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Commission Agendas - Regular Meetings - 03/20/2007 Regular Commission Meeting Agenda

**AGENDA
REGULAR CITY COMMISSION MEETING
Tuesday, March 20, 2007
7:00 P.M.**

CALL TO ORDER AND ROLL CALL

INVOCATION AND PLEDGE OF ALLEGIANCE

Bishop Eddie Solomon, Cathedral Church of God

**OUTGOING COMMENTS BY VICE MAYOR MILITELLO & ADMINISTER
OATH OF OFFICE TO VICE MAYOR POPELSKY**

APPROVAL OF THE MINUTES

Regular City Commission Minutes – February 20, 2007

ACKNOWLEDGEMENT OF BOARD MINUTES

- 1) Community Relations Board – January 8, 2007
- 2) Beautification Authority – February 26, 2007
- 3) Uniform Civil Service Board – October 24 & December 18, 2006, January 11, and February 5, 2007
- 4) Planning & Zoning Board – January 4, 2007
- 5) Code Enforcement Board – February 12, 2007

APPROVAL OF THE AGENDA

March 20, 2007

PRESENTATIONS

- 1) Community Improvement Video
- 2) Presentation of Proclamation to Jennifer Oates, Food For The Poor, by Mayor Albert R. Capellini, P.E.
- 3) Presentation of Proclamation to Carl Peter, Director of Public Works & Environmental Services, for water conservation by Mayor Albert R. Capellini, P.E.
- 4) Presentation by Mayor Albert R. Capellini regarding tax and privatizing services.

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WRITTEN REQUESTS

- 1) Lonnie Johnson, Cathedral Church of God, 365 S. Dixie Highway, requests approval to hold a march and church service on March 31, 2007 from 9:00 AM – 1:00 PM at their church location.
- 2) Mark Mertens, Island Water Sports, 1985 NE 2nd Street, requests approval to hold a Quiksilver/Roxy Surf Camp at the Beach's northside pier on March 24, 2007 from 8:00 AM – 5:00 PM.
- 3) Saba Aamir, Bankers Life and Casualty Company, 1166 W. Newport Center Drive, Suite 118, requests approval to hold their 4th Annual Forget Me Not Days fundraiser to benefit the Alzheimer's Association, on May 18, 2007 – May 19, 2007 at two (2) Publix Supermarkets, located at the intersection of Hillsboro Boulevard and Powerline, and Hillsboro Boulevard and Federal Highway.
- 4) Jose Pinera, American Cancer Society, 3407 NW 9th Avenue, Suite 100, Fort Lauderdale, requests the use of City Services to support the Annual Relay for Life Walk on May 11, 2007 – May 12, 2007, at Quiet Waters Park

CONSENT AGENDA

- 1) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the renewal of a contract with Coca-Cola Enterprises for an additional one (1) year period.**

ACTION: Commission to vote on Resolution

- 2) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach awarding Community Development Block Grant Public Service Funds to the following agencies: Brother Love Social Services in the amount of \$20,000.00; Gold Coast Impact Community Development in the amount of \$25,000.00; Centro Cristiano in the amount of \$12,500.00; N.E. Focal Point, CASA, Inc. in the amount of \$10,000.00; deHoernle Alzheimer's Pavilion in the amount of \$5,000.00; Choices Network Systems, Inc. in the amount of \$5,000.00; Boys & Girls Club of Broward County in the amount of \$5,000.00; Stepping Stone, Key Initiatives in the amount of \$5,000.00; and 2-1-1 First Call For Help in the amount of \$5,000.00.**

ACTION: Commission to vote on Resolution

- 3) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city official to apply for a grant from the Florida Department of Agriculture and Consumer Services Urban and Community Forestry Grant, to help communities develop and strengthen their urban forestry programs.**

ACTION: Commission to vote on Resolution

CONSENT AGENDA – CONTINUED

- 4) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city official to apply for a grant from Water Savings Incentive Program (WATERSIP) Grant program, to promote water conservation and assist in landscaping the City.**

ACTION: Commission to vote on Resolution

- 5) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach authorizing the proper city officials to award a contract to MAXIMUS, Inc. for insurance appraisal services at a cost not to exceed \$16,625.00, and specifying the funds therefore. (*Funds from Risk Management/Insurance Services Account #606-0900-519-37-65*)**

ACTION: Commission to vote on Resolution

- 6) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach authorizing the City Manager to enter into a site lease agreement with T-Mobile for installation of antennas on the tower owned by Sprint/Nextel located at Ecidar Park, providing for execution subject to approval of terms and form by the City Manager and the City Attorney.**

ACTION: Commission to vote on Resolution

- 7) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city officials to award Bid #2006-07/19 (Brian & Jena McKenna) for exterior home repairs on privately owned homes within the City of Deerfield Beach, to James Joyce Construction Corporation in the amount of \$15,440.00, and specifying the funds therefore. (*Funding provided under the State Housing Initiative Housing Partnership (SHIP) Grant and Community Development Block Grant (CDBG)*)**

ACTION: Commission to vote on Resolution

- 8) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city officials to award Bid #2006-07/20 (Nigel & Judy Olton) for exterior home repairs on privately owned homes within the City of Deerfield Beach, to Terramar Construction, Inc. in the amount of \$25,486.50, and specifying the funds therefore. (*Funding***

provided under the State Housing Initiative Housing Partnership (SHIP) Grant and Community Development Block Grant (CDBG))

ACTION: Commission to vote on Resolution

CONSENT AGENDA – CONTINUED

- 9) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city officials to award Bid #2006-07/19 (Mary Beal-Evelyn) for exterior home repairs on privately owned homes within the City of Deerfield Beach, to ES Cummings, in the amount of \$25,330.00, and specifying the funds therefore. (Funding provided under the State Housing Initiative Housing Partnership (SHIP) Grant and Community Development Block Grant (CDBG))**

ACTION: Commission to vote on Resolution

- 10) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city officials to award Bid #2006-07/20 (Thomas & Kristen Herrick) for exterior home repairs on privately owned homes within the City of Deerfield Beach, to Terramar Construction, Inc. in the amount of \$18,900.00, and specifying the funds therefore. (Funding provided under the State Housing Initiative Housing Partnership (SHIP) Grant and Community Development Block Grant (CDBG))**

ACTION: Commission to vote on Resolution

- 11) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, awarding Bid #24-052R to Florida Electric Contracting Service for tennis court lighting at Pioneer Park, damaged by Hurricane Wilma, for a cost not to exceed \$51,540.00, and specifying the funds therefore. (Funds from FEMA)**

ACTION: Commission to vote on Resolution

- 12) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city official to award an annual contract to Ferguson Waterworks for the purchase of backflow preventers and pressure vacuum breakers for use by Utilities Maintenance Division, as per the specifications, terms and conditions of the City of Deerfield Beach Bid #2006/07-22, for the contract price of \$70,000.00, and specifying the funds therefore. (Funds from account #401-5030-536.60-31)**

ACTION: Commission to vote on Resolution

- 13) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city officials to purchase extrication equipment from Holmatro, Inc. for the Department of Fire Rescue, for a total cost not to exceed \$51,675.70, and specifying the funds therefore. (Funds from account #001-3105-522.60-43)**

ACTION: Commission to vote on Resolution

CONSENT AGENDA – CONTINUED

- 14) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city officials to purchase an air lift bag and control kit from Team Equipment, Inc. for the Department of Fire Rescue, for a total costs not to exceed \$14,809.50, and specifying the funds therefore.**

ACTION: Commission to vote on Resolution

- 15) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach approving an agreement with Century Village Master Management, Inc. for enforcement of traffic control on private roads.**

ACTION: Commission to vote on Resolution

PUBLIC HEARINGS – 2ND READINGS

- 16) **PH 2007-101: Ordinance 2007/ - AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF DEERFIELD BEACH, FLORIDA, AMENDING SECTIONS 58-106, 58-107, 58-108, AND 58-109 OF THE CODE OF ORDINANCES OF THE CITY OF DEERFIELD BEACH WITH REGARD TO THE REVISION OF THE SOLID MATERIALS/RECYCLING DIVISION'S RECYCLABLE WASTE AND IMPLEMENTATION OF SECTION 58-110, OFFICE PAPER SHREDDING SERVICES FOR COMMERCIAL RECYCLING ACCOUNTS.**

ACTION: Commission to vote on Ordinance

QUASI-JUDICIAL PUBLIC HEARINGS

- 17) **PH 2007-075: APPLICATION 06-B1-181 REVISION 1 AND CASE NO. 2105**
 Applicant: **TARGET CORPORATION by Kimley-Horn &**

Associates

- Proposal: To modify an existing site plan to increase the size of the previously approved Super Target building by 16,073 square feet (for a total of 189,733 square feet), add a garden center, relocate the loading area, reduce the size of the previously approved other retail buildings by 14,000 square feet, and modify the parking and landscaping accordingly; AND seeking a **VARIANCE** from the provisions of Section 98-53 of the Deerfield Beach Land Development Code in order to allow the outdoor sales and display of garden material not within a fully enclosed building. (While the proposed garden center is defined by fencing and walls it is not fully enclosed as required by Code.)
- Location: A portion of PARCEL A, the LAST PLAT OF DEER CREEK, together with a portion of Parcel A, BUTLER' S CORNER, more particularly described in the file, located at **3597 W. Hillsboro Boulevard**. (Tabled from February 6, February 20, and March 6, 2007)

ACTION: Motion on decision of Commission

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

- 18) **PH 2007-089: APPLICATION 07-RM15-52 AND CASE NO. 2111**
 Applicant: **SUNCOAST ENTERPRISES TWO, LLC., by Nour Shehadeh, P.E.**

Proposal: Site plan approval to construct 52 multi-family dwelling units with an accessory clubhouse and pool; AND seeking a **VARIANCE** from the provisions of Section 98-88 (m)(l) of the Deerfield Beach Land Development Code in order to allow 98 residential compact parking spaces (9 x 18) and 5 standard spaces rather than 85 compact spaces and 28 standard spaces.

Location: A 3.02-acre parcel described as a portion of Parcel "A" of the LOUIS & GENEVA SAMBATARO PLAT, more particularly described in the file, located at **1400 FAU Research Park Boulevard**.

ACTION: Motion on decision of Commission

- 19) **PH 2007-090: CASE NO. 2112**
 Applicant: **DAVID'S HAIR NAILS & SPA, by Hang Doan**

Proposal: Seeking a **TECHNICAL DEVIATION** for 3 parking spaces in accordance with Section 98-88 (q) of the Deerfield Beach Land Development Code in order to accommodate a beauty salon/day spa.

Location: **1560 S.E. 3rd Court**.

ACTION: Motion on decision of Commission

- 20) PH 2007-091: SIGN CASE NO. 649**
Applicant: **TARGET CORPORATION, by Mark Hamilton**
- Proposal: Seeking a **SIGN VARIANCE** from the provisions of Section 102-8 of the Deerfield Beach Land Development Code in order to allow a building sign which will be 323 square feet rather than 100 square feet as allowed by Code (south side).
- Location: **3597 W. Hillsboro Boulevard.**
- ACTION: Motion on decision of Commission
- 21) PH 2007-092: SIGN CASE NO. 650**
Applicant: **TARGET CORPORATION, by Mark Hamilton**
Proposal: Seeking a **SIGN VARIANCE** from the provision of Section 102-8 of the Deerfield Beach Land Development Code in order to allow a building sign which will be 150 square feet rather than 100 square feet as allowed by Code (west side).
- Location: **3597 W. Hillsboro Boulevard.**
- ACTION: Motion on decision of Commission

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

- 22) PH 2007-093: SIGN CASE NO. 651**
Applicant: **TARGET CORPORATION, by Mark Hamilton**
- Proposal: Seeking a **SIGN VARIANCE** from the provisions of Section 102-8 of the Deerfield Beach Land Development Code in order to allow an additional building sign (35 square feet, south side). The Code allows only one building sign per street frontage.
- Location: **3597 W. Hillsboro Boulevard.**
- ACTION: Motion on decision of Commission
- 23) PH 2007-094: SIGN CASE NO. 652**
Applicant: **TARGET CORPORATION, by Mark Hamilton**
- Proposal: Seeking a **SIGN VARIANCE** from the provisions of Section 102-8 of the Deerfield Beach Land Development Code in order to allow an additional building sign (43 square feet, south side). The Code allows only one building sign per street frontage.
- Location: **3597 W. Hillsboro Boulevard.**
- ACTION: Motion on decision of Commission
- 24) PH 2007-095: SIGN CASE NO. 653**

Applicant: **TARGET CORPORATION, by Mark Hamilton**

Proposal: Seeking a **SIGN VARIANCE** from the provisions of Section 102-8 of the Deerfield Beach Land Development Code in order to allow an additional building sign (44 square feet, south side). The Code allows only one building sign per street frontage.

Location: **3597 W. Hillsboro Boulevard.**

ACTION: Motion on decision of Commission

25) PH 2007-096: SIGN CASE NO. 654

Applicant: **TARGET CORPORATION, by Mark Hamilton**

Proposal: Seeking a **SIGN VARIANCE** from the provisions of Section 102-8(c)(1) of the Deerfield Beach Land Development Code in order to allow a freestanding sign (Hillsboro Boulevard side) to contain multiple tenants. The Code allows the sign to "contain only the name of the center as the main use."

Location: **3597 W. Hillsboro Boulevard.**

ACTION: Motion on decision of Commission

QUASI-JUDICIAL PUBLIC HEARINGS – CONTINUED

26) PH 2007-097: SIGN CASE NO. 655

Applicant: **TARGET CORPORATION, by Mark Hamilton**

Proposal: Seeking a **SIGN VARIANCE** from the provisions of Section 102-8(c)(1) of the Deerfield Beach Land Development Code in order to allow a freestanding sign (Powerline Road side) to contain multiple tenants. The Code allows the sign to "contain only the name of the center as the main use."

Location: **3597 W. Hillsboro Boulevard.**

ACTION: Motion on decision of Commission

GENERAL ITEMS

- 27) PN 2007-098: CASE NO. 2106: ELSIE SATAWA** seeking a **VARIANCE** from the provisions of Section 98-61 of the Deerfield Beach Land Development Code in order to allow an addition to a single-family home which will result in a total lot coverage of 37.6% (2,633 square feet) rather than the maximum allowed by Code of 35% (2,450 square feet). The property is described as Lot 7, Block 12 of CRYSTAL HEIGHTS, located at **2875 S.W. 14th Court.** *(Approved February 22, 2007)*

ACTION: Motion on decision of Commission

- 28) **PN 2007-099: CASE NO. 2107: JOSEPH LAMBERT & ANNA CHRISTIE** seeking the following **2 VARIANCES** from the provisions of the Deerfield Beach Land Development Code: **1.)** from Section 98-61 in order to allow an addition to a single-family house which will be located 8.8 feet from the front property line rather than 25 feet as required by Code; **AND 2.)** from Section 98-75 (1) a. in order to allow a fence to be located 8.8 feet from the front property line rather than 25 feet as required by Code. The property is described as Lot 9 and a portion of Lot 8, Block 43, THE COVE 4th SECTION, located at **813 S.E. 9th Terrace.** *(Approved February 22, 2007)*

ACTION: Motion on decision of Commission

- 29) **Consideration to accept the City of Deerfield Beach, Department of Fire Rescue, Uniform Civil Service Board 2005/2006 Annual Report, pursuant to the City of Deerfield Beach Code, Division 3, Section 2-307.**

ACTION: Motion on decision of Commission

- 30) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the purchase of real property from Cornerstone Community Baptist Church, Inc., for a purchase price of three hundred thirteen thousand five hundred dollars (\$313,500.00) and approving the contract for sale and purchase.** *(Funds from 2001 General Obligation Bond)*

ACTION: Commission to vote on Resolution

GENERAL ITEMS - CONTINUED

- 31) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the purchase of real property, located at 217 NE 5th Avenue and 233 NE 5th Avenue from Robert L. Beche for a purchase price of four hundred forty thousand dollars (\$440,000.00) and approving the contract for sale and purchase.** *(Funds from 2001 General Obligation Bond)*

ACTION: Commission to vote on Resolution

- 32) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, adding \$100,000.00 of Community Development Block Grant (CDBG) Funds for a Wheelchair Lift Program.** *(Requested by Vice Mayor Popelsky)*

ACTION: Motion on decision of Commission

- 33) **Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city officials to enter into a contract with Sulfuric Acid Trading**

Company, Inc. (SATCO) for the purchase of sulfuric acid for use by the Department of Engineering & Utilities Water Plant Operations, pursuant to the terms and conditions of the City of Melbourne Bid #ITB-04-072-2-2004, for a total estimated annual expenditure of \$169,000.00, and specifying the funds therefore. (Funds from account #401-5020-533-35-11)

ACTION: Commission to vote on Resolution

34) Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, authorizing the proper city officials to enter into a contract with Allied Universal Corporation for the purchase of liquid chlorine for a total estimated expenditure of \$158,000.00 for use by the Department of Public Works & Environmental Services – Water Plant Operations, pursuant to the terms and conditions of the City of Pompano Beach Bid #H-33-05, and specifying the funds therefore. (Funds from account #401-5020-533-35-11)

ACTION: Commission to vote on Resolution

35) Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach authorizing the Mayor to execute a Local Agency Program (LAP) Agreement with the State of Florida Department of Transportation for the SRA1A Reliever Road PD&E/EMO Study. (Federal Funding)

ACTION: Commission to vote on Resolution

GENERAL ITEMS - CONTINUED

36) Resolution 2007/ - A Resolution of the City Commission of the City of Deerfield Beach, Florida, approving the ranking of the selection committee for the reverse osmosis addition at the West Water Treatment Plant, selecting Wharton - Smith, Inc. as the number one respondent, and authorizing the City Manager to attempt to negotiate a contract with Wharton – Smith, Inc.

ACTION: Motion on decision of Commission

37) Discussion regarding “No-Parking” Ordinance.

ACTION: Motion on decision of Commission

38) Discussion regarding the communication tower being constructed at the Villages of Hillsboro Park. (Tabled from December 19, 2006, January 16, February 6, February 20, and March 6, 2007)

ACTION: Motion on decision of Commission

ADMINISTRATIVE ACTIONS AND CITY MANAGER COMMENTS**COMMENTS BY MAYOR AND COMMISSIONERS****PUBLIC TO BE HEARD**

Persons addressing the Commission during this segment may not discuss items that are on the agenda. A three (3) minute time limit will be imposed on those addressing the Commission. The Commission shall take the subject under advisement and refer to administration unless a majority of the Commission wishes to discuss the matter.

ADJOURNMENT**FUTURE MEETINGS**

Regular Meeting – April 3, 2007

Regular Meeting – April 17, 2007

Written requests to address the Commission must be submitted to City Manager one week prior to commission meeting. Any person wishing to appeal any decision made by the City Commission with respect to any matter considered at such meetings or hearings will need a record of the proceedings, and for such purposes may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and the evidence upon which the appeal is made. The above notice is required by State Law (F.S. 286.0105). Anyone desiring a verbatim transcript shall have the responsibility, at his/her own expense, to arrange for the presence of a certified court reporter at the hearing.