

**CITY OF POMPANO BEACH
CITY COMMISSION MEETING
AGENDA NO. 2015-10
TUESDAY, FEBRUARY 10, 2015
6:00 P.M.**

CALL TO ORDER

The Honorable Lamar Fisher
Mayor, Presiding

ROLL CALL

Mary L. Chambers, MMC,
City Clerk

INVOCATION

Reverend James Smith
New Jerusalem Missionary Baptist
Church

PLEDGE OF ALLEGIANCE

Led by Mary L. Chambers, MMC,
City Clerk

APPROVAL OF MINUTES

City Commission Meeting Minutes of
January 27, 2015

APPROVAL OF THE AGENDA City Commission

CONSENT AGENDA DISCUSSION

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

PROCLAMATIONS

Mayor Fisher

A Proclamation to recognize Elsie Charlton on her 100th birthday.

A Proclamation proclaiming Black History Month in the City of Pompano Beach. Hazel Armbrister, longtime resident and President of the Rock Road Restoration Historical Group will accept proclamation.

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

1. Request approval for emergency repair of a broken wastewater collection system located at 930 N.E. 27th Avenue at a total cost of \$29,550.

(Staff Contact: A. Randolph Brown)

2. **RES. NO. 2015-.....:** 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 HIGHWAY MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO NORTH ANDREWS AVENUE EXTENSION; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

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

3. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **SUSAN ROME** TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY DOCKSWELL, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers/Ascelela Hammond)



4. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JEROLD MILLS** TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY MOSS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers/Ascelela Hammond)



CONSENT AGENDA – CONTINUED

5. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ELAINE F. FITZGERALD** TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL, INC. OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY DOCKSWELL, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 10, 2018; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers/Ascelela Hammond)



6. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **VINCE JOHNSON** TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL, INC. OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER EDWARD PHILLIPS FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 10, 2018; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers/Ascelela Hammond)



7. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **M. DWIGHT EVANS** TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER EDWARD PHILLIPS, WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers/Ascelela Hammond)



8. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **FRED STACER** TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY DOCKSWELL, WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers/Ascelela Hammond)



CONSENT AGENDA – CONTINUED

9. **RES. NO. 2015-.....:** 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 SHIFF CONSTRUCTION AND DEVELOPMENT, INC. TO CONVERT PRACTICE BALL FIELDS TO A SOCCER FIELD; PROVIDING AN EFFECTIVE DATE.
(Fiscal impact: \$138,831.56)

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



10. Approval to purchase hydrofluosilicic acid (fluoride), as needed, for the Water Treatment Plant, per the City of Fort Lauderdale Cooperative Bid #432-11261, from Harcros Chemicals, Inc. at the annual expenditure of \$56,250 and a total estimated expenditure of \$168,750.

(Staff Contact: A. Randolph Brown)

11. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND WALTERS ZACKRIA ASSOCIATES, PLLC FOR PROFESSIONAL DESIGN SERVICES FOR THE BEACH COMMUNITY CENTER; PROVIDING AN EFFECTIVE DATE.
(Fiscal impact: \$297,500)

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



REGULAR AGENDA

12. A presentation by Tom DiGiorgio, Jr. and Dr. Bob Leeworthy pertaining to the public benefits of an artificial reef.

(Staff Contact: Greg Harrison)

REGULAR AGENDA

13. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT REGARDING ESTABLISHMENT OF AN ARTIFICIAL REEF BETWEEN THE CITY OF POMPANO BEACH AND PPI, INC.; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$312,500 revenue to the City from PPI, Inc.)

(Staff Contact: Greg Harrison)

14. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT REGARDING ESTABLISHMENT OF AN ARTIFICIAL REEF BETWEEN THE CITY OF POMPANO BEACH AND KEARNS CONSTRUCTION COMPANY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$257,500 – City’s portion)

(Staff Contact: Greg Harrison)

15. Consideration of the creation of a foundation or other corporate entity to further develop, manage and market the Project, including, but not limited to, to raise and receive additional funding for the Project and to seek additional community, educational and/or other governmental partners to participate in, and benefit, the Project. The CITY agrees that the ISLE, at ISLE’s sole discretion, shall have the right to appoint fifty percent (50%) of the directors or board members of any such foundation or corporate entity. (No fiscal impact)

(Staff Contact: Greg Harrison)

QUASI-JUDICIAL PROCEEDING

16. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF’S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE POMPANO ISLES – SECTION B PLAT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Chris Clemens/Robin M. Bird)

QUASI-JUDICIAL PROCEEDING

17. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING CITY STAFF’S LETTER OF NO OBJECTION TO AMENDMENT OF NOTATION ON THE POMPANO BEACH RESIDENCES PLAT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Chris Clemens/Robin M. Bird)

END OF QUASI-JUDICIAL PROCEEDING

REGULAR AGENDA - CONTINUED

18. **P.H. 2015-34; ORD. NO. 2015-....:** (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 AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MICHAEL FARRELL, M.D. FOR MEDICAL CONSULTING AND ADVISORY SERVICES TO THE FIRE DEPARTMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$65,004.16 annually)

FIRST READING: JANUARY 27, 2015

(Staff Contact: John Jurgle)

19. **P.H. 2015-36; ORD. NO. 2015-....:** (ORDINANCE 2ND READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA ADOPTING A COMPREHENSIVE PLAN, TEXT AMENDMENT TO AMEND THE POTABLE WATER SUB-ELEMENT, THE FUTURE LAND USE ELEMENT, AND THE CONSERVATION ELEMENT; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON OCTOBER 22, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

FIRST READING: JANUARY 27, 2015

(Staff Contact: Robin M. Bird/Maggie Barszewski)

REGULAR AGENDA - CONTINUED

20. **P.H. 2015-33; ORD. NO. 2015-....: (ORDINANCE 2ND READING)**
AN ORDINANCE AMENDING CHAPTER 100, “STREETS AND SIDEWALKS,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 100.21, “PERMITS; FEES,” TO SPECIFY PERMIT REQUIREMENTS AND EXPIRATION FOR IMPROVEMENTS CONSTRUCTED ON PUBLIC PROPERTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: JANUARY 27, 2015

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

21. **P.H. 2015-35; ORD. NO. 2015-....: (ORDINANCE 2ND READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, “PARKS AND PLAYGROUNDS,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 98.07, “PUBLIC EVENT,” TO PROVIDE FOR LIMITATION ON THE NUMBER AND DURATION OF PUBLIC EVENTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

FIRST READING: JANUARY 27, 2015

(Staff Contact: Mark Beaudreau)

22. **P.H. 2015-37; ORD. NO. 2015-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, WAIVING FURTHER COMPETITIVE BIDS FOR PROCUREMENT OF CONSTRUCTION SERVICES FOR INSTALLATION OF FIRE SUPPRESSION SYSTEMS BY SHIFF CONSTRUCTION DEVELOPMENT, INC.; APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SHIFF CONSTRUCTION & DEVELOPMENT, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal impact: \$227,019.63)

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



REGULAR AGENDA - CONTINUED

23. **P.H. 2015-38; ORD. NO. 2015-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 131, “OFFENSES AGAINST PERSONS AND PROPERTY,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 131.23, “UNSOLICITED PUBLICATIONS,” TO PROVIDE FOR DEFINITIONS; DUTIES AND OBLIGATIONS OF PUBLISHERS AND DISTRIBUTORS OF UNSOLICITED PUBLICATIONS; TO PROVIDE REMOVAL REQUIREMENTS FOR PUBLICATIONS DELIVERED IN VIOLATION OF THIS ORDINANCE AND FOR PENALTIES AND ENFORCEMENT; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gordon B. Linn)

24. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE PROPER CITY OFFICIALS TO SUBMIT AN APPLICATION TO BROWARD COUNTY FOR THE TOURIST DEVELOPMENT TAX CAPITAL CHALLENGE GRANT PROGRAM FOR THE PURPOSE OF OBTAINING FUNDS IN THE AMOUNT OF \$500,000.00 FOR THE POMPANO BEACH CULTURAL CENTER; AND, IF AWARDED, AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mark Beaudreau)

25. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JANUARY 10, 2018; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

Lee A. Corson – Incumbent – District 3

(Staff Contact: Mary L. Chambers/Ascelela Hammond)



REGULAR AGENDA - CONTINUED

26. **RES. NO. 2015-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ 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 12, 2018; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

Matthew Cheshire – (Incumbent) – District 3
Predrag P. Jovanov – District 3

(Staff Contact: Mary L. Chambers/Ascelea Hammond)



27. Discussion item regarding the separation requirements for liquor stores; the state and city definitions of restaurants with accessory bars; and the lack of separation requirements for restaurants with accessory bars in the AOD and DPOD Districts.

(Staff Contact: Robin M. Bird/Karen Friedman)

REPORTS

City Manager
City Attorney
City Clerk
Internal Auditor
City Commission

ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2014	Beginning Balance	\$ 8,340.00
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