTORED? YES: _____ NO: X
BUSINESS OR OCCUPATION: STRUCTURAL ENGINEER, BARRAGAN ENGINEERING CONSULTANTS, P.A.

BUSINESS ADDRESS: 24 NE 24th AVENUE

CITY/STATE: POMPANO BEACH, FL

ZIP CODE: 33062 BUSINESS PHONE NO.: (954) 781-6700

ARE YOU PRESENTLY SERVING ON ANY OTHER CITY BOARD OR COMMITTEE? NO

IF YES, PLEASE LIST NAME: _____

WOULD YOU CONSIDER SERVING ON ANY OTHER CITY BOARD OR COMMITTEE? YES

IF YES, PLEASE LIST NAME(S): _____

HAVE YOU EVER SERVED ON A CITY OF POMPANO BEACH BOARD/COMMITTEE? NO

IF YES, PLEASE STATE NAME OF BOARD OR COMMITTEE: _____

PLEASE LIST THE FOLLOWING BACKGROUND INFORMATION, WHICH WOULD QUALIFY YOU TO SERVE ON THIS BOARD OR COMMITTEE: _____

EDUCATION: B.S. CIVIL ENGINEERING UNIVERSIDAD DE LOS ANDES, BOGOTA, COLOMBIA
M.S. STRUCTURAL ENGINEERING, FLORIDA ATLANTIC UNIVERSITY, BOCA RATON, FLORIDA.

EXPERIENCE: 12 YEARS OF PROFESSIONAL EXPERIENCE

CURRENT POSITION: PRESIDENT, BARRAGAN ENGINEERING CONSULTANTS, P.A.

PAST POSITIONS: ENGINEER, CHALAIZE AND ASSOCIATES, INC, A.G. LICHTENSTEIN ASSOC., ENVIRONMENTAL CONSULTING & TECHNOLOGY, ECT

HOBBIES: SWIMMING

MAKING ANY FALSE STATEMENTS HEREIN MAY BE CAUSE FOR REMOVAL BY THE CITY COMMISSION.

H. G. Baumgardner
SIGNATURE OF APPLICANT

DATE OF APPLICATION

INITIALS OF CLERK OR DEPUTY

1/1/08
DATE RECEIVED OR CONFIRMED

NOTE: IF YOU DO NOT WISH TO SERVE ON THIS BOARD OR COMMITTEE, PLEASE EITHER CHECK HERE _____ AND RETURN TO CITY CLERK, OR NOTIFY THE CITY CLERK'S OFFICE IN WRITING OF YOUR DESIRE NOT TO SERVE.

THIS SECTION MUST BE COMPLETED BY THE ADVISORY BOARD SECRETARY ONLY

NUMBER OF MEETINGS HELD: _____ NUMBER OF MEETINGS ATTENDED: _____

202.13 UNSAFE STRUCTURES BOARD: The Unsafe Structures Board is hereby created, consisting of nine members who shall be appointed by the Appointing Authority. All professional members of the Unsafe Structures Board should be registered and licensed in the State of Florida. In the event the Appointing Authority cannot find a properly qualified resident of the area under its jurisdiction, it may by majority vote of its membership, appoint a qualified non-resident of the specific categories or professions required.

(a) QUALIFICATION OF MEMBERS: Members of the Board shall be permanent residents of the area under the jurisdiction of the Appointing Authority, who possess outstanding reputations for civic activity, interest, integrity, responsibility, and business or professional ability. The composition and representative membership of the Board shall be as follows: a Registered Engineer, a Registered Architect, a General Building Contractor, an Electrical Contractor, an Attorney at Law, a Plumbing Contractor, a Real Estate Appraiser, a Real Estate Property Manager and Citizen with experience and background in the field of social problems.

(b) TERMS OF OFFICE: In order that the terms of office of all members of the Board shall not expire at the same time, the initial appointments to the Board shall be as follows: Three members for the term of two years, three members for the term of three years, and three members for the term of four years. Thereafter, all appointments shall be for the term of three years, provided that the term in all instances, shall continue until a successor is appointed and qualified. Appointments to fill any vacancy on the Board shall be for the remainder of the unexpired term, but failure to fill a vacancy shall not invalidate any action or decision of the Board.

(c) ORGANIZATION OF THE BOARD:

(1) The members of the board shall elect a Chairman and a Vice Chairman and such other officers as may be deemed necessary or desirable, who shall serve at the will of the Board. Election of officers shall be held at the first meeting after February First, and such officers shall hold office for one year.

(2) Five members of the Board shall constitute a quorum necessary to hold a meeting or take any action.

(3) A majority vote of the Board membership present and voting at a duly constituted meeting shall be sufficient to overrule, modify or affirm any action or decision of the Building Official or to take any other action within the scope of the power and duties of the Board.

(4) Members shall serve without compensation but shall be entitled to reimbursement for necessary expenses incurred in the performance of their official duties, upon approval by the legislative body adopting this Code.

(5) No member of the Board shall sit as a voting member in any hearing on a matter in which he has a personal or financial interest.

(6) The Building Official, or his designee, shall be the Secretary of the Board but shall have no vote.

(7) The Chairman or the Secretary may call meetings of the Board, and meetings may be called by written notice signed by three members of the Board.

(8) Minutes and records shall be kept of all meetings of the Board and all meetings shall be public.

(9) All hearings shall be open to the public, and any person whose interest may be affected by the matter on appeal shall be given an opportunity to be heard in person, or through his attorney.

(10) Witnesses may be sworn and subpoenaed by the Board in a like manner as they are subpoenaed by the court or courts in the County in which this Code is adopted.

(11) The hearings shall be informal and need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs regardless of the existence of any common law or statutory rules which might make improper the admission of such evidence over objection in civil actions.

(12) Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence but shall not be sufficient itself to support a finding unless it would be admissible over objection in civil actions.

(13) The rules of privilege shall be effective to the same extent that they are now, or hereafter may be, recognized in civil actions; and irrelevant and unduly repetitious evidence shall be excluded.

(14) The Board may establish rules and regulations for its own procedure.

(15) The Building Official shall provide adequate and competent clerical and administrative personnel and such technical or scientific personnel as may be reasonably required by the Board for the proper performance of its duties, subject to budget limitations and shall maintain a record of all proceedings in the office of the Building Official, including but not limited to a court reporter's transcript of the proceeding, and shall make available for copying any and all portions of the record of the proceeding and may certify the same as a true copy and make a reasonable charge therefor; provided, the court reporter shall certify the copy of his transcript.

(16) The Building Official shall provide a regular meeting place for the Board.

(d) DUTIES AND POWERS OF THE BOARD: The board shall have the following duties, functions, powers and responsibilities:

(1) Hear and determine appeals from actions and decisions of the Building Official pursuant to the provisions thereof.

(2) Hear and review the application of the Building Official for review of his action where his decision as indicated in a Notice of Violations has not been complied with.

(3) Affirm, modify or reverse the decision of the Building Official upon appeal or on application for review.

(4) The Board, through its Secretary, shall transmit the record with all exhibits, instruments, papers, and transcripts of its proceedings to the appointing authority in the event that authority shall consider the matter pursuant to applicable law in that regard made and provided.

(5) Hear and determine appeals from actions and decisions of the enforcing agency pursuant to the provisions of the applicable Minimum Housing Code.

202.14 DUTIES OF LEGAL COUNSEL: It shall be the duty of the attorney for the appointing authority, when so requested, to appear at all hearings before the Unsafe Structures Board and to represent and advise the Board.

202.15 CONFLICT OF INTEREST: No official, board member or employee charged with the enforcement of this law shall have any financial interest, directly or indirectly, in any repairs, corrections, construction or demolition which may be required, nor shall any official, board member or employee give to anyone the location of any property or the names of owners thereof on which repairs, corrections or demolition have been ordered, except as otherwise directed hereinafter, until after the owners have been formally advised at which time such shall become a matter of public record.

UNSAFE STRUCTURES AND HOUSING APPEALS BOARD/NUISANCE ABATEMENT BOARD

NAME	ADDRESS	PHONE	APPOINTED	EXPIRES	RESO NO.
ROSS MC KELVEY Attorney Chairman	581 S.E. 13th Court 2401 E. Atlantic Boulevard-Suite 210 (33062)	781-4732 785-6423 (O)	1-29-09	1-29-12	09-88
NORBERT C. WILLIAMS Social Problems Background Vice Chairman	5400 N.W. 64th Terrace Lauderhill 33319	742-2668	9-26-08	9-26-11	08-289
FRED STACER General Contractor	2501 S.E. 9th Street (33062)	788-8623 943-7827 (O)	9-14-09	9-8-12	09-253
GHULAM "JOE" USMAN Plumbing Contractor	5808 N.W. 74th Terrace (33067) Parkland.	255-1977 781-8500 (O)	8-30-08	7-1-11	08-228
HECTOR G. BARRAGAN Engineer	2840 N.E. 14th Street Apt. A-309 (33062)	785-8056 781-6700 (O)	2-22-08	2-22-11	08-117
DANIEL R. COGDILL Electrical Contractor	2381 N.E. 15th Terrace (33064)	785-4345 946-2204 (O)	4-25-09	4-25-12	09-170
GAIL A. DE ANGELIS Real Estate Property Manager	2549 S.E. 11th Street (33062)	785-2042	6-24-08	8-30-11	08-227
SALAH ELROWENY Architect	480 S. Cypress Road - Suite 100 (33060)	741-5348 785-1314 (O)	4-25-09	4-25-12	09-171
VACANCY Real Estate Appraiser				6-28-11	** Rogers Term

LINDA R. HORA
Advisory Board Secretary

786-4662

City Hall

MEETS:
Fourth Tuesday of each month-5:00 P.M.
Commission Chambers Conference Room

ELECTIONS:
Annually at February Meetings