

City of Pompano Beach, Florida

City Commission Minutes



Agenda No. 2011-26

Date: July 19, 2011

Commission Meeting Room

- SUBJECT -	ORD. NO.	RES. NO.	PAGE
<u>APPROVAL OF AGENDA</u>			
July 19, 2011 – Special City Commission Meeting Agenda			1
<u>REGULAR ITEMS</u>			
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TERMINATING THE AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR CONVEYANCE OF PROPERTY FOR LIBRARY FACILITY, AS TWICE AMENDED, AND AUTHORIZING THE PROPER CITY OFFICIALS TO ISSUE AND FORWARD WRITTEN NOTICE OF SAID TERMINATION TO BROWARD COUNTY; PROVIDING AN EFFECTIVE DATE.		2011-276	1
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT AMONG BROWARD COUNTY, THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF POMPANO BEACH FOR PROGRAMMING, DESIGN AND CONSTRUCTION OF LIBRARY FACILITY; PROVIDING AN EFFECTIVE DATE.		2011-277	2
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CITY OF POMPANO BEACH, FLORIDA

SPECIAL CITY COMMISSION MINUTES

Agenda No. 2011-26

Date: July 19, 2011

Commission Meeting Room

The Mayor called the meeting to order at 8:00 p.m. and presided as the chairman.

ROLL CALL:

Mayor
Vice Mayor
Commissioner
Commissioner
Commissioner

Present:

Lamar Fisher
George Brummer
Charlotte Burrie
Barry Dockswell
Rex Hardin

and

City Manager
City Attorney
City Clerk

Dennis W. Beach
Gordon B. Linn
Mary L. Chambers

INVOCATION BY:

Lamar Fisher
Mayor

PLEDGE OF ALLEGIANCE LED BY: *Mary L. Chambers, City Clerk*



City of Pompano Beach, Florida

Names of Commrs.	M	S	V Y	V N
SPECIAL CITY COMMISSION MEETING MINUTES JULY 19, 2011				
PAGE 1				
<u>APPROVAL OF AGENDA</u>				
MOTION: To approve the Special City Commission Meeting Agenda of July 19, 2011, as submitted.				
<u>ROLL CALL</u>				
Burrie			X	
Dockswell		X	X	
Hardin	X		X	
Poitier			X	
Brunner			X	
Fisher			X	
 <u>REGULAR ITEMS</u>				
RES. NO. 2011-276: TAPE 1 – 60 ITEM 1				
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TERMINATING THE AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR CONVEYANCE OF PROPERTY FOR LIBRARY FACILITY, AS TWICE AMENDED, AND AUTHORIZING THE PROPER CITY OFFICIALS TO ISSUE AND FORWARD WRITTEN NOTICE OF SAID TERMINATION TO BROWARD COUNTY; PROVIDING AN EFFECTIVE DATE.</p>				
MOTION: To adopt Resolution No. 2011-276 upon reading.				
<u>ROLL CALL</u>				
Burrie		X	X	
Dockswell			X	
Hardin	X		X	
Poitier			X	
Brunner			X	
Fisher			X	
<p>Robert A. McCaughan, Director of Public Works stated that before the City Commission considers the proposed agreement, the first order of business is to terminate the existing agreement that was approved in October 2007 along with the two amendments, which was to convey the property. At this time, the City will be pursuing the programming.</p>				



City of Pompano Beach, Florida

Names of Commrs.	M	S	V Y	V N

SPECIAL CITY COMMISSION MEETING MINUTES JULY 19, 2011

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ADJOURNMENT

There being no further business, the meeting adjourned at 8:05 p.m.

LAMAR FISHER, MAYOR

MARY L. CHAMBERS, CITY CLERK

**POMPANO BEACH
COMMUNITY REDEVELOPMENT AGENCY BOARD
MEETING MINUTES**

**Tuesday, July 19, 2011
CITY COMMISSION CHAMBERS
7:00 P.M.
DRAFT**

PRESENT

Chair	Mayor Lamar Fisher
Vice Chair	George Brummer
Commissioner	Barry Dockswell
Commissioner	Rex Hardin
Commissioner	Charlotte Burrie

ABSENT

Commissioner	Woodrow Poitier
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ALSO PRESENT

City Attorney	Gordon Linn
Co-Executive CRA Directors	Kim Briesemeister
	Chris Brown
NW CRA Director	Floyd Johnson
CRA Engineer	Horacio Danovich
CRA Consultant, Downtown Project Manager	Neil Fritz
CRA Planner/Economic Development Mgr.	Natasha Alfonso
CRA Construction Project Manager	Louis Friend
CRA Project Manager	Adriane Esteban
CRA Marketing Director	Jeanine Parisi
CRA Clerk	Tom Schneider
Web Stream Operator	Kervin Alfred

CALL TO ORDER

Mayor Lamar Fisher called the meeting of the Community Redevelopment Agency Board to order at 7:00 p.m. and spoke about Commissioner Poitier, noting that he is doing well.

APPROVAL OF MINUTES

MOTION made by Commissioner Hardin to approve the Minutes of the June 21, 2011, CRA Board meeting. Seconded by Commissioner Dockswell. Motion passed unanimously.

AMENDMENT TO DEVELOPMENT AGREEMENT BETWEEN THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND POMPANO CENTER OF COMMERCE, LLC; PROVIDING AN EFFECTIVE DATE.

City Attorney Linn read the title of Item #3.

Chris Brown gave a brief background on the Development Agreement and spoke about the Pompano Center of Commerce, noting that it contributes a significant amount of tax increment revenues for the Northwest District. He explained because of the downturn in the commercial market, the owner and developer requested that the Development Agreement be extended from 2012 to 2016.

Malcolm Butters, Butters Construction Development, 6820 Lyons Technology Circle, Coconut Creek, FL, spoke about AMB Properties, his partnership with them in developing the Pompano Center of Commerce, and the Center itself. He added that he and AMB (now known as Prologis) are committed to this project and the goal is to start the next phase in the following year or two.

Mayor Fisher opened to the public; there were no comments or questions and the Mayor closed to the public.

Commissioner Dockswell referenced the Development Agreement, page 20, paragraph R7, Binding Effect, 6th line, and said the termination date of 2014 should be amended to 2016.

MOTION made by Commissioner Dockswell to amend Item #3 to update the termination date on page 20, paragraph R.7. Binding Effect, of the Development Agreement, from 2014 to 2016. Seconded by Commissioner Hardin. Motion passed unanimously.

MOTION made by Commissioner Hardin to approve Item #3, as amended. Seconded by Commissioner Burrie. On roll call vote, motion passed unanimously.

Item #4

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE A SERVICE AGREEMENT BETWEEN THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND DICKEY CONSULTING SERVICES, INC. TO PROVIDE COMMUNITY OUTREACH AND CONFLICT RESOLUTION WITHIN THE COLLIER CITY NEIGHBORHOOD; PROVIDING AN EFFECTIVE DATE.

This item was stricken from the Agenda.

Item #5

A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY, APPROVING AND AUTHORIZING THE PROPER OFFICIALS TO EXECUTE AN

AGREEMENT AMONG BROWARD COUNTY, THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY AND THE CITY OF POMPANO BEACH FOR PROGRAMMING, DESIGN AND CONSTRUCTION OF LIBRARY FACILITY; PROVIDING AN EFFECTIVE DATE.

City Attorney Linn read the title of Item #5.

Kim Briesemeister gave a brief introduction, noting that the terms and conditions of the agreement would be discussed, and if the item is approved, the CRA Board meeting would recess and a Special City Commission meeting would convene to take up the same item.

Neil Fritz spoke about the lengthy negotiation undertaken and named the City, CRA, and County staff involved. He then gave a PowerPoint presentation which included discussion of the following slides:

- CRA Northwest District
 - Downtown Pompano
- Connectivity Plan Diagram
- Benefits of 5-Year Development Program
- City Hall/Civic Campus
 - Conceptual Site Plan
 - Potential Library Site
 - Project History
 - Proposed Interlocal Agreement with Broward County (City/CRA)
 - Exhibit 1 – Aerial Photo of proposed Civic Campus
 - Exhibit 2 – Library Facility Lease (including Exhibits A-F)
 - Exhibit 3 – Work Letter for Design & Construction (including Attachments)
 - Exhibits 4-7 – Related Ordinances and Agreements
 - Next Steps After Approval

Mayor Fisher opened to the public.

Joseph Wells, 789 NW 15 Place, Pompano Beach, FL, asked about the funding process and Mr. Fritz explained construction will be funded by the City and/or the CRA. Those costs will then be reimbursed by the County. Mr. Wells questioned monies associated with the interlocal agreement regarding the jail in the Collier City area and Finance Director Suzette Sibble said all obligations related to that agreement have been satisfied. Mr. Wells questioned the certainty of reimbursement for the library, and Mayor Fisher and Vice Mayor Brummer explained that the money has been secured from a bond issue. Mr. Wells asked why Phase II, the library, is being done before Phase I, MLK Blvd. Ms. Briesemeister responded that all of the phases are actually working concurrently and development will occur at the same time.

There were no further comments or questions and the Mayor closed to the public.

Vice Mayor Brummer pointed out and commented on typographical errors as follows:

- Interlocal Agreement

- Page 6, Article 3.3.6, 7th line, "CITYA agrees...", the "A" should be removed
- Page 8, Article 4.6, 7th line, a period needs to be added after the first sentence in the section
- Page 8, Article 4.7, 2nd line, there are quotation marks after 'A Permitted Change'...', but no quotations marks at the beginning
- Page 9, Article 5, 6th line from the bottom, the apostrophe should be removed in "...it's..."
- Page 20, Article 19.1, 5th line, "I" needs to be removed in "...and Employer's Liability Insurance to I assure COUNTY..."
- Page 26, Article 23.1, 10th line, and Article 23.2, 6th line, references to "...the Board" are ambiguous. Mr. Fritz responded that the references are to the Board of County Commissioners. Vice Mayor Brummer said "County" should be used to be consistent with the rest of the document.
- Work Letter
 - Page 1, Section 1.05, 2nd line, there is an open quotation mark around CRA, but not a closed quotation mark

Vice Mayor Brummer spoke about the Work Letter, in particular, specifications for a 20,000 and a 30,000 square foot library, and questioned what exactly would be built in this case. Mr. Fritz said the descriptive terms are based on the County's standard template program and this library, which will be approximately 25,000 to 30,000 square feet, will likely fit the definition of a 30,000 square foot facility.

Steve Hammond, Broward County Construction Management Division, explained that the County's generic building programs are somewhat dated, yet provide guidelines for the different sizes of libraries. He described building sizes for neighborhood, community, and regional libraries, noting that the library programs are very similar and have similar types of functions.

Vice Mayor Brummer questioned the seemingly lack of provision for restrooms. Mr. Hammond explained that public restrooms are a critical concern as far as the layout, design, functionality, and sharing with common facilities. Vice Mayor Brummer asked who will design the interior of the library and Mr. Fritz said the design team contracted by the City/CRA will be responsible. Mr. Hammond added that library furniture is typically provided by the County, and there is tight coordination between the designing architect and furniture vendors in order to create a compatible pallet of materials.

Vice Mayor Brummer asked if the public art has been selected. Mr. Hammond said the artist has been selected, but the art piece has not yet been designed. He explained the collaborative efforts that will be undertaken in seeking the design and recent changes to the County public art program that require functionally integrated art.

Responding to Vice Mayor Brummer's question regarding the Lease, Page 8, Paragraph 11, Mr. Fritz said there is no provision for the City to receive additional rent if the County sublets the space. Vice Mayor Brummer asked about selection of the design/construction team, construction contract approval, and periodic reporting. Mr. Fritz said the City and the CRA, with County representation, would be responsible for the RFQ selection process, and the contract would come to the Board and Commission for approval. He added that regular status reports

would be provided. Vice Mayor Brummer asked that staff be mindful of his suggestion of cultural facilities such as a theater and perhaps a banquet hall, with bold, noticeable architecture.

Commissioner Hardin referenced the Interlocal Agreement, Page 11, Article 9.3, 4th line, and noted there is a (i) and a (iii), but no (ii). Mr. Fritz responded that the numbering would be corrected. Commissioner Hardin thanked everyone for their efforts in this process.

Mr. Fritz referenced the Lease, Page 5, Paragraph 5, and said correction of a formatting error is needed to reflect that the City would be responsible for light bulb and lamp/light fixture replacement for the Common area, second floor and exterior.

Responding to Mayor Fisher's procedural question, City Attorney Linn recommended this item be accepted as presented with the understanding the scrivener's errors will be corrected.

MOTION made by Commissioner Hardin to approve Item #5. Seconded by Commissioner Burrie. On roll call vote, motion passed unanimously.

REPORTS

EXECUTIVE DIRECTOR(S)

1. Art in Public Places

Kim Briesemeister gave a brief introduction, noting that in the face of the vertical improvements and business attraction coming in the next 24 months, discussion is desired regarding whether, or how, to include art and cultural elements in essentially public right-of-way areas. She said Louis Friend would be presenting images of art and locations that have been discussed in both districts, and that avail themselves as potential opportunities.

Mayor Fisher recessed the meeting at 7:55 p.m., in order to convene the Special City Commission meeting. At 8:07 p.m., Mayor Fisher reconvened the CRA Board meeting, with all present as before.

Louis Friend gave a PowerPoint presentation on Art in Public Places, noting that the depictions represent ideas and possibilities.

Ms. Briesemeister added that staff recognizes art in public places extends beyond the scope and geography of the CRA districts and is a concept to be embraced citywide. She spoke about outreach to determine interest and emphasized that this is an initial discussion. Input regarding who to bring to the table to join in these discussions is sought.

2. Eta Nu Education Facility

Floyd Johnson referenced the memorandum in the backup, and gave a brief history of the original Eta Nu lease of the Ali Building, the subsequent determination that the proposed refurbishment was not possible, and Eta Nu's request for another site along the MLK Corridor