



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, December 9, 2025

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

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

ROLL CALL

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

INVOCATION

Dr. Ophelia Sanders of Dr. Dr. Ministries Inc. offered the invocation.

SPEECH TIME LIMIT

Vice Mayor Fournier attempted to establish ground rules to start the meeting, aiming for consensus on how to conduct business. She pointed out that the 15-minute rule, allowing only one opportunity to speak, did not align with Robert's Rules, which the Commission had adopted. According to Robert's Rules, members were entitled to two opportunities to speak. She requested City Attorney Berman to clarify this and suggested that the board discuss how to implement appropriate guidelines to ensure everyone received clarification.

Mark Berman, City Attorney, explained the general limits for debate under Robert's Rules, which permitted each member two speeches on the same question per day, with a maximum of 10 minutes for each speech. There are no allowances for splitting or yielding time, and a member could not deliver their second speech until all others who wished to speak had done so. These time limits could be extended with unanimous consent from the Commission, which had the authority to adopt its own rules. He noted that merely asking a question or

making a brief suggestion did not count as debating toward the 10-minute limit, nor did making secondary motions, provided no commentary was made on the pending question. Once the debate concluded and voting began, opportunities to speak were obviously limited to the voting process itself.

The Vice Mayor expressed her belief that the rule was designed to encourage order and process rather than suppress debate, emphasizing the importance of ensuring that no one felt blindsided by an arbitrary time limit, as had occurred during the previous meeting; she suggested that a motion might be necessary. However, Mayor Hardin responded that it was not the appropriate time for such a discussion.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[26-129](#) Joint Special Workshop of City and CRA Minutes of October 20, 2025

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

[26-127](#) Regular City Commission Meeting Minutes of October 28, 2025

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

[26-130](#) Joint Special Meeting of City and CRA Minutes of October 29, 2025

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

[26-128](#) Regular City Commission Meeting Minutes of November 13, 2025

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

APPROVAL OF AGENDA

Mayor Hardin inquired with Acting City Manager Earl Bosworth whether there were any changes to the Agenda. Mr. Bosworth confirmed that there were none.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Agenda be APPROVED AS

SUBMITTED. The motion carried by a unanimous voice vote.

Comr. Perkins requested that Item 23 be moved to the beginning of the Regular Agenda. With no opposition to this request, Mayor Hardin declared that the item would be heard at the start of the Regular 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.

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

A. 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:

Shannon Gallagher, 527 NE 8th Avenue, Deerfield Beach, FL, a state-licensed wildlife rehabilitator, addressed the Commission regarding the City's use of rodenticides and their impacts on local wildlife. She reported that several birds of prey admitted to her facility this year, including cases from District 1, were poisoned through secondary exposure to rodenticides. Ms. Gallagher referenced a recent incident near Fire Station 24 involving a poisoned red-shouldered hawk found in proximity to a rodenticide bait box, noting that while direct causation cannot be confirmed, anticoagulant rodenticides are known to cause delayed, fatal harm to predators. She requested that the City review and disclose what pest control methods and chemicals are used at public facilities and consider safer, non-chemical or humane alternatives for rodent management. Ms. Gallagher concluded by urging the Commission to evaluate current practices and adopt safer pest control strategies to protect local wildlife.

Caryl Iseman, 7020 W. Palm Aire Drive #311, Pompano Beach, FL, addressed the Commission with concerns about increased traffic resulting from the proposed Costco warehouse development on Powerline Road near Southwest 3rd Street. She stated that the addition of extensive parking, fuel pumps, and nearby residential units will further strain an already congested corridor. Ms. Iseman noted that the project differs from the originally approved mixed-use concept and requested access to an updated traffic study to understand how the City plans to manage current and future traffic impacts.

Vicente Thrower, a Pompano Beach resident, addressed the Mayor and Commission regarding concerns that previously promised redevelopment outcomes for the former casino property have not materialized. He stated that the current development, including additional residential units and a Costco, does not align with earlier representations of a destination or entertainment-focused project intended to benefit the broader community. Mr. Thrower asked the City to explain how the project evolved from its original vision and what concessions were made in the process. He also requested clarification on when the City will issue a formal Request for Proposals (RFP) for lobbying services, noting the importance of transparency, regular solicitation, and measurable return on investment for taxpayers. Mr. Thrower concluded by urging the City to pursue balanced

economic development and partnerships that benefit both the northwest and northeast areas of Pompano Beach.

Rodrick Phillips, a Pompano Beach resident, addressed the Commission to thank the City of Pompano Beach, BSO, and City staff for their support of an AA New Life community outreach event held on November 29, which served several hundred individuals experiencing homelessness or addiction and assisted many with temporary housing. Mr. Phillips then raised concerns regarding ongoing public safety issues near his family-owned property, including loitering, illegal activity, and insufficient patrol presence, which have impacted tenant safety and property stability. He noted that despite taking proactive measures, including fencing, cameras, and repeated calls for service, the situation has continued to escalate. Mr. Phillips requested coordination between City staff and BSO to review current enforcement efforts and explore more effective solutions.

Marquise Smith, 611 NW 2nd Terrace, Pompano Beach, FL, reported that the area surrounding her property is experiencing issues with homelessness, and a duplex across the street is repeatedly subject to break-ins associated with prostitution. She requested increased police patrols, noting that the situation is escalating and causing the loss of long-term tenants. Mayor Hardin advised Ms. Smith to coordinate with Captain Stallings to address the matter. Comr. Perkins further requested that Mario Sotolongo also meet with Ms. Smith and Captain Stallings to discuss the concern.

Anne Bosworth, 4015 W. Palm Aire Drive, Pompano Beach, FL, addressed the Commission on behalf of the Pompano Beach Education Advisory Board to share plans for a mental health fair tentatively scheduled for March 2026. The event will focus on anxiety among children, adolescents, young adults, and families, an issue frequently raised by students, parents, and educators. Ms. Bosworth explained that the fair will provide an opportunity for the community to share resources. She then highlighted a book titled, *The Anxious Generation* by Jonathan Haidt, which examines the impact of digital and social media on childhood development. She encouraged the Commission to engage with the topic, participate in the event, and consider the broader effects of digital media on youth and families.

Valerie Valentin, 611 NW 2nd Terrace, Pompano Beach, FL, addressed the Commission regarding ongoing safety and quality-of-life concerns near her home in District 1. She reported repeated incidents of drug activity, prostitution, and trespassing at a neighboring property, which have created an unsafe environment for her as a disabled resident. Ms. Valentin expressed frustration with inconsistent law enforcement responses and requested stronger measures to address the criminal activity and restore safety and security in her neighborhood.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, addressed the Commission regarding ongoing public safety concerns in a local hotspot where he has observed drug activity. He noted that law enforcement response has been inconsistent and emphasized the impact on the community.

B. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1 and 4 through 9 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. **26-116** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PAYLESS SWIM LLC TO OPERATE A SWIM SHOP AT THE POMPANO BEACH AQUATICS CENTER; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: City to receive \$350 per month as compensation)

(Staff Contact: Scott Moore)

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. 2026-41

2. **26-101** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC SERVICE PROGRAM SUBRECIPIENT AGREEMENTS BETWEEN THE CITY OF POMPANO BEACH AND VARIOUS NON-PROFIT CORPORATIONS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$143,000 FY 2025 CDBG Grant Funding)

(Staff Contact: Alex Goldstein)

Mayor Hardin noted that Comr. Perkins had pulled the item.

Comr. Perkins explained that she pulled the item because the same organizations receive funding year after year, while many organizations in the northwest area need money but are unaware of when applications are open. She questioned whether organizations like Feeding South Florida are directly affecting residents who need help, stating she does not see the impact in her community despite the funding. Comr. Perkins expressed frustration that she is constantly trying to find money for local youth organizations, while the same recipients receive funding repeatedly. She declared this would be the last time she votes for this item unless changes are made to spread money to more organizations that directly impact those in need.

Alex Goldstein, Program Compliance Manager, responded that the CDBG funds assist approximately 1,500 Pompano Beach residents annually through these organizations, including the elderly, children, and victims of domestic violence. He explained that organizations must provide full reports of city residents assisted before

receiving reimbursement, and he conducts monthly monitoring and audits. Mr. Goldstein described the application timeline, noting that the Notice of Funding Availability is published in January and applications open in mid-February. He encouraged any nonprofit to contact him for assistance with the application process.

Comr. Perkins responded that what appears on paper does not necessarily reflect reaching people who actually need help, suggesting a disconnect between his office and her community. She proposed spreading money more broadly, such as reducing some allocations to fund youth groups. Mr. Goldstein offered to provide his contact information to help organizations with applications.

Mayor Hardin sought public input on the item.

Lauren Holliday, residing at 1615 NE 20th Court, Pompano Beach, FL, criticized the lack of city funding for homeless people and financial assistance, expressing frustration that commissioners do not respond to her emails. She argued that the small amounts given to organizations do not accomplish much and called for direct city assistance to people in need. Comr. Perkins responded defensively to Ms. Holliday's criticism, explaining she receives 80-100 emails daily without secretarial help and lives in challenging conditions herself.

Mikelange Olbel, representing Community-Based Connection, offered to work with the City to provide direct connections and help bridge service gaps. He suggested strategies like the first right of refusal for Pompano-based organizations or point systems favoring local groups. Mr. Olbel mentioned that his organization provides concrete support, including rent and utilities, through their Healing Space Program, which is funded by the CSC of Broward County. Comr. Fesik asked Mr. Olbel about services at Blanche Ely High School Health Hub and mentioned referring a homeless resident to his organization.

Anne Bosworth, residing at 4015 W. Palm Aire Drive, Pompano Beach, FL, suggested the city needs a clearinghouse of available services that is regularly updated, noting communication challenges in large systems. She emphasized the need for persistent management of information dissemination beyond just web postings.

Linda Silverstein, residing at 713 SW 1st Terrace, Pompano Beach, FL, agreed about system weaknesses and noted that grassroots organizations often lack the capacity to handle application and reporting requirements. She suggested providing additional support to help small organizations access funding efficiently.

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

Vice Mayor Fournier observed that the same large organizations appear on the list annually because they have dedicated grant staff, while smaller operations are often at a disadvantage. She requested return-on-investment calculations to better evaluate the impact of funding allocations.

Comr. Perkins inquired about funding caps, and Mr. Goldstein explained that it's a 15% set-aside of the total CDBG allocation, which varies annually. He noted uncertainty about future federal funding for the program. Comr. Perkins requested that information be sent to commissioners for distribution to churches and community organizations that lack computer access.

Vice Mayor Fournier suggested placing application materials in the city hall lobby, where many organizations already come.

Comr. Sigerson-Eaton inquired about the monthly audit process, and Mr. Goldstein explained the reimbursement-based system, which requires detailed monthly reports. He mentioned an upcoming public hearing to review fiscal year 24 performance before submitting the federal CAPER report. Comr. Sigerson-Eaton thanked Mr. Goldstein for his responsiveness in helping seniors with various needs.

Comr. Perkins acknowledged learning about CDBG funding from former Mayor Emma Lou Olson.

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. 2026-42

3. 26-104 A RESOLUTION OF CITY COMMISSION OF THE CITY POMPANO BEACH, FLORIDA, CERTIFYING THAT THE HOUSING AUTHORITY OF POMPANO BEACH'S BLANCHE ELY ESTATES PROJECT TO CONSTRUCT 36 SINGLE-FAMILY HOMES ON 19.7 ACRES OF VACANT LAND TRAVERSED BY N.W. 6TH AVENUE BETWEEN N.W. 17TH STREET AND N.W. 16TH STREET, IS CONSISTENT WITH THE CITY'S LOCAL PLANS AND REGULATIONS TO PARTICIPATE IN THE COMMUNITY CONTRIBUTION TAX CREDIT PROGRAM, REQUIRED UNDER SECTION 220.183, FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Alex Goldstein)

Mayor Hardin noted that Comr. Fesik had pulled the item.

Comr. Fesik explained that she pulled the item because the community desperately needs housing now, expressing concern about extensions for hurricanes Ian and Milton, particularly since Milton was not traumatic for their area, and questioned the jump from a September 2025 expiration date to March 2030.

Alex Goldstein, Program Compliance Manager, clarified that the resolution was separate from the development

order and necessary to support the housing authority's tax credit application, offering to have Lennard Robinson answer questions about the project's status.

Comr. Fesik accepted the explanation, stating she just wanted to ensure they weren't delaying when housing was desperately needed.

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

Comr. Perkins expressed excitement about the project, noting the community had waited a long time for these homes, and that affordable housing was the biggest request in her district, specifically mentioning the vacant area between Liberty Park and Sanders Park.

Vice Mayor Fournier expressed frustration about hurricane extensions for developments not impacted by storms and inquired with City Attorney Berman about automatic extensions, specifically inquiring about when construction would begin.

Mr. Berman confirmed that the State Legislature mandated these extensions and that the Development Services Department had no recourse but to grant legally required extensions.

Lennard Robinson of the Housing Authority explained that they expected to start construction by the end of the first quarter of next year, noting that they needed to install \$5 million in infrastructure before building the houses and describing how the tax credit program worked through business tax allocations.

Comr. Perkins inquired about Mr. Robinson's plans for the opposite side of 6th Avenue, and Mr. Robinson confirmed that they were initiating the DRC process for 86 townhouse units across the street.

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. 2026-43

4. **26-36** A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A STATE REVOLVING FUND AMENDMENT 1 TO LOAN AGREEMENT SW062490 BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION;

PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Renuka Mohammed)

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. 2026-44

5. [26-102](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2026-20 AND 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: \$5,968,305 with 100% Principal Loan Forgiveness)



Strategic Plan Initiative

(Staff Contact: Renuka Mohammed)

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. 2026-45

6. [26-122](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND VOLUNTEER FLORIDA TO PROCURE ESSENTIAL SUPPLIES NEEDED FOR THE CITY'S CERT PROGRAM; ACCEPTING THE GRANT FUNDS IN THE AMOUNT OF \$10,000; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: No fiscal impact)

(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. 2026-46

7. [26-126](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BREF ANDREW'S LLC FOR THE INSTALLATION OF A 4-INCH FORCE MAIN WITHIN THE CITY'S RIGHT-OF-WAY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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. 2026-47

8. [26-106](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE BROWARD COUNTY SUPERVISOR OF ELECTIONS, RELATING TO THE NOVEMBER 3, 2026 GENERAL ELECTION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: See summary background for details.)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2026-48

9. [26-117](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING CAROLYN RHONE TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE 1, TO FILL THE UNEXPIRED TERM OF ROBERT WHITSETT; SAID TERM TO EXPIRE SEPTEMBER 12, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2026-49

C. REGULAR AGENDA

23. 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)

POSTPONED FROM JULY 8, 2025, SEPTEMBER 9, 2025, SEPTEMBER 23, 2025, OCTOBER 14, 2025, AND NOVEMBER 13, 2025

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, from the Development Services Department, introduced the item and gave a brief update on changes made to the item since its postponement on November 13th. The presentation is available upon request in the City Clerk's office. The attorney for the applicant, Dennis Mele, expressed approval of the revisions made by staff and requested an opportunity to respond after public input.

Mayor Hardin sought public input on the item.

David Clark, 202 E Sample Rd., Pompano Beach, introduced himself as the Senior Vice President of Operations at Broward Health. He wished to clarify that Broward Health went through the City's processes in order to operate within Pompano Beach and did not use a text amendment, as this applicant wishes to do. Mr. Clark also expressed that this text amendment would remove autonomy from the City Commission.

Phyllis Smith, 2437 NW 4th Court, Pompano Beach, FL, Greater Collier City Civic Association President,

stated that she has come to speak on the item from three (3) different perspectives: a patient, a nurse, and an EMT/paramedic. Ms. Smith said that a person spends more time in a traditional waiting room than getting treated, while at a stand-alone emergency room, you can be in and out within an hour. She gave an example of a severe allergic reaction and how a stand-alone emergency room is a better option for immediate care when in that area. She reiterated her support of the item.

Pastor Hector Clerveaux, 3501 NE 3rd Avenue, Pompano Beach, FL, believes that a stand-alone emergency room is a benefit to the community as a whole. He continued by giving a positive personal example of his visit with a stand-alone ER in Boca Raton. Pastor Clerveaux urged the Commission to support the item.

Patrick Barthelemy, Pompano Beach, FL, expressed his support of the item and stated the benefit it would be to the community, to include better access and faster service. Mr. Barthelemy commended the Commission for all the great work that has been accomplished in the city, and asked for its support on the item.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, informed that he reached out to two (2) nurses who informed him that they both believe this to be a great idea, and he hopes the Commission listens to the nurses.

Mark Intregila, 1401 S. Ocean Boulevard, Pompano Beach, FL, referenced the presentation the applicant gave at the previous meeting showing no sirens being heard as an ambulance approached, and stressed that in his condo he can hear every first responder siren that goes by, and urged the Commission to consider the residents who live next to the proposed location.

James Scott, Pompano Beach, FL, stated that he believes this item to be great for the community.

Nathaniel Austin, pastor at Zion Church in Pompano Beach, voiced his support of the item by saying there can never be enough medical facilities to handle the cares of the community. He stressed the need to compromise with the residents who live in the area and the need of the community to have better access to healthcare.

Seth Matthew, 1137 Rio Court, Deerfield Beach, FL, expressed his support of the item and how it will allow access to emergency room services to both Pompano Beach residents, and those that live on the border, such as Deerfield Beach.

Rachel Williams stated her support for the free-standing ER being built.

Ramon Feliciano, 101 Briny Avenue, Pompano Beach, FL, agreed with what many previous speakers have said regarding the positives this would bring to the community, to include more access. He highlighted that the company wishing to build this facility is well established and that it allows the community to have a choice in which healthcare company they want to receive services from. Mr. Feliciano used his personal experience as a medic to explain that noise should not be a problem for the community, because lights and sirens being used by an ambulance would mean they are going to a hospital emergency room, not a freestanding one.

Dr. Craig Kushnir, 9180 Benedetta Place, Boca Raton, FL, gave his personal experience being the EMS Medical Director for many departments in the area, echoing the previous speaker's experience with lights and

sirens not being used for freestanding emergency rooms. He explained that these facilities are full service and can benefit the community.

There being no further speakers, Mayor Hardin closed public input and invited Commission discussion.

Comr. Smith stated she visited the Coconut Creek free-standing emergency room, where her experience was quiet and the location was well landscaped, and she believes it is an asset to that community. Comr. Smith expressed that this item is to amend the code, which means the location of this potential ER should be ignored. She believes that the amendment would benefit the community as a whole, and she expressed support.

Vice Mayor Fournier reiterated what Comr. Smith said about this being a broad text amendment, not an issue of a specific site. She stated that she does believe that these free-standing emergency rooms are needed within the city; however, she knows there can be unintended consequences with broad text amendments and reminded the Commission of her desire to have a “call up” policy in place, where the Commission can view major site plans.

Comr. Fesik noted that her issue with text amendments is the unintended consequences that can happen later down the line. She mentioned Senate Bill 180 and her concerns with how that can impact these amendments in the future. Comr. Fesik asked Ms. Dolan for clarification on changes made since the last reading.

Comr. Sigerson-Eaton was reminded of revitalization, and this would be a great service in dense areas.

Comr. Perkins expressed concern about the surrounding area of the proposed facility and stated she has not received many emails regarding the topic, nor did she feel many people from the surrounding area came to speak on the item. Comr. Perkins stated she believes the community is lacking in healthcare access, and multiple options for healthcare companies are desired.

Comr. Fesik pointed out that the Planning and Zoning Board did not support the item and would rather the item came back as site-specific instead of a text amendment.

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: Perkins
Sigerson-Eaton
Smith
Hardin

No: Fesik
Fournier

10. 26-124 P.H. 2026-20: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 76, "PARKING METERS," OF THE POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 76.02, "DEFINITIONS," TO PROVIDE ADDITIONAL TERMS; BY AMENDING SECTION 76.06, "PARKING METER ZONES AND FEES ESTABLISHED," BY REVISING TABLE 76(A), "DESIGNATED PARKING METER ZONES AND METER FEES," TO MODIFY DESIGNATED PARKING METER ZONES, METER FEES, LOCATIONS AND RESTRICTIONS, TO MODIFY COSTS AND OTHER REQUIREMENTS FOR PARKING PERMITS, AND ELIMINATE CERTAIN RESIDENT PARKING DECAL PERMITS; BY AMENDING SECTION 76.07, "TIME LIMITED PARKING ZONES," TO MODIFY HURRICANE PARKING PROCEDURES AND RATES, TO ESTABLISH DESIGNATED DELIVERY/LOADING ZONES AND REQUIREMENTS, TO MODIFY PIER GARAGE BULK PARKING PROCEDURES, AND EXPAND PARKING FEE EXEMPTIONS; BY AMENDING SECTION 76.08, "ENFORCEMENT," TO PROVIDE FOR PARKING VIOLATIONS AND UNLAWFUL ACTS IN THE PIER GARAGE; TO DELETE THE CURRENT EXHIBIT A-1, "HARBOR VILLAGE RESIDENT PARKING LPR PERMIT AND HOURLY PARKING LOCATION MAP," TO REPLACE WITH A MODIFIED EXHIBIT A-1 TO MODIFY THE TEXT; AND BY AMENDING EXHIBIT B, "PARKING METER ZONE LOCATION MAP," TO REFLECT THE NEW PARKING METER ZONES AND HOURLY PUBLIC PARKING RATES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Approximately \$600,000 annually - Net 10% increase in parking revenues, accounting for increase in resident discount.)

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Manager, presented a request to update the City's parking ordinance. He explained that the ordinance, originally approved in 2013, has funded key investments such as the Pier Garage in 2016. The proposed updates include a 20% increase in hourly parking rates to remain competitive and support future growth, while raising the residential discount from 20% to 50% for verified Pompano Beach residents. Staff also recommended no rate changes in the Harbor Village area and proposed an annual parking pass for the busy north lot at Alsdorf Park, available to residents and non-residents, with demand closely monitored to ensure sufficient capacity.

Mayor Hardin sought public input on the item.

Caryl Iseman, 7020 W. Palm Aire Drive #311, Pompano Beach, FL, addressed the Commission regarding the need for additional handicapped parking in the City. She noted the difficulty in finding accessible spaces, particularly along A1A and in parking garages, and urged that future parking facilities include greater accommodations for residents with disabilities. Comr. Smith acknowledged Ms. Iseman's concern and inquired of Mr. Lantz whether the app would specify where handicapped parking is located. Mr. Lantz noted plans for an app that will indicate available parking spaces, including handicapped spots, and clarified that any parking space may be used by permit holders for up to four hours if an ADA space is unavailable.

Anne Bosworth, 4015 W. Palm Aire Drive, Pompano Beach, FL, inquired about acceptable proof of residency for the City's parking discount program, noting that some residents may not receive utility bills directly. Staff clarified that any current bill with the resident's name and address, including cell phone or internet bills, is acceptable. Ms. Bosworth observed that participation in the program has been limited and suggested greater promotion could increase enrollment, particularly with online access.

Mark Intregila, 1401 S. Ocean Boulevard, Pompano Beach, FL, stated that when applying for the discount, his wife was unable to complete the process online, and the discount expired without prior notice. He noted that the program is not widely promoted as a resident benefit, if only approximately 250 residents are currently enrolled.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, suggested that a portion of parking at Alsdorf Park's north lot-approximately 12 to 15 spaces-be designated as free for public use while visiting the park. He noted that charging for parking in this area may discourage families and community members from using the park's amenities and recommended accommodating park visitors without fee.

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

Comr. Fesik raised concerns about the parking ordinance, particularly the provision stating that conditions at Harbor Village would remain unchanged for only 180 days, and requested clarification on what would occur thereafter. The Commissioner also questioned additional fees associated with the parking application and whether those fees were subject to City control. Comr. Fesik expressed frustration with the resident discount enrollment process, describing it as overly cumbersome, and noted significant resident feedback regarding difficulties accessing or understanding the discount. She emphasized that additional parking costs are viewed by residents and businesses as burdensome and contributing to affordability concerns. Comr. Fesik stated that the proposal should not be framed as a competitiveness measure and suggested that a parking workshop was needed to better evaluate impacts. Specific concerns included the cost of annual parking passes, enforcement issues at Alsdorf Park, and the potential reduction of resident access. She questioned the timing of the proposed rate increase relative to approval of the parking garage, stating that proceeding with higher rates before final action on the garage appeared premature.

Vice Mayor Fournier inquired about the effective date of the parking ordinance following second reading. Vice Mayor Fournier then stated an intent to propose two actions: first, a motion to strike the \$1,500 annual parking permit for the Alsdorf North Lot in order to allow further discussion and development of an alternative approach; and second, a separate motion to make the ordinance contingent upon approval of the parking garage item. Mayor Hardin clarified that the motions would be considered individually.

A motion was made by Vice Mayor Fournier, seconded by Mayor Hardin, to strike from the ordinance the \$1,500 annual pass at Alsdorf Park.

Mayor Hardin sought public input on the motion.

Anne Bosworth, 4015 W. Palm Aire Drive, Pompano Beach, FL, asked for clarification as to why a driver's license, which is accepted for identity verification in other contexts, cannot be used as sufficient documentation in this instance. Mr. Lantz noted that Florida driver's licenses are valid for several years, while the resident discount is intended to apply only to current residents of the city.

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

Comr. Fesik agreed with Vice Mayor Fournier regarding the removal of the \$1,500 fee, noting concerns that it could be primarily used by commercial vehicles. She added that additional parking-related issues, such as potential free parking options for residents, should be discussed in the future. Comr. Fesik concluded by expressing full support for striking the \$1,500 fee.

Vice Mayor Fournier stated that she had discussed potential options to better assist residents, noting that tiered resident rates were not permissible. Vice Mayor Fournier suggested that alternative approaches, such as bundled daily parking options, could be explored to identify a workable solution for residents.

The motion to strike the \$1,500 annual pass at Alsdorf Park carried by the following roll call vote:

Yes: Fesik

Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

A motion was made by Vice Mayor Fournier, seconded by Mayor Hardin, that the passage of the ordinance is contingent of the approval of the Oceanside Garage Project.

Mayor Hardin sought public input on the motion and invited further Commission discussion on it as well. However, no one commented on the motion. Therefore, he called for the vote.

The motion that the passage of the ordinance is contingent of the approval of the Oceanside Garage Project carried by the following roll call vote:

Yes: Fesik

Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Comr. Fesik suggested exploring short-term free or validated parking options, such as two- or three-hour parking, to better accommodate residents and support local businesses with short-duration visits. She noted

that such an approach could help offset reduced beachside parking, assist residents accessing essential services, and provide an incentive for businesses operating within the city.

Mayor Hardin expressed support for the suggestion made by Mr. Skversky, to designate some free parking in the south lot on the east side to serve the playground area.

A motion was made by Mayor Hardin, seconded by Vice Mayor Fournier, to direct staff to present a plan to designate free parking at Alsdorf Park, specifically at the east side of the south lot near the playground area.

Mayor Hardin sought public input on the motion and invited further Commission discussion on it as well. However, no one commented on the motion. Therefore, he called for the vote.

The motion carried by the following roll call vote:

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Mayor Hardin asked staff to clarify for the public the procedures for individuals with a valid handicapped placard or license plate when a designated handicapped space is unavailable. Staff explained that in such circumstances, any parking space may be used as an ADA-accessible space for up to four hours. The Mayor thanked staff and emphasized the importance of ensuring the public is aware of this distinction.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

11. 26-37 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE AWARD OF RFP25-001 OCEANSIDE PARKING GARAGE DESIGN-BUILD PROJECT TO THE HIGHEST RANKED PROPOSER, THE WHITING-TURNER CONTRACTING CO., IN THE

AMOUNT OF \$32,876,690, AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE THE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING CO.; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Design & Pre-Construction \$3,037,041.00 available; Construction \$29,839,649.00 (financed); Total \$32,876,690.00)

POSTPONED FROM NOVEMBER 13, 2025

(Staff Contact: Tammy Good)

Dr. Tammy Good, CIP Manager, provided a summary of the 700-plus-space parking garage project proposed at 109 North Ocean Boulevard. Following an RFP issued in October 2024, three finalist firms presented in May 2025. The selection committee evaluated the design, schedule, cost, and local participation, and unanimously recommended awarding the design-build contract to Whiting-Turner for \$32,876,690, including design and preconstruction costs, as the best overall value for the City.

Mayor Hardin sought public input on the item.

Andy Fox, 10309 Northwest 52nd Street, Coral Springs, FL, emphasized that his three family-owned restaurants and other small businesses in the area rely on adequate parking to succeed. He noted that these businesses employ many Pompano residents and contribute to attracting larger enterprises, which benefits the broader City economy. Mr. Fox also highlighted that the success of beach businesses impacts local property values and urged support for sufficient parking to sustain the community and economic vitality.

Mark Intregila, 1401 S. Ocean Boulevard, Pompano Beach, FL, stated his support for a parking garage but raised concerns about the preferred contractor's past violations of a concrete crushing permit and questioned the transparency of the selection process. He also highlighted unresolved questions regarding financing, resident discounts, and the role of a consultant, expressing concern that commissioners may feel pressured to approve the project despite these issues.

Anne Bosworth, 4015 W. Palm Aire Drive, Pompano Beach, FL, expressed concern that relying on high-end businesses, such as the W and Ritz-Carlton, to support smaller local businesses may be misleading, noting that guests typically remain on-site. She emphasized the need to address broader questions about development and property preservation in the area.

Scott Zdroik, Director of Business Development for FinFrock Construction, 4616 N. Federal Highway, Lighthouse Point, FL, addressed the Commission to clarify points from the previous meeting.

Mary Rivero, Director of Procurement and Contracts, pointed out that Mr. Zdroik's remarks before the Commission constitutes a violation of the Cone of Silence. She made it clear that if he chose to proceed, he would be disqualified from the process.

Mr. Zdroik acknowledged Ms. Rivero's remarks and confirmed his understanding, then requested to continue

with his comments. He emphasized that FinFrock's proposal offers the City an opportunity to save \$8-\$14 million on the parking garage through alternate design-build options. He noted that contrary to staff comments, the firm has extensive experience delivering cost-effective public parking structures across Florida, including large-scale projects, and highlighted that the proposal allows the City to make informed decisions to fit its needs.

Jacob Lucky, Senior Project Executive at FinFrock, 4616 N. Federal Highway, Lighthouse Point, FL, noted that the company has extensive experience building over 350 parking garages in Florida. He highlighted that FinFrock's vertically integrated design-build approach, with a nearby manufacturing facility, reduces costs and scheduling risks. Mr. Lucky explained that the multiple scope alternatives in their RFP submission were intended to provide the City with flexibility to align the project with budget and taxpayer considerations, potentially saving \$8-\$12 million. He affirmed that the proposed allowances are realistic and expressed a willingness to meet with Commissioners to address any questions.

Carol Iseman, 4020 W. Palm Aire Drive, Pompano Beach, FL, expressed concern that the City may be foregoing potential savings by selecting the highest-priced contractor for the parking garage. She emphasized that final decisions on development should rest with the elected Commission, allowing them to review proposals and ask questions, rather than deferring authority to non-elected staff or developers.

Vicente Thrower, a Pompano Beach resident, expressed concern that the proposed parking garage and related development do not reflect or benefit local Pompano Beach residents and businesses. He noted that while community support is evident, the restaurants and commercial spaces associated with the project are not locally owned. He urged consideration of opportunities in future phases to include spaces for local vendors and ensure the development reflects and supports the community.

Tyler Jones, 851 SW 1st Terrace, Pompano Beach, FL, expressed concern that construction at the W could reduce parking availability, particularly during peak season, potentially affecting local businesses' ability to operate and attract visitors. He emphasized the need for the parking garage to be approved and under construction to prevent negative impacts on the area.

Mike Olbel, a Pompano Beach resident, emphasized the importance of local and minority vendor participation in city projects to ensure economic stability across all districts. He also highlighted the need for improved parking access, noting challenges with current availability and the resident discount process. Mr. Olbel expressed support for the parking garage as a means to benefit the community while allowing local businesses to participate in its development.

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

City Attorney Berman clarified Vice Mayor Fournier's questions regarding the procurement process and the "cone of silence." Mr. Berman explained that the cone remains in effect until a final decision is made, and only the selection committee-not elected officials-evaluates proposals to ensure compliance with county ethics code and avoid conflicts of interest. He emphasized that the City Commission may inquire, express concerns, and

ultimately approve, reject, or request reissuance of the RFP after the committee completes its evaluation. While elected officials cannot participate in the ranking process, they retain the authority to make the final decision. Any internal administrative policies must comply with the RFP, state law, and county code, which govern the process.

Comr. Fesik raised clarifying questions regarding the cone of silence and vendor communications. Ms. Rivero confirmed that vendors speaking before the Commission without invitation at the meeting violated the Cone of Silence, potentially leading to disqualification, though consequences under City procedures would need to be discussed with legal. Mr. Berman clarified that the cone applies to the selection committee and procurement staff; therefore, only communications through procurement are allowed during the open solicitation period.

A motion was made by Commissioner Fesik, seconded by Vice Mayor Fournier, to appeal or overrule the time limit impose by the Mayor.

Vice Mayor Fournier noted that Comr. Fesik's clarifying questions should not count against the standard 10-minute limit and emphasized the need for consistent ground rules to ensure Commissioners can fully address questions before voting. Mr. Berman clarified that extending speaking time requires specifying the duration and approval by the Commission, and that the chair determines what constitutes clarifying questions versus debate.

Comr. Sigerson-Eaton expressed frustration over prolonged questioning in prior meetings.

Comr. Fesik emphasized the importance of having all questions answered before making decisions affecting taxpayers. She noted that clarifying questions are not accusatory but necessary for informed voting.

The motion to appeal or overrule the time limit failed by the following roll call vote:

Yes: Fesik

Perkins
Fournier

No: Sigerson-Eaton

Smith
Hardin

Vice Mayor Fournier acknowledged the urgent need for beach parking and expressed support for the project, but raised concerns about the process and cost. She noted that an \$8-\$12 million lower-cost alternative was overlooked and highlighted inconsistencies in city spending decisions. She questioned the selection committee process, noting it was actually chosen by the City Manager's office, not procurement as previously stated, and criticized the lack of detailed records from the selection meeting. Citing other cities' practices, she proposed a motion for the Commission to hear vendor presentations and consider accepting, rejecting, or re-ranking the procurement, with a follow-up motion to seek an OIG opinion on the Cone of Silence and the Commission's authority post-selection.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Fesik, to hear a

presentation from the vendors, in order to accept, reject or re-rank the procurement.

Comr. Sigerson-Eaton emphasized that the burden of expertise in parking garages should not fall on elected officials, noting that the selection committee comprises subject matter experts. She expressed concern that personal biases, rather than merit, could influence voting decisions and highlighted potential conflicts of interest with local contractors. She clarified that the garage funding comes from parking revenue, not taxpayer dollars, and stated she would not involve herself in technical procurement decisions, focusing instead on fiscal responsibility.

Comr. Fesik stated that while she is not an expert on parking garages, she supports a public forum to hear and question the top three ranked vendors. She emphasized the Commission's right to accept or re-rank the Selection Committee's recommendations and noted her approach of consulting experts when needed to make informed decisions.

Comr. Smith sought clarification from Mr. Berman that the Selection Committee's role is to rank vendors and present recommendations, while the Commission may accept, reject, or re-advertise as allowed by the RFP. Mr. Berman noted that administrative manual provisions are outdated and superseded by the RFP, which ensures a fair and equal bidding process. He emphasized that changing rules mid-process would be inappropriate.

Dr. Good clarified that the selected option was the middle-cost proposal, not the highest.

Comr. Smith stated she would vote against the current motion.

Vice Mayor Fournier stated that due to the significant cost differences and perceived irregularities, she supports hearing presentations from all three top-ranked vendors to validate the selection committee's rankings. She emphasized that as the governing body, the Commission has the authority to request this review. She noted the importance of ensuring fiscal responsibility, citing other City parking needs and commitments. Mr. Berman clarified that while staff can provide evaluation materials and answer questions, changing the established procurement process is not recommended.

Comr. Fesik noted that any consideration of the RFP process should also account for potential breaches of the Cone of Silence by all parties.

The motion to hear a presentation from the vendors, in order to accept, reject or re-rank the procurement failed by the following roll call vote:

Yes:Fesik

Perkins
Fournier

No:Sigerson-Eaton

Smith
Hardin

Vice Mayor Fournier expressed hope that the board could work collaboratively to advance the parking garage project, noting concerns about entrenched positions and a lack of compromise.

Comr. Perkins asked Mr. Berman to get with CRA Attorney Claudia McKenna to send her information for the selection committee for the CRA Advisory Committee because she missed the meeting.

Mayor Hardin sought clarification from administration regarding whether commissioners' questions had been addressed. Suzette Sibble, Assistant City Manager, confirmed that following the previous meeting, staff provided answers in one-on-one sessions, follow-up emails, and a memo inviting any additional questions, ensuring all commissioners had the information needed to make an informed decision.

Regarding procurement, Ms. Rivero noted that electronic presentations were available if requested, but no vendor had submitted a protest following the Selection Committee's May recommendation to award Whiting Turner. Presentations were conducted privately with each vendor and the selection committee; commissioners and other vendors were not present during individual presentations, but final pricing was publicly posted afterward. No vendor protests were received.

Vice Mayor Fournier raised a question about commissioner access to presentations. It was clarified by Ms. Rivero that commissioners were not permitted to sit in on the individual vendor presentations. She further clarified that, according to city procedures and the solicitation, vendor presentations are private, involving only the presenting vendor, the selection committee, and procurement staff. Other vendors and the public are not permitted during these presentations, which has been standard practice.

Ms. Sibble added that a formal protest period exists for vendors who believe they were scored incorrectly, ensuring a level playing field. She emphasized that the City relies on experienced staff, including City Engineering staff and Dr. Good, to review pricing. She noted that the committee carefully considers cost, balancing design and budget, and would not select a \$32 million garage over a \$19 million option without justification, maintaining fiscal responsibility while respecting the established process.

Vice Mayor Fournier asked for clarification regarding attendance at vendor presentations. Mr. Berman had previously stated that elected officials could attend, but it was later clarified that, under the current procurement process, all non-committee members-including the public and elected officials-must leave the room during each vendor's presentation. Therefore, the Commission did not have the opportunity to view the presentations, contrary to earlier statements.

Cassandra LeMasurier, Real Property Manager and former Purchasing Supervisor, clarified that vendor presentations to the selection and evaluation committee are always closed. Only the presenting firm, procurement staff, voting committee members, and non-voting technical advisors are present. This ensures no undue influence or lobbying of elected officials, maintaining the integrity of the Cone of Silence. The meetings are recorded, and rankings or scores are announced publicly after presentations conclude. This process has been consistently followed by the City's Purchasing Division for decades.

Vice Mayor Fournier acknowledged the ongoing concerns among board members regarding the process and

costs. She stressed the importance of compromise to move forward, ensure all questions are addressed, and ultimately deliver the needed parking garage for the City.

Comr. Sigerson-Eaton sought clarification on the project financing, confirming that while bonds would be issued, they would be repaid solely through parking revenues, not general taxpayer funds. She expressed confidence in staff's conservative financial projections and emphasized the City's need for additional parking. She questioned objections to the selected vendor, stating that cost comparisons showed the recommended proposal was not the most expensive when evaluated consistently, and asked colleagues to clearly articulate any remaining concerns preventing support for the parking garage.

Comr. Fesik emphasized the importance of fully addressing commissioners' questions, noting that all funds-regardless of source-are public resources for which the City is accountable. She stressed the duty to act as responsible stewards of those funds and to ensure decisions can be confidently explained to residents. She affirmed that she had spent significant time reviewing documents and consulting with staff, expressed appreciation for staff's responsiveness, and underscored the need for collaboration and compromise to move forward responsibly.

Dr. Good clarified that the prior pier parking garage built a decade earlier cost approximately \$20 million, providing context for the current proposal. She stated that staff conducted due diligence and determined the recommended proposal reflects a fair market price for the desired design. She confirmed that Whiting-Turner met all RFP criteria, that staff acted impartially in the evaluation, and that the sole objective is to deliver a parking garage that meets the City's needs.

Mr. Bosworth stated that staff remain available to answer any questions regarding the process. He expressed confidence that the procedures outlined in the RFP were properly followed and emphasized that staff's role is to provide the Commission with accurate, professional information to support an informed decision on the parking garage.

Comr. Sigerson-Eaton thanked staff, stating that all of her questions regarding the process had been thoroughly addressed. She indicated she was prepared to make a decision.

Comr. Fesik then asked whether the previously referenced \$20 million cost of the parking garage built ten years ago represented the total cost, including subsequent revisions. Dr. Good noted it did not include most recent upgrades. She noted that the earlier parking garage was smaller and that its retail space was delivered as an unfinished shell.

Vice Mayor Fournier asked how much of the cost of the proposed garage-approximately \$45,000 per parking space-was attributed to aesthetic design elements, particularly the façade in the Whiting-Turner proposal, and whether a more modest design could reduce costs. Dr. Good explained that cost differences among proposals were driven largely by scope and compliance with the RFP. One proposal relied on low allowances that would likely have resulted in change orders, while Whiting-Turner fully accounted for site work, utilities, soft costs, and design elements. The façade cost, estimated at \$5-6 million, also reflected functional design features, including improved traffic flow, multiple access points to avoid bottlenecks, and compatibility with surrounding development. Dr. Good emphasized that the selection was based on a combination of price, design,

functionality, and compliance with RFP requirements, and that Whiting-Turner was ultimately determined to be the most cost-effective and responsive proposal overall.

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

Yes: Sigerson-Eaton

Smith

Hardin

No: Fesik

Perkins

Fournier

12. 26-123 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONTRACT FOR SALE AND PURCHASE BETWEEN THE CITY OF POMPANO BEACH AND OT PROPERTY GROUP, LLC, FOR THE PURCHASE OF PROPERTY LOCATED AT 134 NE 3RD STREET; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$5,000,000 - Parking Fund)

(Staff Contact: Cassandra LeMasurier)

Cassandra LeMasurier, Real Property Manager, explained that the City seeks to purchase a vacant 40,757-square-foot lot to address current and future parking needs in Old Town. Independent appraisals value the property at approximately \$5.6 million, reflecting significant increases in area land values. The proposed use is permitted under existing zoning and is less intense than potential private development. She noted that the immediate use would be a surface parking lot, with the long-term intent of developing a structured parking garage. The current request is limited to land acquisition only; any future garage would require separate approval and financing. Ms. LeMasurier emphasized that City ownership is necessary for site control and future financing and concluded that this is the only viable site to meet growing parking demand in Old Town.

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

Comr. Fesik asked whether the property lies within the Northwest CRA district and whether it could be pursued as a private redevelopment opportunity. Ms. LeMasurier confirmed the property is within the district but explained the site is being considered by the City specifically for a municipally owned parking garage funded through the Parking Enterprise Fund. The CRA is separately evaluating other sites for potential parking contributions.

Vice Mayor Fournier emphasized the importance of addressing parking in Old Town, noting that businesses

rely on adequate parking to survive. She expressed concern about rising property values and the high cost of the proposed lot, clarifying that recent appraisals reflect current market trends and differ from earlier valuations due to methodology. She stressed that if the city acquires the lot, it can continue temporary parking, pursue a public-private partnership, or develop structured parking, while also preventing oversized private development. While the price is significant, she noted that structured parking is necessary to support existing and future businesses, and that the City would not require contributions from those businesses for public parking.

Comr. Fesik acknowledged the need for parking in Old Town but expressed concern over the high cost of the proposed lot. She noted that while the CRA helped develop Old Town, parking was not adequately planned to support businesses. She also raised concerns about overlapping interests among consultants and property owners involved in multiple city projects. While she recognizes the necessity of parking, she questioned whether the City should pay a premium for the lot and whether future parking garage costs would be similarly high. Comr. Fesik requested additional information beyond the appraisals before proceeding.

Comr. Perkins inquired about the surrounding apartments and future development, confirming that residents would use on-site parking while restaurant patrons might use temporary or on-street parking. The lot would not charge fees. She noted the owner has offered a \$1.1 million discount from the appraised \$6.1 million, citing support for Old Town's success. While acknowledging the high cost, she emphasized the area's parking needs and suggested postponing the vote to the January 13th meeting.

A motion was made by Commissioner Perkins, seconded by Commissioner Fesik, to postpone the item to the January 13, 2026 City Commission Meeting, however, the motion was later withdrawn.

Ms. LeMasurier noted that while the \$5 million price is below fair market value, the owner's \$1.1 million discount is generous, and further negotiation is unlikely. She emphasized the urgency, given limited opportunities for structured parking and other interested buyers. She clarified that temporary surface parking supports future restaurant development, including the Wash House, and explained that the Barger site remains under the MDA, requiring careful coordination for public parking. She concluded that the offered price is a significant opportunity for the City.

Comr. Fesik acknowledged the need for parking but requested additional time to review the property and surrounding area. She noted that the City's purchase not only provides parking for Old Town but also benefits neighboring properties, effectively acting as a public-private partnership. She expressed interest in further evaluating the price and overall impact before making a final decision.

Comr. Smith opposed postponing, emphasizing that this is the only lot suitable for a parking garage of this size. She expressed confidence in the fairness of the price and noted that delaying could result in losing the opportunity to support Old Town's parking needs, urging the Commission to proceed with approval.

Mr. Bosworth confirmed that the price will not change, addressing the reason for postponement. Consequently, the motion to postpone was withdrawn, and the Commission proceeded to the main motion to approve 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

Sigerson-Eaton

Smith

Fournier

Hardin

No: Perkins

Enactment No: RES. No. 2026-50

13. 26-103 P.H. 2026-17: (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 AN AGREEMENT FOR TRANSPORTATION SERVICES (POINT TO POINT) BETWEEN THE CITY OF POMPANO BEACH AND CIRCUIT TRANSIT, INC. TO PROVIDE MICRO-TRANSIT TRANSPORTATION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed \$1,633,545 over 5 years/\$326,709 per year)

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Manager, presented the item, explaining that this was a five-year service agreement with Circuit Transit, which had been providing services since February 2021. The agreement has served over 483,000 passengers with more than 230 trips, reducing traffic congestion and saving over 10,000 gallons of gasoline demand while removing 95 metric tons of CO2 emissions. He detailed that the average ridership age remained between 50-64+ years old, the service averaged eight riders per hour with a 4.9 out of 5 rating, and that after issuing a request for proposals on July 15 and receiving two bids, Circuit was deemed the most responsive bidder. Mr. Lantz explained the City had received Florida Department of Transportation matching grant funding that expired at the month's end, with additional grant funding approved in March through Ordinance No. 2025-32 to expand service into Harbor Village, with goals to connect the east and west ends of the community, and recommended approval.

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

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

Yes: Fesik
 Perkins
 Sigerson-Eaton
 Smith
 Fournier
 Hardin

14. 26-120 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING THE APPROPRIATION OF \$600,000 FROM THE UTILITIES FUND BALANCE TO FUND THE SE 9TH AVENUE FORCE MAIN PIPE BURSTING IN-KIND PROJECT; PROVIDING FOR PURPOSE; PROVIDING FOR IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE.
 (Fiscal Impact: \$600,000)



Strategic Plan Initiative

(Staff Contact: Renuka Mohammed/ Joshua Watters)

Renuka Mohammed, Utilities Director, explained that the item requested \$600,000 allocation to support an in-kind project submitted to the Florida Department of Environmental Protection under a consent order, describing how the department reduced violations from 12 to 6 unauthorized sanitary sewer overflows from 2022 to 2023. She further explained that staff chose the in-kind project option instead of paying fines, detailed that the project involved replacing 1,500 feet of old cast-iron pipe on Northeast 9th Avenue, and noted that the project would benefit McNab Elementary School and the Cypress Lake area.

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

A motion was made by Vice Mayor 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. 2026-51

15. 26-95 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PIGGYBACK AGREEMENT FOR FIREFIGHTING

APPARATUS AND FIRE SERVICE VEHICLES BETWEEN THE CITY OF POMPANO BEACH AND MATHENY MOTORS TRUCK COMPANY, INC., TO PURCHASE A 78-FOOT LADDER TRUCK AND A ROAD RESCUE FREIGHTLINER FIRE TRUCK, TO BE FUNDED FROM FY 2026 APPROPRIATIONS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,968,488)

(Staff Contact: Peter McGinnis)

Peter McGinnis, Fire Chief, introduced the item and explained that city staff was requesting the purchase of a 78-foot ladder truck and a rescue truck, noting that the ladder truck was available in Ocala and could arrive by March or April 2026, while the rescue truck had a 36-month build time.

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

Vice Mayor Fournier sought confirmation that the City did not yet have the trucks and inquired about financing availability. Chief McGinnis confirmed the City was not in possession of the trucks and that financing was available.

Comr. Fesik mentioned she had called the chief for details about the trucks.

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. 2026-52

16. 26-72 P.H. 2026-12: (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 LEASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND COLT SOUTH FLORIDA OWNER LP FOR THE FIRE LOGISTICS FACILITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$306,375 for 18-month lease term (includes base rent and operating expenses)

FIRST READING: NOVEMBER 13, 2025

(Staff Contact: Peter McGinnis/Cassandra LeMasurier)

Peter McGinnis, Fire Chief, introduced the item, explaining that this was the second reading of the ordinance for the logistics facility, noting there were no changes from the first reading.

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

A motion was made by Vice Mayor 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. 2026-06

17. 26-85 P.H. 2026-16: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE PIGGYBACK AGREEMENT FOR A DEBTBOOK CLOUD BASED SOFTWARE SUBSCRIPTION BETWEEN THE CITY OF POMPANO BEACH AND FIFTH ASSET, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$38,390.00 for two years)

FIRST READING: NOVEMBER 13, 2025

(Staff Contact: Allison Feurtado)

Allison Feurtado, Finance Director, stated that there had been no changes since the first reading of the item, which pertains to acquiring the debt book software to continue monitoring the City's debt and ensure compliance with GASB 87 and 96.

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

A motion was made by Vice Mayor 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. 2026-07

18. [25-586](#) **P.H. 2026-01: (PUBLIC HEARING 2ND 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 GENERAL ELECTION OF NOVEMBER, 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)

FIRST READING: NOVEMBER 13, 2025

(Staff Contact: Mark E. Berman)

City Attorney Berman explained this was the ordinance regarding charter changes requested by the Commission and confirmed there were no changes since the first reading.

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

Vice Mayor Fournier asked about the deadline for the ordinance. Mr. Berman deferred to the City Clerk, initially stating April or May, then correcting to June 2026.

Vice Mayor Fournier questioned why they were proceeding so early. Mr. Berman explained that the early timing was intended to give the Commission all options, including a special election with an earlier deadline,

although that option was later removed.

Vice Mayor Fournier asked about tabling the item for months and whether they would need to restart from the first reading. Mr. Berman confirmed that it had been advertised and would need re-advertising at City expense if tabled, although it could be tabled to a specific date. He noted that the second reading was what required advertising and would not recommend postponing more than two months without re-advertising due to concerns about public notice.

Vice Mayor Fournier made a motion to postpone, citing the rapidly changing world and the need for sufficient time, suggesting that it be revisited next year. After discussion about specific dates, the Vice Mayor motioned to postpone the item to February 24.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Fesik, that the Ordinance / Regular Agenda be POSTPONED to the February 24, 2026 City Commission Meeting. The motion carried by the following roll call vote:

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

19. 26-75 P.H. 2026-13: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 100, "STREETS AND SIDEWALKS.", BY AMENDING SECTION 100.09, "PLAT APPROVAL;" AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.2101, "SUMMARY OF DEVELOPMENT REVIEW RESPONSIBILITIES," SECTION 155.2303., "APPLICATION SUBMITTAL AND ACCEPTANCE," SECTION 155.2304, "APPLICATION SUBJECT TO STAFF RECOMMENDATION," SECTION 155.2305, "PUBLIC HEARING SCHEDULING AND NOTICE," AND SECTION 155.2410, "PLAT," TO MODIFY PROCEDURES FOR APPROVAL OF PLATS CONSISTENT WITH NEWLY ENACTED STATE LAW; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 13, 2025

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan from the Development Services Department explained that this was the second reading of the

ordinance designed to bring the City's plat requirements up to state standards based on new legislation, noting that no changes had been made since the first reading.

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

A motion was made by Vice Mayor 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. 2026-08

20. 26-82 P.H. 2026-14: (PUBLIC HEARING 2ND READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO PROVIDE USE STANDARDS FOR SYNTHETIC TURF AND TO REMOVE USE STANDARDS FOR "LIGHTING FIXTURES, PROJECTING OR FREE-STANDING,"; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 13, 2025

(Staff Contact: Max Wemyss/David Recor)

Max Wemyss, Principal Planner, explained that this was the second reading with no changes since the first reading, noting that setback requirements discussed at the first reading were not included, but that concrete mow strips were required between property lines and artificial turf. He reported that the State had issued draft guidance on preempting municipal regulation of artificial turf, and this ordinance aligned with the State's direction, making this the right time to bring forward artificial turf standards.

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

Comr. Fesik expressed her concerns about artificial turf from an environmental perspective, having learned about plastic contamination issues during a utilities department tour, and asked whether the ordinance had been

cross-checked against wellfield protection zones and groundwater recharge areas. Mr. Wemyss responded that they had not conducted that specific analysis but explained that artificial turf was often more permeable than a natural lawn. The ordinance ensured drainage and aquifer recharge capabilities and required polyethylene material that aligned with FDEP requirements as the most recyclable and least leaching plastic option.

Comr. Fesik suggested adding safeguards for wellfield areas and inquired why there were no setbacks from waterways, noting that other cities, such as Orlando, required 50-foot setbacks from water bodies. Mr. Wemyss explained that setbacks would result from drainage plans, as most single-family properties had barriers between the property and waterways. A 25-foot setback would eliminate the potential for artificial turf on properties requesting it, while their ordinance required proper grading and drainage away from seawalls.

Comr. Fesik continued to question the seawall heights and concerns about water flow, then inquired about certifications for PFAS-free, lead-free, or crumb rubber-free products, in light of Mount Sinai's research. Mr. Wemyss replied that he found no legitimate PFAS-free certification for artificial turf products; they had banned rubber infill materials requiring silica or sand alternatives, and polyethylene compliance with FDEP was their best approach.

Comr. Fesik asked about synthetic turf behavior in FEMA flood zones and whether it should be treated as an impervious surface during heavy rainfall or surge. Mr. Wemyss responded that they hadn't added additional drainage requirements for flood hazard areas, but required drainage rates exceeding natural South Florida soil rates and stormwater management plans for all properties.

Comr. Fesik's final question addressed mechanisms for handling microplastics and infill migration into storm drains and canal systems over time. Mr. Wemyss stated they shouldn't consider that in this ordinance as it was actively monitored by the State, noting the contradiction between the State prohibiting cities from banning artificial turf while requiring PFAS removal from water supply, and expressing that their hands were tied between Commission/population demand and state requirements, and that including such language in the ordinance could be viewed by the State as overreaching.

Comr. Fesik concluded by expressing her environmental concerns and love-hate relationship with artificial turf, including worries about microbiomes and heat generation.

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: Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

No: Fesik

Enactment No: ORD. No. 2026-09**21. 26-84 P.H. 2026-15: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3203., "SINGLE-FAMILY RESIDENCE 2 (RS-2)," SECTION 155.3208., "MULTIPLE-FAMILY RESIDENCE 7 (RM-7)," SECTION 155.3209., "MULTIPLE-FAMILY RESIDENCE 12 (RM-12)," SECTION 155.3210., "MULTIPLE-FAMILY RESIDENCE 20 (RM-20)," SECTION 155.3211., "MULTIPLE-FAMILY RESIDENCE 30 (RM-30)," SECTION 155.3212., MULTIPLE-FAMILY RESIDENCE 45 (RM-45)," SECTION 155.3302., "LIMITED BUSINESS (B-1)," SECTION 155.3303., "COMMUNITY BUSINESS (B-2)," SECTION 155.3304., "GENERAL BUSINESS (B-3)," SECTION 155.3305., "HEAVY BUSINESS (B-4)," SECTION 155.3306., "MARINE BUSINESS (M-1)," AND SECTION 155.3501., "TRANSIT ORIENTED (TO)" TO MODIFY BUILDING HEIGHT AND SETBACK MEASUREMENTS;" BY AMENDING SECTION 155.9401, "MEASUREMENT," AND PART 5., "TERMS AND USES DEFINED" TO FURTHER CLARIFY MEASUREMENT REFERENCES FOR BUILDING HEIGHT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 13, 2025

(Staff Contact: Max Wemyss/David Recor)

Max Wemyss, Principal Planner, explained that this was the second reading of the ordinance, but noted it had been modified to exclude fence height sections while all other elements remained the same.

Mayor Hardin sought public input on the item.

Rod Feiner, an attorney, spoke in favor of the ordinance, reiterating his previous comments about how the changes related to FEMA flood heights and preserved property rights for people who bought properties before FEMA regulations, and thanked staff for their work.

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

Comr. Sigerson-Eaton sought clarification that this ordinance addressed building heights while fence components would be handled separately, which was confirmed.

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

22. 26-125 P.H. 2026-19: (PUBLIC HEARING 1ST READING)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.5302., "FENCES AND WALLS" TO MODIFY FENCE HEIGHT MEASUREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss)

Max Wemyss, Principal Planner, provided a comprehensive presentation explaining that the ordinance aimed to modify fence wall height standards to measure from the finished grade on the interior side of the fence, primarily due to properties using fill to elevate for FEMA compliance. He showed three photo examples: a typical six-foot fence, fences atop retaining walls, and combination retaining wall-fence structures. Mr. Wemyss explained that properties elevated due to FEMA requirements often required retaining walls with fences on top, and the proposal would allow six-foot fences, measured from the interior grade, while appearing as eight-foot barriers from the exterior. He noted that fall prevention barriers of 36 inches minimum were required by the Florida building code for certain elevated conditions, and discussed alternatives such as limiting fill use, which the state currently prohibits. He emphasized that pools must also be elevated, and that filled properties provided better flood resistance and privacy for both sides.

Mayor Hardin sought public input on the item.

Rod Feiner, an attorney, spoke in favor of the ordinance, emphasizing that stem walls as alternatives to fill would dramatically increase costs and affect affordability across all housing markets. He noted that fill had been used in South Florida for over 50 years and was often required by FEMA regulations regardless of neighboring properties. Mr. Feiner mentioned that the proposal represented the best compromise by limiting both fill and fence height appropriately.

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

Comr. Fesik raised concerns about future scenarios in which an owner of a higher-elevation property chooses not to install a fence, potentially leaving a lower property owner with only three feet of effective privacy protection. She suggested exploring neighbor agreements similar to dock agreements for shared fence arrangements. Mr. Wemyss cautioned against neighbor agreement approaches, noting that properties change hands and the City should not mediate neighbor disputes. He suggested that if something was appropriate, it should be permitted; if not, it should be prohibited. Mr. Wemyss noted that lower property owners could slope their property to match their neighbors or use hedges as an alternative.

Comr. Sigerson-Eaton questioned the scenario where lower properties would only get partial protection, while higher properties could install six-foot fences, creating eight-foot barriers from the lower side. She inquired about limitations on fill amounts and disagreed with Mr. Wemyss's assumption that there was no incentive to exceed FEMA's requirements, noting that property owners often elevated their properties higher for better insurance rates and flood protection. Comr. Sigerson-Eaton expressed concern about unintended consequences, particularly with the elimination of site visibility triangles on waterfront properties and the lack of regulations governing the use of fill. She described scenarios where four-foot retaining walls with six-foot fences would create "pickleball-like situations" where neighbors would be "buried" by ten-foot barriers, and announced she would not support the ordinance.

Mayor Hardin inquired whether Comr. Sigerson-Eaton's described scenario was accurate and could happen. Mr. Wemyss acknowledged this was correct but explained that, currently, a four-foot retaining wall would require a 42-inch fall prevention barrier regardless, so they were only discussing the degree of privacy provided.

Vice Mayor Fournier recalled previous discussions about establishing maximum combinations of wall and fence heights, such as an eight-foot total limit regardless of the wall-fence combination. Mr. Wemyss explained that his awareness of building code fall prevention barrier requirements had changed his perspective since those earlier conversations. He noted that applications typically requested six-foot rear yard fences, and suggested they could either do nothing, implement the current proposal, or revisit later. When the Vice Mayor inquired about the frequency of applications, Mr. Wemyss responded that almost every new single-family home was elevated, creating more of these situations, which typically featured two-foot retaining walls and four-foot fences to form six-foot exterior barriers.

Comr. Fesik expressed support for a maximum based on percentage, distinguishing between new builds and properties with minor elevation differences. Mr. Wemyss clarified that the issue almost always involved new builds and suggested that if they were not going with six feet, they should do nothing, as the current code already had a six-foot limitation with building code fall prevention requirements. When Comr. Fesik asked about maximum heights. Mr. Wemyss explained that the City could either allow the current two-foot retaining wall with four-foot fence combination until both sides are elevated, or implement the new proposal allowing six-foot fences on either side. He shared experience from another community that initially limited higher-side installations but later revised their code to allow elevated fences so lower sides could have privacy.

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

Smith

Fournier

Hardin

No: Sigerson-Eaton

AGENDA ITEM POSTPONEMENT

Mayor Hardin proposed postponing several agenda items until January 2026 to save time. However, the Commission decided to consider Item 24 along with the appointments but agreed to postpone item 28 before moving on to the next agenda item. The Mayor then amended his motion to reflect the Commission's decision.

A motion was made by Mayor Hardin, seconded by Commissioner Sigerson-Eaton, to postpone Item 28 to the January 13, 2026 City Commission Meeting. The motion carried by a unanimous voice vote.

24. 26-119 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 REQUIREMENTS FOR PET STORES AND HOBBY BREEDERS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM SEPTEMBER 9, 2025 & OCTOBER 28, 2025

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

Robert McCaughan, Public Works Director, explained that this revision is needed in order to strengthen the regulations governing pet stores and hobby breeders. He indicated that the City is unaware of a current problem with those entities, but this revision would prevent future issues. Mr. McCaughan stated that City Attorney Berman researched other municipalities to see how to best incorporate revisions into the City's code. He then turned the floor over to Mr. Berman. Mr. Berman informed that the changes require extra requirements for hobby breeders and did not eliminate them completely. He explained that this ordinance is very similar to what Coral Springs has had in place for many years and has been legally sustained. Mr. Berman advised that this ordinance is legally solid and recommends approval.

Mayor Hardin invited public input on the item.

Michele Lazarow, 2621 NE 10th Street, Hallandale Beach, FL, criticized the revisions that were made to the ordinance, as she believes it does not regulate the sale of puppy mill puppies, which, in her opinion, was the direction that was given by the Commission previously. She informed that there is a store that purchases puppies from puppy mills that have egregious USDA violations. Continuing, she named different box stores that no longer sell dogs and various states that have banned the sale of dogs in stores. Ms. Lazarow warned the Commission that if they continue to allow the sale of dogs, there will be a proliferation of stores in the city. She urged the Commission to vote to ban the sale of dogs in stores. She noted that she did not want to ban hobby breeders, only the sale of dogs in stores. She suggested not voting on the ordinance at that time but bringing it back with the right amendments.

Anne Bosworth residing at 4015 W. Palm Aire Drive, Pompano Beach, FL, encouraged her commissioner to ban the sale of dogs in stores. She expressed that hobby breeders aren't the big problem, but the sale of dogs in stores is.

Nicholas Batiste, 1126 S. Federal Highway, Pompano Beach, FL, informed that he came to the previous meeting to help the City define what a hobby breeder is. He stressed that it is unfair to label how all store owners acquire animals as unethical. He explained his experience with traveling to acquire puppies from various locations and how he ensures the health of the animal before he brings it back to sell. Mr. Batiste stated that he hopes to provide the community with a more transparent, new-age approach to animal stores.

There being no further speakers, Mayor Hardin closed public input and invited Commission discussion.

Comr. Fesik inquired about the definition the city has for hobby breeders and asked for that to be looked at again. She made a motion to remove subsection "A" from the ordinance. Mr. Berman asked for clarification on what the commissioner wished to remove, as there were two sections mentioning "hobby breeder." Comr. Fesik corrected that she wished to remove subsection "C1" from the ordinance.

Comr. Smith asked for more clarification on which version of the ordinance was being discussed. Mr. Berman explained that they were looking at the original ordinance, not what was presented currently.

Vice Mayor Fournier also expressed confusion about the varying ordinances that have been presented for this item and asked Mr. Berman for clarification on some of the changes.

Comr. Fesik reviewed the ordinance that was brought before the Commission in October and amended her motion to bring back the original ordinance currently in effect, minus the C1 sections of the ordinance. Mr. Berman said he now has better direction on what the Commission wants and advised postponement until the second reading in January. Comr. Fesik amended her motion to postpone the item as advised by Mr. Berman.

A motion was made by Commissioner Fesik, seconded by Mayor Hardin, that the Ordinance / Regular Agenda be POSTPONED. The motion carried by a unanimous voice vote.

25. 26-105 A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO

BEACH, FLORIDA, APPOINTING _____ TO THE GENERAL EMPLOYEES' RETIREMENT SYSTEM OF THE CITY OF POMPANO BEACH FOR THE TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON DECEMBER 12, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

APPLICANTS:

Greg Eickhorn, **Incumbent** - District 3

Karrie Prehm - District 1

(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 Greg Eickhorn. The motion to appoint Greg Eickhorn carried by a unanimous voice vote.

Enactment No: RES. No. 2026-53

26. [26-113](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE RECYCLING AND SOLID WASTE ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF TWO (2) YEARS; SAID TERM TO EXPIRE ON DECEMBER 13, 2027; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Other Board Memberships

Mary Antoine, Incumbent - District 1	0
David Bourns - District 1	0
Peter Middleton - District 1	0
John Mitchell - District 2	0
Dennis Byrne - District 5	0
Jerry Moss - District 5	0

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2026-54

27. [26-118](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO

BEACH, FLORIDA, APPOINTING _____ TO THE HISTORIC PRESERVATION COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE 2, TO FILL THE UNEXPIRED TERM OF CAROLYN RHONE; SAID TERM TO EXPIRE SEPTEMBER 1, 2027; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

<u>Applicants</u>	<u>Other Board Memberships</u>
Jeffrey Spiro - District 1	0
Abel Crean - District 2	0
Stephen Salamy - District 3	0

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. Commissioner Darlene Smith nominated Abel Crean. Commissioner Fesik nominated Jeffrey Spiro and Vice Mayor Fournier nominated Stephen Salamy. The motion carried by the following roll call vote to appoint Abel Crean.

Vote for Abel Crean:

Sigerson-Eaton
Smith
Hardin

Vote for Jeffrey Spiro:

Fesik

Vote for Stephen Salamy:

Perkins
Fournier

Enactment No: RES. No. 2026-55

28. 26-78 Discussion and consideration item for the annual performance evaluation for Mr. Mark E. Berman, City Attorney.
(Fiscal Impact: To be determined by City Commission)

(Staff Contact: Lisa Sonego)

A motion was made by Mayor Hardin, seconded by Commissioner

Sigerson-Eaton, that the Item for Consideration/Discussion be POSTPONED to the January 13, 2026 City Commission Meeting. The motion carried by a unanimous voice vote.

D. 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.

E. NEXT SCHEDULED MEETING

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

January 13, 2026 at 1:00 p.m. - Regular City Commission Meeting

January 27, 2026 at 6:00 p.m. - Regular City Commission Meeting

F. REPORTS

City Manager's Report:

Earl Bosworth, on behalf of City Manager Harrison, extended a happy holiday season to everyone.

City Attorney's Report:

City Attorney Berman noted the stanchions and the public's disregard for them in approaching the dais and proposed potential changes to the code to address meeting decorum in line with BSO recommendations. Chief Ellwood confirmed his agreement with the proposed changes. The discussion focused on whether to implement visual markers, such as tape lines, to prevent the public from approaching the dais without permission. Comr. Fesik noted that the markers were intended as a safety measure, not a physical barrier, and would help deputies enforce rules. Commissioners expressed concerns about the effectiveness and appearance of the stanchions. It was agreed to remove the stanchions temporarily and review the security survey and recommendations before making a final decision. Mr. Berman stated that he would distribute the survey to the Commission. He then concluded his report with holiday greetings to everyone.

City Clerk's Report:

City Clerk Alfred wished everyone a happy holiday season.

Comr. Fesik's Report:

Comr. Fesik expressed gratitude for a productive first year with the staff, acknowledging the learning curve she experienced while onboarding. She emphasized the progress made in teamwork, communication, and collaboration among departments, highlighting positive discussions she had with colleagues. Comr. Fesik noted the importance of expressing appreciation during the holiday season and looked forward to further openness and cooperation in the new year. She then announced that her District 1 community meeting will be held on December 16th from 7:00 - 8:00 PM at the Emma Lou Olson Civic Center. She emphasized the value of connecting with residents to discuss priorities for the new year.

Additionally, Comr. Fesik addressed the past two meetings, advocating for maintaining public confidence and fair competition in the procurement process. She proposed a careful evaluation of how to involve new, qualified participants and suggested implementing safeguards to prevent conflicts of interest, particularly concerning consultants who select vendors for projects in which they are involved. She also reiterated that the goal was to ensure transparency and integrity in the procurement process, allowing for a level playing field for residents.

Comr. Fesik suggested holding a monthly workshop, aligned with commission meetings, to address concerns and engage in open discussion without the constraints of the formal agenda process. She concluded by wishing everyone a happy holiday season and a successful New Year.

Comr. Perkins' Report:

Comr. Perkins inquired whether the Collier City police substation is now in use. Chief Ellwood confirmed it is staffed daily with a deputy and a community service aid, and community meetings have been held there. Comr. Perkins highlighted the grand opening of I&B Medical Associates in the Northwest community earlier that morning, aimed at improving local healthcare. She then inquired of Mr. Bosworth whether any assistance had been sent to Jamaica, and Mr. Bosworth responded affirmatively. She also announced a community baby shower on December 13th, 11:00 AM to 1:00 PM at the Ali Cultural Arts Center, providing resources and supplies for families, hosted by P3 Church. Lastly, she noted her annual Christmas ham giveaway at Hunter's Manor Park on Sunday, December 21st, from 2:00 PM to 4:00 PM, and wished everyone a Merry Christmas.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton attended the I&B ribbon cutting and praised the community-focused approach of the facility, highlighting its holistic health services and the quality of its staff. She thanked Patricia Williams for organizing the event and acknowledged Scott Moore and the Parks and Recreation team for their events throughout the month of December.

Comr. Smith's Report:

Comr. Smith highlighted two positives from the meeting: the approval to purchase a fire truck and Scott Moore's tie. She also thanked Parks and Recreation for the parade, tree lighting, and fireworks, and BSO for the District 5 update on crime prevention efforts. She appreciated the participation of community members Phyllis Smith and Sarahca Peterson. She concluded with a holiday message, quoting Bob Hope "My idea of Christmas, whether old fashioned or modern, is very simple, loving others. Come to think of it, why do we have to wait for Christmas to do that?", and wished everyone a Merry Christmas and Happy Hanukkah.

Vice Mayor Fournier's Report:

Vice Mayor Fournier thanked Parks and Recreation and Cultural Arts for the successful holiday events, including the Yule Tide Parade, Untapped, the groundbreaking of the skate park, and the ribbon-cutting ceremony for the pickleball court at Kip Jacoby Park. She reminded residents of her December 10th community meeting at the American Legion, encouraged participation in local toy drives, and noted that District

3 would be hosting its second annual holiday party to support firefighters. The Vice Mayor noted a procurement workshop scheduled for January 5, 2026; however, Mr. Bosworth later confirmed that it was actually a one-on-one meeting. Lastly, she extended Christmas, Hanukkah, and New Year's greetings and shared a quote, "Do your little bit of good where you are, it's those little bits of good put together that overwhelm the world."

Mayor Hardin's Report:

Mayor Hardin commended staff for a successful series of events, including Light Up MLK, Untapped, and Yule Tide, noting the positive impact on residents and visitors. He expressed appreciation to Dr. Tammy Good for her support during the parade. Reflecting on the year, he acknowledged the City's progress. He emphasized the need to approach upcoming state tax reforms carefully, considering potential impacts on revenue, essential services, public safety, and city amenities. He stressed the importance of collaboration and commitment to a resilient Pompano Beach. In closing, he wished everyone a Merry Christmas, happy holidays, and a prosperous New Year.

G. ADJOURNMENT

The meeting adjourned at 7:30 PM.

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Kervin Alfred

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Kervin Alfred, City Clerk

Signed by:



Signed by:

Rex Hardin

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Rex Hardin, Mayor