

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, December 12, 2023

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

INVOCATION

Pastor Dr. Gary Colboch of Grace Church offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[24-111](#) City & CRA Board Joint Special Meeting Minutes of October 12, 2023

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.

[24-110](#) Regular City Commission Meeting Minutes of November 14, 2023

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

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Agenda be APPROVED AS SUBMITTED. The motion carried unanimously by 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 Items 6 and 8 would be pulled for City Commission discussion.

A. PROCLAMATIONS

[24-74](#) **Proclamation Presentation to Dr. Richard J. Porraro**

Mayor Hardin presented a proclamation to Dr. Richard J. Porraro for all he has contributed to the Pompano Beach community and extended his best wishes to him and his family for many successful years in the future. Dr. Porraro accepted the proclamation and expressed gratitude for the opportunities and successes he has experienced in the city, including fulfilling a promise to his father to give back to the country. He shared a story about coaching a baseball team and emphasized the importance of not judging people by their color. He expressed love for the community and people he has met, and praised the City Manager and golf course management for their support through the years. He concluded by thanking the City Commission for allowing him to fulfill his father's wishes.

Zachary Cook, resident, thanked Dr. Porraro for his contribution to the city.

Barbara Robinson, resident, said Dr. Porraro has left great footprints on the sands of time. She further spoke about Dr. Porraro's impact on her life.

Former City Comr. Woodrow Poitier acknowledged Dr. Porraro's accomplishments.

Mayor Hardin thanked Vicente Thrower for his assistance in recognizing Dr. Porraro.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. SPECIAL PRESENTATION**24-118 Presentation by Operation Established Trust**

Major Wayne Adkins introduced the item and briefly explained Operation Established Trust (OET). He explained how the group was formed after the George Floyd incident and organized with law enforcement to start a dialogue with the youth in their city. They started through the Pompano Beach High School and now have a community outreach and response enforcement education team known as the core team.

Colonel Gregory Johnson described the purpose of OET, stating that they wanted to respond positively to the negative impact on law enforcement after the death of George Floyd. They believe in supporting law enforcement and want to provide opportunities to positively impact youths in their community. The group focuses on programs that show a different side of law enforcement beyond sirens and arrests, including toy drives and other community events.

Zoey Katz, Pompano Beach senior, briefly spoke about her involvement in OET and how it helped her find a sense of community in Pompano Beach. She also mentioned how the lessons learned from the Sheriff's Office encouraged her and other students to be a part of Pompano Beach's school safety culture. Zoey also talked about supporting toy and food drives, and how it helped her make a meaningful impact in the community. Finally, she expressed hope that Blanche Ely High School will have the same opportunity to partner with OET to impact the community as well.

Colonel Johnson continued the presentation by reviewing the following previously held events: Christmas Extravaganza 2022, BSO of Pompano Beach Serving their Community, and OET Outreach. He then shared a video on a recent event coordinated by OET.

Mayor Hardin expressed his gratitude to the Broward Sheriff's Office for their participation and support in this initiative, which makes a significant difference. He said that OET is part of BSO's outreach efforts to bridge the gap between the community and law enforcement.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

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:

Zachary Cook, 603 NE 9th Avenue, Pompano Beach, FL, raised concerns about the sail structures at the Pompano Beach Pier, noting they were ripped and corroded. He was also concerned for the safety of the people on the pier as well as the safety of the marine wildlife. Therefore, he urged the City Commission to consider a permanent solution for the damaged sail structures.

Sarahca Peterson, 4354 NW 9th Avenue, Pompano Beach, FL, briefly commented on the housing demand in

Pompano Beach, stating that everyone is looking for affordable housing. Next, she spoke about a position she recently accepted through YWCA, an organization that focuses on teen entrepreneurship. She said YWCA will be concentrating their efforts to promote the Broward 360 program in Pompano Beach, which provides entrepreneurship opportunities to students from middle school to high school. Their goal is to reach 60 students and therefore she urged the City Commission to share this information with students in their district that can benefit in this program.

Allison Aurillio, Pompano Beach, FL, spoke about the bright streetlights in her neighborhood. She said there was a shield put up, however the original streetlight is still there shining brightly onto her property. She presented images of her house, displaying the brightness of the streetlight. She noted that she has not heard from Horacio Danovich on the matter since October. In closing, she said due to the streetlight she has no privacy and does not feel safe; therefore, she requested the City Commission to address the issue.

Phyllis Smith, Pompano Beach, FL, stated the community room at the McNair Center was once used for special events and meetings, and despite residents' expressing their desire for said usage, the community room has been turned into a concession stand and weight room. She noted the Collier City Civic Association hosts meetings in that building and the room in question was supposed to be a meeting room. She stressed the importance of listening to the needs of the community and commended Comr. Moss and Comr. Perkins for listening to and engaging with the citizens of Collier City.

Comr. Moss agreed with Ms. Smith's sentiments and said there was supposed to be a community room in the McNair Center. He said millions of dollars have been spent on the facility but only meets the needs of a small part of the community. Therefore, he asked the City Manager to find a solution for a space where the community can meet.

City Manager Harrison stated that the workout equipment was purchased with wheels in order to be movable. He agreed to research a solution and present options to the City Commission.

Pat Anderson, Pompano Beach, FL, spoke about the smash at her property by Qualmann Marine, of which a record of the incident cannot be found. Although she noted that her property address is now in Lighthouse Point, she asked the City Commission to look into the matter. She explained the damages to her house and that she spent \$300K to address code compliance issues. She alleged she is a victim of code harassment and urged the City Commission to review the matter. She then provided materials to the City Clerk.

D. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Consent Items 1-5, 7 and 9-13.

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.

Comr. Perkins requested to pull Item 5 for discussion.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, to rescind the approval of Item 5 on the Consent Agenda. The motion carried by a unanimous voice vote.

1. [24-95](#) Approve the recommendation of the Selection/Evaluation Committee for RFQ T-19-23 City Signage Production and Installation, and authorize staff to negotiate contracts with the responsible and responsive proposers: Art Sign Co., Inc., Bergen Sign Company, Inc., and Don Bell Signs LLC. (No cost at this time.)
(Fiscal Impact: N/A)

(Staff Contact: Tammy Good)

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.

2. [24-82](#) 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 POMPANO BEACH RIPTIDE SOFTBALL, INC., TO USE THE ATHLETIC FIELDS AT COMMUNITY PARK, MITCHELL/MOORE PARK, AND KESTER PARK TO PROVIDE A FEMALE YOUTH SOFTBALL PROGRAM FOR AGES SEVEN TO SEVENTEEN; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$1,550 - Estimated Revenue)

(Staff Contact: Mark A. Beaudreau/Scott Moore)

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. 2024-33

3. [24-91](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY TO OCCUPY A PORTION OF ALSDORF PARK AS A STAGING AREA FOR ITS DEERFIELD ISLAND SITE IMPROVEMENT CONSTRUCTION PROJECT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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. 2024-34

4. [24-92](#) 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 POMPANO PIRANHAS, INC. TO UTILIZE THE CITY'S AQUATIC CENTER TO PROVIDE A YOUTH SWIMMING PROGRAM; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$9,500 - Estimated Revenue)

(Staff Contact: Mark A. Beaudreau)

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. 2024-35

5. [24-93](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, ACCEPTING A GRANT IN THE AMOUNT OF \$200,000 FOR RENOVATIONS AT THE POMPANO BEACH ULTIMATE SPORTS PARK; AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$200,000; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: City to receive \$200,000 in grant funds with matching funds of \$200,000.)

(Staff Contact: Mark A. Beaudreau)

Comr. Perkins commented about a 6-8 lane track at the subject park and asked for an update on the park based on the grant funding received.

Mark Beaudreau, Recreation and Parks Director, stated this funding has nothing to do with the track. He explained the funds are earmarked for synthetic turf field, picnic shelter, landscaping and a restroom concession stand.

Comr. Perkins asked about the start date of construction of the Ultimate Sports Park. Mr. Beaudreau said that is not under his purview, so he does not know the start date.

Comr. Perkins asked the City Manager whether the track will be included in the Ultimate Sports Park. City Manager Harrison said that they are reviewing all components to include a track to see what the funding need would be. He said they continue to review it and will come back to the City Commission to decide.

Comr. Perkins inquired whether construction would begin in 2024. City Manager Harrison replied yes.

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

Vice Mayor McGee commented on the NFL's consideration of removing synthetic turf due to its potential links to injuries, so she wanted to ensure staff was aware of this. Mr. Beaudreau acknowledged ongoing discussion about synthetic turf but said it is their position to continue to build synthetic turf fields.

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. 2024-36

6. [24-96](#) 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 PBFC PAL HAMMERHEADS INC. TO USE THE ATHLETIC FIELDS AT COMMUNITY PARK TO PROVIDE SOCCER PROGRAMS FOR YOUTH AGES FIVE TO EIGHTEEN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,150 - Estimated Revenue)

(Staff Contact: Mark A. Beaudreau)

Mayor Hardin mentioned that this item had been pulled from the agenda by mistake. He then sought public input on the item and, receiving none, he moved on to Commission discussion.

Comr. Fournier expressed her gratitude towards youth sports organizations and was pleased to know that they will continue to operate in the city.

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. 2024-37

7. [24-67](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS PROGRAM SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE BOYS & GIRLS CLUBS OF BROWARD COUNTY, INC., PROVIDING FOR A MATCHING GRANT TO EXPAND AND RENOVATE THE THOMAS D. STEPHANIS UNIT FACILITY LOCATED AT 212 NW 16TH STREET, POMPANO BEACH, FLORIDA; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$250,000 ARPA State and Local Fiscal Recovery Funds)

(Staff Contact: Suzette Sibble/Alex Goldstein)

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. 2024-38

8. [24-83](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY'S FISCAL YEAR 2024 ANNUAL PUBLIC ART PLAN AND DIRECTING STAFF TO PROCEED WITH THE PROJECTS INCLUDED THEREIN; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$228,732.00)



Strategic Plan Initiative

(Staff Contact: Laura Atria/Ty Tabing)

Comr. Perkins referenced the fish design located on Page 34 of the packet they received and requested a new design instead for the location. Laura Atria, Public Art Program Manager, clarified the image pointed out by Comr. Perkin, stating it is only a reference picture and is not the recommendation for that location.

Vice Mayor McGee expressed concern about the Mini Mechan project and recreating art. She would prefer to see fresh art.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, to strike the Mini Mechan H2O artwork from the plan and direct the Public Art Committee to consider other options and re-appropriate the funds.

Ms. Atria explained the process for deciding about the Mini Mechan.

Comr. Fournier asked about the proposed location. Ms. Atria said the proposed location would be the light pole where the Mechan was to be installed. She added that a plaque will be included as well.

Comr. Sigerson-Eaton said she is glad they are looking for a location in District 2 for the fish sculpture. She recommended a mural in the north end of the City, where a sound barrier wall was once proposed.

Ms. Atria noted they will begin outreach next year as the 10-Year Master Plan concludes in a few years.

Mayor Hardin invited public comment on the motion.

Zachary Cook, 603 NE 9th Avenue, said he understands the arguments for and against the subject art piece, however he believes not many people get to see the original art pieces. Nevertheless, he thinks it is a great opportunity for people to take pictures and post them online, which he felt would benefit the city.

Mayor Hardin closed public comment.

The motion carried by the following vote:

Yes: Fournier

Moss

Perkins

Sigerson-Eaton

McGee

Hardin

Mayor Hardin opened public comment for the remainder of the master plan.

Zachary Cook, 603 NE 9th Avenue, Pompano Beach said the library is a giant white canvas waiting to be painted. He suggested painting something on the wall facing Atlantic.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, wants to see more tigers incorporated into the plan, and the Monopoly Man included in public artwork.

Saracha Peterson, 4354 NW 9th Avenue, Pompano Beach, spoke about the grant for the mural near the wash house. Ms. Atria said the funding is specific to the Artist-in-Residence program at Bailey Contemporary Arts, and the art must be temporary.

Phyllis Smith, Pompano Beach, said the McNair Center wall is blank and suggested featuring the pictures of Collier City residents. Ms. Atria said they are currently working on a similar project.

Ms. Atria confirmed that the Pez sculpture in Palm Aire is being repainted, in response to Comr. Moss' inquiry.

Comr. Sigerson-Eaton asked where the reference portraits will be featured. Ms. Atria replied that the mural will be located on the McNair Center.

A motion was made by Commissioner Perkins, seconded by Vice Mayor McGee, requesting that staff meet with each individual district Commissioner to review artwork slated for their district prior to being placed on the agenda.

Mayor Hardin opened public comment on the motion.

Zachary Cook, 603 NE 9th Avenue, agreed with Comr. Perkins but does not want to seek a hard yes or no approval for every single piece of artwork.

Mayor Hardin closed public comment.

Comr. Perkins stated it would only be to provide input.

Ms. Atria said she tries to bring a lot of artwork to the City Commission for consideration. She said that in the future, they can engage the community, as requested by the City Commission.

Comr. Moss stated that only certain things are appropriate in each District. He agreed that taking the matter up with the respective commissioner in advance is a good idea.

Ms. Atria explained the Public Art Committee is conscious of the districts and placement.

Comr. Sigerson-Eaton said this topic always has a lot of discussion. She stated that art is subjective.

Earl Bosworth, Assistant City Manager, reminded the City Commission that the public art selection and commissioning is an alternative procurement process. He said they would need to consult with the City Attorney's Office if the City Commission wants to look at a different process.

Mayor Hardin clarified that no yes or no decision was mentioned in the motion.

Vice Mayor McGee said more communication with the Public Art Committee and the City Commission would be okay.

Comr. Perkins stated that her intention with the motion is not to remove the power from the Public Art Committee. She said that residents often provide feedback directly to her rather than the representative on the Committee.

The motion carried by the following vote:

Yes: Fournier

Moss

Perkins

Sigerson-Eaton

McGee

No: Hardin

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

Yes: Fournier

Moss

Perkins

Sigerson-Eaton

McGee

Hardin

Enactment No: RES. No. 2024-39

9. [24-98](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH PURSUANT TO CHAPTER 96 OF THE CITY'S CODE OF ORDINANCES, ASSESSING THE CITY'S COSTS FOR ABATING PUBLIC NUISANCE CONDITIONS ON REAL PROPERTY(IES) IN THE CITY AND PROVIDING THAT UPON THE RECORDING OF THIS RESOLUTION SAID ASSESSMENT, INCLUDING ADMINISTRATION AND INSPECTION COSTS, SHALL BE A LIEN AGAINST THE PROPERTY(IES) WHICH SHALL BEAR INTEREST AS SET FORTH IN SECTION 55.03, FLORIDA STATUTES, AND BE CO-EQUAL WITH LIENS OF AD VALOREM TAXES; DIRECTING THE CITY CLERK TO RECORD A CERTIFIED COPY OF THE RESOLUTION AND TO PROVIDE OWNER(S) WITH A NOTICE OF LIEN; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mario Sotolongo)

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. 2024-40

10. [24-100](#) 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 IVAN AND DARLENE MILO, AND GENO ROEFARO, 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. 2024-41

11. [24-101](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND WHAHOO DOCK LLC FOR THE MAINTENANCE OF AN EXISTING DECK ASSOCIATED WITH REAL PROPERTY LOCATED ALONG CANAL DRIVE WITHIN THE CITY'S RIGHT-OF-WAY; 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. 2024-42

12. [24-81](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A UTILITY EASEMENT BETWEEN THE CITY OF POMPANO BEACH AND D. R. HORTON, INC., ACCEPTING A GRANT OF A PERPETUAL NON-EXCLUSIVE UTILITY EASEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

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. 2024-43

13. [24-94](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SANDS HARBOR RESORT & MARINA LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$50,400 Annual Net Revenue)

(Staff Contact: Jeff Lantz)

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. 2024-44

E. REGULAR AGENDA

14. [24-78](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, AS LESSEE, AND TD EQUIPMENT FINANCE, INC., AS LESSOR, WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$6,167,372 over 5 year lease term)

(Staff Contact: Allison Feurtado)

Allison Feurtado, Finance Director, stated the Finance Department was asked to find financing for the acquisition of certain equipment that had been approved for Capital Outlay in the FY 2023-2024 Budget, for several departments. After reviewing proposals from several banks, it was concluded that TD Bank offered the best terms to finance these acquisitions. The loan term is for five years, with a locked interest rate of 4.41%. Therefore, staff is requesting the approval to proceed with TD Bank to finance the equipment.

Mayor Hardin opened the floor for public input and invited further Commission discussion on the motion. However, no one commented on the motion.

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

Sigerson-Eaton

McGee

Hardin

Absent: Perkins

Enactment No: RES. No. 2024-45

15. [24-105](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO PIGGYBACK OFF THE NATIONAL PURCHASING COOPERATIVE'S PROPOSAL #635-21 WITH AWARDED VENDOR INSITUFORM TECHNOLOGIES, LLC FOR CURED-IN PIPE REHABILITATION SERVICES AND TO EXECUTE AN AGREEMENT FOR CURED-IN PIPE REHABILITATION SERVICES NO. 12199 BETWEEN THE CITY OF POMPANO BEACH AND INSITUFORM TECHNOLOGIES, LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$ 2,050,000.00)

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, stated this is a Contract to align the City's wastewater gravity mains.

Mayor Hardin opened the floor for public input and invited further Commission discussion on the motion. However, no one commented on the motion.

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
Sigerson-Eaton
McGee
Hardin

Absent: Perkins

Enactment No: RES. No. 2024-46

16. [24-59](#) **P.H. 2024-14: (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 CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CUTTING EDGE INDUSTRIES INC. TO PROVIDE LANDSCAPE INSTALLATION AND MAINTENANCE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Cost will be determined on a project by project basis.)

FIRST READING: NOVEMBER 14, 2023

(**Staff Contact:** Dr. Tammy Good/Brian Donovan)

Brian Donovan, Assistant City Manager, stated this is the second reading of the Ordinance and there have been no changes since the first reading.

Mayor Hardin opened the floor for public input and invited further Commission discussion on the motion. However, no one commented on the motion.

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. 2024-14

17. [24-55](#) **P.H. 2024-15: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY CREATING SECTION 34.009, "CITY'S LOGO," TO PROVIDE RESTRICTIONS ON USAGE OF THE CITY'S DESIGN MARK (LOGO) OR WORD MARK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 14, 2023

(Staff Contact: Mark E. Berman)

Tracy Lyons, Deputy City Attorney presented the item and stated there have been no changes between first and second reading.

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

Vice Mayor McGee reiterated that they should look into the licensed logo to create official licensed merchandise. Mayor Hardin recommended Vice Mayor McGee discuss further with City Manager Harrison.

Comr. Fournier said the Ordinance and the selling of merchandise seem in conflict. Also, as stated on first reading, she is not in favor of passing this Ordinance as it has no enforcement provisions.

In response to the inquiry of Comrs. Moss and Perkins, Mayor Hardin confirmed that the ordinance would cover the City's logo, seal, and slogan - Florida's Warmest Welcome.

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: Moss

Perkins

Sigerson-Eaton

McGee

Hardin

No: Fournier

Enactment No: ORD. No. 2024-15

18. [24-63](#) **P.H. 2024-13: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE AMENDING CHAPTER 31, "CITY OFFICIALS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 31.01, "TRAVEL AND SUBSISTENCE ALLOWANCES," TO MODIFY THE

PROCEDURES FOR PAYMENT OF AUTHORIZED TRAVEL EXPENSES;
PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE
(Fiscal Impact: N/A)

(Staff Contact: Allison Feurtado)

Allison Feurtado, Finance Director, stated this is the first reading of the Ordinance to amend Chapter 31, Section 31.01 "Travel and Subsistence Allowances". This will amend current terminologies and reimbursement policy for travel expenses. Staff is recommending a shift from the current policy of using a fixed dollar amount to a per diem rate structure set by federal guidelines. She then outlined several benefits of the per diem rate structure, one of which would help the City remain in compliance with tax and accounting rules.

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

Comr. Fournier inquired about the fiscal impact. She asked if it was difficult to quantify what it would be. Ms. Feurtado replied that the cost is immaterial. She explained that the City's maximum daily value is \$50, and compared to the rates to travel to Orlando, it is a difference of \$9 or less. Therefore, there is no fiscal impact.

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

19. [24-72](#) **P.H. 2024-16: (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 SOFTWARE LICENSE AND SERVICE AGREEMENT BETWEEN UNITED PUBLIC SAFETY, INC. AND THE CITY OF POMPANO BEACH FOR LICENSE PLATE READING TECHNOLOGY FOR PARKING ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$72,248 total for 3 years)

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Manager, introduced the item and provided a brief background. He stated the City began

using license plate recognition technology for parking enforcement in 2015. The company that provided the technology was named New Park. In 2022, New Park was sold to T2, who enhanced the software technology and added some additional convenience services, one of which is called Up Safety. He noted that nothing has changed other than the company name and software upgrades to the system. He confirmed the system has no ability other than to read a license plate number of a parked vehicle.

Mayor Hardin opened the floor for public input.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, asked why drivers could not back into parking spaces. Mayor Hardin replied that it is so the license plates can be read, which saves on personnel costs. Additionally, it is a safety concern.

Mayor closed public input and invited further Commission discussion on the item.

Comr. Moss asked if they were the same license plate readers employed by the Police Department and if they were connected to the Police Department. Mr. Lantz replied no.

Comr. Fournier inquired if Mr. Lantz was convinced this was the best new system, to which Mr. Lantz replied affirmatively.

Comr. Fournier inquired whether this would approve the collections. Mr. Lantz said he hopes so, as the new system will automatically download and batch the collection letters.

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

20. [24-107](#) **P.H. 2024-17: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 32, "DEPARTMENTS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 32.39, "COMPETITIVE BIDDING," TO PROVIDE FOR REVISION TO THE CITY'S PROCUREMENT PROCEDURES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Dr. Tammy Good)

Meeting went into Recess

Meeting Reconvened

Dr. Tammy Good, CIP Manager, introduced the item and stated that staff would like to increase the spending thresholds for the purchase of supplies, materials, capital items, and construction contracts in order to directly procure services without competitive bidding. Currently, the thresholds to purchase supplies and materials are \$20K and would like to increase the thresholds to \$75K, with only needing the General Services Director approval. For supplies and materials up to \$200K, it would require General Services Director approval and concurrence of the City Manager. For construction contracts, Dr. Good said there would be a tiered process, including up to \$300K with quotes, approved by the General Services Director and the City Manager.

Mayor Hardin opened public comment on the item.

Vicente Thrower, 1890 NW 6th Avenue, Pompano Beach, FL, inquired about local companies for competitive bidding. Dr. Good replied that they looked into local policies that prioritize local companies. Mr. Thrower hopes they will hire minority companies.

Zachary Cook, 603 NE 9th Avenue, Pompano Beach, FL, asked if this would include things that Public Works takes care of. Dr. Good replied yes and explained the process if the Ordinance is approved.

Mayor closed public input and invited further Commission discussion on the item.

Comr. Perkins asked who determined this was needed or necessary. Dr. Good replied that it was a collective agreement within the City based on the constraints of the procurement process. She added that the proposed thresholds are aligned with Florida state statute. She noted the last time the threshold was changed was 2009.

Comr. Perkins expressed concern about doing right by the small businesses. She would have preferred that the topic be discussed with each commissioner before the meeting.

City Manager Harrison said Comr. Perkins was not available to be briefed on the item. Comr. Perkins said she should have been contacted about her availability. City Manager Harrison replied, stating his staff tried to contact Comr. Perkins on multiple occasions but was unsuccessful. Comr. Perkins noted that this is not true. Discussion ensued about outreach to Comr. Perkins.

Comr. Moss asked about Florida Statute 255.20 and whether it applies to spending on the state level. Dr. Good replied that it applies to county and municipality.

Comr. Moss inquired how many other cities in Broward County have adopted the \$300K limits. Dr. Good replied many cities, including Pembroke Pines, Lee County, the City of Miami, Manatee County, and the City of

Palm Bay.

Comr. Moss asked if this enables staff to enter into a contract with a provider, up to \$300K, without the knowledge of the City Commission. Dr. Good replied that it was unnecessary, as they would be vendors for projects already approved by the City Commission.

Comr. Moss stated that it appears that the City Commission would be giving up its authority by allowing contracts up to \$300K without the City Commission's approval.

Deputy City Attorney Lyons said the proposed Ordinance language mirrors the State Statute.

Comr. Sigerson-Eaton asked Dr. Good to explain the competitive bid process. Dr. Good explained the process and provided examples.

Comr. Fournier stated she shares Comr. Moss' concern about unintended future consequences. She also expressed concern that Comr. Perkins did not have the opportunity to be briefed on the item. She said the current process is a safety net to ensure transparency and competition.

Dr. Good reiterated there would not be projects the City Commission is unaware of. She said they are attempting to streamline the procurement process.

Comr. Fournier asked if it only applies to tangible construction items, to which Dr. Good replied affirmatively.

Vice Mayor McGee said there is a cost-savings in time. Dr. Good said the savings in the last year and a half alone would be \$2.8M. She confirmed all quotes would be part of the public record.

Comr. Moss continued to express concern that a future contract could be awarded in a non-ethical way. He emphasized they have been elected to oversee how money is being spent. Therefore, he stated that \$300K is too much, and he would not support it.

A motion was made by Commissioner Fournier, seconded by Commissioner Perkins, to postpone the item to the January 9, 2023, City Commission Meeting.

Dr. Good said she would be happy to have further discussions with each commissioner.

Comr. Sigerson-Eaton requested to hear each commissioner's perspective after the motion. She supports the Ordinance and reiterates that the City has checks and balances.

City Manager Harrison said this has not been updated since 2017, and they are simply trying to update it and save some money. He said the projects cost between \$250-\$300K when they used to cost \$75K.

Mayor Hardin confirmed there is enough time to connect with any commissioners who need to be briefed or have questions before the January 9, 2024, meeting. He said he would support postponement.

City Manager Harrison suggested the City Commission pass the Ordinance on the first reading, which could be amended before the second reading.

Comr. Moss recommended each commissioner speak to their constituents about how they review the Ordinance. He stated that Dr. Good only mentioned one city in Broward County. Therefore, he did not support passing it on the first reading and recommended staff consider lowering the threshold to \$150K or another amount.

Vice Mayor McGee understands the concerns but does not think constituents would be excited to know they spend up to \$3M annually to continue with the current process. She supports moving forward with passing on first reading.

Comr. Sigerson-Eaton acknowledged Comr. Moss's concerns, stating that the cost of putting together the bids must be included in the discussion as it is exorbitant.

Comr. Moss said he would like staff to prove it costs \$75K to assemble a bid package. Dr. Good replied that it is more than \$75K. He said he would consider raising the threshold but not to \$300K.

Dr. Good noted sometimes they do not even receive a quote when they competitively bid. She said they believe this will get the best value for the City and ensure the projects are completed promptly.

Comr. Moss reiterated that they need to answer to their constituents, and this may be a hard sell. Dr. Good said constituents are happier if they get the projects done quicker for less money.

Comr. Sigerson-Eaton takes offense that she is being characterized as someone who does not care how money is spent. She said she cares but also wants to see projects get done faster. She acknowledged that \$300K is a lot of money.

Vice Mayor McGee agreed with the views expressed by Commissioner Sigerson-Eaton. She believes there is increased transparency with the three quotes and noted that any threshold can attract bad actors. Lastly, she cannot ignore that this proposal can save \$3M annually.

Comr. Moss said he did not imply Comr. Sigerson-Eaton or other commissioners do not care.

The motion to postpone the item to the January 9, 2023 meeting, carried by the following roll call vote:

Yes: Fournier

Moss

Perkins

Sigerson-Eaton

McGee

Hardin

21. [24-66](#) 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, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON DECEMBER 13, 2026; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Mark Darmanin, **Incumbent** - Coral Springs
Phillip Smith - District 1

Other Board Memberships

0
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. Vice Mayor McGee nominated Phillip Smith and Mayor Hardin nominated Mark Darmanin. The motion carried by the following roll call vote: To appoint MARK DARMANIN.

Yes: Fournier

Moss

Sigerson-Eaton

Hardin

No: Perkins

McGee

Enactment No: RES. No. 2024-47

22. [24-76](#) 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 RICHARD J. PORRARO; SAID TERM TO EXPIRE ON MAY 8, 2024; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Donald Totter, **Alt. 2** - District 1
Frank Sellers, Jr. - District 3
Kenneth Collins - District 3
Mark Hanke - District 3
Scott Schoen - District 3
Charles MacMichael - District 5

Other Board Memberships

0
1
1
0
0
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**. Comr. Fournier nominated Frank Sellers, Jr. and Vice Mayor McGee nominated Donald Totter. The motion carried by the following roll call vote: **To appoint DONALD TOTTER.**

Yes: Moss

Sigerson-Eaton

McGee

Hardin

No: Fournier

Perkins

Enactment No: RES. No. 2024-48

23. [24-80](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON DECEMBER 13, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Mary C. Antoine, **Incumbent** - District 1

Tanya Manfredi - District 1

Cara Driscoll - District 3

Other Board Memberships

0

0

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**. Vice Mayor McGee nominated to appoint **MARY C. ANTOINE**. The motion carried by a unanimous voice vote.

Enactment No: RES. No. 2024-49

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:

January 9, 2024 at 1:00 p.m. - Regular City Commission Meeting

January 23, 2024 at 6:00 p.m. - Regular City Commission Meeting

H. REPORTS**City Manager's Report:**

City Manager Harrison mentioned some items that he had placed on the dais. One of these items was a report on projects that are currently in the permitting phase, with a breakdown by district. He stated that at least 1,500 permits are being issued on a monthly basis. The other two reports on the dais were related to CIP and GO Bond projects, also broken down by district. During the meeting, Randy Brown was recognized and congratulated for receiving three recent awards. In his speech, Mr. Brown expressed his gratitude to his staff and the City Commission for their support. City Manager Harrison also took the opportunity to welcome the new Human Resources Director, Lisa Sonogo.

City Manager Harrison wished everyone a Merry Christmas and Happy New Year.

City Attorney's Report:

Deputy City Attorney Lyons had nothing to report, however she wished everyone a Happy Holidays, and Happy Healthy New Year.

City Clerk's Report:

City Clerk Alfred had nothing to report, however he wished everyone Happy Holidays and Happy New Year.

Comr. Fournier's Report:

Comr. Fournier thanked the city staff for their work during the holiday events. She also congratulated Yuletide Parade winners.

Comr. Fournier wished everyone Happy Holidays.

Comr. Moss' Report:

Comr. Moss expressed his gratitude to the Parks and Recreation Department for organizing the ribbon cutting ceremony at The Bridges in Palm Aire. He also announced that the ribbon cutting ceremony for Top Golf would be held on Friday, December 15th. Next, he thanked Building Official Michael Rada and his staff for their attentive listening and hard work with the constituents. Comr. Moss informed everyone about the upcoming event

of Wreaths Across America that will be held on December 16 at the cemetery on Copans Road. Next, He requested the authorities to open the gates across from the McNair Center for overflow parking for the Collier City Civic Association holiday party. Lastly, Comr. Moss invited everyone to attend the community meeting on December 19th at the Herb Skolnick Center, where state representatives will discuss condo insurance and legislations.

Comr. Moss wished everyone a Merry Christmas and a Happy Hanukah. He also urged everyone to celebrate the holidays safely.

Comr. Perkins' Report:

Comr. Perkins requested the City Manager to explore the possibility of opening the Senior Activity Center for meetings and activities. She mentioned that the E Pat Larkins Center is fully booked until June 2024. Furthermore, she requested the City Manager to furnish her with any information or emails in which she indicated her unavailability to meet with staff and to provide it in writing. She also invited City Manager Harrison to speak with her directly to discuss any ongoing issues or concerns.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton wished everyone Happy Holidays.

Vice Mayor McGee's Report:

Vice Mayor McGee requested the issue of public notice about the condo meeting in case more than one Commissioner wants to attend. Deputy City Attorney Lyons would advise to err on the side of caution and notice the meeting, but it is not required if there is no public discussion. Vice Mayor McGee asked if it would be recorded. Comr. Moss said he does not believe there is a plan to record the event.

Vice Mayor McGee wished everyone Happy Holidays.

Mayor Hardin's Report:

Mayor Hardin expressed his gratitude towards the city staff for organizing the various holiday events, including the menorah at the beach. He also announced upcoming events such as the Boat Parade, Reason for the Season, and both Wreaths Across America events. Furthermore, he thanked H. Gregg Lux for providing vehicles for the Yuletide Parade. Finally, he wished everyone a happy holiday season.

I. ADJOURNMENT

The meeting adjourned at 4:21 p.m.

Rex Hardin, Mayor

Kervin Alfred, City Clerk