

Detailed Minutes - Final

City Commission

Rex Hardin, Mayor
Alison Fournier, Vice Mayor
Audrey Fesik, Commissioner
Beverly Perkins, Commissioner
Rhonda Sigerson-Eaton, Commissioner
Darlene Smith, Commissioner

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

Tuesday, October 14, 2025

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 PM.

ROLL CALL

Present: Commissioner Audrey Fesik
Commissioner Beverly Perkins
Commissioner Rhonda Sigerson-Eaton
Commissioner Darlene Smith
Vice Mayor Alison Fournier
Mayor Rex Hardin

INVOCATION

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

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[26-13](#) Regular City Commission Meeting Minutes of September 9, 2025

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

[26-14](#) Special City Commission Meeting Minutes of September 15, 2025 (1st Budget Hearing)

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

26-15 Special City Commission Meeting Minutes of September 22, 2025 (2nd Budget Hearing)

Comr. Fesik requested corrections to the minutes from the meetings held on September 22 and 23. She clarified that the minutes inaccurately attribute a remark about a resident's statement being disrespectful to the Mayor instead of Comr. Sigerson-Eaton. Additionally, Comr. Fesik asked for the minutes to include a verbatim account of Comr. Sigerson-Eaton's comments regarding her absence at a previous meeting. Comr. Sigerson-Eaton proposed tabling the approval of those minutes until they could be thoroughly reviewed. The Mayor indicated that the corrections for the September 22 and 23 meeting minutes would be addressed in a future meeting.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Minutes be POSTPONED until such time that the corrections have been made. The motion carried by a unanimous voice vote.

26-16 Regular City Commission Meeting Minutes of September 23, 2025

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Minutes be POSTPONED until such time that the corrections have been made. The motion carried by a unanimous voice vote.

26-22 Special City Commission Meeting Minutes of September 30, 2025

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

APPROVAL OF AGENDA

Mayor Hardin announced that Item 5 would be stricken from the agenda and that Item 13 would be postponed until the City Commission meeting on November 13th. Additionally, a Special Proclamation will be included.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Agenda be APPROVED AS AMENDED. The motion carried by a unanimously.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 2 and 3 would be pulled for City Commission discussion.

A. PROCLAMATION**26-86 Proclamation honoring Mark E. Berman's 30 years of service**

Mayor Hardin read a proclamation in honor of City Attorney Mark E. Berman, celebrating his remarkable 30 years of dedicated service to the City of Pompano Beach. He highlighted not only Mr. Berman's unwavering commitment to the City's legal and civic well-being but also his impact on the City Commission, city staff, and residents over the decades. He then invited Mr. Berman to address the audience.

Mr. Berman expressed gratitude for the support of dedicated staff, elected officials, and the Mayor, emphasizing that his work felt enjoyable rather than tedious. He acknowledged the importance of providing good advice in the business and thanked everyone for their appreciation.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. SPECIAL PRESENTATION**25-604 Residential Workforce Housing**

Mayor Hardin introduced Armando Arana, Coordinator, Governmental Affairs, Office of Legislative Affairs, Broward County Public Schools (BCPS) to present Resolution No. 26-114, which stipulates that the School Board of Broward County, Florida (SBBC) supports the development of residential workforce housing units on the 2.8485-acre Dave Thomas East Education Center site, and to make one hundred percent of the housing units available for qualified BCPS employees.

Mr. Arana and Rachel Daly from BCPS presented Resolution 26-114 to develop residential workforce housing on the 2.8485-acre Dave Thomas East Education Center site. The resolution supports the creation of affordable housing units for qualified BCPS employees, including teachers and support staff. The project aims to address the unaffordable housing market in Broward County, which affects workforce retention. The initiative will be developed through a public-private partnership and will be compatible with surrounding residential developments. The resolution was adopted on August 19, 2025, by the school board.

Vice Mayor Fournier expressed gratitude to the presenters for their contributions and emphasized the strong collaboration between BCPS and the City. Together, they are working on plans to repurpose certain sites for the community's benefit. She said this initiative aims to create a framework that will serve both the community and the school board and effectively support school employees.

Comr. Perkins expressed support for the project, noting its importance for Pompano Beach and its potential to be the first residential workforce housing initiative in Broward County. Ms.

Daly clarified that the housing units would be available to all BCPS employees, not just teachers, and discussed the need to coordinate with the City's development plans to determine the number of units.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

C. AUDIENCE TO BE HEARD

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

Robert Kintchen, 673 NW 20th Court, Pompano Beach, FL, expressed his appreciation for the professionalism and dedication of city staff. He commended their efforts in maintaining city services and infrastructure and shared a brief personal story illustrating their helpfulness and care. Mr. Kintchen encouraged continued unity, transparency, and collaboration among the Commission. He also emphasized the importance of creating opportunities for young professionals to return to the city and access single-family housing. He concluded by offering his blessings and support for their ongoing work in keeping Pompano Beach one of Florida's best-kept secrets.

Mark Intregila, 1401 S. Ocean Boulevard, Pompano Beach, FL, addressed the Commission regarding recent proceedings, noting his observations as a resident who regularly watches meetings online. He encouraged fellow residents to view the meetings to stay informed about city decisions. Mr. Intregila expressed concern that some commissioners' questions often go unanswered before critical votes and cited previous examples involving the bond issue and CRA budget. He also commented on perceived inconsistencies in project progress across districts and urged residents to remain engaged, review information critically, and follow city matters over time.

Robert Goldbaum, 1500 N. Ocean Boulevard, Pompano Beach, FL, introduced himself as a new resident and strategic consultant with Morgan Lewis Consulting. He commended the Commission and offered pro bono assistance to address traffic delays caused by frequent bridge openings on Atlantic Boulevard and 14th Street. Mr. Goldbaum noted that the bridges currently open twice an hour, causing significant congestion and wasted time. He recommended limiting openings to once an hour and shortening their duration. He offered to conduct analytics and prepare a report estimating the economic impact, then work with FDOT-pending the Mayor's support-to seek operational improvements.

George Berlenge addressed the Commission regarding gaps in assistance for individuals in crisis, particularly single mothers without addictions or illnesses who face homelessness while awaiting housing. He emphasized the need to reallocate existing resources to support those seeking help before they become chronically homeless. Mr. Berlenge proposed that City and community leaders collaborate to develop unified recommendations to present to the County Commission, which oversees funding and resource allocation. He clarified that his intent is not to reduce aid for the chronically homeless but to ensure unused resources are redirected effectively to those striving to regain stability.

Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, addressed several topics. He expressed concern that nearby residents were not notified about construction activity at the Porsche dealership in Kendall Lakes,

noting the importance of communication with affected neighborhoods. Mr. Phillips also commended the successful management of the Ali Cultural Arts and Entertainment facility. Regarding public safety, he praised recent workshops as productive and emphasized that any evaluation of BSO services should be based on financial impact rather than personal opinions. He concluded by urging the Commission to consider the City's growing financial commitments carefully.

Mary Phillips, 384 NW 19th Street, Pompano Beach, FL, raised two main concerns. First, she noted that the City's business tax receipt website is difficult to navigate and does not effectively notify local businesses of RFP opportunities, limiting community participation. She suggested revamping the site to better support local small businesses. Second, she highlighted the lack of public event promotion on the City's website, which reduces attendance at community events. She requested that nonprofits and organizations be allowed to post event information again, citing the upcoming Community Health and Wellness Fest on November 22, 2025, as an example.

Debresia Lesane addressed the Commission to propose that residents have a role in identifying historical sites. She cited the 1935 lynching of Rubin Stacy at the Albert Sample House and criticized the recognition of certain sites while neglecting other significant sites to Black history, such as Westview Cemetery and Jones Quarters. Ms. Lesane urged the City to preserve and properly acknowledge these sites and requested guidance on how to have Westview Cemetery officially designated as a historical site.

Rodrick Phillips, 2620 NW 10th Street, Pompano Beach, FL, addressed the Commission regarding the annual Substance Abuse, Homelessness, and Mental Health Awareness Day, which he has helped organize for the past four years. He emphasized the importance of cleaning up downtown Pompano Beach and assisting homeless individuals by providing support, housing opportunities, and substance abuse resources. Mr. Phillips also highlighted specific areas of concern, including public indecency near Value Palm and the area behind the post office, urging city staff to provide timely assistance to those in need.

Wayne Oken addressed the Commission regarding the scheduling of meetings on religious holidays, specifically Rosh Hashanah. He urged the City to consider all religious observances, such as Yom Kippur and Passover, when setting meeting dates, noting that other holidays like New Year's Day and Christmas are already respected. Mr. Oken expressed concern that the meeting on Rosh Hashanah, and the handling of Comr. Audrey Fesik's participation by phone, reflected a lack of religious tolerance.

The allotted 30 minutes for Audience to be Heard had ended, so Mayor Hardin announced that all remaining speakers would be heard after the Regular Agenda.

D. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1 and 4 under the Consent Agenda.

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

1. [25-589](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A STUDENT CLINICAL TRAINING AND RIDE SHARE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COLLEGE TO PROVIDE EDUCATIONAL AND TRAINING OPPORTUNITIES FOR PARAMEDIC AND EMT STUDENTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Peter McGinnis)

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

Enactment No: RES. No. 2026-01

2. [26-09](#) A RESOLUTION 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 SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND SFM JANITORIAL SERVICES, LLC TO PROVIDE JANITORIAL SERVICES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$153,379.19)

(Staff Contact: George Buenaventura/Brian Donovan)

Mayor Hardin mentioned that the item was pulled by Comr. Fesik.

Comr. Fesik expressed concerns regarding the procurement process, particularly about the missing E-24-23 award document and the necessary conflict of interest forms, and asked if they would be provided as part of her records request. In response, City Clerk Alfred explained that it is the staff's responsibility to provide the required backup documents. Additionally, he mentioned that the public records request is currently being addressed, and he hopes that the requested information will be available by the end of the week.

Comr. Fesik mentioned that the only reason she asked for that specific information was to find the conflict of interest forms, which she had already been given. She believed she had received most of, if not all of, the necessary documents, but one was missing from the backup. She noted that there was a multi-year contract included in the backup, while the current arrangement was just for an annually renewed set price. Her question was whether there had ever been any change orders or add-ons to this contract.

George Buenaventura, Facilities Maintenance Operation Director, confirmed that the contract was a set amount each year with annual increases, and no additional changes or add-ons had been required so far.

Mayor Hardin sought public input and called for Commission discussion on the item. However, no one provided further comments on the item.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2026-02

3. [26-12](#) A RESOLUTION 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 SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND JANITORIAL 5 STAR SERVICES LLC TO PROVIDE JANITORIAL SERVICES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$144,551.40)

(Staff Contact: George Buenaventura/Brian Donovan)

Mayor Hardin mentioned that the item was pulled by Comr. Fesik.

Comr. Fesik explained that her question on this Item was answered on Item 1, which needed to be clarified.

Mayor Hardin sought public input and called for Commission discussion on the item. However, no one provided further comments on the item.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2026-03

4. [26-01](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING GEORGE JOHNSON TO THE EDUCATION ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE APPOINTEE OF COMMISSIONER DARLENE SMITH, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2026-04**E. REGULAR AGENDA****QUASI-JUDICIAL PROCEEDING**

Mark E. Berman, City Attorney, advised that Item 6 is listed under Quasi-Judicial Proceeding and is quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

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

5. [25-529](#) **P.H. 2025-67: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A 14-FOOT WIDE ALLEY LYING WITHIN THE BLOCK BETWEEN NW 2ND STREET AND NW 3RD STREET OF THE EAST AND WEST APPROXIMATELY 265 FEET BETWEEN NE 2ND AVENUE AND NE 3RD AVENUE; RESERVING A UTILITY EASEMENT FOR THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 23, 2025

FIRST READING: SEPTEMBER 9, 2025

(Staff Contact: Jean Dolan/David Recor)

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Quasi-Judicial be STRICKEN. The motion carried by a unanimous voice vote.

6. [26-19](#) **P.H. 2026-05: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A 14-FOOT WIDE ALLEY LYING SOUTH OF LOTS 1-5, WITHIN BLOCK 2, CAMPBELL AND SAXON ADDITION PLAT, AND NORTH OF LOTS 6-10 OF THE SAME BLOCK BETWEEN NE 2ND STREET AND NE 3RD STREET AND BETWEEN NE 2ND AVENUE AND NE 3RD AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan from the Development Services Department discussed the 14-foot alley abandonment request, noting that the alley, which stretched east-west for about 265 feet between Northeast 2nd and Northeast 3rd Avenues, was intended for a pickleball facility by the applicant, who had secured a letter of acceptance from one other property owner. On July 23, 2025, the planning and zoning board unanimously recommended approval of the request, contingent upon the provision of a utility easement for FPL and Comcast. Both staff and the applicant were available to address any questions from the Commission.

Mayor Hardin invited the applicant and the public to provide input on the item, and receiving none, he moved on to commission discussion.

Vice Mayor Fournier inquired about the two remaining letters of no objection that had been specified. She noted that the letters provided as backup were dated prior to the Planning and Zoning (P&Z) meeting and sought clarification on the status of the outstanding letters. In response, Ms. Dolan explained that the letters were received before the report was written for the P&Z meeting, which is why they appeared outstanding at that time. She clarified that the letters referenced in the P&Z minutes were indeed the ones from FPL and Comcast that were missing, confirming their inclusion in the documentation.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

END OF QUASI-JUDICIAL PROCEEDING

7. [25-583](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DONATION AND RELOCATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND OT PROPERTY GROUP LLC; AUTHORIZING THE CITY MANAGER TO ACCEPT THE DONATION OF THE CHAPEL AND TO RELOCATE THE CHAPEL TO THE NEW LOCATION AT CENTENNIAL PARK; AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL NECESSARY ACTIONS TO IMPLEMENT THE AGREEMENT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Tracy Lyons)

Tracy Lyons, Deputy City Attorney, presented a contract for the donation and relocation of the historic chapel, currently situated at the corner of NE 2nd Avenue and NE 3rd Street, which is known as the First United Methodist Church. The goal is to move this structure to Centennial Park, adjacent to the sample MacDougall property, where it will serve as a public gathering place, ensuring its preservation amidst ongoing vandalism issues at its current location, including theft and property damage. The current owner, Mr. Adam Adache of OT Property Group LLC, has agreed to donate the legal title of the chapel to the city and has had it appraised at approximately \$1.7 million. He will also reimburse the City for relocation expenses of \$445,000, with this reimbursement contingent upon the development or sale of specific lots B and D, rather than the entire parcel. The relocation cost covers the foundation of the property, while additional expenses, estimated at \$100,000, will involve court and utility movements. If the Commission approves the contract, the city will initiate the relocation process to prevent further damage to the chapel. Ms. Lyons concluded her presentation by stating that both Dr. Tammy Good and Mr. Adache were available for any questions from the Commission.

Mayor Hardin sought public input on the item.

Debresia Lesane requested assistance in getting a cemetery listed as a historical site, noting that a chapel had already been recognized and that funding was available for such projects. She mentioned that the funding for the chapel was substantial, suggesting that listing the cemetery could have also attracted donations. Lesane expressed frustration at not being directed to the right person for help previously but indicated she had identified the appropriate contact for her request.

There being no further speakers, Mayor Hardin concluded public input and moved on to Commission discussion.

Vice Mayor Fournier inquired about the history of a property's designation as a historic building, to which Ms. Lyons responded that it was officially designated in 2022, although it had been previously listed on the local Registry of Historic Places since 2006. The certificate of appropriateness for this historic structure was issued to facilitate its relocation. The Vice Mayor further asked who was responsible for maintaining the local registry, and Ms. Lyons clarified that it was managed by the Historic Preservation Society and in accordance with state and federal guidelines. Vice Mayor Fournier noted that the historic preservation board would have been a valuable resource for anyone interested in learning how to designate a site as historic.

Continuing, Vice Mayor Fournier expressed her concerns regarding the contract related to the relocation of a chapel, emphasizing the need to protect taxpayers in terms of costs and timing. She pointed out that the original agreement lacked a clear payment date and that changes were made to ensure reimbursements would be tied to the development sites as they are monetized or developed, which she believes offers better protection for taxpayers. The Vice Mayor raised concerns about additional costs that the City would bear, noting that while the chapel's relocation costs were expected to be covered by the developer, other logistical expenses could fall on the City. Ms. Lyons confirmed that future funding sources would be explored to cover these costs once relocation is complete, including potential grants or sponsorships. Vice Mayor Fournier also highlighted her worry about the current condition of the chapel and suggested that expediting its move would prevent further damage and enable its use by the public in the park.

In discussing the relocation of the chapel, Comr. Perkins emphasized the importance of preserving historical sites in the Northwest. She expressed concern over recent demolitions of historical buildings, such as the Westview cemetery office and the Freeman funeral home, which were torn down without the district commissioner and the community's consent. Comr. Perkins urged city staff to respect and protect the history of the Northwest community, highlighting that it held the same value as history elsewhere.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2026-05

8. [25-588](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE APPROPRIATIONS CONTRACTS BETWEEN THE CITY

OF POMPANO BEACH AND VARIOUS NON-PROFIT CORPORATIONS;
PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$300,000)

(**Staff Contact:** Joshua Watters)

Joshua Watters, Budget Director, presented a resolution to allocate \$300,000 for nonprofit organizations through Pompano Beach's Community Partnership Program in the fiscal 2026 budget. This program supports local nonprofits that provided essential services to residents, focusing on workforce excellence, education, behavioral health, senior services, community events, and cultural heritage. This year, 47 applications totaling over \$968,000 were received, with 28 organizations recommended for funding, averaging about \$10,700 each. These organizations were expected to serve over 47,000 residents. The review process, managed by Strategic Philanthropy, included safeguards like IRS verification, financial audits, and quarterly reporting to ensure accountability and effective use of taxpayer funds. Staff recommended approval of the proposed funding allocation.

Mayor Hardin sought public input and called for Commission discussion on the item. However, no one provided further comments on the item.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2026-06

9. [26-02](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT AND SYNCHRONIZATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FLORIDA EAST COAST RAILWAY, LLC (FEC) TO INSTALL IMPROVEMENTS AND TO SYNCHRONIZE RAILROAD GRADE CROSSING AND TRAFFIC CONTROL DEVICES WITHIN ATLANTIC BOULEVARD AND DIXIE HIGHWAY INTERSECTION AND FEC RIGHT-OF-WAY AND TO PROVIDE ANNUAL MAINTENANCE OF THE RAILROAD CROSSING WITHIN THE SUBJECT INTERSECTION; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$3,045,847.86)

(Staff Contact: Fernand Thony)

Fernand Thony, GO Bond Director, stated that the item before them was to approve an agreement with the Florida East Coast (FEC) Railway, which would enable them to complete the work at the grid crossing on Atlantic Boulevard, thereby paving the way for the completion of their own intersection work for DC highway segment two. He noted that this was a public hearing and inquired if there was any input from the public regarding the item.

Mayor Hardin invited the public to provide input on the item, and receiving none, he moved on to commission discussion.

Vice Mayor Fournier questioned whether the Atlantic-Dixie construction project had begun without the required FEC approvals. Mr. Thony confirmed that work had started prior to full approvals. The project's total budget remains at \$43 million, with an additional \$1.1 million in anticipated escalation costs, including a \$400,000 contingency, to cover potential increases and complete the work. These costs were already planned and partially funded through prior county allocations. Approval is required to access these funds and finalize the project, addressing track misalignment and ongoing congestion.

Comr. Fesik inquired about the \$400,000 contingency added to the project. It was clarified that this buffer addresses increases in FEC's costs, not the overall project budget, and is standard practice in construction to avoid delays due to unforeseen expenses. No other increases have occurred; FEC is the sole authorized party for the work. Long-term maintenance of the rail crossings is not included in this amount, but the City maintains agreements for ongoing upkeep, separate from lease obligations. Each crossing incurs regular maintenance payments, while leased areas ensure fair market value compensation to the FEC.

James Saunders, Assistant City Attorney, explained the City's extensive involvement with FEC, including technical approvals and legal negotiations, which have required coordination with multiple parties. The contingency ensures the City can complete the project efficiently while adhering to these agreements.

Vice Mayor Fournier asked for clarification regarding ongoing FEC lease negotiations. It was noted that these discussions are still in progress and no related agenda item is forthcoming in the near term. The current agreement, part of the City's Dixie Highway acquisition, expires next year, and updates will be provided around September or October. She highlighted the broader implications of roadway acquisitions, including maintenance responsibilities and public transit needs, emphasizing that returning the roadway would not eliminate service. She also noted that additional funding has been spent on the Atlantic Boulevard lane reduction project, which, though aesthetically improved, has been unpopular and caused significant traffic congestion. The project was funded through the Northwest CRA, a GO bond, county surtax funds, FDOT contributions, and the tree fund.

Comr. Perkins stated concerns regarding railway safety at key intersections, specifically Dixie and Atlantic Boulevards and Sample Road, where several accidents have occurred involving the Brightline train. She requested that staff consider these safety issues when planning related infrastructure improvements. Comr.

Perkins also asked for clarification on why the area has been designated as a quiet zone and why train horns are no longer in use, emphasizing the importance of audible warnings to help prevent future fatalities.

Comr. Sigerson-Eaton expressed similar concerns, noting the lack of fencing along the railway and explaining that FEC owns the land, requiring cities to pay for any modifications. She commended the progress and appearance of the Dixie Highway improvements, attributing success to the 2018 General Obligation Bond and county surtax funding. Acknowledging the competitive nature of securing such funds, the Commissioner affirmed her support for the current and subsequent project items to ensure completion of the voter-approved initiatives.

Comr. Fesik expressed concern about the delays and increased costs, noting that engagement with the FEC began in 2019, yet work did not commence until 2023. Mr. Thony clarified that while the technical aspects had been previously approved, unforeseen legal complexities contributed to delays and additional expenses. The project's costs remain within the originally approved budget, supported by surtax funds, with anticipated savings of approximately \$100,000. Any unspent funds would remain allocated to the City and could potentially be reappropriated for other eligible projects.

Vice Mayor Fournier stated that while she is unbothered by criticism of her votes, she objected to the claim that surtax funding constitutes "free money." She explained that the surtax was approved by Broward County voters through a one-percent sales tax increase, meaning all residents contribute through their purchases. The City applied for and received a portion of these funds for the Atlantic Boulevard project, which focused on lane reduction and beautification-choices made at the City's discretion. She emphasized that the money comes from taxpayers and is not without cost. Vice Mayor Fournier addressed Comr. Perkins's earlier comments, noting that Pompano Beach accounts for nearly 40 percent of Brightline-related fatalities in Broward County, with six railroad crossings within a 1.3-mile stretch. She highlighted the need to examine safety concerns at these crossings, acknowledging that while the city has limited control, it bears a disproportionate share of the impact compared to other communities.

Comr. Smith stated that after reviewing the project renderings, she believes the completed design will enhance safety for both drivers and pedestrians by slowing traffic and increasing awareness near railroad crossings, particularly at Atlantic Boulevard and Dixie Highway. She noted that the project effectively addresses key safety concerns and expressed her support for its completion.

Comr. Sigerson-Eaton clarified that while all municipal funding originates from taxpayers, surtax allocations are determined by the County and not automatically granted. She noted that the City successfully secured \$12 million in surtax funding for transportation projects, competing against 30 other municipalities.

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

Yes: Perkins
Sigerson-Eaton
Smith
Hardin

No: Fesik
Fournier

Enactment No: RES. No. 2026-07

10. [26-03](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR SURTAX-FUNDED MUNICIPAL TRANSPORTATION PROJECT: DIXIE HIGHWAY/ATLANTIC BLVD. CORRIDOR IMPROVEMENTS (POMP-002); PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Fernand Thony)

Fernand Thony, GO Bond Director, explained that the current item allows the City to access previously awarded escalation funds from 2024 sooner, which reduces delays in receiving funding. Additionally, there were discrepancies in dates due to the county executing a different version of the document than what was approved by the Commission, and this item aims to synchronize those documents.

Mayor Hardin sought public input and called for Commission discussion on the item. However, no one provided further comments on the item.

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

Yes: Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

No: Fesik

Enactment No: RES. No. 2026-08

11. [25-561](#) P.H. 2025-73: (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 SIX (6) CONTRACTS FOR PROFESSIONAL SERVICES FOR SUSTAINABILITY-RELATED PROJECTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: SEPTEMBER 23, 2025

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan from the Development Services Department presented the second reading of the ordinance to accept six signed contracts from qualified firms for future sustainability projects in the city. The contracts, based on RFQ 2025-037, do not include specific scopes of work but allow for work authorizations under \$200,000 each fiscal year for sustainability initiatives over the next three years. Ms. Dolan noted that there have been no changes since the first reading.

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

Comr. Fesik expressed concern about the six contracts related to professional services for sustainability, specifically mentioning the presence of burrowing owls and invasive species. She sought clarification on the relevance of these contracts to sustainability projects at the Air Park and inquired about the roles of the companies involved, particularly Aptim. Ms. Dolan explained that the selection of firms for projects is based on their experience in specific areas. The first project to be funded, with \$195,000 from the Florida Resiliency Program, will be an adaptation plan. There are no additional projects budgeted for the current fiscal year.

Comr. Fesik inquired about the duration of an agreement, which is set for three years. She expressed a preference for knowing specific dollar amounts before approving any requests, rather than approving a blank check. Ms. Dolan responded that the budget process will clarify the funding for projects each year, indicating that they will assign funds based on the companies' skill sets.

Comr. Fesik discussed the strategy for selecting consultants for future sustainability projects. Ms. Dolan mentioned the drawbacks of a traditional Request for Qualifications (RFQ) process, which can be time-consuming and hinder project timelines. Instead, staff proposed creating a pre-qualified list of consultants to negotiate with, allowing for faster project initiation without needing to go through the RFQ process each time funding becomes available.

Comr. Fesik raised a concern about the need for better visibility and authorization regarding contracts with vendors, particularly regarding expenditures exceeding \$200,000 per fiscal year. She expressed a desire to track what is being purchased and to avoid situations where contracts are approved without her knowledge, especially those involving long-term commitments. Ms. Dolan acknowledged the current policy that

necessitating approval for contracts over that amount. Brian Donovan, Assistant City Manager indicated that while the Commission is not yet assigning funds to projects, they could consider a process that would allow for the review and approval of contracts to ensure responsible financial decision-making while maintaining trust in the vetted vendors.

Comr. Fesik inquired about the possibility of amending the process to allow vendor approvals without needing to bring each authorization back to the Commission. City Attorney Berman responded that this would be cumbersome and suggested that if the Commission wants to review each vendor individually, they should be provided separately. He emphasized that the current approval process implicitly authorizes the selected vendors and acknowledges the Commission's authority to decide how to proceed.

Comr. Fesik raised a question regarding the allocation of a \$200,000 budget, asking whether it would be divided among six vendors or if only one would be selected. In response, Ms. Dolan clarified that for the first fiscal year, there is a \$195,000 contract to create an adaptation plan, indicating that only one of the firms will be awarded the project.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: ORD. No. 2026-01

12. [25-444](#) **P.H. 2025-57: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.4209, "INSTITUTIONAL HEALTH CARE USES" TO FURTHER DEFINE LISTED USES AND STANDARDS FOR SEPARATION FROM RESIDENTIAL USES AND FOR OVERNIGHT TREATMENT, AND TO CREATE A NEW USE FOR HOSPITAL-BASED OFF-CAMPUS EMERGENCY DEPARTMENT; PROVIDING FOR DEFINITIONS IN ARTICLE 9, "DEFINITIONS AND INTERPRETATION," PART 5, "TERMS AND USES DEFINED,"; BY AMENDING APPENDIX A: "CONSOLIDATED USE TABLE," TO REFLECT EXISTING AND NEW HEALTHCARE USES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

*With regard to this item, the applicant requested to postpone this matter to the November

13th, 2025 Commission Meeting Agenda.

POSTPONED FROM JULY 8, 2025, SEPTEMBER 9, 2025 AND SEPTEMBER 23, 2025

(Staff Contact: Jean Dolan/David Recor)

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be POSTPONED to the November 13, 2025 City Commission Meeting. The motion carried by a unanimous voice vote.

13. [25-601](#) **P.H. 2026-04: (PUBLIC HEARING 1ST READING)**

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

(Fiscal Impact: \$696,962 annual cost reimbursed by Broward County SurTax)

(Staff Contact: Rob McCaughan)

Robert McCaughan, Public Works Director, presented the third amendment to the interlocal agreement between the City and Broward County, which aims to provide a community bus shuttle for the City. This amendment incorporates a contract approved by the City Commission on July 22 with Limousines of South Florida. It specifically details the rates associated with the four designated routes operating Monday through Friday. The estimated annual cost of this service is projected to be \$697,000, funded by the Broward County surtax.

Mayor Hardin sought public input and called for Commission discussion on the item. However, no one provided further comments on the item.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

14. [25-586](#) **P.H. 2026-01: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING ARTICLE II, SECTION 6 TO CHAPTER 57-174, LAWS OF FLORIDA SPECIAL ACTS OF 1957 AS SUBSEQUENTLY AMENDED AND SUPPLEMENTED, OTHERWISE KNOWN AS THE CHARTER OF THE CITY OF POMPANO BEACH, FLORIDA, IMPOSING LIMITATIONS ON THE LENGTH OF TERMS OF THE OFFICES OF THE MAYOR AND COMMISSIONERS, WHILE EXPANDING FUTURE TERMS OF OFFICE OF CITY COMMISSIONERS AND STAGGERING SAID TERMS; PROVIDING THAT IF THE AMENDMENT IS APPROVED BY A MAJORITY OF THE VOTERS AT THE SPECIAL ELECTION OF ____ __, 2026, THEN SUCH AMENDMENT SHALL BECOME A PART OF THE CITY'S CHARTER UPON CERTIFICATION AND ACCEPTANCE OF THE ELECTION RESULTS; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

City Attorney Berman reported that, following the Commission's direction, he prepared a draft amendment to address several requested changes: extending Commission terms to four years, staggering those terms, and establishing a limit of three full four-year terms. He explained that if the Commission wishes these changes to take effect with the November 2026 election, a decision must be made by June to allow time for a special election. Without that, the changes would be delayed until 2028 or later.

Additionally, Mr. Berman noted that to implement staggered terms, some districts would initially serve shorter terms. His draft proposed that odd-numbered districts begin with four-year terms and even-numbered districts with two-year terms, though this arrangement could be adjusted if the Commission prefers a different method. He clarified that initial two-year terms would not count toward term limits and that the draft language was written to ensure clarity for voters.

Mayor Hardin sought public input on the item.

Heather Gilchrist, 1341 SE 9th Avenue, Pompano Beach, FL, spoke as a member of the Charter Amendment Advisory Board and stated that the board unanimously opposed holding a special election. She noted that while the board supports the proposed amendment and believes voters will too if properly informed, members felt it

was important not to rush the process or create the perception that the measure was being pushed through hastily. She emphasized that voter education should focus on providing clear information rather than marketing, commended Mr. Berman for clearly explaining the proposal, and reiterated that timing and communication would be key to public understanding and trust.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, expressed concern that a similar proposal had previously been rejected by voters. He stated his support for term limits but opposed the other proposed changes, noting that past efforts to extend or stagger terms were overwhelmingly voted down. Mr. Berman clarified that the current proposal differs from the prior measure because it includes term limits, which were not part of the earlier version. Mr. Skversky reiterated that while he supports an eight-year limit for commissioners and the mayor, he remains opposed to the other provisions.

Anne Bosworth, 4015 W. Palm Aire Drive, Pompano Beach, FL, expressed support for term limits, stating that they can bring new perspectives and prevent stagnation in leadership. She emphasized that the goal should be to create a healthier, more inclusive system rather than to consolidate political influence. Ms. Bosworth urged commissioners to work together respectfully, improve communication with residents, and focus on collaboration and transparency. She concluded that if the proposal is pursued, it should be done for the right reasons and presented to the public clearly and fairly.

Pastor Dr. Sherry Abram emphasized the importance of public engagement and expressed support for tenure and longevity in office while acknowledging the need for accountability. She praised Comr. Perkins for her advocacy on community safety issues, including concerns related to Brightline crossings and support for vulnerable residents.

Wayne Oken, 4106 W. Palm Aire Drive, Pompano Beach, FL, expressed support for term limits and term extensions but raised concerns about campaign financing. He suggested that only Pompano Beach residents, not corporations or hidden third parties, should contribute to campaigns, emphasizing the need for transparency and reform in the process.

Mark Intregila, 1401 S. Ocean Boulevard, Pompano Beach, FL, expressed support for the proposal, emphasizing that staggering commission terms preserves institutional knowledge. He also endorsed term limits and extending terms to reduce frequent election turnover.

Andrea McGee, 133 North Pompano Beach Boulevard, noted that two-year terms give voters a stronger voice, as seen in previous discussions. She also highlighted that frequent turnover can affect the City's influence on county boards, emphasizing the importance of considering the impact of term changes on representation and institutional experience.

There being no further speakers, Mayor Hardin concluded public input and moved on to Commission discussion.

Vice Mayor Fournier expressed appreciation for the Charter Amendment Advisory Board's thorough work and thoughtful discussions, noting that their input provided valuable context on timing, implementation, and differing perspectives. She referenced past voter opposition to similar proposals and agreed that a special

election was unnecessary due to cost, low turnout, and potential public perception issues. She emphasized the benefits of term limits and staggered terms, citing the value of institutional knowledge while allowing for new ideas and fresh leadership. She noted that Pompano Beach does not struggle to attract candidates, making a 12-year term sufficient for public service.

Comr. Fesik highlighted the importance of a measured approach, advocating for a well-planned voter education campaign-distinct from marketing-to ensure the public fully understands the proposal. She concluded that term limits and staggered terms would enrich City governance by balancing experience with fresh perspectives, and she expressed support for implementing these changes with minor modifications.

Comr. Sigerson-Eaton thanked the Charter Amendment Advisory Board for their thorough analysis and supported holding the measure in the November election. She expressed approval of four-year terms with a three-term limit, noting that staggered terms are crucial for continuity, institutional knowledge, and understanding city operations and regulations. She acknowledged the minor imbalance in term lengths for Districts 2 and 4 but emphasized the overall benefits, including reduced campaign frequency and associated costs. She also clarified that campaign contributions are subject to legal transparency requirements.

Comr. Perkins stated that she previously opposed a similar measure due to the absence of term limits but now supports it. She noted that the measure ideally should have coincided with the extension of the mayor's term to four years. She expressed support for the item while remaining flexible on holding a special election versus the November election, acknowledging higher voter turnout in November.

Mayor Hardin clarified that the City can limit campaign contributions, including prohibiting corporate donations. Mayor Hardin stated that while he is philosophically opposed to term limits, he supports them in this instance to allow longer four-year terms and staggered elections, which he views as good governance that preserves continuity and reduces frequent disruptions. He noted that two-year terms require constant campaigning, which is burdensome. Regarding election timing, he acknowledged that November elections draw higher turnout but noted that voters often focus on national races, benefiting incumbents; for more informed participation, he sees value in holding a special election. Overall, his support for term limits is guided by the greater good of the City rather than personal interest.

Comr. Sigerson-Eaton suggested that, given the mayor is elected citywide, a six-year term might be appropriate if terms are staggered, though she acknowledged this would require a charter amendment.

Mr. Berman explained that staggering terms would involve three commissioners running in one cycle and two commissioners plus the mayor in another. He recommended addressing the special election separately from other issues such as term limits, increased term lengths, and staggering, as these could be handled together. He noted that adjustments would be needed for the 2028 election if a special election is not held. Regarding the mayor's term, he clarified that any change would require a referendum and cannot be accomplished by ordinance alone.

City Clerk Alfred clarified that, based on the supervisor of elections' recent fee schedule, the cost of the referendum would be approximately \$170,000, whether held as a special election or during the November general election.

Comr. Fesik proposed splitting the issue to first decide on the timing of the election.

A motion was made by Commissioner Fesik, seconded by Vice Mayor Fournier, to present the item on the November 2026 general election. The motion carried by the following roll call vote:

Yes:Fesik

Perkins

Sigerson-Eaton

Fournier

No:Smith

Hardin

Mr. Berman noted that the draft amendment requires a modification to reflect date changes from a special election to the regular election.

A motion was made by Mayor Hardin, seconded by Vice Mayor Fournier, that the Ordinance / Regular Agenda be POSTPONED to the November 13, 2025 City Commission Meeting. The motion carried by a unanimous voice vote.

15. [26-07](#) **P.H. 2026-03: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, TO MODIFY DISTRICT 3 AND DISTRICT 5 BY AMENDING THE BOUNDARY LINE BETWEEN BOTH DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

City Attorney Berman presented the item and discussed a boundary issue affecting John Knox Village, where 90 residents resided in District 3 instead of District 5. Historically, the residents belonged to District 5, but a boundary change at SW 6th Street had excluded them. After community feedback and recognizing this as an error, there was a proposal to amend the boundary to SW 6th Court, ensuring all residents in John Knox Village were in the same district. Both district commissioners and the residents supported this correction. A map illustrating the changes was provided, and the ordinance would be sent to the Supervisor of Elections for official processing. Mr. Berman aimed to resolve the situation based on residents' requests for unity within their neighborhood.

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

Vice Mayor Fournier highlighted that she served constituents in John Knox Village, which consisted of 90 homes. She believed it made sense for these residents to be included in District 5, as it appeared to be an oversight. She supported the inclusion of this area in the district.

Comr. Fesik raised a question regarding the potential addition of residents in District 5 and the need for statistical data on registered voters in each district. She noted an unusual carve-out in the district map and expressed concerns about balancing the districts. Mr. Berman responded that while redistricting could have addressed these issues in the future, current discussions focused on immediate needs with a small number of residents (90) being affected. He emphasized that existing legal requirements regarding balance would not change significantly and indicated that this conversation was a preliminary step towards addressing future district changes.

Comr. Perkins expressed concern about adding 90 residents to District 5, noting that it might have set a precedent for special exceptions in districting. She referenced past suggestions that District 4 should include Collier City, hinting at potential conflicts with fairness in elections.

Vice Mayor Fournier discussed moving small numbers of residents between districts, emphasizing that while certain rules existed for larger population changes, adjusting 90 homes might not have required a complete district rebalancing. She highlighted the confusion this created for voters in areas with multiple precincts and different polling locations, noting the impact on just 90 voters.

Mr. Berman discussed his research indicating that certain homes were included in the original districting process and were not added later, highlighting this as an error not seen in other districts. He noted that Vice Mayor Fournier was included in all communication from district residents and was informed throughout the process. Mr. Berman emphasized that he confirmed procedural approval before taking action, unlike with previous districts, and stated that the commissioner had been informed and agreeable to the developments.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

16. [25-609](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM

OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Other Board Memberships

Toni Kissel, Incumbent - District 3	0
Alexa Simeone, Alternate 2 - District 1	0
David Bourns - District 1	0
Peter Middleton - District 1	0
John Mitchell - District 2	0
Michelle Grooms - District 4	0
Dennis Byrne - District 5	0
Jerry Ross - District 5	0

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2026-09

17. [25-610](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 25-609 ABOVE FOR APPLICANTS

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2026-10

18. [25-611](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON OCTOBER 23, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Other Board Memberships

Michael DeBerry, **Incumbent** - District 3

0

Peter Middleton - District 1

0

Allan Kimmett - District 3

0

Francis D. Santos - District 3

0

Roy A. Wilhoite - District 3

0

Russell Morris - District 3

0

Trevor Mankini - District 3

0

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2026-11

19. [26-17](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING CENSURE OF COMMISSIONER AUDREY FESIK FOR HER DISPARAGEMENT OF CITY EMPLOYEES THROUGH HER USE OF PRIVATE SOCIAL MEDIA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: City Commission)

Mayor Hardin introduced the agenda item regarding Comr. Fesik's use of personal social media, noting that staff members, who report to the City Manager, should not be publicly targeted by a commissioner. The item concerns a censure, a formal public statement of disapproval for misconduct, not censorship or suppression of speech.

Mayor Hardin explained that Comr. Fesik has posted content on private social media accounts naming city employees and implying misconduct. These posts have negatively impacted employees, and the appropriate channels for reporting concerns-such as the City Manager, Office of Inspector General, State Attorney, or Florida Division of Ethics-were not used. Examples of the posts were displayed, with employee names

redacted to protect them.

Mr. Berman presented a letter from Bermello Ajamil and Partners (BA), dated October 26, for the official record. The letter addresses recent social media statements by Comr. Fesik that contained inaccurate information regarding the firm's involvement with unrelated projects. BA clarified that they have never worked on the Mia-Kai renovation in Fort Lauderdale or had any influence from that project on their selection for the McNab Botanical Gardens design. The firm emphasized their longstanding integrity and requested that the letter be included in the official CRA Board and City Commission record regarding the McNab Botanical Gardens project.

Mr. Berman presented a memo dated April 8, 2025, regarding city commissioners' use of private social media. The memo emphasized that posts relating to city business are considered public record under Florida law and must be retained, even on personal accounts. It also noted that social media conduct affecting employees could create a hostile work environment, potentially resulting in city liability, and that commissioners must interact with employees solely through the city manager.

Mayor Hardin focused on social media posts by Comr. Fesik targeting city employees, which caused distress and left employees unsure how to respond. While Human Resources and the city attorney reviewed the matter, they concluded they lacked authority to stop these actions.

A motion was made by Mayor Hardin, seconded by Commissioner Sigerson-Eaton, to table the item. The motion failed by the following roll call vote:

Yes:Fesik

Perkins

Fournier

No:Sigerson-Eaton

Smith

Hardin

Mayor Hardin sought public input on the item.

Michael Pizzi, 6625 Miami Lakes Drive, attorney for Comr. Audrey Fesik, addressed the commission, asserting that the proposed censure is an abuse of authority and violates First Amendment rights. He emphasized that private social media accounts cannot be regulated by the city, and that proceeding with the resolution could expose the city to legal liability for both First Amendment violations and slander.

Mr. Berman clarified that the censure does not seek to regulate private speech but concerns the use of city employees in connection with social media posts, which violates the city charter.

Anne Bosworth expressed that much of the content in question appeared factual rather than accusatory and questioned the need for censure. She noted that public employees should expect some scrutiny, and that the matter seemed overblown, emphasizing that voters ultimately hold elected officials accountable.

Mr. Berman responded that certain posts, including violent references, had caused concern among city employees, highlighting the potential impact of such content and the importance of awareness regarding its effects.

Wayne Oken, resident at Palm Aire, stated that he manages several groups and pages, maintaining a non-hostile, non-political tone. He emphasized that he does not slander anyone and works with moderators to address concerns. He criticized the proceedings as hostile and described online attacks on Comr. Fesik as inappropriate and potentially endangering. He noted that city employees are public servants with avenues to address issues and stressed the importance of transparency and professionalism.

Mark Intregila, 1401 S. Ocean Boulevard, Pompano Beach, FL, stated that he opposes censuring Comr. Fesik. He noted that, as a taxpaying citizen with no financial interest, he believes the censure effort responds to Comr. Fesik exposing public records, prompting defensive actions from the bureaucracy and media. He encouraged her to continue her work for the city while adopting strategic communication practices used by the bureaucracy.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, noted that public criticism is common for elected officials and recalled advice from a former colleague that he should remain unaffected by negative press. He emphasized that, as long as statements are factual, there should be no issue, suggesting that Comr. Fesik's social media posts are relatively mild compared to broader public discourse.

Quentin Thompkins, 436 NW 19th Street, Pompano Beach, FL, noted that leadership requires careful use of social media, emphasizing that posting critical or naming comments publicly can be harmful and set a poor example for city employees. He stressed that personal disputes should be handled through reasoned discussion rather than social media, and cautioned that two wrongs do not make a right. Mr. Thompkins urged transparency, accountability, and public apology when appropriate, rather than posting criticisms online.

Lamar Fisher, Broward County Commissioner and Pompano Beach resident, addressed the Commission in response to statements made about him and his family on social media. He emphasized that he has always treated others with respect and felt compelled to defend his integrity and reputation. Comr. Fisher outlined his professional background as a real estate broker and detailed his property transactions, clarifying that all were legitimate business dealings completed before his election and supported by proper financing. He noted that the Florida Ethics Commission found no conflict of interest or wrongdoing in his actions. Mr. Fisher expressed concern for the safety of his family following threatening comments online and urged that personal attacks and misinformation be avoided, stressing that public service should not subject families to fear or harassment.

Pam Sowirka, a retired Human Resources professional and Pompano Beach resident of District 1, addressed the Commission. She noted that if employees were truly concerned for their safety, Human Resources would have taken action to investigate and address the situation, including potentially speaking with Comr. Fesik. She expressed concern that, according to reports, Human Resources did not provide support.

There being no further speakers, Mayor Hardin concluded public input and moved on to Commission discussion.

Comr. Sigerson-Eaton addressed the Commission, emphasizing that the discussion concerns a censure, not censorship. She clarified that her remarks reflect her personal observations and opinions, not a formal judgment or legal determination. She expressed concern that Comr. Fesik's actions have created fear among city employees, some of whom are leaving or retiring due to perceived ethical accusations and criticism. She noted that these actions could negatively impact city projects and staff morale. While acknowledging Comr. Fesik's right to speak freely, Comr. Sigerson-Eaton stated that her behavior undermines the dignity of the office, harms employees, and is counterproductive to the city's work. She concluded by urging that such actions cease, stressing that words have consequences and that factual claims should be directed to appropriate authorities.

Vice Mayor Fournier expressed concern over the City's leadership and the impact on employees. She criticized inconsistent messaging and perceived manipulation of city staff, noting that the Mayor's public statements and social media activity have contributed to division. She also highlighted the absence of the city manager and a lack of accountability, which she believes has hindered problem-solving and fostered a culture of mismanagement. Vice Mayor Fournier emphasized the importance of perspective and professionalism in city projects, stressing that employees should provide facts without becoming emotionally invested. She expressed sympathy for employees affected by public criticism and manipulation, and concluded by recognizing the Mayor's right to free speech on personal platforms while urging all officials to act with greater responsibility and consistency.

Comr. Smith emphasized that the discussion is limited to preventing the use of employee names in social media posts containing false statements. She clarified that the posts should be removed, but retained for public record purposes. Comr. Smith emphasized that this request does not restrict freedom of speech, but rather seeks to protect employees from undue public exposure and reputational harm.

Comr. Perkins reflected on her personal experiences with public scrutiny and online attacks, noting that employees and commissioners have previously been subjected to similar challenges. She emphasized that public shaming and reputational damage are unnecessary and counterproductive. Comr. Perkins encouraged better communication among commissioners and city leadership, stressing that the focus should remain on serving the community rather than engaging in personal or political conflicts. She concluded by affirming her commitment to Pompano Beach and the importance of maintaining respect and professionalism on the dais.

Comr. Fesik addressed what she perceived as selective enforcement and bias, noting that her prior requests for remote participation-similar to those granted to other commissioners-were denied, accompanied by public commentary and false statements about her. She emphasized that her statements were based on public records and represented her opinion. Comr. Fesik stressed that she sought to participate fully, that any claims of bias should be addressed through proper procedures, and clarified that she understood her right to vote despite the censure discussion.

Mr. Berman clarified that recusal applies only in cases of financial or pecuniary conflicts, which do not exist here, and therefore Comr. Fesik retains the right to vote. He noted that censure related to freedom of speech is generally quasi-judicial, which does not apply in this case, as the resolution primarily addresses mentions of city employees.

Comr. Fesik expressed concern over the accuracy and basis of the resolution, as well as the speed of its creation compared to other agenda items. She reiterated her objection to the resolution, criticizing the statements made about her in her absence.

Mayor Hardin explained that the item was placed on the agenda to ensure it received a proper public discussion, allowing all parties the opportunity to express their views.

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

Yes: Sigerson-Eaton

Smith

Hardin

No: Fesik

Perkins

Fournier

F. ADDITIONAL AUDIENCE TO BE HEARD

The following is the name of an additional speaker who spoke under Audience to be Heard:

Brandi Zabadal, resident of District 2 and president of the Pompano Beach Highlands Homeowners' Association, expressed her dedication to maintaining the three neighborhood parks. She noted that, thanks to her efforts and the city manager's attention, issues such as damaged flags and non-functioning traffic lights have been addressed. She praised ongoing improvements, including median maintenance and park cleanups, and highlighted the careful planning for the Triangle Park recreation center to prioritize the safety and needs of local children. She expressed gratitude for the progress in her neighborhood and the City's responsiveness to community concerns.

G. NEXT SCHEDULED MEETING

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

October 20, 2025 at 9:00 a.m. - Joint City / CRA Workshop

October 28, 2025 at 6:00 p.m. - Regular City Commission Meeting

October 29, 2025 at 6:00 p.m. - Joint City / CRA Special Meeting

November 13, 2025 at 1:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager's Report:

Brian Donovan, Assistant City Manager, provided two updates: the November 13th meeting will be held on Thursday due to Veterans Day, and a Clean Streets event is scheduled for October 23rd in the Collier City-Esquire Lakes neighborhood.

City Attorney's Report:

City Attorney Berman thanked the Commission and staff for the surprise proclamation, expressing appreciation for the privilege of working with the Commission over the past 30 years. He highlighted the professionalism, friendship, and camaraderie of his colleagues as particularly meaningful and inquired whether the recognition would replace his annual review.

City Clerk's Report:

No report.

Comr. Fesik's Report:

Comr. Fesik asked Mr. Berman for clarification on the Mayor's authority regarding CRA contracts, noting that the Mayor, CRA Attorney, and City Clerk were the only signatories on a recent contract. Mr. Berman advised consulting the CRA attorney for specifics but confirmed the mayor does sign CRA contracts, and offered to review the contract at a later time. Additionally, Comr. Fesik announced a District 1 community gathering at Maggio Italian Grill on Thursday evening, open to all residents, with live music and indoor golf available as a backup. Wednesday, October 22nd, 11:30 AM - 2:00 PM the Pompano Beach Rotary Club will be hosting their Pompanista Fashion Show and Lunch at the Hillsboro Club. She also welcomed some new businesses, Pick Chocolate Café 2696 East Atlantic Boulevard, Pompano Furniture and Design at 2666 East Atlantic, and Scramblers Golf Club that has indoor golfing at 1300 North Federal Highway. She closed with a quote from William Faulkner, "Never be afraid to raise your voice for honesty and truth and compassion against injustice, lying, and greed. If people all over the world would do this, it would change the Earth."

Comr. Perkins' Report:

Comr. Perkins announced that the Annie Weaver Community Court will relocate to the E. Pat Larkin Center in January, and the previously scheduled community meeting for October 15th has been rescheduled to Monday, October 27th, at the new Senior Activity Center on 9th Street, with flyers to be distributed.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton provided updates on an ongoing issue at Heritage Station, noting continued engagement with the fire department, Code, CRA, and BSO to address resident concerns and the homeless situation. She thanked staff for their efforts and emphasized the need to complete the remaining work. She also acknowledged the Public Works team for managing maintenance challenges during recent heavy rains and congratulated Ms. Zabadal on her new role as president of the Highland Civic Association, expressing appreciation for her community insights.

Comr. Smith's Report:

Comr. Smith highlighted a positive initiative, suggesting collaboration with the Broward County School Board to develop affordable workforce housing for school employees. She also expressed concern about open carry

firearms in Florida and recommended active shooter training for city officials. She noted that District 5's Starlight Jam sessions have resumed at the gazebo near the Skolnick Center, with the next event on November 1 featuring the Joanna Holston Band. She also mentioned the upcoming Pompano Cowboys homecoming game and proposed to Comr. Sigerson-Eaton that the loser should wear the opposing team's shirt at the next meeting. She closed with a quote from Jane Goodall, "What you do makes a difference, and you have to decide what kind of difference you want to make." Mr. Donovan confirmed that active shooter training is already being arranged and is available for commissioners.

Vice Mayor Fournier's Report:

Vice Mayor Fournier reminded women to schedule annual breast cancer screenings starting at age 40. She also addressed the 6th Terrace Bridge project, noting significant progress after federal approvals in July 2025, with the approval expiring in March 2026. The City received a responsible and responsive bid on September 4, 2025. She proposed placing a resolution on the next commission agenda to approve the contract, allowing for full discussion on timing, costs, and other considerations.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Fesik, that a resolution be placed on the next Commission Meeting Agenda to approve the contract for the 6th Terrace Bridge. The motion carried by a unanimous voice vote.

Comr. Perkins requested that Chief Ellwood create a flyer or similar material to inform residents about the regulations for open gun carrying, specifying where it is permitted and where it is not. Chief Ellwood agreed to prepare the materials, and Comr. Perkins noted the need for multiple copies to distribute through the city.

Mayor Hardin's Report:

Mayor Hardin stated that regarding the friendly competition between District 5 and District 2, he supports both teams and wished them the best of luck. He then formally adjourned the meeting.

I. ADJOURNMENT

The meeting adjourned at 5:50 PM.

Rex Hardin, Mayor

Kervin Alfred, City Clerk