

**MEETING RESULTS!!!**  
**CITY OF POMPANO BEACH**  
**CITY COMMISSION MEETING**  
**AGENDA NO. 2011-15**  
**TUESDAY, MARCH 22, 2011**  
**7:00 P.M.**

**CALL TO ORDER**

The Honorable Lamar Fisher  
Mayor, Presiding

**ROLL CALL**

Mary L. Chambers, MMC,  
City Clerk

**INVOCATION**

Pastor Jack Noble  
First Presbyterian Church

**PLEDGE OF ALLEGIANCE**

Led by Mary L. Chambers, MMC,  
City Clerk

**APPROVAL OF MINUTES**

**APPROVED AS SUBMITTED**  
Regular City Commission Meeting  
of March 8, 2011

**APPROVAL OF THE AGENDA**

**APPROVED AS SUBMITTED**  
City Commission

**PROCLAMATIONS**

Mayor Lamar Fisher

Women's History Month proclamation was presented to Hazel Armbrister, President of the 101-year-old Women's Club.

WOW proclamation and award was presented to Mary Stengle of 2301 SE 9<sup>th</sup> Street for home beautification. Claudia McMahon, representing Pompano Proud, will present award.

Water Conservation Month proclamation was presented to A. Randolph Brown, Utilities Director for the City of Pompano Beach.

Arbor Day proclamation was presented to Kimberly Pearson, Urban Forester for the City of Pompano Beach.

**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**

**ADOPTED**

1. **RES. NO. 2011-160:** Approval of a shared docking agreement between the City and Rolf and Ingrid Kraus and MarineMax East, Inc.

(Staff Contact: Alessandra Delfico/Robert A. McCaughan)

**APPROVED**

2. Approve ranking order for RLI H-06-11 “Continuing Contract for Professional Engineering and Consulting Services for the Municipal Air Park,” and authorize staff to negotiate a contract with the highest ranked firm, Kimley-Horn & Associates. (No cost at this time.)

Staff Contact: Tammy Good/Robert A. McCaughan)

**APPROVED**

3. Approve Change Order for renovation of BSO Bathrooms, Scope Increase, Public Safety Building, by Job Order Contractor (JOC), Shiff Construction & Development, Inc. (City’s cost: \$162,434.90)

(Staff Contact: Robert A. McCaughan)

**APPROVED**

4. Approval to replace North Broward Park Lawn Irrigation System, by Job Order Contractor (JOC), Shiff Construction & Development, Inc. (City’s cost: \$292,575.63)

(Staff Contact: Robert A. McCaughan)

**APPROVED**

5. Approve ranking order for RLI H-27-11 “Management of Pompano Beach Reuse Water System Connection Program” and authorize staff to negotiate a contract with the highest-ranked firm, Eaton Corporation. (No cost at this time.)

(Staff Contact: A. Randolph Brown)

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

6. **RES. NO. 2011-161:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE AND THE GOVERNOR TO ENACT LEGISLATION TO REQUIRE THAT TWO DOLLARS OF THE STATE'S PORTION OF EACH FINE ASSESSED AND COLLECTED FOR TRAFFIC INFRACTION CAMERA VIOLATION CASES BE DESIGNATED FOR REMISSION TO THE COURTS IN THE COUNTY IN WHICH THE VIOLATION OCCURRED TO FUND COSTS INCURRED BY THE COURTS FOR ADMINISTRATION AND PROSECUTION OF SUCH VIOLATIONS; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gordon B. Linn)

**ADOPTED**

7. **RES. NO. 2011-162:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING MEMBERS OF THE FLORIDA LEGISLATURE AND THE GOVERNOR TO ENACT LEGISLATION TO PROHIBIT TEXTING WHILE DRIVING; PROVIDING FOR DISTRIBUTION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gordon B. Linn)

**ADOPTED**

8. **RES. NO. 2011-163:** 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 ENHANCED LANDSCAPING OF A PORTION OF THE PATH AROUND THE CITY'S AIR PARK; ESTABLISHING THE APPROPRIATE BUDGET FOR FY 2011; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

**ADOPTED**

9. **RES. NO. 2011-164:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TEMPORARILY REINSTATING A PERIOD OF PARTIAL AMNESTY FOR CODE ENFORCEMENT LIENS AND SETTING A REDUCTION FORMULA AND SCHEDULE FOR PAYMENT OF ACCRUED CODE LIENS; SETTING REQUIREMENTS FOR PARTICIPANTS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Suzette Sibble)

**CONSENT AGENDA – CONTINUED**

**TABLED TO THE APRIL 26, 2011 CITY COMMISSION MEETING**

10. **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 REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PUBLIX SUPER MARKETS, INC.; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Alessandra Delfico/Robert A. McCaughan)

**ADOPTED**

11. **RES. NO. 2011-165:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DISTRICT FOUR (4) AMENDMENT NUMBER FOUR (4) TO THE LANDSCAPE INCLUSIVE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS ON STATE ROAD 811 (DIXIE HIGHWAY) AND STATE ROAD 814 (ATLANTIC BOULEVARD); PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

**ADOPTED**

12. **RES. NO. 2011-166:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING A 2011 NATIONAL URBAN AND COMMUNITY FORESTRY GRANT PROPOSAL TO THE STATE OF FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, DIVISION OF FORESTRY, AGREEING TO EXECUTE AN AGREEMENT FOR THE GRANT IF THE GRANT IS AWARDED TO THE CITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robin M. Bird/Kimberly Pearson/Jennifer Gomez)

**ADOPTED**

13. **RES. NO. 2011-167:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE SUBMITTAL OF A TRANSPORTATION ENHANCEMENT GRANT PROPOSAL TO THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION FOR ENHANCEMENTS TO DR. MARTIN LUTHER KING, JR. BLVD.; PROVIDING AN EFFECTIVE DATE.

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

**CONSENT AGENDA – CONTINUED**

**ADOPTED AS AMENDED**

14. **RES. NO. 2011-168:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE SUBMITTAL OF A TRANSPORTATION ENHANCEMENT GRANT PROPOSAL TO THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION FOR ENHANCEMENTS TO THE WEST SIDE OF SW 36<sup>TH</sup> AVENUE FROM MCNAB ROAD TO SW 10<sup>TH</sup> STREET; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robin M. Bird/Robert A. McCaughan)

**ADOPTED**

15. **RES. NO. 2011-169:** 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 BETWEEN THE CITY OF POMPANO BEACH AND LANGTON ASSOCIATES, INC. FOR NSP CONSULTANT SERVICES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Miriam Carrillo)

**APPROVED**

16. Approval of a budget adjustment transferring \$65,000 to the Land/Building/Improvements Account for arsenic contamination remediation.

(Staff Contact: Alessandra Delfico/Robert A. McCaughan)

**APPROVED**

17. Approval of the correction of a scrivener's error in the award of Bid H-12-10 to the low bidder, Engineer Control Systems Corporation, to reflect the correct contract amount of \$394,103.99, and approval of an accompanying budget adjustment.

(Staff Contact: Clayton O. Young/Robert A. McCaughan)

**ADOPTED**

18. **RES. NO. 2011-170:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING A GRANT OF A PERPETUAL UTILITIES EASEMENT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Alessandra Delfico/Robert A. McCaughan/Horacio Danovich)

**CONSENT AGENDA – CONTINUED**

**ADOPTED**

19. **RES. NO. 2011-171:** A RESOLUTION OF THE POMPANO BEACH COMMUNITY REDEVELOPMENT AGENCY, GRANTING TWO EASEMENTS TO THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Alessandra Delfico/Robert A. McCaughan/Horacio Danovich)

**REGULAR AGENDA**

**ADOPTED**

20. **RES. NO. 2011-172:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, ADOPTING A CITY LOGOTYPE AND DIRECTING THE CITY ATTORNEY TO SEEK PROTECTION OF THE LOGOTYPE; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Kim Briesmeister)

**ACCEPTED THE REPORT**

21. Presentation of the Actuarial Valuation Report for the City of Pompano Beach Police and Firefighters' Retirement System by Actuaries, J. Stephen Palmquist and Jeffrey Ambrose of Gabriel, Roeder, Smith & Company.

(Staff Contact: Brian Donovan)

**ACCEPTED THE REPORT**

22. Presentation of the City of Pompano Beach Comprehensive Annual Financial Report, Single Audit Reports and Management Letter for the Fiscal Year ending September 30, 2010, as well as the results of the annual audit by McGladrey & Pullen, LLP, independent certified public accountants.

(Staff Contact: Suzette Sibble)

**REGULAR AGENDA – CONTINUED**

**ADOPTED AS AMENDED**

23. **P.H. 2011-46; ORD. NO. 2011-31: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, “ZONING CODE,” BY AMENDING SECTION 155.003 “DEFINITIONS,” TO PROVIDE ADDITIONAL DEFINITIONS; BY AMENDING SECTION 155.069, “ALCOHOLIC BEVERAGE ESTABLISHMENTS,” TO AMEND ESTABLISHMENTS EXEMPT FROM SEPARATION REQUIREMENTS; BY AMENDING SECTION 155.074, “OUTDOOR RESTAURANTS AND BARS,” TO PROVIDE FOR APPROVAL OF OUTDOOR RESTAURANTS AND BARS AND OPERATIONAL CONDITIONS; PROVIDING FOR SIDEWALK CAFES, REVIEW AND APPROVAL AND OPERATIONAL CONDITIONS; BY AMENDING SECTION 155.111, “PARKING SPACE SIZE,” TO PROVIDE FOR PARKING SPACE REQUIREMENTS IN THE ATLANTIC BOULEVARD OVERLAY DISTRICT; BY AMENDING SECTION 155.113, “REQUIREMENTS IN VARIOUS ZONES,” TO AMEND REQUIREMENTS FOR CERTAIN USES WITHIN THE ATLANTIC BOULEVARD OVERLAY DISTRICT; BY AMENDING SECTION 155.114, “INGRESS AND EGRESS,” TO PROVIDE FOR ACCESS DRIVEWAY REGULATIONS IN THE ATLANTIC BOULEVARD OVERLAY DISTRICT; BY AMENDING SECTION 155.132, “EXISTING USES,” RELATING TO LANDSCAPE STRIPS IN THE ATLANTIC BOULEVARD OVERLAY DISTRICT; AND BY AMENDING SECTION 155.179, “ATLANTIC BOULEVARD OVERLAY DISTRICT,” TO AMEND USES, REGULATIONS, DEVELOPMENT STANDARDS AND DESIGN STYLE WITHIN THE ATLANTIC BOULEVARD OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 8, 2011**

(Staff Contact: Vicky L. Newson/Robin M. Bird)

**REGULAR AGENDA – CONTINUED**

**ADOPTED**

24. **P.H. 2011-45; ORD. NO. 2011-32: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, “ZONING CODE,” BY AMENDING SECTION 155.111, “PARKING SPACE SIZE,” TO PROVIDE FOR PARKING SPACE REQUIREMENTS IN THE NORTHWEST COMMUNITY REDEVELOPMENT AREA,” BY AMENDING SECTION 155.113, “REQUIREMENTS IN VARIOUS ZONES,” TO AMEND REQUIREMENTS FOR CERTAIN USES WITHIN THE NORTHWEST COMMUNITY REDEVELOPMENT AREA AND ADJACENT TO DR. MARTIN LUTHER KING, JR. BLVD.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 8, 2011**

(Staff Contact: Vicky L. Newson/Robin M. Bird)

**ADOPTED**

25. **P.H. 2011-42; ORD. NO. 2011-33: (ORDINANCE 2<sup>ND</sup> READING)**  
A ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING THE ANNUAL UPDATE TO THE COMPREHENSIVE PUBLIC SCHOOLS FACILITIES ELEMENT TO REFLECT THE NEW MEASURE FOR SCHOOL CONCURRENCY AND THE UPDATED FACILITIES MAPS; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON FEBRUARY 23, 2011; PROVIDING THAT TRANSMITTAL AND ADOPTION PUBLIC HEARINGS WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 8, 2011**

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

**ADOPTED**

26. **P.H. 2011-43; ORD. NO. 2011-34: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING THE ANNUAL UPDATE TO THE COMPREHENSIVE PLAN CAPITAL IMPROVEMENTS ELEMENT; PROVIDING A SAVINGS CLAUSE, PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 8, 2011**

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

**REGULAR AGENDA – CONTINUED**

**ADOPTED**

27. **P.H. 2011-38; ORD. NO. 2011-35: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, “ZONING CODE,” BY AMENDING SECTION 155.183, “B-3 GENERAL BUSINESS DISTRICT,” TO ADD CONSIGNMENT SHOP, CHURCHES, FORTUNE TELLERS AND PET HOTELS, WITH CONDITIONS, AS A PERMITTED USE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: MARCH 8, 2011**

(Staff Contact: Vicky L. Newson/Robin M. Bird)

**ADOPTED**

28. **P.H. 2011-31; ORD. NO. 2011-36: (ORDINANCE 2<sup>ND</sup> READING)**  
AN ORDINANCE AMENDING CHAPTER 100, “STREETS AND SIDEWALKS,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.02, “UNSAFE SIDEWALKS,” TO DEFINE AND PROVIDE FOR MAINTENANCE OF DRIVEWAY CONNECTIONS, FOR VIOLATIONS OF MAINTENANCE REQUIREMENTS, AND FOR REPAIRS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

**FIRST READING: FEBRUARY 8, 2011**

**SECOND READING TABLED: FEBRUARY 22, 2011**

(Staff Contact: Alessandra Delfico/Robert A. McCaughan)

**APPROVED FIRST READING**

29. **P.H. 2011-44; ORD. NO. 2011-...: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE AMENDING CHAPTER 37, “POMPANO BEACH CODE ENFORCEMENT,” OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 37.03, “JURISDICTION,” TO CONFER THE SPECIAL MAGISTRATE WITH JURISDICTION OVER CERTAIN VIOLATIONS OF SECTION 131.16, “GRAFFITI”; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mark E. Berman)

**REGULAR AGENDA – CONTINUED**

**APPROVED FIRST READING**

30. **P.H. 2011-47; ORD. NO. 2011-.....: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE AMENDING CHAPTER 131, “OFFENSES AGAINST PERSONS AND PROPERTY,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 131.16, “GRAFFITI,” TO MODIFY THE DEFINITION OF GRAFFITI, AND TO PROVIDE FOR ENFORCEMENT OF CERTAIN VIOLATIONS BEFORE THE CITY’S SPECIAL MAGISTRATE FOR CODE ENFORCEMENT, IN ADDITION TO PROSECUTION IN THE COUNTY COURT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mark E. Berman)

**APPROVED FIRST READING**

31. **P.H. 2011-48; ORD. NO. 2011-....: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 157, “DEVELOPMENT OF LAND,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 157.23, “LEVELS OF SERVICE REQUIREMENT,” TO PROVIDE REQUIREMENTS, PROCEDURES AND EXEMPTIONS FOR PUBLIC SCHOOL CONCURRENCY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

**APPROVED FIRST READING**

32. **P.H. 2011-49; ORD. NO. 2011-....: (PUBLIC HEARING 1<sup>ST</sup> READING)**  
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 90, “ANIMALS,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 90.07, “ANIMAL COMMITTING A NUISANCE,” BY DELETING LANGUAGE TO MODIFY ENFORCEMENT PROCEDURES; AMENDING SECTION 90.08, “ANIMALS RUNNING AT LARGE,” TO DELETE INAPPLICABLE LANGUAGE; AMENDING SECTION 90.38, “DOG PARK,” TO PROVIDE ADDITIONAL REQUIREMENTS FOR USE OF THE CITY’S DOG PARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

**REGULAR AGENDA – CONTINUED**

**APPROVED FIRST READING**

33. **P.H. 2011-50; ORD. NO. 2011-...:** (PUBLIC HEARING 1<sup>ST</sup> READING)  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REPEALING SECTION 132.26, “REQUIRED CONVENIENCE STORE SECURITY,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mark E. Berman/Gordon B. Linn)

**APPROVED**

34. Approval of a budget adjustment transferring a total of \$1,302,384.00 from the Hurricane Reserve account to the following accounts for the Emergency Power Project Design Phase (#302-7349-530.65-03) and Construction Phase (#302-7349-530.65-12).

(Staff Contact: Clayton O. Young/Robert A. McCaughan)

**ADOPTED**

35. **RES. NO. 2011-173:** 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. 8 IN THE AMOUNT OF \$103,590.00 PURSUANT TO THE AGREEMENT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND BERMELLO AJAMIL & PARTNERS, INC. RELATING TO PERMANENT EMERGENCY GENERATORS FOR CITY HALL AND THE PUBLIC SAFETY COMPLEX; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan/Clayton O. Young)

**ADOPTED**

36. **RES. NO. 2011-174:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **FRANK DESIDERIO** TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MARCH 22, 2014; PROVIDING AN EFFECTIVE DATE.

**APPLICANTS:**

Michelle R. Rhoulhac – District 2

Predrag P. Jovanov – District 3

***Frank Desiderio – (Incumbent) – District 5***

(Staff Contact: Mary L. Chambers)

**REGULAR AGENDA – CONTINUED**

**ADOPTED**

37. **RES. NO. 2011-175:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **CLAUDIA MCMAHON** 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 MARCH 22, 2013; PROVIDING AN EFFECTIVE DATE.

**APPLICANTS:**

Keith Haag – District 1

Donna Harland – District 1

***Claudia McMahon – (Incumbent) – District 3***

***John Way – District 3***

(Staff Contact: Mary L. Chambers)

**ADOPTED**

38. **RES. NO. 2011-176:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOHN WAY** TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF CASEY K. ECKELS AS ALTERNATE #2; SAID TERM TO EXPIRE ON NOVEMBER 26, 2012; PROVIDING AN EFFECTIVE DATE.

**PLEASE REFER TO PREVIOUS ITEM FOR APPLICANTS**

(Staff Contact: Mary L. Chambers)

**APPROVED**

39. Consideration for the naming of what is known as MLK Park to the Annie Adderly Gillis Park located adjacent to the E. Pat Larkins Center, on the corner of Martin Luther King Boulevard and Northwest 6<sup>th</sup> Avenue.

**TO DIRECT THE CITY ATTORNEY TO DRAFT AN ORDINANCE FOR A CHARTER AMENDMENT TO REMOVE THE PROVISION ESTABLISHING THE HOURS OF SALE OF ALCOHOLIC BEVERAGES FROM THE CHARTER FOR CONSIDERATION BY THE ELECTORATE.**

40. Consideration of an ordinance establishing the hours of sale of alcoholic beverages.

(Staff Contact: Gordon B. Linn)

**EXECUTIVE SESSION**

**RECESSED THE REGULAR MEETING TO ENTER INTO AN EXECUTIVE SESSION**

41. Advice concerning litigation in relation to settlement matters and/or strategy sessions.

*City of Pompano Beach, Florida, et al. v. Swerdlow Lightspeed Management Company, LLC, et al.*, Broward Circuit Case No. 10-19437 (21).

Those in attendance will be the City Commission members; Dennis W. Beach, the City Manager; Gordon B. Linn, Esq., the City Attorney; and William R. Scherer, III, Esquire of Conrad & Scherer.

**TIME CERTAIN: 9:00 P.M. OR AT THE CONCLUSION OF THE MEETING.**

**(TABLED ON MARCH 8, 2011)**

(Staff Contact: Gordon B. Linn)

**REPORTS**

City Manager  
City Attorney  
City Clerk  
Internal Auditor  
City Commission

**ADJOURNMENT: 11:00 P.M.**

**BALANCE IN CONTINGENCY**

October 1, 2010	Beginning Balance	\$ 8,340.00
February 22, 2011	Herb Skolnick Foundation for the Cultural Arts Gala	- 750.00
February 22, 2011	Sample McDougald House Preservation Society Annual Fund Raising Event Donation	- <u>300.00</u>
		\$ 7,290.00