

Meeting Date: July 12, 2016

Agenda Item 12

REQUESTED COMMISSION ACTION:

Consent     Ordinance     Resolution     Consideration     Workshop

SHORT TITLE    A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LITTER REMOVAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD OUTPATIENT MEDICAL CENTER, LLC., PURSUANT TO THE CITY'S ADOPT-A-STREET PROGRAM; PROVIDING AN EFFECTIVE DATE.  
(NO COST)

Summary of Purpose and Why:

As a means to improve the curb appeal of Pompano Beach, the City has developed an Adopt-A-Street Program which offers a hands on approach to local beautification. The Public Works Department provides the volunteers with a safety orientation, necessary safety equipment, collection materials, and support to retrieve collected bags of litter. Broward Outpatient Medical Center, LLC, has committed to adopting South Andrews Ave. from Atlantic Blvd. to McNab Road.

QUESTIONS TO BE ANSWERED BY ORIGINATING DEPARTMENT:

- (1) Origin of request for this action: Russell Ketchem, Solid Waste Manager
- (2) Primary staff contact: Robert A. McCaughan, Public Works Director    Ext. 4097
- (3) Expiration of contract, if applicable: \_\_\_\_\_
- (4) Fiscal impact and source of funding: None

DEPARTMENTAL COORDINATION	DATE	DEPARTMENTAL RECOMMENDATION	DEPARTMENTAL HEAD SIGNATURE OR ATTACHED MEMO NUMBER
Public Works	<u>6/29/16</u>	<u>Approved</u>	<u>Robert A. McCaughan</u>
Finance	<u>7/1/16</u>	<u>Approval</u>	<u>S. Sebbles</u>
City Attorney	<u>7/12/16</u>		<u>Man</u>

- Advisory Board
- Development Services Director
- City Manager

Annsw. Beard

ACTION TAKEN BY COMMISSION:

<u>Ordinance</u>	<u>Resolution</u>	<u>Consideration</u>	<u>Workshop</u>
1st Reading _____	1st Reading _____	Results: _____	Results: _____
2nd Reading _____	_____	_____	_____
_____	_____	_____	_____



**City Attorney's Communication #2016-838**

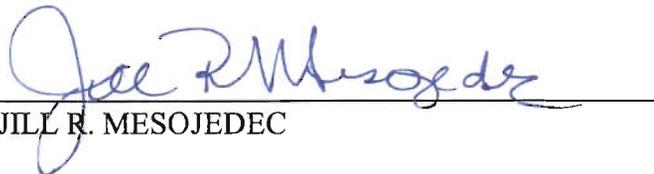
May 23, 2016

**TO:** Shari Loochkartt, Secretary II  
**FROM:** Jill R. Mesojedec, FRP, Paralegal  
**VIA:** Mark E. Berman, City Attorney   
**RE:** Adopt-A-Street Program – Broward Outpatient Medical Center, LLC

As requested in your e-mail of May 20, 2016, the following form of resolution, relative to the above-referenced matter, has been prepared and is attached:

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LITTER REMOVAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD OUTPATIENT MEDICAL CENTER, LLC PURSUANT TO THE CITY'S ADOPT-A-STREET PROGRAM; PROVIDING AN EFFECTIVE DATE.**

Please feel free to contact our office if we may be of further assistance.

  
\_\_\_\_\_  
JILL R. MESOJEDEC

/jrm  
l:cor/pw/2016-838

Attachment

**CITY OF POMPANO BEACH**  
**Broward County, Florida**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LITTER REMOVAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD OUTPATIENT MEDICAL CENTER, LLC PURSUANT TO THE CITY'S ADOPT-A-STREET PROGRAM; PROVIDING AN EFFECTIVE DATE.**

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA:**

**SECTION 1.** That an Agreement between the City of Pompano Beach and Broward Outpatient Medical Center, LLC, pursuant to the City's Adopt-a-Street Program, a copy of which Agreement is attached hereto and incorporated by reference as if set forth in full, is hereby approved.

**SECTION 2.** That the proper City officials are hereby authorized to execute said Agreement between the City of Pompano Beach and Broward Outpatient Medical Center, LLC

**SECTION 3.** This Resolution shall become effective upon passage.

**PASSED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
**LAMAR FISHER, MAYOR**

**ATTEST:**

\_\_\_\_\_  
**ASCELETA HAMMOND, CITY CLERK**



# Adopt-A-Street Program



*The City and its Residents Caring for Mother Earth*

**City of Pompano Beach  
Adopt-A-Street Program**

## OVERVIEW

Acting in the best interest of its residents, the City of Pompano Beach has developed an Adopt-A-Street program. The Adopt-A-Street program offers hands on approach to city beautification through litter removal and maintenance of designated streets by civic-minded residents and organizations. The program is a cooperative clean-up campaign organized by the City of Pompano Beach and its residents. The program allows the residents and organizations of the City of Pompano Beach to take an active role in the community while benefiting from a more attractive city.

The program is outlined as follows:

- ✓ A community organization adopts a minimum of two-miles of city roads and agrees to remove litter at least four times per calendar year for a two-year period.
- ✓ The City will provide the organization with trash bags, safety training and necessary safety equipment for up to 25 people.
- ✓ The City will erect sign on each end of the roadway identifying the organization.
- ✓ After each clean-up effort, the City will collect the litter bags for disposal.

Participate in this successful and rewarding volunteer litter control program in your community. Adoptable streets include most roadways in Pompano Beach. Complete a volunteer agreement form and a sign request form and return it to: Public Works Department 1190 NE 3<sup>rd</sup> Ave, Bldg. B, Pompano Beach, 33060. You will be contacted after the forms have been received and processed to go over the agreement and schedule the Adopt-A-Street sign installation to recognize your organization for helping to keep Pompano Beach streets clean.

# City of Pompano Beach Adopt-A-Street Program

## PROCEDURES AND GROUP RESPONSIBILITIES

- ✓ Organizations interested in committing to adopt a two-mile segment of City street right of way for litter removal should contact the City of Pompano Beach, Public Works Solid Waste Division, at (954) 786-4030.
- ✓ The roadways proposed by the organization will be reviewed by City staff to determine the safest location for the clean-up effort. Once a location is approved by both parties, an application should be completed and submitted to the City.
- ✓ Upon approval by the City Commission, the organization will receive a copy of the signed agreement.
- ✓ A safety orientation will be scheduled for the organization and performed by City staff prior to commencement of initial clean-up effort.
- ✓ Safety equipment consisting of orange vests and gloves for each member (up to 25) of the participating organization; two large portable roadside safety signs; large litter bags; rakes; pick-sticks and safety briefing checklists will be loaned to the organization prior to each clean-up effort.
- ✓ During the week prior to each clean-up effort, a representative of the organization shall call the Public Works Solid Waste Division, (954) 786-4030, to schedule litter disposal. The organization is responsible for holding a safety meeting prior to each clean-up effort. The suggested time for a clean-up is between the hours of 8:00 A.M. and 12:00 Noon.
- ✓ The organization agrees to remove litter along the adopted segment of road at least twice per calendar year for a period of two years.
- ✓ When an organization terminates the agreement or does not remove litter along the adopted road for a period of 12 months, the City will recover the safety equipment loaned and remove the recognition signs. The vacated segment of road will then become available to adopt by other interested parties.

# City of Pompano Beach Adopt-A-Street Program

## RECOGNITION SIGN POLICY

Recognition signs installed for organizations participating in the Adopt-A-Street program will conform to the following criteria:

- ✓ For non-profit organizations, only the full name of the organization will be placed on the signs.
- ✓ For commercial businesses, only the full name of the company will be placed on the signs.
- ✓ For political groups, only the full name of the group will be placed on the signs.
- ✓ The City will not list the services that an organization provides unless it is part of the organization or company name that is registered with the State of Florida.
- ✓ The City will not list specific locations, addresses or phone numbers of the organization or company.
- ✓ The City will not allow any political or other statements which can be considered controversial to be placed on the signs.

# City of Pompano Beach Adopt-A-Street Program

## SAFETY ORIENTATION POLICY

### PRIOR TO THE DAY OF LITTER REMOVAL

- The organization will designate a member to act as the Safety Supervisor. The Safety Supervisor's job is critical for the success of the clean-up effort. They will provide overall group supervision as it pertains to safety matters. If necessary, they will be responsible for emergency communications or transportation to the appropriate health care facility.
- The organization should have a first aid kit on site during the effort. Safety kits are useful in dealing with minor issues such as minor cuts or scratches that are common during litter removal. If the organization does not have a kit, contact Russell Ketchem, Solid Waste Manager, (954) 786-5516, for assistance in obtaining one.
- Every member of the group should have a set of heavy gloves. Leather gloves are recommended because they better protect the hands from sharp objects. If assistance is needed in obtaining proper gloves, please contact Russell Ketchem, Solid Waste Manager, (954) 786-5516, for assistance in obtaining them.
- The removal of litter bags is critical in the clean-up effort. Contact the Public Works Solid Waste Division, (954) 786-4030, prior to the litter removal effort date to schedule a date for the removal of the litter bags.

### ARRIVING TO THE SITE

- Have transportation available. The Safety Supervisor should be responsible for ensuring every member of the group has transportation.
- Parking of automobiles associated with the litter removal effort should be clear of the roadway. It is best to use a parking lot to park all vehicles.
- Carpooling to the clean-up site is encouraged. This will minimize the number of vehicles that need to be parked during the effort. Using one vehicle to shuttle members from a parking lot to the clean-up site is effective.

## DRESSING FOR SAFETY

- Do not wear clothing or use headphones that will restrict vision or hearing. These accessories distract your attention from what you are doing and may result in injury.
- Remember to wear the safety vest. Each member should have an orange vest. The City will loan these to the organization prior to the day of each scheduled litter removal effort.
- Wear light colored clothing.
- Wear leather closed toe shoes or boots. Sneakers are not recommended due to they may be torn easily by nails or broken glass.
- Wear a hat, sunglasses, sunscreen or a long sleeved shirt to protect against harmful sunrays.

## THE DAY OF LITTER REMOVAL

- Stay clear of any construction. If there are construction barricades or pylons in the road, do not enter into those areas until those items are removed. If there is construction and a clean-up effort going on simultaneously, it will lead to driver confusion and potentially an accident.
- Alcoholic beverages or illegal drugs will not be tolerated during the effort. Those members of the organization taking prescription drugs should not participate until they are no longer on the prescribed medication(s).
- An adequate supply of drinking water should be made available for all group members participating in the effort.
- Work only during daylight hours and avoid peak travel times. The recommended time for litter removal is between the hours of 8:00 A.M. and 12:00 Noon.
- A safety briefing prior to each litter clean-up effort should be performed.
- If available, display two crew working safety signs in the area the clean-up effort. The signs should be displayed so traffic coming from either direction sees them.
- Have a phone available.
- Know the route from the litter removal site to the nearest emergency center or hospital. This is an important procedure incase you cannot contact the police or EMS for help.

- Participants should always face oncoming traffic. Walk down the side of the road facing traffic in order to be able to detect erratic drivers. If you see a car that is driving carelessly, direct everyone off the road.
- Provide adult supervision for youth groups or young participants. Children under 12 years of age should not be allowed on the project, despite how mature they may seem. Teenagers must have adult supervision.
- Avoid overexertion. Make all attempts to keep the time to remove litter on both sides of the street to 1½ to 2 hours maximum.
- Be alert for snakes, rodents and other wild animals.
- Avoid contact with hazardous substances. If a member of the organizations encounters any buckets, bottles, barrels, boxes or jugs of anything that is not identifiable, do not pick it up. Notify the Public Works representative on the next business day to have it removed. Report any found weapons to the Broward County Sherriff's office (954) 786-4200. Remember not to touch the weapon.
- Do not remove items on bridges or overpasses. Avoid these areas because the traffic is usually heavy.
- Do not remove items from the medians. Your area of responsibility starts at the edge of the road and extends no more than 10 feet towards the property line.
- Do not enter the roadway or shoulder of the road to remove an item. If some debris is in the road, do not pick it up. Inform the Public Works representative on the next business day; however if the item poses a danger to traffic, please contact the Broward County Sherriff's office at (954) 786-4200 to have someone remove the item.

# City of Pompano Beach Adopt-A-Street Program

## SAFETY ORIENTATION BRIEFING FORM

(Copies should be made of this form and completed on day of clean-up)

Organization Name: \_\_\_\_\_

Safety Orientation Briefed By (Print Name): \_\_\_\_\_

Title within Organization: \_\_\_\_\_

Signature of Safety Supervisor: \_\_\_\_\_

Number of Bags Collected: \_\_\_\_\_

Date of Litter Removal Effort: \_\_\_\_\_

Mail this completed form to:

Russell Ketchem  
City of Pompano Beach  
Public Works Department  
1190 NE 3<sup>rd</sup> Ave.  
Pompano Beach, FL 33060

Or you can fax it to:

Russell Ketchem  
City of Pompano Beach  
Public Works Department  
(954) 786-4011

**THE CITY OF POMPANO BEACH**

**ADOPT-A-STREET PROGRAM**

**APPLICATION FOR ADOPT-A-STREET PROGRAM**

**(please type or print)**

The City of Pompano Beach Public Works Department will work with the adopting group to determine the specific section of City roadway to be adopted. Interstate highways, certain **divided** highways and roadways where a lack of sufficiently wide right-of-way causes safety hazards will not be considered adoptable roadways.

Broward Outpatient Medical Center, LLC

(Name of Organization)

Dec. 8, 2015

(Date)

P.O. Box 50010

(Mailing Address)

Pompano Beach, FL 33074

(City, Zip Code)

Stacey Castrovinci

(Authorized Individual)

Stacey Castrovinci

(Name of Contact Person)

845-406-2334 (C)

(Day Phone Number)

P.O. Box 50010

(Mailing Address)

Pompano Beach, FL 33074

(City, Zip Code)

845-406-2334

(Evening Phone Number)

Approximate number of members participating in the clean-up: 15

City road section(s) you are interested in adopting:

Assigned:

South Andrews Ave from Atlantic Blvd. to McNab Rd.

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

**CITY OF POMPANO BEACH  
ADOPT-A-STREET PROGRAM  
LITTER REMOVAL AGREEMENT**

**THIS AGREEMENT**, made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_ by and between:

**CITY OF POMPANO BEACH**, a municipal corporation of the State of Florida (hereinafter referred to as "CITY")

and

Broward Outpatient Medical Center, LLC  
(hereinafter referred to as the GROUP).

**WITNESSETH:**

**WHEREAS,**

Broward Outpatient Medical Center, LLC is a part

of the City of Pompano Beach's Road System; and

**WHEREAS**, the CITY has responsibility for operation and maintenance of the CITY Road System; and

**WHEREAS**, the City Commission encourages the implementation of an "Adopt-A-Street" Program to permit participation by local organizations in roadway litter removal projects; and

**WHEREAS**, the GROUP is desirous of adopting a portion of a roadway within the CITY to remove litter;

**NOW, THEREFORE**, the parties agree as follows:

# ARTICLE I

## GROUP AGREES TO:

- A. Adopt the right of way adjacent to South Andrews Avenue from Atlantic Blvd. to McNab Road (hereinafter "Adopted Road Section").
- B. Perform litter removal on the Adopted Road Section at least twice per year in strict accordance with the Florida Department of Transportation (FDOT) Accident Prevention Manual, Safe Field Work Practices Topic No. 500-000-015, the Federal Manual on Uniform Traffic Control Devices (MUTCD), and Florida Department of Transportation Design Roadway and Standard Index 602.
- C. Conduct and require all participating members to attend safety meetings and pre-task briefings prior to litter removal in accordance with FDOT's Accident Prevention Procedures Manual Topic No. 500-080-003b.
- D. Remove litter during daylight hours only.
- E. Remove litter during good weather conditions only.
- F. Contact the CITY's Public Works Solid Waste Division at (954) 786-4030 to coordinate litter removal times with CITY personnel.
- G. Ensure that all participants wear safety vests at all times during the litter removal activity.
- H. Not pick up litter at construction or maintenance sites, in tunnels, on bridges or overpasses or on medians.

I. Only allow such persons to participate as are determined by the GROUP to be responsible enough to safely participate in the litter removal activities. Participating youths must be at least 12 years of age and the GROUP shall provide at least one adult supervisor for every 5 youths aged 12-15 who are participating in the litter removal activity.

J. Provide at all times at least one person over the age of 18 who is generally responsible on site for supervising all litter removal activities.

K. Not bring persons to observe the activity, unless the person is over the age of 16.

L. Not wear clothing or headphones which would hinder the sight or hearing of the participants.

M. Place the filled litter bags in locations at each end of the GROUP's Adopted Road Section, near to the Adopt-A-Street signs, in such a manner as not to constitute an obstruction to sight, pedestrians or vehicles.

N. Indemnify and hold harmless, the CITY, its employees, officers or agents, from any claim, loss, damage, cost, charge or expense arising out of any, action, neglect or omission by the GROUP during the performance of the Agreement, whether direct or indirect and whether to any person or property to which CITY or said parties may be subject, except that neither the GROUP nor any of its members shall be liable under this provision for damages arising out of injury or damage to persons or property directly caused or resulting from the sole negligence of the CITY and its employees, officers or agents.

## **ARTICLE II**

### **CITY AGREES TO:**

- A. Install Adopt-A-Street signs at the beginning and end of the Adopted Road Section for the period that this Agreement is in effect.
- B. Provide a safety orientation, plastic trash bags and loan the GROUP orange safety vests and orange safety signs.
- C. Remove the filled plastic bags when placed near to the Adopt-A-Street signs.
- D. Remove unusual, large, heavy or hazardous items of litter.

## **ARTICLE III**

### **BOTH PARTIES UNDERSTAND:**

- A. That members of the GROUP participating in litter pick-up are providing volunteer services to the GROUP and not to the CITY.
- B. That the Agreement shall remain in effect for a two-year period. CITY or GROUP may terminate this Agreement for any reason upon fifteen (15) days' written notice.
- C. The Agreement is non-transferable and non-assignable.
- D. The Agreement covers litter removal activities only. No beautification activities are authorized by this Agreement.

E. CITY's Public Works Department shall screen and select the section of CITY roadways to be adopted and may upon written notice to GROUP select a different section of road for their participation.

F. The Director of the CITY's Public Works Department shall decide all questions, difficulties and disputes of any nature whatsoever that may arise under or by reason of this Agreement, the prosecution of fulfillment of the services hereunder and the character, quality, amount and value thereof of this decision upon all claims, questions and disputes shall be final and conclusive upon the parties hereto.

The remainder of this page is intentionally left blank.

**"CITY":**

Witnesses:

**CITY OF POMPANO BEACH**

\_\_\_\_\_

By: \_\_\_\_\_  
LAMAR FISHER, MAYOR

\_\_\_\_\_

By: \_\_\_\_\_  
DENNIS W. BEACH, CITY MANAGER

Attest:

\_\_\_\_\_  
ASCELETA HAMMOND, CITY CLERK

(SEAL)

Approved As To Form:

\_\_\_\_\_  
MARK E. BERMAN, CITY ATTORNEY

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016 by **LAMAR FISHER** as Mayor, **DENNIS W. BEACH** as City Manager and **ASCELETA HAMMOND** as City Clerk of the City of Pompano Beach, Florida, a municipal corporation, on behalf of the municipal corporation, who are personally known to me.

NOTARY'S SEAL:

\_\_\_\_\_  
NOTARY PUBLIC, STATE OF FLORIDA

\_\_\_\_\_  
(Name of Acknowledger Typed, Printed or Stamped)

\_\_\_\_\_  
Commission Number

**"GROUP":**

Witnesses:

Broward Outpatient Medical Center  
Name of Group

Valerie Osburn

By: Stacey Castrovinci

David D. [Signature]

Stacey Castrovinci  
Typed or Printed Name

Title: Manager

(SEAL)

STATE OF FLORIDA  
COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 08<sup>th</sup>  
day of December, 2015 by Stacey Castrovinci  
\_\_\_\_\_ as manager of

\_\_\_\_\_, on behalf of  
Broward Outpatient Medical Center LLC

He/she is personally known to me or who has produced \_\_\_\_\_  
\_\_\_\_\_ (type of identification) as identification.

NOTARY'S SEAL:



NOTARY PUBLIC, STATE OF FLORIDA

SAM JWEED  
(Name of Acknowledger Typed, Printed or Stamped)

EE 884845  
Commission Number



## Detail by Entity Name

### Florida Limited Liability Company

BROWARD OUTPATIENT MEDICAL CENTER, LLC

### Filing Information

<b>Document Number</b>	L12000152439
<b>FEI/EIN Number</b>	46-1562650
<b>Date Filed</b>	12/06/2012
<b>Effective Date</b>	12/06/2012
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

150 SOUTH ANDREWS AVENUE, SUITE 201  
POMPANO BEACH, FL 33069

Changed: 04/12/2016

### Mailing Address

po box 50010  
lighthouse point, FL 33074

Changed: 04/12/2016

### Registered Agent Name & Address

C T CORPORATION SYSTEM  
1200 SOUTH PINE ISLAND ROAD  
PLANTATION, FL 33324

Name Changed: 10/25/2013

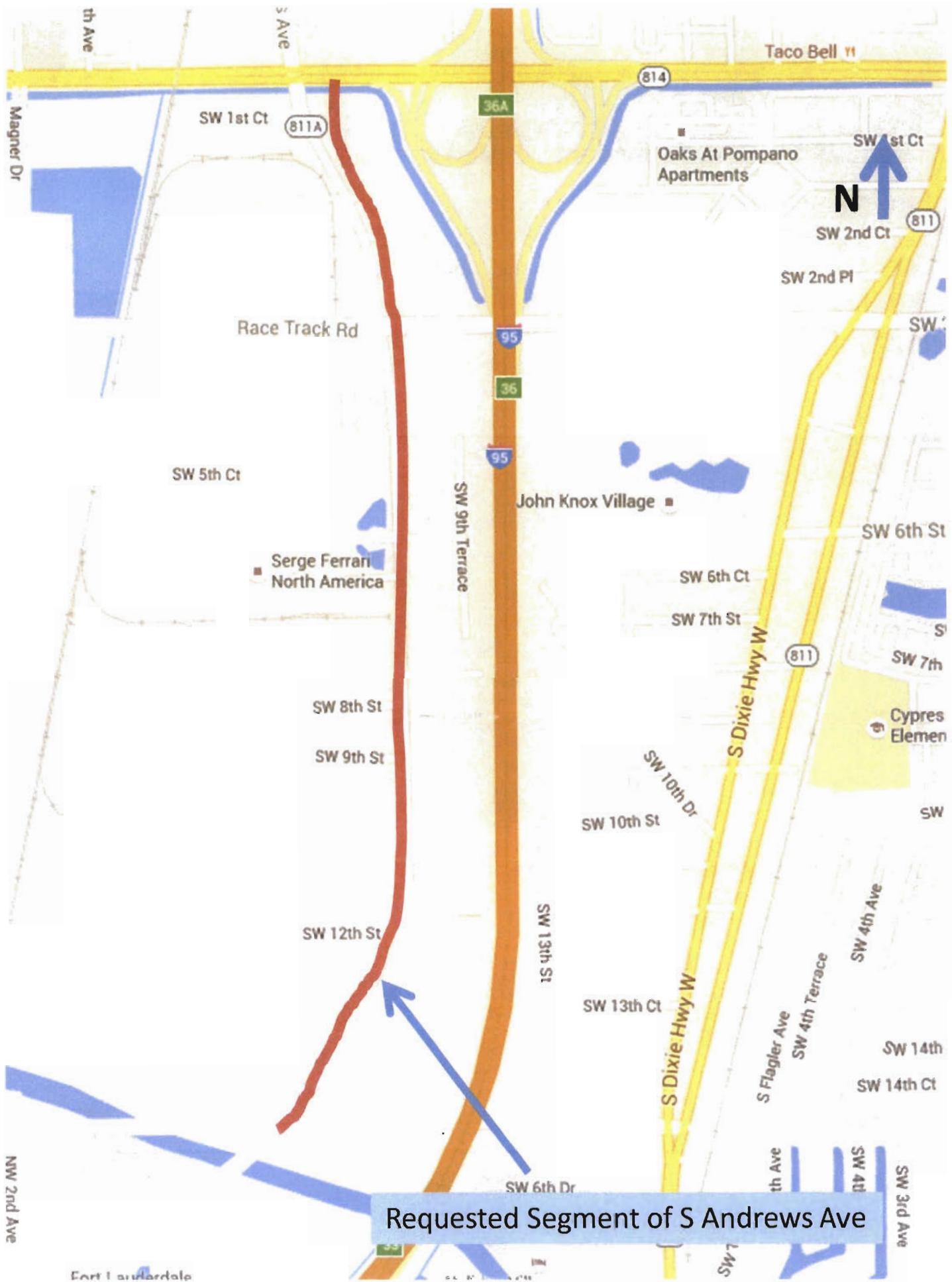
Address Changed: 10/25/2013

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

Castrovinci, Stacey  
150 SOUTH ANDREWS AVENUE, SUITE 201  
POMPANO BEACH, FL 33069



Requested Segment of S Andrews Ave