

**CITY OF POMPANO BEACH
CITY COMMISSION MEETING
AGENDA NO. 2016-08
TUESDAY, JANUARY 26, 2016
6:00 P.M.**

CALL TO ORDER

The Honorable Lamar Fisher
Mayor, Presiding

ROLL CALL

Asceleta Hammond, CMC,
City Clerk

INVOCATION

Pastor Gary McLamore
Jesus Supernatural Life Center

PLEDGE OF ALLEGIANCE

Led by Asceleta Hammond, CMC,
City Clerk

APPROVAL OF MINUTES

City Commission Meeting of
January 12, 2016

APPROVAL OF THE AGENDA

CONSENT AGENDA DISCUSSION

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

PROCLAMATION

Dr. Norman Adelman honored as a “Centenarian.”

AUDIENCE TO BE HEARD

All persons interested in speaking during “Audience To Be Heard” must fill out a request form and **turn it in to the City Clerk prior to the meeting.** A request form is located on the last page of the agenda program.

CONSENT AGENDA

1. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CORAL MORPHOLOGIC, LLC, FOR PARTICIPATION IN THE UTILITY WRAP CALL TO ARTIST PROJECT; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Laura Atria/Jennifer Gomez/Robin M. Bird)



2. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR PALM AIRE GRAVITY SEWER REPAIRS BETWEEN THE CITY OF POMPANO BEACH AND MADSEN/BARR CORPORATION; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$29,092 from CIP)

(Staff Contact: A. Randolph Brown/Alessandra Delfico)

3. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **GHULAM “JOE” USMAN** TO THE POMPANO BEACH ECONOMIC DEVELOPMENT COUNCIL, INC. OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER REX HARDIN FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JANUARY 26, 2019; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Asceleta Hammond)



4. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JEROLD A. MILLS** TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER BARRY MOSS, WHICH TERM SHALL RUN CONCURRENTLY WITH THE TERM OF THE MEMBER OF THE CITY COMMISSION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Asceleta Hammond)



CONSENT AGENDA - CONTINUED

5. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING ALL MEMBERS OF THE FLORIDA LEGISLATURE TO SUPPORT SENATE BILL NO. 904, AMENDING FLORIDA STATUTES CHAPTER 335, SECTION 65, TO REQUIRE INSTALLATION OF SOLAR-POWERED, IN-ROAD LIGHTS IN ALL BICYCLE WAYS THAT ARE ESTABLISHED ON OR AFTER JULY 1, 2016, IN, OR WITHIN A ONE MILE RADIUS OF, AN URBAN AREA IN CONJUNCTION WITH THE CONSTRUCTION, RECONSTRUCTION OR OTHER CHANGE OF ANY STATE TRANSPORTATION FACILITY; DIRECTING THE CLERK TO TRANSMIT COPIES; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Mark E. Berman)

6. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, EXPRESSING THE CITY'S SUPPORT FOR A BROWARD COUNTY CHARTER AMENDMENT TO IMPLEMENT AN OFFICE OF THE DIRECTOR OF PUBLIC SAFETY COMMUNICATIONS AND A PUBLIC SAFETY COMMUNICATIONS ADVISORY COUNSEL; REQUESTING THE BROWARD COUNTY CHARTER REVIEW COMMISSION AND/OR THE BROWARD COUNTY BOARD OF COUNTY COMMISSIONERS TO CONSIDER SUCH A CHARTER AMENDMENT AND THEN WORK EXPEDITIOUSLY TO PLACE THE MATTER ON THE NOVEMBER 2016 BALLOT FOR BROWARD COUNTY VOTERS; PROVIDING FOR DISTRIBUTION; AND PROVIDING AN EFFECTIVE DATE.

(Staff Contact: John Jurgle)

7. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DISTRICT FOUR (4) AMENDMENT NUMBER ELEVEN (11) TO LANDSCAPE INCLUSIVE MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ADDITIONAL LANDSCAPE IMPROVEMENTS ON STATE ROAD A1A (OCEAN BOULEVARD); FROM MILE POST 10.01 TO MILE POST 10.175; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

(Staff Contact: Robert A. McCaughan)

REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

8. **P.H. 2016-33; ORD. NO. 2016-.....: (ORDINANCE 2ND READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING NORTH OF NW 1ST STREET AND EAST OF NW 28TH AVENUE FROM B-3 (GENERAL BUSINESS) TO RS-4 (SINGLE FAMILY RESIDENTIAL); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: JANUARY 12, 2016

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

9. **P.H. 2016-37; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING SOUTHEAST OF THE I-95 NORTH-BOUND COPANS ROAD EXIT RAMP AND NORTH OF NW 21ST COURT, ADJACENT TO AND PART OF WHAT IS COMMONLY KNOWN AS 350 WEST COPANS ROAD FROM RS-4 (SINGLE-FAMILY RESIDENCE) AND B-2 (COMMUNITY BUSINESS) TO B-3 (GENERAL BUSINESS); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

10. **RES. NO. 2016-.....: 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 CROATIAN AMERICAN SOCIAL CLUB PLAT; PROVIDING AN EFFECTIVE DATE.**

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

11. **RES. NO. 2016-.....: 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 CENTER PORT PLAT; PROVIDING AN EFFECTIVE DATE.**

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

QUASI-JUDICIAL PROCEEDING - CONTINUED

12. **RES. NO. 2016-.....:** 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 RESIDENCES AT PALM AIRE PLAT; PROVIDING AN EFFECTIVE DATE.

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

END OF QUASI-JUDICIAL PROCEEDING

REGULAR AGENDA - CONTINUED

13. **P.H. 2016-32; ORD. NO. 2016-....: (ORDINANCE 2ND READING)**
AN ORDINANCE AMENDING CHAPTER 100, “STREETS AND SIDEWALKS,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 100.42, “TOWING FROM THE PUBLIC RIGHT-OF-WAY,” TO PROVIDE RESTRICTIONS FOR TOWING OR IMMOBILIZING VEHICLES ON CITY STREETS; PROVIDING A PENALTY FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: JANUARY 12, 2016

(Staff Contact: Mark E. Berman)

14. **P.H. 2016-34; ORD. NO. 2016-.....: (ORDINANCE 2ND READING)**
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 ENGINEERING INSPECTOR II, ENGINEERING INSPECTOR III, ENGINEERING PROJECTS MANAGER III, ENGINEERING PROJECTS MANAGER II, ENGINEERING PROJECTS MANAGER I AND BY RETITLING THE ENGINEERING INSPECTOR TO ENGINEERING INSPECTOR I; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: JANUARY 12, 2016

(Staff Contact: Michael Smith)

REGULAR AGENDA - CONTINUED

15. **P.H. 2016-35; ORD. NO. 2016-....: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LIBERTY PROPERTY LIMITED PARTNERSHIP FOR PROPERTY AT POMPANO BUSINESS PARK, 1651 SW 5TH COURT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$22,650)

(Staff Contact: John Jurgle)

16. **P.N. 2016-36; RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED AT 100 NW 33 AVENUE, IDENTIFIED BY FOLIO NO. 484232190021, AS A BROWNFIELD AREA PURSUANT TO SECTION 376.80(2)(C), FLORIDA STATUTES, FOR THE PURPOSE OF REHABILITATION, JOB CREATION AND PROMOTING ECONOMIC REDEVELOPMENT; AUTHORIZING THE CITY MANAGER TO NOTIFY THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION OF SAID DESIGNATION; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Chris Clemens/Greg Harrison)

17. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF DANIEL HORAK, ALTERNATE 1; SAID TERM TO EXPIRE ON JULY 1, 2016; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

W.P. Davis, Jr. – District 1
Richard Tobin – District 1
Charles H. Bechert, III – District 3
James B. Morehead – District 3
David Baumwald – District 4
Nancy Grant – District 5
David Miller – District 5
Ellen Scheffler – District 5

(Staff Contact: Asceleta Hammond)



REGULAR AGENDA - CONTINUED

18. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 1, 2018; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

Terrence Davis, **Curator/Incumbent** – District 1
Tobi Aycock, **Architect/Contractor/Incumbent** – District 3
Kellyann Maguire, **Art Agent/Incumbent** – District 5
Stephen Schorr, **Attorney/Art Collector** – District 1
Amanda Hart, **Designer** – District 1
Carol Romano, **Resident** – District 1
Joseph A. Grisafi, **Resident** – District 1
Donna Russo, **Art Teacher** – District 1
Edith Kappler, **Resident** – District 2
Dahlia Baker, **Program Assistant** – District 3
John Cote, **Artist** – District 3
Michelle R. Cote, **Bookkeeper** – District 3
Patricia Knight, **Art Teacher** – District 3
Tyler Townsend, **Museum/Collector** – District 3
David Baumwald, **President/Construction** – District 4
Karen J. Leventhal, **Freelance Writer** – District 5
David Miller, **Graphic Artist** – District 5
Cynthia Morales, **Product Specialist** – District 5
Shellie Morrison, **Business Owner** – District 5
Cherie Saleeby, **Artist** – District 5
Ellen Scheffler, **Furniture Designer** – District 5
Agata Mosery, **Designer** – Boca Raton

(Staff Contact: Asceleta Hammond)



19. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 1, 2018; PROVIDING AN EFFECTIVE DATE.

(PLEASE REFER TO PREVIOUS ITEM FOR APPLICANTS)

(Staff Contact: Asceleta Hammond)



REGULAR AGENDA - CONTINUED

20. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON FEBRUARY 1, 2018; PROVIDING AN EFFECTIVE DATE.

(PLEASE REFER TO PREVIOUS ITEM FOR APPLICANTS)

(Staff Contact: Asceleta Hammond)



21. **RES. NO. 2016-.....:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF THOMAS DIGIORGIO, SR. SAID TERM TO EXPIRE ON FEBRUARY 8, 2017; PROVIDING AN EFFECTIVE DATE.

APPLICANTS:

Tobi Aycock, **Registered Building Contractor** – District 3
Charles H. Bechert, III, **Attorney** – District 3
David Baumwald, **President/Construction** – District 4
Marcus A. McDougale, **Sociology Degree** – District 4
Andy Cherenfant, **Computer Business & Administration** – District 5

(Staff Contact: Asceleta Hammond)



REPORTS

City Manager
City Attorney
City Clerk
Internal Auditor
City Commission

ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2015	Beginning Balance	\$ 10,000.00
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