

**MEETING RESULTS!!!
CITY OF POMPANO BEACH
CITY COMMISSION MEETING
AGENDA NO. 2011-09
TUESDAY, JANUARY 25, 2011
7:00 P.M.**

CALL TO ORDER

The Honorable Lamar Fisher
Mayor, Presiding

ROLL CALL

Mary L. Chambers, MMC,
City Clerk

INVOCATION

Pastor Josh Moore
First Church of the Nazarene

PLEDGE OF ALLEGIANCE

Led by Mary L. Chambers, MMC,
City Clerk

APPROVAL OF MINUTES

APPROVED AS SUBMITTED
Regular City Commission Meeting of
January 11, 2011

City Commission Workshop of
February 8, 2010

APPROVAL OF THE AGENDA

APPROVED AS AMENDED
City Commission

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 of a change order to Florida Highway Products in the amount not to exceed \$22,132.85, for additional pavement microsurfacing.

(Staff Contact: Robert McCaughan)

APPROVED

2. A budget adjustment in the amount of \$220,205.00 to purchase hardware for electronic plan review, office equipment, software licenses for research, (2) vehicles for the permit expeditors & hire (2) part-time building inspectors. Provide funding for staff to attend seminars, training and membership certification renewals.

(Staff Contact: James Bickford/Robin M. Bird)

APPROVED

3. Approval of change order No. 1 in the amount of \$62,633.13 to Intercounty Engineering, to modify the scope of the Golf Course Decorative Fence Project along Federal Highway.

(Staff Contact: Clayton O. Young/Phyllis A. Korab)

ADOPTED

4. **RES. NO. 2011-119:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF POMPANO BEACH FOR FISCAL YEARS 2011 THROUGH 2015 TO INCLUDE A PROJECT FOR PEDESTRIAN LIGHTING OF THE PATH AROUND THE CITY'S AIR PARK, PHASE I; ESTABLISHING THE APPROPRIATE BUDGET FOR FY 2011; PROVIDING AN EFFECTIVE DATE. (Initial Funding: \$350,000)

(Staff Contact: Alessandra Delfico/Phyllis A. Korab)

CONSENT AGENDA - CONTINUED

ADOPTED

5. **RES. NO. 2011-120:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF POMPANO BEACH FOR FISCAL YEARS 2011 THROUGH 2015 TO INCLUDE A PROJECT FOR A RESTROOM FACILITY AT THE POMPANO HIGHLANDS PARK; ESTABLISHING THE APPROPRIATE BUDGET FOR FY 2011; PROVIDING AN EFFECTIVE DATE. (Initial Funding: \$250,000)

(Staff Contact: Alessandra Delfico/Phyllis A. Korab)

ADOPTED

6. **RES. NO. 2011-121:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A UTILITY WORK AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR REHABILITATION OF LIFT STATION #102; PROVIDING AN EFFECTIVE DATE. (No Cost)

(Staff Contact: Alessandra Delfico/A. Randolph Brown)

ADOPTED

7. **RES. NO. 2011-122:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 2 IN THE AMOUNT OF \$63,900 PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WALTERS ZACKRIA ASSOCIATES, PLLC, FOR DESIGN SERVICES RELATED TO CONSTRUCTION OF A NEW RESTROOM AT POMPANO HIGHLANDS PARK; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Alessandra Delfico/Phyllis A. Korab)

CONSENT AGENDA - CONTINUED

STRICKEN

8. **RES. NO. 2011-:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR FUNDING TO PROVIDE LOW INCOME – OWNER HOUSEHOLDS WITH DISASTER MITIGATION ASSISTANCE; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Miriam Carrillo)

ADOPTED

9. **RES. NO. 2011-123:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SHERIFF OF BROWARD COUNTY, PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (CDBG Funds: \$20,000)

(Staff Contact: Miriam Carrillo)

ADOPTED

10. **RES. NO. 2011-124:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM ADELE R. SCHLUSEMEYER TO THE CITY OF POMPANO BEACH FOR THE PURPOSE OF RELEASING A REVERTER PROVISION ON THE HARBOR VILLAGE PARKING AREA; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robin M. Bird/Horacio Danovich)

ADOPTED

11. **RES. NO. 2011-125:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF POMPANO BEACH FOR FISCAL YERS 2011 THROUGH 2015 TO INCLUDE A PROJECT FOR RENOVATION OF THE CITY’S AMPHITHEATER; ESTABLISHING THE APPROPRIATE BUDGET FOR FY 2011; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Alessandra Delfico/Phyllis Korab)

CONSENT AGENDA - CONTINUED

ADOPTED

12. **RES. NO. 2011-126:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSULTANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND GREG NORMAN GOLF COURSE DESIGN COMPANY FOR PROFESSIONAL DESIGN SERVICES FOR PINES COURSE RENOVATION DESIGN SERVICES/SIGNATURE BRANDING/DESIGN ADMINISTRATION & PALMS COURSE IRRIGATION RENOVATION DESIGN SERVICES; PROVIDING AN EFFECTIVE DATE. (City cost: \$600,000)

(Staff Contact: Mark Beaudreau/Phyllis A. Korab)

APPROVED

13. Approve ranking order for RFP H-10-11 “Palm Aire Park” and authorize staff to negotiate a contract with the highest-ranked firm MBR Construction. (No cost at this time.)

(Staff Contact: Alessandra Delfico/Phyllis A. Korab)

ADOPTED

14. **RES. NO. 2011-127:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND STREET FURNITURE ADVERTISING GROUP, INC.; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/Horacio Danovich)

ADOPTED

15. **RES. NO. 2011-128:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY FOR REIMBURSEMENT OF THE COSTS FOR ADDITIONAL TRANSIT SHELTERS WITHIN THE CITY; IMPROVEMENTS PROJECT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan)

REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

ADOPTED

16. **P.H. 2011-24; ORD. NO. 2011-19: ORDINANCE 2ND READING)**
AN ORDINANCE AMENDING CHAPTER 155, “ZONING CODE,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.005 “ZONING DISTRICTS,” BY REZONING PARCELS OF PROPERTY WITHIN THE ATLANTIC OVERLAY DISTRICT LYING NORTH OF EAST ATLANTIC BLVD. (S.R. 814) AND BETWEEN NE 26TH AVENUE AND NE 28TH AVENUE FROM B-3 (GENERAL BUSINESS) TO B-3 (GENERAL BUSINESS) WITH A PCD (PLANNED COMMERCIAL/INDUSTRIAL) OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: DECEMBER 14, 2010

SECOND READING: TABLED ON JANUARY 11, 2011

(Staff Contact: Jean E. Dolan/Robin M. Bird)

ADOPTED

17. **P.H. 2011-26; ORD. NO. 2011-20: (ORDINANCE 2ND READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A FIVE FOOT WIDE PORTION OF THE RIGHT-OF-WAY FOR NW 27TH AVENUE LYING APPROXIMATELY 153 FEET SOUTH OF NW 13TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: JANUARY 11, 2011

(Staff Contact: Jean E. Dolan/Robin M. Bird)

END OF QUASI-JUDICIAL PROCEEDING

REGULAR AGENDA – CONTINUED

ADOPTED

18. **P.H. 2011-27; ORD. NO. 2011-21: (ORDINANCE 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: JANUARY 11, 2011

(Staff Contact: Brian Donovan)

APPROVED

19. **P.H. 2011-30; ORD. NO. 2011-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE AMENDING CHAPTER 34, “CITY POLICY,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 34.107, “POSITION CLASSIFICATION PLAN,” BY CREATING THE POSITIONS OF CONTRACT ADMINISTRATOR, SOLID WASTE INSPECTOR, CHIEF BUSINESS TAX RECEIPT INSPECTOR, AND PROJECT COMPLIANCE MANAGER; BY RECLASSIFYING THE POSITION OF AIRPORT MANAGER; BY RETITLING THE POSITIONS OF PUBLIC INFORMATION OFFICER TO PUBLIC COMMUNICATIONS DIRECTOR, PUBLIC INFORMATION SPECIALIST II TO PUBLIC COMMUNICATIONS SPECIALIST I, PUBLIC INFORMATION SPECIALIST III TO PUBLIC COMMUNICATIONS SPECIALIST II, AIRPORT MANAGER TO AIR PARK MANAGER AND EDP AUDITOR TO DEPUTY INTERNAL AUDITOR; AND BY DELETING PUBLIC INFORMATION SPECIALIST I; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Staff Contact: Michael W. Smith)

ADOPTED

20. **P.H. 2011-28; RES. NO. 2011-130:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA AUTHORIZING ITS NOT EXCEEDING \$30,000,000 HEALTH FACILITIES REVENUE AND REVENUE REFUNDING BONDS (JOHN KNOX VILLAGE OF FLORIDA, INC. PROJECT), SERIES 2011 FOR THE PURPOSE OF LOANING THE PROCEEDS THEREOF TO JOHN KNOX VILLAGE OF FLORIDA, INC., AS BORROWER, TO BE APPLIED, TOGETHER WITH OTHER AVAILABLE FUNDS OF THE BORROWER, TO (I) REFUND A PORTION OF THE CITY’S HEALTH FACILITIES REVENUE REFUNDING BONDS (JOHN KNOX VILLAGE OF FLORIDA, INC. PROJECT), SERIES 2010, IF THE BORROWER DETERMINES IT IS IN ITS BEST INTERESTS

REGULAR AGENDA – CONTINUED

20. Continued....

TO ACCOMPLISH SUCH REFUNDING; (II) PAY, OR REIMBURSE THE PAYMENT OF, THE COSTS OF THE ACQUISITION, CONSTRUCTION, IMPROVEMENT, AND/OR EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS INCLUDED IN THE BORROWER'S CAPITAL PLAN AS ADOPTED FROM TIME TO TIME; (III) FUND NECESSARY RESERVES RELATED TO THE SERIES 2011 BONDS; AND (IV) PAY COSTS OF ISSUANCE OF THE SERIES 2011 BONDS; APPROVING THE FORM, AND AUTHORIZING THE EXECUTION, OF A BOND INDENTURE RELATING TO THE SERIES 2011 BONDS TO BE ENTERED INTO BETWEEN THE CITY AND U.S. BANK NATIONAL ASSOCIATION, AS BOND TRUSTEE; APPOINTING U.S. BANK NATIONAL ASSOCIATION AS BOND TRUSTEE UNDER THE BOND INDENTURE; APPROVING THE FORM, AND AUTHORIZING THE EXECUTION, OF A LOAN AGREEMENT RELATING TO THE SERIES 2011 BONDS BETWEEN THE CITY AND THE BORROWER; PROVIDING FOR THE NEGOTIATED SALE OF THE SERIES 2011 BONDS TO RAYMOND JAMES & ASSOCIATES, INC., AS UNDERWRITER OF THE SERIES 2011 BONDS; APPROVING THE FORM, AND AUTHORIZING THE EXECUTION OF, A BOND PURCHASE AGREEMENT AMONG THE CITY, THE BORROWER AND THE UNDERWRITER, SUBJECT TO THE PARAMETERS SET FORTH HEREIN; APPROVING THE FORM, AND AUTHORIZING THE USE, OF A PRELIMINARY OFFICIAL STATEMENT RELATING TO THE SERIES 2011 BONDS; APPROVING THE DISTRIBUTION OF A FINAL OFFICIAL STATEMENT FOR THE SERIES 2011 BONDS; AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE ISSUANCE OF THE SERIES 2011 BONDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; AND PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Suzette Sibble)

REGULAR AGENDA - CONTINUED

APPROVED

21. **P.H. 2011-29; ORD. NO. 2011-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.12, "COLLECTION REGULATIONS," REQUIRING USE OF BULK CONTAINERS FOR CERTAIN RESIDENCES, DUPLEXES AND TRIPLEXES AND REQUIRING THE USE OF BULK CONTAINERS FOR CERTAIN MULTIPLE DWELLINGS AND COMMERCIAL ESTABLISHMENTS; BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO IMPOSE A FEE FOR RESIDENTIAL ACCOUNTS BILLED BY THE UNIT, PROVIDING EXPLANATORY LANGUAGE FOR NON-CURBSIDE COLLECTION; TO IMPOSE A SERVICE CHARGE FOR RESIDENCES AND MULTIPLE DWELLINGS USING BULK CONTAINERS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

ADOPTED

22. **RES. NO. 2011-129:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING KEVIN C. CROUSILLAT TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE 2 FOR A TERM OF ONE (1) YEAR; SAID TERM TO EXPIRE JANUARY 27, 2012; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

A. Vincent Carfora – District 1
Thomas H. DiGiorgio, Sr – (Incumbent) – District 1
John Pancoast – (Incumbent) – District 1
Amalia Papadimitriou – District 1
Travis R. Williamson – District 1
Tobi Aycock – District 3
Charles H. Bechert III – District 3
Salah Elroweny – District 3
Kevin C. Crousillat – (Incumbent/Alternate 2) – District 3
Scott Toth – District 3
Linnell Otis Jackson – District 5

(Staff Contact: Mary L. Chambers)

REGULAR AGENDA - CONTINUED

ADOPTED

23. **RES. NO. 2011-131:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **THOMAS H. DIGIORGIO, SR** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE FEBRUARY 8, 2013; PROVIDING AN EFFECTIVE DATE.

SEE PREVIOUS ITEM FOR APPLICANTS.

(Staff Contact: Mary L. Chambers)

ADOPTED

24. **RES. NO. 2011-132:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOHN PANCOAST** TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE FEBRUARY 8, 2013; PROVIDING AN EFFECTIVE DATE.

SEE PREVIOUS ITEM FOR APPLICANTS.

(Staff Contact: Mary L. Chambers)

REPORTS:

City Manager

City Attorney

City Clerk

Internal Auditor

City Commission

ADJOURNMENT: 9:48 P.M.

BALANCE IN CONTINGENCY

Oct. 1, 2010	Beginning Balance	\$ 8,340.00
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