

**MEETING RESULTS!  
CITY OF POMPANO BEACH  
CITY COMMISSION MEETING  
AGENDA NO. 2012-02  
TUESDAY, OCTOBER 25, 2011  
7:00 P.M.**

**CALL TO ORDER**

The Honorable Lamar Fisher  
Mayor, Presiding

**ROLL CALL**

Mary L. Chambers, MMC,  
City Clerk

**INVOCATION**

Elder Robert J. Kintchen, Jr.  
Christ Fellowship Church of  
God in Christ

**PLEDGE OF ALLEGIANCE**

Led by Mary L. Chambers, MMC,  
City Clerk

**APPROVAL OF MINUTES**

**APPROVED AS SUBMITTED**  
Regular City Commission Meeting  
of October 11, 2011

**APPROVAL OF THE AGENDA**

**APPROVED AS AMENDED**  
City Commission

**SPECIAL RECOGNITION**

Commissioner Woodrow Poitier's Birthday on November 5<sup>th</sup>

**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 budget adjustment to appropriate and rollover funding totaling \$829,452 from Fiscal Year 2011 to Fiscal Year 2012 for capital outlay, operating and special projects.

(Staff Contact: Brian Donovan)

**ADOPTED**

2. **RES. NO. 2012-19:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINDER TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, PALM BEACH COUNTY, LAKE WORTH DRAINAGE DISTRICT, AND THE CITY OF FORT LAUDERDALE REGARDING C-51 WATER SUPPLY & WATER QUALITY RESERVOIR PLANNING AND DEVELOPMENT; PROVIDING AN EFFECTIVE DATE. (No cost)

(Staff Contact: A. Randolph Brown)

**ADOPTED**

3. **RES. NO. 2012-20:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD EXTENSION AND AMENDMENT TO AGREEMENT FOR INVESTMENT MANAGEMENT SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CUTWATER INVESTOR SERVICES CORP. F/K/A MBIA MUNICIPAL INVESTORS SERVICE CORPORATION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Suzette Sibble)

**ADOPTED**

4. **RES. NO. 2012-21:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AUTOMATIC AID AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE CITY OF LIGHTHOUSE POINT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Harry L. Small)

**CONSENT AGENDA – CONTINUED**

**TABLED TO THE NOVEMBER 8, 2011 CITY COMMISSION MEETING**

5. **RES. NO. 2012-:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING FOR TRANSMITTAL TO THE BROWARD COUNTY PLANNING COUNCIL AN APPLICATION FOR AMENDMENT TO THE BROWARD COUNTY TRAFFICWAYS PLAN TO AMEND THE DESIGNATION FOR DR. MARTIN LUTHER KING JR., BOULEVARD FROM DIXIE HIGHWAY TO I-95, FROM AN 80 FOOT COLLECTOR TO AN 80 CONTEXT SENSITIVE CORRIDOR; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Jean E. Dolan/Horacio Danovich)

**APPROVED**

6. Approval of a change order to World Electric Supply in the amount of \$50,094.00 for changes to the bollard lights awarded per Bid H-45-11.

(Staff Contact: Robert A. McCaughan)

**APPROVED**

7. Approval to award Bid H-51-11, Polo Shirts with Embroidery and Screen Printing for the Fire Department (Rebid) to the low responsive bidder, Design Lab, Inc., for an annual open-end contract, at an estimated cost of \$25,023.10 per year.

(Staff Contact: Harry L. Small)

**APPROVED**

8. Approval to purchase quicklime, as needed, for the Water Treatment Plant, per the City of Tamarac Cooperative Bid #11-25B, from Chemical Lime Co. of Alabama, LLC, at an estimated total cost of \$450,000.00 per year.

(Staff Contact: A. Randolph Brown)

**APPROVED**

9. Approval of budget adjustment appropriating funds from the Budgetary Retained Earnings to the Service Connection Reuse Account.

(Staff Contact: A. Randolph Brown)

**ADOPTED**

10. **RES. NO. 2012-22:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN APPLICANT-INSTALLED FACILITIES AGREEMENT FOR UNDERGROUND CONVERSIONS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

11. **RES. NO. 2012-23:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CITY/COUNTY RIGHT-OF-WAY AGREEMENT FOR UNDERGROUND CONVERSIONS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

**APPROVED**

12. Approve ranking order and short-list for RLI H-48-11 “Design-Build Services for the City of Pompano Beach Utility Field Services Complex,” with the short-listed firms to be solicited for Step 2 proposals: D. Stephenson Construction, MBR Construction, Sikon Construction Company, and Turner Construction. (No cost at this time)

(Staff Contact: Robert A. McCaughan/Tammy L. Good)

**REGULAR AGENDA**

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**QUASI-JUDICIAL PROCEEDING**

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**ADOPTED AS AMENDED**

13. **P.H. 2011-96; ORD. NO. 2012-05:** **(ORDINANCE 2<sup>ND</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 A PARCEL OF PROPERTY LYING EAST OF POWERLINE ROAD AND APPROXIMATELY 95 FEET SOUTH OF NORTHWEST 18<sup>TH</sup> STREET FROM I-1 (INDUSTRIAL) TO I-1 (INDUSTRIAL) WITH A PCD (PLANNED COMMERCIAL/INDUSTRIAL) OVERLAY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**SECOND READING: TABLED ON SEPTEMBER 27, 2011 & OCTOBER 11, 2011**

**FIRST READING: SEPTEMBER 13, 2011**

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

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**END OF QUASI-JUDICIAL PROCEEDING**

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**REGULAR AGENDA – CONTINUED**

**ADOPTED**

14. **P.H. 2012-02; ORD. NO. 2012-06: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE AMENDING CHAPTER 37, “POMPANO BEACH CODE ENFORCEMENT,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 37.10, “ESTABLISHING FINE AND LIEN,” TO PROVIDE ADDITIONAL RESTRICTIONS AND REQUIREMENTS FOR ABATEMENT OF LIENS BY THE CITY’S SPECIAL MAGISTRATE FOR CODE ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: OCTOBER 11, 2011**

(Staff Contact: Suzette Sibble)

**APPROVED FIRST READING AS AMENDED**

15. **P.H. 2012-07; ORD. NO. 2012-...: (PUBLIC HEARING 1<sup>ST</sup> 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 CONSTRUCTION MANAGER AND PERMIT EXPEDITER, AND BY RECLASSIFYING THE POSITION OF ADVISORY BOARD SECRETARY; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Staff Contact: Michael Smith)

**APPROVED FIRST READING**

16. **P.H. 2012-04; ORD. NO. 2012-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DELETING IN ITS ENTIRETY CHAPTER 95, “FIRE PREVENTION,” OF THE POMPANO BEACH CODE OF ORDINANCES; CREATING A NEW CHAPTER 95, “FIRE PREVENTION,” PROVIDING FOR ADOPTION AND IMPLEMENTATION OF STATEWIDE FIRE CODES; PROVIDING STANDARDS AND REQUIREMENTS FOR FIRE PREVENTION AND SAFETY; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Harry L. Small)

**REGULAR AGENDA – CONTINUED**

17. **TABLED TO THE NOVEMBER 22, 2011 CITY COMMISSION MEETING P.H. 2012-05; ORD. NO. 2012-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GROUND LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND JJ LAND REALTY, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Horacio Danovich)

- APPROVED FIRST READING**  
18. **P.H. 2012-06; ORD. NO. 2012-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING JANUARY 31, 2012 AS THE DATE FOR THE 2012 MUNICIPAL GENERAL ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**EMERGENCY SECOND READING WILL BE OCTOBER 25, 2011.**

Staff Contact: Gordon B. Linn)

- ADOPTED**  
18. **P.H. 2012-06; ORD. NO. 2012-07: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING JANUARY 31, 2012 AS THE DATE FOR THE 2012 MUNICIPAL GENERAL ELECTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Staff Contact: Gordon B. Linn)

- APPROVED**  
19. Consideration for the dual naming of Northwest 2<sup>nd</sup> Street to add the name of Reverend Ernest E. Graham Street as per Resolution 2003-98, Street Naming Policy.

(Staff Contact: Robert A. McCaughan)

- ACCEPTED THE RECOMMENDED RANKINGS AND AUTHORIZED STAFF TO NEGOTIATE A CONTRACT WITH THE FIRST RANKED RESPONDENT AND IF UNSUCCESSFUL, THEN NEGOTIATE A CONTRACT WITH THE SECOND RANKED RESPONDENT**  
20. Discussion of the master development of pier site, including parcels east and west of Pompano Beach Boulevard.

(Staff Contact: Horacio Danovich)

**REPORTS**

City Manager  
City Attorney  
City Clerk  
Internal Auditor  
City Commission

**ADJOURNMENT: 8:36 P.M.**

**BALANCE IN CONTINGENCY**

|                 |                   |    |          |
|-----------------|-------------------|----|----------|
| October 1, 2011 | Beginning Balance | \$ | 8,340.00 |
|-----------------|-------------------|----|----------|