

City of Pompano Beach

City Commission Meeting

Commission Chamber

100 West Atlantic Blvd.

Pompano Beach, FL 33060



Agenda

Tuesday, October 14, 2025

1:00 PM

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

GOVERNMENT IN THE SUNSHINE

The State of Florida pioneered the concept of "Government in the Sunshine," and, accordingly, all meetings of the Pompano Beach City Commission - except those to discuss labor negotiations and litigation strategy, are open to the public. The Commission welcomes the involvement and participation of the citizens.

PROCEDURE

The City Commission has adopted Robert's Rules of Order, Newly Revised.

CITY COMMISSION MEETING TIMES

The City Commission meets two (2) times a month:

Second Tuesday of the month: City Commission Meeting - 1:00 p.m.

Fourth Tuesday of the month: City Commission Meeting - 6:00 p.m.

ADDRESSING THE CITY COMMISSION

"Audience To Be Heard" is scheduled for a thirty (30) minute period at the beginning of the City Commission Meeting, and will be continued to the end of the meeting for those speakers who were not heard during the initial thirty-minute period. · All persons interested in speaking during "Audience To Be Heard" must fill out and submit a request form to the City Clerk prior to the call of order of the meeting. Speakers will be limited to three minutes to speak on any matter, which is NOT on the Regular Agenda, or removed from the Consent Agenda, and are requested to approach the podium and state his/her name and address and, if appropriate, the organization they represent, for the record. A request form can be found on the last page of the Agenda program.

ACCESSIBILITY

If you require the services of a Sign Interpreter, please notify the City Manager's Office at (954) 786-4601, 24 hours in advance. Should you require any other assistance to attend or participate in the meeting, please contact the City's ADA Coordinator at (954) 786-4626 at least 24 hours prior to the meeting.

NOTE: Any person who decides to appeal any decision of the City Commission with respect to any matter considered at this meeting will need a record of the proceedings, and for such purpose may need to ensure that a verbatim record of the proceeding is made, which record includes the testimony and evidence upon which the appeal is to be based.

RULES OF CONDUCT

As set forth in §30.07 of the City's Code of Ordinances:

The City Commission recognizes the importance of protecting the right of all citizens to express opinions on the operation of city government and encourage citizen participation in the local government process. The Commission shall not prohibit public criticism of the policies, procedures, programs or services of the Commission, or the acts or omissions of the Commission. The Commission also recognizes the necessity for conducting orderly and efficient meetings in order to complete City business in a timely manner, and has set out policies to ensure same, which include the following requirements:

- Members of the public may speak only at times designated by the Mayor. See §30.07(C)(1)(b)
- Each person addressing the Commission shall proceed to the place assigned for speaking and give his or her name and address in an audible tone of voice for the record. See §30.07(C)(1)(c)
- The Mayor shall rule out of order any member of the public who shall speak without being recognized, or who shall not address the Commission from the podium or other established speaking area. See §30.07(C)(1)(d)
- Comments shall be directed to the Commission as a body and not to individual Commission members.
See §30.07(C)(1)(e)
- City Commission meetings shall be conducted in a courteous manner. Citizens and Commission members will be allowed to state their positions in an atmosphere free of slander and threats of violence. Sufficient warning may be given by the Mayor at any time during the remarks and, in the event that any individual shall violate the rules of conduct herein set forth, the Mayor may then cut off comment or debate. See §37.07(C)(3)(b)
- Disruptions. Persons in the audience will refrain from behavior which will disrupt the public meeting. This will include making loud noises, clapping, shouting, booing, hissing, talking in a private conversation or engaging in any other activity in a manner that disturbs, disrupts or impedes the orderly conduct of the meeting. See §30.07(B)(4)
- It is unlawful and a violation of the City's Code of Ordinances for any individual to disturb or interrupt any meeting of the City Commission. Any individual who causes a disturbance of the meeting shall be warned by the Mayor or, alternatively, by a majority vote of the Commission that the conduct is interfering with or disturbing the order of the meeting and shall be given the opportunity to cease the conduct constituting an interruption or disturbance. If, after sufficient warning, the individual fails to cease the offending conduct and continues to interrupt or disturb the meeting, the individual shall be removed from the meeting by a deputy of the Broward County Sheriffs Office or his authorized agent in attendance at the meeting if so directed by the Mayor. Once removed, the individual shall be barred from further audience attendance for the remainder of the meeting, and potentially from future meetings. See §30.07(C)(3)(c); Violations are punishable under §10.99 per §30.07(D)(2)
- The use of slanderous, obscene or profane language, personally abusive attacks upon any person, physical violence or the threat thereof, or other loud and boisterous behavior which disturbs or otherwise disrupts the orderly conduct of the meeting and a failure to comply with any lawful decision or order of the Mayor or of a majority of the Commission shall constitute a disturbance. Personal abusive attacks include insults, discourteous comments and defamatory statements.
See §30.07(C)(3)(d)
- If the audience or a part thereof becomes unruly, the Mayor is empowered to either recess or adjourn the meeting.
See §30.07(C)(3)(e)

CALL TO ORDER

*The Honorable Rex Hardin
Mayor, Presiding*

ROLL CALL

Kervin Alfred, City Clerk

INVOCATION

*Pastor Dr. Gary Colboch
Grace Church*

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

- | | |
|------------------------------|--|
| <u>26-13</u> | Regular City Commission Meeting Minutes of September 9, 2025 |
| <u>26-14</u> | Special City Commission Meeting Minutes of September 15, 2025 (1st Budget Hearing) |
| <u>26-15</u> | Special City Commission Meeting Minutes of September 22, 2025 (2nd Budget Hearing) |
| <u>26-16</u> | Regular City Commission Meeting Minutes of September 23, 2025 |
| <u>26-22</u> | Special City Commission Meeting Minutes of September 30, 2025 |

APPROVAL OF AGENDA

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.

A. SPECIAL PRESENTATION[25-604](#)**Residential Workforce Housing**

Armando Arana, Coordinator, Governmental Affairs, Office of Legislative Affairs, Broward County Public Schools 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 Broward County Public Schools (BCPS) employees.

B. AUDIENCE TO BE HEARD

All persons interested in speaking during “Audience To Be Heard” must fill out a request form and turn it in to the City Clerk prior to the meeting. A request form is located on the last page of the agenda program.

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the “audience to be heard” session. The “audience to be heard” session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session". (Effective May 28, 2019)

C. CONSENT AGENDA1. [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)

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)

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)

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)

D. REGULAR AGENDA**QUASI-JUDICIAL PROCEEDING**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)

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)

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)

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)

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)

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)

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)

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)

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)

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)

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)

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)

<u>Applicants</u>	<u>Other Board Memberships</u>
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)

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)

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

Michael DeBerry, **Incumbent** - District 3

Peter Middleton - District 1

Allan Kimmett - District 3

Francis D. Santos - District 3

Roy A. Wilhoite - District 3

Russell Morris - District 3

Trevor Mankini - District 3

Other Board Memberships

0

0

0

0

0

0

0

(**Staff Contact:** Kervin Alfred)

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)

E. ADDITIONAL AUDIENCE TO BE HEARD

F. NEXT SCHEDULED MEETING

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

G. REPORTS

City Manager

City Attorney

City Clerk

City Commission

H. ADJOURNMENT

**CITY OF POMPANO BEACH, FLORIDA
AUDIENCE TO BE HEARD
REQUEST FORM**

NAME: _____

TITLE: _____

COMPANY: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP: _____ EMAIL: _____

PHONE: _____ FAX: _____

EACH SPEAKER IS LIMITED TO THREE (3) MINUTES

Pursuant to Section 30.07(C)(2)(c) of the City's Code of Ordinances, "Thirty minutes or such time needed to permit ten members of the public to speak, whichever is less, shall be set aside at the beginning of each City Commission meeting for the "audience to be heard" session. The "audience to be heard" session shall be continued at the end of the Commission (Regular Agenda) meeting in the event that individuals wishing to speak are not reached during the first session."

SUBJECT YOU DESIRE TO SPEAK ON:

NOTE: THIS FORM MUST BE COMPLETED AND HANDED TO THE CITY CLERK PRIOR TO THE CALL TO ORDER OF THE MEETING. THE CITY CLERK WILL CALL RESIDENTS AND/OR TAXPAYERS, TO INCLUDE AUTHORIZED REPRESENTATIVES FOR PERSONS PERMITTED TO BE HEARD, AS WELL AS EMPLOYEES OF THE CITY TO SPEAK FIRST. OTHERS DESIRING TO SPEAK WILL THEREAFTER BE CALLED TO SPEAK, EXCEPT WHEN THE PERSON IS A USER OF THE CITY'S WATER OR SEWER SYSTEM AND WISHES TO BE HEARD ON A MATTER RELATED TO THE CITY'S WATER AND/OR SEWER SYSTEM.