



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<u>MOMENT OF SILENCE</u>	
Moment of silence in memory of the victims, their families and friends of the mass shooting in Orlando, Florida	1
<u>APPROVAL OF MINUTES</u>	
Regular City Commission Meeting May 24, 2016	1
City Commission Budget Workshop May 17, 2016	1
<u>APPROVAL OF AGENDA</u>	
City Commission Meeting Agenda June 14, 2016	1
<u>AUDIENCE TO BE HEARD</u>	
<u>Changes in the City</u> – Joseph Ryan, 427 Northeast 24 th Avenue, Pompano Beach	2
<u>Pelican Newspaper Article on Upcoming Elections</u> – Tom Terwilliger, 3160 Northwest 1 st Avenue, Pompano Beach, FL	2-3
<u>Historical Facts on the late Cassius Clay aka Muhammad Ali</u> – Hazel K. Armbrister – 1808 Northwest 6 th Avenue, Pompano Beach, FL 33060	3
<u>Update on Repairs/Improvements of Roadway</u> – Vicente Thrower, 1890 Northwest 6 th Avenue, Pompano Beach, FL	3
<u>Public Works Department Position Classification</u> – Mr. Thrower	3-4
<u>Child Abuse at Pompano Elementary School</u> – Patrick Jovanov, 411 Northeast 18 th Avenue, Pompano Beach, FL	4
<u>Request for Financial Assistance</u> – Kevin Dorival, 445 Southwest 2 nd Court, Pompano Beach, FL 33060	4-5



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<u>CONSENT AGENDA</u>	
Approval of a request from L.S. Warren to transfer his plots in the South Lawn in Block 05, Lot 4 & 5, Plot 1-4 & 4 to Julia Hardy Kilgore. Burial Right Agreement #6604-6605. (No fiscal impact)	5
Approve ranking order for RFP E-38-16 Design-Build Services for Construction of New Fire Station No. 24 (Rebid), and authorize staff to negotiate a contract with the highest-ranked firm, West Construction, Inc. (No cost at this time)	5-6
Approval to piggyback Broward County Contract #Y1284708B1 for the replacement of the boat ramp along SW 36 th Avenue, for the Engineering Department, by Shenandoah General Construction Co., at the total cost of \$70,580. (CIP 14-225)	6
Approval to award Bid #E-27-16, Repainting of Traffic Mast Arm Assemblies to the sole responsive, responsible bidder, Roof Painting by Hartzell, Inc., in the amount of \$53,110. (CIP 12-197)	6
RES. NO. 2016-203: 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 THE CITY OF LIGHTHOUSE POINT; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)	6
RES. NO. 2016-204: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SHARED COMMON DOCKING AREA AGREEMENT AMONG BRIAN ANDREW MUELLER AND LIZETTE GARCIA-MUELLER, FABIO SANTANA AND CLEIA BENACIO, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)	7
RES. NO. 2016-205: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN ADDENDUM TO THE 2016 OUT-OF-SCHOOL TIME PROGRAMS GRANT MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND THE NATIONAL RECREATION AND PARK ASSOCIATION; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$35,000 grant funds)	7



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<u>CONSENT AGENDA - CONTINUED</u>	
<p>RES. NO. 2016-206: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>TOBI AYCOCK</u> TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF MAYOR LAMAR FISHER TO FILL THE UNEXPIRED TERM OF ELIZABETH ANDERSON; SAID TERM TO EXPIRE ON NOVEMBER 30, 2016; PROVIDING AN EFFECTIVE DATE.</p>	7
<p>RES. NO. 2016-207: 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 SUSAN Q WOOD (“ARTIST”) AND TRASH TO TREASURE, A 501(C)(3) ORGANIZATION FOR THE ACCEPTANCE OF A DONATED GIFT OF PUBLIC ARTWORK ENTITLED “ALL HANDS ON DECK”; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>	8
<p>RES. NO. 2016-208: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING AND APPROVING THE RECOMMENDATION FROM THE PUBLIC ART COMMITTEE TO DONATE \$70,000.00 TO THE SHIPWRECK PARK, INC. FOR UNDERWATER ARTWORK AND ASSOCIATED ENGINEERING STUDIES; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$70,000 from Public Art Fund)</p>	8
<p>RES. NO. 2016-209: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A HOME FUNDING AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CAPTIVA COVE ASSOCIATES LTD. PROVIDING FOR NEW CONSRUCTION OF CAPTIVA COVE, A 264 UNIT MULTI-FAMILY RENTAL DEVELOPMENT; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: HOME Funds - \$950,000) (previously contributed)</p>	8-12
<p>RES. NO. 2016-210: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REINSTATEMENT AND FIRST AMENDMENT TO THE CONTRACT FOR DISASTER DEBRIS RECOVERY SERVICES BETWEEN THE CITY OF POMPANO BEACH AND ASHBRIIT, INC.; AND SUBSEQUENTLY AUTHORIZING APPROVAL OF THE SECOND EXTENSION TO SAID AGREEMENT; PROVIDING AN EFFECTIVE DATE.</p>	12



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<p><u>CONSENT AGENDA - CONTINUED</u></p>	
<p>13. RES. NO. 2016-211: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REINSTATEMENT AND FIRST AMENDMENT TO THE CONTRACT FOR DISASTER DEBRIS RECOVERY SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CROWDER-GULF JOINT VENTURE, INC.; AND SUBSEQUENTLY AUTHORIZING APPROVAL OF THE SECOND EXTENSION TO SAID AGREEMENT; PROVIDING AN EFFECTIVE DATE.</p>	13
<p><u>REGULAR AGENDA</u></p>	
<p>ORD. NO. 2016-62: AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A TWELVE FOOT UTILITY EASEMENT LOCATED AT THE NORTHEAST CORNER OF NW 30TH AVENUE AND WEST ATLANTIC BOULEVARD, LYING APPROXIMATELY 61.55 FEET NORTH OF AND PARALLEL TO ATLANTIC BOULEVARD AND 30 FEET EAST OF NORTHWEST 30TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>	13-14
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT FOR FINANCIAL ADVISOR/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND PUBLIC FINANCIAL MANAGEMENT, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: Funding is derived from the proceeds of any approved debt issue and other services are on an as needed basis, based on hourly rates in the Agreement. Fees related to debt issue are calculated per \$1,000 of PAR value of debt issued, at .90 for up to \$50 million and .75 for over \$50 million (minimum of \$20k). As an example, a \$25 million debt issue would cost the City \$22,500.)</p>	15-16
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 152, "BUILDINGS," BY AMENDING SECTION 152.12, "BUILDING PERMIT FEES," TO MODIFY REQUIREMENTS AND FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>	16



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<u>REGULAR AGENDA - CONTINUED</u>	
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 111, "CONTRACTORS, MASTERS, JOURNEYMEN," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 111.03, "CONTRACTORS' REQUIREMENTS AND RECORDS MAINTENANCE," TO MODIFY REQUIREMENTS AND RECORDS MAINTENANCE FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>	17-18
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, PROVIDING FOR IMPOSITION OF A MORATORIUM ON ISSUANCE OF DEVELOPMENT ORDERS AND PERMITS AND ON THE PROCESSING OF APPLICATIONS INVOLVING USES RELATED TO MEDICAL CANNABIS; PROVIDING FOR A SIX MONTH TERM TO BE EXTENDED IF NECESSARY; PROVIDING FOR EARLY TERMINATION UPON PASSAGE OF ORDINANCES REGULATING MEDICAL CANNABIS USES IN THE CITY PRIOR TO EXPIRATION OF THE MORATORIUM; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>	18-19
<p>AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 76, "PARKING METERS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 76.02, "DEFINITIONS," TO ADD AND DELETE DEFINITIONS; BY AMENDING SECTION 76.05, "AUTHORITY TO ESTABLISH PARKING METER ZONES," TO ADD AUTHORITY FOR A CITY MANAGER'S DESIGNEE; BY AMENDING SECTION 76.06, "PARKING METER ZONES AND FEES ESTABLISHED," TO ADD NEW METERED ZONES AND PARKING METER FEES THROUGHOUT THE CITY LIMITS AND TO PROVIDE FOR ADDITIONAL PERMIT REQUIREMENTS; BY AMENDING SECTION 76.07, "TIME LIMITED PARKING ZONES," TO ESTABLISH TIME-METERED ZONES, 24-HOUR CONSTRUCTION PARKING ZONE AND ELECTRONIC CHARGING STATIONS AND PROVIDE REQUIREMENTS FOR SAME; BY AMENDING SECTION 76.08, "ENFORCEMENT," BY ADDING CERTAIN PROHIBITED ACTS WITHIN METERED ZONE AREAS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.</p>	19-22
<p>RES. NO. 2016-212: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN UNDERGROUND FACILITIES CONVERSION AGREEMENT (NON-GAF) BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$412,808 - CIP 12-208)</p>	23-24



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<u>REGULAR AGENDA - CONTINUED</u>	
<p>RES. NO. 2016-213: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SPECIAL CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COMCAST OF FLORIDA/GEORGIA/ILLINOIS/MICHIGAN, LLC; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$101,081.42 – CIP 12-208)</p>	24-25
<p>RES. NO. 2016-214: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SPECIAL CONSTRUCTION AGREEMENT FOR CONVERSION OF OVERHEAD FACILITIES TO UNDERGROUND BETWEEN THE CITY OF POMPANO BEACH AND BELL SOUTH TELECOMMUNICATIONS, LLC D/B/A AT&T SOUTHEAST; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$150,000 – CIP 12-208)</p>	25-26
<p>RES. NO. 2016-215: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN APPLICANT-INSTALLED FACILITIES AGREEMENT FOR UNDERGROUND CONVERSIONS BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)</p>	26
<p>RES. NO. 2016-216: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 1 IN THE AMOUNT OF \$106,609.63 PURSUANT TO THE AGREEMENT FOR ARCHITECTURAL AND STRUCTURAL ENGINEERING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND DESIGN KOLLABORATIVE ARCHITECTS PLANNERS, INC. FOR THE BRINY AVENUE STREETScape AND UNDERGROUNDING IMPROVEMENTS; PROVIDING AN EFFECTIVE DATE.</p>	27
<p>RES. NO. 2016-217: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>WALTER SYREK</u> TO THE PLANNING AND ZONING BOARD/LOCAL PLANNING AGENCY OF THE CITY OF POMPANO BEACH, AS ALTERNATE #1; TO FILL THE UNEXPIRED TERM OF TOBI AYCOCK; SAID TERM TO EXPIRE ON JUNE 1, 2018; PROVIDING AN EFFECTIVE DATE.</p>	27-29



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<u>REGULAR AGENDA - CONTINUED</u>	
RES. NO. 2016-218: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>HARRY DIAMOND</u> TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE 1, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.	29
RES. NO. 2016-219: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>GRANT GALUPPI</u> TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.	29-30
RES. NO. 2016-220: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>GARY S. RUDERMAN</u> TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.	30
RES. NO. 2016-221: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>W.P. DAVIS, JR.</u> TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.	31
RES. NO. 2016-222: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>DANIEL HORAK</u> TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.	31-32
RES. NO. 2016-223: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JUDY KNOEBEL</u> TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 13, 2019; PROVIDING AN EFFECTIVE DATE.	32



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<u>REGULAR AGENDA - CONTINUED</u>	
RES. NO. 2016-224: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>COLLEEN MURPHY</u> TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JUNE 13, 2018; PROVIDING AN EFFECTIVE DATE.	32-33
RES. NO. 2016-225: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>BARBARA ARMBRISTER-BOYNTON</u> TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #2, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JUNE 13, 2018; PROVIDING AN EFFECTIVE DATE.	33
<u>REPORTS</u>	
<u>City Manager</u> – Collective Bargaining Executive Session	34
Pier Garage Grand Opening	34
<u>City Attorney</u> – Closed Session for Swerdlow Lightspeed Management	34
<u>City Clerk</u> – No report.	34
<u>Commissioner Barry J. Dockswell</u> – No report.	34
<u>Commissioner Rex Hardin</u> – No report.	34
<u>Commissioner Barry Moss</u> – Memorial Service for Orlando Victims	34
<u>Commissioner Ed Phillips</u> – Chicken Issue	35
Poster Signs Issue	35
MLK Boulevard Design	35-36
Job Availability for Neighborhood	36
<u>Vice Mayor Charlotte Burrie</u> – No Report.	36



City of Pompano Beach, Florida

Regular City Commission Meeting Minutes

Agenda No. 2016-18

Date: June 14, 2016

Subject	Page
<u>REPORTS- CONTINUED</u>	
<u>Mayor Lamar P. Fisher</u> – Brochure on Open Your Business in Pompano	36
Sweet Potato Pie Festival	36
Transportation and Infrastructure Surtaxes	37
<u>ADJOURNMENT</u>	37

CITY OF POMPANO BEACH, FLORIDA

REGULAR CITY COMMISSION MINUTES

Agenda No. 2016-18

Date: June 14, 2016

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:

Dr. Ophelia Sanders
Macedonia Missionary Baptist Church

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

Names of Commrs.	M	S	Y	N
CITY COMMISSION MEETING MINUTES				
June 14, 2016				
PAGE 1				
<u>MOMENT OF SILENCE</u>				
Prior to Dr. Ophelia Sanders of the Macedonia Missionary Baptist Church performing the Invocation, Mayor Fisher requested that a moment of silence be recognized in memory of the victims, their families, and friends of the recent mass shootings in Orlando, Florida.				
<u>SPECIAL RECOGNITION</u>				
Mayor Fisher invited everyone to wish Comr. Hardin a Happy Healthy Birthday on June 25, 2016.				
<u>APPROVAL OF MINUTES</u>				
MOTION: To approve the Regular City Commission Meeting minutes of May 24, 2016, and City Commission Budget Workshop minutes of May 17, 2016, as submitted.				
<u>VOICE VOTE</u>				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
There were no revisions to the minutes.				
<u>APPROVAL OF THE AGENDA</u>				
MOTION: To approve the City Commission Meeting Agenda of June 14, 2016, as submitted.				
<u>VOICE VOTE</u>				
Dockswell			x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie		x	x	
Fisher			x	
<u>CONSENT AGENDA DISCUSSION</u>				
Mayor Fisher stated the Commission would pull Items 2 and 11 from the Consent Agenda for discussion. However, a person may speak on the remaining items on the Consent Agenda during Audience to be Heard.				

Names of Comms.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

June 14, 2016

PAGE 3

AUDIENCE TO BE HEARD - CONTINUED

Finally, Mr. Terwilliger stated any registered citizen can run for office provided they qualify with the City Clerk's office during noon June 20 to noon June 24, 2016. Therefore, he urged all interested citizens of the City who desire a change, to participate in their government by seeking whatever positions whether it is mayor or commissioner.

Historical Facts on the late Cassius Clay aka Muhammad Ali – Hazel K. Armbrister – 1808 Northwest 6th Avenue, Pompano Beach, FL 33060, provided a bit of history regarding the late Muhammad Ali. She indicated that in 1964 when Muhammad Ali was training for a fight in Miami, the promoters took him to low income areas to promote his talent. He visited the Melody Bar then, and the Ali Building, which was the barbershop then in the City of Pompano Beach. He also visited the cities of Deerfield Beach and Delray Beach.

Update on Repairs/Improvements of Roadway – Vicente Thrower, 1890 Northwest 6th Avenue, Pompano Beach, FL, asked if the Commission was provided with an update on Northwest 3rd Street repairs of the road, which is near the Fire Station, as well as a list of schedules for those roads targeted for improvements.

Dennis W. Beach, City Manager responded that Public Works department has provided a report, which he will ensure a copy is provided to Mr. Thrower.

Public Works Department Position Classification – Mr. Thrower indicated that in the last budget cycle he did not recall the Commission approving or authorizing the change of classification in the Public Works department. He complained that in prior practice the department had Service Workers 4, 3, 2, and 1. Although the department underwent some improvements in classifications, there needs to be some hope for long-term workers to be promoted whenever a vacancy occurs. However, he understands there are no longer levels of service workers 4, 3 and 2, rather everyone is on the same level and there is no opportunity for an employee to move up to the next level. Mayor Fisher confirmed that the Commission approved reorganization in both the Public Works and Utilities departments.

Names of Comms.	M	S	Y	V
<p>CITY COMMISSION MEETING MINUTES June 14, 2016</p> <p>PAGE 4</p> <p><u>AUDIENCE TO BE HEARD - CONTINUED</u></p> <p>Mr. Beach confirmed that there was a restructuring within the last two years and could provide the details to Mr. Thrower so that he could understand better the rationale put in place for the reorganization. Moreover, it did not result in the loss of jobs; instead, a restructuring was done.</p> <p>Mayor Fisher indicated that the Commission does not get involved in those personnel issues, which would include promotions, lateral moves and so forth rather it is done from the City Manager level.</p> <p>Mr. Thrower indicated that the approval of restructuring should be the same across the board for all departments. Therefore, he hopes this matter will be discussed at the next budget hearing.</p> <p>Comr. Phillips indicated that the Commission cannot address personnel issues, however, he believes there is the possibility that when there is an opportunity for people to “move up, it would satisfy his perception that the City’s staff would reflect the community in the administrative components of the various departments. Therefore, he would urge the commission to foster the idea of promoting people at every level to reflect the community.</p> <p><u>Child Abuse at Pompano Elementary School</u> – Patrick Jovanov, 411 Northeast 18th Avenue, Pompano Beach, FL, distributed another one of his reports on his opinion of Child Abuse in Pompano Beach Elementary School, of which a copy is available in the City Clerk’s office.</p> <p><u>Request for Financial Assistance</u> – Kevin Dorival, 445 Southwest 2nd Court, Pompano Beach, FL 33060, stated that he is a mentor and author and his organization hosts the annual Black on Black Crime Solutions Panel, which will be held on July 6, 2016 at the Worldwide Christian Center Church, located at Powerline Road and Atlantic Boulevard.</p> <p>Mr. Dorival indicated that they are on a tight budget and requested the City’s support to ensure their event is successful. In addition, he indicated that the panel would consist of judges, state attorneys, and community activists.</p>				

Names of Commrs.	M	S	Y	N
Dockswell				X
Hardin	X			X
Moss				X
Phillips				X
Burrie		X		X
Fisher				X

CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 5

AUDIENCE TO BE HEARD - CONTINUED

Mayor Fisher asked if the support being sought would be for financial or in-kind services.

Mr. Dorival responded any support would be appreciated but definitely, some financial assistance would be greatly appreciated. Currently, they have many volunteers so they are good with in-kind services. Perhaps the City could finance the publishing of material. In fact, they could use some support to purchase food and refreshments for their guests. He mentioned they have budgeted approximately \$500-600 for food and refreshments.

Mayor Fisher recommended that \$500 be taken from the Commission's contingency fund to assist in this effort.

MOTION: To use \$500 from the Commission contingency to assist with the purchase of food for the event.

VOICE VOTE

CONSENT ITEMS

TIME 00:23:45 ITEM 1

Approval of a request from L.S. Warren to transfer his plots in the South Lawn in Block 05, Lot 4 & 5, Plot 1-4 & 4 to Julia Hardy Kilgore. Burial Right Agreement #6604-6605. (No fiscal impact)

TIME 00:24:06 ITEM 2

Approve ranking order for RFP E-38-16 Design-Build Services for Construction of New Fire Station No. 24 (Rebid), and authorize staff to negotiate a contract with the highest-ranked firm, West Construction, Inc. (No cost at this time)

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 June 14, 2016

PAGE 6

CONSENT ITEMS – CONTINUED

MOTION: To approve the item as presented.

Comr. Moss questioned why there was only one person who is not a City employee was on the committee.

Horacio Danovich, Capital Improvements Program (CIP) Manager, explained that staff has been working on bringing in independent reviewers. Therefore, the City’s Code of Ordinances require three (3) city employees to be part of the committee, which also includes a Community Redevelopment Agency (CRA) reviewer and an independent reviewer. This would provide more transparency and allow for equitable review across the board.

TIME 00:23:45 ITEM 3

Approval to piggyback Broward County Contract #Y1284708B1 for the replacement of the boat ramp along SW 36th Avenue, for the Engineering Department, by Shenandoah General Construction Co., at the total cost of \$70,580. (CIP 14-225)

TIME 00:23:45 ITEM 4

Approval to award Bid #E-27-16, Repainting of Traffic Mast Arm Assemblies to the sole responsive, responsible bidder, Roof Painting by Hartzell, Inc., in the amount of \$53,110. (CIP 12-197)

RES. NO. 2016-203: TIME 00:23:45 ITEM 5

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 THE CITY OF LIGHTHOUSE POINT; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

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

CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 9

CONSENT ITEMS – CONTINUED

MOTION: To adopt Resolution No. 2016-209 upon reading.

Mayor Fisher indicated in abundance of caution announced he would abstain from voting on the item under provisions of Section 286.012 and Section 112.3143 of the Florida Statutes. Also, he would file the appropriate memorandum disclosing the nature of the possible voting conflict as required by law. He indicated that Fisher Auction, Inc. has engaged from time to time, although not currently, to assist in the auction sales of properties owned and controlled by Cornerstone or its affiliates. Therefore, he turned the gavel over to Vice Mayor Burrie to continue with the meeting.

Comr. Moss questioned whether Captiva Cove project was built by the Cornerstone Corporation, which is a private corporation. In addition, the City participated by providing money to allow for providing affordable housing to this section of the City.

Mark Korman, Office of Housing and Urban Improvement (OHUI) responded yes.

Comr. Moss asked if the initial contribution from the City was \$950,000, as well as the two (2) other contributions of \$186,559 and \$100,327, which Mr. Korman replied yes.

Comr. Moss stated that a few meetings ago it was noted that there was an extra \$200,000 in the bank.

Mr. Korman replied no, and explained that the \$950,000 was from the HOME funds for Phase I, provided by the Federal government. He indicated that none of the funding is being provided by the City of Pompano Beach, rather it is an allocation of federal funds toward the project.

Names of Comms.	M	S	Y	V

CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 10

CONSENT ITEMS – CONTINUED

Comr. Phillips indicated that he is amazed that since 2010, there has been a situation with no agreement. Also, he is concerned that there is an indication that the former City Attorney Linn did not have one of the forms made. Furthermore, as indicated on the first page of the current replacement HOME funding agreement, neither party have been able to locate a prior executed copy of the HOME funding agreement covering Phase I, which is astounding.

Additionally, Comr. Phillips indicated that the record reflected that the project was completed in 2013 and asked how it was accomplished without any checks and balances.

Mr. Korman explained that the initial work on Phase I legal documents in negotiations was handled by former Assistant City Manager Willie Hopkins and former City Attorney Gordon Linn. The OHUI department received the drafted documents. With Phase I completed, the City did enter into a development agreement at the proper time and made its payments pursuant to the development agreement. In addition, the federal government required that there should be a HOME funding agreement specifically setting forth the requirements of the HOME program. However, upon reviewing of the file for the Phase II issue, the documents located led staff to a trail of a final draft. In essence, they could not find a final executed copy and the Cornerstone organization could not locate it to confirm a final executed document. Consequently, staff had to treat it as a lost document.

Comr. Phillips asked what would be the consequences if the Commission does not approve the current item, would the City be in non-compliance with Housing and Urban Development (HUD).

Mr. Korman replied that is correct. The City would be out of compliance and subjected to repayment of the funds. Therefore, by putting the proposed agreement in place it would bring the City into compliance.

Comr. Phillips asked if the director could respond to some of the issues regarding the item.

Names of Comms.	M	S	Y	V N
<p>CITY COMMISSION MEETING MINUTES June 14, 2016</p> <p>PAGE 11</p> <p><u>CONSENT ITEMS – CONTINUED</u></p> <p>Miriam Carrillo, OHUI Director, in response to Comr. Phillips question of what happened to the missing documents, replied that she cannot answer that question because the issue is between the Captiva Cove and the City’s attorneys, who were managing the project.</p> <p>Comr. Phillips explained his reason for being disgruntled because the funds allocated could have gone to some senior citizens in the City to refurbish their house or other long-standing residents of the City who needed assistance with refurbishing their homes. Therefore, he inquired what would be the ramifications should this item not get approved.</p> <p>Mark E. Berman, City Attorney, indicated that normally this matter would have been handled by OHUI, but in this case, it was handled by former Assistant City Manager Hopkins. He then explained the procedure that the City Attorney’s office operate with in preparing documents. Upon OHUI report that there is no record, the City Attorney’ s office prepared a replacement document to take the place of the missing document to ensure the City is in compliance with HUD and that the City would not have to refund the money.</p> <p>In sum, it is a housekeeping matter to replace a document that the City would avoid paying back funding, which it already received for the Phase I project.</p> <p>Comr. Phillips indicated that he is unhappy with the idea of recreating a document dating back to 2013.</p> <p>Comr. Dockswell believes Comr. Phillips has a valid point and reiterated his opinion that the City needs to do a better job at contract management and administration. He then inquired who wrote the draft.</p> <p>Ms. Carrillo responded that the drafted agreement was prepared by Captiva’s attorney between the Florida Housing Coalition, Broward County and the City of Pompano Beach.</p>				

Names of Comms.	M	S	Y	N
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CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 12

CONSENT ITEMS – CONTINUED

Comr. Dockswell concluded that there is much room for improvement in the City’s ability to manage and administer contracts. He is aware it is a focus area with City staff but it is clear that there “is a way to go.”

Comr. Hardin recalled when this matter was taking place and agreed that the matter should have been handled more expeditiously; however, those persons are no longer with the City. Moreover, Captiva attorneys drafted the document to get it expedited but in their efforts to get it moving forward, there were times the documents would get “bogged down” on an individual’s desk, which it is unfortunate that it happened in this case and carried on for so long a period.

Vice Mayor Burrie recalled that when the project was presented and discussed they desired to use the Neighborhood Stabilization Program (NSP) funds, but she disagreed with this action. The Captiva attorney tried to persuade her otherwise with no success, but the funding was realized from another source.

Ms. Carrillo confirmed that they contacted Captiva’s attorney but they could not find a copy of the executed agreement. Furthermore, she explained that the Developer Agreement was fully executed, the Mortgage and the Note were also fully executed and recorded, so, the only missing part was the HOME Investment Partnership Agreement.

RES. NO. 2016-210: TIME 00:23:45 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 REINSTATEMENT AND FIRST AMENDMENT TO THE CONTRACT FOR DISASTER DEBRIS RECOVERY SERVICES BETWEEN THE CITY OF POMPANO BEACH AND ASHBRIIT, INC.; AND SUBSEQUENTLY AUTHORIZING APPROVAL OF THE SECOND EXTENSION TO SAID AGREEMENT; PROVIDING AN EFFECTIVE DATE.

Names of Commrs.	M	S	Y	V N
<u>ROLL CALL</u>				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	

CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 14

REGULAR ITEMS - CONTINUED

The Ordinance was read by title only.

MOTION: To adopt Ordinance No. 2016-62 upon final 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, stated the subject property is located at the northeast corner and northwest 30th Avenue and west Atlantic Boulevard. The Race Trac is proposing to construct a 4,155 square foot fuel station.

Comr. Phillips asked about the response of the service providers, which Mr. Bird replied that since the Planning and Zoning Board meeting the City has received the responses and they are in compliance with the Board's comments.

Names of Commrs.	M	S	Y	N
			V	V

CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 17

REGULAR ITEMS - CONTINUED

P.H. 2016-70; ORD. NO. 2016-...: TIME 00:49:42 ITEM 17

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 111, "CONTRACTORS, MASTERS, JOURNEYMEN," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 111.03, "CONTRACTORS' REQUIREMENTS AND RECORDS MAINTENANCE," TO MODIFY REQUIREMENTS AND RECORDS MAINTENANCE FEES FOR ISSUANCE OF BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

The Ordinance was read by title only.

MOTION: To approve Ordinance upon first reading.

ROLL CALL

Dockswell			X	
Hardin	X		X	
Moss			X	
Phillips			X	
Burrie		X	X	
Fisher			X	

Robin M. Bird, Development Services Director, stated that pursuant to House Bill 535 the Florida Legislature recently amended Section 553.80 statutes to modify contractor requirements and fee elimination attendant to any form of contractor registration. The City charges a registration fee of \$10, which has increased to \$20. Otherwise, an applicant would have to bring original documents to the city to get permitted. The registration is a pro-business activation and there is a nominal fee to maintain it. However, since it is a prohibited cost, the City will absorb it through the building reserve fund.

Comr. Hardin asked what if the City exhausts the funds how would it be budgeted for in the future.

Names of Commrs.	M	S	Y	V N

CITY COMMISSION MEETING MINUTES

June 14, 2016

PAGE 19

REGULAR ITEMS - CONTINUED

Robin M. Bird, Development Services Director, stated that staff has been aware of this issue for quite some time. However, it appears that the State is closer to adopting some form of possible medical marijuana approvals for distribution. In fact, some cities have already adopted regulations. The City of Pompano Beach will need regulations in place at the time or within the year it is approved. Therefore, a moratorium is needed to put in place the necessary tools to accommodate the impending regulation.

Vicente Thrower, 1890 Northwest 6th Avenue, stated that he supports the item because it is a good effort from the City to control the funding source. Therefore, he inquired whether the item will return for public discussion.

Mayor Fisher responded it will return to the Commission for discussion.

P.H. 2016-72; ORD. NO. 2016-...: TIME 00:54:35 ITEM 19

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 76, "PARKING METERS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 76.02, "DEFINITIONS," TO ADD AND DELETE DEFINITIONS; BY AMENDING SECTION 76.05, "AUTHORITY TO ESTABLISH PARKING METER ZONES," TO ADD AUTHORITY FOR A CITY MANAGER'S DESIGNEE; BY AMENDING SECTION 76.06, "PARKING METER ZONES AND FEES ESTABLISHED," TO ADD NEW METERED ZONES AND PARKING METER FEES THROUGHOUT THE CITY LIMITS AND TO PROVIDE FOR ADDITIONAL PERMIT REQUIREMENTS; BY AMENDING SECTION 76.07, "TIME LIMITED PARKING ZONES," TO ESTABLISH TIME-METERED ZONES, 24-HOUR CONSTRUCTION PARKING ZONE AND ELECTRONIC CHARGING STATIONS AND PROVIDE REQUIREMENTS FOR SAME; BY AMENDING SECTION 76.08, "ENFORCEMENT," BY ADDING CERTAIN PROHIBITED ACTS WITHIN METERED ZONE AREAS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

Names of Commrs.	M	S	Y	N
CITY COMMISSION MEETING MINUTES				
June 14, 2016				
PAGE 20				
<u>REGULAR ITEMS – CONTINUED</u>				
The Ordinance was read by title only.				
MOTION: To approve Ordinance upon first reading.				
<u>ROLL CALL</u>				
Dockswell		x	x	
Hardin	x		x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	

Suzette Sible, Finance Director, stated that City staff worked in consults with Chris Brown from Redevelopment Management Associates on the proposed amendments. She indicated there are other changes but highlighted the following key amendments:

- No rate increase is proposed.
- The amendment will clarify the number of parking zones throughout the City.
- Propose establishing an hourly rate for the new pier parking garage tentatively scheduled to be opened by July 1, 2016. The rate will be \$1.25 per hour, which is the current hourly rate throughout the City.
- Suggest a rate of \$150.00 for a monthly pass for residents, nonresidents and business owners, which will allow for overnight parking as well as parking on the top floor.
- Propose a flat \$10 rate for special events and holidays for the garage, as well as for the parcel A lots at the end of Atlantic Boulevard.
- Proposing future additional area parking zones on certain streets, namely Northeast 16th Street, Riverside Drive, and Northeast 3rd Street to be paid by phone zones.

Names of Comms.	M	S	V	V
			Y	N

CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 21

REGULAR ITEMS - CONTINUED

- Proposing a thirty-minute loading zone on Briny Avenue to control traffic.
- Establishing a rate for construction permit of \$10 per day.

Tom Terwilliger, 3160 Northwest 1st Avenue, Pompano Beach, FL, stated that he understands that the parking revenue has always gone into the General Fund. However, recently the Commission reallocated the fees that were charged for parking meters and various special events from the general fund into the fund to be used to offset the costs of financing for the parking garage. He also understands that this will now broaden some of those powers to include more areas and potentially include more parking revenues from outside the garage.

Additionally, Mr. Terwilliger inquired if the Commission would consider putting a limit on the funds being used for parking outside of the parking garage area to be allocated back to the general fund and not used for the parking garage. Instead, allow the parking garage to be self-funded.

Ms. Sibble explained when the parking enterprise fund was established as part of the ordinance, there was a statement addressing any additional surplus funds after satisfying operating and maintenance expenses for the parking system and satisfy the debt service. Therefore, it will be a policy decision of the commission, if they desired, to divert some of those surplus funds to the general fund.

Comr. Phillips asked for clarification of charging a flat fee of \$10 for special events.

Chris Brown, Principal of Redevelopment Management Associates, indicated that the City contracted with him to assist with drafting the parking ordinance and to address other parking issues within the City. He provided a brief outline of his background with parking. Therefore, in response to Comr. Phillips inquiry regarding flat fee, he indicated that there are several holiday events, which bring extra thousands of people to the beach and the park. Therefore, it is advisable to utilize a flat fee to enhance the service to the customer willing to pay \$10, rather than wait in line, which is quite an efficient way to keep traffic moving during these times.

Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

June 14, 2016

PAGE 22

REGULAR ITEMS - CONTINUED

Comr. Phillips asked if there is any component to waive any of the proposed fees.

Mr. Brown replied yes and cited the section of the ordinance that addresses the point that in the event an organization has an event anywhere in the City, with the exception of the parking garage, they can request a waiver of the parking fee from the City Manager.

Comr. Dockswell clarified that the parking enterprise fund was not created for the purpose of the pier garage only, rather it was set up to be an enterprise fund for the parking system of the City that will develop over a period of time to accommodate more garages in the future. The drive is to have a more self-sustaining parking system citywide.

Additionally, these changes are entirely in the District 1 area. Parking fees will not increase, however, the City will bring parking spaces on the side streets on the barrier island spaces that have not been metered, which will be part of the charging system for parking.

Comr. Hardin mentioned an incident he experienced about a section of a tractor-trailer parked in several spaces with a number of tickets visible on the truck. He asked if there is a mechanism to tow such a violator rather than placing several tickets on the offending vehicle.

Mr. Brown responded that the City has the option to tow the vehicle.

Mayor Fisher indicated that he is pleased that the loading zone was put in on Briny Avenue because Pompano Beach Club has had issues with the loading zones of trucks to the businesses blocking traffic, pedestrian walkways and entranceways.

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 June 14, 2016

PAGE 23

REGULAR ITEMS - CONTINUED

RES. NO. 2016-212: TIME 01:08:45 ITEM 20

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN UNDERGROUND FACILITIES CONVERSION AGREEMENT (NON-GAF) BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$412,808 - CIP 12-208)

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-212 upon reading.

John Sfiropoulos, City Engineer, indicated that the Burkhardt company was awarded the construction contract for Briny Avenue undergrounding and streetscape. Included in their contract was the installation of electrical equipment, conduit, transformers, handholds, and so forth. Not included in the agreement was the supply of the material, which is required to be procured through a separate contractor with Florida Power & Light (FP&L)

Comr. Moss asked if there are other items expected in the future.

Mr. Sfiropoulos responded that only the next four (4) items on the agenda.

Comr. Phillips is pleased with the idea of putting all the electrical cables underground but questioned the criteria in which the City is utilizing to accomplish it in the area. He desires the same criteria be exercised in other parts of the City. There are huge electrical poles in certain neighborhoods and the Commission had taken the position that wherever and whenever possible to go underground for the electrical work, which appears to be contrary to that position.

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

June 14, 2016

PAGE 24

REGULAR ITEMS - CONTINUED

Comr. Hardin pointed out that the City first started undergrounding in District 4.

Comr. Phillips indicated that he is looking for more to happen in the district.

RES. NO. 2016-213: TIME 01:12:34 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 SPECIAL CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COMCAST OF FLORIDA/GEORGIA/ILLINOIS/MICHIGAN, LLC; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: \$101,081.42 – CIP 12-208)

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-213 upon reading.

John Sfiropoulos, City Engineer, stated that this item pertains to the same project as the previous item and Comcast is required to pull their own cables and make their final connection. This is not included in Burkhardt's scope, therefore, the City is required to enter into a separate agreement with Comcast.

Dawne Richards, 3304 Southeast 4th Street, Pompano Beach, FL, indicated that the infrastructure is old and crumbling in the neighborhood south of Atlantic Boulevard east between Hibiscus and A1A to the beach. Therefore, she inquired if there is any service level agreement in place for this, as well as would they be putting in fiber optic.

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 June 14, 2016

PAGE 26

REGULAR ITEMS - CONTINUED

Comr. Hardin asked if they are doing more than Comcast.

Mr. Sfiropoulos replied they are and explained why they are estimated at \$150,000 versus \$101,000. He mentioned they will have to remove poles and overhead aerials. Also, there will be no fiber optic involved with it.

In response to Comr. Phillips comments, Mr. Sfiropoulos indicated that this is no different from what was done in Old Pompano, Atlantic Boulevard and Pompano Beach Boulevard. It is the same process.

RES. NO. 2016-215: TIME 01:18:06 ITEM 23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN APPLICANT-INSTALLED FACILITIES AGREEMENT FOR UNDERGROUND CONVERSIONS BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA POWER & LIGHT COMPANY; PROVIDING AN EFFECTIVE DATE. (No fiscal impact)

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-215 upon reading.

John Sfiropoulos, City Engineer, stated that this item pertains to the same project. The agreement is required when the City desires to utilize a contractor, in this case, Burkhardt, to install FP&L material. No cost is associated with this item.

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

CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 28

REGULAR ITEMS - CONTINUED

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-217 upon reading.

Mayor Fisher requested that prior to the Commission considering the item that consideration be given to moving up alternate members. He suggested that in the current item alternates 2 and 3 who have served should be moved into alternate 1 and 2 respectively and then fill the alternate 3 position that will become vacant.

The consensus was to move Walter Syrek, currently alternate 2 to alternate 1 and Charles Bechert, III, currently alternate 3, to alternate 2 and then fill the alternate 3 upcoming vacant position.

After some discussion among the Commission it was suggested that the City Attorney propose a mechanism to be put in place to cover a natural progression of transitioning alternates to move up in rankings.

Comr. Hardin indicated that it is unclear on some of the appointments the actual amount of meetings attended by the alternates. Therefore, he inquired whether the record reflected the attendance of alternates for only the meeting they were called to serve, or is it their attendance to all meetings. In fact, he believes that if an alternate is not called to attend a meeting then it should not count against that person.

Asceletta Hammond, City Clerk explained that the attendance record that is kept does differentiate when an alternate is called to attend a meeting as a regular member versus when they attend most of the meetings as an alternate member.

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

CITY COMMISSION MEETING MINUTES June 14, 2016

PAGE 29

REGULAR ITEMS - CONTINUED

Comr. Hardin recommended that some of the items be tabled especially those that are not quite clear as to the alternates' attendance record.

Mayor Fisher suggested that the commission proceed with the items and the necessary motion taken to either table or adopt accordingly.

RES. NO. 2016-218: TIME 01:26:08 ITEM 26

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **HARRY DIAMOND** TO THE EMERGENCY MEDICAL SERVICES ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE 1, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-218 upon reading.

ROLL CALL

Dockswell	x					x
Hardin		x				x
Moss						x
Phillips						x
Burrie						x
Fisher						x

There was no discussion on this item.

RES. NO. 2016-219: TIME 01:26:44 ITEM 27

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **GRANT GALUPPI** TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

Names of Commrs.	M	S	Y	V	N
CITY COMMISSION MEETING MINUTES					
June 14, 2016					
PAGE 30					
<u>REGULAR ITEMS - CONTINUED</u>					
The Resolution was read by title only.					
MOTION: To adopt Resolution No. 2016-219 upon reading.					
<u>ROLL CALL</u>					
Dockswell				X	
Hardin	X			X	
Moss					X
Phillips				X	
Burrie		X		X	
Fisher				X	
Comr. Moss indicated that on the applicant's list Richard Sasso is listed to reside in Lighthouse Point but operates business in the City of Pompano Beach. However, on item 25 the same circumstance applies to another applicant. Therefore, he believes the same information should be provided across the board.					
RES. NO. 2016-220:					
TIME 01:28:00					
ITEM 28					
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>GARY S. RUDERMAN</u> TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.					
The Resolution was read by title only.					
MOTION: To adopt Resolution No. 2016-220 upon reading.					
<u>ROLL CALL</u>					
Dockswell	X			X	
Hardin		X		X	
Moss				X	
Phillips				X	
Burrie				X	
Fisher				X	
There was no discussion on this item.					

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 **June 14, 2016**

PAGE 31

REGULAR ITEMS - CONTINUED

RES. NO. 2016-221: TIME 01:28:29 ITEM 29

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **W.P. DAVIS, JR.** TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

MOTION: To adopt Resolution No. 2016-221 upon reading.

There was no discussion on this item.

RES. NO. 2016-222: TIME 01:29:01 ITEM 30

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **DANIEL HORAK** TO THE MARINE ADVISORY BOARD OF THE CITY OF POMPANO BEACH AS ALTERNATE #2 FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

The Resolution was read by title only.

Names of Commrs.	M	S	Y	N	V	V
CITY COMMISSION MEETING MINUTES						
June 14, 2016						
PAGE 32						
<u>REGULAR ITEMS - CONTINUED</u>						
MOTION: To adopt Resolution No. 2016-222 upon reading.						
<u>ROLL CALL</u>						
Dockswell		x			x	
Hardin	x				x	
Moss					x	
Phillips					x	
Burrie					x	
Fisher					x	
There was no discussion on this item.						
RES. NO. 2016-223:						
TIME 01:29:31						
ITEM 31						
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>JUDY KNOEBEL</u> TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JUNE 13, 2019; PROVIDING AN EFFECTIVE DATE.						
The Resolution was read by title only.						
MOTION: To adopt Resolution No. 2016-223 upon reading.						
<u>ROLL CALL</u>						
Dockswell	x				x	
Hardin		x			x	
Moss					x	
Phillips					x	
Burrie					x	
Fisher					x	
There was no discussion on this item.						
RES. NO. 2016-224:						
TIME 01:30:00						
ITEM 32						
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>COLLEEN MURPHY</u> TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JUNE 13, 2018; PROVIDING AN EFFECTIVE DATE.						

Names of Comms.	M	S	Y	N
CITY COMMISSION MEETING MINUTES				
June 14, 2016				
PAGE 33				
<u>REGULAR ITEMS - CONTINUED</u>				
The Resolution was read by title only.				
MOTION: To adopt Resolution No. 2016-224 upon reading.				
<u>ROLL CALL</u>				
Dockswell	x		x	
Hardin		x	x	
Moss			x	
Phillips			x	
Burrie			x	
Fisher			x	
There was no discussion on this item.				
RES. NO. 2016-225:	TIME 01:30:31	ITEM 33		
A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING <u>BARBARA ARMBRISTER-BOYNTON</u> TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #2, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON JUNE 13, 2018; PROVIDING AN EFFECTIVE DATE.				
The Resolution was read by title only.				
MOTION: To adopt Resolution No. 2016-225 upon reading.				
<u>ROLL CALL</u>				
Dockswell			x	
Hardin		x	x	
Moss	x		x	
Phillips			x	
Burrie			x	
Fisher			x	
There was no discussion on this item.				

Names of Comms.	M	S	Y	V	V
CITY COMMISSION MEETING MINUTES					
PAGE 34					
<u>REPORTS</u>					
<p><u>City Manager – Collective Bargaining Executive Session</u> – Dennis W. Beach, City Manager indicated that staff is looking for Commission direction concerning negotiations with the Fire Union related to the upcoming collective bargaining agreement. An executive session has been scheduled for Tuesday, June 28, 2016 at 10:00 a.m. in the City Manager’s Conference Room on the 4th Floor of City Hall.</p>					
<p>Additionally, Mr. Beach stated that the City Commission and he will be attending the meeting along with City Attorney Mark Berman, Assistant City Attorney Tracy Lyons, Assistant City Manager Phyllis Korab, Deputy City Manager Brian Donovan, Human Resources Director Michael Smith, and Fire Chief John Jurgle.</p>					
<p><u>Pier Garage Grand Opening</u> – Mr. Beach announced that the grand opening of the pier garage is scheduled for June 30, 2016 at 11:00 a.m. with another event at 7:00 p.m. Invitations will be forthcoming.</p>					
<p><u>City Attorney – Closed Session for Swerdlow Lightspeed Management</u> – Mark E. Berman, City Attorney announced that he will perform his statutory obligation. Therefore, in the abundance of caution he will be seeking advice at the next City Commission meeting on June 28, 2016, in a Closed Session regarding litigation of City of Pompano Beach versus Swerdlow Lightspeed Management. He will contact each commission individually and discuss the matter. The proper notices will be put in place for the meeting. However, if the City should resolve without such a Closed Session they will do so.</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 – Memorial Service for Orlando Victims</u> – Comr. Moss reported that the City of Fort Lauderdale’s Vice Mayor Dean Trantalis is sponsoring a memorial service for the victims of the massacre in Orlando. The event will be held at 1:00 p.m. at the Parker Playhouse in Fort Lauderdale.</p>					

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES **June 14, 2016**

PAGE 35

REPORTS - CONTINUED

Commissioner Edward Phillips – Chicken Issue – Comr. Phillips stated that he has received numerous complaints and concerns regarding the chicken issue. Consequently, he suggested that the legal department and code enforcement could meet regarding this issue because the population of the chickens continues to grow. There are at least two to three infested districts; therefore, the City needs to be proactive in getting rid of the chicken problem.

Mayor Fisher agreed that something ought to be done to resolve this issue as it is impacting all neighborhoods throughout the City.

Poster Signs Issue – Comr. Phillips indicated that while he understands Public Works department attempts to resolve the issue with poster signs, he will continue to bring it to the table until the issue is resolved. The poster signs are not aesthetically pleasing and they continue to pop up all over the City. Therefore, he suggested that the City Manager and the Broward Sheriff’s Office meet to come up with a proactive plan to resolve the issue.

Mayor Fisher suggested that the other cities be contacted to see how they are handling this matter.

MLK Boulevard Design – Comr. Phillips mentioned that there has been concerns expressed regarding the design for the MLK Boulevard and asked if there is an update for this matter.

Mayor Fisher indicated that staff is working diligently to answer the questions. A meeting has been scheduled for this month with Broward County Commissioner Mark Bogen and the Commissioner’s staff, as well as City staff. One meeting has been held; however, there are cost factors involved with this matter. Therefore, Mayor Fisher indicated that the matter is moving in the right direction at this time. In addition, they can accommodate both venues that is the Education Corridor and Beautification, which the City wants, at the same time to accommodate those businesses to allow the traffic to flow in and out of there.

Names of Commrs.	M	S	Y	V	V

CITY COMMISSION MEETING MINUTES

June 14, 2016

PAGE 36

REPORTS - CONTINUED

Comr. Moss indicated that he had a meeting with County Commissioner Mark Bogen regarding the MLK Boulevard and he had mentioned to him that he did not want to inconvenience any businesses or their livelihood. However, he is adamant that MLK Boulevard east of the Turnpike should look as good as Coconut Creek Parkway west of the Turnpike.

Additionally, Commissioner Bogen indicated that he would support the installation of a streetlight at the intersection of Martin Luther King (MLK) Boulevard and Northwest 27th Avenue.

Mayor Fisher indicated the item was discussed at the meeting held earlier; however, Broward Traffic Engineering Department controls those components for the City. In fact, they will be looking at using different data in order to be able to get past the hold up with getting a light in that location.

Job Availability for Neighborhood – Comr. Phillips informed that they have been discussing an in-reach component to various neighborhoods for job availabilities. A company has been identified to assist in this regard to design simplistic applications and to recruit job skills within the neighborhood. He invited the Commission to participate in promoting this venture.

Vice Mayor Charlotte J. Burrie – No Report.

Mayor Lamar P. Fisher – Brochure on Open Your Business in Pompano – Mayor Fisher indicated that he received literature regarding “Open Your Business in Pompano” which was very well done. Therefore, kudos to the persons who made it happen.

Sweet Potato Pie Festival – Mayor Fisher announced that the annual Sweet Potato Pie Festival will take place Saturday, June 18, 2016, at 11:00 a.m. at the Apollo Park and urged everyone to attend.

Names of Commrs.	M	S	Y	N

CITY COMMISSION MEETING MINUTES

June 14, 2016

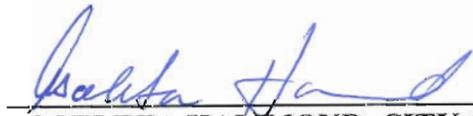
PAGE 38

ADJOURNMENT

There being no further business, the meeting adjourned at 8:10 p.m.



LAMAR FISHER, MAYOR



ASCELETA HAMMOND, CITY CLERK

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Lamar Fisher, hereby disclose that on June 14, 2016 :

(a) A measure came or will come before my agency which (check one)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____;
- inured to the special gain or loss of my relative, _____;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent organization or subsidiary of a principal which has retained me.

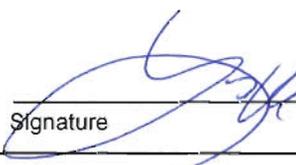
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

Under the provisions of Florida Statutes, Section 286.012 and Section 112.3143, at the Pompano Beach City Commission Meeting held on June 14, 2016, I abstained from voting on the following Agenda Item:

- 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 Home Funding Agreement between the City of Pompano Beach and Captiva Cove Associates, Ltd. providing for new construction of Captiva Cove, a 264 unit multi-family rental development.

The nature of the conflict, which I orally disclosed prior to the vote on this item, is that my firm, Fisher Auction Co., Inc. has been engaged from time to time, although not currently, to assist in the auction sales of properties owned or controlled by Cornerstone or its affiliates.

June 20, 2016
Date Filed


Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.