

**MEETING RESULTS!!!**  
**CITY OF POMPANO BEACH**  
**CITY COMMISSION MEETING**  
**AGENDA NO. 2011-03**  
**TUESDAY, NOVEMBER 9, 2010**  
**7:00 P.M.**

**CALL TO ORDER**

The Honorable Lamar Fisher  
Mayor, Presiding

**ROLL CALL**

Mary L. Chambers, MMC,  
City Clerk

**INVOCATION**

Pastor Jon Hantsbarger  
First Christian Church

**PLEDGE OF ALLEGIANCE**

Led by Mary L. Chambers, MMC,  
City Clerk

**APPROVAL OF MINUTES**

**APPROVED AS SUBMITTED**  
Regular City Commission Meeting  
of October 26, 2010

**APPROVAL OF THE AGENDA**

**APPROVED AS AMENDED**  
City Commission

**PROCLAMATIONS**

Lamar Fisher, Mayor

National Wildlife Proclamation was presented to Roxanne Paul, the National Wildlife Federation National Coordinator.

Pompano Beach Holiday Boat Parade Day Proclamation was presented to Ric Green, President, Greater Pompano Beach Chamber of Commerce.

**SPECIAL AWARD**

On behalf of the American Legion Post 142, George Rafajko, 9<sup>th</sup> District Commander, presented the Mayor and City Commission with an award of appreciation for their support of the veterans during Fleet Week.

**SPECIAL RECOGNITION**

Vice Mayor George Brummer's Birthday on November 15<sup>th</sup>  
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 change order to MBR Construction, Inc., in the amount of \$29,755.20, to remove 9 hazardous and/or damaged trees and plant 44 new trees at Cresthaven Park.

(Staff Contact: Phyllis A. Korab/Tammy Good)

**APPROVED**

2. Approval of a Continuing Contract for Civil Engineering Services with Craven Thompson & Associates, Inc. for various City projects. (No cost at this time.) (**RES. NO. 2011-43**)

(Staff Contact: Alessandra Delfico)

**APPROVED**

3. Approval of a Continuing Contract for Environmental Testing and Consulting Services with Sphere Environmental Services, LLC for Environmental Testing and Consulting Services. (No cost at this time.) (**RES. NO. 2011-44**)

(Staff Contact: Alessandra Delfico)

**APPROVED**

4. Approval of a Continuing Contract for Environmental Testing and Consulting Services with Cherokee Enterprises, Inc. for Environmental Testing and Consulting Services. (No cost at this time.) (**RES. NO. 2011-45**)

(Staff Contact: Alessandra Delfico)

**APPROVED**

5. Approval of a Continuing Contract for Environmental Testing and Consulting Services with Professional Service Industries, Inc. for Environmental Testing and Consulting Services. (No cost at this time.) (**RES. NO. 2011-46**)

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

**APPROVED**

6. Approval of a Continuing Contract for Environmental Testing and Consulting Services with Bureau Veritas North America, Inc. for Environmental Testing and Consulting Services. (No cost at this time.) (**RES. NO. 2011-47**)

(Staff Contact: Alessandra Delfico)

**CONSENT AGENDA – CONTINUED**

**APPROVED**

7. Approval of a Continuing Contract for Civil Engineering Services with R. J. Behar & Company, Inc. for various City projects. (*RES. NO. 2011-48*)

(Staff Contact: Alessandra Delfico)

**APPROVED**

8. Approval of a Continuing Contract for Environmental Testing and Consulting Services with Environmental Consulting & Technologies, Inc. for Environmental Testing and Consulting Services. (No cost at this time.) (*RES. NO. 2011-49*)

(Staff Contact: Alessandra Delfico)

**ADOPTED**

9. **RES. NO. 2011-26:** 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 RELATING TO THE ATLANTIC BOULEVARD IMPROVEMENTS PROJECT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

**ADOPTED**

10. **RES. NO. 2011-27:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN DR. BRENDA C. SNIPES, SUPERVISOR OF ELECTIONS OF BROWARD COUNTY, AND THE CITY OF POMPANO BEACH RELATING TO THE MARCH 8, 2011 GENERAL ELECTION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

**ADOPTED**

11. **RES. NO. 2011-28:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING CONVEYANCE OF REAL PROPERTY FROM RUND, INC. TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

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

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

12. **RES. NO. 2011-29:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DAYTIME/NIGHTTIME SHARED PARKING AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND RUND, INC.; PROVIDING AN EFFECTIVE DATE.

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

**ADOPTED**

13. **RES. NO. 2011-30:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE AGREEMENT AND SERVICE TERMS AND CONDITIONS BETWEEN THE CITY OF POMPANO BEACH AND MOTOROLA, INC. FOR THE CITY'S PORTABLE AND MOBILE RADIO COMMUNICATIONS EQUIPMENT; PROVIDING AN EFFECTIVE DATE. (Cost to City: \$29,754.72)

(Staff Contact: Gene Zamoski)

**ADOPTED**

14. **RES. NO. 2011-31:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TECHNICAL SERVICE SUPPORT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PHYSIO-CONTROL, INC.; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Harry L. Small)

**ADOPTED**

15. **RES. NO. 2011-32:** 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. 07 IN THE AMOUNT OF \$33,000.00 PURSUANT TO THE AGREEMENT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND BERMELLO, AJAMIL & PARTNERS, INC. FOR PORTABLE EMERGENCY GENERATORS FOR NORTH BROWARD PARK BUILDING AND HIGHLANDS PARK COMMUNITY CENTER; PROVIDING AN EFFECTIVE DATE.

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

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

16. **RES. NO. 2011-33:** 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 UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY RELATING TO PARTICIPATION IN THE 2010 BYRNE JUSTICE ASSISTANCE GRANT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan/William Knowles)

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**REGULAR AGENDA**

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**QUASI-JUDICIAL PROCEEDING**

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**APPROVED FIRST READING**

17. **P.H. 2011-13; ORD. NO. 2011-...:** (PUBLIC HEARING 1<sup>ST</sup> READING)  
AN ORDINANCE ABANDONING A CERTAIN SOUTHERLY 10 FOOT PORTION OF THE RIGHT-OF-WAY FOR NORTHWEST 18<sup>TH</sup> STREET LYING IMMEDIATELY WEST OF NORTHWEST 19<sup>TH</sup> AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

**APPROVED FIRST READING**

18. **P.H. 2011-14; ORD. NO. 2011-...:** (PUBLIC HEARING 1<sup>ST</sup> READING)  
AN ORDINANCE ABANDONING A CERTAIN NORTHERLY 10 FOOT PORTION OF THE RIGHT-OF-WAY FOR NORTHWEST 18<sup>TH</sup> STREET LYING APPROXIMATELY 561 FEET EAST OF POWERLINE ROAD (S.R. 845); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

**APPROVED FIRST READING**

19. **P.H. 2011-15; ORD. NO. 2011-...:** (PUBLIC HEARING 1<sup>ST</sup> READING)  
AN ORDINANCE ABANDONING AN ACCESS EASEMENT LYING NORTH OF ATLANTIC BLVD. (S.R. 814) AND A CERTAIN NORTHERLY PORTION OF THE RIGHT-OF-WAY FOR ATLANTIC BLVD. (S.R. 814) BOTH LYING EAST OF NW 28<sup>TH</sup> AVENUE AND WEST OF NW 27<sup>TH</sup> AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

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**END OF QUASI-JUDICIAL PROCEEDING**

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**REGULAR AGENDA – CONTINUED**

**ADOPTED AS AMENDED**

20. **P.H. 2011-10; ORD. NO. 2011-8: (ORDINANCE 2<sup>ND</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 SUBLEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE UNITED STATES COAST GUARD AUXILIARY FLOTILLA 34, FOR A PORTION OF THE PARCEL CURRENTLY LEASED BY THE CITY FROM THE FLORIDA INLAND NAVIGATION DISTRICT, COMMONLY KNOWN AS ALSDORF PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: OCTOBER 26, 2010**

(Staff Contact: Mark Beaudreau)

**ADOPTED**

21. **P.H. 2011-08; ORD. NO. 2011-9: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE NORTHWEST POMPANO BEACH COMMUNITY REDEVELOPMENT PLAN AS ADOPTED IN ORDINANCE NO. 90-9; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: OCTOBER 12, 2010**

**SECOND READING: TABLED ON OCTOBER 26, 2010**

(Staff Contact: Chris Brown)

**ADOPTED**

22. **P.H. 2011-11; RES. NO. 2011-34:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ENERGY SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, FLORIDA, AND SIEMENS INDUSTRY, INC., FOR THE PURPOSE OF REDUCING ENERGY CONSUMPTION AND OPERATING EXPENSES AT VARIOUS CITY FACILITIES AND IMPROVING PERFORMANCE OF THE CITY'S WATER METERING SYSTEM; PROVIDING AN EFFECTIVE DATE. ( City Cost: \$15,035,430.00)

**TABLED ON OCTOBER 26, 2010**

(Staff Contact: Robert A. McCaughan)

**REGULAR AGENDA – CONTINUED**

**ADOPTED**

23. **P.H. 2011-17; RES. NO. 2011-35:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ENERGY SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, FLORIDA, AND SIEMENS INDUSTRY, INC., TO REDUCE ENERGY CONSUMPTION AND OPERATING EXPENSES AT CITY HALL AND COMMISSION CHAMBERS BY RETROFITTING THE EXISTING AIR CONDITIONING SYSTEM WITH A CENTRAL CHILLED WATER PLANT; PROVIDING AN EFFECTIVE DATE. (City Cost: \$871,178.00)

(Staff Contact: Robert A. McCaughan)

**ADOPTED**

24. **RES. NO. 2011-36:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, WAIVING FORMAL COMPETITIVE BIDS FOR THE PURCHASE OF ENERGY AND COST-SAVING EQUIPMENT PROCURED PURSUANT TO AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SIEMENS INDUSTRY, INC.; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

**ADOPTED**

25. **RES. NO. 2011-25:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE LEASE-PURCHASE FINANCING OF CERTAIN EQUIPMENT PURSUANT TO AN ANNUAL APPROPRIATION LEASE; APPROVING THE FORMS, AND AUTHORIZING EXECUTION, OF A MASTER LEASE-PURCHASE AGREEMENT, AS AMENDED BY A MASTER-LEASE-PURCHASE ADDENDUM, AND RELATED LEASE DOCUMENTS BETWEEN THE CITY, AS LESSEE AND CHASE EQUIPMENT FINANCE, INC., AS LESSOR; AUTHORIZING THE APPROVAL OF RELATED FINANCING DOCUMENTS, INCLUDING AN ESCROW AGREEMENT AMONG THE CITY, CHASE EQUIPMENT FINANCE, INC. AND DEUTSCHE BANK NATIONAL TRUST COMPANY, AS ESCROW AGENT; PROVIDING FOR CERTAIN AUTHORIZATIONS AND OTHER MATTERS WITH RESPECT THERETO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Suzette Sibble)

**REGULAR AGENDA – CONTINUED**

**STRICKEN**

26. **RES. NO. 2011-:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ASSIGNING RECOVERY ZONE FACILITY BOND ALLOCATION TO THE FLORIDA DEVELOPMENT FINANCE CORPORATION, PURSUANT TO THE AMERICAN RECOVERY AND REINVESTMENT TAX ACT OF 2009, FOR THE PURPOSE OF ISSUING RECOVERY ZONE FACILITY BONDS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Suzette Sibble)

**ADOPTED**

27. **RES. NO. 2011-37:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DECLARATION OF COVENANTS AND RESTRICTIONS RUNNING WITH THE LAND; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robin M. Bird)

**ADOPTED**

28. **RES. NO 2011-38:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **TAMELA A. STULTS-WAGNER** TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF SARAH GOFF; SAID TERM TO EXPIRE ON DECEMBER 12, 2010; PROVIDING AN EFFECTIVE DATE.

**APPLICANTS**

***Larry Clark – (Alternate #2) – District 1***

Keith Haag – District 1

Donna Harland – District 1

***Casey E. Eckels – District 3***

***Tamela A. Stults-Wagner – (Alternate #1) – District 1***

***Janice Griffin – (Incumbent) – District 3***

John Way – District 3

***Suzan W. Witte – (Incumbent) – District 5***

(Staff Contact: Mary L. Chambers)

**REGULAR AGENDA – CONTINUED**

**ADOPTED**

29. **RES. NO 2011-39:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JANICE GRIFFIN** TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 26, 2012; PROVIDING AN EFFECTIVE DATE.

(Please refer to previous item for applicants)

(Staff Contact: Mary L. Chambers)

**ADOPTED**

30. **RES. NO 2011-40:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **SUZAN W. WITTE** TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 26, 2012; PROVIDING AN EFFECTIVE DATE.

(Please refer to previous item for applicants)

(Staff Contact: Mary L. Chambers)

**ADOPTED**

31. **RES. NO 2011-41:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **LARRY CLARK** TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 26, 2012; PROVIDING AN EFFECTIVE DATE.

(Please refer to previous item for applicants)

(Staff Contact: Mary L. Chambers)

**ADOPTED**

32. **RES. NO 2011-42:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **CASEY E. ECKELS** TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #2, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 26, 2012; PROVIDING AN EFFECTIVE DATE.

(Please refer to previous item for applicants)

(Staff Contact: Mary L. Chambers)

**REGULAR AGENDA – CONTINUED**

**APPROVED**

33. Consideration to schedule meeting of the Herb Skolnick Cultural Arts Foundation, Inc. on November 16, 2010 beginning at 6:30 p.m.

(Staff Contact: Dennis W. Beach)

**DIRECTED THE CITY ATTORNEY TO DRAFT AN ORDINANCE AMENDING THE LEASE AGREEMENT TO COMPLY WITH THE CONSUMER PRICE INDEX (CPI) FOR THE CITY COMMISSION'S CONSIDERATION**

34. Consideration of a request from the Hillsboro Inlet Marina Captains Association, Inc. to freeze its annual three (3) percent rent increase.

(Staff Contact: Dennis W. Beach)

**DIRECTED THE ADMINISTRATION TO DRAFT A RESOLUTION NAMING FIRE STATION 24 IN HONOR OF MR. SODERLUND**

35. Consideration for the naming of Fire Station #24 in honor of deceased Fire Chief James E. Soderlund.

(Staff Contact: Dennis W. Beach/Harry L. Small)

**REPORTS**

City Manager  
City Attorney  
City Clerk  
Internal Auditor  
City Commission

**ADJOURNMENT: 9:44 P.M.**

**BALANCE IN CONTINGENCY**

October 1, 2010	Beginning Balance	\$ 8,340.00
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