CALL TO ORDER  

The Honorable Lamar Fisher  
Mayor, Presiding  

ROLL CALL  

Mary L. Chambers, MMC,  
City Clerk  

INVOCATION  

Minister David Potter  
St. Stephen Lutheran Church  

PLEDGE OF ALLEGIANCE  

Led by Mary L. Chambers, MMC,  
City Clerk  

APPROVAL OF MINUTES  

APPROVED AS SUBMITTED  
City Commission Workshop Minutes  
of February 22, 2013  

APPROVED AS SUBMITTED  
City Commission Meeting Minutes  
of April 23, 2013  

APPROVAL OF THE AGENDA  

APPROVED AS AMENDED  
City Commission  

PROCLAMATIONS  

Mayor Lamar Fisher  

National Safe Boating Week: Gwendolyn S. Leys, U.S. Coast Guard  

National Day of Remembrance: Roger Rafajki, American Legion Commander  

Viva Florida 500: Melissa Schechter, Florida Department of State Viva Florida 500 Liaison  

Emergency Medical Services Week: John Jurgle, City of Pompano Beach Fire Chief  

Water Reuse Week: A. Randolph Brown, City of Pompano Beach Utilities Director  

SPECIAL PRESENTATIONS  

Mayor Fisher and Willie Hopkins, Assistant City Manager, presented the 2013 Blanche Ely Scholarship Awards to the following students:
SPECIAL PRESENTATIONS – CONTINUED

Two/Two Year Scholarships

Maresha Mincey
Blanche Ely High

College/University

University of Florida

Two-Year Scholarships

Abraham Garduno-Gonzalez
Deerfield Beach High

Barry University

Bryan Velez
Northeast High School

Florida State University

Evens Orinvil
Deerfield Beach High School

FAMU

Monishia Lanot
Pompano Beach High School

Florida Atlantic University

Victoria Johnson
Blanche Ely High School

Bethune Cookman University

AUDIENCE TO BE HEARD

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

CONSENT AGENDA

ADOPTED

1. RES. NO. 2013-217: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 2013 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL ORDINANCE; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan)
CONSENT AGENDA – CONTINUED

ADOPTED

2. RES. NO. 2013-221: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 2013 AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH PROVIDING FOR DIVISION AND DISTRIBUTION OF THE PROCEEDS FROM THE BROWARD COUNTY FIFTH CENT ADDITIONAL LOCAL OPTION GAS TAX ON MOTOR FUEL FOR TRANSIT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Brian Donovan)

ADOPTED


(Staff Contact: Brian Donovan)

ADOPTED

4. RES. NO. 2013-223: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FOURTH AMENDMENT TO THE CONTRACT FOR DISASTER DEBRIS RECOVERY SERVICES BETWEEN THE CITY OF POMPANO BEACH AND ASHBRIJT, INC.; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)

ADOPTED

5. RES. NO. 2013-224: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FOURTH AMENDMENT TO THE CONTRACT FOR DISASTER DEBRIS RECOVERY SERVICES BETWEEN THE CITY OF POMPANO BEACH AND CROWDER-GULF JOINT VENTURE, INC.; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan)
CONSENT AGENDA – CONTINUED

ADOPTED
6. **RES. NO. 2013-225:** 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 XPRESS YOUTH DEVELOPMENT INSTITUTE, INC., TO PROVIDE LEADERSHIP, ADMINISTRATIVE AND COACHING SERVICES TO COMPETITIVE YOUTH TRACK LEAGUES IN THE CITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mark Beaudreau)

ADOPTED
7. **RES. NO. 2013-226:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER TO EXECUTE SUBORDINATIONS FOR HOUSING REHABILITATION AND PURCHASE ASSISTANCE MORTGAGES ON BEHALF OF THE CITY PROVIDING CERTAIN CRITERIA ARE MET; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Miriam Carrillo)

ADOPTED
8. **RES. NO. 2013-227:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CUSTOMER AUTHORIZATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CARRIER RENTAL SYSTEMS, INC.; PROVIDING AN EFFECTIVE DATE. (Fiscal impact: $51,685)

(Staff Contact: Robert A. McCaughan)

ADOPTED
9. **RES. NO. 2013-228:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT WITH BROWARD COUNTY, FOR THE PURPOSE OF OBTAINING GRANT FUNDS FROM THE FY 2010 URBAN AREA SECURITY INITIATIVE IN THE AMOUNT OF $52,000.00 FOR ENHANCEMENTS TO THE POMPANO BEACH EMERGENCY OPERATIONS CENTER; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Kimberly H. Spill)
CONSENT AGENDA – CONTINUED

ADOPTED

10. **RES. NO. 2013-229:** 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 KING FREDDIE LODGE #86, INC. PURSUANT TO THE CITY’S ADOPT-A-STREET PROGRAM; PROVIDING AN EFFECTIVE DATE.

   (Staff Contact: Robert A. McCaughan/Russell Ketchem)

ADOPTED

11. **RES. NO. 2013-230:** 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 JAG-STAR POMPANO, L.L.C., RELATING TO PROPERTY LOCATED AT 4411 NORTH FEDERAL HIGHWAY; PROVIDING AN EFFECTIVE DATE.

   (Staff Contact: Robin M. Bird/Jean E. Dolan)

APPROVED

12. Approval of a budget adjustment in the amount of $60,000 for expenses associated with medical supplies.

   (Staff Contact: John Jurgle)

APPROVED

13. Approval to purchase bunker gear, as needed, per the Lake County contract #12-0806 from Ten-8 Fire Equipment, Inc. (Total cost: $70,363.20)

   (Staff Contact: John Jurgle)

ADOPTED

14. **RES. NO. 2013-231:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **JOHN F. PETRONE** TO THE COMMUNITY DEVELOPMENT ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER CHARLOTTE BURRIE FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; SAID TERM TO EXPIRE ON DECEMBER 11, 2014; PROVIDING AN EFFECTIVE DATE.

   (Staff Contact: Mary L. Chambers)
CONSENT AGENDA – CONTINUED

ADOPTED

15. RES. NO. 2013-232: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING SHERRELL COOPER LOPEZ TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER WOODROW POITIER FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING COMMISSIONER; SAID TERM TO EXPIRE ON NOVEMBER 11, 2014; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

ADOPTED

16. RES. NO. 2013-233: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MICHELLE RHOULHAC TO THE COMMUNITY APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF MAYOR LAMAR FISHER FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING MAYOR; SAID TERM TO EXPIRE ON NOVEMBER 8, 2016; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

ADOPTED

17. RES. NO. 2013-234: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING BARBARA ARMBRISTER-BOYNTON TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF MAYOR LAMAR FISHER FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING MAYOR; SAID TERM TO EXPIRE ON NOVEMBER 8, 2016; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

ADOPTED

18. RES. NO. 2013-235: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING ELIZABETH ROBINSON MASSEY TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER WOODROW POITIER FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING COMMISSIONER; SAID TERM TO EXPIRE ON NOVEMBER 11, 2014; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)
CONSENT AGENDA – CONTINUED

ADOPTED

19. **RES. NO. 2013-236:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING EVELYNE “LYNNE” WARRICK TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS APPOINTEE OF COMMISSIONER CHARLOTTE BURRIE FOR A TERM TO COINCIDE WITH THE TERM OF THE APPOINTING COMMISSIONER; SAID TERM TO EXPIRE ON NOVEMBER 11, 2014; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

APPROVED

20. Approval to award Bid #T-21-13, “Highlands Park New Bathroom and Shelter Building to the low bidder, West Construction, Inc., in the amount of $232,910.00.

(Staff Contact: Robert A. McCaughan)

ADOPTED

21. **RES. NO. 2013-237:** 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 EMS COUNTY GRANT FUNDING AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR A HANDTEVY PEDIATRIC SYSTEM; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: John Jurgle)

ADOPTED

22. **RES. NO. 2013-238:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 1 IN THE AMOUNT OF $13,900.00 PURSUANT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND VIKTOR CONSTRUCTION, CORP. FOR THE TRAFFIC SIGNAL MAST ARM PAINTING PROJECT; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Robert A. McCaughan/Louis Friend)
CONSENT AGENDA – CONTINUED

ADOPTED

23. RES. NO. 2013-239: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PUBLIC TRANSPORTATION JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RELATING TO GENERAL AVIATION SECURITY ENHANCEMENTS AT THE POMPANO BEACH AIR PARK; PROVIDING AN EFFECTIVE DATE. (Total grant share – FDOT $111,200.00 & City $28,800.00)

(Staff Contact: Robert A. McCaughan/Steve Rocco)

ADOPTED

24. RES. NO. 2013-240: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE CAPITAL IMPROVEMENT PLAN FOR THE CITY OF POMPANO BEACH FOR FISCAL YEARS 2013 THROUGH 2017 TO INCLUDE A PROJECT FOR AIR PARK SECURITY ENHANCEMENTS; ESTABLISHING THE APPROPRIATE BUDGET FOR FY 2013; PROVIDING AN EFFECTIVE DATE. (Total project cost is $139,000: FDOT’s Share is $111,200 – City’s share is $27,800)

(Staff Contact: Robert A. McCaughan/Steve Rocco)

ADOPTED

25. RES. NO. 2013-241: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CARMEN JONES TO THE BUDGET REVIEW COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF MAYOR LAMAR FISHER FOR A TERM TO COINCIDE WITH THE TERM OF OFFICE OF SAID APPOINTING MAYOR, SAID TERM TO EXPIRE ON DECEMBER 11, 2016; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Mary L. Chambers)

APPROVED


(Staff Contact: A. Randolph Brown)
CONSENT AGENDA – CONTINUED

ADOPTED

27. RES. NO. 2013-242: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING AN ASSISTANT CITY ATTORNEY AND ESTABLISHING A SALARY TO BE PAID; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Gordon B. Linn)

ADOPTED

28. RES. NO. 2013-243: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ADOPTING REVISED HOUSING REHABILITATION GUIDELINES; PROVIDING AN EFFECTIVE DATE.

(Staff Contact: Miriam Carrillo)

REGULAR AGENDA

TABLED TO THE MAY 28, 2013 CITY COMMISSION MEETING

29. RES. NO. 2013-: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTED PURSUANT TO SECTION 164.1052, F.S., DECLARING THE INTENT OF THE CITY COMMISSION TO INITIATE THE CONFLICT ASSESSMENT AND RESOLUTION PROCEDURES SET FORTH IN CHAPTER 164, F.S., WITH BROWARD COUNTY; FINDING THAT A CONFLICT EXISTS BETWEEN THE CITY AND BROWARD COUNTY PERTAINING TO THE COUNTY’S LEGAL OBLIGATION TO PROVIDE COUNTYWIDE FUNDING FOR THE E911 COMMUNICATIONS INFRASTRUCTURE; AUTHORIZING AND DIRECTING THE CITY MANAGER TO PREPARE AND FORWARD A CERTIFIED COPY OF THIS RESOLUTION AND THE REQUIRED CERTIFIED LETTER TO THE COUNTY ADMINISTRATOR PURSUANT TO SECTION 164.1052, FLORIDA STATUTES; DIRECTING THE CITY CLERK TO TRANSMIT A COPY OF THIS RESOLUTION TO THE BROWARD LEAGUE OF CITIES AND ALL MUNICIPALITIES IN BROWARD COUNTY; AUTHORIZING THE APPROPRIATE CITY OFFICIALS TO TAKE ALL STEPS NECESSARY TO EFFECTUATE THIS RESOLUTION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

TABLED: APRIL 23, 2013

(Staff Contact: Dennis W. Beach/Gordon B. Linn/Susan Delegal)
REGULAR AGENDA – CONTINUED

INFORMATIONAL ITEM ONLY – NO ACTION TAKEN

30. A presentation to the City Commission for consideration of reports by Webb Management Services, Inc. regarding the Pompano Beach Amphitheater and combined governance and operations of Pompano Beach cultural facilities.

(Staff Contact: Mark Beaudreau)

QUASI-JUDICIAL PROCEEDING

ADOPTED

31. P.H. 2013-62; ORD. NO. 2013-53: (ORDINANCE 2ND READING) AN ORDINANCE AMENDING CHAPTER 155, “ZONING CODE,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY REZONING A PARCEL OF PROPERTY LYING WEST OF I-95, EAST OF THE CSX RAILROAD AND NORTH OF COPANS ROAD FROM I-1 (INDUSTRIAL) WITH A MODIFIED PCI OVERLAY (PLANNED COMMERCIAL/INDUSTRIAL OVERLAY) TO I-1 (INDUSTRIAL) WITH A RE-MODIFIED PCD (PLANNED COMMERCIAL/INDUSTRIAL OVERLAY DISTRICT); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: APRIL 23, 2013

(Staff Contact: Jean E. Dolan/Robin M. Bird)

ADOPTED

32. P.H. 2013-53; ORD. NO. 2013-54: (ORDINANCE 2ND READING) AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING EAST OF BLANCHE ELY AVENUE (NW 6TH AVENUE) AND APPROXIMATELY 222 FEET SOUTH OF THE F.E.C. RAILROAD RIGHT-OF-WAY AND COMMONLY REFERRED TO AS 1210 NW 6TH AVENUE FROM B-2 (GENERAL BUSINESS) AND RS-4 (SINGLE-FAMILY RESIDENCE) TO RM-30 (MULTIPLE-FAMILY RESIDENCE); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

FIRST READING: APRIL 23, 2013

(Staff Contact: Jean E. Dolan/Robin M. Bird)
33. **P.H. 2013-63; ORD. NO. 2013-…:** (PUBLIC HEARING 1ST READING)

An ordinance of the City of Pompano Beach, Florida, rezoning property lying south of Atlantic Boulevard (S.R. 814) and both east and west of the south terminus of NE 5th Avenue from B-3 (General Business), RM-20 (Multi-Family) and RM-30 (Multi-Family) to RUPD (Residential Planned Unit Development); providing for conformance to an approved master plan; providing for allocation of the flexibility rule for commercial use; providing for severability; providing an effective date.

(Staff Contact: Robin M. Bird/Jean E. Dolan)

34. **P.H. 2013-57; ORD. NO. 2013-55:** (ORDINANCE 2ND READING)

An ordinance of the City Commission of the City of Pompano Beach, Florida, providing for the amendment of the new zoning code, Chapter 155, “ZONING CODE,” of the City of Pompano Beach Code of Ordinances; by amending Section 155.2407; “SITE PLAN,” to require a minor site plan development order for sidewalk cafes; by amending Section 155.4303, “STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES,” to establish sidewalk cafes as an outdoor seating use, by altering standards for outdoor seating, by creating standards specific to sidewalk cafes and by providing for revocation of sidewalk cafe permits; by amending Article 9, Part 5, “TERMS AND USES DEFINED,” to define sidewalk cafes and amend definition of sidewalk and outdoor seating; and by amending Appendix C: “FEE SCHEDULE,” to establish a fee for outdoor seating and sidewalk cafe permits; providing for severability; providing an effective date.

FIRST READING: APRIL 23, 2013

(Staff Contact: Robin M. Bird/Amanda B. Parker)
35. P.H. 2013-58; ORD. NO. 2013-56: (ORDINANCE 2ND READING)
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE CODE OF ORDINANCES TO PROVIDE FOR COMPLIANCE WITH THE INTERNAL REVENUE CODE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING FOR A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.
FIRST READING: APRIL 23, 2013
(Staff Contact: Glenda Rowley, Pension Board Administrator & Michael Smith)
APPROVED FIRST READING

36. P.H. 2013-64; ORD. NO. 2013----: (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 AMENDED AND RESTATATED LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Staff Contact: Phyllis A. Korab)
APPROVED FIRST READING

37. P.H. 2013-71; ORD. NO. 2013----: (PUBLIC HEARING 1ST READING)
AN ORDINANCE OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, “PARKS AND PLAYGROUNDS,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH RELATING TO THE POMPANO BEACH GOLF COURSE BY AMENDING SECTION 98.35, “FEES,” TO REVISE RAIN CHECK POLICY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Staff Contact: Mark Beaudreau/Greg Martzolf)
APPROVED FIRST READING AS AMENDED

38. P.H. 2013-70; ORD. NO. 2013-…:  (PUBLIC HEARING 1ST READING)
AN ORDINANCE AMENDING CHAPTER 96, “HEALTH AND SAFETY,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.26, “PUBLIC NUISANCES,” TO DETERMINE NON-PERMITTED RECYCLING DROP-OFF STATIONS CONSTITUTE A PUBLIC NUISANCE DUE TO WINDSTORM HAZARD; BY CREATING SECTION 96.37, “ADDITIONAL PROVISIONS FOR ABATEMENT OF UNAUTHORIZED RECYCLING DROP-OFF STATIONS,” TO PROVIDE FOR REMOVAL, NOTICE, STORAGE, DISPOSAL OR RETURN OF, COSTS FOR, AND APPEAL OF COSTS FOR UNAUTHORIZED RECYCLING DROP-OFF STATIONS; BY AMENDING CHAPTER 131, “OFFENSES AGAINST PERSONS AND PROPERTY,” BY CREATING SECTION 131.22, “DELIVERY OF UNAUTHORIZED RECYCLING DROP-OFF STATIONS,” TO MAKE THE DELIVERY OR DEPOSIT OF UNAUTHORIZED RECYCLING STATIONS A VIOLATION OF THE CITY’S CODE OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact:  Mark Berman/Gordon B. Linn)

APPROVED FIRST READING

39. P.H. 2013-69; ORD. NO. 2013-…:  (PUBLIC HEARING 1ST READING)
AN ORDINANCE AMENDING CHAPTER 37, “POMPANO BEACH CODE ENFORCEMENT,” OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY CREATING SECTION 37.12, “ALTERNATE CODE ENFORCEMENT PROCEDURES,” TO PROVIDE FOR SUPPLEMENTAL ENFORCEMENT OF CITY CODES BY A CITATION PROCESS; PROVIDING PROCEDURES AND REQUIREMENTS FOR SAID PROCESS; PROVIDING FOR HEARINGS, PENALTIES, COLLECTIONS, APPEALS AND RELEASE OF LIENS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact:  Mark Berman/Dennis W. Beach)

APPROVED FIRST READING

40. P.H. 2013-72; ORD. NO. 2013-…..:  (PUBLIC HEARING 1ST READING)
AN ORDINANCE AMENDING CHAPTER 96, “HEALTH AND SAFETY,” OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 96.12, “COLLECTION REGULATIONS,” TO PROVIDE ADDITIONAL CLARIFICATION FOR AUTHORIZED BULK TRASH COLLECTION AND TO PROVIDE ADDITIONAL REMEDIES FOR SPECIFIC VIOLATIONS; BY AMENDING SECTION 96.13, “SERVICE CHARGES,” TO MODIFY CHARGES FOR SPECIAL PICKUPS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Staff Contact:  Robert A. McCaughan)
41. P.H. 2013-74; ORD. NO. 2013-…: (PUBLIC HEARING 1ST READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE
PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT
BETWEEN THE CITY OF POMPANO BEACH AND OFFERDAHL’S HAND-
OFF FOUNDATION, INC.; PROVIDING FOR SEVERABILITY; PROVIDING
AN EFFECTIVE DATE.

(Staff Contact: Mark Beaudreau)

42. P.H. 2013-68; ORD. NO. 2013-…: (PUBLIC HEARING 1ST READING)
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF
POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE
PROPER CITY OFFICIALS TO EXECUTE A LEASE AGREEMENT
BETWEEN THE CITY OF POMPANO BEACH AND ONE OF THE
FOLLOWING VENDORS FOR THE OPERATION OF A KIOSK LOCATED
AT BEACHFRONT PARK, 20 NORTH POMPANO BEACH BOULEVARD:
DH2, INC., DIMARIA PROPERTIES, LLC, OR SNACK TIME CATERING,
LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE
DATE.

SECOND READING: APRIL 23, 2013

(Staff Contact: Dennis W. Beach/Horacio Danovich)

ADOPTED

43. P.N. 2013-73; RES. NO. 2013-244: A RESOLUTION OF THE CITY
COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, MAKING
CERTAIN FINDINGS AND DESIGNATING THE REAL PROPERTY
LOCATED AT 5001 NORTH FEDERAL HIGHWAY, POMPANO BEACH,
FLORIDA, FOLIO NUMBER 4843-07-02-0042, AS A BROWNFIELD AREA
PURSUANT TO SECTION 376.80(2)(B), 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.

SECOND PUBLIC HEARING WILL BE HEARD ON MAY 28, 2013

(Staff Contact: Chris Clemens/Robin M. Bird)
REGULAR AGENDA – CONTINUED

ADOPTED

44. **RES. NO. 2013-245:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **ALFRED RITTER** TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 27, 2016; PROVIDING AN EFFECTIVE DATE.

**APPLICANTS:**

*Alfred Ritter, Incumbent – District 5*
*Katheryn Gillis, Incumbent – District 4*
Heather E. Brunner – District 1
Charles Cavallaro – District 1
W.P. Davis, Jr. - District 1
Richard Tobin – District 1
David Baumwald – District 2
Charles H. Bechert, III – District 3
Jason Esper – District 3
Ray Lubomski – District 3
James B. Morehead – District 3
Ellen Schefler – District 5
Daniel Horak – Alternate #2/District 3 (serves as an alternate, but desires to become a regular member)

(Staff Contact: Mary L. Chambers)

ADOPTED

45. **RES. NO. 2013-246:** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING **KATHERYN GILLIS** TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 27, 2016; PROVIDING AN EFFECTIVE DATE.

**PLEASE REFER TO PREVIOUS ITEM FOR APPLICANTS.**

(Staff Contact: Mary L. Chambers)
ADOPTEO

46. **RES. NO. 2013-247**: A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING RAY LUBOMSKI TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1; SAID TERM TO EXPIRE ON JUNE 8, 2014; PROVIDING AN EFFECTIVE DATE.

**APPLICANTS:**

*Ray Lubomski, Civil Engineer (Incumbent/Alt. #1) – District 3*
Eva A. Bixler, Community Service Administrator – District 1
A. Vincent Carfora, Landscape Design – District 1
Susan Rome, Real Estate Broker – District 1
David Allen Baumwald, President, Construction Company – District 2
Tobi Aycock, Architect – District 3
Charles H. Bechert III, Attorney – District 3
Scott Toth, Banker – District 3
Marcus A. McDougle, Community Representative – District 4
Antonio Cardozo, Architect – District 5
Richard Sasso, Attorney – Lighthouse Point

(Staff Contact: Mary L. Chambers)

APPROVED

47. Consideration of placing nationally sanctioned Daughters of the American Revolution (DAR) historic marker at the Hillsboro Inlet Park to tell the history of the Hillsboro Lighthouse.

(Staff Contact: Mark Beaudreau)

**TABLED TO THE MAY 28, 2013 CITY COMMISSION MEETING**

48. **P.N. 2013-59**: Review of sealed written bids for the purchase of the following property declared surplus at 404 NW 15th Avenue. More particularly described as follows: Seaboard Highlands Addition, 19-13 B Lot 8 BLK 3, Folio No. 4842-3403-0400.

(Staff Contact: Phyllis Korab/Kevin Gurley)

**REPORTS**

City Manager
City Attorney
City Clerk
Internal Auditor
City Commission

**ADJOURNMENT**: 10:30 P.M.
## BALANCE IN CONTINGENCY

<table>
<thead>
<tr>
<th>Date</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>October 1, 2012</td>
<td>Beginning Balance</td>
<td>$8,340.00</td>
</tr>
<tr>
<td>October 9, 2012</td>
<td>Donation to Pompano Beach resident, Julia Schulte, for travel to Australia</td>
<td>-500.00</td>
</tr>
<tr>
<td></td>
<td>to compete in the 2012 World Lifesaving Championships.</td>
<td></td>
</tr>
<tr>
<td>October 9, 2012</td>
<td>Donation to Pompano Beach resident, Konnor Katzmark for travel to Australia</td>
<td>-500.00</td>
</tr>
<tr>
<td></td>
<td>to compete in the 2012 World Lifesaving Championships.</td>
<td></td>
</tr>
<tr>
<td>December 11, 2012</td>
<td>Martin Luther King Jr. Holiday Celebration</td>
<td>-2,000.00</td>
</tr>
</tbody>
</table>

**BALANCE:** $5,340.00