

City of Pompano Beach

City Commission Meeting

Commission Chambers

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, November 8, 2016

6:00 PM

City Commission

Lamar Fisher, Mayor

Charlotte J. Burrie, Vice Mayor

Barry Dockswell, Commissioner

Rex Hardin, Commissioner

Ed Phillips, Commissioner

Barry Moss, Commissioner

Dennis W. Beach, City Manager

Mark Berman, City Attorney

Asceletha Hammond, City Clerk

GOVERNMENT IN THE SUNSHINE

The State of Florida pioneered the concept of "Government in the Sunshine," and, accordingly, all meetings of the Pompano Beach City Commission – except those to discuss labor negotiations are public. The Commission welcomes the involvement and participation of the citizens.

PROCEDURE

The City Commission has adopted Robert's Rules of Order, Newly Revised.

CITY COMMISSION MEETING TIMES

The City Commission meets two (2) times a month:

Second Tuesday of the month: City Commission Meeting – 6:00 p.m.

Fourth Tuesday of the month: City Commission Meeting – 6:00 p.m.

ADDRESSING THE CITY COMMISSION

"Audience To Be Heard" is scheduled for a thirty (30) minute period at the beginning of the 6:00 p.m. City Commission Meeting, and will be continued to the end of the meeting for those speakers who were not heard during the initial thirty-minute period. All persons interested in speaking during "Audience To Be Heard" must fill out and submit a request form to the City Clerk prior to the call of order of the meeting. Speakers will be limited to three minutes to speak on any matter, which is NOT on the Regular Agenda, or removed from the Consent Agenda, and are requested to approach the podium and state his/her name and address and, if appropriate, the organization they represent, for the record. A request form can be found on the last page of the Agenda program.

HEARING IMPAIRED

If you require the services of a Sign Interpreter, please notify the City Manager's Office 24 hours in advance.

NOTE: Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

CALL TO ORDER

*The Honorable Lamar Fisher
Mayor, Presiding*

ROLL CALL

Asceleata Hammond, City Clerk

INVOCATION

*Dr. Greg Fitch
Hospital Chaplain*

PLEDGE OF ALLEGIANCE

Led by Asceleata Hammond, City Clerk

APPROVAL OF MINUTES

17-63 Regular City Commission Meeting Minutes of October 25, 2016

APPROVAL OF 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.

A. SPECIAL PRESENTATION

Mayor Fisher

17-40

Markham Elementary School - 50th Anniversary

Mayor Fisher and Dr. Craig Saddler, Principal of Markham Elementary School, will acknowledge Markham Elementary School on their 50th anniversary.

B. PROCLAMATIONS

Mayor Fisher

17-37

National Hunger, Homeless, and Youth Homeless Awareness Month

National Hunger, Homeless, and Youth Homeless Awareness Month proclamation presentation to James Whitworth, Director of Operations for the Broward Outreach Centers/The Caring Place and Michael R. Wright, MPA, Homeless Initiative Partnership/Continuum of Care Administrator.

17-38**Pompano Beach Holiday Boat Parade Day**

Pompano Beach Holiday Boat Parade Day Proclamation presentation by Mayor Fisher to Rhonda Bunker, Chair of this year's Boat Parade.

17-39**WOW Pompano Cooperative Community Beautification Award**

WOW Pompano cooperative community beautification proclamation and award presentation by Mayor Fisher and Diane Alford and Sherry Walters, Directors for Pompano Proud, to Phil Kassee owner of Phil's Heavenly Pizza.

C. 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.

D. CONSENT AGENDA**1. 16-245**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO ENTER INTO A FEDERAL FINANCIAL ASSISTANCE SUBRECIPIENT AGREEMENT WITH THE FLORIDA, DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$16,000)

(Staff Contact: Robin Bird/Karen Santen)

**2. 17-20**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO UPDATE AIRPORT MASTER PLAN AT POMPANO BEACH AIR PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$350,000)

(Staff Contact: Steven Rocco/Robert McCaughan)

3. 17-30

Approve ranking order for RLI L-60-16 Professional Engineering and Related Services for an Update to the Pompano Beach Airpark Master Plan, and authorize staff to negotiate a contract with the highest ranked firm Kimley-Horn and Associates, Inc.

(Fiscal Impact: No cost at this time.)

(Staff Contact: John Sfiropoulos/Steve Rocco)

4. **17-23** Approval of budget adjustments to align the budgets and eliminate negative variances in Fiscal Year 2016.
(Fiscal Impact: N/A)
(**Staff Contact:** Erjeta Diamanti/Brian Donovan)
5. **17-26** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DESIGNATING THE PARK LOCATED AT 220 E. ATLANTIC BOULEVARD AS THE BILL KEITH PARK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$500 provided to City by requester)
(**Staff Contact:** Rob McCaughan)
6. **17-32** Approval to award Bid #E-47-16 Pavement Marking (Co-operative Bid) to the lowest responsive bidder Amroad, LLC, to establish an annual contract. The estimated annual cost to the City for Pavement Marking is \$60,000.00.
(Fiscal Impact: \$60,000.00)
(**Staff Contact:** Robert McCaughan)
7. **17-33** Approval to award Bid #E-58-16, Janitorial Services for City Hall, Commission Chambers, and various City buildings to the lowest responsive, responsible bidder Image Janitorial Services Inc., in the amount of \$93,132.00 annually.
(Fiscal Impact: \$93,132.00)
(**Staff Contact:** Robert McCaughan/Harold Beard)
8. **17-36** Approval to purchase playground equipment for Community Park from BCI Burke Company, LLC per The Cooperative Purchasing Network (TCPN) contract R5199, at a total cost of \$127,794.58.
(Fiscal Impact: \$127,794.58)
(**Staff Contact:** Robert McCaughan/Harold Beard)
9. **17-44** Approval to purchase repairs for lift station 132 from Trio Development Corporation per Broward County contract Y1180908B1, at a total cost of \$50,546.80.
(Fiscal Impact: \$50,546.80)
(**Staff Contact:** A. Randolph Brown)

10. **17-45** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LUZ DEL MUNDO (LIGHT OF THE WORLD), INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$12,000)
(**Staff Contact:** Miriam Carrillo/Mark Korman)
11. **17-46** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND NEW HORIZON COMMUNITY DEVELOPMENT CORPORATION, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$10,000)
(**Staff Contact:** Miriam Carrillo/Mark Korman)
12. **17-47** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE RUSSELL LIFE SKILLS AND READING FOUNDATION, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$13,500)
(**Staff Contact:** Miriam Carrillo/Mark Korman)
13. **17-49** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND LEARNING FOR SUCCESS, INCORPORATED, PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$6,000)
(**Staff Contact:** Miriam Carrillo/Mark Korman)

14. **17-50** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SECOND CHANCE SOCIETY, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$8,000)
(**Staff Contact:** Miriam Carrillo/Mark Korman)
15. **17-52** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WOMEN IN DISTRESS OF BROWARD COUNTY, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$10,500)
(**Staff Contact:** Miriam Carrillo/Mark Korman)
16. **17-53** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COVENANT HOUSE FLORIDA, INC., PROVIDING FOR THE FUNDING AND ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$10,000)
(**Staff Contact:** Miriam Carrillo/Mark Korman)

17. **17-55** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2016-275 AND CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NORTHWEST 26TH AVENUE BETWEEN WEST ATLANTIC BOULEVARD AND NORTHWEST 2ND STREET TO A DUAL DESIGNATION OF NORTHWEST 26TH AVENUE AND REV. JOHN L. MOHORN, JR. AVENUE WITH NORTHWEST 26TH AVENUE TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$500 provided to the City)
(Staff Contact: Robert McCaughan)
18. **17-61** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBORDINATION AGREEMENT AMONG DOUGHERTY MORTGAGE LLC, REGENCY GARDENS APARTMENTS, LTD. AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)
(Staff Contact: Miriam Carrillo/Mark Korman)

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

19. **17-29** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE FIRE STATION 24 PLAT LYING ON A PARCEL OF LAND LOCATED AT NE 10TH STREET APPROXIMATELY 500 FEET WEST OF NORTH FEDERAL HIGHWAY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)
(Staff Contact: Maggie Barszewski/Robin Bird)
20. **17-34** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE FIRE STATION 61 PLAT LOCATED ON A PARCEL OF LAND LYING ON NW 3RD AVENUE, SOUTH OF COPANS ROAD AND COMMONLY KNOWN AS 2121 NW 3RD AVENUE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)
(Staff Contact: Maggie Barszewski/Robin Bird)

END OF QUASI-JUDICIAL PROCEEDING

21. **17-01****P.H. 2017-04: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, GRANTING AN ADDITIONAL 180-DAY TEMPORARY MORATORIUM ON ISSUANCE OF DEVELOPMENT ORDERS AND PERMITS AND ON THE PROCESSING OF APPLICATIONS INVOLVING USES RELATED TO MEDICAL CANNABIS; 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.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 25, 2016

(Staff Contact: Karen Friedman/Robin Bird)

22. **17-14****P.N. 2017-05: (PUBLIC HEARING 2ND READING)**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY LOCATED IN THE NORTHEAST QUADRANT OF WEST ATLANTIC BOULEVARD AND THE FLORIDA TURNPIKE, IDENTIFIED BY FOLIO NO. 484232190020, 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.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 25, 2016

(Staff Contact: Chris Clemens/Greg Harrison)

23. 17-24

P.H. 2017-06: (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 AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, MATHEWS CONSULTING, INC. AND BAXTER & WOODMAN, INC. FOR THE CONTINUING CONTRACT FOR ENGINEERING SERVICES FOR VARIOUS CITY WATER AND REUSE TREATMENT PLANT PROJECTS; PROVIDING FOR SEVERABILITY PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

24. 16-208

P.H. 2017-07: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, AMENDING CHAPTER 151, "BEACHES AND WATERWAYS," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 151.03, "STRUCTURES IN WATERWAYS," TO MODIFY REQUIREMENTS FOR DOCK AGREEMENTS BETWEEN ABUTTING PROPERTY OWNERS REGARDING DOCKS EXTENDING BEYOND PERMITTED PROPERTY LINE AREAS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

25. 17-31

P.H. 2017-08: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA AUTHORIZING THE APPROVAL OF A CONTRACT WITH OFFICE DEPOT, INC. FOR THE PURCHASE OF OFFICE SUPPLIES AS NEEDED PURSUANT TO THE PRICING, TERMS AND CONDITIONS AS PROVIDED FOR IN CITY OF TAMARAC, FLORIDA, RFP 13-23R, ISSUED ON BEHALF OF THE SOUTHEAST FLORIDA GOVERNMENTAL PURCHASING COOPERATIVE, IN THE APPROXIMATE AMOUNT OF \$163,000 PER YEAR; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$163,000)

(Staff Contact: Otis J. Thomas)

26. 17-42

P.H. 2017-09: (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 AN ASSIGNMENT AND ASSUMPTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, MATHEWS CONSULTING, INC. AND BAXTER & WOODMAN, INC. FOR CIVIL ENGINEERING SERVICES FOR VARIOUS CITY PROJECTS; PROVIDING FOR SEVERABILITY PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

27. 17-57

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 26, 2018; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Janice Griffin - (Incumbent) - District 3

Velma Flowers - (Incumbent) - District 4

Colleen Murphy - (Alternate 1/Incumbent) - District 1

Alice Chattman - (Alternate 2/Incumbent) - District 4

(Staff Contact: Asceleta Hammond)



28. 17-58

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 26, 2018; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO. 17-57 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)



29. **17-59** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE 1, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 26, 2018; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO. 17-57 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)



30. **17-60** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE 2, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON NOVEMBER 26, 2018; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO. 17-57 FOR APPLICANTS.

(Staff Contact: Asceleta Hammond)



F. REPORTS

City Manager

City Attorney

City Clerk

City Commission

G. ADJOURNMENT

BALANCE IN CONTINGENCY

Oct. 1, 2016

Beginning Balance

\$10,000.00

**CITY OF POMPANO BEACH, FLORIDA
AUDIENCE TO BE HEARD
REQUEST FORM**

NAME: _____

TITLE: _____

COMPANY: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____ EMAIL: _____

PHONE: _____ FAX: _____

EACH SPEAKER IS LIMITED TO THREE (3) MINUTES

SUBJECT YOU DESIRE TO SPEAK ON:

NOTE: THIS FORM MUST BE COMPLETED AND HANDED TO THE CITY CLERK PRIOR TO THE CALL TO ORDER OF THE MEETING. THE CITY CLERK WILL CALL RESIDENTS AND/OR TAXPAYERS, TO INCLUDE AUTHORIZED REPRESENTATIVES FOR PERSONS PERMITTED TO BE HEARD, AS WELL AS EMPLOYEES OF THE CITY TO SPEAK FIRST. OTHERS DESIRING TO SPEAK WILL THEREAFTER BE CALLED TO SPEAK, EXCEPT WHEN THE PERSON IS A USER OF THE CITY'S WATER OR SEWER SYSTEM AND WISHES TO BE HEARD ON A MATTER RELATED TO THE CITY'S WATER AND/OR SEWER SYSTEM.