

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 24, 2023

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the City Commission meeting to order at 6:00 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. Moss was present at the meeting shortly after the roll call was taken.

INVOCATION

Elder Harold Westley of Newborn Holiness Church offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[24-45](#) Regular City Commission Meeting Minutes of October 10, 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 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 Items 4 and 13 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION**[24-44](#) Special Recognition by Broward Sheriff's Office**

Nichole Anderson, the Undersheriff to Broward Sheriff Gregory Tony, recognized all deputies who were first on the scene after the BSO Helicopter crash that occurred on August 28, 2023. The following are the names of the individuals who were recognized:

Sgt. Jorge Alonso
Sgt. Alex Ordaz
Sgt. Elisa Galindez
Sgt. Gregory Lose
Sgt. Michael Weiner
Sgt. Richard Maguire
Deputy Mitchell Machado
Deputy Michael McCloskey
Deputy Marc Valiquette
Lt. Dave Franks
Captain Darryl Stallings
Captain Efrain Torres
Lighthouse Point PD. Sgt. Andrew Gianino

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

B. PROCLAMATION**[24-25](#) Red Ribbon Week**

Mayor Rex Hardin proclaimed October 23 to October 31, 2023 as Red Ribbon Week in the City of Pompano Beach. He announced that the PFC Bruce W. Carter MOH Young Marines will be actively participating in the Illicit Drug Awareness event this month.

The Proclamation was READ AND PRESENTED INTO THE

RECORD.**C. PRESENTATION**

- [24-24](#) Economic Development Council Multimodal Task Force Final Report and Recommendations.
(Fiscal Impact: N/A)

(Staff Contact: Earl Bosworth)

Earl Bosworth, Assistant City Manager, stated that tonight's presentation of the Multimodal Task Force is the latest of the significant projects completed to date by the Economic Development Council. He then introduced Thomas DiGiorgio, Chair of Economic Development Council, who provided a brief background on the item. Next, Mr. DiGiorgio introduced Carla Coleman, Chair of the Task Force, who gave a presentation on the Economic Development Council Multimodal Task Force Final Report and Recommendations.

Ms. Coleman stated the Task Force is a membership of 15 individuals, some of which are members of city staff, the business community and local residents. She noted the City was already working with Kimley-Horn to develop a scope for a Transportation Master Plan. Next, she gave her presentation and reviewed the following points: Highest Priorities; Major Findings and Recommendations; and Next Steps. Attached as **Exhibit 1** is a copy of Ms. Coleman's presentation in its entirety.

Mr. DiGiorgio thanked the City staff for their work on the Task Force. He said the Economic Development Council, based on the recommendations, set up a long-term Multimodal Strategic Planning Committee. He noted Ms. Coleman agreed to remain as the Chair for up to a year. He named other representatives who will serve on the Committee.

Mayor Hardin stated this Report is the culmination of discussions over the years. He said the City knew they would have growing pains when they started redevelopment. He thanked Ms. Coleman for her willingness to continue to Chair the Committee for the next year.

Vice Mayor McGee expressed her passion of making transportation work for the City, County and beyond. She said the efforts of the Task Force has raised it to the next level. She thanked the Task Force members for their efforts.

Comr. Fournier thanked Ms. Coleman for the presentation. She said the City is at the point of having these conversations. She commented on receiving many questions about golf carts, stating the City needs to be realistic about the limitations of other types of transportation and the reliance on cars.

The Presentation was READ AND PRESENTED INTO THE RECORD.

D. 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:

Avi Goldfedder, 4948 NE 19th Avenue, Pompano Beach, FL, commented on the street lights in the District 2 communities; such as Cresthaven and the Highlands. He asked if the City took a poll before the installation of the lights. Next, he commented on the presentation given by the Economic Development Council Multimodal Task Force, whereby he asked who will be funding the proposed recommendations. He then read a quote from Comr. Sigerson-Eaton and referenced information from various City reports regarding SMART design. He also spoke about Chicanes, a traffic-calming device used in the United Kingdom to address road traffic. In closing, Mr. Goldfedder urged the City to be mindful of the people who live here.

Mary Phillips, 384 NW 19th Street, Pompano Beach, FL, was pleased to know that someone is taking a look at traffic issues. Next, she recognized Charles Rizzuto, Chief Building Inspector, who has been very helpful in assisting her clients. She also noted that the Building Department is returning calls and helping people open and close permits. Therefore, she commended the Building Department staff for doing a terrific job.

In addition, Mrs. Phillips spoke on a matter involving several of her clients who are homeowners along 4th Avenue. She said they are having issues with their water service not being turned back on. She was informed by the Water Department that there is a City Ordinance that forbids water services to be restored on Fridays. She noted water is an essential service and no one should go without it; therefore, she urged the City to take a look at the ordinance and consider adding Fridays to restore water services.

Gilda Kawano, Pompano Beach, FL, said the neighbor near the back-parking lot of her church appears to be disposing water onto their property. She said the easements are also being used by the neighbors for disposal. She asked the City to measure a neighbor’s property to ensure they are within their property limitations. She also noted some people park on their grass, creating large holes, which is a safety hazard for churchgoers. Mayor Hardin asked Ms. Kawano to connect with Mario Sotolongo, Code Compliance Director to look into this issue.

Jocelyn Jackson, Pompano Beach, FL, spoke about the first-time homebuyers’ program. She encouraged residents to take advantage of the program. She offered to help anyone who needs assistance with the program as well.

Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, stated although he supports the Multimodal Task Force report, he believes the report is not fully acceptable until the Task Force gets a realistic view of the traffic within the city. He said the traffic will quadruple with new development. Next, he asked for the timeline for the repaving of roads in connection to the drainage issues that were recently fixed. Lastly, he briefly commented on the Title 6 program and requested the City Commission to pay close attention to it, and noted that it was on the Agenda for consideration.

Mayor Hardin said he will have someone give Mr. Phillips a call about the repaving inquiry.

Jacqueline Biand, 651 SW 6th Terrace, Pompano Beach, FL, commented on the new street lights slated for

the Garden Isles community. She asked the Commission to consider the residents and noted they do not want the lights. Ms. Biand offered other options; nonetheless, she stressed that replacing the whole light fixture is more costly.

Comr. Fournier said the street lights have been a topic of conversation. She stated she does not want to change the character of the neighborhood. She encouraged the Garden Isles residents to drive through the Cresthaven community at night and see an example of the light design. She personally believes they are too tall, and the color intensity is too bright. She urged the Garden Isles residents to work with the City to find something that would be appropriate for the area. She also asked the residents to provide her more input regarding the proposed street lights.

Nancy Olson, 2722 NE 3rd Street, Pompano Beach, FL, thanked the City for supporting the Sand and Spurs Stables. She said the park can benefit the community. She then announced the first Sand and Spurs event that will be held on October 29th. Lastly, Ms. Olson asked why the City does not invest in their own speakers instead of hiring an outside sound system each time they host events.

Marquise Smith, 512 NW 10th Avenue, Pompano Beach, FL, spoke about her water bill. She noticed her water bill is \$80 without using an ounce of water. She said the Utilities Department told her the cost reflected on the bill were the fees. She compared the fees to those from Fort Lauderdale and Coral Springs and their fees are half of Pompano Beach.

Mayor Hardin stated that staff can review her bill and explain the charges. He said there are baseline charges the City assesses for the service. Nevertheless, he asked her to connect with Brian Donovan, Assistant City Manager to review the bill.

E. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1-3, 5-12 and 14 without City Commission discussion.

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. [24-31](#) Request of ratification by City Commission for emergency procurement to construct a rooftop elevator enclosure at the Pier Parking Garage from East Coast Metal Structures, Corp., in the amount of \$134,500.00.
(Fiscal Impact: \$134,500.00)

(Staff Contact: Tammy Good/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.

2. [24-32](#) Request of ratification by City Commission for emergency procurement of wastewater main repairs from DBF Construction in the amount of \$134,538.21.
(Fiscal Impact: \$134,538.21)

(Staff Contact: 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.

3. [24-36](#) Approval to purchase sod, as needed, for the Public Works Department, per the City of Boynton Beach Cooperative Invitation to Bid (ITB) CW22-027 from the awarded vendors: Mullings Engineering Services - Landscaping Division, Inc., Odums Sod, Inc., and Sunset Sod, Inc., in the estimated annual amount not to exceed \$150,000.00.
(Fiscal Impact: \$150,000.00)

(Staff Contact: Robert McCaughan)

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.

4. [24-47](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CONDEMNING THE BRUTAL, BARBARIC, INHUMANE AND UNPROVOKED ATTACK ON THE STATE OF ISRAEL BY HAMAS; SUPPORTING THE STATE OF ISRAEL'S RIGHT TO DEFEND ITSELF; URGING THE PRESIDENT AND CONGRESS TO PROVIDE EMERGENCY ASSISTANCE TO THE STATE OF ISRAEL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Mayor Hardin asked for it to be put on the Agenda and thanked City Attorney Berman for his work on the Resolution.

Mayor Hardin opened the floor for public input.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, spoke in favor of the Resolution, stating that Israel has consistently had to defend itself. He noted he feels sorry for the Palestinians, but they are surrounded by a bunch of terrorists. He believes Israelites must defend themselves.

Alexis (no last name or address provided) stated she is Jewish; however, she is tired of people like Mr. Skversky speaking on her behalf. She does not believe Jewish people are the most oppressed people in the world. She stated that the Israelites stole their homes in 1948 and they have every right to get their homes back. She questioned taking funds to support genocide and noted that there are plenty of Jews against what is happening to the Palestinians in Gaza.

Tiffany (no last name or address provided) said she stands in solidarity with Alexis' sentiments and she is committed to justice. She indicated that 60 million people were massacred in the slave trade and commented on the decades of persecution Palestinians experienced at the hands of the Israelis. She asked for aid not to be sent to Israel when they are committing genocide and bombing churches, hospitals and people's homes. In closing, Tiffany expressed her desire to see an immediate ceasefire and justice for people living in Gaza. She stated everything is being controlled by Israel and the Palestinians need humanitarian aid.

Ihab Al-Dammagh, 2215 Cypress Island Drive, Pompano Drive, stated the Resolution is about condemning the killing of civilians, but noted it should also condemn killing on both sides. Therefore, he requested the Resolution include the City's concerns about the number of civilian casualties.

David Hall, 290 SE 8th Court, Pompano Beach, FL, stated the Mayor mentioned he was against the killing on both sides. He then spoke about Hamas terrorism and Israel's right to defend itself.

Mayor Hardin asked for order in the Chambers and gave Alexis two warnings; however, Alexis continued to disrupt the meeting and therefore the Mayor requested BSO deputies to escort Alexis out of the building.

Mr. Hall continued by stating he is not condemning an entire race. He said Jordan and Egypt would not accept the Palestinians to enter their countries. He said it is antisemitic to equate what Hamas has done to anything else.

Vicente Thrower, Pompano Beach, FL, stated he is a 3rd generation African American resident and has a right to say what he wants to say. He said before Mr. Hall corrected himself, he was giving a hate speech. He said there has been no Resolution supporting the suffering of African Americans. He does not condone what is happening in Israel, but he reminded the Mayor and City Commissioners that they represent the residents of Pompano Beach.

Jocelyn Jackson, Pompano Beach, FL, expressed sympathy for the people affected by the conflict in Gaza, however, she also sympathizes for those affected by gun violence in Pompano Beach. She said she has never seen a Resolution against gun violence. She is offended by the Resolution as they struggle with issues here in the city; stating that African Americans are being murdered and they need to first address the local issues before they assist anyone elsewhere.

Sarahca Peterson, 4354 NW 9th Avenue, Pompano Beach, FL, said this Resolution is very divisive since there are different perspectives. She said the Resolution divides a city that is trying to come together.

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

Comr. Fournier clarified that there is no allocation of funding by the City associated with the Resolution. She said history is full of horrendous acts, including the American history. She noted the entire Israel and Palestine situation

is a tragedy and wished the Resolution spoke about humanitarian aid. She also agreed with Ms. Peterson and how divisive the Resolution is for 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. 2024-11

5. [23-781](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY'S TITLE VI / NONDISCRIMINATION POLICY STATEMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE ASSURANCE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

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. 2024-12

6. [24-13](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE CITY OF POMPANO PUBLIC TRANSPORTATION AGENCY SAFETY PLAN AND DIRECTING IMPLEMENTATION OF SAID PLAN; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Robert McCaughan)

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. 2024-13

7. [23-770](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER TWO TO THE JOINT PARTICIPATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR ROADWAY IMPROVEMENTS ALONG SR-A1A FROM SUNSET LANE TO SE 1ST STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

G.O. POMPANO!

(Staff Contact: Robert McCaughan)

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. 2024-14

8. [24-07](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A STATE HIGHWAY SYSTEM PROJECT FUNDING AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION TO PROVIDE THE TERMS AND CONDITIONS FOR THE RESURFACING OF STATE ROAD A1A FROM NE 5TH STREET TO THE SOUTH END OF HILLSBORO INLET BRIDGE, AND ESTABLISHING FDOT'S FUNDING IN AN AMOUNT UP TO \$2,234,651.00; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$2,234,651 paid to City)

G.O. POMPANO!

(Staff Contact: Robert McCaughan)

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. 2024-15

9. [24-38](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 1 TO ALLOW FOR AN EXTENSION OF TIME TO COMPLETE THE SR A1A STREETScape IMPROVEMENTS, PURSUANT TO THE CONSTRUCTION MANAGER-AT-RISK CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BURKHARDT

CONSTRUCTION, INC.; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: No Fiscal Impact)

G.O. POMPANO!



Strategic Plan Initiative

(Staff Contact: Fernand Thony/Horacio Danovich)

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. 2024-16

10. [24-48](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND SFM JANITORIAL SERVICES, LLC TO PROVIDE JANITORIAL SERVICES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$145,992.00)

(Staff Contact: George Buenaventura)

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. 2024-17

11. [24-49](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND JANITORIAL 5 STAR SERVICES LLC TO PROVIDE JANITORIAL SERVICES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$135,578.64)

(Staff Contact: George Buenaventura)

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. 2024-18

12. [24-10](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY HABITAT COMMUNITY HOUSING DEVELOPMENT CORPORATION, PROVIDING FOR THE FUNDING AND ADMINISTRATION OF HOME INVESTMENT PARTNERSHIPS PROGRAM PROJECTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$76,226.00-HOME Grant Funding)

(Staff Contact: Alexander 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. 2024-19

13. [24-14](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DESIGNATING THE DOCK LOCATED AT THE SGT. CHRIS REYKA MEMORIAL PARK AS THE DOCKSWELL WATER TAXI DOCK; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

Mayor Hardin said he pulled the item and spoke about the impact of former Comr. Barry Dockswell. He thanked him for his service.

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

Vice Mayor McGee spoke in support of the item, stating that Comr. Dockswell fought hard to have the pier garage and restaurants in District 1. She is proud to continue what he started.

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. 2024-20

14. [24-23](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF STATE, DIVISION OF ARTS AND CULTURE, ACCEPTING A GENERAL PROGRAM SUPPORT GRANT IN THE MAXIMUM AMOUNT OF \$105,172.00 PROVIDING FOR ADDITIONAL ARTISTS AND MARKETING/PRODUCTION EXPENSES, AND CONFIRMING THE CITY'S MATCHING CONTRIBUTION IN AN AMOUNT OF \$105,172.00; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$105,172.00 matching funds: account 001-1039-510-55-80)

(Staff Contact: Ty Tabing)

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. 2024-21

F. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that items 15-19 are listed under Quasi-Judicial Proceeding and are 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.

15. [23-758](#) P.H. 2024-01: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING SOUTH OF COPANS ROAD AND WEST OF FEDERAL HIGHWAY AND COMMONLY KNOWN THE CITI CENTRE MALL FROM B-3/PCD (PLANNED COMMERCIAL DEVELOPMENT) TO A MODIFIED B-3/PCD (PLANNED COMMERCIAL DEVELOPMENT); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 10, 2023

(Staff Contact: Jean Dolan/David Recor)

Mayor Hardin disclosed he had ex-parte communications with the Developer and his representatives regarding the development.

Comr. Sigerson-Eaton disclosed she had ex-parte communications with the Developer and his agent regarding the development.

Vice Mayor McGee disclosed she had ex-parte communications with the Developer and his agent regarding the plans for the proposed development.

Jean Dolan, Development Services Department, stated this is the second reading to change the boundary of the Citi Centre Mall property to a Planned Commercial Development (PCD), which will account for the loss of 12.1-acre parcel designated on the Land Use Plan as residential and rezoned it to RM-30 to enable a 356-unit residential development. Lastly, she confirmed there have been no changes to the Ordinance since the first reading.

Mayor Hardin invited the Applicant, the public and the Commission to provide input on the motion. However, no one came forth to provide further comments.

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

Yes: Fournier

Perkins

Sigerson-Eaton

McGee

Hardin

Absent: Moss

Enactment No: ORD. No. 2024-03**16. [23-759](#) P.H. 2024-02: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, REZONING PROPERTY LYING ON THE SOUTH SIDE OF COPANS ROAD, WEST OF FEDERAL HIGHWAY, COMMONLY KNOWN AS A PORTION OF THE CITI CENTRE MALL SITE, FROM B-3/PCD (GENERAL BUSINESS/PLANNED COMMERCIAL DEVELOPMENT) TO RM-30 (MULTIFAMILY RESIDENCE 30); PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 10, 2023

(Staff Contact: Jean Dolan/David Recor)

Mayor Hardin disclosed he had ex-parte communications with the Developer and his representatives regarding the plans for the proposed development.

Comr. Sigerson-Eaton disclosed she had ex-parte communications with the Developer and his agent regarding the plans for the proposed development.

Vice Mayor McGee disclosed she had ex-parte communications with the Developer and his agent regarding the plans for the proposed development.

Jean Dolan, Development Services Department, stated this is the second reading of the rezoning of a 12.1-acre parcel of the Citi Centre Mall property, which is in accordance with a Land Use Designation approved in 2021. Lastly, she confirmed there have been no changes to the Ordinance since the first reading.

Mayor Hardin invited the Applicant, the public and the Commission to provide input on the motion. However, no one came forth to provide further comments.

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

Yes: Fournier

Moss

Perkins

Sigerson-Eaton

McGee

Hardin

Enactment No: ORD. No. 2024-0417. [24-17](#) **P.H. 2024-08: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING TWO 10-FOOT WIDE RIGHTS-OF-WAY LOCATIONS ON THE WEST SIDE OF NE 26TH AVENUE AND A FIVE-FOOT WIDE RIGHT-OF-WAY ON THE EAST SIDE OF NE 26TH AVENUE, NORTH OF NE 13TH STREET; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, stated this is a request to abandon an excess right-of-way along NE 26th Avenue north of NE 13th Street. She said a resident who owns one of the eight lots adjacent to the portion of NE 26th Avenue requested the abandonment; however, the Development Services Department determined the entire block could be abandoned as long as the property owners agreed to accept the vacated property. Ms. Dolan explained that 5 feet will be abandoned on the east side, which will accommodate a utility line running along the eastern side of NE 26th Avenue while 10 feet could be abandoned along the west side. A utility easement will be retained over the entire area being abandoned.

Continuing, Ms. Dolan indicated there were two adjacent property owners that chose to not be included in the abandonment, so those lots were not included in the area to be abandoned. In closing, she stated that at the September 27th Planning & Zoning Board Meeting, the Board unanimously recommended approval of the request with one condition that has been met. Staff also recommends approval of the request.

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

Comr. Fournier asked if future owners of the other two adjacent properties can submit a request to the City for the abandonment, to which Ms. Dolan confirmed, stating that is correct.

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

Yes: Fournier

Moss

Perkins

Sigerson-Eaton

McGee

Hardin

18. [24-16](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ALLOCATING A MAXIMUM OF FORTY (40) FLEX UNITS FOR A PROPOSED RESIDENTIAL DEVELOPMENT LOCATED AT 90 NW 27TH AVENUE AND 140 NW 27 AVENUE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: NA)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, introduced the item and stated this is a request for a maximum of 40 flex units for a multifamily community on an approximate 2.67-acre parcel located in Collier City. The subject includes two vacant parcels with a land use designation of Commercial and zoning of B-3. The proposed density is approximately 15 du/acre, which is less than the 46 du/ac allowed by the B-3 zoning with an allocation of flex units. The residential use of the site provides a good transition between the commercial fronting on Atlantic Blvd. to the south and the surrounding residential neighborhood. No deed restricted affordable housing is required since the property is within a half mile to an existing income-restricted tax credit housing project. Finally, Ms. Dolan reported that this flex request was unanimously recommended for approval at the September 27th Planning & Zoning Board hearing and staff recommends approval as well.

Michael Vonder Meulen, Keith, Inc, on behalf of the Applicant (ICG CGP 58, LLC), stated he is available to answer questions.

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

Comr. Perkins asked about the plans for addressing the crime on NW 27th Avenue. BSO Major Adkins reported they have actually seen a reduction of crime in that area recently. He said they are taking care of the business on the outside where a recent shooting occurred. He added there is electronic technology installed in the area as well. Comr. Perkins would like to see BSO do more in the NW 27th Avenue area. She said a lot of people have been killed on the 400 block.

Comr. Moss asked if the proposed development will be townhomes and not apartments. Mr. Vonder Meulen replied it is a rental community. The buildings appear to look like townhouses, but they are designed to be rental units with parking in the front. Comr. Moss said this project will fill the streets with activity and make the area safer. He thanked the developer for his communication and transparency with the Collier City community.

Comr. Fournier asked about the access to the development. Mr. Vonder Meulen replied there is no controlled access.

Comr. Perkins asked about amenities. Mr. Vonder Meulen replied there are amenities being added to the project, as recommended by the Planning & Zoning Board.

Mayor Hardin said this is part of the turnaround in Collier City, which is a huge improvement.

A motion was made by Commissioner Sigerson-Eaton, seconded by

Commissioner Moss, 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. 2024-22

19. [24-18](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING THE IMECA PLAT LYING ON THE NORTHWEST CORNER OF POWERLINE ROAD AND NW 4TH STREET; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department, introduced the item and stated this is a proposed Plat for a vacant half acre property located at the northwest corner of Powerline Road and NW 4th Street. The Plat note restricts the property to 9200 sq. ft. commercial development and the intent is to build a retail hardware store on the site. She noted the Conceptual Site Plan request is identical to the Site Plan approved by the Planning and Zoning Board recommended approval at their February 24, 2021. She added that a non-residential flex allocation was approved on March 23, 2021, which allows commercial use on the residential-designated portion of the site. The Planning and Zoning Board recommended approval at their September 27, 2023 meeting and staff recommends approval as well.

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

Comr. Moss stated he is happy to see something that will replace the empty lot and produce revenue for the community.

Comr. Perkins asked about the consideration of single-family homes surrounding the project. Ms. Dolan confirmed the project was approved with required buffering in 2021.

Comr. Moss said there was confusion to the type of business proposed at the site, but it seems more like a product showroom and the building appears to be attractive as well.

Mayor Hardin asked if additional buffers were required. Ms. Dolan replied yes and said they also addressed cut through traffic in the site plan.

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

Sigerson-Eaton

McGee

Hardin

No: Perkins

Enactment No: RES. No. 2024-23

END OF QUASI-JUDICIAL PROCEEDING

20. [24-40](#) Approval to rollover funding from Fiscal Year 2023 to Fiscal Year 2024, for capital outlay and operating expenditures.
(Fiscal Impact: \$2,059,025 - Various Funds)

(Staff Contact: Erjeta Diamanti)

Erjeta Diamanti, Budget Director stated this is a housekeeping item to rollover funding from FY 2023 to FY 2024. The items are mostly related to capital equipment and several operating expenditures that were not encumbered during FY 2023 due to supply chain issues.

Mayor Hardin opened the floor for public input.

Jocelyn Jackson, Pompano Beach, FL, asked if this is a request to rollover \$2M to FY 2024, to which Ms. Diamanti replied yes. Mayor Hardin clarified that this is related to existing projects that were approved and are being rolled over to FY 2024, however the referenced amount is not excess funds.

The Mayor closed public input and invited further Commission discussion on the item. However, no one provided further comments.

Meeting went into Recess

Meeting Reconvened

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

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

21. [23-708](#) **P.H. 2024-05: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, "PARKS AND RECREATION AND CULTURAL AFFAIRS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 98.01, "DEFINITIONS," TO AMEND THE DEFINITION OF PARK RECREATIONAL FACILITY AND PARK RANGER; BY AMENDING SECTION 98.02, "PROHIBITED ACTS," TO MODIFY PROHIBITED ACTS; BY AMENDING SECTION 98.07, "PUBLIC EVENT," TO REMOVE THE REQUIREMENT FOR A SECURITY DEPOSIT; BY DELETING SECTION 98.10, "RECREATIONAL FACILITY AND PROGRAM FEES," IN ITS ENTIRETY AND CREATING A NEW SECTION 98.10, "AUTHORITY TO ESTABLISH PARKS AND RECREATION FEES, TO PROVIDE AUTHORIZATION TO ESTABLISH FEES FOR USE OF CITY PARKS, THE PUBLIC BEACH, RECREATIONAL FACILITIES AND AMENITIES; BY AMENDING SECTION 98.13, "MUNICIPAL BEACHES AND PARKS; HOURS AND PERMITS," TO DELETE VARIOUS SECTIONS; BY AMENDING SECTION 98.15, "DISCOUNTS AND BENEFITS," TO DELETE REQUIREMENT OF SHOWING MOST RECENT PAYROLL CHECK STUB; BY AMENDING SECTION 98.46, "HOURS AND DAYS OF OPERATIONS," TO ADD JUNETEENTH AS A HOLIDAY AND TO PROVIDE FOR POSSIBLE USE OF RECREATIONAL CENTERS ON CERTAIN HOLIDAYS; BY DELETING SECTION 98.47, "RECREATION CENTER FEES," IN ITS ENTIRETY; BY AMENDING SECTION 98.49, "APPLICATION AND INVESTIGATION," TO MODIFY PROVISIONS; BY AMENDING SECTION 98.80, "CITY-OWNED SHOWMOBILE," TO MODIFY RENTAL CHARGES AND MODIFY CERTAIN PROVISIONS; BY AMENDING SECTION 98.81, "CITY-OWNED PORTABLE STAGE," TO ADD SPECIFIC TERMS TO RENTAL CHARGES AND MODIFYING CERTAIN SECTIONS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 10, 2023

(Staff Contact: Mark A. Beaudreau)

Mark Beaudreau, Recreation Director, introduced the item, stating there were nominal changes made to Chapter 98 of the Ordinance, specifically in Section PP.

Mayor Hardin opened the floor for public input.

Jocelyn Jackson, Pompano Beach, FL, asked if this proposal modifies the existing Ordinance. Mr. Beaudreau replied, stating there are no changes to the fees, rather they are being removed from the Ordinance. The fees are available at every center, posted on the City's website and they are posted in other publications as well. Mayor Hardin indicated that the fees have not changed, but could be updated in the future. Moreover, this proposal is merely removing the fees from the Ordinance and listing them separately in other publications.

Sarahca Peterson, 4354 NW 9th Avenue, Pompano Beach, FL, stated in review of the Ordinance, she noticed references regarding prohibited acts, therefore, she asked if there were a list of prohibited acts that were either removed or added from the Ordinance, to which Mr. Beaudreau replied that most of the prohibited acts remained the same, but only a couple of them were modified. Ms. Peterson inquired about the Section regarding discounts and benefits, to which Mr. Beaudreau responded that Section will remain unchanged, however only recreation center fees and other fees are being removed from the Ordinance.

Mayor Hardin explained the extensive process of amending city ordinances and highlighted the advantages of removing the fees from the Ordinance, which allows the City administration to adjust the fees accordingly.

The Mayor closed public input and invited further Commission discussion on the item. However, no one provided further 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. 2024-05

22. [23-702](#) **P.H. 2024-04: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 98, "PARKS AND RECREATION AND CULTURAL AFFAIRS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 98.35, "FEES," AND SECTION 98.37, "SCHOOL AND COLLEGE TEAM RATES," TO PROVIDE AUTHORIZATION TO ESTABLISH FEES FOR USE OF THE CITY'S GOLF COURSE; AND BY AMENDING SECTION 98.39, "GROUP RATES," TO MODIFY THE NAME OF THE SECTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 10, 2023

(Staff Contact: Brian Campbell)

Brian Campbell, Golf Course Manager stated there have been no changes since first reading of the Ordinance.

Mayor Hardin opened public comment.

David Hall, 290 SE 8th Court, Pompano Beach, FL, spoke in support of the item. He congratulated the City for its efforts with the golf course and said the facility will be tremendous.

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

Vice Mayor McGee said the work at the golf course looks amazing.

Comr. Perkins asked about the resident versus non-resident rates. Mr. Campbell explained the rate differences and confirmed Pompano Beach residents will pay the lowest rate.

Vice Mayor McGee asked if there will be an adjustment for those on the double course plan since one of the golf courses has been closed. Mr. Campbell replied they have not finalized the plans yet.

Comr. Fournier asked about the golf course progress and timeline. Mr. Campbell responded they are still on target for January 2024.

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. 2024-06

23. [23-737](#) **P.H. 2024-03: (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 FIRST AMENDMENT TO THE BILLING SERVICE

AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DIGITECH COMPUTER LLC PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: OCTOBER 10, 2023

(Staff Contact: Chad Brocato)

Matthew Whitton, EMS Chief stated this is the second reading of the Ordinance and there have been no changes since the first reading.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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. 2024-07

24. [24-08](#) **P.H. 2024-06: (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 MEDICAL DIRECTOR AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND RICHARD J PALEY MD LLC FOR MEDICAL CONSULTING AND ADVISORY SERVICES FOR POMPANO BEACH FIRE RESCUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$70,000)

(Staff Contact: Chad Brocato)

Matthew Whitton, EMS Chief, introduced the item, stating that this Ordinance is a request to retain the current Medical Director, Dr. Richard Paley. Dr. Paley has been the Medical Director for the Fire Department since December 2020. He helps to create department protocols and trainings. The Department also operates under Dr. Paley's medical license. In closing, Chief Whitton stated staff desires to retain the services of Dr. Paley under this

proposed 5-year Contract.

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

Comr. Perkins asked why the proposed Contract was placed on the Agenda since the Contract is for \$70K. She understands that Contracts under \$75K are approved by the City Manager. Mark Berman, City Attorney replied, per City Charter, contracts that involves payment out of the City's appropriations and greater than a year, needs to be approved by Ordinance.

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

25. [24-34](#) Approval to purchase water meter fittings and water line accessories, as needed, for the Utilities Department, per the City of Deerfield Beach Cooperative Invitation to Bid (ITB) 2018-19_12 from the awarded vendors: Core & Main LP, Empire Pipe and Supply, Ferguson Waterworks, and Fortiline, Inc., in the estimated annual amount not to exceed \$700,000.00.
(Fiscal Impact: \$700,000.00)

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, introduced the item, stating this is a Co-op Bid for parts and pieces of the utility system, such as pipes, hydrants, meters and so forth.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

26. [24-37](#) Approval to purchase quicklime as needed, for the Utilities Department, per the City of Tamarac Cooperative Invitation to Bid (ITB) 23-36B from Lhoist North America of Alabama, LLC in the estimated annual amount not to exceed \$983,290.00.
(Fiscal Impact: \$983,290.00)

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, introduced the item, stating this is the primary coagulant for the lime-softening treatment, which reflects the expenditures spent per year.

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

Comr. Fournier asked if the process is used only in the lime-softening, not the membrane, to which Mr. Brown confirmed, stating that is correct. Comr. Fournier asked if the cost of \$446 per ton has been paid historically for quicklime or has the cost gone up. Mr. Brown confirmed that it is the amount paid for quick lime, however he offered to review the amount paid in prior years.

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

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

27. [23-775](#) **P.H. 2024-09: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 50, "WATER," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 50.03, "WATER TARIFF," BY DELETING SUBSECTION (D) IN ITS ENTIRETY AND REPLACING SUBSECTION (D) TO PROVIDE FOR MODIFIED RATES AND

CHARGES; BY AMENDING SECTION 50.04, "INITIAL FEES AND DEPOSITS FOR NEW WATER SERVICE," TO MODIFY FEES FOR INITIATION OF WATER SERVICE; BY AMENDING SECTION 50.12, "CHANGE SERVICE INSTALLATION COSTS," TO MODIFY FEES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director introduced the subject Ordinance and the following 3 Ordinances as companion items, which will be presented under one presentation and then each will be voted upon individually at the end of the presentation. He said changes were made to all 4 Ordinances prior to tonight's meeting and the amendments will be added before second reading, which are as follows: 1) Adding the rate increase update for fiscal year 2029 to the Ordinance titles, 2) Adding a revision in Chapter 50, Section 50.02 and Section 50.08, by updating the customer service fees and deposits. These changes will be effective January 2024. He then began his presentation and reviewed the following: Replacement of the Water Treatment Plan Electrical Backbone; Remove "Contaminants of Emerging Concerns"; EPA's Timeline for PFAS; New Monitoring Well; Replacement of Unlined Cast Iron Water Mains; Replacement and Hardening of the Meter Infrastructure; Increase Reuse Distribution; Reuse Tanks, Booster Station & Utility Maintenance Facility; Force Main Study; Lift Station Repair; Rates; Summary of Benefits from the Projects. He noted in September 2023, the County Water Advisory Board recommended a grant for \$175,000 for Reuse Construction Phase V of Lighthouse Point in 2024. He further explained the Septic and Sewer Project has been awarded at \$1.1M grant from the State Legislature - June 2023. Customers will not have to pay to connect. The City will also be receiving a \$9.6M grant for the study and design of a new water treatment plant from Florida Department of Environmental Protection - August 2023. Attached as **Exhibit 2** is a copy of Mr. Brown's presentation in its entirety.

Comr. Sigerson-Eaton asked about the \$9.6M grant for the new water treatment plant. Mr. Brown replied the grant is for the study to examine different technologies before they move to final design. She asked for the timeline to build a water treatment plant. Mr. Brown responded it could take 3-4 years based on complexity.

Vice Mayor McGee inquired whether each municipality need to conduct tests separately. Mr. Brown replied yes and noted there will be high demand for the equipment since it will be done all across the United States.

Comr. Sigerson-Eaton asked about current acceptable PFAS levels and what the federal government is proposing moving forward. Mr. Brown replied in February 2023 they recommended 4 parts per trillion, down from the previous recommendation of 70 parts per trillion.

Elaine Conti, Raftelis Financial Consultants, Inc., gave a presentation on the impacts on Water and Wastewater Reuse and Stormwater. The presentation covered the following: Background - Study Drivers; Revenue Sufficiency Under FY 2024 Rates; Overall Rate Increases Needed; Comparison of Historical Rate Increases and Project Rate Increases on Average Single-Family Customer; Local Comparison for Average Single-Family (using 8kgal with 3/4" meter); Key Drivers of Stormwater Fund; Revenue Requirements; Stormwater Rate Adjustments per Month; Stormwater Rate Comparison; Customer Service Fees; and Water and Sewer Capacity Fees.

Attached as **Exhibit 3** is a copy of Ms. Conti's presentation in its entirety.

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

Vice Mayor McGee thanked them for the thorough presentation and information. She asked about the projection after 2029. Ms. Conti replied it will level off to more normal levels. Mr. Brown added it will depend on the City's infrastructure and EPA regulations.

Mayor Hardin asked what would happen if the recommendations from the federal government changes back to 70 parts per trillion. Mr. Brown confirmed they would not need to move forward with the current plan and would likely look at options down the road.

Mayor Hardin asked about the consumptive use permit. Mr. Brown replied that the reuse expansion allows the City to maintain the consumptive use permit.

Mayor Hardin inquired about the lifespan on relining pipes. Mr. Brown stated anywhere between 20-30 years.

Mayor Hardin asked about refusal to do the proposed improvements. Mr. Brown replied the City has the option to do so, but they would be in violation of the EPA Ordinance, which could be associated with fines and citations down the road.

Comr. Sigerson-Eaton asked what the City can currently filter out, on average. Mr. Brown replied they are able to meet the hazard index and explained the poly carbon fluoride chains. He noted they are pervasive throughout.

Comr. Fournier thanked Mr. Brown and Ms. Conti for their work on the item. She said they need to invest in infrastructure to prevent bigger problems down the road. The average resident will be paying \$37 more monthly over the 5 years, which she noted is a big decision. She asked if any of the infrastructure projects can be deferred. She understands the demand for water is due to growth and asked if the developers are paying. Mr. Brown replied it needs to be fair and equitable to all parties, but they are looking at the impact rates for capacity fees. He noted they cut down the force main system from \$15M to \$5M.

Comr. Moss spoke in favor of the item. He said the costs to fix something will double tomorrow and they cannot keep kicking the can down the road. It has to be done.

Mark Berman, City Attorney commented on the current litigation against Dow and Dupont and the possibility of settlements to mitigate the costs. He said the litigation is moving along fairly quickly. Mr. Brown added that they began testing everything to help them get the maximum number of points in the lawsuit.

Mayor Hardin said the press does not often acknowledge when they do their jobs and protect the residents.

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

28. [24-41](#) **P.H. 2024-10: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 51, "SEWERS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 51.05, "WASTEWATER TARIFF," TO MODIFY RATES AND CHARGES FOR SEWER SERVICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, provided no additional comments on the item. This item was covered in his presentation under Item 27.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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

29. [24-43](#) **P.H. 2024-11: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE AMENDING CHAPTER 53, "STORMWATER MANAGEMENT", OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH, FLORIDA, BY AMENDING SECTION 53.12, "STORMWATER FEES," TO MODIFY MONTHLY FEES FOR STORMWATER SERVICES; PROVIDING FOR

SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(**Staff Contact:** A. Randolph Brown)

Randolph Brown, Utilities Director, provided no additional comments on the item. This item was covered in his presentation under Item 27.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

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

30. [24-42](#) **P.H. 2024-12: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH AMENDING CHAPTER 54, "REUSE WATER AND CROSS-CONNECTION CONTROL," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 54.05, "CONNECTION CHARGES AND RATES," TO MODIFY RATES AND CHARGES; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(**Staff Contact:** A. Randolph Brown)

Randolph Brown, Utilities Director, provided no additional comments on the item. This item was covered in his presentation under Item 27. Mr. Brown thanked the City Attorney's Office, the Budget Department and Finance Department for working together as a team in moving this item forward.

Mayor Hardin opened the floor to public input and invited further Commission discussion on the motion. However, no one provided further comments on the item.

Greg Harrison, City Manager thanked Mr. Brown, Brian Donovan, Assistant City Manager (ACM); Suzette

Sibble, ACM; Erjeta Diamanti, Budget Director; Allison Feurtado, Finance Director; and the entire staff to include Elaine Conti of Raftelis Financial Consultants, Inc. He said it was a major undertaking, which all cities should do on a routine basis.

Mayor Hardin thanked everyone on staff who participated in this effort.

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

31. [24-26](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS AN ARTIST FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

Applicants

David Miller, Artist - Incumbent - District 5

Carol Moore, Artist - District 3

Michael Moore, Artist - District 3

Cherie Saleeby, Artist - Hillsboro Beach

Other Board Memberships

1

1

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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. Perkins nominated to insert the name DAVID MILLER. The motion carried by an unanimous voice vote.

Enactment No: RES. No. 2024-24

32. [24-27](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE PUBLIC ART

COMMITTEE OF THE CITY OF POMPANO BEACH AS A DESIGNER FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Other Board Memberships

Karen Moreland, Designer - **Alt. 2** - District 4
Mona Silverstein, Landscape Designer - District 5

2
1

(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. Perkins nominated to insert the name KAREN MORELAND. The motion carried by an unanimous voice vote.

Enactment No: RES. No. 2024-25

33. [24-28](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Other Board Memberships

Marie Johnson, **Incumbent** - District 4
Carol R. Moore - District 3
Mark T. Sneed - District 3
Mary B. Fleck - District 3
Michael Moore - District 3
Karen Moreland - District 4
Monifa Aruwajoye - District 4
Sarahca Peterson - District 4
Velma Flowers - District 4
David Miller - District 5
Geoffrey Nguyen - District 5
Jemilah Jones - District 5
Kimberly Harmon - District 5
Lina Elder - District 5
Mona Silverstein - District 5
Shellie Morisson - District 5
Cherie Saleeby, - Hillsboro Beach
Patricia Knight - Coral Springs

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(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. Perkins nominated to insert the name MARIE JOHNSON. The motion carried by an unanimous voice vote.

Enactment No: RES. No. 2024-26

34. [24-29](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #1 FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

<u>Applicants</u>	<u>Other Board Memberships</u>
Kimberly Harmon, Alt 1 - Incumbent - District 5	2
Karen Moreland, Alt 2 - District 4	2
Carol R. Moore - District 3	1
Mark T. Sneed - District 3	0
Mary B. Fleck - District 3	0
Michael Moore - District 3	0
Marie Johnson - District 4	0
Monifa Aruwajoye - District 4	0
Sarahca Peterson - District 4	0
Velma Flowers - District 4	2
David Miller - District 5	1
Geoffrey Nguyen - District 5	0
Jemilah Jones - District 5	0
Lina Elder - District 5	0
Shellie Morisson - District 5	0
Mona Silverstein - District 5	1
Cherie Saleeby, - Hillsboro Beach	0
Patricia Knight - Coral Springs	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. Both Comr. Perkins and Comr. Sigerson-Eaton nominated to insert the name KIMBERLY HARMON. The motion carried by an unanimous voice vote.

Enactment No: RES. No. 2024-27

35. [24-30](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE #2, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 24-29 FOR APPLICANTS AND BACKUP INFORMATION.

(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 nominated Sarahca Peterson and Comr. Moss nominated Velma Flowers. The motion carried by the following roll call vote: To appoint SARAHCA PETERSON.

Yes: Fournier
Sigerson-Eaton
McGee
Hardin

No: Moss
Perkins

Enactment No: RES. No. 2024-28**G. 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.

H. NEXT SCHEDULED MEETING

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

November 14, 2023 at 1:00 p.m. - Regular City Commission Meeting

December 12, 2023 at 1:00 p.m. - Regular City Commission Meeting

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

Greg Harrison, City Manager announced the City was awarded the Silver LEED Certificate for the Pompano Beach Senior Activity Center. He recognized Horacio Danovich, Tammy Good and other staff members who were involved in this achievement.

City Attorney's Report:

No report.

City Clerk's Report:

No report.

Comr. Fournier's Report:

Comr. Fournier stated she continues to receive emails about barricades on Atlantic Blvd. and Dixie Hwy; therefore, she requested that the contractor be required to review the placement of the barricades and reopen if possible. She also expressed concern about the street light project in her district. She asked the City to be more proactive with outreach efforts regarding large projects in her district so she can communicate with the residents.

In addition, Comr. Fournier announced the District 3 Community Meeting will be held on October 25th at 7:00 p.m. at the American Legion Center. Lastly, she mentioned two upcoming events; 1) The Sand and Spurs Horse and Hounds Event on Sunday, October 29th, and 2) Kester Park Fun Day on November 4th.

Comr. Moss' Report:

Comr. Moss announced the Collier City Civic Association Meeting will be held on October 25th at 7:00 p.m. at the Collier City Library. He said he met with the City Manager and Assistant City Manager about the potential upcoming event in conjunction with the 250th Anniversary of the Founding of the Country and Declaration of Independence. He stated the Sons of the American Revolution, of which he is a member, have plans to plant a Liberty Tree in each of the Broward County municipalities to commemorate the anniversary.

Comr. Perkins' Report:

Comr. Perkins said Broward State Attorney's Office held a free seal and expungement workshop on October 5th and 344 people participated. She noted 161 individuals qualified for record sealing or expungement. She said the Youth Justice Team also assisted 25 young adults with expungement of their juvenile cases. Lastly, she thanked City Manager Harrison for the demolition of the house on the future Blanche Ely parking lot.

Mayor Hardin said the expungement changes lives.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton said she attended the unveiling of Galuppi's new outdoor event space, and noted it will be a great addition to the City. She announced the next Cresthaven Civic Association meeting will be held on November 10th at 7:00 PM. She also mentioned the Sand and Spurs Horse and Hounds Costume Contest on October 29th. Lastly, she recognized city staff for their work at Sand and Spurs.

Vice Mayor McGee's Report:

Vice Mayor McGee encouraged residents to follow the City on social media and the website to remain updated on upcoming events. She spoke about whether they could space out projects like the street lights, particularly due to the residents' reactions.

Mayor Hardin's Report:

Mayor Hardin asked Comr. Sigerson-Eaton how the street light project was received in her district. Comr. Sigerson-Eaton said, by and large, it has been overwhelmingly positive. She said there are some issues, but city staff has been fantastic in addressing the problems. She acknowledged there is an adjustment period, but people feel safer, and it is a deterrent to crime.

Mayor Hardin wished a Happy Halloween to residents. He thanked the Public Works Department for their good work.

City Manager Harrison recognized City Clerk Alfred for his work on the utility rate item.

J. ADJOURNMENT

The meeting adjourned at 9:34 p.m.

Rex Hardin, Mayor

Kervin Alfred, City Clerk

MULTIMODAL TASK FORCE

Pompano Beach's Transportation Future

EDC Ad Hoc Task Force

- 15 Members – city staff, business owners, residents
- 4 meetings
- Mission – Identify issues and frame them for further action
- Include all modes of transportation from pedestrians to trucks

Highest Priorities:

- Promoting safety
- Gaining better integration between built-environment & transportation
- Providing more transparency on multiple levels

Major Findings and Recommendations

Kimley Horn Study:

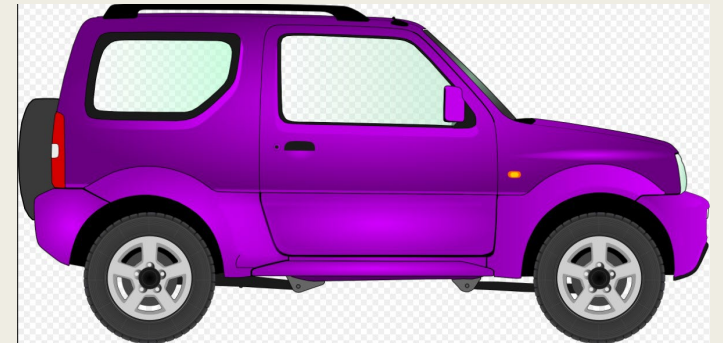
- Bike Plan
- Creative funding ideas
- Forward-thinking strategies
- *Both short & long term solutions*
- *Resiliency requirements*

Other City Action:

- Identifiable point person
- Better communication, especially website
- Strategy for intergovernmental
- Enhanced maintenance
- Parking plan

Next Steps

- Create a permanent study group
- Continue work on identified issues requiring City action

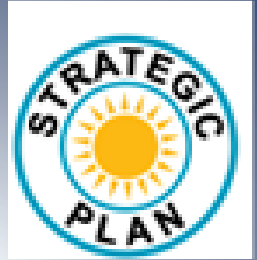




Financing the
Future of
Utility
Infrastructure

SUSTAINABILITY & RESILIENCY NOW AND THE FUTURE

RANDY BROWN
UTILITIES DIRECTOR
OCTOBER 24, 2023



CAPITAL PROJECTS THAT WILL BE FUNDED BY THE NEW RATES AND BOND



\$19 million

- 1



\$70 Million

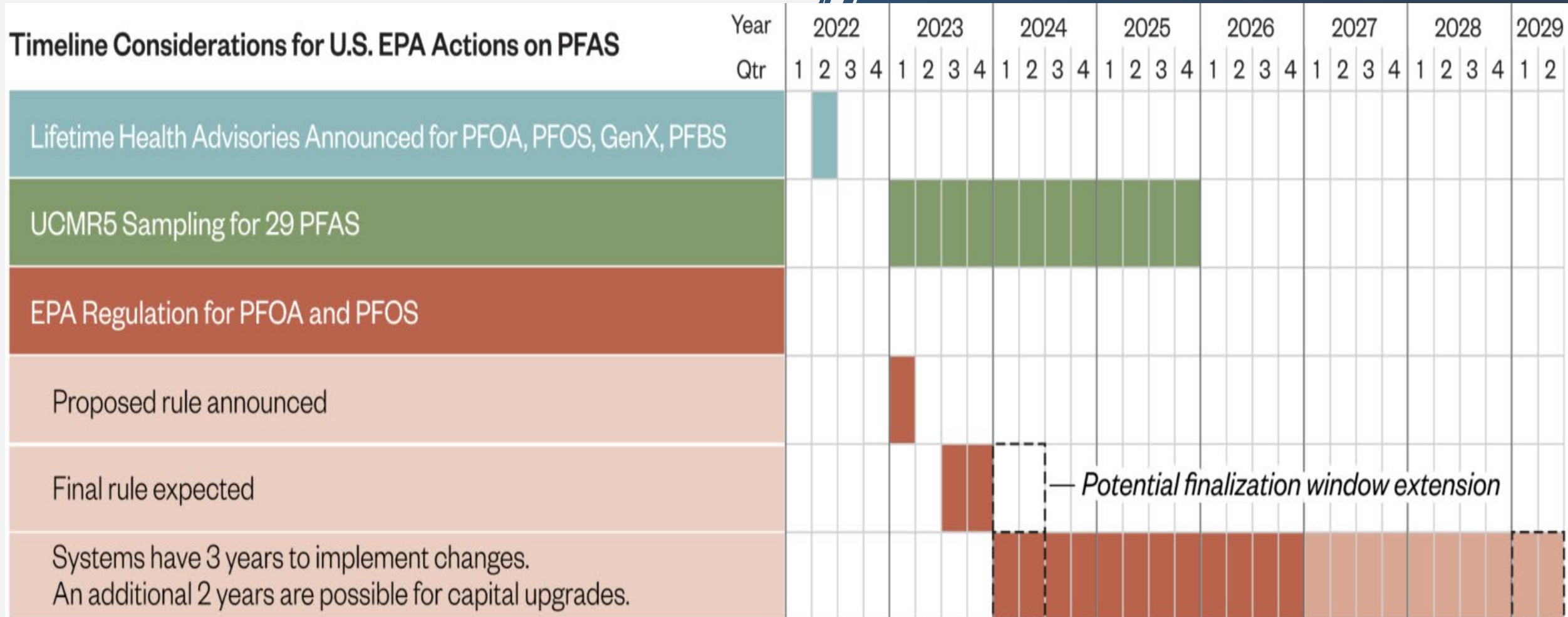
Moving towards Technology that will Remove “Contaminants of Emerging Concern”

The U.S. EPA will soon require the
removal of the “Forever Chemicals”
PFAS/PFOS

Prepares us for more stringent
regulations in the future

EPA's Time Line for PFAS

Final Rule 1st half of 2024
Compliance by Jan 2027

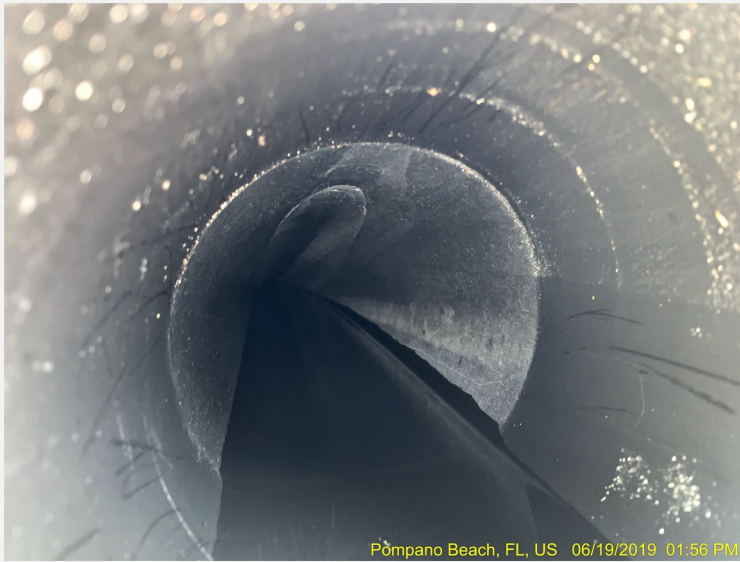


NEW MONITORING WELL

\$4.5 MILLION

ON OUR LAST INSPECTION THE WELL WAS
SHOWING SIGNS OF DETERIORATION IN
THE LINING OF THE WELL PIPE.





New Pipe 2019

- 20 areas in the water system will have the pipes burst and replaced with new HDPE pipe.
 - This will improve water quality.
 - Increase water pressure.
 - Improve reliability for many years.
 - Little impact to the neighborhoods.



Old Pipe Installed 1968

Replacement of Unlined Cast Iron Water Mains

These water mains cause red water problems, affects quality and customer enjoyment

\$15 million



\$12.2 Million

Replacement and Hardening of the Meter Infrastructure

- Our current Automatic Meter Infrastructure (AMI) is beyond the system's useful life.
- The new metering system will improve meter reads with less errors due to the cellular components.
- The life span of the new meters has improved from 10 years to 20 years.
- We have tested the new system to prove it will work.

AT&T FirstNet® LTE-M
cellular technology used
by First Responders



Increase Reuse Distribution

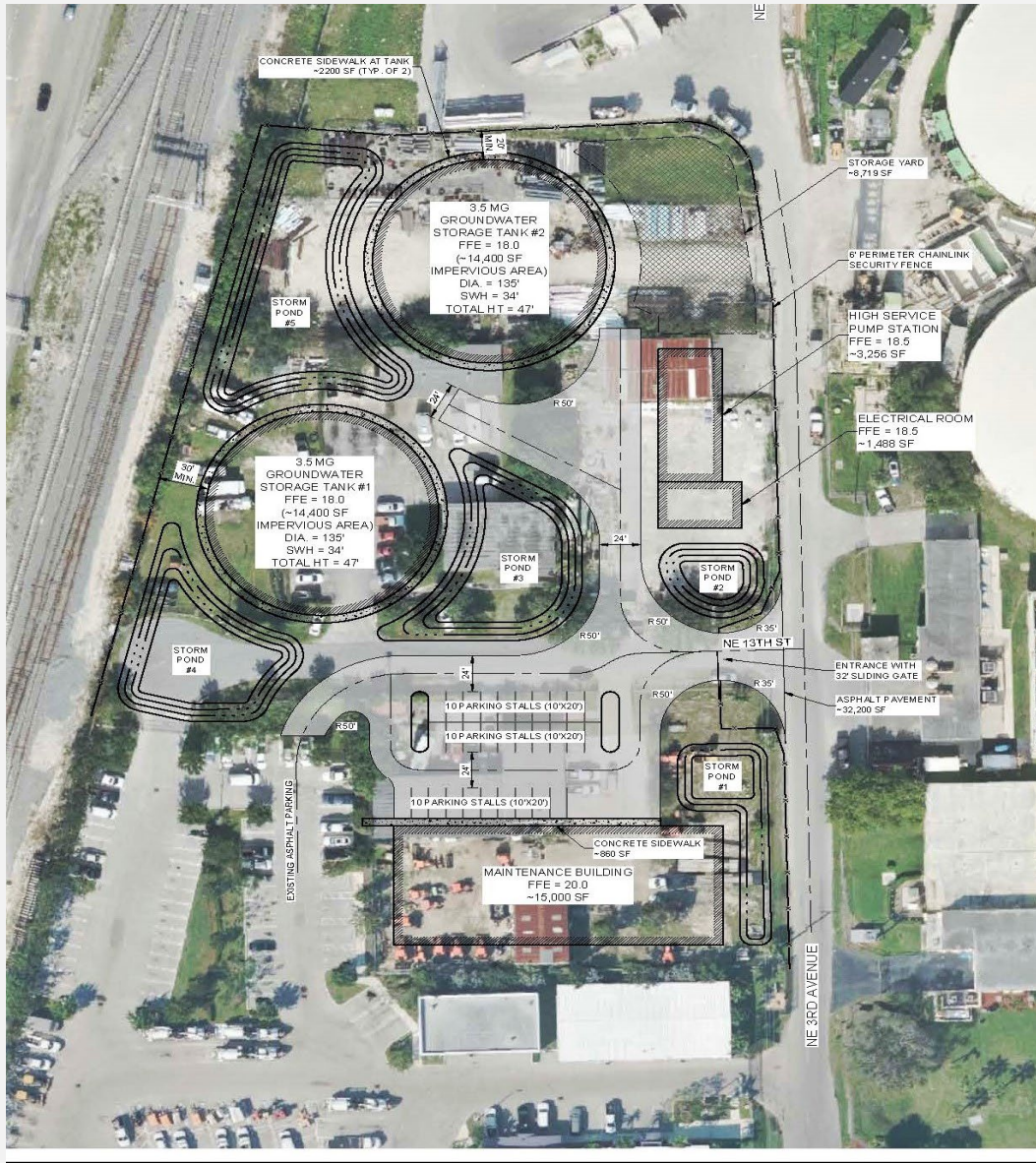
Conservation of Water Resources

Every gallon of Reuse saves a gallon of Drinking Water.

- This provides more drinking water for the future demands and growth without removing more water from the environment.
- Conserving water makes our water supply sustainable for the future.

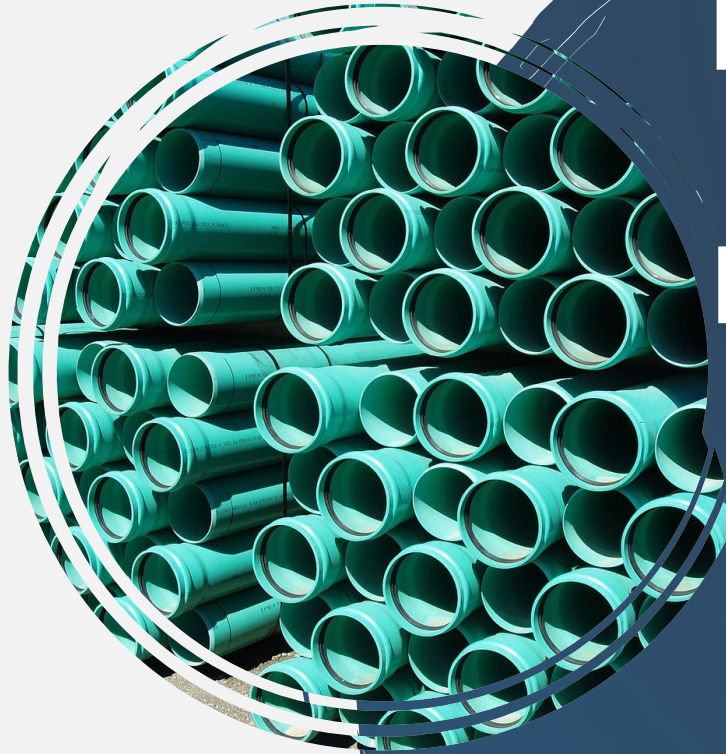
\$15 Million

Reuse Tanks, Booster Station & Utility Maintenance Facility \$14.0 Million



Project Consists of :

- Two 3.5 MG Reuse Storage Tanks, phased over time.
- Reuse Booster Pump Station.
- New 30,000 sq. ft. Utility Maintenance Facility housing both the Treatment Plants and Field Operations Maintenance.



Force Main Study

Liftstation Repair

- The Wastewater Force Main (pressurized wastewater) system requires a detailed evaluation to determine weak spots and future needs.
- Rehabilitation of Liftstations 20, 37, 40, 41, 67, 68, 80 and others.

\$5 M Force Main Study

\$10 M Liftstation Rehab

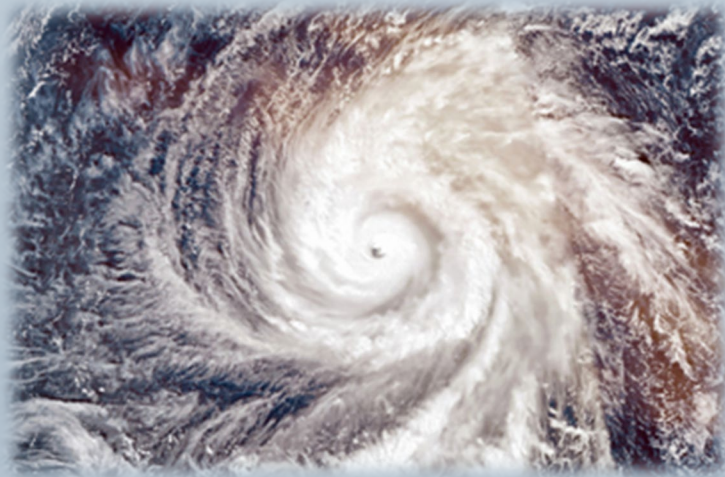


Rates that support a Utility Bond
will allow additional lining of the
wastewater collection system that
will reduce:


- Electrical/Pumping costs
- Pump Maintenance
- Broward County Treatment Charges
- Protect Reuse Quality

Summary of Benefits from the Projects

- Improved Water Quality
- Sustainability of the Utility Systems
- Compliance with Future Regulations
- Protection of Public Health
- Reliability of the Utility Systems



- Customer Enjoyment
- New Program for Home Owners
- Energy Efficiency
- Increased Conservation
- Protection of the Environment
- Updated Technology

A laptop with a gold-colored frame is shown from a slightly elevated angle. The screen is white and displays a dark blue circular graphic with white text. The background of the entire slide is a dark blue gradient with a faint, stylized globe or water droplet pattern.

In September 2023, the County Water Advisory Board recommended a grant for \$175,000 for our Reuse Construction Phase V of Lighthouse Point in 2024.

Protecting Rate Payers with Grants & Saving Drinking Water

Improving the Environment and Protecting Rate Payers with Grants

Our Septic to Sewer Project has been awarded a \$1,100,000 Grant from the State Legislature - June 2023. Customers will not have to pay to connect.



Pompano will be receiving a \$9.6 Million Grant for the Study and Design of a New Water Treatment Plant from FL DEP – August 2023

We are working to reduce cost by looking for low interest loans and grants that keep rates affordable





THANK YOU

Randy Brown
Utilities Director



Utility Awards

City of Pompano Beach Utilities Department

Review of Proposed Rates and Customer Impacts



Agenda

- Water/Sewer Fund
- Stormwater Fund
- Miscellaneous and Capacity Fees



Water, Reuse, and Wastewater Utility Fund

Background - Study Drivers



**Inflationary pressures on
O&M costs adding \$2.3M
more than expected**



**Decline in water use
averaging 2% annually**



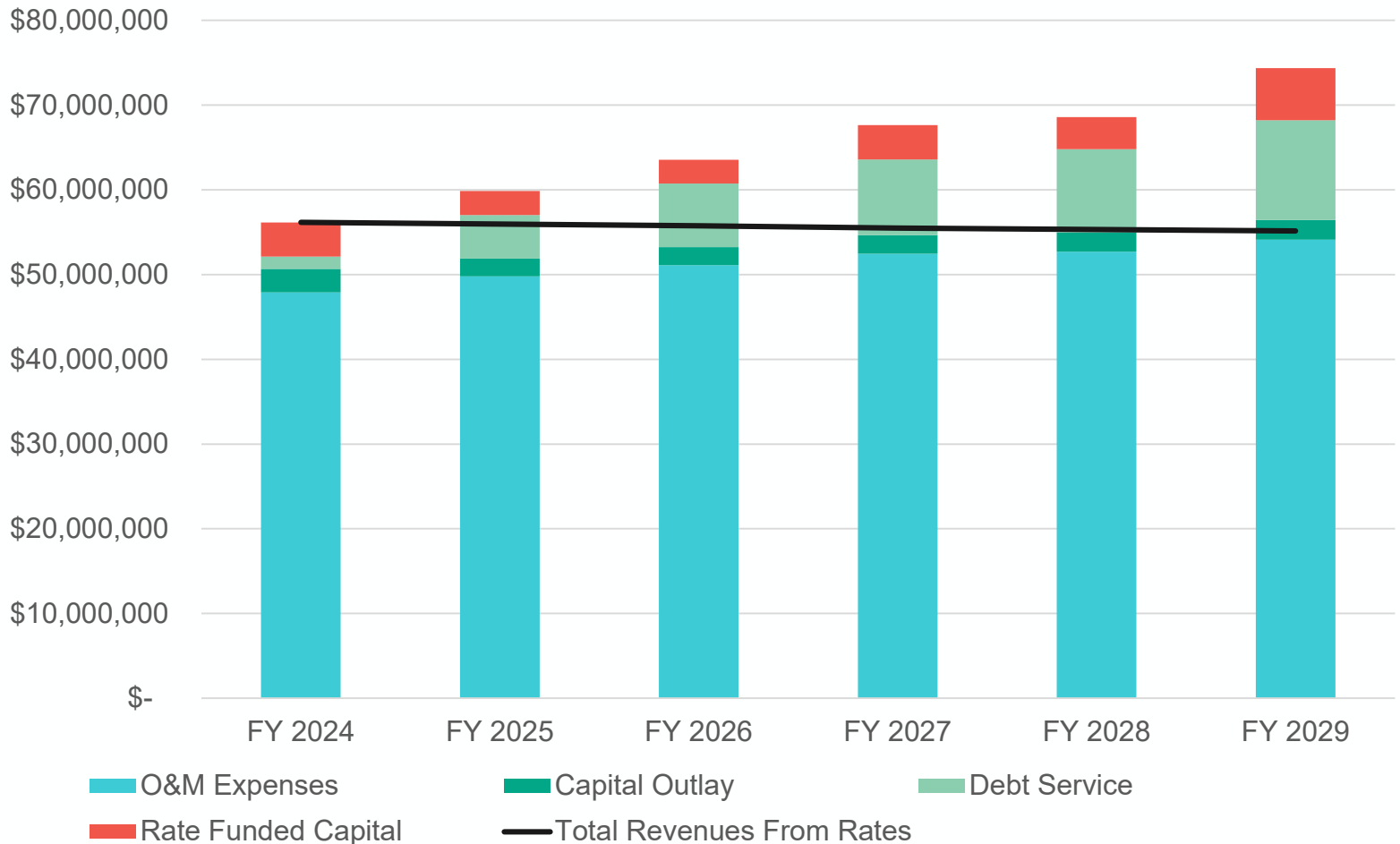
**7-year capital improvement
project requirements of
\$194 million**



**Financial sufficiency for
upcoming bond issues
(\$164 million) –
*debt service coverage***

(1) Utility department has already secured low interest debt through SRF funding or grants.

Revenue Sufficiency Under FY 2024 Rates



O&M increased 8.4% from 2023 to 2024.

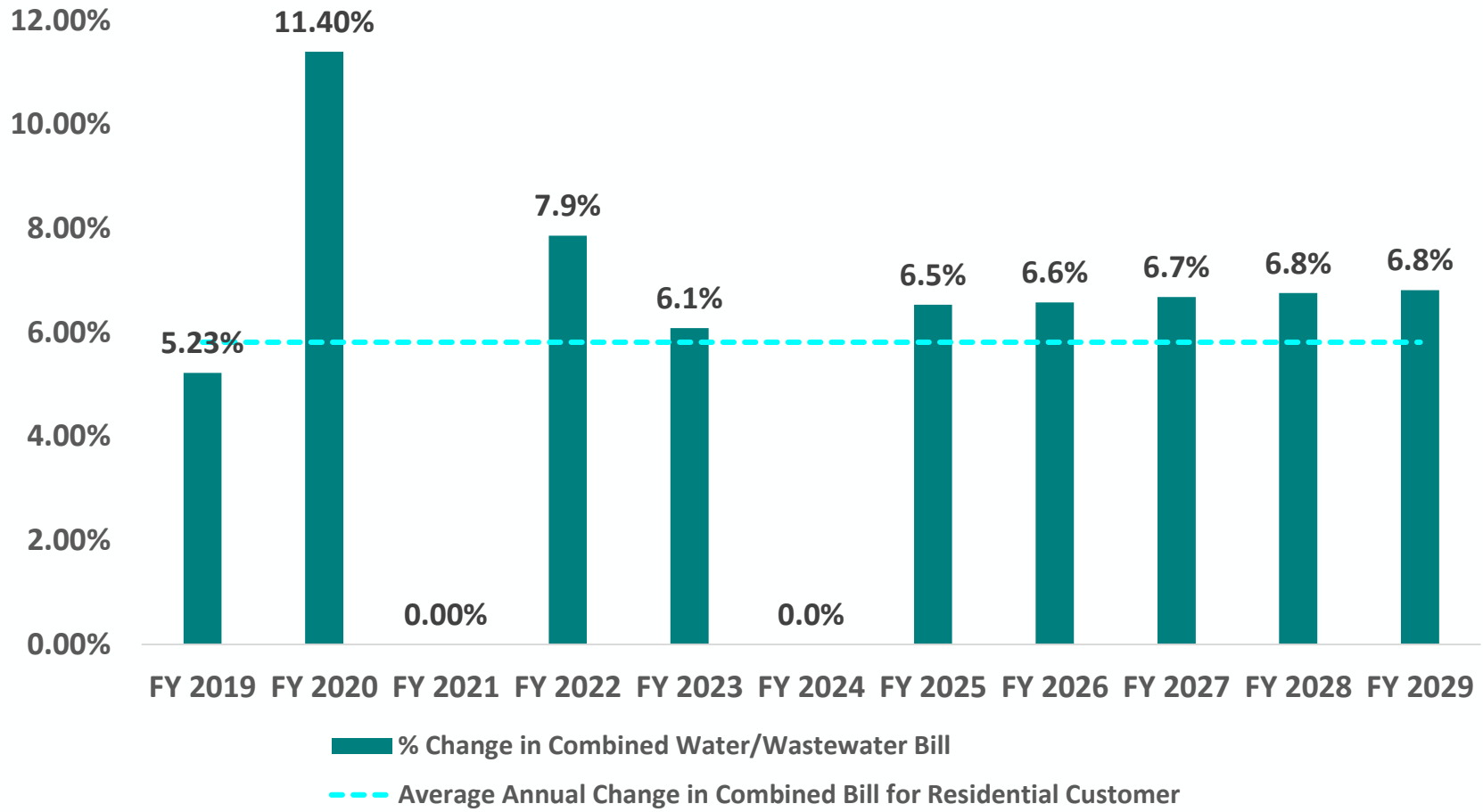
Broward County has indicated the debt portion of their wholesale wastewater charge will decrease in 2028.

Overall Rate Increases Needed

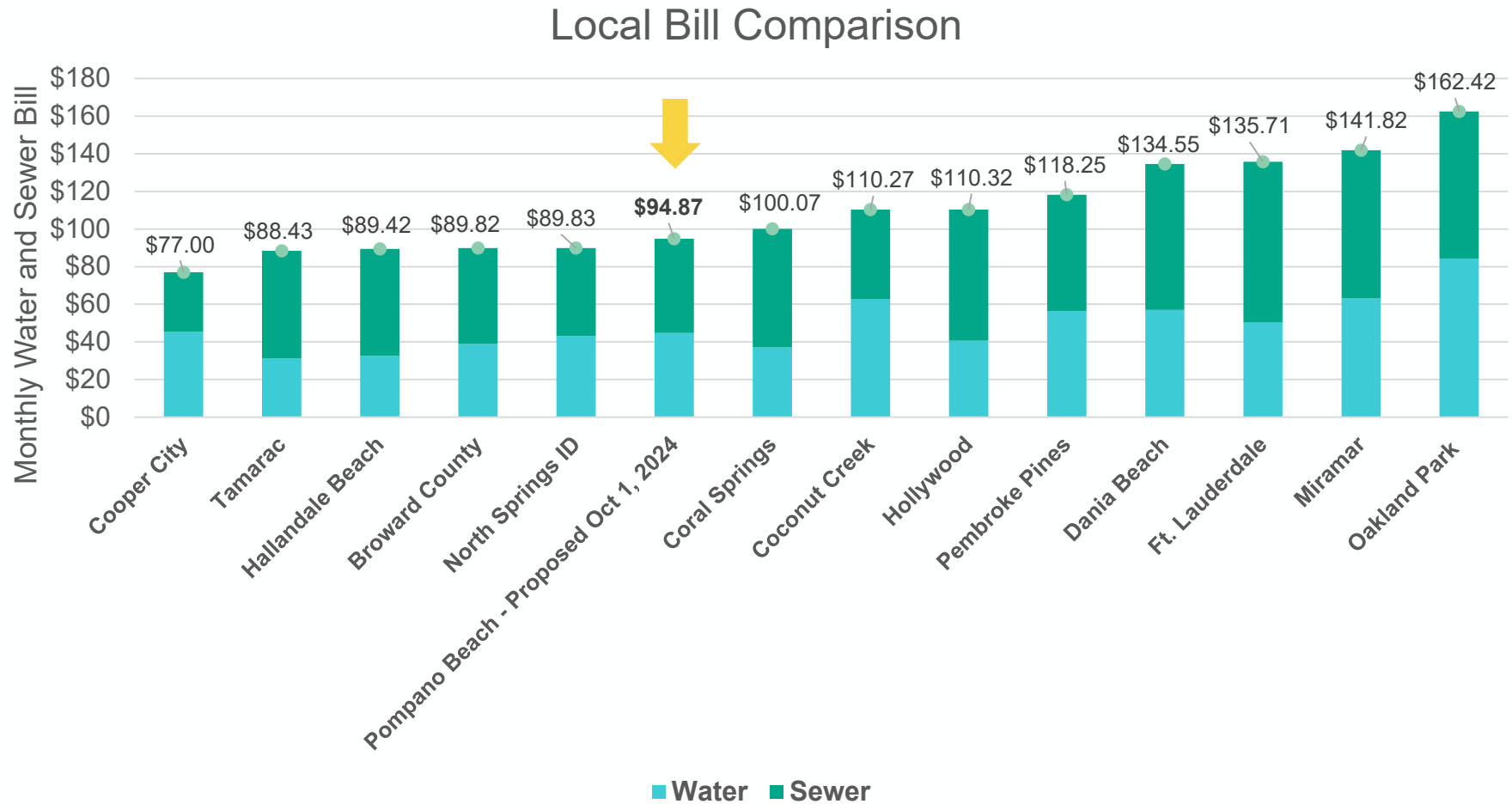
Year	FY 2025 October 1, 2024	FY 2026 October 1, 2025	FY 2027 October 1, 2026	FY 2028 October 1, 2027	FY 2029 October 1, 2028
Water Rates	9.50%	9.50%	9.50%	9.50%	9.50%
Reuse Rates	12.00%	12.00%	12.00%	12.00%	12.00%
Wastewater Rates (1)	4.00%	4.00%	4.00%	4.00%	4.00%
<i>Dollar Increase to Average Single-Family Customer Monthly Water/Sewer Bill (using 8,000 gallons)</i>	\$5.82	\$6.24	\$6.76	\$7.29	\$7.85
<i>% Change in Water/Sewer Bill</i>	6.5%	6.6%	6.7%	6.8%	6.8%

(1) Applied to fixed monthly charge and volumetric rates for all customer classes except multi-family fixed monthly charge.

Comparison of Historical Approved Rate Increases and Projected Rate Increases on Average Single-Family Customer



Local Comparison for Average Single-Family (using 8 kgal with ¾” meter)

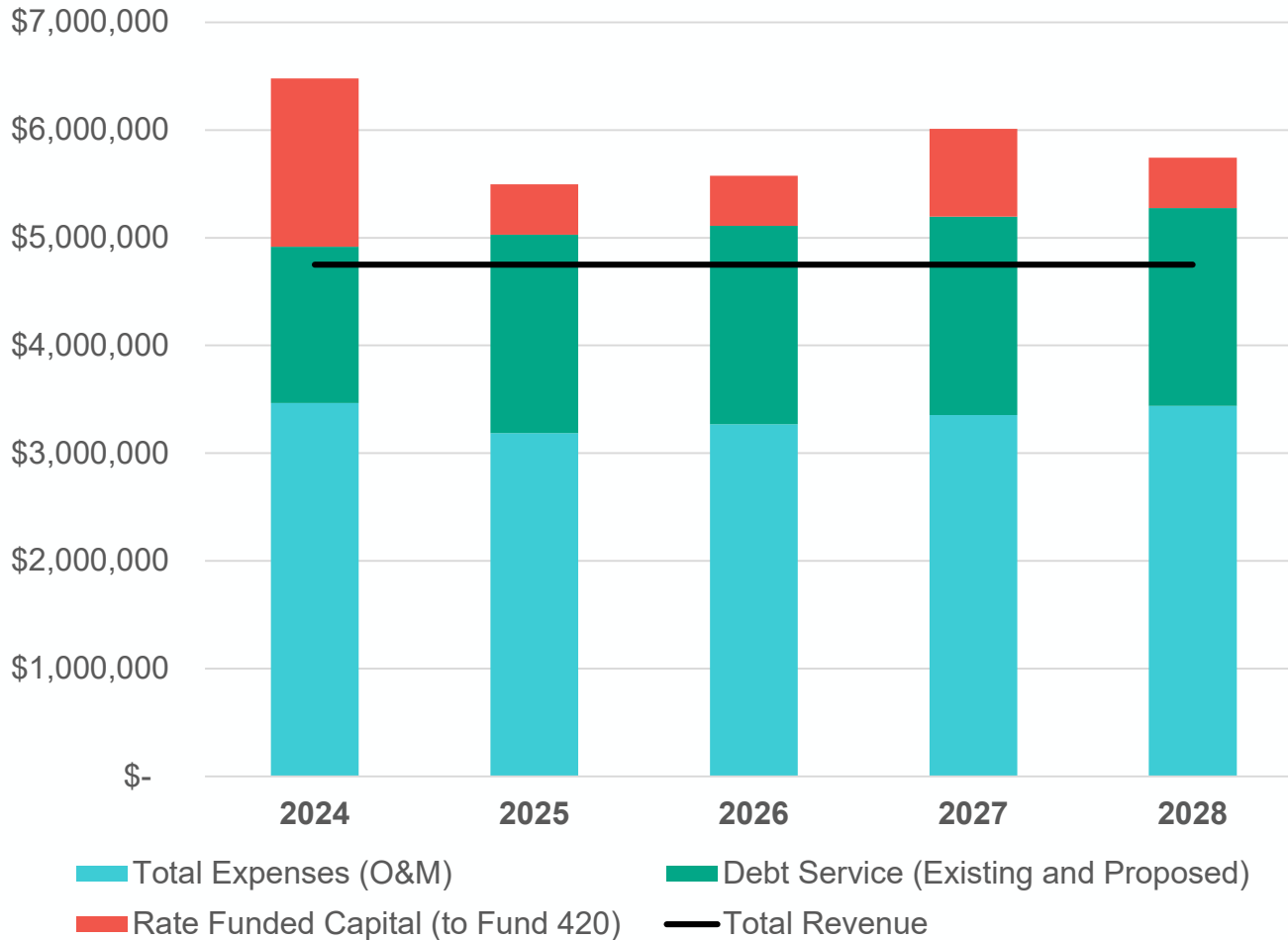


Stormwater Fund

Key Drivers of Stormwater Fund

- Debt service payments increase by almost **\$1 million** for past capital projects
- Target metrics – debt service coverage target and operating reserves target
- Master plan will be completed in 2027 which will identify *additional* capital projects

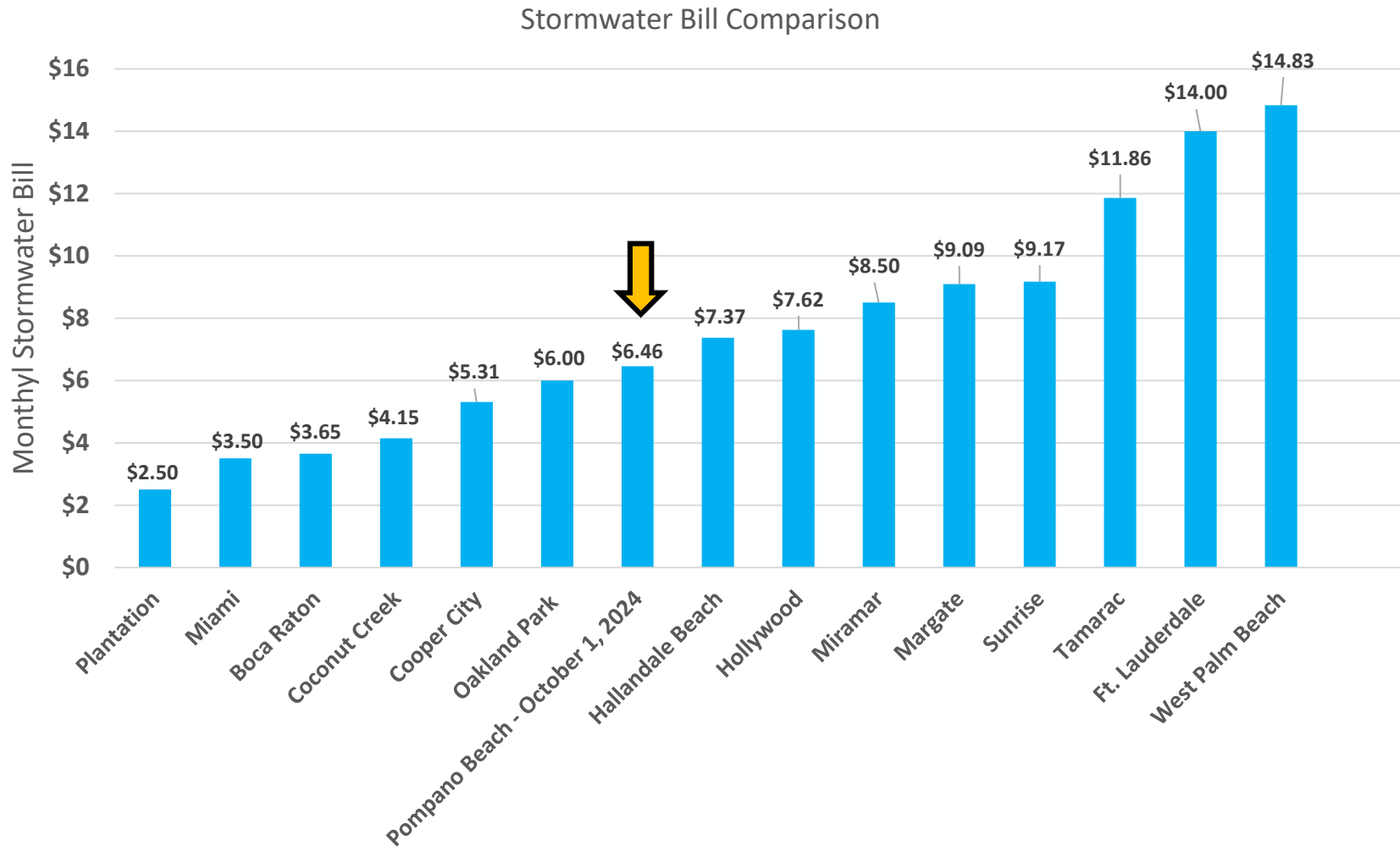
Revenue Requirements



Stormwater Rate Adjustments per Month

	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Stormwater	9.5%	9.5%	9.5%	9.5%	9.5%
<i>Dollar Change</i>	\$0.56	\$0.61	\$0.67	\$0.74	\$0.81
<i>Rate per ERU</i>	\$6.46	\$7.07	\$7.75	\$8.48	\$9.29

Stormwater Rate Comparison



Customer Service and Capacity Fees

Customer Service Fees

- Last rate increase was in FY 2000
- Update miscellaneous fees on **January 1, 2024** to reflect cost of providing service
- Total revenue impact of increases is approximately \$165k or 0.3% of total utility revenues

Customer Service Fees

Service	Current Fees	Cost of Service Based Fees	Recommended Fees (1)	Range of Fees Charged by Other Utilities
New Account	\$20	\$30	\$40	\$10-\$45
Transfer Fee	\$20	\$50	\$40	\$10-\$45
Disconnection Charge for Non-payment	\$29	\$39	\$40	\$20-\$80
Re-connection After Cutoff - After Hours	\$35	\$57	\$60	\$20-\$120
Non-Pay Service Charge - Meter Pull	\$60	\$72	\$75	\$20-\$85
Returned Check Charge	\$15	\$41	\$25	\$15 - \$25
Meter Testing Charge	\$200	\$165	\$165	\$16-\$180

(1) Recommended fees are rounded up since these fees are not updated regularly.

Customer Service Fees Continued

Tap Fees	Current Fees	Cost of Service Based Fees	Recommended Fees
3/4"	\$ 680.00	\$ 1,034.00	\$ 1,040.00
1"	\$ 725.00	\$ 1,269.00	\$ 1,270.00
1 1/2"	\$ 950.00	\$ 1,847.00	\$ 1,850.00
2"	\$ 1,030.00	\$ 2,568.00	\$ 2,570.00
3" or greater	installation cost	installation cost	installation cost
Upgrades:			
Change from 3/4" to 1"	\$ 410.00	\$ 1,269.00	\$ 1,270.00
Change from 3/4" to 1 1/2"	\$ 875.00	\$ 1,847.00	\$ 1,850.00
Change from 3/4" to 2"	\$ 1,010.00	\$ 2,568.00	\$ 2,570.00
Change from 1" to 1 1/2"	\$ 840.00	\$ 1,847.00	\$ 1,850.00
Change from 1" to 2"	\$ 975.00	\$ 2,568.00	\$ 2,570.00
Change from 1 1/2 to 2"	\$ 895.00	\$ 2,568.00	\$ 2,570.00
Change to a meter > than 2"	installation cost	installation cost	installation cost

Customer Service Fees Continued

Utility Deposit	Current Fees	Cost of Service Based Fees	Recommended Fees
Water Single-Family			
3/4"	\$ 85	\$ 123	\$ 125
1"	\$ 135	\$ 174	\$ 175
1 1/2"	\$ 175	\$ 228	\$ 230
2"	\$ 315	\$ 414	\$ 415
Sewer Single-Family			
3/4"	\$ 95	\$ 145	\$ 145
1"	\$ 115	\$ 168	\$ 170
1 1/2"	\$ 115	\$ 168	\$ 170
2"	\$ 115	\$ 168	\$ 170
Multi-Family Water (per unit)	\$ 35	\$ 76	\$ 75
Multi-Family Sewer (per unit)	\$ 60	\$ 78	\$ 80
Multi-Family Water (hotel/motel)	\$ 35	\$ 76	\$ 75
Multi-Family Sewer (hotel/motel)	\$ 60	\$ 78	\$ 80
Water/Sewer - Business			
3/4"	\$ 190.0	\$ 345.2	\$ 345
1"	\$ 320.0	\$ 696.0	\$ 700
1 1/2"	\$ 680.0	\$ 1,085.0	\$ 1,085
2"	\$ 1,036.0	\$ 1,829.8	\$ 1,830
3"	\$ 3,066.0	\$ 4,186.8	\$ 4,190
4" or greater	\$ 5,100.0 +	\$ 11,388.2 +	based on estimate of average usage

Water and Sewer Capacity Fees

- Last rate increases were in FY 2008
- Updated analysis indicates capacity fees should remain at the same level
- Next step – evaluate the impacts of assessing the fee differently



Thank you!

Contact: Elaine Conti

704 936 4436 / econti@raftelis.com

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However, except in circumstances where Raftelis expressly agrees otherwise in writing, Raftelis is not acting as a Municipal Advisor, and the opinions or views contained herein are not intended to be, and do not constitute “advice” within the meaning of the Municipal Advisor Rule.

Background – History of Approved Utility Rate Adjustments

Year	FY 2020 October 1, 2019	FY 2020 January 1, 2020	FY 2022 October 1, 2021	FY 2023 October 1, 2022	FY 2024 October 1, 2023
Water	4.25%	6.00%	6.00%	4.25%	0.00%
Reuse	4.25%	6.00%	6.0%	4.25%	0.00%
Wastewater	3.00%	9.50%	9.50%	7.75%	0.00%
<i>Dollar Increase to Average Single-Family Customer Monthly Water/Sewer Bill (using 8,000 gallons)</i>	\$2.50	\$5.64	\$6.12	\$5.11	\$0
<i>% Change in Water/Sewer Bill</i>	3.6%	7.8%	7.9%	6.1%	0%