

# **City of Pompano Beach**

**City Commission Meeting**

**Commission Chambers**

*100 West Atlantic Blvd.*

*Pompano Beach, FL 33060*



## **Agenda**

**Tuesday, March 28, 2017**

**6:00 PM**

### **City Commission**

*Lamar Fisher, Mayor*

*Charlotte J. Burrie, Vice Mayor*

*Rex Hardin, Commissioner*

*Barry Moss, Commissioner*

*Beverly Perkins, Commissioner*

*Michael Sobel, Commissioner*

*Gregory P. Harrison, City Manager*

*Mark Berman, City Attorney*

*Asceletha Hammond, City Clerk*

**CALL TO ORDER**

*The Honorable Lamar Fisher  
Mayor, Presiding*

**ROLL CALL**

*Asceleta Hammond, City Clerk*

**INVOCATION**

*Pastor Brad Jones  
CityChurch Pompano Beach*

**PLEDGE OF ALLEGIANCE**

*Led by Asceleta Hammond, City Clerk*

**APPROVAL OF MINUTES**

- |               |  |
|---------------|--|
| <b>17-320</b> | Regular City Commission Meeting Minutes of March 14, 2017    |
| <b>17-325</b> | Special City Commission Meeting Minutes of November 21, 2016 |
| <b>17-327</b> | City Commission Workshop Minutes of January 21, 2011         |

**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 RECOGNITION****17-321      Capital Group Developments To Be Recognized**

Mayor Lamar Fisher will recognize Mario Caprini, President and CEO of Capital Group Developments, regarding a home being built on a lot designated for affordable housing. Capital Group built the “Modernista” home located at 4620 NE 18th Avenue using the latest in green building technology. It is one of seven homes Capital Group is building in Pompano Beach as part of a city program to revitalize neighborhoods and promote affordable housing.

**B. PROCLAMATIONS****17-312      Pompano Beach Firefighter Appreciation Month**

Mayor Lamar Fisher along with Jeaneece Washington, Fundraising Coordinator for MDA, will recognize the Pompano Beach Firefighters for their efforts on behalf of the Muscular Dystrophy Association. Accepting a proclamation on behalf of the firefighters will be Paramedic-Firefighter Mike Cleveland, Fire Captain Jason Leutzinger, Fire Chief John Jurgle, Assistant Fire Chief Michael Hohl, and Training Commander and Fire Union President Ted Martin.


**17-318      Saint Gabriel Catholic Church Day**




Mayor Lamar Fisher will recognize Saint Gabriel Catholic Church on their 50th anniversary. Joanne Kralich will accept a proclamation on behalf of the church.



**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.     **17-324**     Approval to award Bid L-24-17, Cultural Center Relocatable Lighting, to the lowest responsive and responsible bidder, Stage Equipment and Lighting, Inc., in the amount of \$90,222.00.  
(Fiscal Impact: \$90,222.00)  
(Staff Contact: Mark A. Beaudreau)
2.     **17-295**     Approval to award Bid #E-16-17 Margate Water System Atlantic Boulevard Interconnect Upgrade to the lowest responsive responsible bidder, Southeastern Engineering Contractors, Inc., at a cost of \$135,868.00.  
(Fiscal Impact: \$135,868.00)  
(Staff Contact: A. Randolph Brown)
3.     **17-297**     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 \$110,450.00 PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CB&I ENVIRONMENTAL & INFRASTRUCTURE, INC. FOR PROFESSIONAL SURVEYING AND MAPPING SERVICES; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$110,450.00)  
(Staff Contact: A. Randolph Brown) 
4.     **17-303**     A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LOCAL AGENCY PROGRAM SUPPLEMENTAL AGREEMENT BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF POMPANO BEACH FOR THE IMPROVEMENTS TO DR. MARTIN LUTHER KING, JR. BOULEVARD FROM THE FLORIDA TURNPIKE TO POWERLINE ROAD (SR 845); PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)  
(Staff Contact: Horacio Danovich)

5.     **17-311**     A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE HEARTBEAT FOUNDATION CORP., TO CONDUCT A BRAZILIAN LUAU ON THE GREAT LAWN; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$3,120 in In-kind Services)  
(**Staff Contact:** Mark A. Beaudreau) 
6.     **17-314**     A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A STATE-FUNDED GRANT AGREEMENT WITH THE STATE OF FLORIDA, DIVISION OF EMERGENCY MANAGEMENT, FOR THE PURPOSE OF INCREASING THE AMOUNT OF GRANT FUNDING FROM \$194,000.00 TO \$394,000.00 TO PROVIDE RESIDENTIAL WIND MITIGATION RETROFIT IMPROVEMENTS; AUTHORIZING THE CITY MANAGER TO ACCEPT THE GRANT AND TO EXECUTE ALL APPROPRIATE DOCUMENTS; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: \$394,000.00)  
(**Staff Contact:** Miriam Carrillo/Mark Korman) 
7.     **17-315**     A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA HOUSING FINANCE CORPORATION FOR HHF ADVISOR SERVICES FOR THE HFA HARDEST HIT FUND UNEMPLOYMENT MORTGAGE ASSISTANCE PROGRAM AND MORTGAGE LOAN REINSTATEMENT PROGRAM; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)  
(**Staff Contact:** Miriam Carrillo/Mark Korman) 

8. **17-326** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, URGING THE FLORIDA LEGISLATURE TO OPPOSE SENATE BILL 1770 AND HOUSE BILL 13 WHICH WILL PHASE OUT COMMUNITY REDEVELOPMENT AGENCIES AND WOULD NOT ALLOW ANY NEW CRA PROJECTS OR DEBT AFTER OCTOBER 1, 2017; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)  
(Staff Contact: Kim Briesemeister/Phyllis A. Korab)
9. **17-304** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **MONA SILVERSTEIN** TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS THE APPOINTEE OF COMMISSIONER BARRY MOSS, WHICH TERM SHALL COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)  
(Staff Contact: Asceleta Hammond) 
10. **17-305** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **TOBI AYCOCK** TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS THE APPOINTEE OF COMMISSIONER REX HARDIN, WHICH TERM SHALL COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)  
(Staff Contact: Asceleta Hammond) 

#### **E. REGULAR AGENDA**

11. **17-292** A presentation of the Actuarial Valuation Report for the City of Pompano Beach Police & Firefighters' Retirement System as of October 1, 2016 by Mr. David Harris of The Nyhart Company, Inc.  
(Fiscal Impact: N/A)  
(Staff Contact: Suzette Sibble)
12. **17-313** Presentation of the City of Pompano Beach Comprehensive Annual Financial Report, Single Audit Reports and Management Letter for the Fiscal Year ended September 30, 2016 and the results of the annual audit by Marcum LLP, Independent Certified Public Accountants.  
(Fiscal Impact: N/A)  
(Staff Contact: Andrew Jean-pierre)

**QUASI-JUDICIAL PROCEEDING**13.    **17-319****P.H. 2017-35: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A FIVE FOOT UTILITY EASEMENT LOCATED AT THE CORNER OF SE 28TH AVENUE AND SE 7TH STREET AND COMMONLY KNOWN AS 605 SE 28TH AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Maggie Barszewski/Robin Bird)

**END OF QUASI-JUDICIAL PROCEEDING**14.    **17-294****P.H. 2017-36: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO PROVIDE A DEFINITION OF AND STANDARDS GOVERNING LOCATION OF ATHLETIC COURTS OR FIELDS; BY AMENDING SECTION 155.5302, "FENCES AND WALLS," TO PROVIDE STANDARDS FOR FENCING PROVIDED AS PART OF A PERMITTED ATHLETIC COURT OR FIELD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Karen Friedman/Robin Bird)

15. 17-296

**P.H. 2017-37: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE AMENDING CHAPTER 155, "ZONING CODE," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING §155.3501., "TRANSIT ORIENTED (TO)," TO MODIFY REQUIREMENTS AND STANDARDS FOR BUILDING CONFIGURATION AND DESIGN FOR DEVELOPMENT IN THE DISTRICT; BY AMENDING §155.3708., "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT," TO MODIFY REQUIREMENTS FOR THE DENSITY REGULATING PLAN AND MODIFIED DENSITY STANDARDS AND PROVIDE REQUIREMENTS FOR AREAS THAT FALL WITHIN THE TRANSIT CORE AREA BOUNDARY, AND MODIFYING THE DIMENSIONAL STANDARDS AND USE STANDARDS FOR NEW AND EXISTING DEVELOPMENT LOCATED WITHIN THE DISTRICT AND SUBSTITUTING THE CORRESPONDING DENSITY REGULATING PLAN MAP TO INCLUDE THE TRANSIT CORE AREA BOUNDARY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Karen Friedman/Robin Bird)

16. 17-302

Approval to award Bid L-14-17, Pompano Beach Airpark Extension of Taxiway G, to the lowest responsive, responsible bidder Hardrives of Delray, Inc., in the amount of \$3,608,801.30.

(Fiscal Impact: \$721,760.00, cost share for City)

(Staff Contact: Robert McCaughan/Steve Rocco)

17. 17-298

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 \$597,325 PURSUANT TO THE SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND ODYSSEY MANUFACTURING CO. FOR THE WATER TREATMENT PLANT CARBON DIOXIDE SYSTEM REPLACEMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$597,325.00)

(Staff Contact: A. Randolph Brown)





18. **17-301**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED (1) \$46,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING CERTAIN PUBLIC SAFETY PROJECTS, (2) \$56,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING CERTAIN PARKS, RECREATION AND LEISURE PROJECTS, AND (3) \$77,000,000 AGGREGATE PRINCIPAL AMOUNT OF CITY OF POMPANO BEACH, FLORIDA GENERAL OBLIGATION BONDS FOR THE PRINCIPAL PURPOSE OF FINANCING OR REIMBURSING, ALL OR IN PART, TOGETHER WITH OTHER LEGALLY AVAILABLE FUNDS, THE COST OF ACQUIRING, CONSTRUCTING, EQUIPPING, RENOVATING, REPLACING AND IMPROVING STREETS, SIDEWALKS, BRIDGES AND STREETSCAPING PROJECTS, IN EACH CASE, AS MORE FULLY DESCRIBED HEREIN, AND SUBJECT TO THE BOND REFERENDUM HEREIN PROVIDED FOR AND SUBSEQUENT PROCEEDINGS OF THE CITY COMMISSION OF THE CITY, SUCH BONDS TO BE PAYABLE FROM THE FULL FAITH AND CREDIT AND UNLIMITED AD VALOREM TAXING POWER OF THE CITY; PROVIDING FOR AND CALLING A BOND REFERENDUM OF THE QUALIFIED ELECTORS OF THE CITY TO BE HELD ON AUGUST 8, 2017; PROVIDING FOR OFFICIAL BALLOTS; PROVIDING FOR BOND REFERENDUM PROCEDURES; PROVIDING FOR OTHER MATTERS AND GENERAL AUTHORIZATIONS IN CONNECTION WITH THE FOREGOING; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALING CLAUSES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Suzette Sibble)



19. **17-278** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LETTER AGREEMENT TO RETAIN THE LAW FIRM OF GREENSPOON MARDER, P.A. TO SERVE AS BOND COUNSEL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Maximum \$86,000.00)

**TABLED FROM MARCH 14, 2017**

(Staff Contact: Suzette Sibble)

20. **17-293** A RESOLUTION APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN POMPANO BEACH LODGE #1898, BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA, INC. F/K/A POMPANO BEACH ELKS CLUB, INC. AND THE CITY OF POMPANO BEACH FOR THE PURCHASE OF PROPERTY LOCATED AT 700 NE 10TH STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$5,500,000.00)

(Staff Contact: Gregory P. Harrison)

21. **17-306** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF GARY RUDERMAN, ALTERNATE #2; SAID TERM TO EXPIRE ON JULY 1, 2019; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Des Frazier - District 4

Corey Thompson - District 4

Richard Sasso - City of Lighthouse Point

(Staff Contact: Asceletha Hammond)



22. **17-307**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH, TO FILL THE UNEXPIRED TERM OF BARBARA ARMBRISTER-BOYNTON, ALTERNATE #2; SAID TERM TO EXPIRE ON JUNE 13, 2018; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Claudia Mazzocchetti - District 1

Jacqueline Reed - District 2

Tom McMahon - District 3


John Way - District 3

Carmen Jones - District 4

Jazzmann LeSane - District 4

Marguerite K. Luster - District 4

Mona Silverstein - District 5

(Staff Contact: Asceleta Hammond) 

23. **17-308**

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 TO FILL THE UNEXPIRED TERM OF COLLEEN MURPHY, ALTERNATE #1; SAID TERM TO EXPIRE ON NOVEMBER 26, 2018; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)


**APPLICANTS:**

Alice Chattman - (Alternate #2) - District 4

Mary Antoine - District 1

Keith Haag - District 1

Claudia Mazzocchetti - District 1

(Staff Contact: Asceleta Hammond) 

24. **17-309**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING\_\_\_\_\_TO THE GENERAL EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF ROBERT S. MOGAVERO; SAID TERM TO EXPIRE ON DECEMBER 16, 2017; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**APPLICANTS:**

Raymond Nies - District 1

Phillip Smith - District 1

Edith Kappler - District 1

Pamela G. Moore - District 2

George M. Abraham - District 3

Kenneth A. Campbell - District 3

Susan M. Gingerich - District 5

Michael A. Franklin - City of Fort Lauderdale

(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
	Total:	\$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:

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**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.