



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>APPROVAL OF MINUTES</u>	
Regular City Commission Meeting October 13, 2015	1
<u>APPROVAL OF AGENDA</u>	
City Commission Meeting Agenda October 27, 2015	1
<u>PROCLAMATIONS</u>	
Clergy Appreciation Month	2
WOW Pompano Award	2-3
<u>SPECIAL PRESENTATION</u>	
Summer Youth Employment Program	3-4
<u>AUDIENCE TO BE HEARD</u>	
<u>Staff Responsibilities</u> – Tom Terwilliger, 3160 Northwest 1 st Avenue, Pompano Beach, FL	4
<u>Consent Items</u> – Mr. Terwilliger	4
<u>Competitive Bidding Process</u> – Mr. Terwilliger	4
<u>Existing Problems in the Community</u> – Joseph Ryan, 427 Northeast 24 th Avenue, Pompano Beach, FL	4-5
<u>MLK Committee</u> – Vicente M. Thrower, 1890 Northwest 6 th Avenue, Pompano Beach, FL	5
<u>Work Force Programs</u> – Mr. Thrower	5
<u>Cheerleading Programs</u> – Tanisha Carter-Johnson, 1960 Northwest 4 th Court, Pompano Beach, FL	5-6
<u>Zoning Board of Appeals Notices</u> – Elizabeth Wilson, 1370 South Ocean Boulevard, Pompano Beach, FL	6-7



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>AUDIENCE TO BE HEARD-CONTINUED</u>	
<u>Zoning Board of Appeals Notices</u> – Miriam Prieto, 1360 South Ocean Boulevard, #2606, Pompano Beach, FL	7-8
<u>Zoning Board of Appeals Notices</u> – Jonathan Tavalin, 1360 South Ocean Boulevard, #1905, Pompano Beach, FL	9
<u>Zoning Board of Appeals Notices</u> – Pilar D. O’Jea, 1370 South Ocean Boulevard, #907, Pompano Beach, FL	9-10
<u>Zoning Board of Appeals Notices</u> – Scott McClelland, 1370 South Ocean Boulevard, #1802, Pompano Beach, FL	10
<u>Zoning Board of Appeals Notices</u> – M. Ross Shulmister, 560 Southeast 12 th Street, Pompano Beach, FL	11-14
<u>Pompano Beach Cemetery Operation</u> – Gina Hankerson, 7284 W. Oakland Park Boulevard, Lauderhill, FL	14-15
<u>Failed Pompano Beach Schools</u> – Patrick Jovanov, 411 Northeast 18 th Avenue, Pompano Beach, FL	15
<u>CONSENT AGENDA</u>	
Approve ranking order for RLI E-56-15 Construction Engineering and Inspection Services for the Educational Corridor, and authorize staff to negotiate a contract with the highest-ranked firm, Calvin, Giordano & Associates, Inc. (No cost at this time)	16
Approval of a request by Shirley Simmons to transfer ownership of Block 19, Lot 5, Plot 1 in the West Lawn to Vincent Blue. (No cost)	16
Approval to award Bid L-51-15, to Furnish Lime Softening Gearbox Unit, to the second lowest responsive, responsible bidder, Condo Electric Industrial Supply, Inc. in the amount of \$168,589.	16
Approval to award Bid L-55-15, Reuse Treatment Plant Sodium Hypochlorite Feed System Upgrade, to the lowest responsive, responsible bidder, Odyssey Manufacturing Company in the amount of \$75,010.	16



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>CONSENT AGENDA - CONTINUED</u>	
<p>RES. NO. 2016-29: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RECOMMENDING TO THE BROWARD COUNTY PLANNING COUNCIL THE REMOVAL OF NE 48TH/49TH STREET FROM THE BROWARD COUNTY TRAFFICWAYS PLAN; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$6,798)</p>	16
<p>RES. NO. 2016-30: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF MUNICIPAL LIENS, ASSESSMENTS AND OPEN PERMITS BETWEEN THE CITY OF POMPANO BEACH AND POMPANO 1711 LLC, AS ASSIGNEE FOR JMNB CAPITAL, LLC, TO RESOLVE PENDING FORECLOSURE ACTION STYLED JMNB CAPITAL, LLC V. TABATHA FOWLER, ET AL. IN WHICH THE CITY IS A NAMED DEFENDANT; PROVIDING AN EFFECTIVE DATE.</p>	17
<p>RES. NO. 2016-31: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SETTLEMENT AGREEMENT AND RELEASE OF MUNICIPAL LIENS TO RESOLVE PENDING FORECLOSURE LITIGATION STYLED CITY OF POMPANO BEACH VS. DENNIS D. HOLLOWAY, ET AL.; PROVIDING AN EFFECTIVE DATE.</p>	17
<p>RES. NO. 2016-....: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, SUPPORTING THE BROWARD METROPOLITAN PLANNING ORGANIZATION’S 2017-2019 MOBILITY PROJECTS PLAN FOR THE CITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>	17-18
<p>Approve ranking order for RLI L-40-15 Continuing Contract for Professional Engineering Services for Water and Reuse Treatment Plant Projects, and authorize staff to negotiate contracts with the six highest ranked firms: Carollo Engineers, Inc., Mathews Consulting, Inc., McCafferty Brinson Consulting, LLC, Globaltech, Inc., MWH Americas, Inc. and Tetra Tech, Inc. (No cost at this time)</p>	18
<p>RES. NO. 2016-32: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST EXTENSION AND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BASEBALL, INC. TO PROVIDE VOLUNTEER LEADERSHIP, ADMINISTRATION, AND COACHING SERVICES TO COMPETITIVE AND TRAVEL YOUTH BASEBALL LEAGUES IN THE CITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: City to receive \$10 for each player participating on licensee’s team that is not a resident of the City of Pompano Beach. Payment to be made on or before October 1 of each year for the prior annual term)</p>	19



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>CONSENT AGENDA - CONTINUED</u>	
<p>RES. NO. 2016-33: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PROJECT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FLORIDA INLAND NAVIGATION DISTRICT ACCEPTING A GRANT NOT TO EXCEED \$60,000 FOR THE EXCHANGE CLUB PARK IMPROVEMENTS THROUGH THE FIND WATERWAYS ASSISTANCE PROGRAM; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: Matching Fund of \$30,000 – working capital reserves from the City of Pompano Beach and \$30,000 from the City of Lighthouse Point)</p>	19
<p>RES. NO. 2016-34: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WOMEN IN DISTRESS OF BROWARD COUNTY, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$12,500)</p>	20
<p>RES. NO. 2016-35: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE RUSSELL LIFE SKILLS AND READING FOUNDATION, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$13,500)</p>	20
<p>RES. NO. 2016-36: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LEARNING FOR SUCCESS, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$6,000)</p>	20
<p>RES. NO. 2016-37: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND TAYLOR’S CLOSET FOUNDATION, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$10,000)</p>	21



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>CONSENT AGENDA - CONTINUED</u>	
RES. NO. 2016-38: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LUZ DEL MUNDO (LIGHT OF THE WORLD), INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$10,000)	21
RES. NO. 2016-39: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND NEW HORIZON COMMUNITY DEVELOPMENT CORPORATION, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$12,500)	21
RES. NO. 2016-40: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC SERVICES AND INFRASTRUCTURE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOYS AND GIRLS CLUBS OF BROWARD COUNTY, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$50,000)	22
RES. NO. 2016-41: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SECOND CHANCE SOCIETY, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$7,000)	22
RES. NO. 2016-42: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FEEDING SOUTH FLORIDA, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$5,000)	22



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>CONSENT AGENDA - CONTINUED</u>	
<p>RES. NO. 2016-43: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MOTIVATED UNIFIED SOUND IMPACTING COMMUNITIES, INC.; PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds \$5,000)</p>	23
<p>Approval to purchase Fertilizer, as needed for the Public Works Grounds Maintenance Division, per the Town of Davie Cooperative Bid B-15-81 from the awarded vendors John Deere Landscapes, Diamond R. Fertilizer Co., Howard Fertilizer and Chemical Co. and Sunniland Fertilizer Corp. in the estimated total amount of \$60,000.</p>	23
<p>RES. NO. 2016-44: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD REGIONAL HEALTH PLANNING COUNCIL, INC. TO PROVIDE LOW INCOME FAMILIES WITH EARLY EDUCATION AND CARE; PROVIDING AN EFFECTIVE DATE. (Total Cost: \$31,000)</p>	23-24
<p>RES. NO. 2016-45: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING A VARIABLE/FIXED RATE NOTE BETWEEN THE CITY OF POMPANO BEACH AND THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT REGARDING SECTION 108 GUARANTY LOAN BY AMENDING THE APPENDIX DATES FOR THE COMMITMENT SCHEDULE AND SCHEDULE PRINCIPAL AND INTEREST TO REFLECT THE CORRECT YEARS SAID PAYMENTS ARE DUE; PROVIDING AN EFFECTIVE DATE.</p>	24-25
<p>RES. NO. 2016-46: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RESTRICTIVE COVENANT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF CULTURAL AFFAIRS RELATING TO THE LIBRARY CULTURAL CENTER PROJECT; PHASE 2; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>	25
<p>RES. NO. 2016-47: 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 GARLAND/DBS, INC. FOR THE ROOF REPLACEMENT TO THE COMMISSION CHAMBERS BUILDING; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$120,958)</p>	25-27



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>REGULAR AGENDA</u>	
Summary Activity Report of Internal Audit Projects for a 16-month period from June 2014 through September 2015.	27-29
RES. NO. 2016-48: 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 COMMERCE CENTRE PLAT; PROVIDING AN EFFECTIVE DATE.	29-30
ORD. NO. 2016-10: AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A CERTAIN TWENTY-EIGHT FOOT WIDE PORTION OF THE RIGHT-OF-WAY FOR POWERLINE ROAD LYING EAST OF POWERLINE ROAD AND NORTH OF SOUTHWEST 15 TH STREET (W. MCNAB ROAD); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.	30-32
ORD. NO. 2016-....: AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING WEST OF NE 18 TH AVENUE AND NORTH OF EAST ATLANTIC BOULEVARD AND COMMONLY KNOWN AS 19 NE 18 TH AVENUE FROM RD-1 (TWO-FAMILY RESIDENCE) TO RM-12 (MULTI-FAMILY RESIDENCE); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.	32-34
RES. NO. 2016-49: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING A PLAT BY VACATING AN EXISTING NON-VEHICULAR ACCESS LINE LOCATED WITHIN AN ABANDONED RIGHT-OF-WAY AND DEDICATING A NEW NON-VEHICULAR ACCESS LINE ALONG THE NEW RIGHT-OF-WAY LINE FOR PROPERTY LOCATED AT 1400-1442 S. POWERLINE ROAD; PROVIDING AN EFFECTIVE DATE.	35
ORD. NO. 2016-11: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A SMALL SCALE COMPREHENSIVE PLAN MAP AMENDMENT FOR THE PROPERTY LOCATED AT 4411 N. FEDERAL HIGHWAY; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JULY 22, 2015; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.	36
ORD. NO. 2016-12: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 154, "PLANNING," BY AMENDING SECTION 154.61, "RESERVE AND FLEXIBILITY UNITS," TO MODIFY PROCEDURES AND STANDARDS FOR AWARD OF RESERVE AND FLEXIBILITY UNITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.	37-39



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>REGULAR AGENDA - CONTINUED</u>	
ORD. NO. 2016-13: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.	39-42
ORD. NO. 2016-14: AN ORDINANCE 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 KIMLEY-HORN AND ASSOCIATES, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)	42
ORD. NO. 2016-15: AN ORDINANCE 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 CRAVEN, THOMPSON & ASSOCIATES, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)	43
ORD. NO. 2016-16: AN ORDINANCE 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 MATHEWS CONSULTING, INC. FOR CONTINUING CONTRACT FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)	43-44
ORD. NO. 2016-17: AN ORDINANCE 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 R.J. BEHAR & COMPANY, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)	45



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>REGULAR AGENDA - CONTINUED</u>	
<p>ORD. NO. 2016-18: AN ORDINANCE 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 MUNSON DESIGN & CONSULTING, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)</p>	45
<p>ORD. NO. 2016-19: AN ORDINANCE 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 KEITH AND ASSOCIATES, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)</p>	45-46
<p>ORD. NO. 2016-20: AN ORDINANCE 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 CRAIG A. SMITH & ASSOCIATES INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)</p>	46
<p>ORD. NO. 2016-21: AN ORDINANCE AMENDING CHAPTER 96, "HEALTH AND SAFETY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.13, "SERVICE CHARGES," TO INCREASE THE SERVICE CHARGES FOR COLLECTION AND DISPOSAL OF REFUSE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>	47
<p>ORD. NO. 2016-22: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE ADDENDUM NO. 12 TO CONTRACT FOR COLLECTION AND DISPOSAL OF SOLID WASTE BETWEEN THE CITY OF POMPANO BEACH AND WASTE MANAGEMENT INC. OF FLORIDA EXTENDING THE TERM OF THE ORIGINAL AGREEMENT AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE NEW AGREEMENT FOR COLLECTION OF SOLID WASTE BETWEEN THE CITY OF POMPANO BEACH AND WASTE MANAGEMENT INC. OF FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>	48-51



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>REGULAR AGENDA - CONTINUED</u>	
<p>ORD. NO. 2016-23: AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR PROPERTY LOCATED AT 1400-1600 NW 33RD STREET; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON NOVEMBER 19, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.</p>	51-52
<p>ORD.NO. 2016-...: 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 STRATEGIC PERFORMANCE MANAGER, BUSINESS DEVELOPMENT SPECIALIST, COLLECTION SPECIALIST, SENIOR PLANNER, CAPITAL IMPROVEMENT PROJECT MANAGER, CEMETERY SEXTON, ANALYTICS ASSISTANT, SANITATION SUPERVISOR, FLEET OPERATIONS SUPERVISOR AND FIRE RESCUE LIEUTENANT; BY RECLASSIFYING THE POSITION OF EXECUTIVE SECRETARY; BY RECLASSIFYING AND RETITLING THE ECONOMIC DEVELOPMENT COORDINATOR TO ECONOMIC DEVELOPMENT MANAGER; AND BY RETITLING THE DRAFTING TECHNICIAN TO ENGINEERING TECHNICIAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>	52-53
<p>RES. NO. 2016-50: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE LEASE FINANCING OF CERTAIN EQUIPMENT PURSUANT TO AN ANNUAL APPROPRIATION LEASE; APPROVING THE FORMS, AND AUTHORIZING EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT AND RELATED LEASE DOCUMENTS BETWEEN THE CITY, AS LESSEE AND REGIONS EQUIPMENT FINANCE CORPORATION, AS LESSOR; AUTHORIZING THE APPROVAL OF RELATED FINANCING DOCUMENTS, INCLUDING A FUNDING AGREEMENT AMONG THE CITY, REGIONS EQUIPMENT FINANCE CORPORATION AND REGIONS BANK, AS FUNDING AGENT; PROVIDING FOR CERTAIN AUTHORIZATIONS AND OTHER MATTERS WITH RESPECT THERETO; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.</p>	54-55
<p>RES. NO. 2016-51: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>WALTER CLARK</u> TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 14, 2018; PROVIDING AN EFFECTIVE DATE.</p>	55



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-02

Date: October 27, 2015

Subject	Page
<u>REPORTS</u>	
<u>City Manager</u> – Brownfield Area Designation	55
<u>City Attorney</u> – Attendance at School Board Meeting	56
Flex Unit Workshop	56
<u>City Clerk</u> – No Report.	56
<u>Commissioner Barry J. Dockswell</u> – No Report.	56
<u>Commissioner Rex Hardin</u> – No Report.	56
<u>Commissioner Barry Moss</u> – No Report.	56
<u>Commissioner Ed Phillips</u> – Attendance to City Commission Meetings	56
Ely Museum	56
Appreciation to Staff	56
Budgeted Amounts	57
<u>Vice Mayor Charlotte Burrie</u> – No Report.	57
<u>Mayor Lamar P. Fisher</u> – City Joint School Board Meeting	57
Arbor Day	57
Halloween Day	57
Day Light Saving Time	57
<u>ADJOURNMENT</u>	58

CITY OF POMPANO BEACH, FLORIDA

REGULAR CITY COMMISSION MINUTES

Agenda No. 2016-02

Date: October 27, 2015

Commission Meeting Room

The Mayor called the meeting to order at 6:00 p.m. and presided as the chairman.

ROLL CALL:

Mayor
Vice Mayor
Commissioner
Commissioner
Commissioner
Commissioner

Present:

Lamar Fisher
Charlotte Burrie
Barry Dockswell
Rex Hardin
Barry Moss
Edward Phillips

and

City Manager
City Attorney
City Clerk

Dennis Beach
Mark Berman
Asceleta Hammond

INVOCATION BY:

Apostle John L. Mohorn, Jr.
Word of the Living God Ministires

PLEDGE OF ALLEGIANCE LED BY: *Asceleta Hammond, City Clerk*

Names of Commrs.	M	S	V Y	V N
CITY COMMISSION MEETING MINUTES				
October 27, 2015				
PAGE 1				
<u>APPROVAL OF MINUTES</u>				
MOTION: To approve the Special City Commission Meeting Minutes of October 13, 2015, as submitted.				
<u>VOICE VOTE</u>				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	
There were no revisions to the minutes.				
<u>APPROVAL OF THE AGENDA</u>				
Mayor Fisher stated that there was a slight change on the Agenda and that Item 44 is the Second Reading of the Ordinance and not the First Reading as originally noted on the Agenda.				
MOTION: To approve the City Commission Meeting Agenda of October 27, 2015, as amended.				
<u>VOICE VOTE</u>				
Dockswell		X	X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie			X	
Fisher			X	
<u>CONSENT AGENDA DISCUSSION</u>				
Mayor Fisher stated that the City Commission would pull items 8, 24, and 26 from the Consent Agenda for discussion. Therefore, a person may speak on the remaining items on the Consent Agenda during Audience to be Heard.				

Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 2

PROCLAMATIONS

Clergy Appreciation Month

Mayor Lamar Fisher invited Pastor Gary McLamore from the Jesus Supernatural Church of Deliverance, along with several other pastors in attendance to join him as he read a Proclamation, recognizing October 2015 as Clergy Appreciation month.

Finally, Mayor Fisher on behalf of the City Commission encouraged the citizens to say thank you to the men and women who have led to serve our communities in spiritual faith.

Pastor Gary McLamore, Jesus Supernatural Church of Deliverance thanked the City Commission and citizens for the honor of this recognition, even though in the line of their work they do not look for the “pat on the back” because they realize their reward comes from heaven. Nevertheless, he said it was good to know that they are appreciated and the people in the community see their good works being done. Therefore, they would like to continue to serve the communities within the City to the best of their abilities. Finally, Pastor McLamore stated that they are available to assist anyone who may need their assistance.

WOW Pompano Award

Mayor Lamar Fisher invited Claudia McMahan-Hickman, Vice President of Pompano Proud to join him as the City honors Bruce and Carol Harvey from Old Pompano.

Additionally, Mayor Fisher on behalf of the City of Pompano Beach and in partnership with Pompano Proud read a Proclamation and presented the WOW Pompano Award to Bruce and Carol Harvey for the hard work and devotion that they have put forth in the appearance of their property. It not only reflects the great credit on their property, but the entire City. As well as, it serves as an outstanding example for other residential and commercial property owners.

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 27, 2015</p> <p>PAGE 3</p> <p><u>SPECIAL PRESENTATION</u></p> <p>Claudia McMahon-Hickman, Vice President of Pompano Proud presented the 2015 Pompano Proud WOW Award for Home/Landscape to Bruce and Carol Harvey, of 601 Northeast 2nd Street, Pompano Beach. She then presented pictures of the landscaping of the Harvey's residence for which they earned the WOW award, as well as presented them with a gift certificate to the Garden Gate Shops.</p> <p><u>Summer Youth Employment Program</u></p> <p>Carole Hilton, Executive Vice President of CareerSource Broward, 6301 Northwest 5th Way, Suite 1200, Ft. Lauderdale, FL 33309, along with Board member Ben Chen gave a presentation regarding the Summer Youth Employment Program.</p> <p>Ms. Hilton during her presentation indicated that Pompano Beach has the second highest number of youths that are applying to their program each year. Unfortunately, they are not able to serve all these youths due to the lack of funding. Additionally, the program involves training the youths in soft skills, to include employer expectations, behavior on the job, as well as how to communicate with their supervisor, which combines to enable them to work successfully in the workplace. Therefore, the way the City could help is to invest in their summer youth employment program, which gives the youths a meaningful summer experience, they would earn money that would go back into the community and the economy at large. This provides the youth with a sense of independence and at the same time boosting their self-esteem.</p> <p>Finally, Ms. Hilton stated that the City of Pompano Beach funded 20 youths to participate in the Summer Youth Employment Program. She then outlined the program, its benefits and funding sources.</p> <p>Ben Chen, Board member indicated that in the handout distributed to the Commission, it states that it costs approximately \$2,500 per youth and various cities have contributed to their program. In addition, he stated that one of the benefits is that the City could request its funding be utilized for only the youths of the City of Pompano Beach. Therefore, their organization could design a program specifically targeting the City of Pompano Beach. He suggested that funds from the City's CDBG program could be assigned to assist with this program as well.</p>				

Names of Commsrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 5

AUDIENCE TO BE HEARD – CONTINUED

Additionally, Mr. Ryan complained that Code Enforcement is not addressing many violations in quite a number of communities to include Harbor Village and Old Pompano.

Furthermore, Mr. Ryan complained that property values are decreasing, and the City is losing thousands of dollars in new business ventures. Finally, the Brazilian Festival is charging him \$10 to park on his own property, which he does not quite understand.

MLK Committee – Vicente M. Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL, stated that at the past budget cycle the Commission approved \$5,000 for this event. However, on behalf of the MLK Committee, he is requesting an additional \$5,000.

Mayor Fisher asked if the City had provided an additional amount of \$5,000 to the MLK Committee last year.

Dennis W. Beach, City Manager replied he did not recall, but that amount sounds accurate.

Mayor Fisher indicated that every year a budgeted amount is done for \$5,000 and they would ask for an additional \$5,000. Therefore, he made a Motion to provide an additional \$5,000 for the MLK Committee, Seconded by Comr. Hardin. The Commission voted unanimously on this motion.

Work Force Programs – Mr. Thrower expressed his appreciation for the presentation made earlier regarding the work force program. However, he recalled that the Commission had decided to look into an RFP process for programs similar to this one, which he would encourage, as there are quite a number of work force programs application submitted at the end of the year.

Cheerleading Programs – Tanisha Carter-Johnson, 1960 Northwest 4th Court, Pompano Beach, FL, stated that this year they had eight cheerleading teams within the City of Pompano Beach that competed at Pop Warner Competition and they will be moving on to the Pop Warner Regional competition held in Orlando, Florida. This includes one team with the Pompano Chiefs, two with Pompano Cowboys, three with the Eagles and two with the Steelers.

Names of Comms.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 6

AUDIENCE TO BE HEARD – CONTINUED

Ms. Carter-Johnson indicated that originally they were told that the City did not budget for that many teams to make it that far. However, the Parks and Recreation Department proposed that each participating cheerleader had to pay \$30 by November 5, 2015 to make the trip. She said the teams would be travelling on Friday to perform on Saturday and on Saturday to perform on Sunday. Therefore, she suggested that if one bus would be alleviated to allow the teams a two-night stay, then perhaps the City would be able to expense the entire trip not including meals so the parents would not have to pay the \$30 per cheerleader. In fact, there are some parents with three or four cheerleaders participating, which one family would pay \$90 to \$120.

Ms. Carter-Johnson indicated that she decided to return to coaching to improve the program. In comparison, this year's participation to the last two years they have done a good job with the cheerleading program. Therefore, she is requesting that the City consider waiving the \$30 fee required to be paid by each cheerleader.

In response to Mayor Fisher's question, Ms. Carter-Johnson replied that they have approximately twenty cheerleaders per team.

Mayor Fisher suggested that Ms. Carter-Johnson provide the documentation to City Manager Beach for consideration.

Comr. Phillips indicated that there might be businesses within the community to include engineers and attorneys that may be receptive to assist Ms. Carter-Johnson groups and others of this nature. He encouraged her to provide exact numbers in the documentation to be submitted to the City Manager.

Zoning Board of Appeals Notices – Elizabeth Wilson, 1370 South Ocean Boulevard, Pompano Beach, FL, stated there was an incident with the requirements of mailing notices that were due to a number of affected residents prior to a Planning and Zoning (P&Z) or Zoning Board of Appeals (ZBA) meeting, which did not comply with the City's requirements. She explained the City's stamping process of notices mailed out to the residents through the Post Office process, which can only accept those notices stamped on the day that the notices are stamped. In other words, if the envelopes are stamped with the 12th it must be delivered to the post office on the 12th.

Names of Commrs.	M	S	Y	V	V	
<p>CITY COMMISSION MEETING MINUTES October 27, 2015</p> <p>PAGE 8</p> <p><u>AUDIENCE TO BE HEARD – CONTINUED</u></p> <p>As referenced earlier, the late mailing were received by some residents on October 15, 2015. There was no mention that the Air Park Overlay Board was also being convened. The notice only indicated that there would be a Zoning Board of Appeals meeting. When confronted with this inconsistency, the Assistant City Attorney ruled that they were technically one in the same boards. As such, the residents were led to believe that both boards would be meeting simultaneously. If that were the case, the regular eight criteria required for the variances would be appropriate for discussion on public comment. In addition to the Air Park Overlay height restrictions, Mr. Webb acknowledged openly, but Mr. Shulmister reminded him that the applicant must meet all nine criteria in order to receive a variance.</p> <p>Ms. Prieto indicated that as residents, they have legitimate concerns about the developer’s supposed hardships, as well as density and traffic on evacuation and first responder issues. Ms. Prieto indicated that the residents were denied the right to speak on this important matter. She indicated that in the final board discussion, Mr. Shulmister provided his misgivings about the proposed height of the building and the air safety. Therefore, he concluded that the developer had no hardship but to build within the existing code. Instead, he desired to have more units for sale. Mr. Webb’s response was that a developer should be able to gain everything possible from their property. Without any discussion of the other eight criteria the applicant had to satisfy in order to obtain a variance, the Board operating as both Boards (ZBA and Air Park Overlay) approved the variance on a vote of 4-1.</p> <p>Ms. Prieto requested that the Commission vacate the variance, which on October 15, 2015 was approved to provide WH Pompano to build at 302 feet versus 169 feet.</p> <p>Mayor Fisher noted that as it relates to the Zoning Board of Appeals matters the City Commission cannot appeal those, rather, the appeals would have to go through the Circuit Court.</p> <p>Mark E. Berman, City Attorney responded that is correct. If someone desires to appeal a Zoning Board of Appeals matter, they could go to the Circuit Court or the Board, on its own, could make a motion to rescind its ruling. Therefore, the City Commission has no authority to overturn the decision of the Zoning Board of Appeals due to the current way the code has been written.</p>						

Names of Commrs.	M	S	V Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 10

AUDIENCE TO BE HEARD – CONTINUED

Ms. O’Jea indicated that if a resident has a legitimate request backed by the City’s code, they should not be treated any differently from attorneys. Therefore, she urged the City Commission to declare this item null and void and to invalidate the variance hearing that took place on October 15, 2015, since legally it should never had occurred.

Zoning Board of Appeals Notices – Scott McClelland, 1370 South Ocean Boulevard, #1802, Pompano Beach, FL, stated that the October 15, 2015 Zoning Board of Appeals (ZBA) meeting was an extraordinary one, because so many things were abnormal to include the mailing of notices stamped 12th and 13th not five days prior to the meeting as per the Code. Therefore, he urged the Commission to change this process, due to the improprieties that were found there, as residents should be receiving the notices in due time.

Additionally, Mr. McClelland indicated that the meeting should not have taken place as there are envelopes that are postmarked with the 12th and 13th and when the Assistant City Attorney was questioned regarding the matter, she indicated that it was okay to do it that way, but those affected disagreed. Besides, when there was an opportunity presented to discuss the various criteria, they were told it would not be allowed, and only the Air Park would be discussed.

In sum, Mr. McClelland stated that the process, as well as comments made that the “ZBA is here to change the law” were done inappropriately. Repeatedly, this particular meeting showed an abuse of power, pushed aside the people of Pompano Beach from their legitimate rights to speak, and they were told they could not speak on any other issues even though there are nine criteria by which a variance has to be passed. Nothing was mentioned about the other eight criteria, only the Air Park Overlay.

Finally, Mr. McClelland urged the Commission to look at this matter as an extraordinary situation and consider terminating the services of Mr. Webb.

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 27, 2015</p> <p>PAGE 12</p> <p><u>AUDIENCE TO BE HEARD – CONTINUED</u></p> <p>Additionally, Mayor Fisher thanked those members who attended the meeting and spoke earlier on an issue with the mailing of the notice for public hearing that needed to be addressed. As well as, he thanked Mr. Shulmister for his suggestions and indicated that the Commission will discuss them to determine how it can be corrected for the future. So there will be enough notice irrespective of where a person resides, whether on the beach or in the western communities.</p> <p>Comr. Dockswell indicated that Mr. Shulmister has provided the suggestion of how the Code of Ordinances could be changed in the future by providing six business days of notice rather than five calendar days. Therefore, he is inclined to think that the City could work with this or consider something similar to allow more time on the notice, especially since the mailing is taking longer these days. In moving forward, he suggested that the City consider a greater notice requirement so that the affected residents around a zoning or variance change, etc. would be adequately noticed.</p> <p>Additionally, Comr. Dockswell indicated that with regard to the project, a variance was approved. Since there was an assertion of inadequate notice, which has been dealt with at the hearing, he asked whether the variance is considered not appealable.</p> <p>Mark E. Berman, City Attorney, responded that it is appealable and explained his understanding of the issue on hand, because he did watch the video of the hearing. He noted that the Assistant City Attorney checked with staff that placed on the record that it was mailed during the appropriate time required by the ordinance. Based on the testimonies provided earlier, it may or may not have resulted in residents getting their mail on time.</p> <p>Furthermore, they were given the opportunity to speak and apparently, they did not have an opportunity to hire a counsel or take other measures that might have been done. The ZBA chairman was advised by the Assistant City Attorney at the meeting that under the Board rules, the Board could on its own, if it felt in the interest of fairness, to table the matter. No member of the Board made a motion to do that at the meeting. The Chairman did not do that as well. They felt that after the testimony that was presented by the Clerk for the Board everything had been timely mailed; therefore, they could proceed, which they did.</p>				

Names of Comms.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 13

AUDIENCE TO BE HEARD – CONTINUED

Mr. Berman indicated that the matter can be appealed at this point and a Board member during the next hearing can make a motion to rescind but it would be up to the Board to make that determination. In the meantime, he will ensure that the Assistant City Attorney have copies of the videos of the Audience to be Heard section of this meeting submitted to the Board members for their consideration prior to their next meeting to determine if any further action needed to be taken. Otherwise, at this point it is an appeal.

In response to Comr. Dockswell question, Mr. Berman indicated that this would only be for a motion to rescind, which any member of the Board can make after the next hearing. Therefore, option one - the Board would make the determination whether or not to rescind. Option two - the affected parties would have to file an appeal in Circuit Court. Mr. Berman noted there is a 30-day time limit from the date the order was entered.

Comr. Hardin asked if under option one, to get the ZBA to rescind their previous action, would the Board need to throw out the conclusive proof, as indicated by Mr. Shulmister earlier, regarding the mailing.

Mr. Berman responded they would not need to throw out the conclusive proof, but could conclude in the interest of fairness and due process, whether the rules were followed or not, it still requires the change of additional opportunity for others to be heard. The finding was made that it was appropriate; however, based on the current testimonies provided earlier, the indication is whether it was appropriately done under the ordinance, as required, which it was, but was it adequate to give those persons the opportunity that they felt was necessary. On the other hand, the property owner has rights to appeal, should the Board decide to rescind their previous action.

In response to Comr. Phillips question, Mr. Berman explained that the matter was discussed with staff after the hearing to ensure that the notice gets out. Nevertheless, there are a myriad of circumstances surrounding this issue to be considered.

Mayor Fisher allowed the following person to ask a procedure question.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 14

AUDIENCE TO BE HEARD – CONTINUED

Mr. McClelland indicated that during the ZBA meeting, acting as the Air Park Overlay (APO) and the ZBA board, apparently the same people are on the same two boards. However, they should have had full discussions of all nine criteria, which one is the APO criteria and the other eight are part of the variance appeal that was put in. There was no discussion of the other eight during the ZBA-APO meeting and they were restricted of speaking about any other of the criteria. Therefore, he questioned whether proper procedure was followed where all nine criteria were discussed during that meeting.

Mr. Berman replied that the Acting Chairman had indicated that they were sitting as the APO Board, which they were not; rather, they were sitting as the ZBA. Some years ago, there was an Air Park Adjustment Board that heard these variances; however, the ZBA would terminate or stop their meeting and open the meeting as the Air Park Adjustment Board to hear the variance and at that point they would make their decision, terminate and return to the order of the ZBA meeting. However, that process is no longer practiced under the redeveloped code. The redeveloped code requires that they meet all the criteria, then heard by the ZBA, and consider additional criteria as to the safety of air traffic. The Vice Chairman upon announcing that they were sitting as the APO, was corrected by staff and Mr. Shulmister that they must consider all criteria, which the record reflects. All criteria were discussed, but the discussion was mainly about the safety aspect.

Mr. McClelland reiterated that they were restricted from speaking about anything else but the airport safety.

Pompano Beach Cemetery Operation – Gina Hankerson, 7284 W. Oakland Park Boulevard, Lauderhill, FL, informed the City Commission of a situation she has been experiencing with the Cemetery for over two years. She had brought the situation to the attention of the City employees, Terrence Nelson, Arnold McCray, Robert McCaughan and several others where she exchanged several emails. She is hoping the Commission would be able to assist with the small woman-owned business with the opposition they have been facing with the City's cemetery.

Names of Commrs.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 27, 2015</p> <p>PAGE 15</p> <p><u>AUDIENCE TO BE HEARD – CONTINUED</u></p> <p>She complained that the cemetery is in violation of Florida Statutes 497.278(1), which indicates, “No cemetery can charge an outside monument company for installation.” It started in April when Mr. Nelson, the City’s new Manager, started with charges, which he has not been consistent in collecting. Moreover, the City staff has refused to refund the monies collected even after the charges were discontinued. This is illegal but no one has contacted them regarding paying for the installation.</p> <p>Additionally, Ms. Hankerson stated that staff has refused, as well as delayed request to flag raised spaces that is referenced in Florida Statutes 497(2). In fact, last Wednesday, they requested to do an installation and have yet to hear from staff or management. This has been an ongoing problem since the days of Tom Curran, previous manager, and she has made many attempts to resolve the matter to no avail. Therefore, she is inquiring how can a small business do business with the City and overcome the opposition they are currently facing. She is requesting that the charges stop immediately, and that their fees be refunded with interest, as well as, to receive the assurance that their request to install monuments in the future will be handled in a timely manner within 24-48 hours.</p> <p>Finally, Ms. Hankerson indicated that her desire is to provide the bereaved families of Pompano Beach with the best service possible.</p> <p>Mayor Fisher indicated surprise that this matter got to this level and requested that City Manager Beach meet with staff to provide a report to the Commission on what can be done to resolve the issues. Therefore, he requested that Ms. Hankerson provide City Manager Beach with all the data and any additional data the following day.</p> <p><u>Failed Pompano Beach Schools</u> – Patrick Jovanov, 411 Northeast 18th Avenue, Pompano Beach, FL, distributed a letter dated October 27, 2015, addressed to the Commission, which provides detail of his concerns regarding the Child Abuse in Pompano Beach through failed Pompano schools, and he read it in its entirety.</p>				

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 16

CONSENT ITEMS

TIME 01:22:55

ITEM 1

Approve ranking order for RLI E-56-15 Construction Engineering and Inspection Services for the Educational Corridor, and authorize staff to negotiate a contract with the highest-ranked firm, Calvin, Giordano & Associates, Inc. (No cost at this time)

TIME 01:22:55

ITEM 2

Approval of a request by Shirley Simmons to transfer ownership of Block 19, Lot 5, Plot 1 in the West Lawn to Vincent Blue. (No cost)

TIME 01:22:55

ITEM 3

Approval to award Bid L-51-15, to Furnish Lime Softening Gearbox Unit, to the second lowest responsive, responsible bidder, Condo Electric Industrial Supply, Inc. in the amount of \$168,589.

TIME 01:22:55

ITEM 4

Approval to award Bid L-55-15, Reuse Treatment Plant Sodium Hypochlorite Feed System Upgrade, to the lowest responsive, responsible bidder, Odyssey Manufacturing Company in the amount of \$75,010.

RES. NO. 2016-29: TIME 01:22:55

ITEM 5

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RECOMMENDING TO THE BROWARD COUNTY PLANNING COUNCIL THE REMOVAL OF NE 48TH/49TH STREET FROM THE BROWARD COUNTY TRAFFICWAYS PLAN; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$6,798)

Names of Comms.	M	S	V Y	V N
ROLL CALL				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 18

CONSENT AGENDA - CONTINUED

MOTION: To table the item until November 10, 2015 City Commission Meeting.

Comr. Hardin stated that there are a number of sidewalk and bike path issues, and he is getting some friction from some residents in his district on a couple of areas. Therefore, he requested that the Commission table the item until November 10, 2015, so that he could acquire more information on the subject matter.

Mayor Fisher concurred with Comr. Hardin that previous sidewalk projects had quite a number of issues regarding right-of-ways.

Comr. Dockswell questioned the impacts on schedules should the Commission agree to table the item.

Karen Friedman, Principal Planner, responded that there is a representative from the Metropolitan Planning Organization (MPO) in attendance. Nevertheless, if the item got tabled it would not have any significant impact.

TIME 01:22:55

ITEM 9

Approve ranking order for RLI L-40-15 Continuing Contract for Professional Engineering Services for Water and Reuse Treatment Plant Projects, and authorize staff to negotiate contracts with the six highest ranked firms: Carollo Engineers, Inc., Mathews Consulting, Inc., McCafferty Brinson Consulting, LLC, Globaltech, Inc., MWH Americas, Inc. and Tetra Tech, Inc. (No cost at this time)

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 19

CONSENT AGENDA - CONTINUED

RES. NO. 2016-32: TIME 01:22:55

ITEM 10

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST EXTENSION AND AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BASEBALL, INC. TO PROVIDE VOLUNTEER LEADERSHIP, ADMINISTRATION, AND COACHING SERVICES TO COMPETITIVE AND TRAVEL YOUTH BASEBALL LEAGUES IN THE CITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: City to receive \$10 for each player participating on licensee's team that is not a resident of the City of Pompano Beach. Payment to be made on or before October 1 of each year for the prior annual term)

RES. NO. 2016-33: TIME 01:22:55

ITEM 11

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PROJECT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FLORIDA INLAND NAVIGATION DISTRICT ACCEPTING A GRANT NOT TO EXCEED \$60,000 FOR THE EXCHANGE CLUB PARK IMPROVEMENTS THROUGH THE FIND WATERWAYS ASSISTANCE PROGRAM; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: Matching Fund of \$30,000 – working capital reserves from the City of Pompano Beach and \$30,000 from the City of Lighthouse Point)

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 20

CONSENT AGENDA - CONTINUED

RES. NO. 2016-34: TIME 01:22:55 ITEM 12

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WOMEN IN DISTRESS OF BROWARD COUNTY, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$12,500)

RES. NO. 2016-35: TIME 01:22:55 ITEM 13

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE RUSSELL LIFE SKILLS AND READING FOUNDATION, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$13,500)

RES. NO. 2016-36: TIME 01:22:55 ITEM 14

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LEARNING FOR SUCCESS, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$6,000)

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 21

CONSENT AGENDA - CONTINUED

RES. NO. 2016-37: TIME 01:22:55 ITEM 15

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND TAYLOR'S CLOSET FOUNDATION, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$10,000)

RES. NO. 2016-38: TIME 01:22:55 ITEM 16

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LUZ DEL MUNDO (LIGHT OF THE WORLD), INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$10,000)

RES. NO. 2016-39: TIME 01:22:55 ITEM 17

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND NEW HORIZON COMMUNITY DEVELOPMENT CORPORATION, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$12,500)

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 22

CONSENT AGENDA - CONTINUED

RES. NO. 2016-40: TIME 01:22:55 ITEM 18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC SERVICES AND INFRASTRUCTURE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BOYS AND GIRLS CLUBS OF BROWARD COUNTY, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$50,000)

RES. NO. 2016-41: TIME 01:22:55 ITEM 19

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SECOND CHANCE SOCIETY, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$7,000)

RES. NO. 2016-42: TIME 01:22:55 ITEM 20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FEEDING SOUTH FLORIDA, INC. PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds - \$5,000)



City of Pompano Beach, Florida

Names of Comms.	M	S	Y	N
ROLL CALL				
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 23

CONSENT AGENDA - CONTINUED

RES. NO. 2016-43: TIME 01:22:55 ITEM 21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MOTIVATED UNIFIED SOUND IMPACTING COMMUNITIES, INC.; PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: CDBG funds \$5,000)

TIME 01:22:55 ITEM 22

Approval to purchase Fertilizer, as needed for the Public Works Grounds Maintenance Division, per the Town of Davie Cooperative Bid B-15-81 from the awarded vendors John Deere Landscapes, Diamond R. Fertilizer Co., Howard Fertilizer and Chemical Co. and Sunniland Fertilizer Corp. in the estimated total amount of \$60,000.

RES. NO. 2016-44: TIME 01:22:55 ITEM 23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MISCELLANEOUS APPROPRIATIONS AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD REGIONAL HEALTH PLANNING COUNCIL, INC. TO PROVIDE LOW INCOME FAMILIES WITH EARLY EDUCATION AND CARE; PROVIDING AN EFFECTIVE DATE. (Total Cost: \$31,000)

MOTION: To approve Items 1-7, 9-23, and 25.

Names of Comms.	M	S	Y	N
ROLL CALL				
Dockswell		x		x
Hardin	x			x
Moss				x
Phillips				x
Burrie				x
Fisher				x

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 24

CONSENT AGENDA - CONTINUED

There was no discussion on Consent Items 1-7, 9-23, and 25.

RES. NO. 2016-45: TIME 01:24:42

ITEM 24

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING A VARIABLE/FIXED RATE NOTE BETWEEN THE CITY OF POMPANO BEACH AND THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT REGARDING SECTION 108 GUARANTY LOAN BY AMENDING THE APPENDIX DATES FOR THE COMMITMENT SCHEDULE AND SCHEDULE PRINCIPAL AND INTEREST TO REFLECT THE CORRECT YEARS SAID PAYMENTS ARE DUE; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-45 on reading.

Comr. Phillips thanked staff for providing him with information earlier. However, he wanted to know how this money would be paid back.

Suzette Sibble, Finance Director responded that the only security for repaying the loan is from the City's future CDBG allocation as well as a Debt Service Reserve funded with the proceeds from the loan.

Comr. Phillips expressed concern that the money would come from the CDBG funds and he hopes in the future the City would identify some other means and ways of repayment other than from that particular fund. The CDBG fund is normally targeted for the low to moderate-income areas or programs and he does not find this to be one such matter.

Names of Commrs.	M	S	Y	N
ROLL CALL				
Dockswell		x		x
Hardin	x			x
Moss				x
Phillips				x
Burrie				x
Fisher				x

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 25

CONSENT AGENDA - CONTINUED

Mark E. Berman, City Attorney noted that the Commission had previously approved the item. However, the date had to be corrected. Therefore, he advised that staff bring this back as it was a significant element.

RES. NO. 2016-46: TIME 01:22:55 ITEM 25

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A RESTRICTIVE COVENANT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF CULTURAL AFFAIRS RELATING TO THE LIBRARY CULTURAL CENTER PROJECT; PHASE 2; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

RES. NO. 2016-47: TIME 01:26:58 ITEM 26

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 GARLAND/DBS, INC. FOR THE ROOF REPLACEMENT TO THE COMMISSION CHAMBERS BUILDING; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$120,958)

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-47 on reading.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 26

CONSENT AGENDA - CONTINUED

Mayor Fisher questioned why the City is giving a roof replacement job in the City of Pompano Beach to a company located in Cleveland, Ohio, and was the item put out for bid. He noted that there are so many large roofing companies in the City of Pompano Beach yet the job is being awarded to a company so far away from the City. In fact, they are a manufacturing firm and will have to hire a roofing company to use their material. Notwithstanding, this is a piggyback contract that does not make sense why it would not have gone out to the local community.

Robert A. McCaughan, Public Works Director, responded that Garland/DBS, Inc. is based out of Cleveland, Ohio. This is a national contract done through USCommunities.org and in actuality; the contract is done through Cobb County, Georgia. He explained that the people who will be on the roof repairing it are from Pompano Beach. Certified Roofing Specialists is the contractor that will be doing the job. They are located at 3440 Northwest 25th Avenue, Pompano Beach. He then explained the connection with Garland/DBS, Inc. who did a pre-bid conference but in the end, a local contractor got the job.

Mayor Fisher noted that staff mentioned that fifteen (15) contractors attended the pre-bid conference, yet the action is a piggyback contract.

Mr. McCaughan responded that it is a piggyback contract where the City accepts the terms and conditions of the contract with pre-priced items. In addition, they provide multiple roof options.

Mayor Fisher indicated that in the future, he would prefer to see the city bid out a roofing job and allow for the local contractor, who has the material made here. The roofers should be located locally to have the opportunity to bid on the job, rather than going to a piggyback route and trying to hire local contractors to provide the services.

Comr. Phillips indicated that while he respects Mr. McCaughan, most of his comments sounded to him as a “double speak.” While he understands the rationale that appears to be sound, nevertheless, this feels a bit uneasy for him.

Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 27

CONSENT AGENDA - CONTINUED

Dennis W. Beach, City Manager indicated that staff understands the Commission direction and is in the process of making it happen.

Comr. Moss asked for a definition of a piggyback contract.

Mayor Fisher responded that a piggyback contract involves another agency going out to a cooperative bid and the other agency is allowed to piggyback the contract under the same terms and conditions of the same contract pricing.

Mr. McCaughan stated that a piggyback contract is one in which you save the potential time of going out and putting together all those required documents to get the contract, and the time it takes to go out to procure it. The other benefit is the cost savings acquired from a very large contract. For example, with the Fort Lauderdale contract, they are working with approximately 2 million squares per year, while the City's contract would be ten thousand squares. Therefore, the cost savings is significant with the larger contracts. Not only will the larger contractors stand behind their product for a very long time, but also they were selected the best roofing company in the State of Florida, based on the history of performing these large jobs. Finally, they will employ many employees from the City, which was determined from the company prior to agreeing to utilize their services.

Mayor Fisher suggested that in the future staff could provide the local participation in the backup, which would allay the fears of the Commission.

REGULAR ITEMS

TIME 01:36:21

ITEM 27

Summary Activity Report of Internal Audit Projects for a 16-month period from June 2014 through September 2015.

Names of Commrs.	M	S	Y	N
VOICE VOTE				
Dockswell			x	
Hardin	x		x	
Moss			x	
Phillips		x	x	
Burrie			x	
Fisher			x	

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 28

REGULAR ITEMS – CONTINUED

MOTION: To accept the Report.

Barbara DeLeon, Internal Auditor, reported on highlights from her Activity Report and requested the Commission’s continued feedback on the Activity Report. She noted that the first section of the report would cover the highlights of the projects undertaken.

Additionally, Ms. DeLeon stated that the Activity Report is for a period of 16 months from June 2014 through September 2015. She indicated that they worked on 20 projects totaling approximately \$336 million. The Report has provided a project summary, which includes the standards of what was done to perform the audit, the risk ranking, the results of the audit, the recommendations and the City’s corrective action to correct any defects or controlled weaknesses in internal controls that may have been identified.

Ms. DeLeon stated that the audit findings and recommendations are always discussed in detail with the City departments to ensure they understand everything being discussed, and to get their input on timelines and corrective action if it is necessary. There are times when other recommendations are made for the future and for those departments a target date is agreed upon for a City follow up, to ensure that everything is completed in a satisfactory manner. The risk rating comes to a low acceptable rating if corrective action is taken. The 18 projects either have been completed or had their follow up status. Prior to corrective action the risk ratings for the projects range from low to high; however, after the implementation of the recommendations it is reduced to the lowest level, which means no future action needs to be done. The remaining two projects are still in progress. Several of the projects have been presented to the City Commission as agenda items, as well as there were other internal reports that were previously provided.

Names of Comms.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 29

REGULAR ITEMS – CONTINUED

Further, Ms. DeLeon indicated that the Activity Report would highlight several important City initiatives to include the successful transition of Banking Services, the implementation of purchase cards on a citywide basis, and the transition to the City’s integrated miscellaneous receipts system for when the horse stalls are built.

Finally, Ms. DeLeon stated that several of the projects have been included in the City’s Strategic Plan and were completed in a timely manner. The staff has completed the Lean Six Sigma training, which is Total Quality Management, and five projects will be worked on for the future.

Vice Mayor Burrie indicated that she was happy to see the Sand and Spurs on the report to get people to pay their stall rent.

Ms. DeLeon thanked staff to include the Public Works, the IT and Finance Departments.

Comr. Dockswell commended Ms. DeLeon on a good report that was easy to read.

Mayor Fisher thanked the Internal Auditor’s staff for their helpfulness in answering all the questions.

RES. NO. 2016-48:

TIME 01:43:06

ITEM 28

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 COMMERCE CENTRE PLAT; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

Names of Comms.	M	S	Y	N
ROLL CALL				
Dockswell		X	X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie			X	
Fisher			X	

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 30

REGULAR ITEMS – CONTINUED

MOTION: To adopt Resolution No. 2016-48 on reading.

Mark E. Berman, City Attorney, advised this item is quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject 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. Berman outlined the order in which they would follow: City staff would make its presentation, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

Asceletta Hammond, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in this matter.

Robin M. Bird, Development Services Director, stated that the subject site is located at 51 Northeast 10th Street, which is approximately 3 acres. The applicant is in the process of getting permits and building out Phase 1 of the self-storage facility. The plat is currently restricted to 80,000 square feet of storage. They wish to amend the plat to 250,000 square feet to accommodate a future second phase. Therefore, staff has no objections to send a letter of support.

P.H. 2016-01; ORD. NO. 2016-10: TIME 01:44:08 ITEM 29

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A CERTAIN TWENTY-EIGHT FOOT WIDE PORTION OF THE RIGHT-OF-WAY FOR POWERLINE ROAD LYING EAST OF POWERLINE ROAD AND NORTH OF SOUTHWEST 15TH STREET (W. MCNAB ROAD); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Names of Comms.	M	S	Y	N	V	V
VOICE VOTE						
Dockswell					X	
Hardin	X				X	
Moss					X	
Phillips					X	
Burrie		X			X	
Fisher					X	

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 31

REGULAR ITEMS – CONTINUED

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-10 upon second reading.

Mark E. Berman, City Attorney, advised this item is quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject 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. Berman outlined the order in which they would follow: City staff would make its presentation, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

Asceleta Hammond, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in this matter.

Robin M. Bird, Development Services Director, indicated that this is an abandonment request for a 28-foot portion of right-of-way. Originally, the right-of-way for Powerline Road should be 177 feet, but on the Trafficways Plan, it was reduced to 144 feet. This land was dedicated by plat and the portion is given back and dedicated as surplus right-of-way.

Catherine A. Donn, Planner, as well as Agent for the client Craven Thompson & Associates, 3563 Northwest 53rd Street, Fort Lauderdale, FL, was in attendance of the meeting.

Comr. Moss questioned whether the applicant was obligated to make the parking spaces. On the other hand, could they utilize it as an out parcel for another business?

Names of Comms.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES October 27, 2015</p> <p>PAGE 33</p> <p><u>REGULAR ITEMS – CONTINUED</u></p> <p>Asceleta Hammond, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in this matter.</p> <p>Robin M. Bird, Development Services Director, indicated that this is a .68-acre site. The request is to change from a Two-family Residence (RD-1) to a Multi-family Residence 12 (RM-12), located at 19 Northeast 18th Avenue. Currently, on the site is a single-family home and the land use designation is medium, and it supports the rezoning request. In addition, to the north there is an additional duplex and a single-family home. To the east is Northeast 18th Avenue and single-family, to the west is single-family and to the south is Business (B-1), which is a Day Care Center. The future goal of the property acquired is to expand and to follow up with special exception request.</p> <p>Doug Matthes, 500 Northeast 6th Street, Pompano Beach, FL, stated that the item is to request rezone of the property on the west side of Northeast 18th Avenue, north of the pre-school, which currently contains a single-family home zoned RD-1 Duplex to RM-12 multi-family. He indicated that the owners have stated that they would request a special exception. However, this is not required and even with the special exception; the RM-12 zoning on the property could be used for multi-family dwelling by current or future owners. In either case, expanding a childcare facility will cause an increase in traffic on Northeast 18th Avenue and nearby streets. He complained this is another case of the City increasing traffic in the Old Pompano area, with no regard for the residents.</p> <p>Mr. Matthes requested that before any rezoning is done, a comprehensive traffic plan should be implemented to reduce significantly the traffic in that area. After the plan is in place and implemented, rezoning can be reconsidered again if the impact shows no increase in traffic. He urged the Commission to vote it down until such time when the above traffic plan is fully implemented.</p> <p>Comr. Phillips is concerned with doing a RM zoning in this area around so many single-family homes. Once the RM is done, will there be any restrictions required.</p>				

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 34

REGULAR ITEMS – CONTINUED

Mr. Bird indicated that staff did not see any reason to discuss it with the applicant, as restrictions would have to be voluntary, so for the rezoning request a restriction cannot be placed on it.

Furthermore, this is in line for the corridor studies that was done to increase the densities to be in line with the underlying land use, which is part of the Future Land Use Plan established in 1987.

Comr. Dockswell asked if staff was aware of the entitlement the applicant is seeking to receive by changing the zoning.

Mr. Bird responded that the applicant is seeking to request the ability to establish additional day care. They were successful in their current location and had purchased the property on speculation of expanding. However, they cannot automatically go into the duplex district.

Comr. Dockswell asked if the zoning has changed from RD-1 to RM-12 what does that enable them to do that they are willing to do.

Mr. Bird replied that it enables them to apply for the special exception to convert that residence or the property to additional pre-school or day care.

Mayor Fisher indicated that a particular school that has been located at Atlantic Boulevard and Northeast 18th Avenue, have put Pompano Beach on the map as an international school. They offer an incredible program. Therefore, to have an adjunct to enable them to expand their facility it would relief traffic to some less issues in that area. He is proud to have them as part of the community. They redeveloped the property, which would add an increase opportunity for the children and the community to enjoy.

Comr. Phillips asked if they should get the zoning but not the variance would the zoning remain RM.

Mayor Fisher responded that if they do not get the special exception the zoning would remain.

Names of Comms.	M	S	Y	N
CITY COMMISSION MEETING MINUTES				
October 27, 2015				
PAGE 38				
<u>REGULAR ITEMS – CONTINUED</u>				
Comr. Hardin indicated that in the proposed ordinance the language was added “Mailed Notice – five calendar days before the hearing date,” and asked if this could be altered at this time to word it differently, to accommodate language to allow for more time for mailing notices.				
Robin M. Bird, Development Services Director stated that he does not object to the change from five to six business days.				
Comr. Hardin recommend amending the language from five calendar days to six business days.				
MOTION: To amend the language on Page 3, Section 154.61(B)(3)(ii) “Mailed Notice” to change “five (5) calendar days” to “six (6) business days”				
VOICE VOTE				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
Comr. Phillips requested to table the item for consideration, because on November 12, 2015, at a Commission Workshop the agenda will include discussion on flex units. Therefore, since there is no burning issue at this time regarding this change, it would be wise to table this item until after the November 12 th Workshop.				
Mayor Fisher clarified that this item is not to appropriate flex units, rather, it is a text amendment that impacts property less than one acre, as well as, to allow for review by the DRC and to amend the expiration timeline.				
Comr. Dockswell stated that he also had questions at the previous meeting on why they should discuss reserve and flex units when there is a Workshop planned. The way it was explained and according to the backup, he concluded that this was the last thing in the pipeline prior to the planned Commission Workshop. Therefore, this item is not expected to have any impact on the big picture, so there is no need to delay on this small fix. However, they would proceed with the big vision that is primarily for the AOD corridor.				

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 40

REGULAR ITEMS – CONTINUED

Doug Matthes, 500 Northeast 6th Street, Pompano Beach, FL, complained that there is a nagging problem in Pompano Beach, where the City is rated as one of the most crime ridden cities in the United States, even though most of the Broward Sherriff's Office (BSO) officers are hardworking and reliable.

Since there has not been any improvement over the years on crime, Mr. Matthes suggested the City sets a goal in the Agreement requiring significant improvements in crime. He reported that he found on the FBI website for the year 2014, there were 5,437 crimes in Pompano Beach. The data was expressed in several different categories to include violent crimes per thousand residents where the national average is 3.7, the Florida average is 4.7, and Pompano Beach is 7.9. In sum, it appears that in all categories Pompano Beach is way above the national and state averages. Therefore, he opined that the BSO needed to change its tactics to reduce the crime rates in the City.

Mayor Fisher clarified that Mr. Matthes used statistics from the FBI site, which the FBI does not recommend its use. Actually, the reduction noted in 2013-2014 crime went down 10.2% and 8.2% in 2014-2015, and in 2014, the City had the lowest number in crimes since 2003 when the population was only 86,000. In sum, the pitfalls of ranking when you use the FBI report, there is a long standing policy against ranking participating law enforcement agencies on the basis of crime, which that alone despite the repeated warnings against these practices, some data users continue to challenge and misunderstand this position. Therefore, the FBI recommend that a person should not use that crime data alone.

Mr. Matthes indicated that on the FBI site the table has data listing every city in the State of Florida with the same statistics.

Comr. Phillips indicated that he agrees with Mr. Matthes in terms of the City should have a goal versus the language stating that crime will be reduced. Nevertheless, he believes that crime has decreased over the years.

Additionally, Comr. Phillips cited that on Page 1, it states there are 16 community services aides and requested more information on their responsibility.



Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 41

REGULAR ITEMS – CONTINUED

Mr. Beach responded that he believes BSO is using community services aides for traffic issues and things of that nature, however, Police Chief Hale could elaborate on it.

John Hale, Police Chief responded that is correct. They use community services aides for several different services. That is they work at the BSO front desk taking walk-ins and telephone reports. They are deployed on the streets to handle traffic crashes and crime scene processes, to assist the deputies when there are burglaries, and assist with parking enforcement now reduced to west of Federal Highway.

Mr. Phillips indicated that he did not see any information on detectives who go out in the community to investigate and solve crimes.

Chief Hale indicated that the staffing levels in the Agreement allows for flexibility. In other words, they are allocated Deputy Sheriffs, which is stated in the Agreement via discussions with the City Manager as the needs arise.

Comr. Phillips asked if they could illustrate the number of detectives and show how it varies.

Chief Hale explained that a detective is not a rank with the BSO it is an assignment, rather they are deputy sheriffs assigned to that function.

Comr. Phillips asked if he could be provided with the number of detectives assigned within the deputy sheriffs ranking.

Chief Hale replied that there are twenty two (22) detectives, twelve (12) operating in area 2 (western portion of the City) and ten (10) operating in area 1 (eastern portion of the City), these cover just property crimes. For homicides, robberies and any person crimes such as sexual batteries are handled out of the central investigative division.

In response to Comr. Phillips question on aviation, Chief Hale indicated that there is a section within the contract that describes ancillary services received from centralized locations such as the aviation units, human resources division, internal affairs, which are not housed in the City but the benefits are derived from those services.

Names of Comms.	M	S	Y	N
VOICE VOTE				
Dockswell		x		x
Hardin	x			x
Moss				x
Phillips				x
Burrie				x
Fisher				x
VOICE VOTE				
Dockswell		x		x
Hardin	x			x
Moss				x
Phillips				x
Burrie				x
Fisher				x

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 46

REGULAR AGENDA - CONTINUED

MOTION: To adopt Ordinance No. 2016-19 upon second and final reading.

John Sfiropoulos, City Engineer had no further comment.

P.H. 2016-12; ORD. NO. 2016-20: TIME 02:25:36 ITEM 41

AN ORDINANCE 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 CRAIG A. SMITH & ASSOCIATES INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (No cost at this time)

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-20 upon second and final reading.

John Sfiropoulos, City Engineer had no further comment.

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 49

REGULAR ITEMS – CONTINUED

In sum, this contract will allow for an improved level of service through automated carts. The 95 gallon cart will be utilized for municipal waste and the 65 gallon for full stream recyclables. Recyclables will be collected once per week as well as curb side bulk, which is a change from twice per week. However, there is an added open collection site so that any resident of Pompano Beach will bring their bulk item every Saturday at no cost. The multi-family will have full stream recycling. March 1, 2016 is the implementation of the new terms in the contract. An ordinance will be presented to the Commission prior to March 1, 2016, that will include all the details on things like schedules of putting the trash out, and things of that nature. The carts will commence rolling out sometime in January and February.

Joseph Goldstein, Esq., Shutts and Bowen, LLP, 200 East Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 3330, indicated that he represents Southern Waste Systems, and he wanted to clear a point of potential conflict as far as enforcement of the related ordinance in application of the contract. He had some correspondence with the City Attorney, who clarified for Southern Waste Systems that operates a recycling facility in the City of Pompano Beach.

Additionally, Mr. Goldstein stated that routinely, their commercial customers refer to recycling of construction and demolition as debris. Under the City's proposed contract and Addendum No.12 to the contract, recoverable materials are excluded from the definition of construction and demolition debris, because they are highly recyclable. As per state law, commercial recyclable generators are allowed to select their own recovered materials dealer; however, over the past week or two four of their commercial customers have received notices stating they were improperly choosing Southern Waste Systems to be their recovered materials provider for their recyclable materials.

Mr. Goldstein understands that those four notices were withdrawn, which is consistent. However, he wanted to ensure that as the City moves forward through Addendum No 12 and the future contract, that Southern Waste Systems are continued as a permitted resource recoverable materials dealer for the commercial generators, and they are not cited in the future.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 50

REGULAR ITEMS – CONTINUED

Finally, Mr. Goldstein stated that Southern Waste Systems is committed to zero waste in the State of Florida and appreciates the City allowing them to operate within its boundaries.

Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, complained that the contract with Waste Management, Inc. of Florida is voluminous in its nature. However, he could not find any item that addressed Hazardous Waste. In the past, the City had an agreement with the County to remove hazardous waste from the communities, but it was changed a few years ago. Therefore, he requested that the City consider the possibility of including hazardous waste in the new contract to allow the communities to get rid of items such as paint cans, and electronics.

Doug Matthes, 500 Northeast 6th Street, Pompano Beach, FL, complained that the proposed contract did not have public hearings to review the changes and it would significantly alter trash collection in the City. However, it does not match the City Codes and will create problems for many single-family property owners. The concern of the residents is that this has not been addressed in a public forum. He then listed a number of items that he felt needed addressing prior to moving forward with the contract. Therefore, Mr. Matthes concluded that there needed to be widely publicized public hearings on this subject matter.

Comr. Hardin asked if there is any change from current practice about the bulk pickup as to the content, size and weight of pickup.

Mr. McCaughan replied that is correct, there is no change from what is in place to what is being proposed.

Mayor Fisher also pointed out that this is the second reading of a public hearing, where the public has a chance to voice their issues.

Comr. Hardin indicated that the education component would be a huge part moving forward with the proposed contract. It is not being implemented today. In fact, city staff, Russell Ketchem will be attending the Old Pompano homeowners' meeting on November 2, which has started the education process.

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 51

REGULAR ITEMS – CONTINUED

Comr. Phillips is concerned with the disposal of hazardous waste and asked for an update on this process.

Mr. McCaughan stated that currently hazardous waste is being collected with a contract on a once a month basis, that the City partner with five other surrounding cities which is on a rotating basis. Two collections out of the year is done in Pompano Beach. The City can certainly work to have more schedules within the City of Pompano Beach, perhaps to have at least four instead of two. However, based on the amount of use of items collected it appears two is enough frequency, but can be increased, through another contract that the City has in operation today.

Mr. McCaughan noted that the schedule for the next collection of hazardous waste in the City of Pompano Beach, is November 7, 2015 at the Parking Lot just after Northeast 10th Street at the Community Park Baseball field.

Comr. Phillips indicated that improved communications of the schedules on this waste collection needed to be promoted for the residents' information.

P.H. 2016-14; ORD. NO. 2016-23: TIME 02:40:47 ITEM 44

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR PROPERTY LOCATED AT 1400-1600 NW 33RD STREET; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON NOVEMBER 19, 2014; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; AND PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

Names of Commrs.	M	S	Y	V	V
VOICE VOTE					
Dockswell				x	
Hardin	x			x	
Moss				x	
Phillips		x		x	
Burrie				abs	
Fisher				x	

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 52

REGULAR ITEMS – CONTINUED

MOTION: To adopt Ordinance No. 2016-23 upon second and final reading.

Vice Mayor Burrie was temporarily absent from the meeting.

Robin M. Bird, Development Services Director, indicated that the subject property is approximately 2.413 acres on Northwest 33rd Street that formerly had a land use of Industrial. The applicant is requesting to change the property back to mobile home, after several years of struggling with the zoning.

Thomas Johnston, Esquire, 2335 East Atlantic Boulevard, Pompano Beach, FL, is available to answer any questions.

Comr. Phillips commended Mr. Johnston and his team that took on this herculean task.

On another note, Mr. Johnston declared that he and his partner, Whitney Metevia would like to sponsor thirty of the Cheerleading team members that appeared before the Commission earlier requesting the City’s assistance with the cost to travel out for their final competition.

P.H. 2016-15; ORD.NO. 2016-...: TIME 02:43:24 ITEM 45

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 STRATEGIC PERFORMANCE MANAGER, BUSINESS DEVELOPMENT SPECIALIST, COLLECTION SPECIALIST, SENIOR PLANNER, CAPITAL IMPROVEMENT PROJECT MANAGER, CEMETERY SEXTON, ANALYTICS ASSISTANT, SANITATION SUPERVISOR, FLEET OPERATIONS SUPERVISOR AND FIRE

Names of Commrs.	M	S	Y	V	V
ROLL CALL					
Dockswell				X	
Hardin	X			X	
Moss				X	
Phillips		X		X	
Burrie				X	
Fisher				X	

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 53

REGULAR ITEMS – CONTINUED

RESCUE LIEUTENANT; BY RECLASSIFYING THE POSITION OF EXECUTIVE SECRETARY; BY RECLASSIFYING AND RETITLING THE ECONOMIC DEVELOPMENT COORDINATOR TO ECONOMIC DEVELOPMENT MANAGER; AND BY RETITLING THE DRAFTING TECHNICIAN TO ENGINEERING TECHNICIAN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To approve the Ordinance upon first reading.

Michael W. Smith, Human Resources Director, stated that this is an annual housekeeping ordinance to implement the changes to the classification plan to include it in the Fiscal Year 2015-2016 budget adopted on September 21, 2015. In sum, Mr. Smith indicated that there are ten new titles, six are existing personnel and those positions would be filled by either reclassification or promotion. One position will move from part-time to full-time and there will be three new hires in this group. Two positions are reclassified and one is a title change only.

Comr. Moss referred to Page 2 last paragraph, where it states, "Fire Rescue Lieutenant" and asked for clarification if this is referring to one or more than one person.

Mr. Smith clarified that it should be in the plural rather than the singular form.

Comr. Phillips stated that the School Board had performed a disparity study. His concerns regarding the City moving forward when reclassifications are done and consideration is given to future hires, requested if some of these positions could reflect the composition of the City at large.

Names of Comms.	M	S	Y	N
ROLL CALL				
Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 54

REGULAR ITEMS – CONTINUED

RES. NO. 2016-50:

TIME 02:46:50

ITEM 46

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE LEASE FINANCING OF CERTAIN EQUIPMENT PURSUANT TO AN ANNUAL APPROPRIATION LEASE; APPROVING THE FORMS, AND AUTHORIZING EXECUTION OF AN EQUIPMENT LEASE-PURCHASE AGREEMENT AND RELATED LEASE DOCUMENTS BETWEEN THE CITY, AS LESSEE AND REGIONS EQUIPMENT FINANCE CORPORATION, AS LESSOR; AUTHORIZING THE APPROVAL OF RELATED FINANCING DOCUMENTS, INCLUDING A FUNDING AGREEMENT AMONG THE CITY, REGIONS EQUIPMENT FINANCE CORPORATION AND REGIONS BANK, AS FUNDING AGENT; PROVIDING FOR CERTAIN AUTHORIZATIONS AND OTHER MATTERS WITH RESPECT THERETO; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICT; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

MOTION: To approve Resolution No. 2016-50 upon reading.

Suzette Sible, Finance Director, stated that the City issued a formal solicitation to 37 financial entities to obtain proposals for them to provide up to \$2.3 million in financing to the City to purchase vehicles and equipment for various City Departments. Those departments include Fire, Parks and Recreation, Code Compliance and Public Works. Staff received 13 proposals and after reviewing the terms and conditions it was found that Regions Equipment Finance Corporation provided the most favorable terms.

Names of Commrs.	M	S	Y	N
<p> CITY COMMISSION MEETING MINUTES </p> <p> PAGE 56 </p> <p> <u>REPORTS - CONTINUED</u> </p> <p> <u>City Attorney – Attendance at School Board Meeting</u> – Mark Berman stated that a Special Meeting with the School Board was set on Thursday, October 29, 2015; however, he will be out of State on that date but a representative from his office will attend. </p> <p> <u>Flex Unit Workshop</u> = Mr. Berman apologized for not being able to attend the Workshop planned for November 12, 2015, due to a long term plan he had to be out of town on the same date. Nevertheless, he will have a representative from his office in attendance. </p> <p> <u>City Clerk</u> – No Report. </p> <p> <u>Commissioner Barry J. Dockswell</u> – No Report. </p> <p> <u>Commissioner Rex Hardin</u> – No Report </p> <p> <u>Commissioner Barry Moss</u> – No Report. </p> <p> <u>Commissioner Edward Phillips – Attendance to City Commission Meetings</u> – Comr. Phillips thanked Ms. Flora Latham, for attending the commission meetings and encouraged others from the neighborhood to attend these meetings. </p> <p> <u>Ely Museum</u> – Comr. Phillips thanked Katherine Gillis who has been working diligently, with the assistance of the City, on the Ely Museum. </p> <p> <u>Appreciation to Staff</u> – Comr. Phillips thanked City staff for their continued press for tightening up and strengthening Nuisance Abatement ordinances in the City. He stated that Nuisance Abatement has become one of those tools that aid crime in the City. City Attorney, Code Enforcement and BSO staff have been diligent in this effort and he wanted to encourage them to keep up the good work. </p>				

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 57

REPORTS - CONTINUED

Budgeted Amounts – Comr. Phillips indicated that the City has a projected budget of \$237 million and at some point in time the City Commission will have to increase its purchasing upon request. However, without coming to the City Commission for approval, there is an amount of \$275,000. He indicated that there is an organization within the City with an approximate budget of \$6-7 million in tax increments and they want to go to the same level as the City of having the \$75,000 purchasing without coming before the Commission. He indicated that the two variables in dollar amounts do not show equality or equity.

Vice Mayor Charlotte J. Burrie – No Report.

Mayor Lamar P. Fisher – City Joint School Board Meeting – Mayor Fisher reminded everyone that on Thursday, November 29, 2015 at 6:00 p.m. at the E. Pat Larkins Center a Joint meeting between the School Board of Broward County and the City of Pompano Beach, would take place to discuss the current school status in the City. The Commission and the residents will be looking to the Superintendent of the School Board and his staff to provide an explanation as to why the schools are graded as they are and how the community can assist to make them better.

Arbor Day – Mayor Fisher announced that on October 29, 2015 at 9:00 a.m. at Pompano Beach High School, Arbor Day will be recognized by planting some trees, and invited everyone who can to attend.

Halloween Day – Mayor Fisher stated that this weekend everyone will be celebrating Halloween, and wished everyone a happy one but most importantly to be safe.

Day Light Saving Time – Mayor Fisher reminded everyone to turn their clocks back one hour on Saturday night.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

October 27, 2015

PAGE 58

ADJOURNMENT

There being no further business, the meeting adjourned at 8:50 p.m.



LAMAR FISHER, MAYOR



ASCELETA HAMMOND, CITY CLERK