

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, March 12, 2024

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

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

ROLL CALL

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

INVOCATION

Rev. Dr. Greg Fitch of Psychology and Hospital Chaplain offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPOINTMENT OF POLICE MAJOR

City Manager Harrison announced that Broward Sheriff's Office (BSO) Police Major David Elwood will be the new District Commander for the City of Pompano Beach. Sheriff Gregory Tony, provided additional comment and pinned Major Elwood. The City Manager stated that Major Elwood has over 5 years of airport experience and will begin his new role today. Additionally, he has worked in the BSO homicide division for over 12 years. The City Manager also recognized Major Elwood's father, who is a fourth-generation police officer. Major Elwood thanked the Sheriff and Executive Command Staff, City Manager, and City Commission for their support.

APPROVAL OF MINUTES

[24-235](#) Regular City Commission Meeting Minutes of February 27, 2024

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 Chair 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 Item 2 would be pulled for City Commission discussion.

A. PROCLAMATIONS

[24-210](#) **Child Abuse Prevention Month**

Mayor Rex Hardin read a proclamation proclaiming the month of April as “Child Abuse Prevention Month” in the City of Pompano Beach. Nicholas Hessing, Government Affairs Manager for Children’s Services Council of Broward County accepted the proclamation.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

[24-211](#) **Government Finance Professionals Week**

Mayor Rex Hardin read a proclamation declaring the week of March 18-22, 2024 as “Government Finance Professionals Week” in the City of Pompano Beach. In attendance were City Finance Director Allison Feurtado, Budget Director Erjeta Diamanti, and other city staff who were present to accept the proclamation. Ms. Diamanti graciously accepted the proclamation, and expressed her gratitude to the City Commission. She also recognized the 40 finance professionals in the City of Pompano Beach and thanked them for their hard work.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. PRESENTATION

[24-224](#) Presentation of Internal Audit Activity Report Memorandum 24-01 for completed and ongoing audit projects, technical assistance as well as follow up for implementations from previous audit project recommendations covering the 13-month period from February 2023 through February 2024.

(Fiscal Impact: N/A)

**Strategic Plan Initiative**

(Staff Contact: Deusdedit C. (DC) Kiyemba)

Deusdedit C. (DC) Kiyemba, Internal Auditor, introduced the item. He acknowledged the City staff for their support that helped them successfully carry out their work throughout the year. He welcomed comments and feedback from the City Commission. The Internal Audit's Activity Report covers a 13-month period from February 2023 to February 2024. The report includes 3 completed audit projects with a total worth of \$84,207,446.00, and 13 technical assistance assignments valued at \$1,638,254.00. Additionally, it covers 8 current/future projects worth \$61,096,926.00 and follow-ups valued at \$507,347,153.00, bringing the internal audit's total worth to \$652,651,525.00. Mr. Kiyemba summarized each section of the report, including audit findings and the City's corrective action or plan of action to implement the audit recommendations. He also described the audit process.

Mayor Hardin thanked Mr. Kiyemba for his hard work, attention to detail, and collaboration with City staff members to identify areas that need improvement.

C. AUDIENCE TO BE HEARD

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

Larry Shortz was called to speak but he stated he already received the answers to his questions.

Pat Anderson, 2650 NE 24th Street, Pompano Beach, FL, suggested that Code Compliance and the Broward County Property Appraiser's Office need more help. She read a letter into the record with historical information about her property. City Attorney Berman responded by saying that he was unaware of the address situation that Ms. Anderson was referring to, but he did mention a seawall dispute that she had with her neighbor and their contractor. Ms. Anderson disputed Mr. Berman's statement, accusing him of lying. Mr. Berman clarified that there were no liens placed on Ms. Anderson's property by the City and that her court case was settled, with Ms. Anderson receiving a judgment to repair her seawall.

JoAnn Smith, 2971 NW 7th Street, Pompano Beach, FL, expressed gratitude to the City Commission for constructing the new Senior Activity Center. She requested that the City consider renting out the other centers before renting the Senior Center to the public. Comr. Perkins asked her when they leave the facility, to which

Ms. Smith replied that they leave at 4:00 p.m. She confirmed that they are not in the facility on weekends, so that would also be a good option.

Kirk Patrick was called to speak but did not appear.

Kole Farley, 919 NE 10th Avenue, Pompano Beach, FL, expressed his strong feelings about certain issues affecting the city. He has been living in the city his entire life and is passionate about the environment and enhancing public spaces. Additionally, he recommended that the City revise its code to allow for the use of artificial turf in front yards. He distributed materials and discussed the various benefits of artificial turf.

Comr. Fournier acknowledged that this is a topic she often receives questions about, and residents are confused about the current regulations. She agreed that the code needs to be looked into.

Comr. Sigerson-Eaton stated that the City had previously considered the use of artificial turf and revising the code. She also mentioned that some residents face difficulties in growing a lawn due to the expense of irrigation systems.

Vice Mayor McGee added that the environmental drawbacks of using artificial turf need to be considered as well.

Mayor Hardin agreed with the need to examine both the pros and cons of using artificial turf and directed City Manager Harrison to have staff look into this matter.

Comr. Moss had no objection to the proposal but raised concerns about rainwater issues. Comr. Fournier agreed, adding that one of the big issues is drainage and categorization of pervious or impervious.

D. CONSENT AGENDA

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

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

1. [24-219](#) Approve the recommendation of the Selection/Evaluation Committee for RFP E-04-24 Lift Station Rehabilitation and Repairs Services, and authorize staff to negotiate primary and secondary contracts with the two (2) highest ranked responsive and responsible proposers: Trio Development Corporation, and Intercounty Engineering, Inc. (No cost at this time.)
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

2. [24-220](#) Approval to piggyback Clay County RFP #18/19-2 for the furnishing of playground equipment at the beach playground, for Public Works Department, by Top Line Recreation, Inc.
(Fiscal Impact: \$268,312.88)

(Staff Contact: Robert McCaughan)

Comr. Fournier asked about the drawing in the backup. Robert McCaughan, Public Works Director, confirmed the drawing in the backup is the plan for the subject site.

Comr. Fournier asked about the project timeline. Mr. McCaughan stated, if approved, the Purchase Order will be signed and with an approximate delivery timeline of 8 weeks.

City Manager Harrison added the rock would be removed from the subject site.

Mayor Hardin sought public input on the item and invited further Commission discussion. However, no one commented on the item.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, to APPROVE/ADOPT the item under the Consent Agenda. The motion carried unanimously.

E. REGULAR AGENDA

3. [24-201](#) **P.H. 2024-23: (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 LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COLT SOUTH FLORIDA OWNER LP FOR THE FIRE LOGISTICS FACILITY, EXERCISING A ONE YEAR LEASE EXTENSION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$135,030.84)

FIRST READING: FEBRUARY 27, 2024

(Staff Contact: Steve Hudson)

Fire Chief Hudson presented the item and stated there have been no changes since first reading.

Mayor Hardin sought public input on the item and invited further Commission discussion. However, no one commented 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. 2024-24

4. [24-196](#) **P.H. 2024-24: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE AGREEMENT FOR GOVERNMENT BANKING SERVICES BETWEEN THE CITY OF POMPANO BEACH AND JPMORGAN CHASE BANK, N.A.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 27, 2024

(Staff Contact: Allison Feurtado)

Allison Feurtado, Finance Director, presented the item and stated there have been no changes since first reading.

Mayor Hardin sought public input on the item and invited further Commission discussion. However, no one commented 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. 2024-25

5. [24-234](#) **P.H. 2024-25: (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 FIRST AMENDMENT TO THE GROUND LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND 20 NORTH OCEANSIDE OWNERS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Net Revenue to City \$750,000 annually)

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Manager, introduced the item. He noted the item is an amendment to the ground lease agreement with JJ Land, originally approved by the City Commission in February 2020. Both assignments of the original agreement were approved by Resolution No. 2023-169. The primary use of the property is parking, and the property is used daily. There are approximately 180 paved parking spaces and 130 grass parking spaces in an adjacent lot. Finally, Mr. Lantz noted that a Major Temporary Use Permit was approved by the Zoning Board of Appeals on December 14, 2023.

Mayor Hardin sought public input on the item and invited further Commission discussion. However, no one commented 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

6. [24-148](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF KIM BOROS; SAID TERM TO EXPIRE ON APRIL 26, 2026; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Other Board Memberships

Amy Varo-Haub, **Alternate 1** - District 3

0

Anne Ward - District 3

0

Cara Driscoll - District 3

0

Lisa Nothardt - District 3

0

Mary B. Fleck - District 3

0

(Staff Contact: Kervin Alfred)

Mayor Hardin nominated Amy Varo-Haub, Alternate 1, who currently resides in District 3, to serve on the board. He emphasized that Ms. Varo-Haub has been serving on the board for quite some time and also has a horse at the Sand and Spurs Stables. Mayor Hardin further explained that by promoting Ms. Varo-Haub to full membership, a vacancy will be created in the Alternate 1 position, which can then be filled by another applicant.

Comr. Sigerson-Eaton nominated Anne Ward. She noted she is the only certified riding instructor at Sand and Spurs. She said Ms. Varo-Haub has only had a horse there for a few years and served as an alternate on the Advisory Board for a few years.

Mayor Hardin closed nominations.

A motion was made by Vice Mayor McGee, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. Mayor Hardin nominated Amy Varo-Haub and Commissioner Sigerson-Eaton nominated Anne Ward. The motion carried by the following roll call vote: To appoint AMY VARO-HAUB.

Yes: Fournier

Moss

McGee

Hardin

No: Perkins

Sigerson-Eaton

Enactment No: RES. No. 2024-88

Mayor Hardin asked City Clerk Alfred to add an item to the next agenda to fill the Alternative 1 position.

7. [24-237](#) Consideration to sign a 5-year contract with Shotspotter.
(Fiscal Impact: \$1,706,250)

(Staff Contact: Greg Harrison)

City Manager Harrison introduced the item. He said the contract with Shotspotter expires on March 16, 2024, and he was not inclined to renew the agreement based on the Shotspotter performance data. Additionally, Mr. Harrison clarified that the budget for the Shotspotter system was approximately \$780,000.00, with a balance of \$130,000.00 for this year if they did not renew.

Sgt. Sharon Wesolowski mentioned that the Real Crime Center opened in February 2021 and they acquired the Shotspotter system approximately a month later. The Real Crime Center hosts around 630 CCTVs, PTZ, and ALPRs. According to Sgt. Wesolowski, they had responded to 1,349 Shotspotter cases in a 3-year period, leading to only 45 arrests. Out of the 45 arrests, 32 involved firearms, and 2 were for violent crimes.

Lieutenant Colonel Samuel Samaroo stated that Shotspotter is a supplemental program and that more policing and technology are the wave of the future. He recommended additional technology over Shotspotter.

Mayor Hardin mentioned that nothing is insignificant, but Shotspotter has not done the job the City had hoped it would.

City Manager Harrison said they are seeing a greater return in cameras and license plate readers. He recommended utilizing the remaining budget funds for upgrades and discuss again during the next budget cycle.

Comr. Sigerson-Eaton supported more cameras and license plate readers and stated that she is a big proponent of them.

Comr. Moss agreed with the cameras and asked about the large increase in price. Sgt. Wesolowski clarified that the price had decreased a bit. Comr. Moss agreed that the money could be better spent elsewhere and supported the City Manager's position.

Comr. Fournier concurred with her colleagues and noted the work being done by the Real Crime Center, which she found to be amazing. She agreed to redeploy the money to the areas that are working best.

Comr. Perkins asked how many Shotspotter equipment there were throughout the City, but Sgt. Wesolowski stated that she couldn't disclose the information. Comr. Perkins shared an experience about a shooting and inaccurate location identification. She would rather see the money go towards a 24-hour person to monitor the cameras and agreed that Shotspotter is too expensive.

Mayor Hardin clarified that it is a passthrough in the BSO budget.

Vice Mayor McGee agreed with her fellow commissioners and Comr. Perkins' recommendation to expand coverage during the evening shift.

There was consensus to support City Manager Harrison's recommendation.

The Item for Consideration/Discussion was RECEIVED AND FILED.

8. [24-229](#) Discussion and consideration item for the annual performance evaluation for Mr. Deusdedit C. Kiyemba, Internal Auditor
(Fiscal Impact: To be determined by City Commission)

(Staff Contact: Lisa Sonogo)

Lisa Sonogo, Human Resources Director, introduced the item. She noted any award of pay would be effective December 21, 2023, which is Mr. Kiyemba's anniversary date.

A motion was made by Commissioner Perkins seconded by Mayor Hardin, to approve a 5% merit pay increase for Internal Auditor Kiyemba. The motion carried by the following roll call vote:

Yes: Fournier
Moss
Perkins
Sigerson-Eaton
McGee
Hardin

9. [24-227](#) Discussion and consideration item for the annual performance evaluation for Mr. Gregory P. Harrison, City Manager.
(Fiscal Impact: To be determined by the City Commission)

(Staff Contact: Lisa Sonogo)

Lisa Sonogo, Human Resources Director, introduced the item. She noted any award of pay would be effective February 21, 2024, which is Mr. Harrison's promotion date.

Mayor Hardin stated City Manager Harrison has been doing a great job and deserves a 5% increase.

Comr. Moss expressed agreement with Mayor Hardin's comments, stating that Pompano Beach has undergone significant changes over the past decade. He also extended his thanks to City Manager Harrison.

Comr. Fournier requested clarification on the cost-of-living pay increase. Ms. Sonogo confirmed that all officers had received a 3% cost-of-living raise. Comr. Fournier expressed concerns about the cumulative effect of such increases.

Comr. Perkins voiced her displeasure with an incident that occurred in October when she requested a meeting with a developer. She was initially told that it was too early to meet with the developer. Later, staff scheduled a community meeting where it was announced that she was unwilling to meet with the developer. City Manager Harrison refuted this statement. Comr. Perkins claimed that when she finally connected with the developer, he was also told that it was too early to meet with her. She requested better communication with City Manager Harrison regarding developments in her district.

Comr. Perkins inquired about the annual salary of the City Manager Harrison. Ms. Sonogo informed that his current rate of pay is \$356,130.74 yearly and confirmed that he holds only one title. She added that his salary is within the 75th percentile of comparables with other cities.

Comr. Perkins asked why two merit pay increases were placed on the agenda at the same time. Ms. Sonogo explained that it was because Mr. Kiyemba had finished his annual report, and this was usual at this point of the year.

Comr. Perkins expressed her hope that she and the City Manager can communicate better.

Vice Mayor McGee stated that past evaluations have included the salary and percentile, which helps with the full picture. She is proud of where they are at with the City, and the City Manager brings forth areas to save money when possible.

Comr. Sigerson-Eaton expressed her happiness to have City Manager Harrison at Pompano Beach and noted that the cost-of-living and merit are different for different reasons. She commended the City's progress in the last 10-15 years and said that other cities admire the City of Pompano Beach. She also highlighted that City Manager Harrison has received the City Manager of the Year award from Broward County and steered the City to achieve a \$185M GO Bond, therefore she supports the motion.

Mayor Hardin asked when did City Manager Harrison assumed the position. Mr. Harrison replied 2017.

Comr. Perkins asked what 96X pay grade means. Ms. Sonogo responded that she would have to get back to Comr. Perkins with further information.

A motion was made by Mayor Hardin, seconded by Commissioner Sigerson-Eaton, to approve a 5% merit pay increase for City Manager Harrison. The motion carried by the following roll call vote:

Yes: Moss
Sigerson-Eaton
McGee
Hardin

No: Fournier
Perkins

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:

March 26, 2024 at 6:00 p.m. - Regular City Commission Meeting

April 4, 2024 at 10:00 a.m. - City Commission Budget Workshop

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

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

City Clerk Alfred noted that the April 4th City Commission Budget Workshop will be held in the City Manager's Large Conference Room on the 4th Floor of City Hall.

H. REPORTS

City Manager's Report:

City Manager Harrison introduced Mary Rivero as the newly hired Purchasing Director. He added that staff is in the process of bidding the McNab Road project. The project will be deferred until funding is secured.

City Attorney's Report:

No report.

City Clerk's Report:

No report.

Comr. Fournier's Report:

No report.

Comr. Moss' Report:

Comr. Moss has announced the second Palm Aire concert series will be held on March 15th at the Esplanade. The first concert was a huge success with over 250 people in attendance. He expressed gratitude to the Solid Waste Disposal team for their assistance in cleaning up homeless encampments on Atlantic Boulevard and in Collier City.

Comr. Perkins' Report:

Comr. Perkins suggested the City look into starting a Homeless Committee because it is such a huge problem. She wished everyone a happy Women's History Month.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton announced that the Cresthaven Civic Association will be meeting on March 14th at the Charlotte Burrie Community Center.

Vice Mayor McGee's Report:

Vice Mayor McGee noted that she saw a Facebook post by the CRA, who are soliciting information from local businesses to celebrate St. Patrick's Day.

Mayor Hardin's Report:

Mayor Hardin congratulated City Manager Harrison and Mr. Kiyemba and thanked them for their hard work.

I. ADJOURNMENT

The meeting adjourned at 2:26 p.m.

Rex Hardin, Mayor

Kervin Alfred, City Clerk