

## 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, February 11, 2025

1:00 PM

Commission Chamber

---

### City Commission Meeting

#### CALL TO ORDER

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

#### ROLL CALL

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

#### INVOCATION

Reverend Ronald Perkins, Senior Chaplain offered the invocation.

#### PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

#### APPROVAL OF MINUTES

[25-182](#) Regular City Commission Meeting Minutes of January 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.**

**APPROVAL OF AGENDA**

Mayor Hardin announced Item 6 under the Regular Agenda will be postponed until the May 13, 2025 City Commission meeting.

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

**CONSENT AGENDA DISCUSSION**

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

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

**A. SPECIAL PRESENTATION****[25-159](#) Donation to Community Court**

Mayor Hardin acknowledged Jim Jankowski from Cutting Edge Industries Inc., who presented a donation of \$50,000 to Cassandra Rhett, representing Homeless Housing Social Services. He then called Ms. Rhett, Housing Social and Services Manager, to come to the podium.

Ms. Rhett expressed gratitude to Mr. Jankowski for his generous donation, highlighting the support for the City of Pompano Beach's mission to aid those in need, particularly in providing housing and assistance for those who are homeless.

Mr. Jankowski emphasized the importance of giving hope, particularly to those wanting to change their lives. He highlights his past experiences with homelessness and the sacrifices he's made to achieve his current success. Jim believes in leading by example and wants to help others one person at a time, stressing that sometimes all someone needs is hope and support.

Mayor Hardin stated there is an urgent need for support in communities across the country, acknowledging the overwhelming demand for assistance that exceeds available funding. He appreciated the efforts of Mr. Jankowski and Ms. Rhett, stepping up to help, highlighting that even aiding one person makes a significant difference.

**The Special Presentation was READ AND PRESENTED INTO THE RECORD.**

**B. PROCLAMATIONS****[25-162](#) Black History Month Proclaimed in the City of Pompano Beach**

Mayor Hardin invited Comr. Perkins join him in presenting the proclamation for Black History

Month. Comr. Perkins recognized Black History Month and highlighted its significance in her daily life. She expressed a desire to honor Benjamin Miller for his contributions to the community, noting his service on various boards and his retirement. Comr. Perkins requested that Mr. Miller receive a proclamation for Black History Month to acknowledge the impact of those who came before us.

Mayor Hardin read a proclamation for Black History Month, marking the 96th anniversary of Dr. Martin Luther King Jr.'s life. He encouraged reflection on King's words and vision and called on the community to contribute to keeping his dream alive. Additionally, February 2025 was proclaimed as Black History Month in the City of Pompano Beach. He then invited Mr. Miller to say a few words.

Mr. Miller expressed gratitude for the opportunity to speak and highlighted the importance of inclusivity in American history. He emphasized the need for unity among different groups to work together for the betterment of the city, county, and state.

**The Proclamation was READ AND PRESENTED INTO THE RECORD.**

#### **C. AUDIENCE TO BE HEARD**

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

**Don Smith**, 170 SE 13th Street, Pompano Beach, FL, a resident since 1988 and retired business owner, raised concerns about a neighbor who converted a single-family home into an illegal duplex, leading to ongoing conflicts. He stated that the tenant has a history of criminal activity, including pulling a gun on his wife, and has had five subpoenas related to police incidents. He expressed frustration over city inspections that resulted in violations for emergency seawall repairs from 2004, calling the process unfair. Citing due process rights, he urged the City to address the illegal duplex and allow him to remain in his home without further issues.

**Jackie Moreland**, 1526 NW 7th Lane, Pompano Beach, FL, followed up on an email regarding the Braggs-Cristwell substation, stating she had heard from City Manager Harrison but was still awaiting a response from the Mayor. She emphasized the significance of Mr. Cristwell's legacy as one of the City's early Black police officers and a respected community figure. She expressed frustration over delays, noting that funding was previously allocated but later placed on a wish list. She urged the City to honor its commitment to the substation, especially during Black History Month, and sought clarity on the project's timeline and next steps.

Comr. Perkins stated that she and the City Manager were scheduled to meet but had to reschedule. She confirmed they planned to meet within the next week or two to determine a location and assured Ms. Moreland she would be kept informed.

**Tundra King**, 124 NW 15th Street, Pompano Beach, FL, praised the event honoring Linda Houston Jones, highlighting the statue unveiling and the importance of preserving community legacies. She recognized Ms.

Jones' impact, her affiliation with Delta Sigma Theta, and thanked the City and organizers.

#### **D. CONSENT AGENDA**

Mayor Hardin requested a motion to Approve/Adopt Item 4 under the Consent Agenda.

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

1. [25-166](#) 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 BROWARD COUNTY, ACCEPTING A GRANT IN THE AMOUNT OF \$13,500 TO SUPPORT CULTURAL ARTS PROGRAMMING; AND CONFIRMING THE CITY'S CONTRIBUTION IN AN AMOUNT OF \$16,500; PROVIDING AN EFFECTIVE DATE  
(Fiscal Impact: \$30,000 - (\$16,500 City; \$13,500 Grant))



#### **Strategic Plan Initiative**

**(Staff Contact: Tyrone Tabing)**

Comr. Perkins asked about the black box space at the Ali building.

Ty Tabing, Cultural Affairs Director, stated that the Cultural Affairs Department would oversee programming. The opening was postponed to August due to construction. A \$30,000 program grant, including \$13,500 from the County, would support partnerships and stipends to test different programming. The 100-seat space allows for flexible configurations to accommodate dance, film, and theater. The grant must be used by September 30, 2025, and opening events are planned around Labor Day.

Comr. Perkins asked if a director would oversee the Ali building. Mr. Tabing stated that Natasha serves as the on-site cultural leader, reporting to Adrian Clark, who oversees community programming.

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 / 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. 2025-72**

2. [25-167](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING CITY OF POMPANO RESOLUTION NO. 2021-306 RELATING TO A STATE HIGHWAY LIGHTING MAINTENANCE AND COMPENSATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, FOR LIGHTING IMPROVEMENTS ON VARIOUS STREETS WITHIN THE CITY, PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact: Robert McCaughan)**

Comr. Perkins asked about the placement of new street lighting.

Robert McCaughan, Public Works Director, clarified that the agreement was specific to state roads and did not include neighborhoods. He explained that FDOT District Four requested the agreement, but since the City already had a contract covering the same compensation, it was deemed unnecessary, requiring the rescission of the Resolution approved in September 2021.

Mayor Hardin invited public input on the item.

Jackie Moreland, 1526 NW 7th Lane, Pompano Beach, FL, expressed concern about poor lighting at the intersection of Dixie Highway and Third near the bus terminal, stating it is extremely dark and poses a safety risk. She noted that while streetlights are present, they are never on. Mr. McCaughan acknowledged ongoing issues with FPL-owned streetlights on Dixie Highway near the bus terminal, stating outages are frequent and regularly reported. Mayor Hardin noted the recurring problem and suggested contacting FPL.

Mayor Hardin closed public input and invited further Commission discussion on the item.

Vice Mayor Fournier noted frequent complaints about streetlights being out and recently requested FPL conduct an inventory to identify outages. She expressed concern that residents must report issues and wait 30 to 40 days for resolution. She suggested working with FPL to assess and repair widespread outages in her district and other neighborhoods.

Mr. McCaughan explained that newer streetlights have beacons that notify FPL when they go out but repairs

still take an estimated 45 days. He acknowledged that older lights require a manual reporting process, which can be challenging. Vice Mayor Fournier suggested working with FPL to repair older lights, particularly those without self-reporting technology.

Comr. Fesik noted resident complaints about overly bright FPL streetlights affecting homes despite using blackout curtains. She suggested balancing functionality with neighborhood needs. Mr. McCaughan stated that FPL addresses such complaints by installing back shields, which help in most cases, but may not resolve all issues.

Comr. Perkins reported streetlight outages on Dixie Highway, MLK Boulevard, Powerline Road, and the Andrews Avenue extension. Mr. McCaughan clarified that Dixie Highway is now a city road, while other major roads remain state controlled.

**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. 2025-73**

3. [25-170](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE WORK AUTHORIZATION NO. 12 IN THE AMOUNT OF \$ 1 7 0 , 8 9 5 . 0 0 PURSUANT TO THE CONTRACT FOR CONSULTING/PROFESSIONAL SERVICES BETWEEN THE CITY OF POMPANO BEACH AND HDR ENGINEERING, INC. FOR AIR PARK CONSULTING SERVICES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$170,895.00 - \$12,344.75 City; \$150,205.50 FAA Grant; \$8,344.75 FDOT Grant)

**(Staff Contact: Dr. Tammy Good)**

Comr. Fesik requested background on the project.

Dr. Tammy Good, CIP Manager, explained that it is part of the 2021 Airpark Master Plan to improve safety. The project includes installing an island, drainage swales, and lighting at the west end of Runway 10/28 to guide pilots and reduce excess pavement, preventing unauthorized movements.

Comr. Fesik asked if the project overlaps with other agenda items or new designations. Dr. Good confirmed that the Airpark Master Plan covers only airside improvements, while the other items on the agenda pertain to landside development and are unrelated to this project.

Mayor Hardin invited public input on the item.

Marilyn De Martini, 1110 NE 27th Avenue, Pompano Beach, FL, questioned the City's \$170,000 expenditure on consultants for the Airpark, noting the same firm has been used for years. She cited concerns over outdated master plans and suggested funds be redirected toward noise mitigation and toxic lead pollution studies. While acknowledging the airport's importance, she urged the City to prioritize residents impacted by ongoing flight school operations.

Dr. Good explained that the Airpark layout plan was last updated in 2021, following a 10-year cycle. In 2022, the City solicited Airpark designers under Florida's CCNA guidelines to streamline project implementation without additional solicitations. Only two firms responded, both were selected, and work is divided between them per state statute requirements.

Comr. Perkins asked about the consultants. Dr. Good stated that the two prime consultants under CCNA are HDR and Kimley-Horn. For this project, HDR is the lead consultant, with Keith Team handling surveying and Quantum managing electrical work. She noted that the project is relatively minor in scope.

Mayor Hardin closed public input and invited further Commission discussion on the item.

Comr. Fesik asked for clarification on the project scope. Dr. Good confirmed it is not an expansion, but a reduction of existing pavement, replacing it with a grass-covered island to better guide pilots. In response to a question about wildlife, she stated the project includes procedures to ensure no wildlife is within the work area, with mitigation efforts following required protocols. However, no additional measures will be taken beyond regular mowing and reducing standing water to deter wildlife.

City Manager Harrison stated that of the \$170,895.00 project cost, \$12,475.00 is funded by the City, with the remainder covered by FAA grants.

**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. 2025-74**

4. [25-179](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACKNOWLEDGING APPOINTMENTS BY THE MAYOR AND OR CITY COMMISSIONERS TO FILL THE POSITIONS ON CITY BOARDS AND COMMITTEES; PROVIDING FOR MEMBERSHIP TERMS; 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. 2025-75****E. REGULAR AGENDA****QUASI-JUDICIAL PROCEEDING**

5. [25-133](#) **P.H. 2025-24: (PUBLIC HEARING 2ND READING)**  
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A 24-FOOT-WIDE ACCESS EASEMENT LOCATED SOUTH OF PARK CENTRAL BLVD., NORTH OF COPANS ROAD AND WEST OF NORTH ANDREWS AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**FIRST READING: JANUARY 28, 2025**

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan, Development Services Department stated that this is the second reading of the request to abandon a 24-foot-wide access easement on a parcel located at 200 Park Central Boulevard, which is north of Copans and west of Andrews Avenue. In conclusion, she mentioned that there have been no changes since the first reading.

Mayor Hardin invited the Applicant, the public and the Commission to provide input on the item. However, no one came forth to provide further comments.

**A motion was made by Vice Mayor Fournier, seconded by**

**Commissioner Sigerson-Eaton, that the Ordinance / Quasi-Judicial be ADOPTED. The motion carried by the following roll call vote:**

**Yes:** Fesik  
Perkins  
Sigerson-Eaton  
Smith  
Fournier  
Hardin

**Enactment No: ORD. No. 2025-21**

**END OF QUASI-JUDICIAL PROCEEDING**

6. [24-290](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO DECLARATION OF VOLUNTARY RESTRICTIVE COVENANTS MADE BY DIXIE PROPERTIES & INVESTMENTS, LLC AND UPPER POMPANO PROPERTIES & INVESTMENTS, LLC FOR THE BENEFIT OF THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**POSTPONED FROM JUNE 11, 2024, SEPTEMBER 10, 2024 AND DECEMBER 10, 2024**

**\*With regard to this Item, the Applicant requests to postpone this matter to the May 13, 2025 Commission Meeting Agenda.**

(Staff Contact: Scott Reale/David Recor)

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

7. [25-155](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LEASE PURCHASE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH, AS LESSEE, AND TD EQUIPMENT FINANCE, INC., AS LESSOR, WITH RESPECT TO THE ACQUISITION, PURCHASE, FINANCING AND LEASING OF CERTAIN EQUIPMENT; AUTHORIZING THE EXECUTION AND DELIVERY OF DOCUMENTS REQUIRED IN CONNECTION THEREWITH; AND AUTHORIZING ALL OTHER ACTIONS NECESSARY TO THE CONSUMMATION

OF THE TRANSACTIONS CONTEMPLATED BY THIS RESOLUTION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$9,441,031 over 5 year lease term; \$1,888,206 annually)

(Staff Contact: Allison Feurtado)

**A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, to approve the item.**

Allison Feurtado, Finance Director, explained that TD Bank was selected for the financing after a competitive proposal process. The bank offered a fixed tax-exempt lease rate of 3.839% over five years, aligning with the City's fiscal year 2025 capital budget. She requested approval to proceed with the lease agreement, with a planned closing date of February 20, 2025.

Mayor Hardin acknowledged the presentation and invited public input on the item. Seeing no public comments, he closed public input and invited Commission discussion.

Vice Mayor Fournier asked if the interest rate had changed since the last meeting.

Ms. Feurtado confirmed that the rate remained the same and that she had secured an extension until February 2025.

Vice Mayor Fournier expressed concerns about the procurement process for the listed capital items and requested that slides detailing what had transpired since the last discussion be reviewed.

Mayor Hardin asked to keep the discussion focused on the lease.

Vice Mayor Fournier insisted that the procurement process was relevant, as the lease enabled the purchases. She cited minutes from the last meeting, which indicated prior confusion about whether large purchases, such as fire trucks, would return for Commission approval. She revealed that a fire truck had already been acquired before budget approval, raising concerns about transparency and omitted contract details.

Mark Berman, City Attorney, clarified that, according to the City's code, capital improvement items approved in the budget did not require further Commission approval, though they still had to go through a competitive bidding process. He acknowledged that a fire truck had been ordered before financing was secured due to delays in the bond process but assured that measures were being taken to prevent similar issues in the future.

Vice Mayor Fournier countered that the City's Procurement Ordinance had changed in 2024, requiring Commission approval for purchases exceeding \$200,000. She argued that past procurement practices might not align with current legal requirements and pointed out that previous capital items exceeding their budgeted amounts were not brought back to the Commission.

Mr. Berman maintained that capital items listed in the budget were exempt from the Commission's approval

process but were still subject to competitive bidding.

Vice Mayor Fournier insisted that an external legal opinion was necessary to clarify the Ordinance, as she believed it contradicted Mr. Berman's interpretation.

Mr. Berman offered to discuss the matter further but suggested that the meeting was not the appropriate forum.

Vice Mayor Fournier continued, outlining a timeline of events that suggested improper handling of a fire truck purchase. She noted that a contract for the truck had been signed in April 2024 before it appeared in the budget, that an Ordinance to formalize the purchase was proposed but never brought forward, and that the truck was accepted in November despite lacking funding. She accused city officials of withholding information and misleading her about the truck's status.

Greg Harrison, City Manager, stated that the truck had not been formally accepted and remained at a warehouse. He emphasized that the discussion should remain focused on the lease agreement.

Vice Mayor Fournier disputed his claim, presenting a signed delivery receipt from a city employee. Mr. Harrison responded that the employee lacked the authority to accept delivery.

Vice Mayor Fournier expressed concern about a lack of controls in place, highlighting that unauthorized personnel had both purchased and accepted a vehicle. She criticized the accumulating interest costs due to delayed payment.

Mr. Harrison argued that the contract did not require the City to cover these interest charges and maintained that the purchase ultimately saved money.

Vice Mayor Fournier disagreed, asserting that a spec truck could have been obtained in a shorter timeframe, contradicting Mr. Harrison's justification for the purchase.

Mayor Hardin urged to return to the lease agreement. He acknowledged Vice Mayor Fournier's concerns about procurement practices but suggested addressing them separately during Commission reports rather than within the current agenda item.

Vice Mayor Fournier stated that she was unwilling to vote for the lease until she fully understood the procurement process. She argued that if the lease allowed the City to purchase any item on the list without Commission oversight, she found that unacceptable.

Mr. Harrison countered that it was not a blank check, as the purchases were limited to a pre-approved list attached to the agenda item.

Mayor Hardin affirmed that the list had already been approved in the budget and that the procurement process must follow established rules. He acknowledged Vice Mayor Fournier's concerns but insisted that this discussion was about approving the lease for those purchases, not debating procurement policies.

Vice Mayor Fournier motioned to prohibit the procurement of any item on the list of more than \$200,000 without Commission approval, which was seconded by Comr. Fesik.

Mr. Berman stated that the motion contradicted the city ordinance, which allowed such purchases without Commission approval. However, he said that if the Commission desired to change the process, staff would comply. He noted that some of the items had already been procured, so the motion would not resolve the current issue.

Mayor Hardin confirmed the motion and asked Mr. Berman whether the Commission needed to amend the code.

Vice Mayor Fournier clarified that her motion was to require Commission approval for any item over \$200,000 to review its procurement process. She argued that the Commission should have oversight to prevent favoritism or improper purchases.

Mayor Hardin responded that commissioners could request procurement details from staff at any time.

Vice Mayor Fournier pushed back, saying it had taken three weeks to obtain requested contracts, whereas the Mayor had immediate access. She reiterated that she had consulted attorneys who interpreted the procurement Ordinance differently and called for an external legal review.

Mr. Berman declined to debate external legal opinions but maintained that the motion could not apply to the current budget since purchases had already been made. He suggested applying it to future budgets.

Vice Mayor Fournier pointed out that at the last meeting, commissioners were told that a fire truck purchase would come back for approval.

Ms. Feurtado clarified that no purchases had been made except for the fire truck. Vice Mayor Fournier argued that this meant the motion could still apply.

Comr. Perkins questioned why the motion was being entertained when the City Attorney had said it was not valid.

Mr. Berman responded that he would follow the Commission's decision.

Comr. Perkins voiced concerns that the discussion seemed to downplay wrongdoing. She noted that large purchases were supposed to come before the Commission, but that had not happened. She supported separating the fire truck from the other items on the list, as it had become the focal point of the debate. While she agreed that TD Bank's financing was favorable, she refused to vote for the lease due to concerns about the fire truck purchase.

Comr. Fesik stated that she had reviewed procurement documents and found inconsistencies in the answers she received from different officials. She supported separating the fire truck from the other purchases to allow a thorough discussion of procurement policies. She also wanted Vice Mayor Fournier to have the opportunity to



present her findings.

Ms. Feurtado agreed to hold funding for the fire truck to allow for a procurement discussion but requested approval for the rest of the financing.

Vice Mayor Fournier clarified that her goal was to allow the financing to proceed while ensuring that no purchase over \$200,000 moved forward without Commission review. She reiterated that the City had a history of exceeding budgeted amounts without seeking approval. She insisted that her motion was necessary to ensure compliance with the updated procurement ordinance.

Comr. Sigerson-Eaton expressed support for the existing procurement process, noting that large purchases had always been included in the budget and financed over time to save taxpayer money. She saw no evidence of wrongdoing and opposed the motion.

Comr. Smith expressed concerns about revisiting previously approved budget items. She questioned how the Commission could retroactively require approval for purchases that had already been authorized in the Capital Improvement Plan. She noted that if an item exceeded the budgeted amount, it would need to come back for approval under the Ordinance, but she was unsure if denying a needed purchase after it had already been approved was a responsible approach.

Comr. Fesik reviewed the budget documents and found that only a small number of items exceeded \$200,000. She listed the fire trucks, a sweeper, and multiple cameras as the main high-cost items. She argued that requiring commission approval for such purchases would not be a significant burden.

Mr. Harrison stated that the primary issue was the fire truck, and if it were removed from the discussion, the process could proceed smoothly.

Vice Mayor Fournier reiterated that while the Commission had approved the overall budget, it was still their responsibility to ensure purchases followed proper procedures. She emphasized that oversight was necessary to confirm that the City was getting the best deals and following procurement guidelines. She noted that past ordinances required Commission approval for purchases exceeding budgeted amounts, but this requirement had been removed, raising concerns about transparency. She cited instances where purchases had exceeded their budgeted amounts without coming back to the Commission, reinforcing her belief that the procurement Ordinance needed legal review.

Comr. Sigerson-Eaton argued that departments had to manage cost fluctuations within their budgets, such as rising prices for goods. She did not find it unusual for an item to cost more than originally planned.

Vice Mayor Fournier responded that her concern was not about price fluctuations but about the fact that the previous Ordinance explicitly required Commission approval for purchases exceeding their budgeted amount, and that requirement was not followed.

Comr. Fesik expressed frustration that getting information about the fire truck purchase had been difficult. She stated that some officials had been aware of the details but were not forthcoming with answers when directly

asked. She compared the situation to a teenager hiding the full truth from their parents and emphasized that transparency was critical for trust in the process.

Mr. Berman clarified that he was willing to amend the Ordinance based on the Commission's direction. He explained that a staff member who was no longer with the City had ordered the fire truck without proper approval, leading to the current situation. Since the Commission had ultimately approved the truck in the budget, the only remaining issue was securing financing to pay for it.

Comr. Perkins asked who had ordered the fire truck. Mr. Harrison explained that Fire Chief Steve Hudson had signed for it when it became available at a discount.

Comr. Perkins asked why Mr. Hudson was no longer with the City. Mr. Harrison responded that he had recently retired. He insisted that the fire department had followed procedures that had been in place for years.

Comr. Perkins admonished Mr. Harrison for his tone, reminding him that he worked for the Commission and was expected to answer questions without hostility.

Mr. Berman then assured the Commission that the fire truck had been properly procured through a consortium purchasing process, which was a standard and approved method. He acknowledged that it had been ordered before Commission approval, but emphasized that it was now legally financed and aligned with the budget.

Vice Mayor Fournier challenged Mr. Berman's claim that he had no prior knowledge of the fire truck purchase, presenting an email from April in which he had worked on a Resolution to approve the truck. She pointed out that the fire truck had arrived in November, not December as previously stated, and had been used for training. She revealed that on December 12th, the vendor had emailed the City demanding payment, citing a daily penalty for the delay. Despite this, in January, Mr. Berman and Mr. Harrison had assured her that there was no penalty and that the truck had not yet been delivered, which she argued was false. She then presented further emails showing that the vendor had continued requesting payment through January and that the fire chief had acknowledged the need to pay for the truck before retiring on January 13th. She emphasized that these inconsistencies demonstrated a lack of transparency and accountability. Finally, she reminded the Commission that this issue involved not just one truck but two, reinforcing her call for stricter oversight and legal review of the procurement process. She revealed that her public records request had been incomplete, as documents from December 9th to January 29th were missing. She stated that emails from the vendor discussing penalties and payments had not been provided despite being relevant to the issue.

Mr. Berman responded that IT had handled the records request but that he had independently provided everything he had once Vice Mayor Fournier made it clear that documents were missing. He explained that his legal recommendation had been for the City not to accept the fire truck to avoid responsibility, as it was not insured and had not been properly authorized. He had suggested returning it to the vendor's warehouse.

Peter McGinnis, acting Fire Chief, stated that he had no issue with returning both fire trucks to the Commission for review but noted that the Fire Department was currently short on vehicles, forcing firefighters to use pickup trucks for emergency responses. He warned that delaying the process further would impact response times.

Comr. Smith asked whether Vice Mayor Fournier would be willing to modify her motion to exclude the fire truck from the procurement delay, allowing its purchase to proceed without further approval. She argued that further delays could put public safety at risk.

Vice Mayor Fournier agreed that paying the vendor was a priority and that it was unacceptable for the City to be accruing penalties because financing had not been secured. However, she did not want this to set a precedent that other high-cost purchases could proceed without Commission oversight.

Mayor Hardin confirmed that the motion was now modified to require Commission approval for all purchases over \$200,000, except for the \$2.1 million platform fire truck.

Mr. McGinnis clarified that while the vendor had claimed daily penalties were accruing, the contract did not include any such provision.

Mr. Berman agreed, stating that there was no legal basis for the City to be charged additional fees.

Vice Mayor Fournier accepted this clarification.

Mr. Berman reiterated that city officials had not been aware of the truck order until it arrived in December.

Vice Mayor Fournier countered that officials had known about it in April, as indicated by an email she had uncovered.

Comr. Sigerson-Eaton stated for the record that she had no prior knowledge of the fire truck's procurement process.

**Vice Mayor Fournier modified her motion, seconded by Commissioner Fesik, that no purchase of any item from the approved capital list that exceeds \$200,000 can be made without first returning the matter to the Commission for consideration, with the exception of a \$2.1 million platform truck (delivered on November 5, 2024). The modified motion carried by the following roll call vote:**

**Yes:**Fesik  
Perkins  
Sigerson-Eaton  
Smith  
Fournier  
Hardin

**The initial motion to approve the item carried by the following roll call vote:**

**Yes:** Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

**Enactment No: RES. No. 2025-76**

8. [25-171](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING AWARD OF ITB #P-16-24 NE 27TH AVENUE AND NE 16TH STREET STORMWATER IMPROVEMENTS TO THE LOWEST RESPONSIVE, RESPONSIBLE BIDDER DBF CONSTRUCTION, LLC AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A CONSTRUCTION AGREEMENT NO. 12676; PROVIDING AN EFFECTIVE DATE (Fiscal Impact: \$4,533,498.90)

**(Staff Contact:** Dr. Tammy Good/A. Randolph Brown)

Dr. Tammy Good, CIP Manager, presented the item stating that this is a project for the installation of a storm drain in the northeast quadrant of the city. After inviting bids and conducting a competitive solicitation, several responses were received. City staff recommended awarding the contract to DBF, the lowest apparent bidder, for an amount slightly exceeding \$4 million. DBF has previously completed other projects for the City with exceptional results.

Mayor Hardin invited public input on the item. Seeing no public comments, he closed public input and invited Commission discussion.

Vice Mayor Fournier asked Dr. Good why one firm's bid is significantly lower than others clustered around \$7 to \$8 million. Dr. Good responded that several factors contribute to the lower bid, including the firm's smaller size and existing presence, as well as resource availability. She expressed confidence in the low bidder, highlighting their successful completion of previous projects for the City and noting that the engineer's estimate aligned with their bid, reinforcing its accuracy. Dr. Good also emphasized the advantage of receiving a discount, which results in a difference of over \$2 million from the next bidder.

Vice Mayor Fournier inquired about the budget or cost assumptions, to which Dr. Good responded that the engineer's estimate for the scope was approximately \$5 million.

Comr. Fesik inquired about the time frame for road repairs in an area with water issues, asking if it would take 520 calendar days. Dr. Good confirmed this timeframe but suggested it might not actually take that long due to the nature of the residential neighborhood, which will involve road closures and construction challenges. She expressed optimism that, if all goes well, the project could be completed in less time.

Comr. Fesik inquired about the potential for change orders or additional costs related to a bid, questioning whether a lower bid might lead to unexpected expenses, unlike a higher inclusive bid. Dr. Good responded that there would likely be no change orders and expressed assurance in the contractor's ability to complete the job within the established budget.

**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. 2025-77**

9. [25-154](#) **P.H. 2025-30: (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 MULTI-YEAR AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CRS MAX CONSULTANTS, INC., FOR PROFESSIONAL SERVICES RELATED TO THE COMMUNITY RATING SYSTEM (CRS) PROGRAM; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$36,500 (Year 1 \$23,500; Year 2&3 \$6,500))

**FIRST READING: JANUARY 28, 2025**

(Staff Contact: Jean Dolan/ Christina Viala)

Jean Dolan, Development Services Department, stated this is the second reading to approve a three-year contract with CRS max to assist staff in the implementation of our CRS program.

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. 2025-22**

10. [25-157](#) **P.H. 2025-31: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155 “ZONING CODE” BY AMENDING SECTION 155.3708, “DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT” TO MODIFY THE DESIGNATION OF CERTAIN PARCELS FROM “RESIDENTIAL REQUIRED” TO “OPTIONAL RESIDENTIAL” WITHIN THE DENSITY REGULATING PLAN; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: JANUARY 28, 2025**

**(Staff Contact:** Max Wemyss)

Max Wemyss, Principal Planner, presented the item on second reading and stated that he had not received any questions or concerns to address at this time. The item pertains to a privately initiated text amendment.

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. 2025-23**

11. [25-98](#) **P.H. 2025-25: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 51, "SEWERS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 51.05, "WASTEWATER TARIFF," TO MODIFY RATES AND CHARGES FOR SEWER SERVICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: JANUARY 28, 2025**

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, presented the item on second reading and stated that there have been no changes since the last discussion. He noted that they are actively researching the basis for impact fees related to the capacity purchased in the treatment plant, which will ensure that the fees remain compliant with legal standards. He mentioned that the historical transactions dating back to 1966 are part of this evaluation process, and they are also reaching out to other cities for additional information to aid their efforts.

Mayor Hardin invited public input on the item. Seeing no public comments, he closed public input and invited Commission discussion.

Vice Mayor Fournier asked when would the update be available. Mr. Brown assured her that he would keep it on track and promised to provide updates. The Vice Mayor requested to be informed when it is available.

Comr. Fesik referenced a previous discussion about the City's wastewater capacity and mentioned that the proposal is a pass-through item. She questioned the maximum amount of wastewater they are allotted, while Mr. Brown confirmed that the capacity is 17 million gallons per day.

Comr. Fesik asked about the current usage of water, mentioning a million-gallon figure. Mr. Brown replied that the average usage is around 15 million gallons per day.

Comr. Fesik noted that the City is close to reaching its limit, to which Mr. Brown added that rain increases the daily usage.

Comr. Fesik inquired about the possibility of purchasing more water and the associated costs. Mr. Brown clarified that the price for additional water would be approximately \$1.2 million per million gallons per day.

Comr. Fesik inquired about the current and future water usage based on approved developments and the implications for negotiating water rates. She emphasized the importance of clarity on this issue, especially regarding potential rate increases. Mr. Brown responded by explaining a calculation method called "square one," which involves assessing the original construction of the plant, any upgrades, and determining operational costs based on the parcels of water being purchased.

Comr. Fesik expressed a need for clarity on how to manage potential cost increases that may affect residents in her district. She emphasized the importance of having a plan or budget in place to prepare for future rate hikes. She also inquired about possible solutions for addressing these costs, possibly shifting them to developers. Mr. Brown responded that the County's costs are re-evaluated annually and they aim to smooth rates over a five-year period to avoid overcharging. He mentioned that a recent bond study addressed future capacity needs, indicating no issues are anticipated within the next 20 years.

**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. 2025-24**

12. [25-138](#) **P.H. 2025-26: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A THIRD AMENDMENT TO THE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND PROSERVE CONCEPTS, LLC, PROVIDING SERVICES AS THE HEAD TENNIS PROFESSIONAL FOR THE POMPANO BEACH TENNIS CENTER; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**FIRST READING: JANUARY 28, 2025**

**(Staff Contact:** Mark A. Beaudreau)

Mark Beaudreau, Recreation Director, presented the item on second reading and stated that there have been no changes since the first reading.

Mayor Hardin invited public input on the item. Seeing no public comments, he closed public input and invited Commission discussion.

Comr. Perkins raised the topic of discussing Mitchell Moore with the tennis coach. In response, Mr. Beaudreau acknowledged her concern and confirmed that he was looking into the matter. He assured her that they had previously addressed this issue and would do so again.



Comr. Perkins expressed her support for utilizing the available tennis courts, emphasizing their good condition. She highlighted the importance of providing tennis instruction there for the youth and stressed that the courts should not remain unused.

**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. 2025-25**

13. [25-104](#) **P.H. 2025-21: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND DANIA PIER MANAGEMENT CORP., TO PROVIDE MAINTENANCE AND OPERATION OF THE CITY'S FISHING PIER BAIT SHOP; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$108,000)

**POSTPONED FROM JANUARY 14, 2025**



**Strategic Plan Initiative**

**(Staff Contact: Mark A. Beaudreau)**

Mark Beaudreau, Recreation Director, stated that Pier Management began operating the bait shop at Fisher Family Pier in March 2020 under a piggyback agreement. The shop, open daily from 7:00 AM to 10:00 PM, sells snacks, beverages, and fishing supplies. The City pays \$3,000 per month (\$108,000 over three years) to offset operational costs. He praised Pier Management for supporting charitable events, including waiving fees for community programs and donating fishing rods.

Top of Form  
Bottom of Form

Mayor Hardin invited public input on the item. Seeing no public comments, he closed public input and invited Commission discussion.

Comr. Fesik asked if the city profits from the bait shop operation. Mr. Beaudreau confirmed that Pier

Management collects all revenue, and without the City's \$3,000 monthly contribution, they would have operated at a loss. In 2022, their profit margin was 7.28% with City support but would have been a \$16,000 loss without it. In 2023, their margin increased to 11.5% with support and only 1.6% without it. Regarding special events, Mr. Beaudreau stated that while Pier Management oversees operations, they have been cooperative, and the City retains the ability to use the pier for events.

Vice Mayor Fournier asked if the City had considered running the bait shop in-house. Mr. Beaudreau stated that a 2019 analysis showed it would cost the City around \$400,000. Vice Mayor Fournier questioned why the City pays Pier Management while they collect all revenue and whether the contract should be put out to bid. Mr. Beaudreau confirmed the initial agreement was a piggyback and was renewed for three years without bidding. When asked if other local businesses could operate without a subsidy, he was unsure but hoped the business would become self-sustaining in the future.

Comr. Fesik questioned the profitability of the bait shop, noting the high foot traffic and potential for revenue. She emphasized the importance of supporting local businesses and suggested exploring alternative models, such as a lease or revenue-sharing agreement. She proposed modifying the agreement for a year to allow other businesses a chance to participate. Mr. Beaudreau agreed that the City could consider a different approach at the end of the current contract.

Comr. Smith asked about the fishing fee, which Mr. Beaudreau confirmed is \$6 per person, with Pier Management keeping the revenue. Comr. Smith compared it to the successful tennis contract and suggested improving business at the pier to generate returns for the City. He acknowledged the subsidy but viewed it as a benefit to residents and a boost for local businesses.

Comr. Fesik agreed the subsidy is small but emphasized finding ways to generate additional revenue. She suggested exploring opportunities for a business offering fishing-related activities. She encouraged finding creative ways to maximize revenue, potentially directing funds back into Parks and Recreation for future needs.

Vice Mayor Fournier suggested that a local business, more invested in the community, might operate without a subsidy and be better positioned to generate revenue.

Meeting went into Recess

Meeting Reconvened

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

**Yes:** Fesik  
Perkins  
Sigerson-Eaton  
Smith  
Fournier  
Hardin

**Enactment No: ORD. No. 2025-26**

14. [25-141](#) **P.H. 2025-29: (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 A SECOND AMENDMENT TO THE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CIRCUIT TRANSIT, INC., PROVIDING FOR MICRO TRANSIT TRANSPORTATION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$325,656 - \$135,147 FDOT; \$190,509 City)

**(Staff Contact: Jeff Lantz)**

Jeff Lantz, Parking Manager, presented the ordinance requesting a one-year extension of the City's agreement with Circuit Transit, Inc. Since 2021, Circuit has provided point-to-point transportation, averaging 10,000 rides per month and reducing traffic congestion and emissions. In 2024, Circuit served nearly 52,000 rides for over 108,000 riders, with most users aged 50-64. The City plans to issue an RFP for a long-term provider while securing additional grant funding to expand routes into residential neighborhoods west of the Intracoastal and Harbor Village. Staff recommended approval of the extension.

Mayor Hardin invited public input on the item. Seeing no public comments, he closed public input and invited Commission discussion.

Comr. Fesik praised Circuit for serving tourists and residents, especially those who no longer drive. She supported increasing advertising revenue and asked about current placements. Mr. Lantz said ads on two vehicles generate \$26,000 annually and noted plans to add two more vehicles west of the Intracoastal.

Vice Mayor Fournier asked about expanding Circuit service west of Federal Highway. Mr. Lantz said it depends on infrastructure and grant funding but gave no timeline. Vice Mayor Fournier requested a cost proposal for District 3 and suggested adding golf cart parking at the beach.

Comr. Perkins requested expansion into her district as well.

**A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda**

**be APPROVED FIRST READING. The motion carried by the following roll call vote:**

**Yes:** Fesik  
Perkins  
Sigerson-Eaton  
Smith  
Fournier  
Hardin

**Enactment No: ORD. No. 2025-27**

15. [25-142](#) **P.H. 2025-36: (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 THE TABLE OF CONTENTS OF CHAPTER 155 BY MODIFYING REFERENCES IN PART 3 OF ARTICLE 9, "DEFINITIONS AND INTERPRETATION," TO INCLUDE PREVIOUSLY APPROVED CODE PROVISIONS; BY AMENDING SECTION 155.3708, "DOWNTOWN POMPANO BEACH (DP) OVERLAY DISTRICT" TO AMEND THE PERMITTED USE AREAS IN TABLE 155.3708.H.1.a." TO BE CONSISTENT WITH OTHER TABLES AS APPROVED; BY AMENDING THE "TABLE OF CONTENTS," OF ARTICLE 4 TO UPDATE ESTABLISHED SECTIONS WITHIN SAID ARTICLE; BY AMENDING SECTION 155.4201.E.2 TO REFERENCE PERMITTED USE TABLES THAT MAY CONTROL OR GOVERN OVERLAY DISTRICTS OR PLANNED DEVELOPMENTS TO PROPERLY REFLECT CURRENT STANDARDS; BY AMENDING PART 5, "TERMS AND USES DEFINED," OF ARTICLE 9, "DEFINITIONS AND INTERPRETATION" TO INCLUDE PREVIOUSLY APPROVED DEFINITIONS PROVIDED IN ARTICLE 4; BY AMENDING APPENDIX, A: "CONSOLIDATED USE TABLE," TO MODIFY SAME TO ELIMINATE DISCREPANCIES BETWEEN THE APPENDIX AND THE ARTICLE IT REFERENCES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Max Wemyss)

Max Wemyss, Principal Planner, explained that the staff-initiated text amendment is a cleanup effort focused on correcting errors in Appendix A, the consolidated use table of the zoning code. The changes address inconsistencies from the 2012 code update and past amendments, ensuring alignment without altering permitted uses or regulations.

Mayor Hardin invited public input on the item. Seeing no public comments, he closed public input and invited

Commission discussion.

Vice Mayor Fournier sought clarification on the use table updates, noting the number of changes. Mr. Wemyss confirmed that no new changes were being made, only corrections to align the table with previously approved code updates. He explained that some terminology, such as "recovery community," had been updated in the past for consistency with the Fair Housing Act, and this amendment ensures the table accurately reflects existing regulations.

Comr. Fesik asked about property measurements for beach-adjacent properties. Mr. Wemyss explained that the amendment updates the table of contents to reflect an existing section in the code. The section was established after 2012 but was never properly listed, so this change corrects the title from "reserved" to its actual name.

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

**Yes:** Fesik  
Perkins  
Sigerson-Eaton  
Smith  
Fournier  
Hardin

**Enactment No: ORD. No. 2025-28**

16. [25-172](#) **P.H. 2025-35: (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 155.3505. TRANSPORTATION (T), TO MODIFY HEIGHT STANDARDS, SETBACKS AND TREE MITIGATION AREAS AND LANDSCAPE REQUIREMENTS; AND BY AMENDING SECTION 155.4207. VOCATIONAL OR TRADE SCHOOL TO PERMIT THE USE IN THE TRANSPORTATION (T) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** Jean Dolan/David Recor)

Jean Dolan, Development Services Department began her presentation by reviewing the following: Code Section 155.3505 Text Amendments, Code Section 155.4207 Text Amendment, and Criteria for Zoning Code Text Amendments. She concluded by noting that the Planning and Zoning Board unanimously

recommended approval on January 22, 2025, and staff also recommended approval. Attached as **Exhibit 1** is a copy of Ms. Dolan's entire presentation.

Mayor Hardin invited public input on the item.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, asked about developing the Airpark. Ms. Dolan stated development on the north end would be for aviation uses only.

Pastor Dr. Sherry Abram asked specifically about the criteria for zoning code text amendments, to which Ms. Dolan explained the criteria. Pastor Dr. Sherry Abram asked if a diverse group could establish an educational facility for flight education in connection with Broward County Schools. Ms. Dolan confirmed that technical training schools are allowed at the airport and that a public school program could be accommodated.

Mayor Hardin closed public input and invited further Commission discussion on the item.

Comr. Fesik reviewed the Planning and Zoning minutes and clarified that Article Three pertains to zoning changes for transportation, while Article Four addresses vocational trade schools. She expressed strong support for Mr. Irving's tech and vocational school but was concerned about promoting the project without a formal lease agreement. Ms. Dolan explained that the code amendment is not specific to Barrington Irving Technical Training School (BITTS) but allows technical training schools as a permitted use at the Airpark, ensuring clarity for future applicants.

Vice Mayor Fournier asked whether the amendment could allow more flight schools at the Airpark. Ms. Dolan confirmed that flight schools are already permitted and cannot be restricted. She explained that only one runway can be used at a time, limiting the number of training planes in the pattern. Even if more flight schools opened, the airport is already operating at capacity. Vice Mayor Fournier acknowledged the explanation but questioned whether the pattern is always at full capacity, noting the need for clear answers for residents.

Brian Donovan, Assistant City Manager, stated that lease discussions cannot proceed until these approvals are finalized. He affirmed that the goal is to designate the site for a technical training facility, not flight schools and that a lease proposal will follow.

Comr. Perkins expressed interest in attaching Mr. Barrington Irving's name to the project. Ms. Dolan confirmed that his name would be included in the lease, but the current item only addresses zoning.

Comr. Fesik asked if Articles Three and Four could be separated for voting. Ms. Dolan explained that the zoning code change applies broadly, not just to Barrington Irving's program, and any vocational school could use the space. She stated that assurances for Mr. Irving would come through a lease agreement, not the zoning code.

Vice Mayor Fournier clarified that both zoning changes-designating the area as transportation and allowing vocational schools as a permitted use-are necessary to proceed with future development at the Airpark.

Ms. Dolan confirmed that after approval, the text amendment would return for a second reading in two weeks,

while other items require County review, likely delaying further steps until September. She estimated that a lease agreement could take a year or more due to planning requirements.

**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

Fournier

Hardin

**No:** Fesik

17. [25-173](#) **P.H. 2025-33: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING A COMPREHENSIVE PLAN MAP AMENDMENT FOR A 46.4 ACRE SITE LOCATED ON THE NORTHWEST CORNER OF THE POMPANO BEACH AIR PARK; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JANUARY 22, 2025; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

**(Staff Contact:** Jean Dolan/Steve Rocco)

Jean Dolan, Development Services Department, provided an overview of the amendment to the land use plan. She explained that the amendment was necessary to match the Airport Master Plan, which had designated the area for aviation use. She detailed the impact analysis, noting that infrastructure such as water, sewer, and traffic capacity could accommodate the proposed changes. She highlighted that while 46 acres were being amended, only 32.5 acres were developable, as a portion had to remain a clear zone. She also addressed the environmental impact, noting that 33 acres of the land were currently designated as open space in the City's parks inventory, though the area was not publicly accessible. She assured the Commission that even with the reduction, the City's overall park acreage would still exceed service standards for the projected population through 2040. She stated that the plan was consistent with the City's economic and development goals and had received unanimous recommendations for approval from multiple advisory boards. She then transitioned into the Environmentally Sensitive Lands Map (ESLAP) amendment, which sought to remove the affected areas from the City's list of protected lands. She explained that these designations had been placed on maps in the 1980s without formal analysis. The amendment would allow aviation-related development to proceed as planned.

Tori Bacheler, an environmental specialist from Kimley-Horn, presented the findings of a natural resource assessment conducted in 2023. She reported that the four areas under review contained a high number of invasive species and did not qualify as environmentally sensitive land. She explained that while gopher tortoise burrows had been found along the edges of one area, no federally or state-protected species were observed within the interior of the land. She noted that if development proceeded, the City would be required to obtain permits to relocate the gopher tortoises.

Mayor Hardin asked for clarification on what "listed species" meant.

Ms. Bacheler explained that it referred to state and federally protected species, such as the gopher tortoise and the Florida burrowing owl. She confirmed that no protected species were found in the designated development areas, though burrowing owls were present in other parts of the Airpark. Ms. Bacheler further explained that the heavily forested areas were dominated by invasive species and were not ideal habitats for protected wildlife. She also outlined the environmental criteria required for land to qualify as an environmentally sensitive area, concluding that the subject areas did not meet those standards.

Ms. Dolan concluded her presentation by reiterating that the areas being removed from the ESLAP did not qualify under modern environmental criteria. She explained that clearing these areas would allow for 32.5 acres of aviation development, an additional 16.3 acres for aviation-related uses, and 12.1 acres for airfield development. She noted that one section, Area 92, was planned as a taxiway, though its development would depend on future aviation needs. She also described the need to remove trees obstructing runway visibility under the Bipartisan Infrastructure Law, which required a National Environmental Policy Act (NEPA) review. The clearing process, funded through federal grants, aimed to improve safety by maintaining visibility between runways. She referenced the City's existing Airpark overlay district, which regulates obstructions and incompatible land uses near the airport, and stated that compliance with FAA regulations and city ordinances required the removal of obstructions within the Airpark itself. She explained that an obstruction validation study conducted by Kimley-Horn in 2017 and updated in 2024 identified additional trees that would need to be removed for airspace safety. She emphasized that all amendments aligned with the City's comprehensive plan and that the Planning and Zoning Board, the Airport Advisory Board, and the Economic Development Council had unanimously recommended approval.

A copy of Ms. Dolan's entire presentation, including Ms. Bacheler's, is attached as **Exhibit 2**.

Barrington Irving, founder of the Barrington Irving Technical Training School, introduced his program. He shared his personal story of entering aviation through an encounter with a pilot and described his career achievements, including setting aviation records and expanding workforce development initiatives. He clarified that his school was not a flight school but instead focused on training individuals for maintenance, repair, and overhaul (MRO) jobs in aviation. He emphasized the need for skilled technicians and detailed how the training program aimed to upskill participants in six-week cycles, preparing them for employment in aviation maintenance. He noted that his school had already begun serving Pompano Beach residents and introduced several program participants who were present at the meeting. He played a video showcasing recent graduates of the program and the impact of technical training on their careers. The video featured testimonials from participants who had successfully transitioned into aviation careers. He then outlined his vision for



expanding the program at the Pompano Beach Airpark, aiming to create a sustainable workforce pipeline in partnership with industry leaders. The school sought to provide pre-apprenticeship opportunities for high school students and introduce younger students to aviation careers. Irving highlighted the growing demand for aviation technicians, citing a Boeing study that projected a need for over 700,000 new technicians globally. He explained that current aviation schools could not meet this demand, creating opportunities for job seekers.

Jason Goldstein, business partner at Barrington Irving Technical Training School, explained that securing a leasehold for the Barrington Irving Technical Training School (BITTS) was essential for sustainability. He noted that in past partnerships, the program had been subtenants under primary leaseholders, which limited their long-term stability. By becoming the leaseholder, they could ensure longevity, financial independence, and economic development for the community. Goldstein emphasized that BITTS would work with aviation industry partners to provide hands-on training and job placement for students.

Mayor Hardin invited public input on the item.

Timothy Brown, a recent BITTS graduate, shared his personal journey, highlighting the struggles his family faced and his determination to succeed. He described how the BITTS program gave him the skills and certifications necessary to pursue a career in aviation maintenance, allowing him to build a stable future. He expressed his strong support for bringing the program to Pompano Beach, stating that it could help others in the community the way it helped him.

Martin Cooper, an aviation professional, supported the program but raised concerns about potential environmental impacts. He questioned whether the project would affect Pompano Beach's water supply, noting that the airport's open space contributed to natural water filtration. He urged the Commission to assess any risks to the City's water wells before proceeding with development.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, asked about the impact on gopher tortoises and burrowing owls. He wanted assurances that Sand and Spurs, a well-known local landmark, would not be affected by the development.

Mayor Hardin confirmed that the project would not encroach on Sand and Spurs.

Ann Bosworth, 4015 West Palm Aire Drive, Pompano Beach, FL, a college educator, praised the BITTS program for offering career pathways outside of traditional higher education. However, she expressed concerns about tree mitigation, questioning where new trees would be planted and whether the process adequately considered wildlife migration patterns. She also warned that relocating gopher tortoises locally, such as to Fern Forest, could be ineffective, as studies showed they often did poorly when moved short distances.

Pastor Dr. Sherry Abram, a retired educator, strongly supported the program, citing its importance in preparing youth for the future. She emphasized that AI and automation were changing the job market, making technical skills in aviation maintenance more valuable. She commended Mr. Irving for his dedication to workforce development and thanked investors like Jason Goldstein for supporting the initiative.

Evencia Janvier shared her excitement about BITTS expanding into Pompano Beach. She attended a recent

graduation and was impressed by the turnout and the number of aviation companies offering jobs on-site. She noted that BITTS' presence in Pompano would not only provide job opportunities but also boost local businesses, as aviation professionals would spend money in the community. She also highlighted that Miami Dade College had recently approved transferable credits for BITTS graduates, and she hoped a similar arrangement could be made with Broward institutions.

Mayor Hardin closed public input and invited further Commission discussion on the item.

Comr. Fesik questioned the justification for reclassifying the designated environmentally sensitive lands at the Pompano Beach Airpark for aviation development. She noted that the City's application stated the land was "incorrectly" designated as open space and recreation but pointed out historical documents that supported its original designation. She cited a 2007 Memorandum of Agreement between the FAA and the City, which acknowledged conservation easements in the Airpark. These easements, established in 1994, indicated that portions of the land were set aside for environmental preservation as they were not deemed necessary for aviation-related purposes. She also referenced Broward County's 1981 Coastal Zone Protection Conservation Element, which identified the Pompano Beach Airport Natural Arboretum as one of the top 16 areas in the county for urban wildlife preservation. She noted that previous city and county planning efforts had explicitly recognized the land's environmental value, contradicting the current claim that its designation as open space was an error. She further questioned whether there had been any traffic impact studies related to the proposed development and whether Kimley Horn, the consulting firm conducting environmental and aviation studies, had been responsible for all studies at the Airpark. She expressed concern about relying on a single consulting firm and wanted to ensure objectivity in evaluating the land use changes. She emphasized the need to approach the issue with long-term environmental responsibility, questioning whether the City's proposal adequately justified the land reclassification given past agreements and conservation efforts. She pressed for an independent environmental impact study regarding the proposed land use changes at Pompano Beach Airpark. She expressed concern that Kimley Horn, the firm conducting the environmental assessments, was also responsible for development-related studies, potentially creating a conflict of interest. She questioned whether an independent wildlife-focused assessment had been considered to ensure objective findings.

Ms. Dolan responded that Kimley-Horn was selected under the City's CCNA contract alongside HDR and that aviation engineers with experience in airport-related environmental assessments were necessary for such projects. She emphasized that airports are not appropriate places for wildlife preservation and that the current wooded areas at the Airpark were heavily invaded by exotic species.

Comr. Fesik countered that for decades, the land had functioned as a natural habitat, and the City's failure to maintain it properly had contributed to its current degraded state. She argued that if the City had actively maintained and preserved the area, it could have been used for education, research, or a designated nature preserve instead of being labeled as unsuitable for conservation. She noted that national parks and nature preserves manage invasive species while still protecting native ecosystems and questioned why similar efforts hadn't been made at the Airpark.

Ms. Dolan defended the City's position, stating that the FAA master plan had designated the land for aviation use and that restrictions from the original deed required the City to clear the area for future development. She asserted that the land did not qualify as environmentally sensitive under today's criteria, emphasizing that the

airport was running out of available aviation development space.

Comr. Fesik pushed back, referencing a 2007 Memorandum of Agreement between the FAA and the City, which indicated that certain parcels, including those now being proposed for development, had been designated as conservation easements in 1994 because they were not necessary for aviation-related purposes. She pointed out that the City was not currently paying rent on those parcels, and unless the designation was changed, they would remain non-aeronautical property.

Ms. Dolan acknowledged that the City only paid rent to the FAA for non-aviation uses, such as the City's wells and Sand and Spurs, but argued that the need for aviation development had changed, justifying the removal of the conservation easement. She maintained that the FAA master plan dictated the land's intended use.

Comr. Fesik continued to express skepticism, raising concerns about the long-term environmental and community impact. She noted that the City's comprehensive plan included multiple policies that emphasized conservation, the protection of natural resources, and the retention of green space. She questioned how the proposal aligned with those goals, stating that the City seemed to be contradicting its own stated objectives.

Ms. Dolan reiterated that the land did not meet the criteria for environmentally sensitive designation, as it was dominated by invasive species. She asserted that clearing the land would allow for mitigation efforts to replace any remaining native trees.

Comr. Fesik remained unconvinced, asking what had fundamentally changed to justify the reclassification. She suggested that the City had historically tried to limit Airpark expansion and was now shifting its stance due to development pressure. She also strongly objected to Ms. Dolan's suggestion that if the proposal were rejected, Sand and Spurs could be the next site targeted for aviation development, calling it a "threat" that was inappropriate for city planning discussions. She advocated for an independent environmental study and expressed frustration that due diligence had not been exhausted before making such a significant decision. She revealed that she had contacted the Florida Fish and Wildlife Commission, which was willing to conduct a site study to assess the environmental impact. She insisted that before moving forward, the City should ensure that its decision was backed by clear, unbiased data rather than assumptions or perceived obligations to aviation interests.

Comr. Perkins inquired about the size of the wooded area. Ms. Dolan specified that 32.5 acres are affected by the Comp Plan Amendment, with an additional 16.3 acres for aviation business development, and 12.1 acres designated for airfield development only. Comr. Perkins confirmed that they plan to use 20 acres for one parcel of development on the west side of the airfield for aviation use.

Ms. Dolan stated that the total wooded area covers 51 acres.

Comr. Sigerson-Eaton inquired about tree mitigation standards and requested information on the process and flexibility regarding mitigation and buffering. Ms. Dolan confirmed that tree mitigation will follow local codes based on the size and type of trees.

Comr. Sigerson-Eaton expressed a desire to maintain existing vegetation along the north boundary line during

construction to mitigate noise and disruptions. Ms. Dolan clarified that not all trees will be removed immediately, and some obstructions will be handled in the short term.

Comr. Sigerson-Eaton and Ms. Dolan discussed the possibility of adding trees to create a better visual buffer while also addressing invasive species. However, Comr. Sigerson-Eaton voiced concerns about traffic management, ingress, and egress related to the project.

Vice Mayor Fournier questioned whether there was any direct pressure from the FAA requiring the City to change the land use designation at the Airpark or if the suggestion that Sand and Spurs could be at risk was merely hypothetical.

Ms. Dolan clarified that while the FAA had not sent any formal notice demanding the land use change, the City was attempting to preemptively address potential issues. She explained that if aviation developers were to request space and the City denied them access to deed-restricted aviation land, they could escalate the matter to the FAA, which might then intervene.

Brian Donovan, Assistant City Manager, confirmed that there was no immediate threat from the FAA but acknowledged that the possibility remained. He reiterated that if developers sought space for aviation use and were turned away, they could appeal to the FAA, prompting potential action against the City.

Vice Mayor Fournier further inquired whether the Sand and Spurs advisory board had been consulted about the proposed changes.

Mr. Donovan stated that the board had not formally recommended the proposal. Instead, they expressed interest but requested assurances that Sand and Spurs would be protected indefinitely, a guarantee that the City could not provide without FAA approval to release the deed restrictions. The advisory board requested that the City return to a future meeting for further discussion and reconsideration of the issue.

Comr. Fesik emphasized the importance of preserving the natural environment around the airport, describing her experience visiting the wooded area and appreciating its unique atmosphere. She argued that the space, designated as environmentally sensitive land, should be maintained rather than cleared for aviation development. She also questioned whether alternative locations for development had been sufficiently explored.

Mayor Hardin countered that while there was no direct mandate from the FAA to develop the land, the City needed to be proactive to avoid losing control over airport zoning decisions. He warned that rejecting this proposal could result in the FAA taking action, potentially leading to development pressure on Sand and Spurs, an area the City had long fought to protect.

Comr. Smith pointed out that a 100-foot buffer would be maintained between the airport and public trails, providing some continued habitat for wildlife. She saw the project as an economic opportunity for Pompano Beach, especially since Fort Lauderdale Executive Airport was nearing capacity. She supported the development, believing it would help counter the rise of flight schools while bringing in valuable aviation-related businesses.

Comr. Fesik remained concerned about the impact on gopher tortoises and other protected species, arguing that habitat relocation would not adequately preserve the ecosystem. She called for more environmental studies, including an independent assessment by the Florida Fish and Wildlife Conservation Commission, before proceeding with zoning changes.

Comr. Perkins questioned whether other locations in the City had been considered for the development.

The planning staff clarified that the process began as a response to airport deed restrictions rather than specifically for BITTS.

Mr. Goldstein explained why BITTS needed to be located at the airport, citing federal aviation grant assurances that require aeronautical businesses to operate in designated airport areas. He warned that if the approval process took too long, BITTS might have to explore options at other airports, reducing the economic benefits for Pompano Beach.

**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  
Fournier  
Hardin

**No:** Fesik

18. [25-174](#) **P.H. 2025-34: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ADOPTING AN ENVIRONMENTALLY SENSITIVE LANDS (ESL) MAP AMENDMENT TO REMOVE FOUR ESL DESIGNATED SITES LOCATED ON THE POMPANO BEACH AIR PARK; PROVIDING FOR A DETERMINATION THAT A LOCAL PLANNING AGENCY HEARING WAS HELD ON JANUARY 22, 2025; PROVIDING THAT A TRANSMITTAL AND ADOPTION PUBLIC HEARING WILL BE HELD; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/Steve Rocco)

**A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, for discussion to approve the item.**

Jean Dolan, Development Services Department requested that the presentation, which was presented during Item 17, be incorporated into Item 18.

Mayor Hardin invited public input on the item.

Pastor Dr. Sherry Abram, 704 NW 10th Avenue, Pompano Beach, FL, expressed strong support for the BITTS program, emphasizing its potential to provide opportunities for underserved youth in Broward County. She shared her experience visiting BITTS in Miami and Opa-locka and urged approval of the related agenda items to support skill development in aviation, aeronautics, and technology.

Ann Bosworth, 4015 West Palm Aire Drive, Pompano Beach, FL, corrected an earlier statement, noting that relocating tortoises requires moving them farther away, such as to Ocala, rather than nearby. She emphasized consulting organizations like Florida Forever and 1000 Friends of Florida. She also highlighted concerns about replacing mature trees with new plantings and cautioned that allowing parcels to deteriorate can create long-term issues, urging a broader perspective when making decisions.

Vicente Thrower [no address provided] expressed his desire to see more support, referencing the City's colors, orange and green, which represent Blanche Ely High School. He stated the item seemed fine but urged the board to move forward, wrap up discussions, and call a vote.

Mayor Hardin closed public input and invited further Commission discussion on the item.

**A motion was made by Comr. Fesik, seconded by Comr. Perkins, requesting an environmental impact report, biological assessment (evaluating the impact on local wildlife and threatened species), tree assessment and inventory, protected species, and habitat study.**

Ms. Dolan confirmed that before developing wooded areas, regardless of their designation on the ESL map, an inventory will be conducted to determine mitigation requirements. She assured that any habitats will be relocated, and no burrows will be disturbed during development.

Comr. Fesik reiterated the importance of her motion.

Discussion ensued among the Commission, Ms. Dolan, and Tori Bacheler about the impact on wildlife.

Mayor Hardin emphasized that before any development, a full environmental assessment must be conducted, including analyzing wildlife habitats and trees. He stated that valuable trees would require mitigation and assured that no habitats, such as tortoise burrows or scrub jay areas, would be destroyed without proper procedures.

Vice Mayor Fournier clarified that no designation changes are happening immediately, with an ordinance vote in two weeks and another in a few months. She supported compiling a list and conducting additional studies to provide more clarity. She acknowledged concerns about Kimley-Horn and suggested working on this in parallel with other processes before the next vote.

Comr. Smith added that the ordinance will also go to Broward County for review, where it will undergo strict

scrutiny. She emphasized that passing the first reading starts the process, allowing time for studies to be conducted in the coming months before final approval.

Comr. Perkins sought clarification on the timing of the vote for the second reading of the Ordinance. Mayor Hardin indicated that the second reading will take place on September 9th, and the Ordinance needs to be submitted to the County for review by March 3rd. Comr. Perkins expressed concern about the limited time available to produce the studies, to which Ms. Dolan responded that they could try to accomplish this within the timeframe. However, Mayor Hardin noted that they still do not know the cost of the requested studies.

Comr. Fesik expressed willingness to help by providing input.

Ms. Dolan and Comr. Perkins discussed timelines for the studies, indicating that completion is possible by September 9th, but not by March 3rd. Mayor Hardin noted the lack of a price tag for the project. However, he emphasized that they can work toward the September deadline.

Comr. Fesik agreed to amend her motion to ensure that all necessary reports are available before second reading. She also requests that this information be shared with the County. Mr. Berman agreed and suggested that the amended motion should specify that all study information should be provided to the County.

**An amended motion was made by Comr. Fesik, seconded by Comr. Perkins, requesting an environmental impact report, biological assessment (evaluating the impact on local wildlife and threatened species), tree assessment and inventory, protected species, and habitat study, as well as incorporate the findings as part of the decision-making and submit to the County for review before second reading.**

**The amended motion carried by the following roll call vote:**

**Yes:**Fesik

Perkins

Smith

Fournier

Hardin

**No:**Sigerson-Eaton

**The original motion to APPROVE FIRST READING carried by the following roll call vote:**

**Yes:** Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

**No:** Fesik

19. [25-178](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CREATING A BUDGET REVIEW COMMITTEE; PROVIDING FOR MEMBERSHIP, QUALIFICATIONS, TERMS, POWERS, DUTIES AND FOR REMOVAL; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**(Staff Contact:** Mark E. Berman)

Mark Berman, City Attorney, noted that, following the City Commission's direction, a Resolution was being presented to recreate the Budget Review Committee. He pointed out an error in the Resolution where the Mayor's name was misspelled, specifically omitting the letter 'E' in Rex, and assured that this would be corrected.

Mr. Berman explained that the new Resolution mirrors the one from 2008, but he has included additional language to address the removal of any committee members who are frequently absent or disrupt the Committee's work, based on insights gleaned from the discussion minutes related to the Committee's previous termination. He provided the Commission with the necessary documents, including the new Resolution, the prior Resolution that terminated the Committee, and the meeting minutes that clarify the reasons for the Committee's dissolution. Overall, Mr. Berman described the process as straightforward and encouraged any questions related to the resolution or its provisions.

Mayor Hardin invited public input on the item. Seeing no public comments, he closed public input and invited Commission discussion.

Vice Mayor Fournier expressed her appreciation for the Resolution and noted that she had received inquiries from residents about the possibility of reinstating the Committee. She raised a question regarding the inclusion of alternate positions. In response, Mr. Berman indicated that he had been directed to prepare the item in a manner similar to the previous Resolution from 2008, which did not include any alternates. He explained that having alternates might not be effective for budget-related work unless those individuals could consistently attend all committee meetings to ensure continuity of knowledge. Nevertheless, he was willing to amend the Resolution if directed by the Commission.

Vice Mayor Fournier found Mr. Berman's remarks regarding alternates interesting and acknowledged that it made sense, as she had not considered it before.

**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:** Fesik  
Perkins  
Fournier

**No:** Sigerson-Eaton  
Smith  
Hardin

20. [25-180](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF TOD WESTON; SAID TERM TO EXPIRE SEPTEMBER 11, 2027; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

**Applicants**

Anne Ward, **Alternate 1** - District 3  
Lisa Katz - District 1  
Lisa Nothardt - District 3  
Mary B. Fleck - District 3

**Other Board Memberships**

0  
0  
0  
0

**(Staff Contact:** Kervin Alfred)

Comr. Fesik mentioned that she received an email regarding the appointment for this position. The email expressed concern that most of the candidates are from District 3, with only one woman from District 1. The sender suggested that it would be beneficial to include more representatives from other districts if possible. Comr. Fesik noted the importance of recording this message for the official record.

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

**Enactment No: RES. No. 2025-78**

21. [25-181](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING \_\_\_\_\_ TO THE SAND AND SPURS ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF NANCY OLSON; SAID TERM TO EXPIRE MAY 15, 2027; PROVIDING AN EFFECTIVE DATE.  
(Fiscal Impact: N/A)

---

**PLEASE REFER TO FILE ID 25-180 FOR APPLICANTS**

**(Staff Contact: Kervin Alfred)**

Comr. Sigerson-Eaton noted that there was an additional alternate member. Kervin Alfred, City Clerk, confirmed that this person was contacted and expressed no interest in becoming a full member, preferring to remain as an alternate.

Mr. Alfred mentioned that promoting the Alternate member to full membership created a vacancy in the Alternate 1 position, which will be filled by the Alternate 2 member. He intends to present an agenda item to fill the vacancy Alternate 2 position, allowing the person mentioned by Comr. Fesik or any interested individual to submit an application for the position.

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

**Enactment No: RES. No. 2025-79**

**F. ADDITIONAL AUDIENCE TO BE HEARD**

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

**G. NEXT SCHEDULED MEETING**

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

February 25, 2025 at 6:00 p.m. - Regular City Commission Meeting

March 11, 2025 at 1:00 p.m. - Regular City Commission Meeting

**H. REPORTS**

**City Manager's Report:**

City Manager Harrison recognized Public Works staff for repainting a stop line at the NE 33rd Street FEC crossing, improving safety at a high-incident site. He noted upcoming birthdays in February for Comr. Fesik (the 8th) and Comr. Perkins (the 9th). Also, he announced that the February CRA meeting was cancelled. Lastly, he announced that Kimberly Spill-Cristiano, the City's Emergency Management Administrator was recently honored for being named Broward County's 2024 Emergency Manager of the Year.

**City Attorney's Report:**

No report.

**City Clerk's Report:**

No report.

**Comr. Fesik's Report:**

Comr. Fesik recognized Daniel Yaffe for his 25 years of service to Pompano Beach and suggested the City find a way to honor him. She also clarified for the record that she was mistakenly listed in the minutes as attending a meeting at E. Pat Larkins and stated she had no discussions with Vice Mayor Fournier or Ms. Jackson regarding city matters.

**Comr. Perkins' Report:**

Comr. Perkins raised concerns about homelessness along Blount Road and asked about solutions, with officials suggesting BSO coordination. She also requested improved landscaping on MLK Boulevard. She announced the Remembering Our Heritage Parade on February 17, honoring African American achievements, with Dr. Samuel Hunter as Grand Marshal. The parade follows the MLK route, starting at 9:00 AM, and she encouraged community participation to celebrate local black history.

**Comr. Sigerson-Eaton's Report:**

No report.

**Comr. Smith's Report:**

Comr. Smith highlighted the \$50,000 donation from Cutting Edge for homeless services and a District 5 town hall on coexisting with coyotes. She thanked Vice Mayor Fournier for updates on FDOT's Atlantic Boulevard resurfacing and praised Parks and Recreation, BSO, and volunteers for the Tiger Trails Festival 5K Walk. She closed with a Martin Luther King Jr. quote, "Faith is taking the first steps, even when you can't see the whole staircase."

**Vice Mayor Fournier's Report:**

Vice Mayor Fournier clarified she was mistakenly listed in the minutes as attending a meeting with Jocelyn Jackson. She thanked BSO for the Real Time Crime Center tour and raised concerns about procurement practices after reviewing contracts that appeared non-compliant. She requested an internal audit, an external legal review of the procurement ordinance, and a review of the 10 least productive consulting contracts to reallocate funds for road paving. She also thanked Ed Phillips and his family for their work on Tiger Trail events.

**Mayor Hardin's Report:**

Mayor Hardin thanked Ed Phillips and the Tiger Trail Committee for organizing the Tiger Trail Gala and upcoming festival on Saturday at 10 AM. He also praised Parks and Recreation for hosting the Mayor's Chess Challenge at Centennial Park and the Cultural Arts Department for the Linda Houston Jones dedication at the Alley Center. He noted the plaque and sculpture honoring Ms. Jones' contributions and legacy in the community.

### **I. ADJOURNMENT**

The meeting adjourned at 7:04 P.M.

---

Rex Hardin, Mayor

---

Kervin Alfred, City Clerk



Exhibit 1





# Pompano Airpark 155.3505 Transportation Zoning Code Amendment

February 11, 2025



# 155.3505 Text Amendments

A. Purpose		Typical Building Type
The Transportation (T) district is established and intended to accommodate the Pompano Air Park and related airport facilities (aircraft operation and maintenance facilities, cargo and freight distribution terminals, transit warehousing), and other complementary or compatible uses—including open area and commercial recreation uses.		
B. Use Standards		
See <a href="#">Appendix A</a> : Consolidated Use Table, and use-specific standards in <a href="#">Article 4</a> : Use Standards.		
C. Intensity and Dimensional Standards <sup>1</sup>		
Lot area, minimum (sq ft)	n/a	Typical Lot Pattern
Lot width, minimum (ft)	n/a	
Density, maximum (du/ac)	n/a	
Lot coverage, maximum (% of lot area)	n/a	
Pervious area, minimum (% of lot area)	n/a	
Height, maximum (ft)	n/a <sup>2</sup>	
Front yard setback, minimum (ft)	<del>25</del> <sup>3</sup> <u>n/a</u>	
Street side yard setback, minimum (ft)	<del>25</del> <sup>3</sup> <u>n/a</u>	
Setback from a waterway or canal, minimum (ft)	<del>15</del> <u>n/a</u>	
Interior side yard setback, minimum (ft)	<del>25</del> <u>n/a</u>	
Rear yard setback, minimum (ft)	<del>25</del> <u>n/a</u>	
Dimensional Standards for Accessory Structures		See Accessory Use—Specific standards in <a href="#">Article 4: Part 3</a> .



# 155.3505 Text Amendments

NOTES: [sq ft = square feet; ft = feet; du/ac = dwelling units/acre]

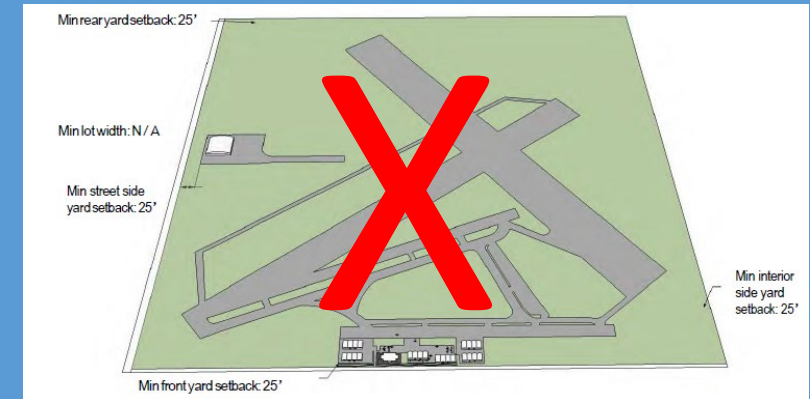
1. See measurement rules and allowed exceptions/variations in Article 9: Part 4. No Air Park lease parcels will be created within a minimum of 100 feet from Copans Road, NE 5<sup>th</sup> Avenue or NE 10<sup>th</sup> Street. The 100 feet between the edge of right-of-way and the interior lease parcels will be available as a tree planting area for tree mitigation associated with the Airport Operations Area (AOA). Tree locations and species for mitigation will be selected based on compatible heights to avoid creating aviation obstructions and bird/wildlife attractions that are incompatible with aviation operations.

2. Structures within the Air Park Overlay (APO) zoning district must also comply with the height limits in Section 155.3707. Setbacks and height within a lease parcel on the Air Park will be based on horizontal and vertical restrictions related to the existing runway, hangar and aircraft apron/maneuvering areas on a site-specific basis and will be reviewed by the City's Aviation Consulting Engineer at the Applicant's expense.

3. 100 ft from N.E. 10th Street right-of-way and N.E. 23rd Street. Landscaping requirements in 155.5203 will not be applied to aircraft aprons. Landscaping in 155.5203 will only be applied within lease parcels in a manner consistent with aviation vertical and horizontal surfaces to ensure no obstructions or wildlife attractions are created and will be reviewed by the City's Aviation Consulting Engineer for compatibility with aviation design standards at the Applicant's expense. Existing trees to be removed and mitigated or trees required by 155.5203 that are not appropriate within the Airport Operations Area will be planted prior to CO within the tree mitigation areas along Copans Road, NE 5<sup>th</sup> Avenue and NE 10<sup>th</sup> Street. Tree mitigation will be required at time of tree removal if not associated with lease parcel development.

4. Drainage requirements for each lease parcel must be accommodated on the lease parcel as required by the lease agreement.

## Typical Development Configuration



# 155.4207 Text Amendment

## E. Vocational or Trade School

### I. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1	B-2	B-3	B-4
														P	P

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	PCD	PD-TO	LAC	PD-I
		P	P	P		P		P		<u>P</u>			P	P	P	

### 2. Definition

A vocational or trade school is an institution, other than a college, teaching specialized curriculum at the postsecondary level, including vocational and specialty trades, examination preparation programs or courses, contract training programs or courses, continuing education, or professional development programs or courses.





# Criteria for Zoning Code Text Amendments

1. Is consistent with the comprehensive plan; (***See Objective 02.06.00 – Pompano Air Park and all associated policies***).
2. Does not conflict with any provision of this Code or the Code of Ordinances; (***Addresses conflicts between the landscape code and the technical requirements of aviation development***).
3. Is required by changed conditions; (***Other Air Park initiatives brought focus to the this code section***).
4. Addresses a demonstrated community need; (***Meets Air Park Deed Restrictions and requires landscaping along the perimeter multi-purpose trail***).
5. Is consistent with the purpose and intent of the zoning districts in this Code, or would improve compatibility among uses and would ensure efficient development within the city; (***Creates relevance for aviation design***).
6. Would result in a logical and orderly development pattern; and (***Creates logical standards applicable to the complex aviation environment***).
7. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, storm water management, wildlife, vegetation, wetlands, and the natural functioning of the environment. (***Supports right-tree-right-place principles and requires trees along the public serving multi-purpose trail***)

# Recommendations

- Planning and Zoning Board Unanimously recommended approval on January 22, 2025
- Staff Recommends Approval



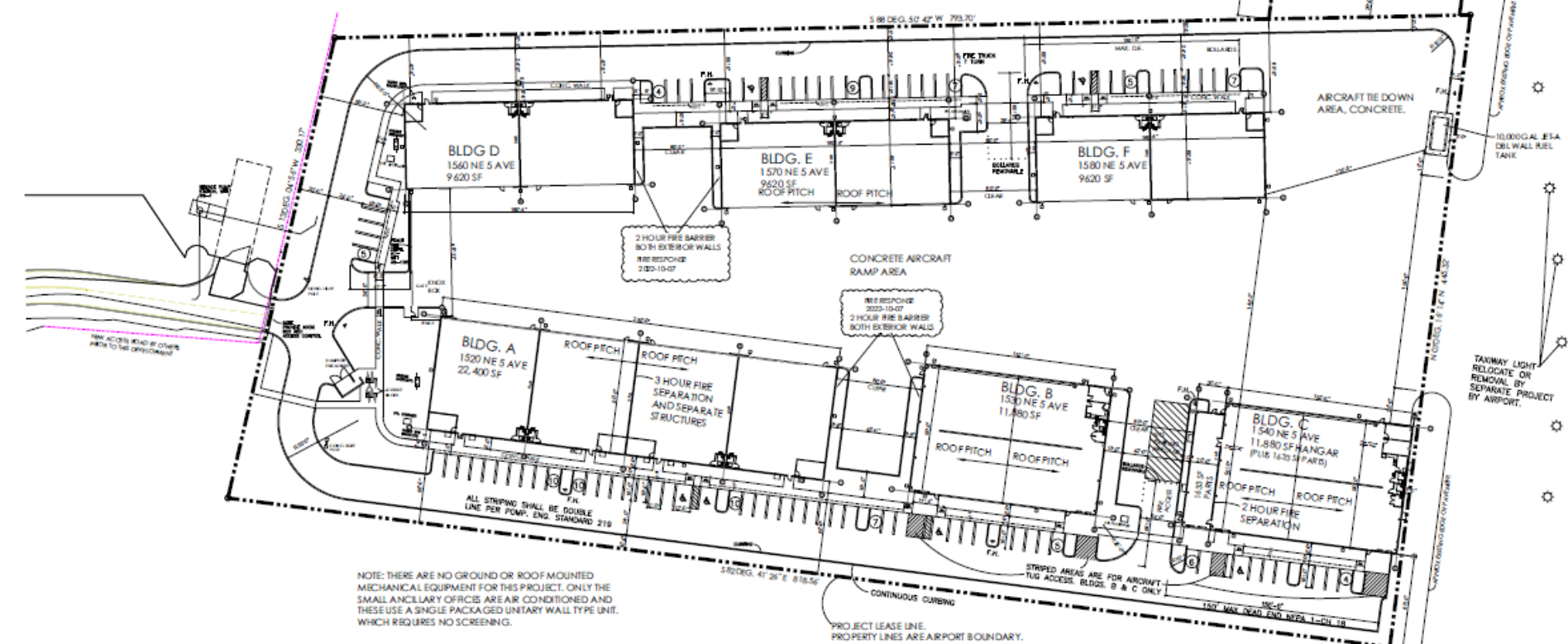
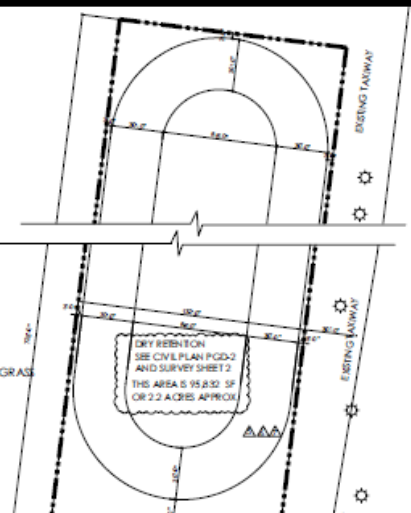
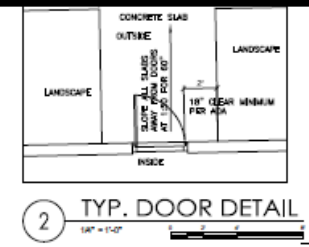
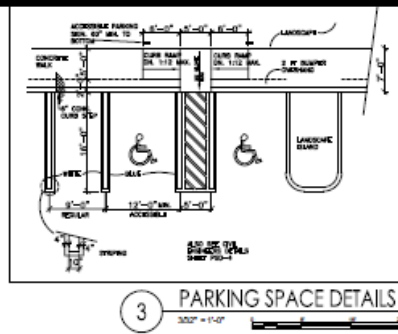
# Questions and Comments For Staff

Pompano Airpark Zoning Code Text Amendment  
City Commission  
February 11, 2025

COMMENCE at the Northeast corner of said parcel A;  
 THENCE on an assumed bearing of S 88 Degrees 50' 42" W along the North line of said Parcel A, a distance of 36.45 feet to the POINT OF BEGINNING  
 THENCE continue S 88 Degrees 50' 42" W continuing along the said North line of Parcel A, a distance of 793.70 feet;  
 THENCE S 13 Degrees 04' 56" W a distance of 330.17 feet to the North line of Parcel A, GOODYEAR BASE, according to the plat thereof as recorded in Plat Book 114, page 24, of the Public Records of Broward County, Florida;  
 THENCE S 82 Degrees 41' 26" E along the said North line of Parcel A, GOODYEAR BASE and the Easterly prolongation thereof a distance of 818.56 feet  
 to a line being 131.00 feet West of and Parallel with the centerline of Taxiway Bravo;  
 THENCE N 07 Degrees 16' 14" E along said parallel line a distance of 445.32 feet to the POINT OF BEGINNING.  
 Said Lands situate within the City of Pompano Beach, Florida containing 7.10 acres, more or less.

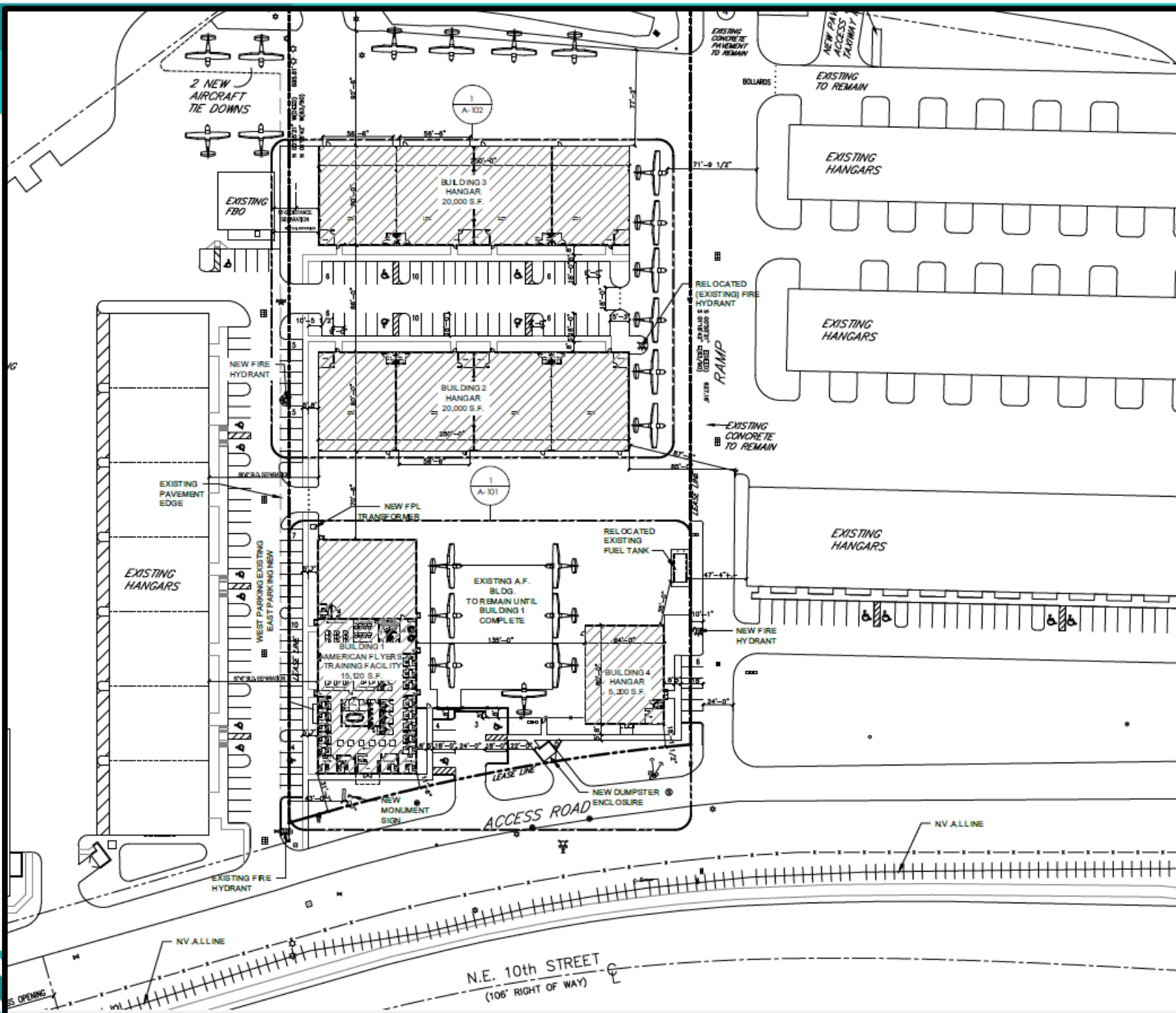
see sketch and Legal Description of Pompano Beach Air park Parcel Y by: AWN Design & Consulting Group, Inc. Surveyors Mappers Designers Deerfield beach Florida, dated 3/7/15

ZONING 1 TRANSPORTATION	SITE CALCULATIONS: 405,097 SF (9.3 ACRES) COVERAGE	PARKING:
NOT DIRECTLY ADJACENT TO ANY	TOTAL BUILDING AREA	137,100 SF / 2000 = 68 SPACES
OTHER BUILDINGS	A= 22,400 SF	BALANCE 405,097 SF / 1000 = 405 SPACES
LEASE AREA:	B= 11,880 SF	TOTAL SPACES PROVIDED = 473 SPACES
309,346.61 SQUARE FEET: 7.0997 ACRES	C= 13,513 SF	TOTAL SPACES REQUIRED = 473 SPACES
PLUS DRAINAGE AREA NORTHEAST AND	D= 9,620 SF	ACCESSIBLE SPACES REQUIRED = 4
OFFICE: 15,620 SF TOTAL: 405,176 SF	E= 9,620 SF	ACCESSIBLE SPACES PROVIDED = 4
OR 9.3 ACRES	F= 9,620 SF	BIKE PARKING - 4 SPACES PER 10 CAR SPACES REQUIRED NOT TO EXCEED 20 BIKES.
SEE SURVEY SHEETS 1 AND 2	TOTAL STORAGE AREA	PROVIDE 20 BIKE SPACES
BY CALIBRE & WHITFIELD, INC.	AIRCRAFT TIE DOWN PADS	
JEREMY WAGNER, P.E.	CONC. SIDEWALK AREA	
	DUMPSTER ENCLOSURE AREA	
	TOTAL PAVED AREA (CONC.)	
	184,521 SF	
	IMPERVIOUS PAVEMENT AREA: 184,521 SF = 45.5%	
	TOTAL IMPERVIOUS AREA BLDGS, PAVES, & PAVED = 253,924 SF	
	TOTAL IMPERVIOUS AREA: 151,173 SF	
	TOTAL = 405,097 SF	
	TOTAL = 100.0%	



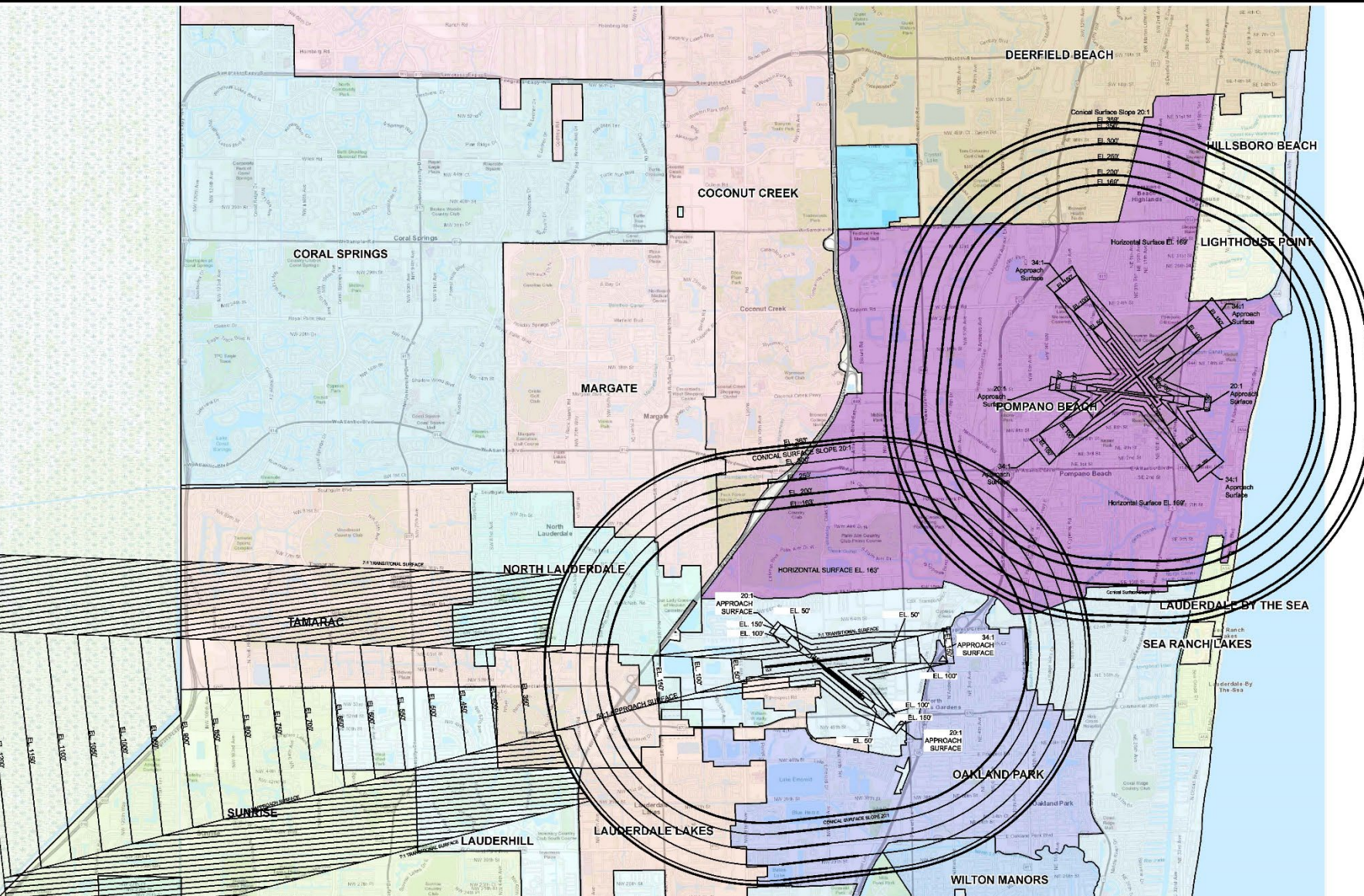
NOTE: THERE ARE NO GROUND OR ROOF MOUNTED MECHANICAL EQUIPMENT FOR THIS PROJECT. ONLY THE SMALL ANCILLARY OFFICES ARE AIR CONDITIONED AND THESE USE A SINGLE PACKAGED UNITARY WALL TYPE UNIT, WHICH REQUIRES NO SCREENING.

Parcel Y – 2022  
 Site Plan



American Flyers 2018  
Site Plan





**Pompano Beach  
Air Park and  
Fort Lauderdale  
Executive Airport  
Air Space**





Exhibit 2



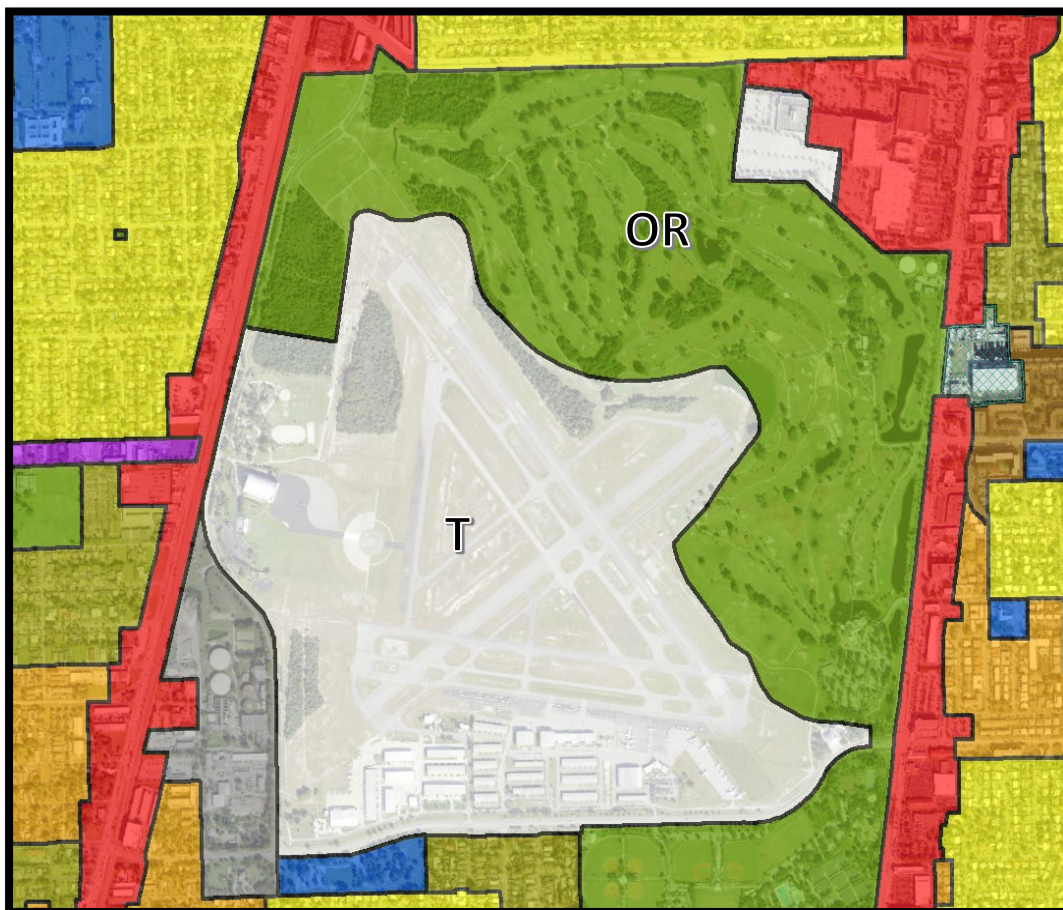
# Pompano Airpark Land Use Plan Amendment

February 11, 2025

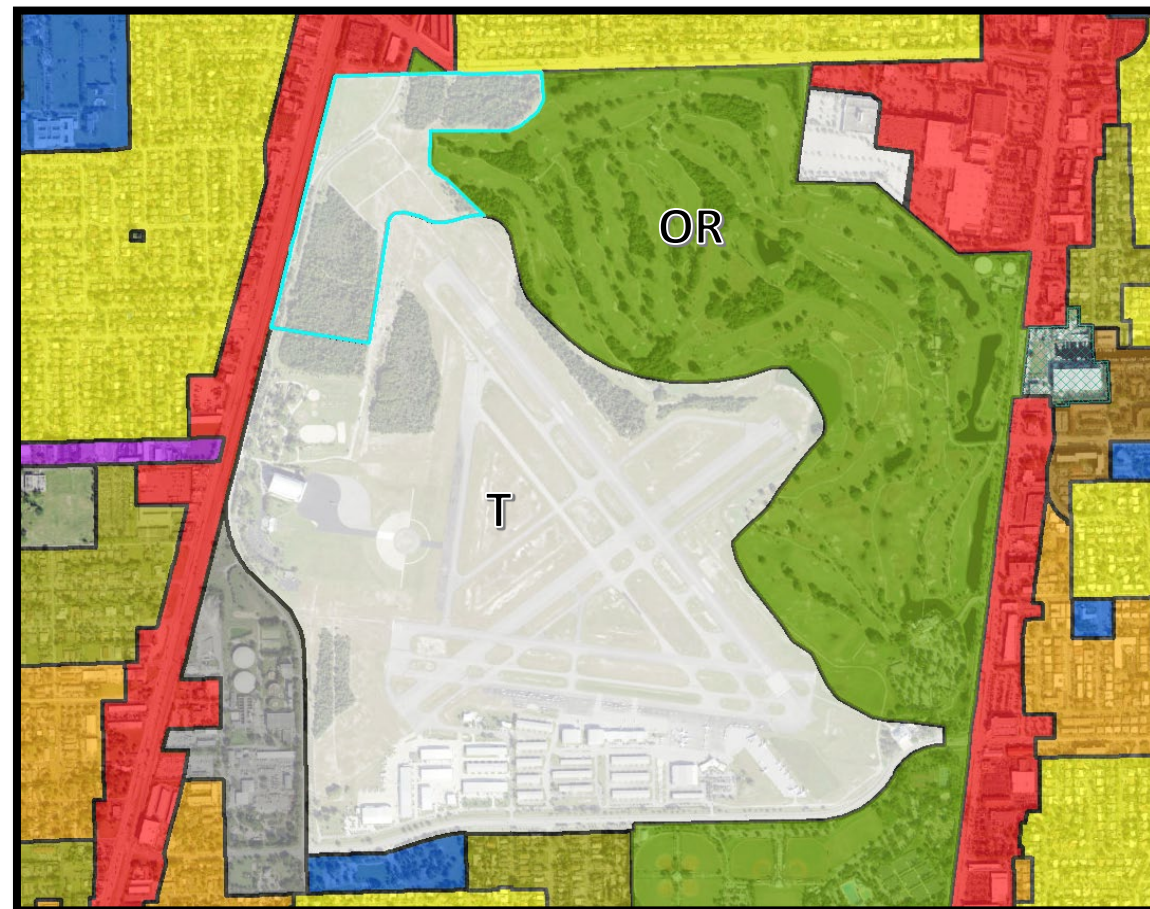


# 46.4 Acre Area Subject to the Land Use Change

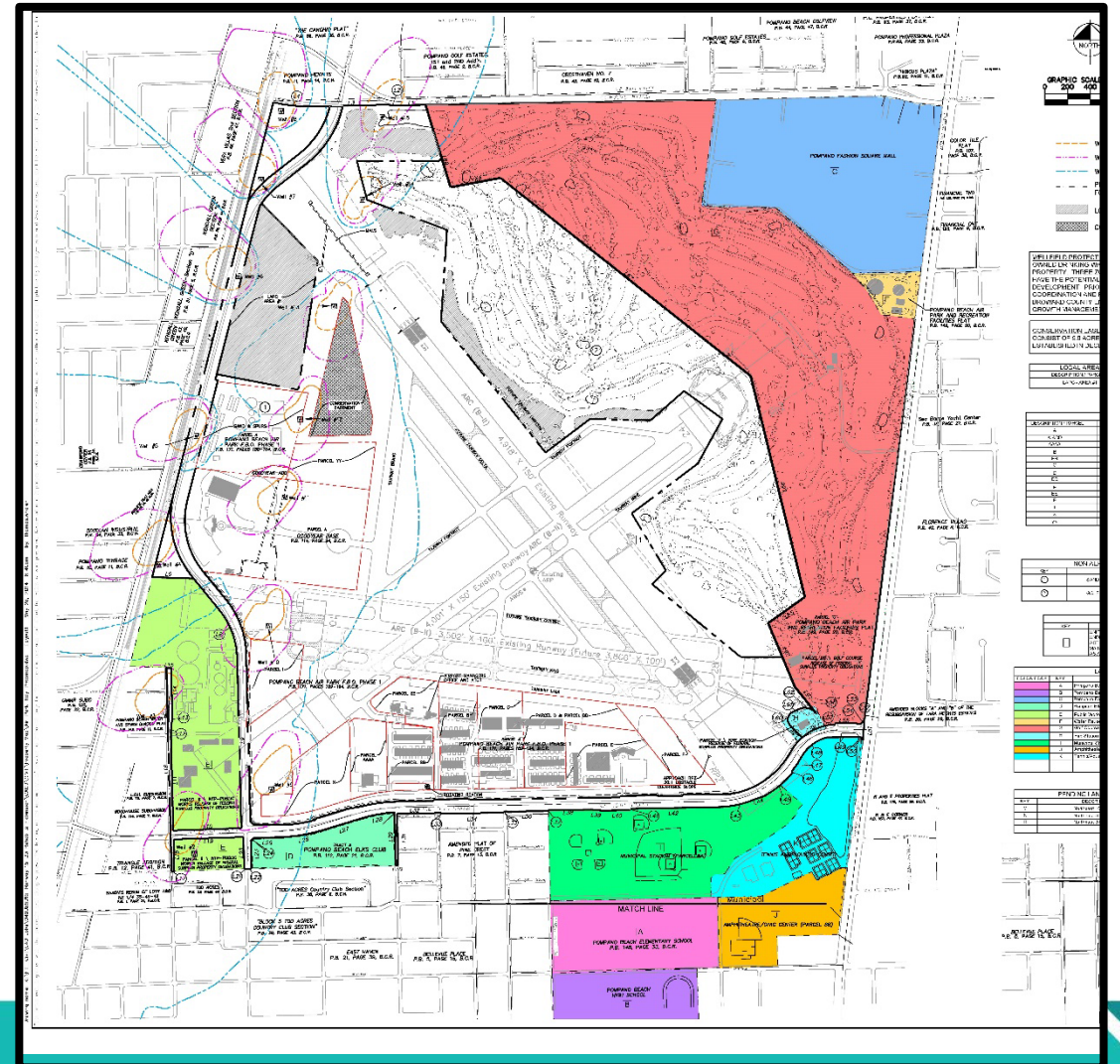
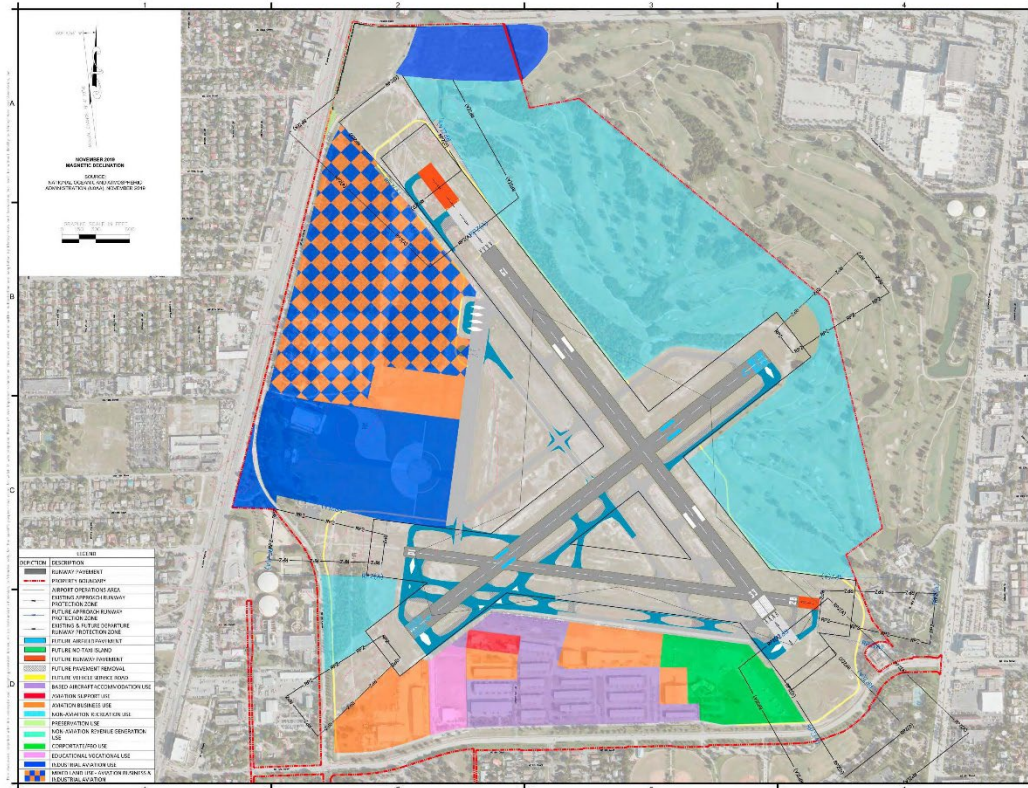
Adopted Future Land Use Map



Proposed Future Land Use Map

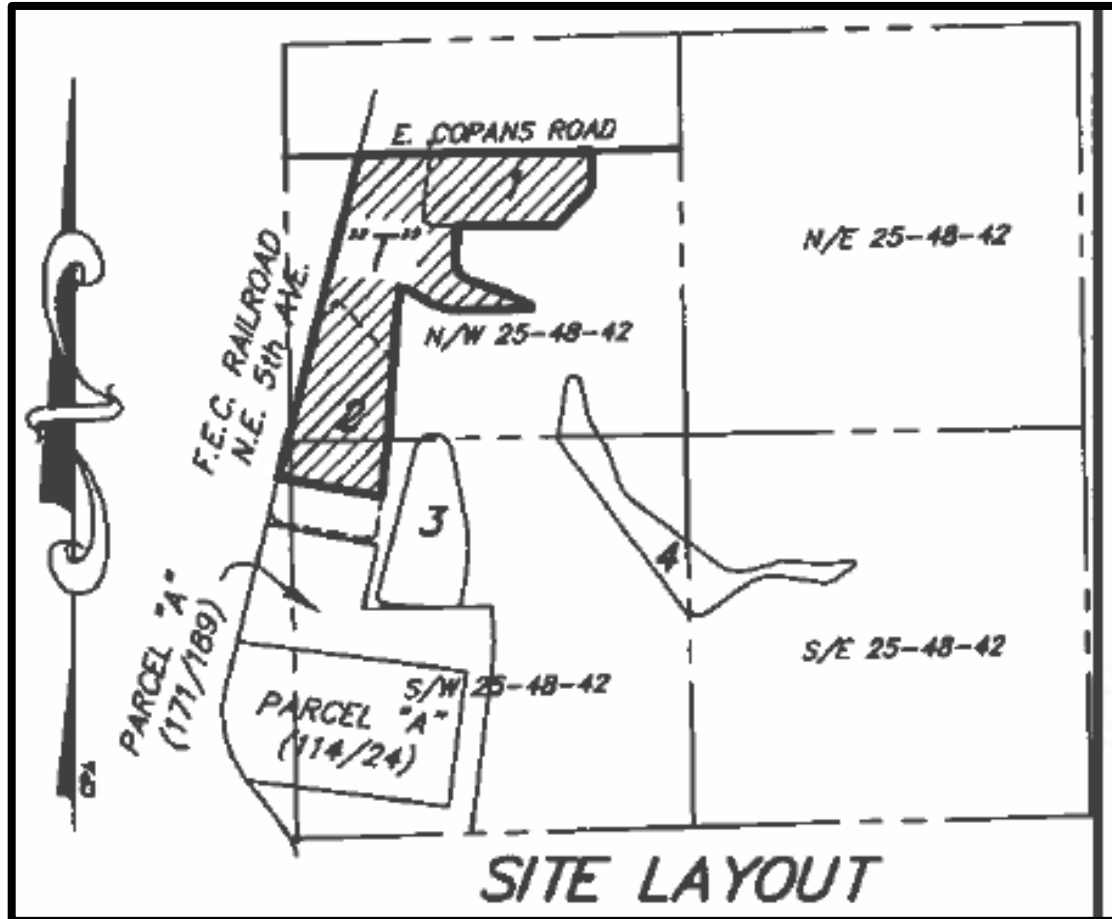








## Developable Area – Parcels 1 and 2 (32.5 acres)





- West: N. Dixie and FEC
- South: Wooded Area and Sand and Spurs ("T" land use)
- North: Copans Road and Cresthaven
- East: Golf Course & Airfield



# City and County Land Use Plan Map

## Change in Entitlements

### Open Space/Recreation to Transportation Land Use

Only 32.5 Acres of the 46.4 Acre area can accommodate development due to Runway Protection Zone.

Type of Use	Current Entitlements (Open Space/Recreation - 10% lot coverage, 30' height – 2 stories)	Proposed Entitlements (Transportation – Based on 40% lot coverage, 1 story)	Net Change
Parcel 1 – Aviation Related Industrial (11.9-acres)	103,000 SF	207,000 SF	104,000 SF
Parcel 2 – Airplane Hangars (20.6 acres)	179,000 SF	358,000 SF	179,000 SF
Total building square footage	282,000 SF	565,000 SF	283,000 SF

# NET CHANGE - IMPACT ANALYSIS

Infrastructure	Net Impact At Buildout
Water	-16,700 gallons per day
Sewer	-16,700 gallons per day
Solid Waste	+2,830 lbs per day
PM Peak Hour Trips	-371 PM Peak Hour Trips

# NET CHANGE - IMPACT ANALYSIS

## -33 acres on Open Space Inventory

### Impact on Parks and Open Space Level of Service (Population Estimate on April 1, 2024 = 114,587\*)

Parks and Open Space	Total Acreage	Total Population Served @5 ac/1,000	2040 Population Projection
With 33-acre Air Park Area	872.15	174,400	135,553
Without 33-acre Air Park Area	839.15	167,800	135,553

(\*Average annual population growth since 2020 census = 664 people per year. The additional 53,213 more people that can be served by our post-LUPA park and open space lands inventory is approximately 80 years of growth at current growth rates.)



## 1) Specific Airpark and economic development related:

### **Objective 02.06.00 – Pompano Air Park**

Protect the aviation viability of the Pompano Air Park and promote it as an economic driver for aviation business development, as an overall economic asset as well as a location for non-aviation recreational and open space uses compatible with the Air Park's Airport Layout Plan.

### **Policy 02.06.01**

Promote the perpetuation of recreation and community facility uses on Air Park property as depicted on the Air Park's Airport Layout Plan.

### **Objective 01.23.00 – Economic Development**

Expand the economic base by attracting Class A office space and higher education institutional uses, continuing to support the industrial and manufacturing sectors while protecting tourism as well as the quality of life and delivery of services to local residents.

# Comprehensive Plan Goals, Objectives and Policies

## 2) Adequate service capacity of the existing infrastructure related

### **Policy 01.01.02**

Review all proposals for development or redevelopment and base the approval of same on the continued maintenance of all adopted Level of Service Standards which may be adjusted over time to address the impacts of sea level rise and climate change.

### **Policy 01.01.03**

Phase development concurrent with the availability or phasing of infrastructure, potable water, wastewater, transportation, solid waste, schools and drainage capacity.

### **Policy 01.06.12**

Review all land use plan map amendments, rezonings and site plan applications to ensure that there is sufficient wastewater collection and treatment facilities, potable water resources available and if reuse water is available, require it be used, and that they pose no noxious impacts to the Biscayne Aquifer.

### **Policy 01.01.05**

Review proposals for new development, including future land use plan amendments, to identify the cumulative impacts of the proposed development on public services and facilities.

### **Policy 01.01.11**

Require that all future land use map amendments ensure the availability of potable water supplies and water supply facilities, and reuse where available.

### **Policy 01.14.01**

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.



## 3) Compatibility and natural resource impact related

### **Policy 01.03.11**

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

### **Policy 01.03.13**

Future industrial land uses shall be located with access to major transportation facilities including highways, airports, railroads, and seaports.

### **Policy 01.06.01**

Consider and minimize the impacts that land use amendments, rezonings or site plan approvals have on natural resources, including wetlands, and culturally, historically, archaeologically and paleontologically significant resources.

### **Policy 01.14.01**

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

## City/County Small Scale LUPA Process

- |   |                           |
|---|---------------------------|
| - Planning & Zoning Board                 | January 22, 2025          |
| - City Commission 1 <sup>st</sup> Reading | February 11, 2025         |
| - Submit to County for Staff Review       | March 1, 2025             |
| - Broward County Planning Council Hearing | May 22, 2025              |
| - County Commission Hearing               | August 12, 2025           |
| - City Commission Second Reading          | September 9, 2025         |
| - Send to DEO for Information Only        | September 23, 2025        |
| - Submit for BCPC Recertification         | September 23, 2025        |
| - City Land Use Plan becomes effective    | Upon BCPC Recertification |

- Airport Advisory Board Unanimously Recommended Approval on January 7, 2025
- Planning and Zoning Board Unanimously Recommended Approval on January 22, 2025
- Economic Development Council Unanimously Recommended Approval on January 27, 2025
- Staff Recommends Approval



# Questions and Comments For Staff

Pompano Airpark Land Use Plan Map Amendment  
City Commission  
February 11, 2025



# Pompano Airpark Environmentally Sensitive Lands Map Amendment

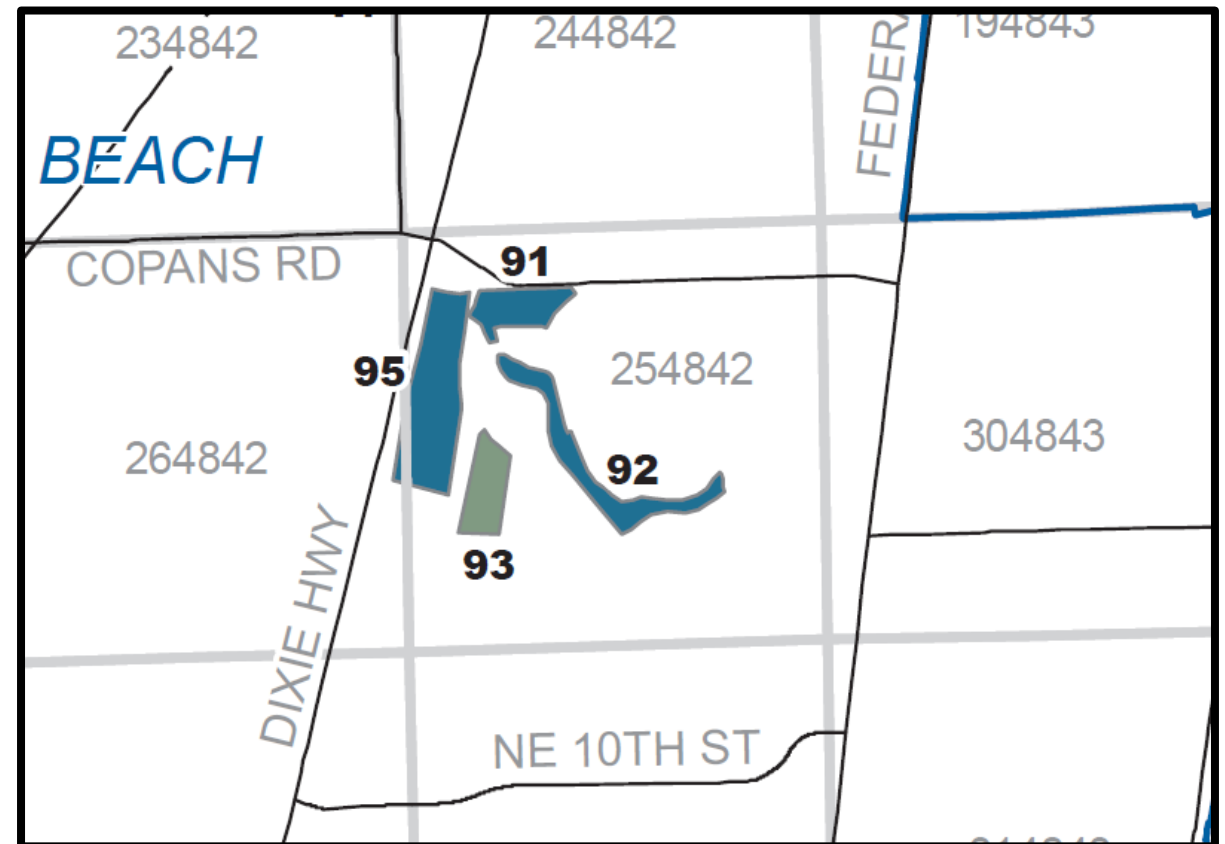
February 11, 2025



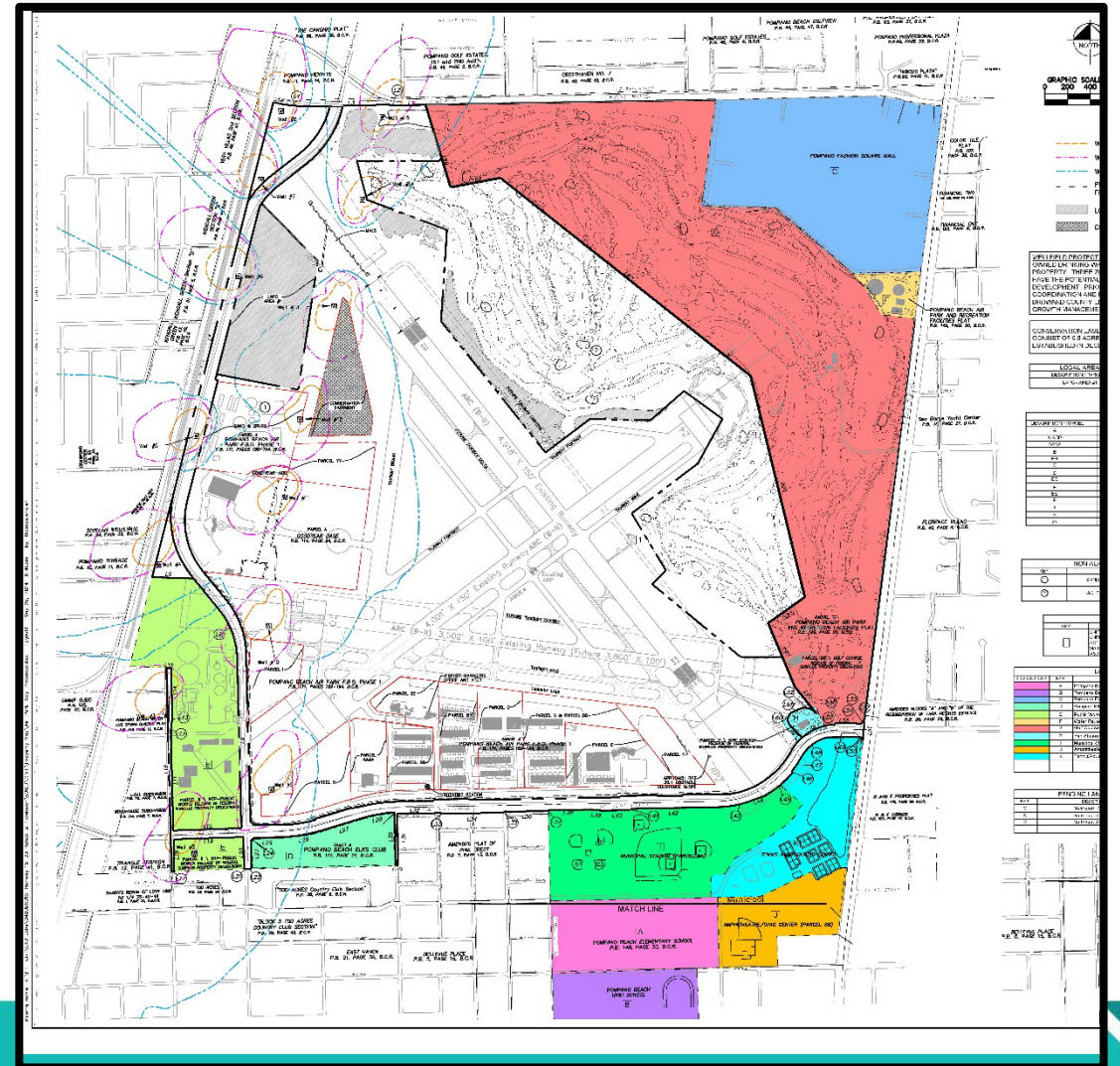
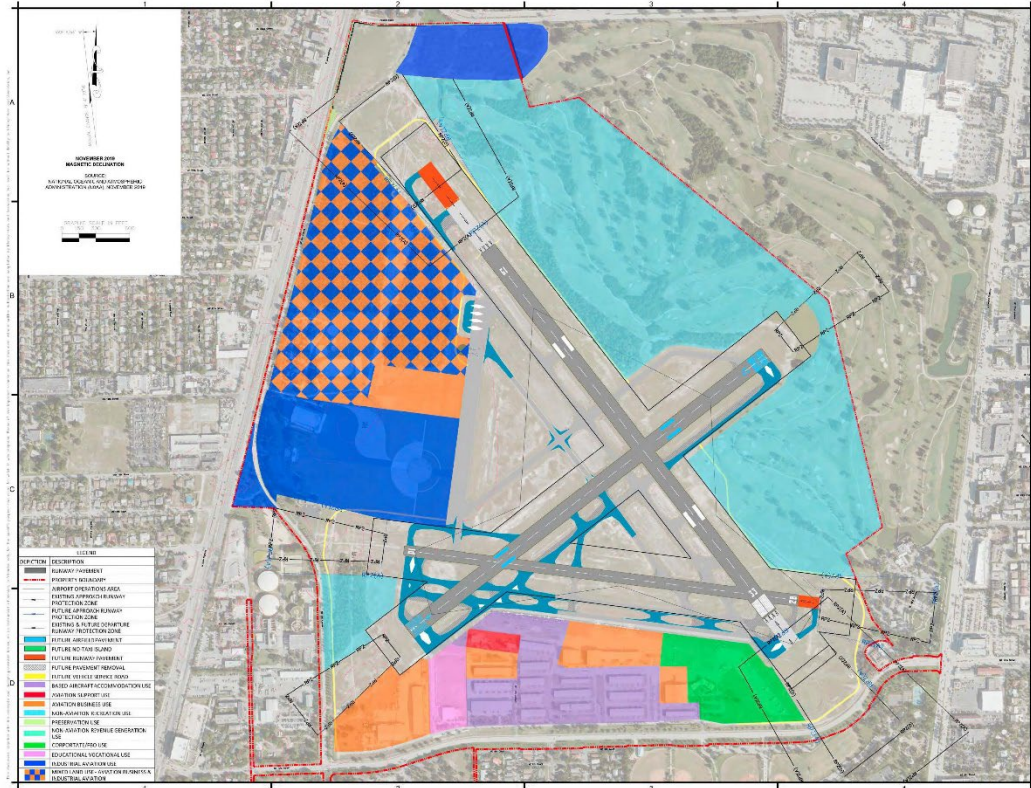
# Areas to be Removed from the ESL Map



## Excerpt of Broward County Environmentally Sensitive Lands Map









# Environmental Studies of Wooded Areas

## Wildlife Hazard Assessment Pompano Airpark City of Pompano Beach, FL



PREPARED FOR:  
Pompano Airpark  
City of Pompano Beach, FL  
1001 N.E. 10<sup>th</sup> Street  
Pompano Beach, FL 33060

PREPARED BY:

Kimley-Horn and Associates, Inc.  
445 24<sup>th</sup> Street, Suite 200  
Vero Beach, FL 32960

AND

Environmental Resource Solutions, Inc.  
8711 Perimeter Park Boulevard, Suite 1  
Jacksonville, FL 32216  
August 2017

## NATURAL RESOURCE ASSESSMENT

Environmentally Sensitive  
Lands within the  
Pompano Air Park  
Pompano Beach, Broward County,  
Florida

September 2023



CITY OF POMPAÑO BEACH, FLORIDA

**Kimley»Horn**

040985205

© KIMLEY-HORN & ASSOCIATES, INC.  
1920 Wekiva Way, Suite 200  
West Palm Beach, FL 33411





# Natural Resource Assessment

Tori Bacheler, M.S., PWS  
FWC Certified Gopher Tortoise Agent  
Kimley-Horn and Associates, Inc.



Four areas: 1, 2, 3 and  
4





# Area 1

- Heavily forested
- High exotic species coverage
- No listed species observed





# Area 2

- Heavily forested
- High exotic species coverage
- No listed species observed





# Area 3

- Heavily forested
- High exotic species coverage
- No listed species observed





# Area 4

- Forested and shrub coverage
- Some exotic species
- Gopher tortoise burrows observed





# Gopher Tortoise

- Habitat preferences include “sandy soils, pine flatwoods, dry prairie, pastures with sunny areas with sparse canopy” per FWC
- Only the edges of Areas 1-4 suitable
  - Would conduct 100% tortoise survey prior to any construction
  - Permit with FWC to relocate
  - Other more suitable areas within the County, such as Sandpine Scrub Preserve or Fern Forest





# Florida burrowing owl




- Habitat preferences include
  - “open, treeless areas” per FWC
  - Very little understory vegetation
  - Golf courses, airports, pastures, agricultural fields
  - Survey prior to construction
  - Permit with FWC to collapse burrows outside of nesting season.







## Legend

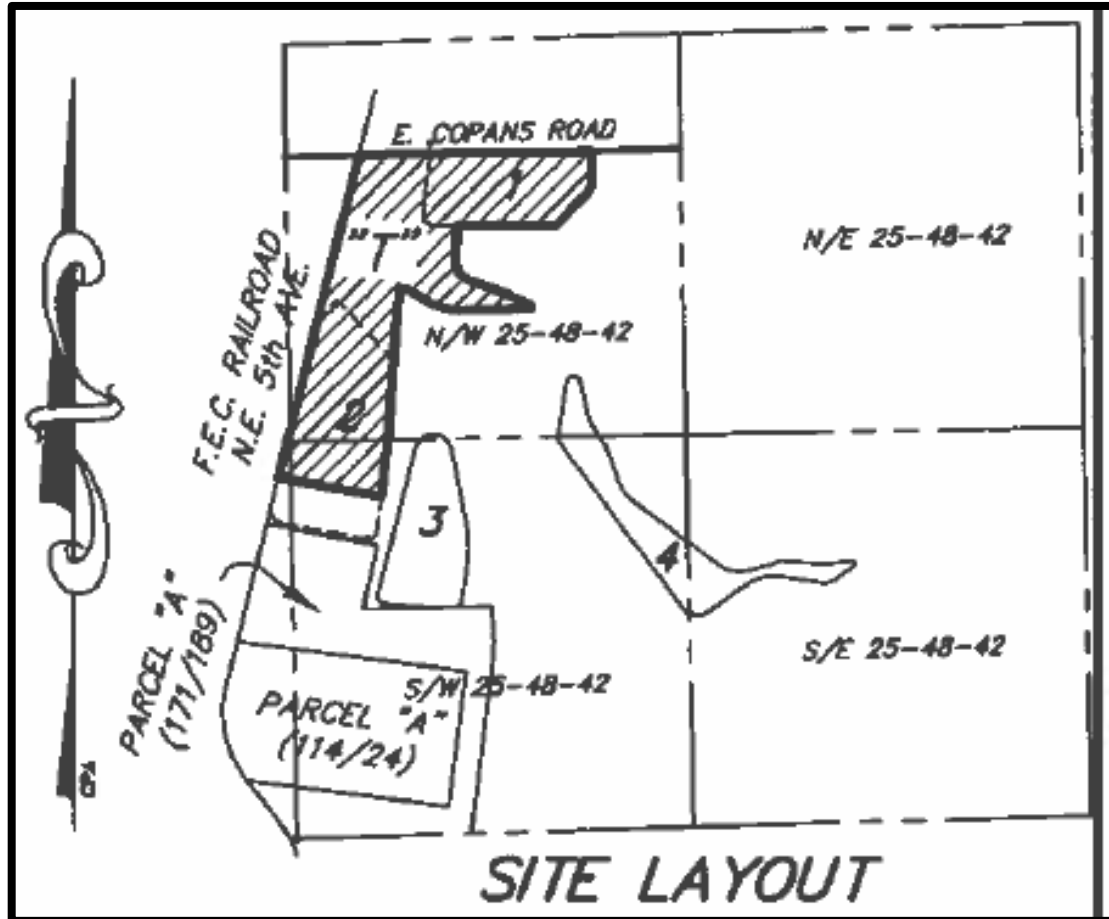
-  Project Site ( $\pm$  85.80 Acres)
-  Burrowing Owl General Burrow Locations
-  Gopher Tortoise Burrow

# Environmentally Sensitive Lands (ESL) and Local Areas of Particular Concern (LAPC)

- ESL
  - wetlands, mineral resources, floodplains, beaches/harbors/canals, soils and LAPC
- LAPC
  - Marine Resources – None onsite
  - Natural Landforms and Features – None onsite
  - Native Vegetative Communities – “predominance of native vegetation” along with at least 3 of following criteria:
    - Uniqueness
    - Diversity – 2 or more ecological communities
    - Low Level of Exotic Invasion
    - Potential for Protection – not likely due to safety for aircraft
    - Geography – sites are not connected
  - Wildlife
  - Economic Resources – None onsite
  - Cultural Resources – None onsite



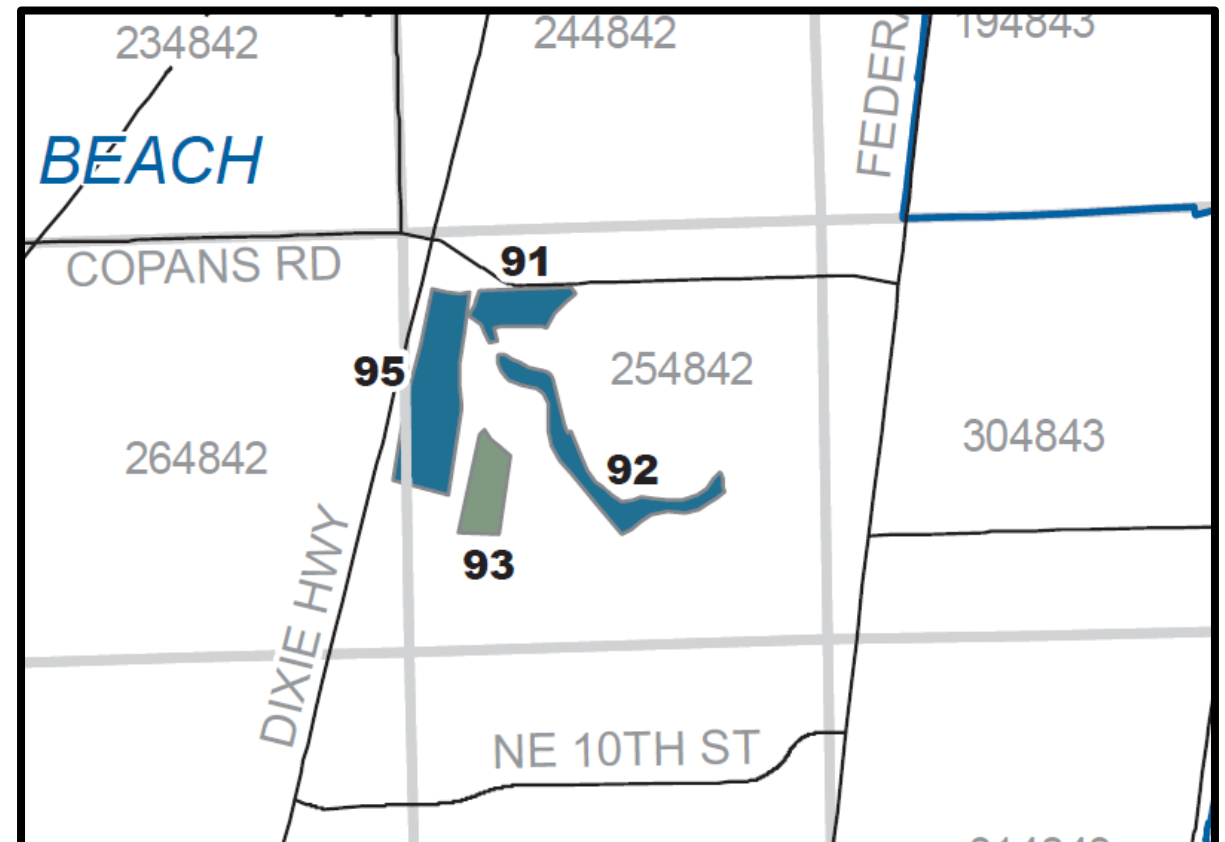
## Developable Area for Aviation Business/Industrial Per LUPA Parcels 1 and 2 (32.5 acres)



# Areas to be Removed from the Environmentally Sensitive Lands Map opens 16.3 ac for Aviation Business/Industrial Lease Area Plus Parcel "92" for Airfield Development is 12.1 acres



## Excerpt of Broward County Environmentally Sensitive Lands Map



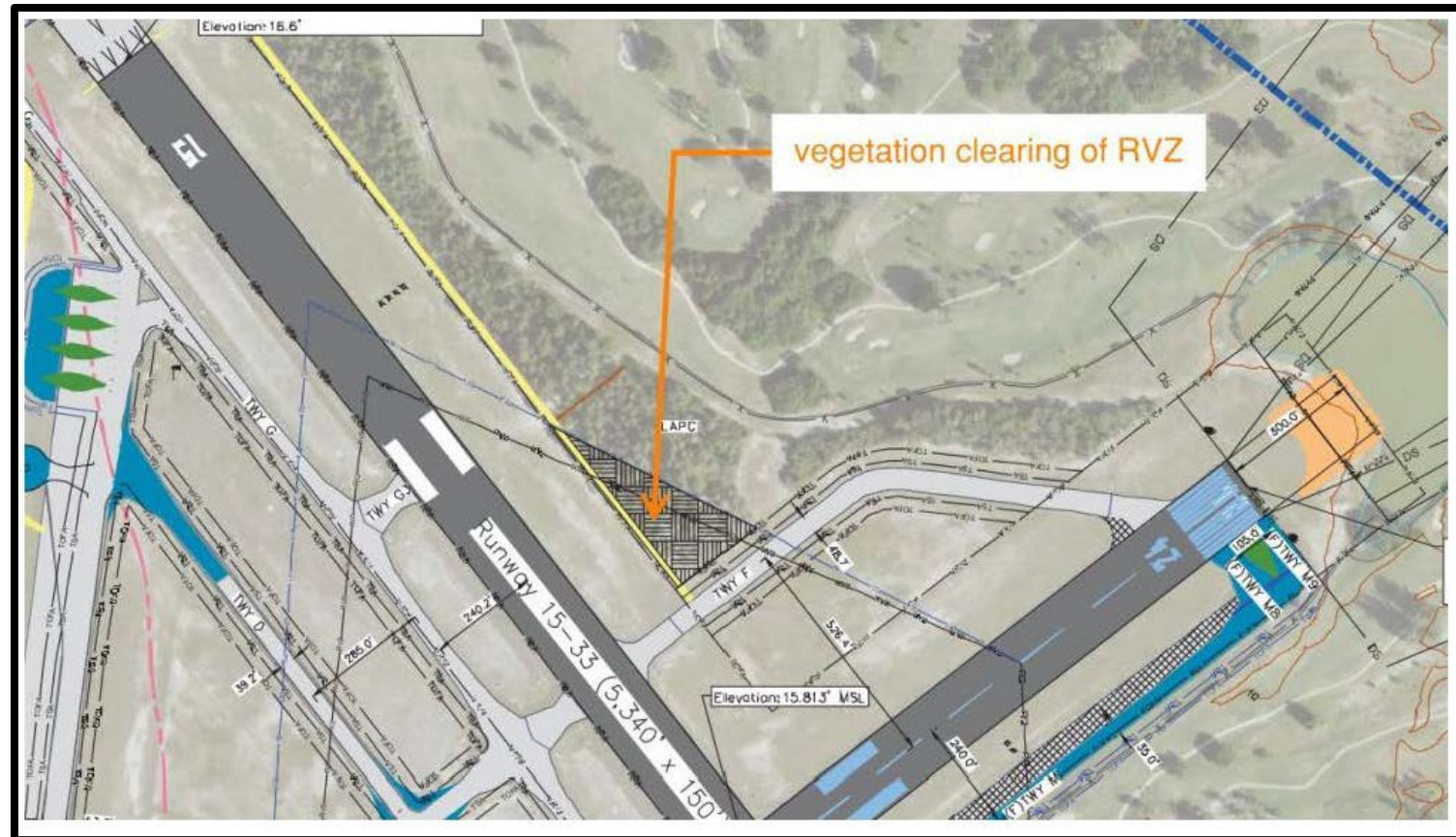
Total Land for Aviation-Industrial Business Development: 48.8 acres



# Runway Visibility Zone (RVZ) BIL Grant for NEPA Design and Construction

## Pompano Beach Air Park (PMP)

FAA AIP: Runway 15 and 24 Visibility Zone (RVZ) Corrections  
NEPA, Design and Construction





# Zoning Code Requirements to Clear Obstructions

## 155.3707. AIR PARK OVERLAY (APO) DISTRICT

### A. Findings and Purpose

#### 1. Findings

The City Commission hereby finds:

- a. The city, as owner and operator of the Pompano Beach Air Park, is concerned with the safety and welfare of the traveling public as pilots and passengers of aircraft using runways at the air park;
- b. Certain obstructions, whether natural or man-made, that intrude into airspace near runways have the potential to be hazardous to aircraft operations and endanger the lives and property of users of the air park and of occupants of land in the vicinity of the obstruction;
- c. Such obstructions effectively reduce the size of the area available for the taking off, maneuvering, or landing of aircraft, thus tending to destroy or impair the utility of the airport and the public investment therein;
- d. Certain activities and uses of land in the immediate vicinity of airports are not compatible with normal airport operations, and may, if not regulated, also endanger the lives of the participants, adversely affect their health, or otherwise limit the accomplishment of normal activities;
- e. The creation or establishment of an air park hazard and the incompatible use of land in airport vicinities are public nuisances and injure the community served by the air park;
- f. It is therefore necessary in the interest of the public health, public safety, and general welfare to prevent the creation or establishment of air park hazards and limit land use incompatible with normal air park operations; and
- g. The prevention of these hazards, limitation of incompatible land uses, and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards should be accomplished, to the extent legally possible, by the exercise of the police power of the city.

#### 2. Purpose

It is the purpose of the Air Park Overlay (APO) district to recognize an area adjacent to the runways of the Pompano Beach Air Park in which obstructions and incompatible land uses may pose a hazard to safe Air Park operations and to apply reasonable regulations that prevent such obstructions and limit such incompatible uses and are consistent with F.S. Ch. 333, Airport Zoning, and the standards for civilian airports established by the Federal Aviation Administration (FAA). The standards contained herein reflect the character of the flying operations expected to be conducted at the Pompano Beach Air Park, the nature of the terrain within the Air Park hazard area and runway protection zones, the character of the surrounding neighborhoods, and the impact of any new use, activity, or construction on the Pompano Beach Air Park's operating capability and capacity.



## Obstacle Validation Pompano Beach Airpark

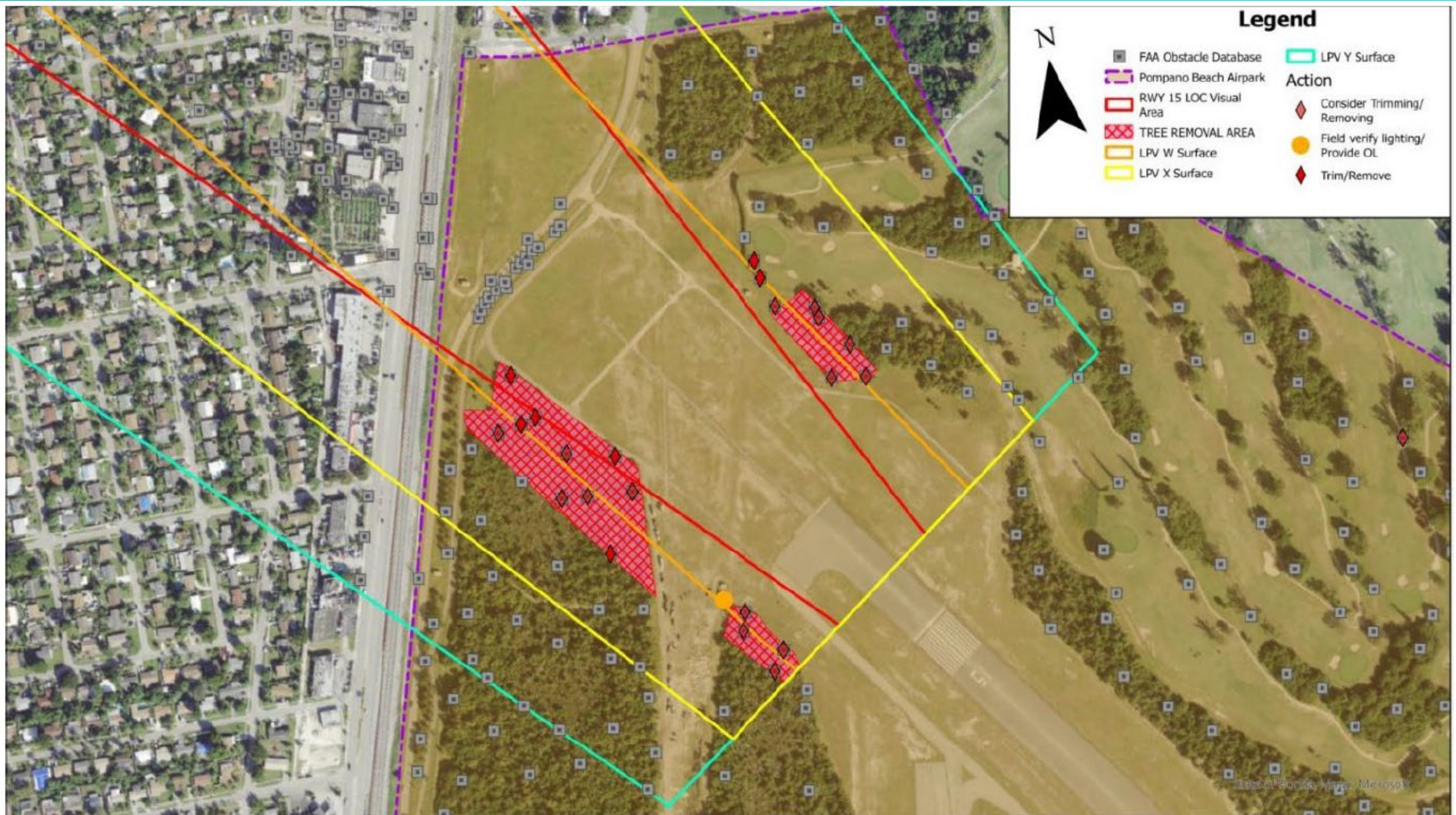
PREPARED FOR:

**POMpano BEACH  
AIRPARK**

PREPARED BY:

**Kimley»Horn**  
Expect More. Experience Better.





Source: Kimley-Horn, 2023.



## 1) Specific Airpark and economic development related

### **Objective 02.06.00 – Pompano Air Park**

Protect the aviation viability of the Pompano Air Park and promote it as an economic driver for aviation business development, as an overall economic asset as well as a location for non-aviation recreational and open space uses compatible with the Air Park's Airport Layout Plan.

### **Policy 02.06.01**

Promote the perpetuation of recreation and community facility uses on Air Park property as depicted on the Air Park's Airport Layout Plan.

### **Objective 01.23.00 – Economic Development**

Expand the economic base by attracting Class A office space and higher education institutional uses, continuing to support the industrial and manufacturing sectors while protecting tourism as well as the quality of life and delivery of services to local residents.

## 2) Compatibility and natural resource impact related

### **Policy 01.03.11**

Consider the compatibility of adjacent land uses in all Land Use Plan amendments and rezonings.

### **Policy 01.03.13**

Future industrial land uses shall be located with access to major transportation facilities including highways, airports, railroads, and seaports.

### **Policy 01.06.01**

Consider and minimize the impacts that land use amendments, rezonings or site plan approvals have on natural resources, including wetlands, and culturally, historically, archaeologically and paleontologically significant resources.

### **Policy 01.14.01**

The City shall emphasize re-development and infill, which concentrates the growth and intensifies the land uses consistent with the availability of existing urban services and infrastructure in order to conserve natural and man-made resources.

# City/County ESL Map Amendment (LUPA) Process

## City/County ESL Map (LUPA) Process

- |   |                           |
|---|---------------------------|
| - Planning & Zoning Board                 | January 22, 2025          |
| - City Commission 1 <sup>st</sup> Reading | February 11, 2025         |
| - Submit to County for Staff Review       | March 3, 2025             |
| - Broward County Planning Council Hearing | May 22, 2025              |
| - County Commission Hearing               | August 12, 2025           |
| - City Commission Second Reading          | September 9, 2025         |
| - Send to DEO for Information Only        | September 23, 2025        |
| - Submit for BCPC Recertification         | September 23, 2025        |
| - City Land Use Plan becomes effective    | Upon BCPC Recertification |



- Airport Advisory Board Unanimously Recommended Approval on January 7, 2025
- Planning and Zoning Board Unanimously Recommended Approval on January 22, 2025
- Economic Development Council Unanimously Recommended Approval on January 27, 2025
- Staff Recommends Approval

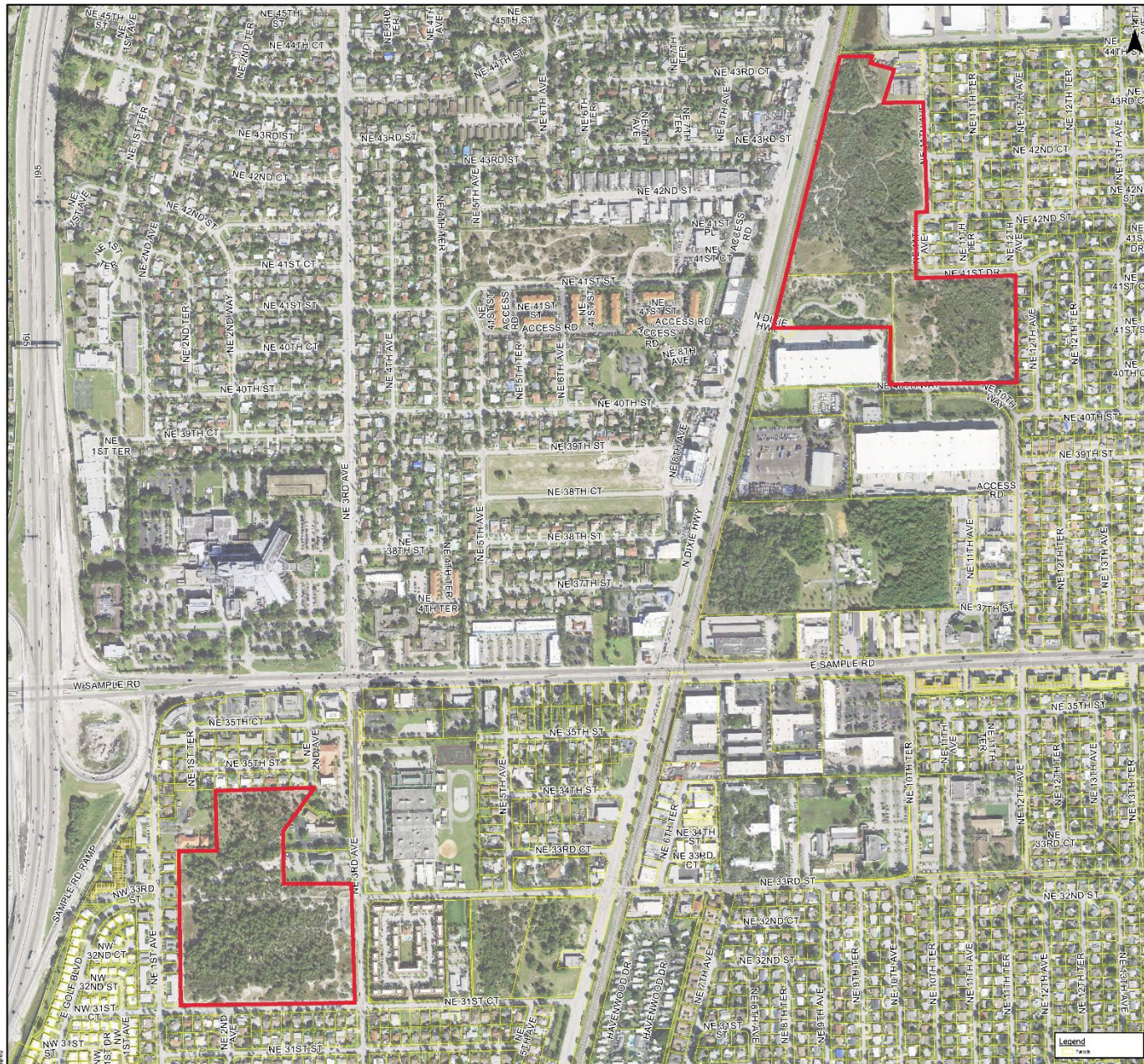


# BITTS Presentation

## Questions and Comments For Staff

Pompano Airpark Environmentally Sensitive Lands Map Amendment  
City Commission  
February 11, 2025





Highlands Sand Pine Scrub Preserve – 34 acres

Crystal Lake Sand Pine Scrub Preserve – 24 acres

**Disclaimer:**  
This product has been compiled from various source data. However, this product is for reference only and is not to be construed as a legal document or survey instrument. Any reliance on the information contained herein is at the user's own risk. The City of Pompano Beach assumes no responsibility for any use of the information contained herein or any loss resulting therefrom.



## Oxford Dictionary Definition

ar·bo·re·tum

noun

a botanical garden devoted to trees.

An Arboretum is an area devoted to specimen plantings of trees and shrubs. Distinct from a forest, nursery or park, it is in a sense an outdoor museum of trees. It is a place where many varieties of trees are grown for research, educational, and ornamental purposes; where trees and shrubs are cultivated for exhibition.

**Pompano Beach  
Air Park and  
Fort Lauderdale  
Executive Airport  
Air Space**

