

City of Pompano Beach, Florida



City Commission Minutes

Agenda No.

2012-07

Date: **December 13, 2011**

Commission Meeting Room

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<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A UTILITY EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND BELCREST NORTH FEDERAL LLC, ACCEPTING A GRANT OF A PERPETUAL PUBLIC UTILITIES EASEMENT; PROVIDING AN EFFECTIVE DATE. (No cost.)</p>		2012-71	10
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<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK ORDER NO. 4 IN AN AMOUNT NOT TO EXCEED \$35,730.00, PURSUANT TO THE CONTINUING CONTRACT FOR CIVIL ENGINEERING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CAMP DRESSER & MCKEE INC. FOR EXTENDED ENGINEERING SERVICES DURING CONSTRUCTION FOR DISINFECTION AND FINISHED WATER BLENDING ASSOCIATED WITH THE WATER PLANT PIPING IMPROVEMENTS PROJECT; PROVIDING AN EFFECTIVE DATE.</p>		2912-76	11

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<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, WAIVING FORMAL COMPETITIVE BIDS TO EXPEDITE INSTALLATION OF THE REQUIRED IMPROVEMENTS AND REDUCE COSTS FOR A PROJECT TO INSTALL A MOTOR VALVE ACTIVATOR SUPPLY, ULTRASONIC LEVEL SENSOR AND INSTALL RELATED ELECTRIC AND INSTRUMENTATION; AWARDED THE WORK TO FLORIDA DESIGN CONTRACTORS, INC.; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CHANGE ORDER #2 TO THE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA DESIGN CONTRACTORS, INC.; PROVIDING AN EFFECTIVE DATE. (Cost: \$46,000.00)</p>		2012-78	12
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, WAIVING FORMAL COMPETITIVE BIDS TO EXPEDITE AND REDUCE COSTS FOR A PROJECT TO DEMOLISH A RESTROOM/CONCESSION BUILDING AT MITCHELL MOORE PARK AND REROUTE ELECTRICAL EQUIPMENT WITHIN THE BUILDING; AWARDED THE WORK TO MBR CONSTRUCTION, INC.; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CHANGE ORDER #2 TO THE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND MBR CONSTRUCTION, INC.; PROVIDING AN EFFECTIVE DATE. (Cost: \$52,000.00)</p>		2012-79	13

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<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING THE NOMINATION OF THE HISTORIC PRESERVATION COMMITTEE AND DESIGNATING THE BLANCHE ELY BUILDING LOCATED AT 1500 NW 6TH AVENUE AS A HISTORIC BUILDING; DIRECTING THAT THE SAID BUILDING BE LISTED ON THE POMPANO BEACH LOCAL REGISTER OF HISTORIC PLACES; PROVIDING AN EFFECTIVE DATE.</p>		2012-81	13
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<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING BROWARD LEGISLATIVE DELEGATION LOCAL BILL (WALDMAN) CLARIFYING THAT INDIVIDUALS WILL NOT BE ABLE TO OPENLY CARRY A HANDGUN OR CARRY A CONCEALED WEAPON OR FIREARM INTO SPECIFIC MUNICIPAL, COUNTY, AND SCHOOL BOARD BUILDINGS; PROVIDING AN EFFECTIVE DATE.</p>		2012-83	14

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<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>SALLY I. FISCHER</u> TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER CHARLOTTE BURRIE, TO FILL THE UNEXPIRED TERM OF ERNESTINE PRICE; SAID TERM TO EXPIRE ON JULY 1, 2012; PROVIDING AN EFFECTIVE DATE.</p>		2012-85	15
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JESSIE WALKER</u> TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL, INC. OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER WOODROW POITIER FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON DECEMBER 12, 2014; PROVIDING AN EFFECTIVE</p>		2012-86	15
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A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>W. P. DAVIS, JR.</u> TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF PENNY L. CUTT, AS ALTERNATE 1; SAID TERM TO EXPIRE JULY 1, 2013; PROVIDING AN EFFECTIVE DATE.		2012-88	25
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>MATTHEW CHESHIRE</u> 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 DECEMBER 16, 2014; PROVIDING AN EFFECTIVE DATE.		2012-89	25-26
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CITY OF POMPANO BEACH, FLORIDA

REGULAR CITY COMMISSION MINUTES

Agenda No. 2012-07

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Commission Meeting Room

The Mayor called the meeting to order at 7:00 p.m. and presided as the chairman.

ROLL CALL:

Mayor
Vice Mayor
Commissioner
Commissioner
Commissioner
Commissioner

Present:

Lamar Fisher
George Brummer
Charlotte Burrie
Barry Dockswell
Rex Hardin
Woodrow Poitier

and

City Manager
City Attorney
City Clerk

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

INVOCATION BY:

Mayor Lamar Fisher

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



City of Pompano Beach, Florida

	Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p>					
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<p><u>APPROVAL OF MINUTES</u></p>					
<p>MOTION: To approve the Regular City Commission Meeting Minutes of November 22, 2011, as submitted.</p>	<p><u>VOICE VOTE</u> Burrie Dockswell Hardin Poitier Brummer Fisher</p>	<p> X </p>	<p> X </p>	<p> X </p>	<p> X </p>
<p>There were no corrections to the minutes.</p>					
<p><u>APPROVAL OF AGENDA</u></p>					
<p>MOTION: To approve the City Commission Meeting Agenda of December 13, 2011, as amended by tabling Item 24.</p>	<p><u>ROLL CALL</u> Burrie Dockswell Hardin Poitier Brummer Fisher</p>	<p> X </p>	<p> X </p>	<p> X </p>	<p> X </p>
<p>Dennis W. Beach, City Manager, stated that they received a request to table Item 24.</p>					
<p><u>SPECIAL ACKNOWLEDGEMENT</u></p>					
<p>Mayor Lamar Fisher acknowledged Representative Gwyndolen Clarke-Reed of the Florida House of Representatives – District 92. He said that it is a pleasure to have Representative Clarke-Reed represent the City of Pompano Beach, as well as have her office at City Hall.</p>					
<p>Representative Clarke-Reed wished the City Commission a very pleasant, safe and happy holidays. In addition, Representative Clarke-Reed announced that on Saturday, December 17, 2011, they would be on the street immediately adjacent to the E. Pat Larkins Community Center distributing produce to the residents, from 10:00 a.m. until 12:00 noon. She said that the food, which was donated by the Pompano Beach Farmer’s Market, would be given out on a first come, first serve basis and invited the community to come out and obtain some of it.</p>					
<p>Mayor Fisher and Comr. Burrie wished Representative Clarke-Reed Happy Holidays.</p>					



City of Pompano Beach, Florida

Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 2</p> <p><u>PROCLAMATION</u></p> <p><u>WOW Pompano Cooperative Community Beautification Award</u></p> <p>Mayor Fisher, on behalf of the City Commission and in partnership with Pompano Proud, read a proclamation recognizing Kristy and Roque Cavazos, owners of By Their Fruits, for the enhancement of their commercial property at 40 West McNab Road.</p> <p>In addition, Mayor Fisher presented Mr. and Mrs. Cavazos with a special "WOW POMPANO" award from Pompano Proud for the hard work they have devoted in the appearance of their property. This enhancement not only reflects great credit to their property, but also to the entire City, and serves as an outstanding example for other residential property owners.</p> <p><u>SPECIAL ACKNOWLEDGEMENT</u></p> <p>Mayor Fisher, on behalf of the City Commission, presented Animal Control Officers David Aycock and Jason Soldini with the "Outstanding Agency of the Year Organizational Award" that was awarded to the City of Pompano Beach Public Works Animal Control Division by the Florida Animal Control Association (FACA). Both Mr. Aycock and Mr. Soldini are certified in Animal Cruelty Investigations, Chemical Immobilization, Euthanasia, and Emergency Management.</p> <p>Moreover, Mayor Fisher stated that the City of Pompano Beach Animal Control Division continues to demonstrate outstanding service to our residents while continuing to create innovative ideas to provide public education, community safety, training and community involvement.</p> <p>Additionally, the Animal Control Division operates with only two (2) officers, David Aycock who has 24 years of service and Jason Soldini who has 14 years of service with the City. Both officers work seven (7) days a week, from 6:30 a.m. to 6:30 p.m., which has resulted in a significant reduction in overtime; yet, provides round the clock service for our residents. In fact, the agency fields over 3,000 calls annually while maintaining patrols on our public beaches, parks and neighborhoods.</p>				



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Names of Comms.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 3</p> <p><u>SPECIAL ACKNOWLEDGEMENT – CONTINUED</u></p> <p>More importantly, the Animal Control Division is also actively involved in our community, participating in the Marine Turtle Program to aid in documentation and rescue of marine turtles. The officers assist the local Wildlife Care Center by responding to and transporting injured wildlife and often speak at local schools to discuss responsible animal care and ownership with the students.</p> <p>Actually, the dedication of duty cited for this award is as follows:</p> <p><i>“Recently, when a witness observed a man tie a cinder block to a dog’s neck and toss it into a lake, the officer on duty retrieved his personal dive equipment from home and brought the dog back to the surface, resulting in the suspect being arrested and charged accordingly with animal cruelty.”</i></p> <p>Finally, Mayor Fisher, on behalf of the City Commission and all of our residents, thanked and congratulated Mr. Aycock and Mr. Soldini for their services to this City.</p> <p><u>AUDIENCE TO BE HEARD</u></p> <p>Mayor Fisher stated that the guidelines for “Audience-to-be-heard” are printed in the Agenda. All persons interested in speaking during “Audience-to-be-heard”, once called, must state their full name and address for the record. Speakers will be limited to three minutes to speak on any matter, item or concern of interest, which is not on tonight’s Agenda.</p> <p>Finally, Mayor Fisher requested that speakers refrain from any emotional outbursts of support or nonsupport of the issue the speaker is discussing.</p> <p><u>Community Park Exercise Trail</u> – Phyllis Franklin, 500 Northeast 6th Street, Pompano Beach, Florida 33060, stated that she had given the City Commission a handout with recent photographs of the walking/jogging trail in the Community Park. Additionally, about 34 months ago, in mid-winter 2009, the “4 x 4” wooden borders along the trail were installed at a cost of \$72,500; but, as shown, there are patches of unsightly browned grass on the outside of the borders.</p>				



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Names of Comms.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 4</p> <p><u>AUDIENCE TO BE HEARD - CONTINUED</u></p> <p>Apparently, the unsightly patches of brown grass is due to the use of weed killer since the mowers can no longer run right up to the gravel trail. Moreover, not only are the 2009 borders in bad condition, but they are also in various stages of disintegration. In addition, the intermittent replacement-borders are in the original blond color and do not match the weathered gray 2009 borders, which makes for an unsightly patchwork effect.</p> <p>In addition, page two of the handout shows “before” and “after” photographs of the walking/jogging trail just before and after the borders were installed in early 2009. Nevertheless, Ms. Franklin was unsure whether this project ever came before the Commission or if it was done as “park maintenance”, but the “before” photo shows that the trail was open-to-the-grass for passing lanes, i.e., easier passing for the faster walkers and joggers.</p> <p>Then, the last handout page, which is a spreadsheet, shows that Pompano Beach seems to be the only City in this area with wooden borders along a walking/jogging exercise trail. In fact, neighboring cities that have pea-rock trails leave them open-to-the-grass for passing lanes and ease of maintenance. Therefore, she questioned why Pompano Beach is the only city with raised tripping-hazard wooden borders on a two-lane jogging trail. She also asked, “How much is it going to cost to continue to maintain these borders with replacement of 4 x 4s every 2 or 3 years?”</p> <p>Finally, Ms. Franklin suggested that city management consider removing the borders because they deteriorate, rather than replacing them, as this would save the City a lot of money. It would also give them back to an open-to-the-grass trail, which is the standard for this type of exercise facility. She said, “Other than that, Community Park is a great place.”</p> <p>Mayor Fisher recalled addressing this issue about a year or two ago, and suggested that Mr. McCaughan resurrect those memorandums that he sent at that time and refresh the minds of the City Commission on that issue.</p>				



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Names of Comms.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 5</p> <p><u>AUDIENCE TO BE HEARD - CONTINUED</u></p> <p><u>Comr. Poitier's Community Meeting</u> – Joseph Wells, 789 Northwest 15th Place, Pompano Beach, FL 33060, thanked Commissioner Woodrow Poitier for holding a community meeting to update his constituents on various ongoing projects in the City; so, they would have a good understanding of what is going on. He said, “It was an excellent meeting.”</p> <p><u>Closure of Paragon Elementary Charter School</u> – Mr. Wells stated that the lease for Paragon Elementary Charter School located at 3311 North Andrews Avenue, Pompano Beach, FL 33064, would expire soon; therefore, they contacted the City of Pompano Beach to determine what they could do in terms of leasing other properties. Meanwhile, he understood that they were willing to lease a property for \$40,000 for the next 50 years, but he did not have all the details.</p> <p>In addition, Mr. Wells stated that Paragon Elementary is an “A” school. Actually, since his daughter has been attending Paragon Elementary, during the FCAT Testing period, her grades have improved to “3 and 4” from “1 and 2”, which she received from another school. In fourth grade, however, she received “4 and 4.” Therefore, he questioned whether the City would be willing to work with Paragon Elementary Charter School.</p> <p>Mayor Fisher suggested that Mr. Wells obtain and provide accurate information to the city manager for him to review.</p> <p><u>Seasons Greetings</u> – Dr. Ken Campbell, Chairman, Budget Review Committee (BRC), 231 Southeast 12th Street, Pompano Beach, FL, wished the City Commission and residents of Pompano Beach Happy Holidays.</p> <p><u>Budget Review Committee</u> – Dr. Campbell stated that it has been his pleasure to be the chairman of the City’s Budget Review Committee (BRC) since it was reconstituted three years ago. Over that time, they have worked together to better the City and to give the Commission better information, so they could do their jobs better. However, it is that last point that he desired to discuss, because they often look at the private sector as being able to do better than the public sector in all sorts of variety of things, including statistics and in delivering economic prognostications.</p>				



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Names of Comms.	M	S	V Y	V N
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PAGE 6				
<u>AUDIENCE TO BE HEARD - CONTINUED</u>				
In addition, Dr. Campbell stated that our national statistical function tends to get revised each month or every other month during release of data from various government departments. Moreover, because they try to get that data out to the public as quickly as possible, they tend not to always give the most accurate data the first time and it has to be revised.				
Dr. Campbell further stated that the National Association of Realtors (NAR) recently determined that they made a minor error in gathering and releasing extremely important statistical information on the "Sales of Existing Homes"; citing that, the last time they got it right was in 2007. In fact, the NAR has overestimated the sales of homes for the last four years, because of the model that they utilize, which means what they thought was bad, was actually about 15 to 20 percent worse.				
Finally, Dr. Campbell stated that he raised this issue to give the City Commission an idea of how important statistics are and that the information that the Budget Review Committee brings to the Commission is not that type of statistic. The BRC makes an effort to be sure that they deliver to the Commission the best information possible and that it has been checked several times. He then thanked the City Commission for its attention, as well as for the ability to serve this City.				
Mayor Fisher thanked Dr. Campbell for all of his efforts in that process.				
<u>Closure of Charter School</u> – Mark H. Gotz stated that he resides in Port Saint Lucie, Florida; and that he is a founding board member of the Pompano Charter Middle and Paragon Elementary Charter Schools, which are located in the New Covenant Church at 3311 North Andrews Avenue, Pompano Beach, FL 33064. These schools have been at capacity since they opened in 2005, serving the surrounding communities. Additionally, the Florida Department of Education has rated the schools "A".				



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<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 7</p> <p><u>AUDIENCE TO BE HEARD - CONTINUED</u></p> <p>Moreover, the schools' lease has expired and they have no other alternatives, even though, they have been looking for a location to move the schools for the last three years. In the meantime, they have been negotiating a deal with the Boys and Girls Club of America to lease the south half of their property. However, they recently found out that the City of Pompano Beach actually owns the property and not the Boys and Girls Club of America. And, while he does not know the status of the matter, he understood that the Boys and Girls Club of America was unable to do anything with the City.</p> <p>Additionally, Mr. Gotz stated that at that point in time, referring to this summer, the City indicated that if the Boys and Girls Club deal was not going to work for them, they had another piece of property, between the Fire Department and the Bureau of Children and Family Services on Northwest 3rd Avenue, behind Wal-Mart near Copans Road. Therefore, in August, they started negotiations with the City and subsequently, entered a lease to pay \$40,000 a year, for the next 50 years. He also indicated that a developer on the west coast of Florida would finance the deal and build about a 35,000 square foot school.</p> <p>Essentially, they had negotiated the deal and thought they would be moving along with it. Of course, they started this during the summer to try to give them enough time so that they would be able to commence construction and build the school prior to the 2012 school year. However, they encountered a problem and that is, they were scheduled to be on the City Commission Meeting Agenda in late October, but unfortunately, it was delayed to the second meeting in November, and now, it is December and they are still not on the docket.</p> <p>Incidentally, they understood there is a procedure that one must undergo when developing a piece of property, which is one of the reasons why they started the project last summer. Actually, their objective was to be able to have a permit by January 1, so that the developer would have a full seven months to build the school, as requested.</p>				



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<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 9</p> <p><u>CONSENT ITEMS – CONTINUED</u></p> <p>RES. NO. 2012-68: TAPE 1 – 749 ITEM 2</p> <p>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 THE CITY OF POMPANO BEACH AND LORI PARRISH AS BROWARD COUNTY PROPERTY APPRAISER FOR NON-AD VALOREM ASSESSMENTS; PROVIDING AN EFFECTIVE DATE. (<i>Cost: \$23,955/year</i>)</p> <p>RES. NO. 2012-69: TAPE 1 – 749 ITEM 3</p> <p>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 AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LIMOUSINES OF SOUTH FLORIDA, INC. TO PROVIDE A COMMUNITY TRANSPORTATION SERVICE; PROVIDING AN EFFECTIVE DATE. (<i>Cost: \$204,110; cost paid for by the Interlocal Agreement with Broward County and the Local Option Transit Gas Tax that is annually remitted to the City.</i>)</p> <p>RES. NO. 2012-70: TAPE 1 – 749 ITEM 4</p> <p>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 STERICYCLE, INC. FOR MEDICAL WASTE SERVICES; PROVIDING AN EFFECTIVE DATE. (<i>Cost: \$1,572.00</i>)</p>				



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<p><u>CONSENT ITEMS - CONTINUED</u></p>					
<p>RES. NO. 2012-85: TAPE 1 - 749 ITEM 19</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>SALLY I. FISCHER</u> TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER CHARLOTTE BURRIE, TO FILL THE UNEXPIRED TERM OF ERNESTINE PRICE; SAID TERM TO EXPIRE ON JULY 1, 2012; PROVIDING AN EFFECTIVE DATE.</p>					
<p>RES. NO. 2012-86: TAPE 1 - 749 ITEM 20</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JESSIE WALKER</u> TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL, INC. OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER WOODROW POITIER FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON DECEMBER 12, 2014; PROVIDING AN EFFECTIVE DATE.</p>					
<p>MOTION: To approve and/or adopt Consent Items 1-20.</p>	<p><u>ROLL CALL</u> Burrie Dockswell Hardin Poitier Brummer Fisher</p>	<p>x</p>	<p>x</p>	<p>x</p>	<p>x</p>
<p>There was no discussion on Consent Items 1-20.</p>					



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<u>REGULAR ITEMS - CONTINUED</u>				
<p>Vice Mayor Brummer noted that the report in the backup had about five or six lines missing on every page, which has no reflection on Mrs. DeLeon, but rather the person who duplicated the information.</p>				
<p>In addition, Vice Mayor Brummer stated that he observed and remembered one item in the report about the Office of Housing and Urban Improvement and asked Mrs. DeLeon, if she did the same kind of work this time that she has done in prior years.</p>				
<p>Mrs. DeLeon replied that they provided single audit assistance, especially for fiscal year 2010; as well as, followed up on the City's corrective actions for any external auditor comments to ensure they have been implemented.</p>				
<p>Vice Mayor Brummer questioned whether the Commission could assume that the Housing and Urban Improvement Office is running well now, compared to the past.</p>				
<p>Mrs. DeLeon replied that all comments have been corrected.</p>				
<p>Vice Mayor Brummer questioned whether there is any possibility that the internal auditor could look into the CRA as well and not just the City.</p>				
<p>Dennis W. Beach, City Manager, replied that he suspects that the Internal Auditor has authority to look at the CRA. However, he noted that the City has an annual audit that is conducted on the CRA.</p>				
<p>Vice Mayor Brummer stated that the Internal Auditor looks at some other things that do not often appear in the annual audit report. Frankly, in past reports, including this one, they have seen material included that does not appear in the annual audit and he would not expect it to. Nevertheless, he thinks that the Internal Auditor looks at things a little differently and looks for different things. Therefore, he wondered if that would be possible.</p>				



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Mrs. DeLeon stated that she always thought that since the adoption of the Interlocal Agreement, that was something they were not supposed to do.				
Vice Mayor Brummer stated that the City Manager and the City Attorney might have to look into it.				
Mr. Beach stated that they would look into the matter.				
MOTION: To accept the report.				
<u>ROLL CALL</u>				
Burrie		X	X	
Dockswell			X	
Hardin			X	
Poitier			X	
Brummer	X		X	
Fisher			X	
RES. NO. 2012-87: TAPE 1 - 1,044 ITEM 22				
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN EXTENSION OF TIME FOR A SPECIAL EVENTS PERMIT TO THE ISLE CASINO RACING POMPANO PARK; PROVIDING AN EFFECTIVE DATE.				
The Resolution was read by title only.				
MOTION: To adopt Resolution No. 2012-87 upon reading.				
<u>ROLL CALL</u>				
Burrie		X	X	
Dockswell			X	
Hardin	X		X	
Poitier			X	
Brummer			X	
Fisher			X	
Jennifer Gomez, Principal Planner, stated that this is a procedural item, citing that the Code of Ordinances allows special event processes to take place for three days; however, the Isles Casino is interested in having an event for four days.				



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<p>In addition, Ms. Gomez stated that typically, the City's special event process is a very common application that is reviewed internally by staff, but the applicant has requested an additional day. Notwithstanding, the applicant may request up to 30 days with support by the City Manager and approval by the City Commission that there is public benefit and due cause in doing so. Meanwhile, the applicant has submitted a document to the public benefit for allowance of the extension.</p> <p>Finally, Ms. Gomez noted that Staff has reviewed and approved the application. Therefore, the City Commission's approval is required to extend the special event from three days to four days.</p> <p>Comr. Hardin stated that the City's ordinance should be changed, because he does not see any reason why this should come before the City Commission. Actually, it ought to be an administrative matter for the City Manager to handle in the future, which Mayor Fisher agreed.</p> <p>P.H. 2012-12; ORD. NO. 2012-: TAPE 1 - 1,096 ITEM 23</p> <p>AN ORDINANCE ABANDONING A CERTAIN PORTION OF THE RIGHT-OF-WAY AT THE INTERSECTION OF SOUTHEAST 5TH AVENUE AND SOUTHEAST 13TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p> <p>The Ordinance was read by title only.</p> <p>MOTION: To approve the Ordinance upon first reading.</p>				
<u>ROLL CALL</u>				
Burrie		x	x	
Dockswell			x	
Hardin	x		x	
Poitier			x	
Brummer			x	
Fisher			x	



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<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 23</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Gordon B. Linn, City Attorney, advised this item is quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subjected to cross-examination by the City Commission or any other interested party.</p> <p>Additionally, Mr. Linn stated that the individuals addressing the City Commission must state his or her name, whether he or she has been sworn and understands the rules which governs these proceedings. Thereafter, Mr. Linn outlined the order that they would follow: City staff would make its presentations followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.</p> <p>Mary L. Chambers, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in this matter.</p> <p>Jean E. Dolan, Principal Planner, stated that the Petitioner at 531 Southeast 13th Street is requesting abandonment of the 1,605 square feet area that is formed by the right-of-way intersection of Southeast 13th Street and Southeast 5th Avenue, which creates a point of land contiguous to their residential lot.</p> <p>Additionally, the conditions of the Planning and Zoning Board on this request have been met. The attached objection from the Fire Department is only relative to the lack of a permit for the fence installed around the property, which will be remedied as soon as the Applicant takes possession of the area to be abandoned.</p> <p>Finally, Ms. Dolan stated that there are no utilities in the area, so the abandonment does not require the City to retain a utility easement.</p> <p>Patricia Rathburn, P.A., 500 Southeast 17th Street, Fort Lauderdale, FL 33316, stated that she represents the applicant and was present to answer any questions that the City Commission might have.</p> <p>Mayor Fisher requested that Ms. Rathburn tell her clients "Thank You for their patience."</p>				



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Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011				
PAGE 24				
<u>REGULAR ITEMS – CONTINUED</u>				
P.H. 2012-08; ORD. NO. 2012-: TAPE 1 – 66 ITEM 24				
<p>AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN FOURTEEN FOOT ALLEYWAY LYING NORTH OF AND PARALLEL TO EAST ATLANTIC BOULEVARD (S.R. 814) AND BETWEEN NORTHEAST 3RD AVENUE AND NORTHEAST 4TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>				
MOTION: To table the item.				
<u>ROLL CALL</u>				
Burrie		x	x	
Dockswell			x	
Hardin	x		x	
Poitier			x	
Brummer			x	
Fisher			x	

Gordon B. Linn, City Attorney, advised this item is quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subjected to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn and understands the rules which governs these proceedings. Thereafter, Mr. Linn outlined the order that they would follow: City staff would make its presentations followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

Mary L. Chambers, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in this matter.

There was no discussion on this item.



City of Pompano Beach, Florida

	Names of Comms.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p>					
<p>PAGE 25</p>					
<p><u>REGULAR ITEMS – CONTINUED</u></p>					
<p>RES. NO. 2012-88: TAPE 1 – 1,163 ITEM 25</p>					
<p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>W. P. DAVIS, JR.</u> TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF PENNY L. CUTT, AS ALTERNATE 1; SAID TERM TO EXPIRE JULY 1, 2013; PROVIDING AN EFFECTIVE DATE.</p> <p>The Resolution was read by title only.</p> <p>MOTION: To adopt Resolution No. 2012-88 upon reading.</p>					
<p>There was no discussion on this item.</p> <p>RES. NO. 2012-89: TAPE 1 – 1,181 ITEM 26</p> <p>A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>MATTHEW CHESHIRE</u> 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 DECEMBER 16, 2014; PROVIDING AN EFFECTIVE DATE.</p> <p>The Resolution was read by title only.</p>					
	<p><u>ROLL CALL</u> Burrie Dockswell Hardin Poitier Brummer Fisher</p>	<p>x</p>	<p>x</p>	<p>x x x x x x</p>	<p>x x x x x x</p>



City of Pompano Beach, Florida

Names of Commrs.	M	S	V	V
			Y	N
ROLL CALL				
Burrie				X
Dockswell				X
Hardin	X			X
Poitier				X
Brummer		X		X
Fisher				X

CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011

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REGULAR ITEMS – CONTINUED

MOTION: To adopt Resolution No. 2012-89 upon reading.

There was no discussion on this item.

REPORTS

City Manager – City Commission/CRA Meetings – Dennis W. Beach, City Manager, stated that this is the last City Commission Meeting of this year. However, there is a CRA Meeting on Wednesday, December 14, 2011.

Seasons Greetings – Mr. Beach wished everyone very Happy Holidays and a Happy New Year.

City Attorney – City Commission Workshop/Code of Ethics Ordinance – Gordon B. Linn, City Attorney, stated that the Broward County Ethics Ordinance is effective on January 2, 2012; therefore, he requested to meet with the City Commission in a workshop to review some of the highlights of the ordinance. Therefore, as convenient to the City Commission, he would try to arrange an acceptable date for this workshop, which should last approximately one hour.

Mayor Fisher encouraged the Commission to contact Attorney Linn to determine a mutually agreeable date for a workshop.

Seasons Greetings – Mr. Linn wished the City Commission Happy Holidays.

City Clerk – Seasons Greetings – Mary L. Chambers, City Clerk, wished everyone Happy Holidays.



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Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 27</p> <p><u>REPORTS – CONTINUED</u></p> <p><u>Internal Auditor</u> – No Report.</p> <p><u>Commissioner Charlotte J. Burrie – Seasons Greetings</u> – Comr. Burrie wished all a Merry Christmas, Happy Hanukah and Happy Kwanzaa. She encouraged everyone to enjoy this Holiday Season.</p> <p><u>Commissioner Barry J. Dockswell – Nuisance Abatement Liens</u> – Comr. Dockswell stated that recently, there was a newspaper article, which indicated that a town has found a way to put its nuisance abatement costs on the property tax bill, instead of placing a lien on the property. There was also some brief correspondence, which the City Attorney had concluded when this was reviewed some years prior, that the County Appraiser’s office was not willing to do that, but it appears that they are currently willing to do this. Therefore, if the City gets the “ball rolling” and tries to collect on the lien, instead of waiting for the property to change hands, then the offending property owner could be invoiced in the upcoming tax year.</p> <p>Gordon B. Linn, City Attorney, confirmed that the Property Tax Assessor’s office is willing to cooperate to put this on the tax bill.</p> <p>It was the consensus of the City Commission to authorize staff to implement this action, by including nuisance abatement costs on the tax bill.</p> <p><u>Seasons Greetings</u> – Comr. Dockswell wished everyone Happy Holidays as well as a Safe and Healthy New Year.</p> <p><u>Commissioner Rex Hardin – Seasons Greetings</u> – Comr. Hardin wished everyone a Merry Christmas, Happy Hanukah and Happy Holidays.</p> <p><u>Commissioner Woodrow J. Poitier – Neighborhood Meeting</u> – Comr. Poitier thanked everyone for attending the neighborhood meeting on Monday, December 12, 2011, at the E. Pat Larkins Community Center, from 6:00 p.m. to 8:00 p.m., which was a success.</p>				



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Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 28</p> <p><u>REPORTS – CONTINUED</u></p> <p><u>Door Hangers</u> – Comr. Poitier stated that with the assistance of the Broward Sheriff’s office, he distributed door hangers to warn residents of break-ins.</p> <p><u>Distribution of Bicycles</u> – Comr. Poitier reported that on December 13, 2011, at 4:00 p.m., a Pompano Beach resident, Clint Session, who plays with the Jacksonville Jaguars as a linebacker, gave away 132 bicycles in the community to needy families, which was well-received by the members of the community.</p> <p><u>Seasons Greetings</u> – Comr. Poitier wished the City Commission Happy Holidays and a prosperous New Year.</p> <p><u>Vice Mayor George Brummer – Grand Opening of George Brummer Park</u> – Vice Mayor Brummer thanked everyone for attending the grand opening of the George Brummer Park, located at 3500 West Palm Aire Drive, Pompano Beach, FL 33069, on Monday, December 12, 2011. He stated that he has received numerous compliments of a fabulous job done.</p> <p><u>Pier Request For Quote (RFQ)</u> – Vice Mayor Brummer stated that he reviewed the selected “Request For Quote” response for the pier, which he found somewhat disconcerting because it says, “The company involved is in formation.” In other words, it does not exist. Meanwhile, he has checked a couple of times, to include today, to see if the company was registered with the Department of State and it is not. While the Commission cannot reconsider this, as it is too late, he suggested that staff, in its negotiation process, look into this and give it careful scrutiny, as the City is dealing with a company that technically does not exist.</p> <p>In addition, Vice Mayor Brummer stated that the people that are involved with this organization are also involved with another company, which does have a history, but they do not relate to each other. Therefore, it appears that the City is dealing with a “ghost.”</p> <p><u>Seasons Greetings</u> – Vice Mayor Brummer wished all Happy Holidays, and a Happy, Prosperous and Healthy New Year.</p>				



City of Pompano Beach, Florida

Names of Commrs.	M	S	V Y	V N
<p>CITY COMMISSION MEETING MINUTES DECEMBER 13, 2011</p> <p>PAGE 29</p> <p><u>REPORTS – CONTINUED</u></p> <p><u>Mayor Lamar P. Fisher – Grant Awarded to South Florida Regional Transportation Authority</u> – Mayor Fisher announced that the City was supportive in assisting the South Florida Regional Transportation Authority in acquiring a \$5.7 million grant from the Federal Government to redo the Transit Station at Sample Road. Therefore, he expressed thanks to staff and everyone who contributed in making this happen.</p> <p><u>Median Improvements</u> – Mayor Fisher stated that medians from I-95 going east on Atlantic Boulevard are nicely landscaped, which makes the gateway coming into Atlantic Boulevard so aesthetically pleasing. Therefore, he thanked Robert McCaughan, Public Works Director, and Dennis W. Beach, City Manager, for their efforts in that process.</p> <p><u>Seasons Greetings</u> – Mayor Fisher wished the City Commission and citizens of Pompano Beach Happy Holidays.</p> <p><u>ADJOURNMENT</u></p> <p>There being no further business, the meeting adjourned at 7:53 p.m.</p>				

LAMAR FISHER, MAYOR

MARY L. CHAMBERS, CITY CLERK