



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

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 28, 2025

6:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor called the City Commission meeting to order at 6:03 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

At the request of Comr. Perkins, Pastor Branden Jones of Mt. Calvary Baptist Church encouraged everyone to keep the people in Jamaica in their prayers as they were affected by a devastating storm. Afterward, he offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

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

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

APPROVAL OF AGENDA

Mayor Hardin announced that Item 9 would be stricken from the Agenda. He then inquired with City Manager Harrison whether there were any other changes to the Agenda. Mr. Harrison confirmed that there were none.

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 unanimous voice vote.

CONSENT AGENDA DISCUSSION

The Commission may pull items from the Consent Agenda. During Audience to be Heard, a person may speak on any item on the Consent Agenda, which has not been pulled.

Mayor Hardin announced that Items 1, 2, 3, and 4 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION

26-57 **Cultural Affairs Department Year in Review**

Ty Tabing, Cultural Affairs Director, provided the Commission with an overview of Cultural Affairs activities and accomplishments for the past fiscal year, highlighting partnerships, community attendance, and economic impact. The department recorded 60,051 attendees, with a budget of \$3.7 million, including \$200,000 for public art. Key initiatives included the artist in residence program with 21 alums, arts education programs, and economic development, contributing \$150,000 in local tax revenue. The department added new positions for audio and theater technicians, enhancing consistency. Notable events included Old Town Untapped, A Taste of Jazz, and the Pompano Players' theatrical presentations. Mr. Tabing also emphasized public art projects and social media engagement, aiming for a 25% year-over-year increase. He introduced a QR code to support this initiative, noting that they had achieved 37,000 followers and 7 million interactions. He expressed gratitude for the Commission's ongoing support and the community's involvement, reflecting a commitment to providing accessible arts programs.

Mayor Hardin expressed appreciation for Mr. Tabing's presentation and acknowledged the commendable work throughout the year. He encouraged him and his department to continue their good work and looked forward to future events.

The Presentation was READ AND PRESENTED INTO THE

RECORD.**B. 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:

Jason Fuller, 613 NW 16th Avenue, Pompano Beach, FL, addressed the Commission regarding the Westview Community Cemetery, expressing concern over the City’s potential involvement in its management. He stated that the cemetery is community-owned and that its current board had acted without proper authority or community approval in efforts to transfer the property. Mr. Fuller noted that legal proceedings are ongoing concerning board governance and urged the City to refrain from further action until those matters are resolved. Mayor Hardin stated that the City is only here to help, not to control, and at present there have only been discussions on how to help.

Pat Anderson, 2650 NE 24th Street, Pompano Beach, FL, addressed the Commission regarding concerns over property record discrepancies involving address and zip code changes. She alleged that a local representative altered property information affecting jurisdictional boundaries between Pompano Beach and Lighthouse Point, resulting in potential inaccuracies with listings and permits. Ms. Anderson also expressed concern about uninspected permits and urged the City to review the matter.

Carl Kuveni, 2651 S. Coast Drive, Pompano Beach, FL, addressed the Commission regarding potential conflicts of interest under Florida Statute 718.3027. He referenced concerns about board members participating in votes involving entities where they hold other positions and emphasized the importance of transparency and adherence to ethical standards. Mr. Kuveni also urged that law enforcement resources not be used against residents raising such concerns.

Patricia Williams, 101 NW 12th Street, Pompano Beach, FL, representing I&B Medical Assistance Associates, addressed the Commission to highlight the positive impact of CRA funding. She described the redevelopment of a previously vacant and problematic property at the corner of NW 12th Street and Dixie Highway into a new medical facility that serves insured and uninsured patients. Ms. Williams noted that the facility has been open for under two months and invited the Mayor and Commissioners to tour the site to observe the benefits of the CRA partnership for the community.

John Bodnar, 521 North Riverside Drive, Pompano Beach, FL, addressed the Commission regarding the ongoing condition of North Riverside Drive. He noted that the street remains in poor condition despite plans for resurfacing dating back three years and inquired about funding, permits, and project status. Mayor Hardin noted that Rob McCaughan is the contact for further information on the paving project.

Carlene Duncan, District 4 resident, addressed the Commission to commend Comr. Perkins for her work with the Housing Authority and assistance to the homeless. She also expressed concern regarding a CRA-related document she believes was improperly signed.

C. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Accept Item 5 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. [26-24](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND PARTWISE, LLC TO DESIGN AND FABRICATE A MOSAIC MURAL FOR INSTALLATION AT THE NORTH ENTRANCE TO THE POMPANO BEACH CULTURAL CENTER; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$75,000.00)



Strategic Plan Initiative

(Staff Contact: Ty Tabing)

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

Comr. Fesik asked several questions about the public art project for the Cultural Center, emphasizing the importance of transparency regarding budget allocations, particularly differentiating it from other related expenditures. Ty Tabing, Cultural Arts Director, shared details about the project's artist call, which attracted 119 submissions, and explained that the selected piece, made from epoxy-painted aluminum, was intended to enhance the Center's identity and attract attention to its entrance. He noted that the project was funded through a cultural arts budget, with an annual allocation of approximately \$200,000 based on a percentage of the CIP budget. Mr. Tabing expressed excitement about the multi-dimensional aspect of the artwork, believing it would significantly elevate the Cultural Center's presence alongside a new marquee. He informed Comr. Fesik that the installation was expected to take place in 2026, following a six-month fabrication period.

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

Vice Mayor Fournier expressed her approval of the cultural center with the marquee, noting that it was coming along well after having discussed it years prior. She acknowledged the lengthy process required to achieve its desired appearance and emphasized that the pictures displayed did not fully capture its depth and layers, as shown in the renderings. She believed the final result would be even more stunning than what was presented in the images and thanked Mr. Tabing for his efforts.

Comr. Perkins asked about the process of selecting artwork for buildings, specifically how they choose the type of artwork and its location. Mr. Tabing explained that staff members made recommendations to the public art committee, which ultimately selected pieces that addressed community needs. He noted that a recent piece, Floripalmae, was designed to create an identity for the cultural center, drawing inspiration from South Florida's flora and fauna. Mr. Tabing also described the artwork's geometric exploration and its connection to natural systems.

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. 2026-12

2. [26-25](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND VOLKAN ALKANOGLU DESIGN LLC TO DESIGN AND FABRICATE A SCULPTURE FOR INSTALLATION AT POMPANO BEACH COMMUNITY PARK; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: \$150,000.00)



Strategic Plan Initiative

(Staff Contact: Ty Tabing)

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

Comr. Fesik inquired about the public art piece planned for Community Park, which had been included in the FY 2023 public art plan. Ty Tabing, Cultural Arts Director, provided background, noting that 153 submissions were received, and the selected artist from Portland, Oregon, created a sculpture titled "Infinity." This piece, inspired by a star from the American flag, symbolized boundless potential and optimism, inviting community engagement. The sculpture's design featured an abstract star shape that formed an infinite loop, and the artist selected iridescent materials after considering multiple color options. Mr. Tabing explained that the committee evaluated several locations within Community Park to ensure visibility, ultimately deciding on a spot north of the apartments, near a bus stop. This piece was seen as a significant addition to the park, enhancing the area with its presence and lighting, especially as there was previously limited public art at the site.

Mayor Hardin sought public input on the item.

Anne Bosworth, a Palm Aire resident, asked about the rationale behind opting for a national call for artists instead of using local talent and whether there would be an explanation of the artwork for the public. Mr. Tabing responded that they planned to include a plaque with more detailed descriptions, including information about the artist, as part of a new five-year public art plan aimed at improving signage. He explained that while local calls would be made for smaller budget projects, national calls were preferred for larger investments to ensure high-quality pieces. He referenced his experience in Chicago, where public art was predominantly

acquired through national calls, highlighting that significant funding typically resulted in iconic artwork, even though their budgets were not as substantial as those of famous pieces, such as The Bean in Millennium Park.

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

Comr. Sigerson-Eaton expressed her appreciation and confirmed the importance of enhancing nighttime visibility for the project. She noted that local individuals were not prohibited from participating in national calls. Mr. Tabing responded by affirming that local residents were both permitted and encouraged to apply, highlighting their outreach efforts to inform the community about artist opportunities. He mentioned that there had been finalists from the Tri-County area for the project, although the public art committee ultimately made the final recommendation.

Vice Mayor Fournier expressed her belief that the park needed enhancement and acknowledged the continued discussions over the years about it. She raised concerns regarding the fencing and its potential to obscure visibility when the fencing was installed. Mr. Tabing confirmed that the art installation would be elevated several feet above the fencing, improving its visibility. Vice Mayor Fournier inquired about the color options for the piece, to which Mr. Tabing responded that the final color had been decided after extensive discussions, including considerations of purple and red, emphasizing that the iridescent quality would create dynamic reflections throughout the day. Overall, the Vice Mayor appreciated the committee's efforts and deliberations that led to a thoughtful decision on the installation.

Comr. Perkins asked if what she saw was a spaceship, to which Mr. Tabing responded that the description was given by the artist, although he wasn't entirely sure it fit. He explained that the piece, titled "Infinity," was inspired by a star from the American flag and had been sculpted and transformed into its current form.

Comr. Fesik posed a final question regarding the Bean installation in Chicago, emphasizing the importance of creating an engaging space with seating for visitors rather than just a roadside attraction. Mr. Tabing acknowledged that they had not yet discussed this idea with the Parks and Recreation Department, but agreed that adding benches would enhance the area for people to contemplate art. Comr. Fesik also suggested that providing signage could encourage visitors to relax with a book, as well as explore potential sponsorship opportunities for benches, as mentioned in Mr. Tabing's initial presentation.

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. 2026-14

3. 26-54 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING THE 2025 STATE HOUSING INITIATIVE PARTNERSHIP ACT (SHIP) AFFORDABLE HOUSING INCENTIVE STRATEGIES AND REPORT APPROVED AND RECOMMENDED BY THE CITY'S AFFORDABLE HOUSING ADVISORY COMMITTEE AND INCORPORATING SUCH STRATEGIES INTO THE CITY'S LOCAL HOUSING ASSISTANCE PLAN CONSISTENT WITH STATE LAW; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Annual SHIP Allocation- Approximately \$861,547.00)

(Staff Contact: Alex Goldstein)

Mayor Hardin mentioned that the item was pulled by Comr. Fesik and Comr. Sigerson-Eaton.

Comr. Fesik discussed the complexity of the report regarding affordable housing and requested clarification on the process of selecting recommendations, inquiring whether the report would serve as a guide for 2026. Alex Goldstein, Program Compliance Manager, explained that the report was now required annually by the Florida Housing Finance Corporation, detailing how the committee evaluated the local housing assistance plan and made recommendations, although this year, there were no changes. Comr. Fesik expressed concerns about the ongoing lack of affordable housing and suggested the need for a larger conversation or workshop to address community concerns and ensure the community was being served effectively.

Comr. Sigerson-Eaton expressed her gratitude to the Office of Housing and Urban Improvement for their exceptional support for residents in need, highlighting that Mr. Goldstein was always knowledgeable about available programs. She also noted that the City had been recently honored by the Florida Housing Coalition for its effective use of SHIP funds to promote homeownership. She appreciated the efforts shown in a video presentation and concluded by commending their great work.

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

Vice Mayor Fournier shared the sentiments of Comr. Fesik regarding the annual review of affordable housing policies. She noted that a few years prior, they had increased the developer buyout fee and made significant policy changes aimed at boosting funding for affordable housing in the city. She inquired whether city staff presented recommendations each year and emphasized the importance of brainstorming new ideas. Mr. Goldstein responded that the City already offered more incentives than the surrounding areas and regularly monitored other municipalities for potential improvements. The Vice Mayor acknowledged that there were generally few changes to the policies but agreed with Comr. Fesik on the necessity of holding a workshop on affordable housing, highlighting its significance for the City's future growth. She mentioned recent discussions about possibly reevaluating the approach to concentrations of poverty in development projects and suggested planning for that workshop soon.

Comr. Perkins inquired about how members were selected for the SHIP committee, to which Mr. Goldstein

explained that they reached out to previous members to see if they wished to continue serving, noting the difficulty in finding candidates who met the State's required categories. They were capped at 11 members but had at least eight representing six different categories, making it challenging to fill the committee. He mentioned that they welcome new participants and encourage public attendance at meetings to discuss initiatives. Comr. Perkins requested to be informed of any vacancies in specific categories and noted that Pastor Wylie Howard had been absent from the recent meetings, to which Mr. Goldstein clarified that he had asked his associate, Dr. Angela Diehl, to attend in his place due to personal issues but intended to rejoin in the next fiscal year.

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. 2026-15

4. [25-603](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND AEG PRESENTS SE, LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: NA)

(Staff Contact: Earl Bosworth / Scott Moore)

Mayor Hardin mentioned that the item was pulled by Vice Mayor Fournier.

Vice Mayor Fournier emphasized the significance of the agreement with AEG, highlighting its impact on local residents and the increased profile of the amphitheater resulting from recent City investments. She voiced concerns about previous agreements, noting that while AEG benefited significantly from ticket sales and other profits, the City needed to strengthen its position. Scott Moore, Parks and Recreation Director, confirmed that under the new terms, the revenue would increase each year, starting at \$5,000 per show, alongside AEG's commitment to invest \$500,000 in capital projects for the amphitheater over the first five years. The Vice Mayor acknowledged the positive feedback from the community regarding the shows brought in by AEG and concluded that the new agreement represented a beneficial negotiation for the City.

Mayor Hardin sought public input on the item and invited further discussion by the Commission. However, no one commented 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. 2026-16

5. [26-30](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND INTEGRATED SOLUTIONS CONSULTING CORPORATION TO PROVIDE STAND-BY COMPREHENSIVE DISASTER RECOVERY CONSULTING SERVICES; PROVIDING AN EFFECTIVE DATE.
 (Fiscal Impact: Stand-by contract with no financial commitment)

(Staff Contact: Kimberly Cristiano/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. 2026-17

D. 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.

6. 26-19 **P.H. 2026-05: (PUBLIC HEARING 2ND 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)

FIRST READING: OCTOBER 14, 2025

(Staff Contact: Jean Dolan/David Recor)

Max Wemyss, Principal Planner, filling in for Jean Dolan, explained that this was the second reading of a request to abandon a 14-foot alley located between Northeast Second and Northeast Third Avenues, running east-west for approximately 265 feet, with the applicant proposing to build a pickleball facility on most of the area spanning the alley. Mr. Wemyss noted that there had been no changes since the first reading and that both staff and the applicant's representative were available to answer questions.

Mayor Hardin asked if the applicant wished to make a presentation, but they indicated they were available for questions only. Mayor Hardin then asked for public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: ORD. No. 2026-02

END OF QUASI-JUDICIAL PROCEEDING

7. 26-10 Approving and authorizing the award of ITB25-060 for Hillsboro Marina & Roy Rogers Park Seawall and Dock Improvements end to the lowest responsive, responsible bidder, B&M Marine Construction, Inc. in the amount of \$5,814,389.00, and authorizing the proper city officials to execute the contract as provided in ITB25-060.

(Fiscal Impact: \$5,814,389.00) \$2,179,625.00 will be funded from the Florida Inland Navigation District Grant)

(Staff Contact: Tammy Good)

Dr. Tammy Good, CIP Manager, explained that the item was for approval to authorize the award of an invitation to bid for a competitively bid delivery method to make major improvements at Wahoo Bay Park and the north side fishing fleet marina area. She reported that they had received two bids, with B&M Marine Construction being the lowest bidder at \$5.8 million. Dr. Good noted that they also received a grant from the Florida Inland Navigational District for over \$2 million, making the City's matching fund \$3.6 million. She recommended awarding the contract to B&M Marine Construction, mentioning that they had previously done excellent work on the Alsdorf boat ramp repairs.

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

Comr. Fesik inquired about living seawalls and whether either bidder had incorporated that concept into their proposal. Dr. Good responded that they had not, explaining that the project had been in design since 2022. However, they had reached out to companies with capabilities to print seawalls to potentially work with the awarded contractor as an alternative method that could save costs and expedite the schedule. Comr. Fesik expressed interest in following the progress of any living sea wall developments and inquired about potential grant opportunities to address cost differences. Dr. Good agreed to keep her informed.

Mayor Hardin then asked about the impact on Wahoo Bay and the sea hives. Dr. Good clarified that the wall in front of the sea hives would remain untouched, with only the seawall cap being raised on the south side, while major construction would occur on the north side at the fishing fleet area, where the entire seawall and docks would be replaced. She assured there would be no disturbance to the sea hives in the Wahoo Bay area.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

8. 25-607 Approval to rollover funding from Fiscal Year 2025 to Fiscal Year 2026, for capital outlay and operating expenditures totaling \$2,001,347.
(Fiscal Impact: \$2,001,347)

(Staff Contact: Joshua Watters)

Joshua Watters, Budget Director, explained that the City brings this rollover item to the Commission each October to carry forward previously approved expenditures from one fiscal year to the next. He detailed that while outstanding encumbrances are automatically reappropriated, unencumbered funds requiring rollover must be specifically requested by departments and reviewed by the budget office. Mr. Watters reported that the \$2 million total rollover request for fiscal year 2026 was on the lower end compared to previous years (\$2.9M in FY25, \$2.1M in FY24, and \$2.5M in FY23). He noted that all rollover items were outlined in the backup materials and recommended approval of the list as presented.

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

Vice Mayor Fournier inquired about the disposition of funds that the Commission decides should not be rolled forward, and Mr. Watters explained that such funds would be returned to the respective fund balance (general fund items to the general fund balance, enterprise fund items to the enterprise fund balance). The Vice Mayor then inquired about how much was encumbered, but didn't get rolled over. Mr. Watters responded that the Budget Office, working with departments, determined that approximately \$600,000-\$650,000 was not justified for rollover and would be rolled back to the respective funds. He mentioned that the Finance Department would have better clarity on the fiscal year-end position after closing books and completing the audit process.

Comr. Fesik asked whether any rollovers had occurred multiple times over several years. Mr. Watters confirmed that departments had requested multi-year rollovers, citing an example of the Development Services Department requesting \$100,000 for other professional services. The department worked with them to agree on a more realistic, lesser amount based on what could realistically be spent. Comr. Fesik then asked about redirecting the \$650,000 that wasn't justified for rollover toward paving projects. Mr. Watters explained that utility fund amounts couldn't be used for paving, but mentioned that general fund spending would come in slightly under budget for fiscal year 2025. The Commission could then decide whether to leave the excess funds as general fund reserves or allocate them elsewhere. Comr. Fesik expressed interest in knowing how much of the \$650,000 went back to utilities versus other funds.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

9. 26-56 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR UNIFORM COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS BETWEEN THE CITY OF POMPANO BEACH AND THE BROWARD COUNTY TAX COLLECTOR; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Estimated reduction to FY 2026 Fire Assessment Fee revenues of \$339,923)

(Staff Contact: (Joshua Watters)

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

10. 25-590 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION REVOLVING LOAN PROGRAM FOR DRINKING WATER FACILITIES; UPON APPROVAL, EXECUTE THE CORRESPONDING LOAN AGREEMENT, CARRYING OUT ALL LOAN RESPONSIBILITIES UNDER THE AGREEMENT; ESTABLISHING PLEDGED REVENUES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$30,000,000 with \$6,000,000 principal loan forgiveness)



Strategic Plan Initiative

(Staff Contact: Renuka Mohammed)

Renuka Mohammed, Utilities Director, explained that her department was seeking approval to apply for \$30 million in funding through the Florida Department of Environmental Protection's Drinking Water State Revolving Fund. She detailed that the loan would fund phase one of water treatment plant upgrades, specifically building a nanofiltration facility to address federal and state PFAS regulations effective in 2029. She noted that 20% of the loan (approximately \$6 million) would be forgiven, with the remaining \$24 million repaid over 20 years at below-market rates. She emphasized the December 11, 2025, application deadline and stated that the project aligned with the City's strategic and comprehensive plans.

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

Comr. Fesik inquired whether PFAS lawsuit funds could be utilized for these projects. City Attorney Berman confirmed that PFAS settlement money was dedicated specifically for PFAS remediation projects and equipment. Comr. Fesik expressed satisfaction that everyone likes clean water.

Comr. Smith emphasized that future water wells will be located in District 5 and stressed the importance of

protecting them, thanking staff for keeping the City's water clean and safe.

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. 2026-18

11. [25-591](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM, LOAN AGREEMENT NO WW0624E, TO FINANCE DEEP INJECTION WELL 2; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; APPROVING AND AUTHORIZING THE LOAN AGREEMENT; DESIGNATING AUTHORIZED REPRESENTATIVES; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE LOAN AGREEMENT; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$10,604,695)



Strategic Plan Initiative

(Staff Contact: Renuka Mohammed)

Renuka Mohammed, Utilities Director, explained that this was for approximately \$10.6 million from the Clean Water State Revolving Fund to construct deep injection well number two for concentrate disposal. She noted this loan would be supplemented by another loan with 100% principal forgiveness and reiterated the December 11, 2025, deadline.

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

Vice Mayor Fournier clarified that these utility loans were based on previously approved utility rate plans and confirmed that the rates passed in 2024 would be sufficient to service this debt without requiring additional rate increases. She wanted to make clear that this was the implementation of previously planned projects. Ms. Mohammed confirmed the 2024 rates supported these loans and noted this was phase one, with phase two requiring additional bonds later.

Comr. Fesik requested semiannual progress reports to track accomplishments and demonstrate how the funds were being utilized.

Comr. Sigerson-Eaton discussed the complexity of PFAS contamination, noting that the acceptable levels had dropped from 70 to 4 parts per trillion and that these chemicals were found in everyday items, such as McDonald's wrappers and microwave popcorn packaging. She expressed frustration that manufacturers continued to use these chemicals, while cities bore the expensive burden of removing them from water supplies. She thanked the staff for their work and welcomed the new director.

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. 2026-19

12. 25-592 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO APPLY FOR THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE REVOLVING FUND LOAN PROGRAM, LOAN AGREEMENT NO WW0624D, TO FINANCE DEEP INJECTION WELL 2; MAKING FINDINGS; AUTHORIZING THE LOAN APPLICATION; APPROVING AND AUTHORIZING THE LOAN AGREEMENT; DESIGNATING AUTHORIZED REPRESENTATIVES; AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE LOAN AGREEMENT; PROVIDING ASSURANCES; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$5,595,305 with 100% principal loan forgiveness)



Strategic Plan Initiative:

(Staff Contact: Renuka Mohammed)

Renuka Mohammed, Utilities Director, explained that her briefing on the previous item also addressed this item and emphasized that the funding represented 100% loan forgiveness.

Mayor Hardin sought public input on the item and invited further discussion by the Commission. However, no one commented 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. 2026-20

13. 25-601 **P.H. 2026-04: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A 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)

FIRST READING: OCTOBER 14, 2025

(Staff Contact: Rob McCaughan)

Robert McCaughan, Public Works Director, explained that the ordinance incorporated the City's recently approved contract with Limousines of South Florida to provide community bus shuttle service for residents, noting that there were no changes since the first reading.

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

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. 2026-03

14. 26-07 **P.H. 2026-03: (PUBLIC HEARING 2ND 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)

FIRST READING: OCTOBER 14, 2025

(Staff Contact: Mark E. Berman)

Mark Berman, City Attorney, presented the second reading of the ordinance to modify the district boundaries between Districts 3 and 5. He explained that this issue dated back 25 years, when Southwest 6th Street was mistakenly used instead of Southwest 6th Court as the dividing line between the two areas. The proposed change was based on the votes from residents of John Knox Village and had received approval from commissioners in both districts. He also mentioned a slight revision, which adds a new sentence requesting that the clerk inform the supervisor of elections about the change in the district boundary.

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

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. 2026-04

15. 25-537 P.H. 2025-69: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 90, "ANIMALS," BY AMENDING SECTION 90.39, "RETAIL SALE OF DOGS AND CATS," TO MODIFY THE DEFINITION OF HOBBY BREEDER FOR CLARIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 9, 2025

(Staff Contact: Mark E. Berman/Rob McCaughan)

Robert McCaughan, Public Works Director, explained that the proposed change came from concerns raised by a person in the audience about pet stores potentially selling pets from breeders who didn't provide proper care, and that new definition required hobby breeders to live in and be registered with the City of Pompano Beach for better control over animal sourcing.

Mayor Hardin sought public input on the item.

Nicholas Batiste, a business owner from Nick's Puppies LLC, spoke as a USDA-licensed dealer who worked with licensed breeders and operated in compliance with the Animal Welfare Act, expressing concerns that the ordinance would limit access to different breeds and restrict his ability to work with USDA-licensed breeders outside Pompano Beach.

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

Comr. Fesik revealed that after the agenda was published, she had been contacted by a commissioner from another city who suggested deleting the hobby breeder portion, claiming the language would likely fail in court due to Commerce Clause challenges. City Attorney Berman responded by suggesting that the item be tabled rather than deleted, stating he worked for the Commission and had followed their direction. Comr. Fesik agreed to postpone the item to the December 9 meeting.

A motion was made by Commissioner Fesik, seconded by Vice Mayor Fournier, that the Ordinance / Regular Agenda be POSTPONED to the December 9, 2025 City Commission Meeting. The motion carried by a unanimous voice vote.

16. 26-34 P.H. 2026-10: (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 SERVICE CONTRACT BETWEEN THE CITY OF

POMPANO BEACH AND PFM ASSET MANAGEMENT, LLC, TO PROVIDE INVESTMENT ADVISORY AND MANAGEMENT SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed \$140,000.00 or 3.5 bps of City's investment portfolio's size)

(Staff Contact: Allison Feurtado)

Allison Feurtado, Finance Director, explained that the City had issued an RFP, and PFM Asset Management received the highest ranking from a comprehensive evaluation process conducted by internal and external evaluators.

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

Enactment No: ORD. No. 2026-05

17. 26-45 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS A PRIVATE CITIZEN KNOWLEDGEABLE IN THE FIELD OF PUBLIC ART FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Marie G. Johnson - **Incumbent** - District 4

Kimberly Harmon, **Alternate 1** - District 5

Judith Czelusniak - District 1

Other Board Memberships

0

2

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. Commissioner Perkins nominated Kimberly Harmon. The motion to appoint Kimberly Harmon carried by a unanimous voice vote.

Enactment No: RES. No. 2026-21

18. [26-46](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ALTERNATE 1 FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 26-45 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. Commissioner Perkins nominated Marie G. Johnson. The motion to appoint Marie G. Johnson carried by a unanimous voice vote.

Enactment No: RES. No. 2026-22

19. [25-553](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE 2, FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 26-45 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. Commissioner Fesik nominated Judith Czelusniak. The motion to appoint Judith Czelusniak carried by a unanimous voice vote.

Enactment No: RES. No. 2026-23

20. 26-43 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ARTIST FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

David Miller, Incumbent - District 5

Other Board Memberships

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 David Miller. The motion to appoint David Miller carried by a unanimous voice vote.

Enactment No: RES. No. 2026-24

21. 26-44 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE PUBLIC ART COMMITTEE OF THE CITY OF POMPANO BEACH AS ART PROFESSIONAL FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON OCTOBER 25, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

David Swain - District 5

Other Board Memberships

0

Jemilah Jones - 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. Commissioner Perkins nominated Jemilah Jones. The motion to appoint Jemilah Jones carried by a unanimous voice vote.

Enactment No: RES. No. 2026-25

22. 26-38 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE OCTOBER 25, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

<u>Applicants</u>	<u>Other Board Memberships</u>
Dennis Smith, Incumbent - District 3	0
Richard Leys, Incumbent - District 3	1
Phyllis Smith, Incumbent - District 5	2
Russell Adams, Incumbent - 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. Commissioner Smith nominated Phyllis Smith. The motion to appoint Phyllis Smith carried by a unanimous voice vote.

Enactment No: RES. No. 2026-26

23. [26-39](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE OCTOBER 25, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 26-38 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 Dennis Smith. The motion to appoint Dennis Smith carried by a unanimous voice vote.

Enactment No: RES. No. 2026-27

24. [26-40](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE OCTOBER 25, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 26-38 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 Richard Leys. The motion to appoint Richard Leys carried by a unanimous voice vote.

Enactment No: RES. No. 2026-28

25. 26-41 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE NUISANCE ABATEMENT BOARD OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE OCTOBER 25, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID NO 26-38 FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

Mayor Hardin sought nominees from the Commission to appoint someone to the Nuisance Abatement Board, but Comr. Perkins requested a postponement to the next meeting because she had someone interested in the board position.

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

Enactment No: RES. No. 2026-40

26. 26-71 Discussion on the SE 6th Terrace Bridge replacement project
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

John Sfiropoulos, City Engineer, provided an update on the Southeast 6th Terrace Bridge. The project, in the CIP since 2019, faced design changes to increase vertical clearance and regulatory delays, with the Army Corps permit received in July 2025. The May 1, 2026, completion deadline conflicted with the McNab Bridge schedule. Only one bid of \$14.1 million was received, exceeding estimates. The engineering department recommended rejecting the bid and re-advertising in 2026 to allow more competition and cost savings. Interim utility work is possible, and reapplying for the permit should be straightforward. Mr. Sfiropoulos stressed the approach is aimed at saving the City money, preventing overlapping bridge closures, and ensuring public safety.

Vice Mayor Fournier emphasized that the intention to raise the bridge to the height of Federal Highway has been clear for over a decade. She noted design adjustments in 2022 corrected earlier shortcomings, but expressed concern about the Army Corps permit expiring in March 2026, stressing that construction should not be delayed to avoid public safety and traffic impacts. She highlighted that compressed timelines have increased costs and that waiting a year would likely not reduce them, given the rising costs of materials and labor. She also raised concerns about communication and procurement, noting that staff rejected a qualified bid without notifying the Commission, which she sees as a procedural issue. Vice Mayor Fournier recommended reopening the bid, noting the contractor already mobilized for the nearby McNab project has a strong incentive to complete the work efficiently. She suggested this approach balances timely completion, cost management, and public interest.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Fesik, to reopen the bid and bring back a Resolution to approve a contract with the sole responder for the SE 6th Terrace Bridge replacement project.

Comr. Sigerson-Eaton confirmed that the bid was from H.A.

Comr. Smith asked if the permit deadline could be extended. Mr. Sfiroopoulos explained that if a contractor were secured before the permit expires in March 2026, the permit could be extended for one year, but the contractor could only hold pricing for 120 days. Beginning construction after the McNab Bridge would likely delay completion, though preliminary work on infrastructure could proceed beforehand.

Mayor Hardin inquired if the City had ever committed to matching the bridge to the height of the Federal Highway Bridge. Mr. Sfiroopoulos clarified that the City never committed to matching the Federal Highway Bridge but aimed to maximize height within design constraints. If the permit lapses, only a three-day benthic survey and \$6,500 in reapplication costs would be required, and Kimley-Horn confirmed reapplication should be straightforward. Mayor Hardin noted that Vice Mayor Fournier was not notified when the bid was officially rejected and Mr. Harrison responded that this is consistent with longstanding administrative procurement practices.

Mayor Hardin asked Mr. Berman and Mr. Sfiroopoulos about the possibility of reopening the bid. Mr. Berman confirmed the City may reopen a bid at its discretion, even if it was properly closed, without any legal issues. Mr. Sfiroopoulos noted that awarding the bid depends on the contractor's ability to meet the timeline. If the contractor cannot complete the work on schedule, the bid would not be awarded. Liquidated damages are included in the contract, but they are minor relative to the \$14 million contract, so timeline compliance remains feasible. Regarding cost, Mr. Sfiroopoulos explained that relaxing the current construction deadline could increase competition and result in significant savings. The single initial bid was high because other contractors were concerned about the compressed timeline, which was designed to complete the bridge before the McNab Bridge went out of service. The current estimate exceeds available funds by roughly \$7 million, highlighting the potential benefit of reopening the bid to reduce costs.

Vice Mayor Fournier emphasized that delaying the 6th Terrace Bridge construction would likely increase costs and that an accelerated schedule is necessary to limit disruption. She questioned the contractor's ability to complete the bridge in four months and noted communication failures when the October 1 bid rejection

proceeded despite her objections. She expressed confidence the permit can be obtained but warned of potential delays. She stressed that prior design errors increased costs and time, advocating for immediate action. Finally, she clarified the City's goal has always been to maximize the bridge height, not match the federal bridge.

Mayor Hardin clarified that the bridge was never promised to match the height of the federal highway bridge. The design is 27 inches high, which meets the intended maximum, and any suggestion otherwise is incorrect. He noted the 5th Avenue Bridge was a separate situation.

Comr. Sigerson-Eaton noted that the bridge redesign maximized height within the existing right-of-way, resulting in a 27-inch increase. She questioned the \$14 million bid, comparing it to the McNab Bridge, which is 40% larger and costs \$7 million, suggesting the 6th Terrace Bridge should be less expensive. She emphasized responsible use of taxpayer funds, noting that CIP money is limited and shared among districts, and supported waiting for a more competitive bid. Mr. Sfiroopoulos clarified that the bridge replacement was driven by age and functional obsolescence, not the intent to raise it. Comr. Sigerson-Eaton stressed the need for proper backup and transparency in decision-making. She supported the project but opposed paying double the expected cost.

Comr. Fesik emphasized that raising the bridge 27 inches was necessary to meet long-term needs, including flood mitigation, given the bridge's age and lifespan. She noted that delays and federal permitting could significantly extend the timeline, and that paying a premium now ensures the project moves forward efficiently. She highlighted the importance of completing infrastructure projects citywide, citing roads, sidewalks, and other community needs, and stated that completing large sections at once is more effective than piecemeal work. Regarding procurement, she questioned whether staff should have the authority to reject bids without Commission approval, noting concerns about communication and transparency. She acknowledged the Vice Mayor's consistent communication with staff on the project but clarified that such communications do not constitute involvement in the formal procurement process.

Vice Mayor Fournier addressed procurement, noting the need for a workshop to clarify policies. She emphasized that Commission approval should be required not only to award but also to reject bids, ensuring transparency and avoiding potential conflicts of interest. She expressed concern about communication and awareness regarding the 6th Terrace Bridge, questioning whether commissioners were fully informed of its functional obsolescence and the goal to maximize bridge height. She acknowledged the high cost of the project but stressed the City's ability to creatively finance projects, citing past examples like the McNab Road project. She reiterated her motion to bring the bridge bid back for discussion with full supporting information, allowing the Commission and public to review before any contract approval.

Mayor Hardin stated that he has always understood this project's primary goal was to raise the bridge's height, which initially complicated discussions with staff and city administration. He noted that both he and former Commissioner Lamar Fisher supported funding the bridge due to its importance to District 3 and the City, particularly for the boating community. He explained that staff initially designed the bridge to raise it within reasonable limits, but the Commission and community requested further height adjustments. Delays with the U.S. Army Corps of Engineers contributed to the timeline, and the current single bid is roughly double staff estimates. Mayor Hardin emphasized that while all commissioners, including Vice Mayor Fournier, support the bridge, he cannot support spending an extra \$7 million when staff believes the project can be completed for

significantly less. He stressed that future bids should be competitive and that permitting for a new bid would not require a full redesign, as the design is already complete.

Comr. Perkins noted that the current situation arose from a letter sent by the city attorney, which caused frustration for the Vice Mayor. She emphasized that better communication from staff or the city manager could have avoided this issue, and that the ongoing disagreements on the dais reflect a broader lack of communication within City Hall. She acknowledged that all commissioners advocate for their districts, but resources are limited and some projects take years to advance. Comr. Perkins asked the Vice Mayor how she would like to proceed. The Vice Mayor responded that she wants the bridge project completed and recommended the Commission approve the current bid, exploring financing options such as fund balance to move it forward efficiently. Comr. Perkins emphasized that while the \$14 million bid exceeds the expected \$7 million cost, working collaboratively with staff and Vice Mayor Fournier could help achieve a practical solution. She noted that despite financial challenges, a reasonable approach could allow the project to move forward without delay.

Comr. Fesik expressed concern about the \$7 million cost impacting fund balance and suggested amending Vice Mayor Fournier's motion to place it on the November 13th agenda to expedite the process. She emphasized the need for a comprehensive understanding of city finances, including remaining funds for Riverside Drive, citywide repaving, and other projects, to make informed decisions collectively rather than in district-specific discussions. Comr. Fesik also highlighted the importance of transparency in budgeting and access to detailed financial information, noting that previous budget presentations lacked clarity for commissioners and the public. She urged staff to provide a clear, consolidated overview of all major city expenditures and allocations in advance to support effective planning and decision-making.

Dr. Tammy Good, CIP Manager, emphasized that decisions are made with expertise and careful consideration, noting that she and Mr. Sfiropoulos have over 60 years of combined construction experience, including 40 years with the city. She expressed concern over the \$14 million bid, stating that re-bidding the project would likely yield a significantly lower, more reasonable price. Dr. Good explained that construction costs have risen about 20% since the original 2022 estimate, but are projected to stabilize. She highlighted that even if awarded now, the construction of the bridge could not start immediately due to the McNab Bridge schedule. Decisions are based on logic, evidence, and city priorities, not personal preference or favoritism.

Vice Mayor Fournier noted that the contractor's bid of \$13.9 million projected the bridge opening by May 1, 2026, and that the bidder was responsive and responsible. She respectfully disagreed with Dr. Good, emphasizing that a contractor would not risk future projects by failing to perform. She highlighted that accelerating the project now would incur additional costs, but a compressed timeline would be needed regardless, and estimated that the bridge could be completed in approximately 10 months. She stressed that sufficient funds exist for the bridge if re-bid under normal conditions. Vice Mayor Fournier also contrasted this essential infrastructure project with other upcoming city debts, including \$212 million for City Hall and parking, and \$25 million for a botanical garden, underscoring the importance of prioritizing critical neighborhood infrastructure.

Comr. Smith stated that she is not a bidding expert, but shares concerns about spending an additional \$7 million. While she supports completing the bridge, she believes it is not responsible to double the cost. She recommended pausing, re-bidding after the McNab Bridge is finished, and allowing staff to guide the process.

Mayor Hardin sought public input on the item.

Anne Bosworth, 4015 West Palm Aire Drive, Pompano Beach, FL, expressed concern about communication and respect among City staff and commissioners. She emphasized the importance of direct dialogue, particularly when matters involve a specific district, and urged officials to work collaboratively rather than through indirect communication or memos.

Paul Peterson, a Garden Isles resident, expressed concern about the long-delayed bridge project, noting that it has been discussed for decades without visible progress. He stated that repeated references to future funding and budgeting give the impression that the project is being postponed. Mr. Peterson, an engineer, said he regularly monitors the City's website for updates and was initially encouraged by signs of progress. However, recent information has raised concerns about budgeting, bidding, and project management. He urged city leaders to improve communication and coordination to ensure the bridge is completed and asked for a clear timeline and commitment to its execution.

Daniel Beitra, a resident of Garden Isles, thanked the Commission and city staff for their work and acknowledged the challenges of managing city projects. He noted ongoing communication with the City regarding the permitting process and cautioned that assumptions about quick approvals are speculative, given federal agency delays. Mr. Beitra suggested the City collaborate with the selected bidder to streamline inspections, ensure adherence to timelines, and consider removing nonessential elements, such as decorative features, to reduce costs. He emphasized that the bridge project would benefit the entire community by improving property values and concluded by thanking the Commission for its service.

Mike Grossman, a longtime resident and local real estate agent, thanked the Commission for its service and reflected on the bridge discussion, noting it has been ongoing for decades. He emphasized that safety concerns, especially for first responders and elderly residents, have existed for many years. Mr. Grossman urged the City to prioritize safety and complete the full bridge project rather than delay repairs, stressing the importance of addressing longstanding hazards.

Matthew Cappiello, 160 Southeast 3rd Street, Pompano Beach, FL, thanked the Commission for their service and urged moving forward with the bridge project. He emphasized that a once-in-a-lifetime renovation should accommodate rising sea levels and larger vessels, enhance property values, and attract well-resourced residents. Noting rising costs and potential delays, he stressed that further postponement would increase expenses and risk losing key support previously secured from the Army Corps of Engineers. He encouraged timely action to complete the project.

Peter Wayhem, 259 Southeast 3rd Avenue, Pompano Beach, FL, expressed concern over potential delays in the McNab Bridge project, citing previous issues with the 5th Street Bridge. He questioned how engineers are hired and emphasized the importance of accountability in project management. Mr. Wayhem concluded by stating that residents will support candidates who work collaboratively with the Commission and city staff to ensure projects are completed efficiently.

Ruel Miles, a member of the construction team for the McNab Bridge, acknowledged a potential perceived

bias but emphasized honesty in his statements. He clarified that the bridge can be opened to vehicular traffic by May 2026, distinguishing between substantial completion and full completion. Mr. Miles noted that with continued collaboration between the contractor and city staff, progress could be accelerated, and he highlighted the team's responsiveness and commitment to serving the community.

Bruce Warzoha, a resident of 6th Terrace near the bridge, expressed support for completing the project but raised concerns about permitting and cost estimates, noting that construction projects often face delays and rising expenses. He also highlighted safety concerns for pedestrians and children, citing the absence of fencing on the bridge and past incidents in the neighborhood, and urged careful consideration of these factors.

Lauren DePaci, a Garden Isles resident, emphasized the community's longstanding concern over the bridge. She noted past safety issues and accidents, highlighted the importance of completing the bridge for both residents and boat traffic, and urged the Commission to prioritize its completion to avoid further delays and rising costs.

Sheryle Reising, 1341 Southeast 10th Avenue, Pompano Beach, FL, emphasized that Garden Isles deserves the bridge but stressed fiscal responsibility. She urged the Commission to seek additional bids and conduct due diligence to ensure costs are reasonable, while noting the bridge's long-standing discussion and potential benefits for property values and infrastructure.

Heather Gilchrist, 1341 Southeast 9th Avenue, Pompano Beach, FL, urged the Commission to prioritize responsible planning over optimism. She noted the bridge is 65 years old and past its functional life, emphasizing the risks of delays, including potential structural failure, storm damage, or injuries. She advocated addressing known risks rather than relying on hope for a favorable outcome.

Mike Skversky, 1630 Southwest 5th Avenue, Pompano Beach, FL, urged the Commission to collaborate and solicit additional contractor bids for the bridge project, noting the current cost seems excessive. He acknowledged staff efforts, particularly Vice Mayor Fournier's, and emphasized the importance of completing the project efficiently.

Bryan Smith, 220 Southeast 3rd Avenue, Pompano Beach, FL, emphasized that the bridge is unsafe and beyond its useful life. Drawing on 26 years of commercial construction experience, he noted that construction costs rarely decrease and stressed the importance of negotiating contracts with enforceable liquidated damages to protect taxpayers. He urged the Commission to work collaboratively and decisively for the benefit of the community.

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

Comr. Fesik clarified that the current motion is only to bring the contract back with full backup and answers to outstanding questions by the November 13th meeting.

Vice Mayor Fournier noted that the motion is to reinstate the canceled bid and present the contract for Commission approval, similar to any other city contract, rather than to review the bidding process itself. She

then requested clarification from the contractor regarding their commitments. Dr. Good noted that the individual present was not part of the prime contracting team, but the Vice Mayor pointed out that the bridge is required to be open to vehicular traffic by May 1st, as previously committed.

Mayor Hardin explained that the project is delayed because only one bid was received, which is significantly higher than staff estimated. While some factors, like federal approvals, are beyond the City's control, the staff is confident in moving forward with the design. Dr. Good noted that liquidated damages in the contract are set at \$500 per day for substantial completion and \$300 per day for final completion, totaling roughly \$90,000-\$100,000-insignificant compared to the overall project cost. Mr. Berman explained that liquidated damages are based on estimated financial losses, not the contract price. For a bridge, the City cannot demonstrate a substantial revenue loss, so the damages remain modest. In future projects, higher damages could be applied if actual losses justify it.

Comr. Sigerson-Eaton stated that the discussion has thoroughly addressed the issues, including public input and time constraints. She emphasized the need for fiscal responsibility and said she cannot support approving a \$14 million bridge.

Mr. Berman clarified that, under Broward County ethics rules, the Commission cannot act as a de facto selection committee. While they may review and ask questions after the selection process, they cannot make the contractor selection themselves. Approving a motion to hire the bidder directly could constitute an ethics violation.

Comr. Fesik asked about liquidated damages and single-bid situations. Dr. Good explained that damages are based on staff time, recently increased to \$500/day and \$300/day, to cover project management, not as a revenue-based incentive. Single-bid situations are uncommon; when they occur, staff evaluate the bid against market rates before bringing it to the Commission for approval. Most projects take approximately five years from budget approval to completion, and a line-by-line review of every item would significantly delay timelines. This is why the staff provides professional recommendations.

The motion clarified by Mayor Hardin was to reopen the rejected bid and bring back a resolution to approve the contract.

The motion made by Vice Mayor Fournier to reopen the bid and bring back a Resolution to approve a contract with the sole responder for the SE 6th Terrace Bridge replacement project failed by the following roll call vote:

Yes: Fesik
Perkins
Fournier

No: Sigerson-Eaton
Smith
Hardin

E. ADDITIONAL AUDIENCE TO BE HEARD

Mayor Hardin asked if there were any additional speakers signed-up to speak under Audience to be Heard, to which City Clerk Alfred replied there were none.

F. NEXT SCHEDULED MEETING

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

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
December 9, 2025 at 1:00 p.m. - Regular City Commission Meeting

G. REPORTS

City Manager's Report:

No report.

City Attorney's Report:

No report.

City Clerk's Report:

No report.

Comr. Fesik's Report:

Comr. Fesik requested that City Attorney Berman bring back the BSO Safety and Decorum Protocol Resolution, noting it remains in progress. She reminded City Manager Harrison that, per the Commission's September 9 motion, members should receive monthly reports on all City and CRA property transactions. She also requested that the City revisit Resolution 2016-140 to expand the live streaming and recording of additional board and department meetings, thereby promoting transparency and accessibility for residents. Regarding the Nancy Canal, she requested documentation verifying title ownership from north to south by November 5, to help address long-standing concerns of residents.

Comr. Perkins' Report:

Comr. Perkins thanked attendees of her recent resource meeting and announced a free community barbecue hosted by the I&B Medical Association on October 31, from 11:00 AM to 2:00 PM at Dixie Highway and NW 12th Street. She also invited residents to a community meeting on October 30 at 6:00 PM at the E. Pat Larkins Center to discuss the proposed donation of Westview Cemetery land to the City. She concluded by

reminding everyone to set clocks back for Daylight Saving Time on November 1 at 2:00 AM.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton extended prayers to the people of Jamaica and recognized National First Responders Day, thanking police, fire personnel, and all first responders for their service. She reminded everyone that the Untapped event will be held on November 7, the first Friday of the month, and concluded her remarks.

Comr. Smith's Report:

Comr. Smith explained that her Eagles jersey was the result of a friendly wager from the last meeting, as the Pompano Eagles defeated the Pompano Cowboys. She praised the "Jazz in the Chamber" event, noting it was peaceful and a great example of the type of community gathering that could continue in the new chamber.

Comr. Smith commended City staff for the October 23 cleanup in Collier City and Esquire Lake, thanking all involved for addressing litter and homelessness concerns. She invited residents to the Starlight Jam Session at the Palm Aire Gazebo on Saturday at 6 p.m., and closed with a quote from Coretta Scott King, "The greatness of a community is most accurately measured by the compassionate actions of its members."

Vice Mayor Fournier's Report:

Vice Mayor Fournier thanked the City for its canal awareness campaign, noting it addresses resident concerns about landscapers and debris being blown into waterways. She reminded residents to ensure lawn clippings are disposed of properly. She announced there would be no community meeting this month, as it falls on the same day as the Commission meeting. Vice Mayor Fournier wished everyone a safe and happy Halloween, reminding drivers to be cautious and families to enjoy the evening. She concluded with a quote from Tony Robbins, "The only impossible journey is the one you never begin."

Mayor Hardin's Report:

No report.

H. ADJOURNMENT

The meeting adjourned at 10:27 PM.

DocuSigned by:

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Kervin Alfred, City Clerk

Signed by:

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Rex Hardin, Mayor

