



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor
Andrea McGee, Vice Mayor
Alison Fournier, Commissioner
Barry Moss, Commissioner
Beverly Perkins, Commissioner
Rhonda Sigerson-Eaton, Commissioner

Gregory P. Harrison, City Manager
Mark Berman, City Attorney
Kervin Alfred, City Clerk

Tuesday, October 8, 2024

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the City Commission meeting to order at 1:00 p.m.

ROLL CALL

Present: Commissioner Alison Fournier
Commissioner Barry Moss
Commissioner Beverly Perkins
Commissioner Rhonda Sigerson-Eaton
Vice Mayor Andrea McGee
Mayor Rex Hardin

Note: Comr. Sigerson-Eaton arrived shortly after the start of the meeting.

INVOCATION

Elder Robert Kintchen of Christ Fellowship Church of God in Christ offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[25-611](#) Regular City Commission Meeting Minutes of September 24, 2024

A motion was made by Vice Mayor McGee, seconded by

Commissioner Fournier, that the Minutes be APPROVED. The motion carried by a unanimous voice vote.

[25-613](#) Special City Commission Meeting Minutes of September 19, 2024 (2nd Budget Hearing)

A motion was made by Vice Mayor McGee, seconded by Commissioner Fournier, that the Minutes be APPROVED. The motion carried by a unanimous voice vote.

[25-612](#) Special City Commission Meeting Minutes of September 12, 2024 (1st Budget Hearing)

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Minutes be APPROVED. The motion carried by a unanimous voice vote.

APPROVAL OF AGENDA

Mayor Hardin announced that Items 9 and 10 would be heard after Item 3.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Agenda be APPROVED AS AMENDED. The motion carried by a unanimous voice vote.

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.

Mayor Hardin announced that Item 2 would be pulled for City Commission discussion.

A. PROCLAMATION

[25-02](#) **Cybersecurity Awareness Month**

Mayor Hardin read a proclamation declaring October as Cybersecurity Awareness Month in the City of Pompano Beach. Gene Zamoski, the Chief Information Officer, graciously accepted the proclamation on behalf of the City. In his acceptance, he stressed the importance of cybersecurity, highlighting the need to protect against cyberattacks and to raise awareness about cybersecurity.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. PRESENTATION

[24-596](#) Strategic Plan 2023-2025, 1st Half FY 24 Progress Presentation.

(Fiscal Impact: N/A)

(Staff Contact: Ernesto Reyes)

Ernesto Reyes, Strategic Performance Consultant, presented the First Half FY 24 Progress of the Strategic Plan 2023-2025. In his presentation, he discussed the following items:

- Design and implement a systematic approach to succession planning (2.2.4)
- Develop and implement a systematic approach to performance measurement, analysis, and review (6.3.1)
- Develop and implement a systematic approach to performance improvement (6.4.1)
- Create and maintain standard operating procedures, both City-wide and specific to departments, as appropriate (6.5.1)
- Develop and implement a systematic approach to complaint management (6.6.1)

In summary, Mr. Reyes stated that the official adoption of the City's strategic plan, which included 87 active strategies, was on September 26, 2023. He emphasized the benefits of implementing a systematic approach to organizational processes and identified specific processes suitable for this approach, such as succession planning, performance measurement, continuous performance improvement, SLP-centered operating procedures, and complaint management. Additionally, internal and external research was conducted, involving surveys of various departments and benchmarking against other entities to drive continuous performance improvement.

C. AUDIENCE TO BE HEARD

Mayor Hardin announced that it was time for "Audience To Be Heard". The following speakers were called to speak before the Commission:

Jeanie Schermesser, 1620 N. Ocean Boulevard, Pompano Beach, FL, raised concerns about ongoing flooding along A1A near 14th Street Causeway, which worsens during rain, making sidewalks impassable and forcing pedestrians into the road. She described a recent experience where she had to walk along the center of A1A to avoid deep water, risking her safety. After contacting the City, she was informed that the issue falls under FDOT's jurisdiction, and despite regular complaints, no action has been taken. She urged for a solution before a serious incident occurred.

Comr. Fournier addressed drainage issues, noting recent flooding at Pompano Beach Middle School, where students had walked through ankle-high water between classes. She mentioned similar flooding concerns in her district, particularly in Garden Isles, Norwood, and SE 2nd Street. She emphasized that flooding had become more frequent, even in newly constructed areas like Atlantic and Dixie. She urged the Commission to prioritize long-term strategies and requested updates on the City's master plan for flood management. While short-term solutions like shaping swales helped, she stressed that larger-scale projects had been necessary to address these recurring issues.

Mayor Hardin noted that a previous Commission had implemented a stormwater fee, providing funds for necessary projects. He acknowledged the City's master plan but explained that recent heavy rains had overwhelmed even the best systems, as storms worsened.

Sharron Chiappetta, 2870 NE 22nd Court, Pompano Beach, FL, expressed concern about the darkness of vehicle windows, noting the difficulty of seeing drivers and wondering about regulations on window tinting. She also raised the issue of lawn clippings in the canals, which she believed contribute to fungus and algae growth. She noted the impact on her quality of life given the taxes she pays. Lastly, she suggested prioritizing essential projects over constructing a new City Hall, which she deemed unnecessary.

Vicente Thrower, Pompano Beach, FL, recapped the successful Blanche Ely High School tailgate event but raised concerns about a recent shooting near Mitchell Moore Park. He requested better lighting and camera installations in the area to improve safety. He also opposed bringing the Urban League to Pompano Beach, citing their lack of involvement in the community. Instead, he urged support for local organizations already serving the area, like those led by Reverend Howard and Ms. Showers, rather than funding outside groups.

Comr. Perkins discussed the need for better lighting behind the football field at Mitchell Moore Annex, where many people park during games and where the recent shooting occurred. She had mentioned this to Captain Stallings and emphasized improving lighting in the area would be beneficial, especially with plans for a youth center.

D. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Item 1 under the Consent Agenda.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, to approve the Consent Agenda. The motion carried by a unanimous voice vote.

1. [24-604](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DOCKING EXTENSION AGREEMENT AMONG RYAN WILLIAM BUCKLEY, AND ROBIN AND KIM BUCKLEY, AND THE CITY OF POMPANO BEACH, PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, to approve the Consent Agenda. The motion carried by a unanimous voice vote.

Enactment No: RES. No. 2025-02

2. [24-598](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY OF POMPANO BEACH'S 2024 STATE HOUSING INITIATIVE PARTNERSHIP ACT (SHIP)

AFFORDABLE HOUSING INCENTIVE STRATEGIES REPORT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Alexander Goldstein)

Comr. Perkins asked about the SHIP (State Housing Initiative Partnership) program, and Alex Goldstein, Program Compliance Manager, explained it funds City programs like housing rehab, first-time homebuyer assistance, emergency repairs, and disaster aid. He noted the public is informed through notices, public hearings, and flyers, and agreed with Comr. Perkins' suggestion to distribute flyers in churches and community groups.

Additionally, Mr. Goldstein confirmed the waiting list for rehab and emergency aid is open. SHIP offers up to \$80,000 for first-time homebuyers, and emergencies like roof leaks qualify for up to \$5,000 in assistance. Comr. Perkins requested flyers to share with the community.

Mayor Hardin invited public input on the item.

Jocelyn Jackson thanked the Commission for supporting the urban development program and helping residents with the rehab program. She mentioned assisting residents with computer access and noted three residents she referred are becoming homeowners. Ms. Jackson emphasized the need for residents to get involved, as information is available but often underutilized. She highlighted strong community turnout at social events but urged participation in important city meetings and programs. She also clarified the rehab program's audit process, stressing the City is doing its part to support residents.

Mayor Hardin concluded public input and welcomed further Commission discussion.

Comr. Fournier asked Mr. Goldstein if the Committee met once or twice a year. Mr. Goldstein confirmed it was an annual meeting with two sessions, explaining the review used to occur every three years but is now held annually. Comr. Fournier noted the lack of recommended changes in recent reports, and Mr. Goldstein clarified this reflected the Committee's belief that current incentives, such as affordable accessory residential units, were functioning as intended, which is why no changes were proposed.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Resolution / Consent Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

Enactment No: RES. No. 2025-03**E. REGULAR AGENDA****QUASI-JUDICIAL PROCEEDING**

Mark E. Berman, City Attorney, advised that Item 3 is listed under Quasi-Judicial Proceeding and is quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

Kervin Alfred, City Clerk, placed under oath all individuals, including staff, addressing the City Commission in the following matters.

3. [24-589](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE MCCLINTON 25 PLAT LYING ON THE NORTHWEST CORNER OF EAST ATLANTIC BOULEVARD AND NORTHEAST 13TH AVENUE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan from the Development Services Department, introduced the item and noted the Applicant was requesting plat approval for a one-acre parcel located at 1207 East Atlantic Boulevard, the former site of the Broward County library, which has since moved into the Cultural Center. The property, located in the East Transit-Oriented Corridor, is currently vacant. A major site plan for the property was approved on June 28, 2023. The plat restricts the property to 41 mid-rise units, six townhouse units, and 5,200 square feet of commercial space. The Planning and Zoning Board recommended approval of the plat, and staff also recommended approval. Both staff and the applicant were present for any questions.

Mayor Hardin sought further public input on the item and, receiving none, he moved on to Commission discussion.

Comr. Fournier expressed concerns regarding parking and setbacks, noting the proximity of the site to a neighborhood. She mentioned that the site plan showed four stories stepping down to three, and while the units and parking seemed reasonable, she sought clarification on the setbacks and their relation to the chord radius. She referred to a condition discussed at the Planning and Zoning Board and asked if a decrease in the chord radius would result in the building being closer to the road.

Michael Vonder Meulen of Keith and Associates, Inc. explained that the requirement initially called for a 30-foot corner chord at the intersection, specifically at the northwest corner of Atlantic. After negotiations, the

chord was reduced to 25 feet, which still impacts the original building design. However, the changes would be minor compared to the adjustments required under the County's original request.

Comr. Fournier asked if the change allowed the building to be closer to the corner. Mr. Vonder Meulen explained that the building had originally encroached into the corner chord, but with the property line pushed back and the land given to Broward County, the building was set back. He confirmed that 25 feet was the final agreement with the County, stating they would not reduce it further. Top of Form

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Resolution / Quasi-Judicial be ADOPTED. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

Enactment No: RES. No. 2025-04

END OF QUASI-JUDICIAL PROCEEDING

4. [24-455](#) **P.H. 2024-55: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING THE LIVE! RESORTS POMPANO PD PLAN AS PERMITTED BY SECTION 155.2405., "PLANNED DEVELOPMENT," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES, TO UPDATE APPLICABLE LEGAL DESCRIPTIONS AND TO AMEND THE PCD USE TABLES TO PROVIDE TWO ADDITIONAL LIGHT INDUSTRIAL USES WITHIN THE ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 23, 2024

POSTPONED FROM SEPTEMBER 24, 2024

(Staff Contact: Max Wemyss/Jean Dolan)

Max Wemyss from the Development Services Department presented the item, noting that this was the second reading of the Ordinance with no changes since the first reading. Both he and the Applicant were available to answer any questions or provide a presentation if needed.

Mayor Hardin asked if the Applicant wished to give a presentation.

Janna Lhota from Holland and Knight, with offices at 515 East Las Olas Boulevard, Fort Lauderdale, Florida, on behalf of the Applicant, introduced herself and mentioned that they have a presentation prepared and are willing to present it again if the Commission desires. Otherwise, they were available to answer any questions.

Mayor Hardin sought public input on the item and, receiving none, he moved on to Commission discussion.

Vice Mayor McGee expressed gratitude towards the Cordish Group and their team for a successful meeting with the MPO, city staff, and Dan Deck from TriRail. The meeting facilitated direct discussions between the Cordish's development team and TriRail, aiming to explore the potential benefits and feasibility of a collaboration. She thanked Mr. Long for his participation and emphasized the importance of exploring every option for the development of Pompano Beach and the region.

Comr. Moss thanked the Vice Mayor for organizing a productive meeting. He believes that the development will benefit the neighborhood, preferring people working and commuting in their cars over heavy truck traffic. The Commissioner thanked Cordish for their efforts and expressed satisfaction with having them in the neighborhood.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

Enactment No: ORD. No. 2025-02

5. [24-570](#) **P.H. 2024-64: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COLT SOUTH FLORIDA OWNER LP FOR THE FIRE LOGISTICS FACILITY, EXERCISING A ONE YEAR LEASE EXTENSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$168,500)

FIRST READING: SEPTEMBER 24, 2024

(Staff Contact: Steve Hudson)

Steve Hudson, Fire Chief, presented the item and stated that no changes had been made since the first reading.

Mayor Hardin asked for public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

Enactment No: ORD. No. 2025-03

6. [24-576](#) **P.H. 2024-65: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY TO PROVIDE COMMUNITY SHUTTLE SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$480,000 - funded with Broward County surtax funds)

FIRST READING: SEPTEMBER 24, 2024

(Staff Contact: Robert McCaughan)

Robert McCaughan, Public Works Director, presented the item and stated this is the Second Amendment to the Interlocal Agreement between the City and Broward County for the community bus shuttle service. He noted that there have been no changes since the first reading of the Ordinance.

Mayor Hardin asked for public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

Enactment No: ORD. No. 2025-04

7. [24-553](#) **P.H. 2025-03: (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 SERVICE CONTRACTS BETWEEN THE CITY OF POMPANO BEACH AND TELE-VAC SOUTH INCORPORATED, AND THE CITY OF POMPANO BEACH AND ENVIROWASTE SERVICES GROUP, INC., TO PROVIDE INSPECTION, DESILTING AND DEWATERING SERVICES TO THE CITY'S STORMWATER SYSTEM AND JET-VACUUM ON CALL SERVICES FOR CITY UTILITIES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed \$200,000)

(Staff Contact: A. Randolph Brown/ Nathaniel Watson)

Nathaniel Watson, Utilities Field Superintendent, presented the item and stated that this proposal is a tool for maintaining the City's storm sewer system. The City is required to maintain 126 miles of storm sewer under its MS4 permit, and this item will help fulfill that requirement.

Mayor Hardin invited the public to provide input.

Jocelyn Jackson, Pompano Beach, FL, expressed her gratitude to Mr. Watson and his team, commending them for their outstanding work. Ms. Jackson also acknowledged the presence of new equipment, expressing pride in the Department's advancement.

Mayor Hardin sought further public input on the item and, receiving none, he moved on to Commission discussion.

A discussion ensued regarding using jetback trucks during storms and emergencies. Comr. Fournier inquired if the current contract provides enough resources for such situations, to which Mr. Watson mentioned that while it helps during reasonable torrential rains, extreme conditions may require additional provisions. Comr. Fournier also asked if hotspots are identified and cleaned in advance of heavy storms, to which Mr. Watson confirmed that they are. Overall, Comr. Fournier expressed gratitude for the team's efforts during what is expected to be a busy week.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

8. [24-587](#) **P.H. 2025-04: (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 PIGGYBACK AGREEMENT FOR CURED IN PLACE PIPE (CIPP) PIPELINE REHABILITATION SERVICES BETWEEN THE CITY OF POMPANO BEACH AND INSITUFORM TECHNOLOGIES, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed \$2,000,000)

(Staff Contact: A. Randolph Brown/ Nathaniel Watson)

Nathaniel Watson, Utilities Field Superintendent, introduced a piggyback item for maintenance of the sanitary sewer system, specifically the gravity system. The proposed trenchless technology would enable the upgrade of the system without the need for open-cut installation. This approach is favored by residents for its non-invasiveness and is beneficial to the Utilities Department as it allows for system maintenance with minimal disruption.

Mayor Hardin sought public input on the item and, receiving none, he moved on to Commission discussion.

Comr. Fournier mentioned the need to do some underground work in the neighborhoods in her district before moving forward with paving. She inquired whether the agreement would facilitate the necessary work in Cypress Harbor. Mr. Watson confirmed that it would.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Fournier
 Moss
 Perkins
 Sigerson-Eaton
 McGee
 Hardin

9. [24-608](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING FORMS OF A CONSULTING ENGINEER'S REPORT AND A FINANCIAL FEASIBILITY REPORT RELATING TO THE CITY'S PROPOSED WATER AND WASTEWATER REVENUE BONDS, SERIES 2024 AND AUTHORIZING MODIFICATIONS THERETO, AS MORE FULLY DESCRIBED HEREIN; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

Allison Feurtado, Finance Director, presented a proposed Resolution seeking approval of reports prepared by Carollo Engineers, Inc. and Raftelis Financial Consultant Inc. as part of exhibits for the sale of the Series 2024 Bond related to the water and wastewater system. In their substantially final form, these reports will be included in the POS and the final official statement for the public sale of the Series 2024 Bond. Additionally, an updated financial feasibility report prepared by Raftelis Financial Consultant has been provided to the City Clerk's office, with the only changes being the date of October 4, 2024, and a minor update on Page 17, Figure 1, reflecting the local new rate based on a consumption of 8,000 gallons.

Mayor Hardin asked for public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

Mayor Hardin asked for clarification on the meaning of "POS," Ms. Feurtado responded that it stands for "Preliminary Offering Statement."

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Fournier
 Moss
 Perkins
 Sigerson-Eaton
 McGee
 Hardin

Enactment No: RES. No. 2025-01**10. [24-591](#) P.H. 2025-05: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE ISSUANCE OF THE CITY OF POMPANO BEACH, FLORIDA, WATER AND WASTEWATER REVENUE BONDS, SERIES 2024 IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT EXCEEDING \$90,000,000 (THE "SERIES 2024 BONDS") UNDER ORDINANCE NO. 2021-62 ENACTED ON JUNE 22, 2021 (THE "BOND ORDINANCE"), FOR THE PURPOSE OF FINANCING (INCLUDING THROUGH REIMBURSEMENT) THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF ALL OR A PORTION OF CERTAIN CAPITAL PROJECTS RELATED TO THE ISSUER'S WATER, SEWER, WASTEWATER AND REUSE SYSTEM, AS MORE FULLY DESCRIBED HEREIN, PAYING COSTS OF ISSUANCE OF THE SERIES 2024 BONDS AND FUNDING CAPITALIZED INTEREST ON THE SERIES 2024 BONDS AND/OR A RESERVE SUBACCOUNT FOR THE SERIES 2024 BONDS IF DETERMINED NECESSARY AND APPROPRIATE AS PROVIDED HEREIN; FIXING CERTAIN TERMS AND DETAILS OF THE SERIES 2024 BONDS; AUTHORIZING EXECUTION AND DELIVERY OF THE SERIES 2024 BONDS; AUTHORIZING THE PUBLIC SALE OF THE SERIES 2024 BONDS AND THE USE OF THE PRELIMINARY OFFICIAL STATEMENT, OFFICIAL NOTICE OF SALE AND SUMMARY NOTICE OF SALE IN CONNECTION THEREWITH; DELEGATING AUTHORITY TO THE CITY MANAGER OF THE ISSUER, IN CONSULTATION WITH THE ISSUER'S MUNICIPAL ADVISOR, TO ACCEPT, PURSUANT TO A COMPETITIVE PUBLIC SALE PROCESS, THE BID OR BIDS OF THE LOWEST QUALIFIED BIDDER OR BIDDERS FOR THE PURCHASE OF THE SERIES 2024 BONDS, SUBJECT TO CERTAIN PARAMETERS AND OTHER MATTERS SET FORTH HEREIN; DIRECTING THE APPLICATION OF THE PROCEEDS OF THE SERIES 2024 BONDS; APPROVING THE FORM OF AND AUTHORIZING THE DISTRIBUTION OF A PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A FINAL OFFICIAL STATEMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF A CERTIFICATE DEEMING THE PRELIMINARY OFFICIAL STATEMENT FINAL; APPROVING THE APPOINTMENT OF UMB BANK, N.A. AS THE PAYING AGENT AND REGISTRAR FOR THE SERIES 2024 BONDS; APPROVING THE FORM OF AND AUTHORIZING EXECUTION AND DELIVERY OF A CONTINUING DISCLOSURE CERTIFICATE WITH RESPECT TO THE SERIES 2024 BONDS; PROVIDING FOR THE APPOINTMENT OF A DISSEMINATION AGENT; PROVIDING FOR A MUNICIPAL BOND INSURANCE POLICY OPTION; PROVIDING FOR CERTAIN AMENDMENTS TO THE BOND ORDINANCE; AUTHORIZING OTHER REQUIRED ACTIONS; AUTHORIZING THE PROPER OFFICIALS OF THE ISSUER TO DO ALL OTHER THINGS DEEMED NECESSARY OR ADVISABLE IN CONNECTION WITH THE MATTERS PROVIDED FOR HEREIN; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not exceeding \$90,000,000.00 - - principal and interest amortized over bond financing term with semi-annual debt service payments, as budgeted.)

(Staff Contact: Allison Feurtado)

Allison Feurtado, Finance Director, presented a proposal seeking approval for an Ordinance related to issuing a Series 2024 Bond for the water and wastewater system. The Ordinance is needed to seek funding for approved projects within the 5-year capital improvement program and the issuance cost. The competitive sale of the Series 2024 Bond is expected to occur on November 12th, with the issuing and closing expected around December 3rd.

Mayor Hardin asked for public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

11. [24-601](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POWERCOM, LLC FOR SECURITY ENHANCEMENTS AT THE POMPANO BEACH AIR PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$773,934.00 - \$600,00 grant funded/\$173,934 City)

(Staff Contact: Dr. Tammy Good)

Dr. Tammy Good, CIP Manager, presented a construction contract with Powercom, LLC, to upgrade the security system at the Air Park. The total cost of the project is \$773,934. The Florida Department of Transportation contributed \$600,000, leaving the City responsible for funding the remaining amount, which is just over \$173,000.

Mayor Hardin asked for public input on the item and encouraged the Commission to share their thoughts, but

no one provided any comments.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

- Yes:** Fournier
- Moss
- Perkins
- Sigerson-Eaton
- McGee
- Hardin

Enactment No: RES. No. 2025-05

- 12. [24-606](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS: SAID TERM TO EXPIRE ON OCTOBER 10, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

<u>Applicants</u>	<u>Other Board Memberships</u>
Marcia Kehl, Incumbent - District 3	0
Sharon Fornes, Incumbent - District 5	0
Lisa Nothardt - District 3	0
Mary Beth Fleck - District 3	0

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. Commissioner Fournier nominated to appoint Marcia Kehl. The motion to appoint Marcia Kehl carried by a unanimous voice vote.

Enactment No: RES. No. 2025-06

- 13. [24-607](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS: SAID TERM TO EXPIRE ON OCTOBER 10, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 24-606 FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. Commissioner Sigerson-Eaton nominated to appoint Sharon Fornes. The motion to appoint Sharon Fornes carried by a unanimous voice vote.

Enactment No: RES. No. 2025-07

14. [24-602](#) Discussion and consideration item for the annual performance evaluation for Mr. Mark E. Berman, City Attorney.

(Fiscal Impact: To be determined by City Commission)

(Staff Contact: Lisa Sonego)

Lisa Sonego, Human Resources Director, reminded the Commission it was time to review the performance of City Attorney Mark Berman. She noted all officials are reviewed annually, and a performance tool had been provided for use if the Commission wished. Along with the review, she mentioned examples of potential 1%, 2%, and 3% increases had been shared via email, with the option of a 5% increase also available. She explained city officials typically received between 3% and 5% merit increases, and any agreed merit would be effective from September 18th, the review date.

Vice Mayor McGee expressed appreciation for City Attorney Berman, noting he was always accessible and quick to respond, whether by phone or in person. She valued his guidance, particularly in keeping the City conservative in its dealings while also avoiding overreactions to issues brought before them. She thanked him for his support.

Comr. Moss thanked City Attorney Berman for his nearly 30 years of service to the City and echoed the Vice Mayor's sentiments. He acknowledged that City Attorney Berman consistently did a good job and was always available, expressing appreciation for his work for the City.

Mayor Hardin praised Mark Berman for doing a great job and going above and beyond, acknowledging that many city employees do the same.

A motion was made by Mayor Hardin, seconded by Vice Mayor McGee, the award the City Attorney a 5% merit increase.

Mayor Hardin invited public input on the motion.

Jocelyn Jackson praised the City Attorney's responsiveness and compassion for residents, noting his dedication to finding answers and following up. She expressed support for him staying on board and endorsed a 5% merit increase, considering it the maximum.

Mayor Hardin concluded public input and invited further Commission discussion on the motion.

Comr. Fournier echoed appreciation for City Attorney Berman's accessibility, recalling times he took calls and explained things clearly, even in busy moments. She emphasized the City's need for his expertise but reminded the commission that every dollar spent on raises impacts the budget, hoping the taxable base continues to rise to support such increases. She affirmed that he is deserving of the raise.

Comr. Sigerson-Eaton expressed agreement, noting that City Attorney Berman has provided excellent counsel to the City, particularly with ordinances that have helped move the City forward and ensure safety and protection.

A motion was made by Mayor Hardin, seconded by Vice Mayor McGee, to award the City Attorney a 5% merit increase. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

F. ADDITIONAL AUDIENCE TO BE HEARD

Mayor Hardin asked if there were any additional speakers signed-up to speak under Audience to be Heard, to which City Clerk Alfred replied there were none.

G. NEXT SCHEDULED MEETING

Mayor Hardin announced that the next scheduled meetings are as follows:

October 22, 2024 at 6:00 p.m. - Regular City Commission Meeting

November 12, 2024 at 1:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager's Report:

City Manager Harrison announced that the City's procurement department received an award, one of only 72 cities in the United States to receive it. He acknowledged Mary Rivero, the Purchasing Director, for her contributions, noting that although she had not been with the City long, she had already made significant improvements in the department.

City Attorney's Report:

City Attorney Berman thanked the Commission for their support and emphasized his availability to assist. He addressed questions about potential charter amendments, highlighting how using resolutions for agreements instead of ordinances could save time and taxpayer dollars. He cited examples on the current agenda which require lengthy approval processes under current rules. City Attorney Berman urged voters to consider the amendment in the upcoming election. He concluded by thanking everyone and wishing them safety during the approaching storm.

City Clerk's Report:

City Clerk Alfred announced that the City will hold a general election on November 5, 2024, to elect a mayor and commissioners for districts 1, 3, 4, and 5. Information about candidates and referendum questions is available on the City's website. Early voting will be from October 21st through November 3rd, from 7:00 a.m. to 7:00 p.m., at the E. Pat Larkin Center and Emma Lou Olson Center. Additional early voting sites can be found on the Broward County Elections website at BrowardVotes.gov.

Comr. Fournier's Report:

Comr. Fournier urged everyone to prepare for the upcoming storm, noting it could bring a significant rain event. She expressed appreciation for the Environmental Services team, who had been distributing sandbags since 4:00 a.m. the previous day, and for the Utilities team working to prepare the City and manage the post-storm cleanup. She reminded residents that the City, including parks and facilities, would be closed on October 9th and 10th, though essential services would continue, and garbage collection would remain on schedule. Additionally, she announced her monthly community meeting has been moved to Wednesday, October 16th, at 7:00 p.m. at the American Legion, featuring State Representative Chip Lamarca as a special guest. The meeting will cover charter amendments and other resident concerns.

Comr. Moss' Report:

Comr. Moss announced that due to the upcoming weather and city facility closures, the Palm Aire United Candidates Forum had been postponed to Monday, October 14th, at 7:00 p.m. at the Herb Skolnick Center. The decision was made earlier in the day, and all candidates, as well as the Pelican, which is organizing the event, will be contacted. He encouraged the public to attend and hear from the candidates for commissioner and mayor, urging residents to mark their calendars for the rescheduled date.

Comr. Perkins' Report:

Comr. Perkins asked staff if there were any areas in Pompano Beach, west of Federal Highway, that were considered flood zones and requested a follow-up after the meeting to identify those areas. She expressed appreciation for the turnout at the Blanche Ely High School parade on Saturday and mentioned the tailgate that followed, where over 1,000 alumni gathered. She noted that many attendees later went to Smitty's in Fort Lauderdale and suggested that Pompano could benefit from having a similar restaurant where people could

gather and celebrate locally. She praised the school pride and spirit at the event and thanked Blanche Ely High School.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton informed everyone about an upcoming informational session on the charter amendments, scheduled for October 16th at 6:00 p.m. at the Charlotte Burrie Center. She expressed her gratitude to the Mayor and staff, including Mr. Berman, for supporting the event and was hopeful for a good turnout. She also advised everyone to stay safe and well-prepared for the ongoing flooding, emphasizing the importance of avoiding unnecessary driving and being cautious during the weather conditions.

Vice Mayor McGee's Report:

Vice Mayor McGee expressed gratitude to Representative Lamarca, HUB International, Association Reserves, and NCOP Florida for their involvement in a successful condo town hall meeting. The meeting covered legislation, insurance policies, and best practices, with plans to continue addressing condo issues through coordinated efforts and additional meetings. Vice Mayor McGee encouraged those interested in condo-specific matters to get involved by emailing their contact information. She also thanked staff for organizing a successful Untapped event before the storm. Lastly, Vice Mayor advised everyone to stay safe during the storm, particularly by paying attention to high tide times, as the area was already saturated and flooding could worsen.

Mayor Hardin's Report:

Mayor Hardin asked City Manager Harrison about the City's plan to address the swales in front of homes, noting the ongoing flooding issues in certain areas. He then highlighted the success of a recent project in his neighborhood on Southeast 17th Street and Norwood, where city crews reshaped the swales by lowering them below street level, which significantly improved drainage and reduced flooding. He acknowledged that flooding has been a persistent issue for years and emphasized the effectiveness of swale shaping in resolving the problem. Mayor Hardin encouraged the other commissioners to identify areas in their districts with similar issues and contact City Manager Harrison to prioritize the shaping of swales in those areas, noting that while some residents might initially resist the idea, it has proven to be an effective solution for managing stormwater.

Mayor Hardin reminded everyone to stay safe with the approaching hurricane and keep the west coast of Florida in their thoughts as they face a more severe impact. He thanked the staff for their efforts and briefly discussed city operations during the storm. He confirmed that the City would be closed on Wednesday and Thursday, with regular closures on Friday. Garbage pickup would continue as planned unless conditions change drastically. If there are disruptions, residents should pull their bins back in.

I. ADJOURNMENT

The meeting adjourned at 2:21 p.m.

Rex Hardin, Mayor

Kervin Alfred, City Clerk