

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, September 9, 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 1:02 PM.

ROLL CALL

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

INVOCATION

Elder Robert Kintchen of Christ Fellowship Church of God in Christ offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[25-566](#) Joint Special Meeting of City and CRA Minutes of May 14, 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.

[25-563](#) Regular City Commission Meeting Minutes of July 8, 2025

Comr. Fesik raised concerns about a breach of decorum when someone approached the dais during proceedings. She emphasized that such interactions should not occur and that the Chair has the authority to maintain order. Comr. Fesik requested the Broward Sheriff's Office (BSO) to work with the City Attorney to establish a protocol to prevent any unauthorized approach to the dais during meetings. She proposed that BSO provide a written safety memo with recommendations for improving safety and decorum in future meetings, which could be discussed and potentially adopted at the next meeting.

Mayor Hardin asked if Comr. Fesik made a motion and sought clarification regarding the motion.

A motion was made by Commissioner Fesik, seconded by Commissioner Perkins, for the immediate implementation of strict enforcement of city code 30.07, which includes several measures aimed at enhancing safety during meetings. These measures would prohibit any member of the public from approaching the dais, require that all documents for commissioners be distributed through the city clerk or an assigned deputy, instruct the BSO Sergeant at Arms to prevent any unauthorized approach to the dais, and request a safety memorandum on meeting security practices for future gatherings.

Additionally, Comr. Fesik called for the City Attorney to propose any amendments necessary to formalize these procedures.

Vice Mayor Fournier expressed concern over the deterioration of decorum in meetings. She mentioned the increasing tension and personal attacks occurring within the chamber, sometimes involving paid city consultants, and stressed the need for better enforcement of the existing Code of Conduct. The Vice Mayor urged BSO and the chair to protect the integrity of the meetings and enforce the rules more firmly, suggesting that changes might be necessary to ensure appropriate conduct moving forward.

Mayor Hardin inquired whether the motion would apply only during meetings or at other times. Comr. Fesik suggested deferring to the BSO safety recommendation and the City Attorney for guidance. The Mayor agreed that while BSO can make recommendations, the final decision rests with the Commission.

Mayor Hardin sought public input on the motion.

Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, raised a concern about the policy regarding pamphlet distribution. He noted that while individuals could not pass them out directly, they could give them to the city clerk. He argued that distributing information to the commissioners had traditionally been allowed and believed this should be reconsidered as it did not pose a threat.

Carlene Duncan, Pompano Beach, FL, supported the proposed protocol.

Avi Goldfedder, Pompano Beach, FL, discussed traffic calming recommendations.

Mary Phillips, 384 NW 19th Street, Pompano Beach, FL, expressed her frustration about the disrespectful behavior among members of the Commission while they expect the public to act appropriately. She believed that if they demand accountability from the public regarding freedom of speech, they should also be held

accountable for their actions and possibly face penalties for their disrespectful conduct. She urged the members to reflect on their behavior during the meetings.

Roderick Phillips, 2620 NW 10th Street, Pompano Beach, FL, voiced concerns about the lack of equal treatment for all, criticizing the administration for the chaos and confusion that impacted the community. He called for respect, prayer, and order to improve the city, emphasizing accountability, fairness, and the right to opinions.

Wayne Vereen, 2420 NW 7th Street, Pompano Beach, FL, urged commissioners to represent their districts with honor and respect.

Wayne Oken from Vizcaya at Palm Aire, highlighted the importance of security for all, particularly for Comr. Fesik. He criticized Mayor Hardin and other commissioners for attending a fundraiser that seemed to undermine Comr. Fesik's campaign, and deemed it inappropriate for outsiders to campaign against a fellow commissioner. Mr. Oken disapproved of public discussions on social media about the situation and called for an apology to Comr. Fesik, finding the actions distasteful.

There being no further speakers, the Mayor closed public input and invited further Commission discussion on the motion.

Comr. Fesik responded to public comments, clarifying the context of her previous incident and emphasizing the importance of safety and decorum.

Comr. Sigerson-Eaton supported implementing penalties for misconduct and mentioned filing formal charges against Comr. Perkins.

Comr. Smith suggested amending the motion to apply only during meeting sessions, which Comr. Fesik accepted.

Vice Mayor Fournier emphasized the importance of focusing on the responsibilities of the Commission after the August recess. She insisted that the Commission's role was to represent the people of Pompano Beach, set policy, and use funds wisely, rather than engage in personal disputes. Vice Mayor Fournier requested that Commission members refrain from bringing personal issues into discussions and reminded everyone to use microphones and speak respectfully when recognized by the chair.

Mayor Hardin discussed the process of receiving recommendations from BSO, emphasizing that it was not about creating a law but rather about refining the recommendations for further consideration.

The amended motion carried by the following roll call vote:

Yes:Fesik
Perkins
Sigerson-Eaton
Smith

Fournier
Hardin

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

[25-564](#) City Commission Budget Workshop Minutes of July 14, 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.

[25-565](#) Regular City Commission Meeting Minutes of July 22, 2025

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

APPROVAL OF AGENDA

Mayor Hardin announced that Item 17 under the Regular Agenda will be postponed until the October 14, 2025 City Commission meeting and Item 6 until the September 23, 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 a unanimous voice vote.

CONSENT AGENDA DISCUSSION

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

Mayor Hardin announced that Items 1, 2, 3, 4, and 5 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION

[25-481](#) **Legislative Updates**

Mayor Hardin announced that updates on legislative matters would be provided by State Senator Tina Polsky from District 30 and State Representative Mitch Rosenwald from District 98, along with representatives from Becker & Poliakoff and The Legis Group.

Senator Polsky shared her concerns about the removal of vaccine requirements for schoolchildren, warning that it could lead to an inconsistent patchwork of regulations. She also reported challenges in passing the state budget, although she successfully secured \$990,000 for

a new water treatment plant. Additionally, she highlighted ongoing issues with rising property insurance rates.

Representative Rosenwald focused on his commitment to preserving Home Rule and securing funding for local initiatives. He also addressed critical matters regarding housing and condo safety. Both legislators underscored the necessity of citizen engagement and transparency within the legislative processes.

Lastly, Yolanda Cash Jackson from Becker & Poliakoff and Susan Goldstein from The Legis Group discussed their collaborative efforts in legislative work, highlighting the importance of their communication and the impact of various bills on local businesses. They expressed gratitude for the support received and acknowledged the success in securing nearly a million dollars for the Dixie Highway Safety corridor, crediting Senator Pizzo and Representative Lamarca. Ms. Goldstein also mentioned working with Representative Rosenwald, Senator Polsky, and partners Becker, Rob Shank, and Doug Holder. They emphasized the pride in representing Pompano and the positive community response to their efforts.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

25-520 State Innovative Programming: Community Building Award

Mayor Hardin announced that the Parks and Recreation Department received the “State Innovative Programming: Community Building Award” from the Florida Recreation and Park Association for its Therapeutic Recreation Division. Parks and Recreation Director Scott Moore expressed gratitude to the Commission for their support and shared a video highlighting the City's therapeutic recreation programming. The department will host a Monster Mash event on October 31 at the Lou Olson Civic Center, inviting the community to participate in this inclusive event.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

B. PROCLAMATIONS

25-519 Hunger Action Month

Mayor Hardin read a proclamation declaring September 2025 as Hunger Action Month in the City of Pompano Beach. He invited Allyson Vaulx, the Assistant Vice President of Philanthropy at Feeding South Florida, to come forward to accept the proclamation; however, she was not present at the meeting.

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:

Vanessa Russell, 324 NW 8th Street, Pompano Beach, FL, expressed concern about the new “No Parking Anytime” signs installed on the north side between 3rd and 4th Avenue. She noted that residents have parked there for many years and believes directing vehicles to the south side creates safety hazards due to speeding and double parking. She requested that the City reconsider the restriction, emphasizing that safety should take priority over landscaping or irrigation concerns.

Meraydis Morassi, 3451 NE 14th Terrace, Pompano Beach, FL, addressed Ordinance §90.06, which restricts dogs in parks. She questioned the rationale for prohibiting leashed dogs when owners comply with leash and waste rules, noting that she pays property taxes supporting the park. She expressed concern that enforcement focuses on leashed dogs rather than other issues, such as safety and public conduct in the park, and asked for clarification on the ordinance’s purpose.

Robyn Powers, 3400 block of Cresthaven, Pompano Beach, FL, expressed support for the concerns raised by Ms. Morassi regarding Ordinance §90.06. As a dog owner, she emphasized that responsible, licensed owners with leashed dogs should be permitted to use public parks. She contrasted this restriction with the presence of homeless individuals occupying park facilities and urged the City to reconsider the ordinance so that families and dog owners can enjoy the parks safely.

George Berlenge, 41 Havenwood Drive, Pompano Beach, FL, addressed the challenges facing the homeless community, noting that individuals fall into three subgroups-chronic, crisis, and those unable to help themselves due to medical or mental health issues-yet all receive the same limited resources. He emphasized that crisis individuals often need short-term assistance, such as shelter, job placement, and transportation, to regain stability; however, current systems prioritize only those with specific conditions. He urged the City to consider solutions that provide immediate support to help crisis individuals return to self-sufficiency.

Brandi Zabadal, District 2 resident, expressed concern about the commercialization of neighborhood parks, emphasizing that they should remain green spaces for children who walk or bike to them daily. She opposed adding a dog park at Pompano Highlands, citing limited green space and the poor condition of the existing facility at North Pompano. She suggested that funding be directed toward improving restrooms and facilities rather than reducing open play areas, and recommended considering a dog run in Cresthaven where it would better serve community needs.

Vicente Thrower, Pompano Beach, FL, raised concern that the lobby sound system was too low for attendees to hear when names were called, particularly during overcrowded meetings. He noted that previous requests to adjust the volume had not been addressed and asked that the issue be corrected so the public can properly follow proceedings.

Francheska Vanes, 1541 NE 34th Street, Pompano Beach, FL, stated she wished to yield her time to

another speaker but was informed that meeting rules do not allow it. She requested documentation of the rule, noting that other governmental bodies permit the practice, and asked that a copy of the directive be provided.

Mary Phillips, 384 NW 19th Street, Pompano Beach, FL, expressed concern over the City's purchase and demolition of a building at the cemetery, noting the need to preserve land for future burials and to improve maintenance of the site. She also urged residents to vote in person to avoid mail delays and highlighted the importance of civic participation. In addition, she requested City and community support for the "Chasing Dreams" youth program, which serves local high school students.

Roderick Phillips, 2620 Northwest 10th Street, Pompano Beach, FL, expressed concern about the condition of Westview Cemetery, describing it as poorly maintained and an embarrassment to the City. He urged City leadership to take responsibility for improving the site and ensuring it reflects the community's respect for those buried there.

Comr. Perkins clarified that the cemetery is community-owned, not city-owned, and noted that they have already discussed the issue with city staff and management.

Comr. Fesik inquired about the possibility of using Community Redevelopment Agency (CRA) funds to clean up the cemetery. She asked if a program could be created using a portion of the CRA funds allocated for the Northwest district, arguing that the cemetery's current condition qualifies it as slum and blight. Mark Berman, City Attorney, stated that using CRA funds for that purpose would be inappropriate. He explained that his office is in frequent communication with Comr. Perkins and is actively seeking a resolution. They are awaiting information from the board management, who recently promised to provide the requested details. Mr. Berman assured the public that the City is not delaying progress, but is waiting for the necessary information.

Comr. Fesik suggested exploring other options, such as using facade grant programs, to help address the cemetery's condition once the City can formally meet with the board. She also expressed a desire to see the same level of effort on the west side of the city as on the east side.

Vice Mayor Fournier asked a clarifying question about a previous comment, confirming that the city had purchased and demolished the Westview Cemetery office and whether the purchase of the cemetery office was brought before the board. Mr. Berman stated he was not aware if it was, as he does not attend the Community Redevelopment Agency (CRA) meetings. It was confirmed that the purchase was not on the agenda. Vice Mayor Fournier questioned who made the purchase, when, and for how much, expressing frustration that some commissioners were unaware of these decisions. Mr. Berman stated he did not have the information but would provide it at the next meeting. Vice Mayor Fournier asserted that commissioners need to be informed of all property acquisitions and significant contracts signed by the City or CRA.

Comr. Perkins was surprised and hurt that the cemetery office in her district was sold and demolished without her knowledge, noting she learned about it on social media. Comr. Perkins stated that while the building may not have seemed important to others, it was significant to the community. Comr. Perkins demanded that the city manager notify the district's commissioner before any future demolitions or purchases.

Comr. Fesik echoed similar concerns, stating that property purchases and dispositions should be publicly

noticed and require a vote from the board. She announced her intent to make a motion that all future property purchases by the City or CRA be brought before the board for a vote before a contract is finalized.

A motion was made by Commissioner Fesik, seconded by Commissioner Perkins, that the CRA Board or City Commission must be notified in advance of any property owned by the City or the CRA that is leased, sold, or purchased. Notification should occur before the contract is finalized for approval. If the property pertains to the MDA or OHUI, the CRA Board or City Commission must be informed before the mayor signs off.

Mr. Berman clarified that while properties are typically brought before the board, some exceptions exist. Specifically, he noted that the downtown development ordinance grants authority to purchase properties in that area without board approval. He also mentioned that the CRA's authority to purchase derelict properties for redevelopment is a core function.

Comr. Sigerson- Eaton opposed the motion, arguing that making these transactions public could negatively impact negotiations by inflating property prices. She stated that the CRA's mission, as outlined in Chapter 163 of Florida Statutes, is to acquire vacant properties to facilitate redevelopment and that revealing purchasing intentions would be counterproductive. Mr. Berman further explained that the Downtown and OHUI authorities were established by a prior Commission.

Comr. Perkins expressed her strong disagreement with Comr. Sigerson-Eaton. She emphasized that properties in her district have been demolished without her knowledge and that her community's history is being erased. She insisted that all future transactions, regardless of location, must be brought before the Commission and that she expects to be notified beforehand.

Vice Mayor Fournier agreed with Comr. Perkins stated that the current system lacks transparency. She pointed out that the downtown agreement, which gives the CRA broad purchasing authority, has led to the exact policy described by Comr. Sigerson-Eaton. She argued that even if the board has relinquished its right to approve certain purchases in the downtown area, they should still be informed out of courtesy. Vice Mayor Fournier concluded by expressing her support for the motion as a necessary first step toward greater transparency.

Mayor Hardin sought public comment on the motion.

Steven Kublickis, District 4 resident, agreed with Comr. Perkins that the public and commissioners should be made aware of the Community Redevelopment Agency's (CRA) purchases. He challenged Comr. Sigerson-Eaton's concern about prices doubling by stating that the City had already paid a significant premium for a property without board knowledge. He supported his claim with Property Appraiser's information, noting that the City paid approximately \$300,000 for a property appraised at \$167,000.

Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, spoke to express his agreement with the commissioners' general stance on the cemetery and the need for public information. Mr. Phillips supported Comr. Perkins's call for greater transparency regarding city purchases, even while acknowledging the need for discretion in negotiations. He also echoed Comr. Perkins's concerns about affordable housing and the city's approach to the homeless population. Mr. Phillips concluded by urging the City to be more compassionate in its

pursuit of economic progress, asking that it prioritize the needs of its residents.

Sonya Finney, 173 NW 15th Street, Pompano Beach, FL, addressed the commission to discuss the sale of Westview Community Cemetery land. She alleged that the Westview board, composed of Ron Thurston, Walter Hunter, Evander Derico, Vicente Thrower, and Gary Macklemore, illegally sold a portion of the land to a developer, with the proceeds not being used for cemetery maintenance. She further claimed that the same board received \$300,000 from the City and the Community Redevelopment Agency (CRA) for an office building, despite being involved in another lawsuit for not adhering to bylaws.

Vicente Thrower, Pompano Beach, FL, emphasized the importance of verifying facts before addressing concerns regarding City land purchases. He urged the Commission to ensure accurate information is considered in discussions and cautioned against acting on unverified claims.

Wayne Vereen, 2420 NW 7th Street, Pompano Beach, FL, spoke in support of the motion, stating that every commissioner deserves the utmost respect and access to information about their district. He expressed that it is disrespectful for an elected official, such as Comr. Perkins, to be uninformed about events in the district they represent. Mr. Vereen concluded by urging the Mayor and City Manager to ensure better communication and transparency for all commissioners.

Roderick Phillips, 2620 NW 10th Street, Pompano Beach, FL, expressed appreciation to Comr. Perkins for standing up for District 4. He stated that the district has been dismantled over time without adequate community input, despite contributing significantly to development on the east side through CRA funds. He urged greater transparency in land sales and purchases and emphasized the need for taxpayers' voices to be heard.

Wayne Oken, Vizcaya at Palm Aire, Pompano Beach, FL, criticized the city's CRA, questioning its purpose and financial accountability. Mr. Oken cited the unannounced demolition of tennis courts at McNabb Park, a project he believes violated environmental law, as an example of the agency's mismanagement. Mr. Oken voiced his support for Comr. Fesik's concerns about the agency's handling of funds.

Carlene Duncan, Pompano Beach resident, stated that the CRA's purchase of the plot of land in question was improper because it was a community asset, and the community did not authorize the sale.

Donald Jackson, Pompano Beach resident for 37 years, advocated for better communication between the CRA, the board, and the community, stating that citizens are often not fully informed about what is happening. Mr. Jackson emphasized the need for officials to act as a unified team and not to blame the City Manager. He also pointed out the community's role in spreading misinformation and urged commissioners to correct false narratives by meeting with residents beforehand.

George Berlenge, Pompano Beach resident, spoke at a recent meeting about the need for unity among the City's leaders. He referenced a prior conversation he had with community members about the importance of a unified Commission. Mr. Berlenge noted that while some public discussion on the dais may seem divided, he believes there is an underlying agreement on fundamental issues. He encouraged the mayor to use his leadership to foster this unity and urged the Commission to embrace this opportunity to work together.

Linda James, 2432 NW 6th Court, Pompano Beach, FL, expressed her concern that the community is not being adequately informed about local developments. Ms. James emphasized that the public relies on elected officials for information and that a lack of transparency erodes trust. Ms. James stated that she and other residents feel upset and betrayed, questioning how they can be expected to trust and re-elect officials who do not communicate what is happening in their neighborhoods.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, expressed his belief that the CRA's purchases should be subject to greater oversight. He supported the idea that the Commission should be informed of all proposed purchases in advance. Mr. Skversky criticized the CRA's past acquisitions, stating that some properties were purchased for 50-90% over their market value without proper appraisals. He concluded by asserting that both the CRA and the RMA need to be more closely monitored.

Jocelyn Jackson, spoke about the need to redevelop blighted areas. She argued that property owners should have the right to sell their homes to the City or CRA without public review, especially if the agencies already have the authority to make such purchases. Ms. Jackson supported the idea of board oversight only for residents buying city-owned property and maintained that owners in her community should receive top dollar for their homes.

Ula Foster, 2856 NW 13th Street, Pompano Beach, FL, expressed concerns connected to cemetery property and related transactions. She noted that while prior discussions framed the matter as private property, the land in question is historically tied to the Black community of Pompano Beach. Ms. Foster expressed concern that property sales occurred without community input, despite long-standing litigation involving the cemetery land. She emphasized the need for greater transparency and accountability in the handling of such transactions, noting that the community has not seen tangible benefits despite its name being associated with these actions.

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

Comr. Sigerson-Eaton stated that the CRA board already provides substantial input and noted that the Master Development Agreement is a binding contract. She expressed support for the motion in principle but clarified that she could not support applying it to areas covered under the agreement, as she did not wish to jeopardize an existing legal contract.

Comr. Fesik emphasized the importance of home rule, noting that it grants the City authority to shape ordinances, zoning, and community development. She expressed concern that the Master Development Agreement was entered into without sufficient community input, despite its long-term impact on property and finances. She highlighted the lack of public engagement compared to other projects, stressed the need for transparency, and affirmed her commitment to representing residents.

Comr. Perkins expressed that the new downtown will not have affordable housing and Mayor Hardin stated for the record that was untrue.

Comr. Smith affirmed the importance of transparency but emphasized that the Master Development Agreement should be allowed to proceed without interference. She noted that reporting on purchases has occurred, though

meetings have been infrequent. She supported being informed about city properties outside the CRA and MDA. However, because the motion included MDA properties, Comr. Smith stated she could not support it.

Mayor Hardin expressed support for transparency in informing commissioners and the public about property transactions but opposed requiring Commission approval for each action, noting it would delay progress. He emphasized that certain properties cannot be publicly disclosed during negotiations and that the City is already governed by a Master Development Agreement.

Comr. Fesik proposed amending the motion to require notification of property transactions within the MDA before they are finalized, while ensuring that properties outside the MDA be subject to Commission approval. She also recommended requiring appraisals to protect taxpayers and suggested setting a cap on downtown property purchases.

Mr. Berman clarified that, aside from OHUI properties and downtown properties covered by the MDA, all property purchases and sales are brought before the Commission for approval. He noted that OHUI and downtown authorizations were granted by ordinance and emphasized that not every transaction in such large, complex developments can be returned for further approval.

Mayor Hardin noted that Comr. Fesik's proposed motion aligned with his understanding, emphasizing that property transactions become public record once contracts are signed and should be shared accordingly. He clarified that all city purchases and sales come before the commission except those handled by OHUI, and he requested further clarification from Mr. Berman regarding the ordinance governing OHUI and any applicable income limits.

Mr. Berman explained that OHUI programs follow strict HUD and state guidelines, providing assistance such as home repairs and first-time homebuyer support. He emphasized that funds are carefully regulated, not discretionary, and that OHUI should continue its work without interruption. He acknowledged the importance of communication and noted that staff could provide further details on income guidelines, property transfers, and program operations as needed.

Comr. Fesik suggested auditing certain departments and clarified that her amended motion would exclude MDA and OHUI properties, provided the Commission is notified before documents are signed. She clarified that the motion was that the Commission must be notified in advance of any City- or CRA-owned property that is leased, sold, or purchased, with approval required before contracts are finalized. For properties within the MDA or under OHUI, the Commission should receive notice just prior to the mayor's signature to ensure transparency.

Comr. Sigerson-Eaton requested Mr. Berman reiterate the current process. Mr. Berman confirmed that, except for downtown and OHUI properties, all City and CRA property sales, leases, and purchases are routinely brought before the Commission for approval, a practice in place for decades. The MDA properties are excluded from this process.

Vice Mayor Fournier noted that while the mayor is always aware of property transactions as a signatory, other commissioners often lack notification, particularly for MDA properties. She emphasized the need for advance

notice to the Commission for MDA transactions and expressed concern that certain OHUI property sales, given their limited availability and potential conflicts of interest, also warrant review.

Comr. Perkins emphasized that the city manager oversees the daily operations of Pompano Beach and stressed the need for better communication between the city manager and the Commission. She noted that timely updates, particularly regarding district developments, are essential to ensure informed oversight and proper consultation.

Mayor Hardin summarized that the motion directs that all commissioners be advised of property transactions, including MDA purchases, without requiring them to make decisions, and that notifications be sent in advance of any planned demolitions.

Comr. Perkins emphasized the need for advance notice of demolitions, ideally three to five days, and for updates on MDA and OHUI property transactions. All other city and CRA properties will continue to be processed and reported routinely, ensuring transparency for commissioners.

Vice Mayor Fournier emphasized the importance of timely communication regarding city actions, such as property changes or park modifications, so commissioners can inform the public and respond appropriately. She noted that notice provided too close to the event undermines trust and that advance notice demonstrates basic respect for the community.

Comr. Perkins requested to be informed in advance about plans for sites where structures, such as the “two o’clock store,” are being torn down. Mr. Harrison noted that decisions on property demolition, including those by the Unsafe Structures Board or as part of CRA projects, fall under his purview, and explained that prior delegated authority allows timely real estate actions within set budgets and boundaries.

Nguyen Tran, CRA Director, explained that the Westview office and surrounding properties are part of a downtown assemblage under the CRA and MDA, with prior authority delegated by the previous commission to act within budget and boundaries. He noted that no litigation existed at the time of negotiations and assured that all other property transactions will follow standard commission approval processes.

Comr. Perkins restated the importance of advance notification for demolitions and developments to ensure transparency, communication, and respect, particularly for district stakeholders.

The motion carried by the following roll call vote:

Yes:Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Carlene Duncan, Pompano Beach resident, expressed concern over CRA property acquisitions and

emphasized respect for District 4 Comr. Perkins.

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

D. CONSENT AGENDA

Meeting went into Recess

Meeting Reconvened

Mayor Hardin requested a motion to Approve/Adopt Items 7 through 9 under the Consent Agenda.

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

1. [25-542](#) A RESOLUTION OF THE CITY COMMISSION OF CITY OF POMPANO BEACH, FLORIDA, AUTHORIZING PARTICIPATION IN A LAWSUIT SEEKING TO HAVE SENATE BILL 180'S IMPOSITION OF A BLANKET STATEWIDE PROHIBITION ON THE EXERCISE OF HOME RULE AUTHORITY OVER LAND USE AND ZONING REGULATIONS DECLARED UNCONSTITUTIONAL AND ENJOINED; PROVIDING FOR AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Mayor Hardin stated this item was pulled by Vice Mayor and Comr. Fesik.

Vice Mayor Fournier expressed concerns about a bill aimed at emergency rebuilding after hurricanes, highlighting potential unintended consequences discussed by Senator Polsky. She questioned whether joining a lawsuit against the bill makes sense and what the costs would be. Mark Berman, City Attorney, responded that more than ten cities have already joined the lawsuit, and joining may limit future legislative discussions. He noted that the bill, initially intended to help disaster recovery, has become problematic, driven by the development industry's interests. Mr. Berman mentioned that while litigation could be one route, it's uncertain if the legislature would fix the issues raised, despite prior communications that went unheeded. He concluded that the cost to join the litigation would be up to \$10,000 per entity.

Vice Mayor Fournier questioned the urgency of taking action, suggesting they could consider joining later since Senator Polsky and her colleagues seemed aware of the issues and planned to address them in the upcoming session. She doubted that a lawsuit would be effective. Mr. Berman emphasized the importance of discussing the matter at that time, as it was complex and needed timely attention; hence, he provided the supporting information.

Vice Mayor Fournier questioned the need to act immediately, wondering if waiting two weeks would be harmful. Mr. Berman expressed uncertainty about what might happen in that time, noting that the legislative session was still months away. He suggested that the ongoing lawsuit could motivate the necessary corrections, which might not happen if they chose not to push for action. He highlighted the importance of the situation, mentioning that important sustainability studies and an ordinance were ready to be presented to the commission, among other critical issues related to rising sea levels. He emphasized that delaying action would impede their ability to protect residents, which he felt was crucial.

Vice Mayor Fournier noted that actions or measures couldn't be taken until a lawsuit's verdict or legislative modifications occurred, which she believed would happen faster than the lawsuit. She inquired about the lobbyists' input. Mr. Berman shared that a lobbyist suggested working through the legislature, aligning with their usual strategy after a recent Zoom meeting. He emphasized the need for patience and certainty from the Commission, highlighting the restrictions on their home rule power. While he speculated that litigation might expedite a resolution, he was unsure if it would happen before legislative changes or if one would impact the other, likening it to football strategies.

Vice Mayor Fournier warned that not joining the lawsuit could lead to negative consequences for everyone if the plaintiffs win, as it might expose flaws in the law affecting multiple cities. Mr. Berman emphasized the importance of the lawsuit, while the Vice Mayor expressed her general support for taking a stand on important issues. However, she also suggested that the matter might resolve itself and considered postponing their involvement for now.

Comr. Fesik raised a question about the \$10,000 cost for cities joining the lawsuit to oppose certain legislation supported by senators and house representatives. Mr. Berman noted that while the lobbyist is already being paid, the overall cost could decrease if more cities join the lawsuit. He also mentioned that additional costs would arise for any potential appeals.

Comr. Fesik expressed the desire for her district to retain home rule and engage in open dialogue about community needs. She inquired whether spending \$10,000 on the legal challenge would alter their ability to participate in litigation or operate normally. Mr. Berman responded that the district is currently frozen and cannot take any actions related to changes in the comprehensive plan, land development regulations, or site plan approvals. He emphasized that current constraints are a significant intrusion on land use and environmental protections, highlighting that the \$10,000 is a potential cost for legal action, not an immediate payment.

Mayor Hardin sought public input on the item.

Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, urged the City to join the fight rather than be a passive observer. He emphasized that avoiding involvement could lead to negative consequences, including delays and costs.

There being no further speakers, the Mayor closed public input and invited further Commission discussion on the item.

Comr. Sigerson-Eaton sought clarification regarding the current law. Mr. Berman confirmed it was indeed the

current law, stating it would go retroactively back to 2024.

Comr. Sigerson-Eaton mentioned that changes to a comprehensive plan or land development aspects were allowed as long as they weren't more restrictive. After reviewing the Senate bill, she noted several positives for post-hurricane rebuilding but highlighted the challenges single-family residents face when improvements exceed 50%, resulting in reassessments. While Section 18 of the bill raised concerns, Comr. Sigerson-Eaton urged not to adopt an adversarial stance, as many counties shared similar views. She felt the City should wait and see how the legislative session unfolded, believing the law would be determined to be constitutional or not.

Mayor Hardin believed that joining the lawsuit demonstrated solidarity and highlighted the importance of the issue at hand. He acknowledged that while there were ongoing efforts to address the problem, the lack of resolution made it a significant concern for local planning councils. Mayor Hardin emphasized the need for lobbyists to advocate for change, expressing that the costs associated with the lawsuit were minimal compared to the benefits of showing unified support. He supported taking legal action to convey to the legislature that communities were serious about enacting change.

Comr. Fesik expressed strong support for joining the lawsuit that allowed communities to make their own decisions. She emphasized the importance of local autonomy and believed there was no harm in committing up to \$10,000 for this cause. Comr. Fesik argued that this investment was worthwhile as it served to protect the interests of the city and provided a backup plan in case the lawsuit failed during the session.

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. 2025-198

2. [25-523](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE CITY MANAGER'S EXECUTION OF AN AIRPORT IMPROVEMENT PROGRAM GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FEDERAL AVIATION ADMINISTRATION, ACCEPTING A GRANT FOR THE CONSTRUCTION OF RUNWAY 10-28 REHABILITATION WITH A CORRECTION TO THE EXPANSE OF PAVEMENT ON THE RUNWAY 10 END; AND CONFIRMING THE CITY'S MATCHING CONTRIBUTION IN AN AMOUNT OF \$136,182.00; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Grant Funding \$5,174,899.00 City match \$136,182.00)

(Staff Contact: Dr. Tammy Good/Steve Rocco)

Comr. Fesik inquired if there was a time limit on this item.

Dr. Tammy Good, CIP Manager, confirmed that the FDOT grant was approved in July, finalizing full project funding. Tonight's agenda includes awarding the construction contract, which must proceed promptly to avoid cost escalations.

Comr. Fesik proposed postponing to October 14 to allow time for a community meeting and thorough discussion with all stakeholders, including Dr. Good and her team.

A motion was made by Commissioner Fesik, seconded by Vice Mayor Fournier, to postpone the item to the October 14, 2025 City Commission meeting.

Dr. Good noted that postponement will not affect project scope, which remains within existing paved areas. The goal is to ensure clear communication, shared understanding of all project stipulations, and full support before moving forward. Mr. Berman reiterated that the scope of work is repairing an existing runway.

Vice Mayor Fournier inquired about the grant deadline of August 8, 2025, noting it had passed and asking if an extension would cover the proposed October 14 postponement. Staff confirmed the grant had already been signed by the city manager, and ratification by the Commission is required to avoid forfeiting the funds. Vice Mayor Fournier emphasized the need for a workshop to address ongoing tensions at the airport and suggested scheduling it before October 14. It was confirmed that the workshop would occur within the next two to three weeks. Comr. Fesik agreed that the postponement allows time for the workshop and full community engagement, while ensuring the grant remains secure.

Mayor Hardin noted this item ratifies the city manager's actions, as he has already signed the grants under authority previously granted by the Commission. The purpose today is to formally approve and move forward with those actions.

Comr. Fesik emphasized that the community has long requested a meeting to address trust and ongoing airport concerns. She expressed frustration that, despite these requests and prior discussions, the City Manager signed the grant without prior notification or consultation. She stressed that the grant pertains to runway repairs, not the broader issues raised by residents, and advocated postponing action until the planned workshop on October 14, allowing for meaningful dialogue and community engagement.

Comr. Sigerson-Eaton inquired when the runway was last rehabilitated. Dr. Good noted that Runway 10-28 has not been rehabilitated since the 1970s and is below FAA structural standards, prompting the grant for necessary repairs.

Vice Mayor Fournier inquired whether there is a specific time frame for ratifying an action after the city manager has been authorized to sign it and what the implications would be if it is not ratified. Mr. Berman

explained that the Commission had authorized the City Manager, during its August absence, to enter into agreements to avoid financial loss-\$5 million and \$717,000. The agreements are valid even if not ratified.

Comr. Fesik expressed concern that, from a resident's perspective, the process feels disrespectful and lacks transparency. While acknowledging the city manager's authority to sign the grant for runway repairs, she emphasized that community members have long sought dialogue on airport safety, noise, and growth. She noted that postponing action to allow a workshop would not cause harm and would facilitate clearer communication with the community.

Mayor Hardin sought public input on the matter.

Marilyn De Martini, 1110 NE 27th Avenue, Pompano Beach, FL, expressed concern over the proposed runway 10 improvements. She noted that the project has been contentious for nearly two years and highlighted the efforts of the coalition Neighbors for Safety and Reform at the Air Park. While acknowledging that enterprise funds-not city tax dollars-are being used, she urged a delay until a public hearing with the FAA, city officials, and flight schools could be held to address resident concerns, ensure community input, and review assurances outlined in the 37-page resolution before significant expenditures are made.

David Batzer, 1110 NE 27th Avenue, Pompano Beach, FL, expressed concern that the \$5 million for the runway rehabilitation comes from public funds. He questioned whether the project, aimed at addressing an unsafe runway, should proceed without full disclosure of supporting statistics prior to the decision.

Wendy Weinstein, 2711 NE 3rd Street, Pompano Beach, FL, spoke in support of safety and noise abatement measures at Pompano Beach Air Park. She highlighted longstanding issues with low-flying planes over her neighborhood near Runway 15, citing specific incidents of aircraft flying at unsafe altitudes. While she supports the neighborhood group's efforts, she noted that closing Runway 10 could exacerbate safety and noise issues on other runways. She emphasized that enforcing safety protocols and noise guidelines across all runways is the best approach to making the airport a responsible neighbor.

Dorine Wollangk, 954 NE 26th Avenue, Pompano Beach, FL, a resident for over 20 years, spoke about safety concerns related to Runway 10. She expressed frustration that prior safety findings were not presented and that decisions were made without community input. Ms. Wollangk cited past incidents, including a 2016 crash near her home, and ongoing risks from low-flying student pilots. She emphasized that these decisions endanger residents and should have been discussed with the public before being implemented.

Clayton Mueller, 1080 NE 28th Avenue, Pompano Beach, FL, addressed concerns regarding Runway 10. He noted that during the July meeting, the commission had unanimously agreed to investigate potential safety issues, yet the city manager and Air Park manager proceeded with actions despite this vote. Mueller highlighted that Runway 10 has the shortest distance to residential areas-approximately 1,800 feet-resulting in low-altitude flights over homes. He emphasized the need for accountability, noting prior FAA agreements to assist in bridging gaps between the airport and residents, and stressed that bypassing the commission undermines proper governmental oversight. Dr. Good noted there was a unanimous vote to accept the grant from FDOT for this project at the July 8th meeting.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, clarified that aircraft are not flying as low as previously stated. While some planes approach from the south at slightly lower altitudes, they remain safely above power lines and other hazards. He noted that past accidents, such as the one in 2016, were unfortunate but do not reflect current flight patterns.

Bob Weisfeld, 2711 NE 3rd Street, Pompano Beach, FL, noted that flight school activity exacerbates noise and safety concerns. Students often conduct multiple night circuits, creating repeated disturbances that do not benefit the city. He suggested extending tower hours to limit excessive nighttime operations and reduce repeated flights over the neighborhood.

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

Comr. Fesik acknowledged the need for further discussion with all stakeholders, including the FAA, to balance community concerns with operational needs. She noted that management may have overstepped in signing the grant before a full conversation occurred, but emphasized support for safety improvements. She requested a postponement to allow for an open workshop.

Mayor Hardin inquired which meeting it was that this project was previously heard at. Dr. Good clarified that the project is part of the 2021 Air Park Master Plan, previously approved by the Commission, and that the grant funding from FDOT and FAA has been pending. Management acted in accordance with prior Commission direction to secure necessary funding for mandatory safety repairs.

Comr. Fesik reiterated the importance of holding the workshop to address community concerns, while acknowledging that the runway repair is required and funding should not be lost.

Comr. Smith confirmed with Dr. Good that the runway repairs are federally mandated, even without the \$5.174 million FAA grant. While the FAA will participate in the upcoming workshop, the runway must be rehabilitated to meet safety standards. With FDOT funding and the FAA grant, proceeding ensures the necessary repairs are completed and funding is not lost.

Comr. Sigerson-Eaton noted that the FAA, as a federal authority, could assume control of the Air Park if it is not properly managed. It was confirmed that, under certain circumstances, the FAA does have that authority. She emphasized that maintaining oversight ensures continued revenue and local input.

Vice Mayor Fournier asked about the effect of a tied vote. It was clarified that a 3-3 vote would not alter the grant, as the city manager had already executed it to avoid potential loss of \$717,000. The vote serves only to ratify and publicly acknowledge actions already taken.

The motion to postpone failed by the following roll call vote:

Yes:Fesik
Perkins

No: Sigerson-Eaton

Smith

Fournier

Hardin

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: Sigerson-Eaton

Smith

Fournier

Hardin

No: Fesik

Perkins

Enactment No: RES. No. 2025-199

3. [25-536](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND RATIFYING THE CITY MANAGER'S EXECUTION OF AN INFRASTRUCTURE INVESTMENT AND JOBS ACT (IIJA) GRANT AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE FEDERAL AVIATION ADMINISTRATION, ACCEPTING A GRANT TO INSTALL CONNECTOR TAXIWAY K1 AND CONNECTOR TAXIWAY K2 SIGNAGE AND MARKINGS; AND CONFIRMING THE CITY'S MATCHING CONTRIBUTION IN AN AMOUNT OF \$18,875.00; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Grant Funding \$717,250.00 City match \$18,875.00)

(Staff Contact: Dr. Tammy Good/Steve Rocco)

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

Comr. Fesik expressed her frustration over the city management's decisions, stating that recent actions had disregarded the will of the Commission and the concerns of residents. She accused the City Manager of mismanagement and indicated her disappointment that the Commission could not come together for a conversation before decisions were made. Despite her desire to support the item, she announced that she would not back it due to the lack of communication and accountability regarding the residents' wishes.

Mayor Hardin defended the management's actions, arguing that they were following the Commission's directions. He expressed confusion over why management was being criticized for doing their job according to the Commission's previous directives. He thanked both the City Manager and staff for their efforts, affirming his appreciation for their work on behalf of the residents.

Vice Mayor Fournier acknowledged Comr. Fesik's strong feelings for the residents. However, she criticized the Mayor's response to Comr. Fesik, stating it undermined unity within the Commission in a way. She argued that the Mayor had a responsibility to set a positive tone and should not complain about the Commission's disunity while also undermining its members.

Comr. Fesik agreed with the Vice Mayor, emphasizing the need for improvement and accountability, which must begin with the Commission's leadership.

Mayor Hardin concluded by expressing his continued support for management, stating that he believed they were doing a good job. He emphasized the importance of allowing the public to form their own opinions based on the Commission's discussions.

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: Sigerson-Eaton

Smith

Fournier

Hardin

No: Fesik

Perkins

Enactment No: RES. No. 2025-200

4. [25-539](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDED AND RESTATED AGREEMENT BETWEEN BROWARD COUNTY AND THE CITY OF POMPANO BEACH FOR THE SWIM CENTRAL WATER SAFETY INSTRUCTION AND EDUCATION PROGRAM; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Maximum compensation \$100,000 per fiscal year)

(Staff Contact: Scott Moore)

Mayor Hardin stated that the item was pulled by Comr. Smith.

Comr. Smith stated she pulled the item because Ed Phillips would like to make a comment about the success of that program.

Ed Phillips, 384 NW 19th Street, Pompano Beach, FL, expressed his strong support for the swimming program, sharing a personal story about his three-year-old granddaughter learning to swim. He emphasized the importance of water safety in Florida and commended the staff at Mitchell Moore Park, particularly praising

Krista Coleman for her professionalism and ability to help children feel comfortable in the water. Mr. Phillips expressed excitement about the program and its role in helping families who cannot afford swimming lessons, praising the City for its commitment to water safety.

Tundra King, 124 NW 15th Street, Pompano Beach, FL, echoed Mr. Phillips' sentiments, sharing her experience with her niece who overcame her fear of water through the swimming program. She noted the staff's patience, recognizing that some parents were also fearful. Ms. King highlighted the significance of the program in preventing drownings in South Florida and urged continued funding and support for such initiatives.

Clinton Mueller, 1080 NE 28th, Pompano Beach, FL, expressed full support for the swimming program and thanked the team for their exemplary work. He shared a personal connection as the father of a special needs child and acknowledged the positive impact the program and its staff have had on the community.

There being no further speakers, the Mayor closed public input and invited further Commission discussion on the item.

Comr. Fesik agreed with previous speakers and underscored the critical nature of water safety, citing a recent drowning incident as a reminder of the urgency for such programs. She expressed her personal support for water safety initiatives and mentioned her enthusiasm for swimming, likening herself to a mermaid.

Comr. Perkins supported the program and highlighted the importance of providing free swimming lessons, especially given the high rates of drowning among children. She referenced a recent tragic drowning incident in her district, reinforcing the need for proactive measures in swimming education as summer approaches.

Comr. Sigerson-Eaton shared a different perspective on teaching her granddaughter to swim, indicating that she used a form of reverse psychology, stating that instead of just teaching her how to swim, she framed it as teaching her how not to drown. She noted this approach was effective in encouraging her granddaughter to learn.

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. 2025-201

5. [25-552](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY

OFFICIALS TO EXECUTE A REVOCABLE LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND 3151 NF OWNER LLC FOR AN EXISTING PRIVATELY-OWNED WALL LOCATED ON A 5-FOOT-WIDE STRIP OF THE PROPERTY DEDICATED TO THE CITY FOR RIGHT-OF-WAY PURPOSES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss)

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

Comr. Fesik sought clarification on the concept of mixed-use development and the City's regulations regarding land repossession. Max Wemyss, Principal Planner, responded by confirming that all development applications must include necessary right-of-way dedications. He explained the specific requirements for mixed-use development compared to residential projects, noting that an additional five feet of right-of-way must be dedicated, particularly in areas where there is an existing wall.

Comr. Fesik asked for clarification regarding the condition of the existing wall and its effect on site plan compliance. She questioned whether allowing the wall to stay would still satisfy all other development requirements. Mr. Wemyss confirmed that the existing wall is a necessary component of the site plan. He described the wall as a six-foot CMU structure finished with stucco. Additionally, he explained that the application involves repainting the wall and enhancing the landscaping around it to ensure compliance with zoning code requirements.

Comr. Fesik inquired about the building specifications concerning setbacks. She specifically asked whether the wall could be relocated in the event of damage and the circumstances under which it would need to be moved. Mr. Wemyss clarified that the wall is currently allowed in its existing location; however, there is a possibility that it may need to be removed in the future should public works require additional right-of-way. He also noted that if the wall needs to be moved, the cost of rebuilding it would fall solely on the owner.

Comr. Fesik brought attention to the frequency of revocable agreements within the City, prompting Mr. Berman to affirm their purpose and their importance in balancing public benefits with developmental needs. Comr. Fesik expressed agreement with Mr. Berman's insights but also raised concerns about the nominal fee of \$1 associated with these agreements. She suggested that the City should consider increasing these fees to explore potential revenue opportunities.

Mayor Hardin sought public input on the item.

Matthew Scott, representing the property owner, stated that the owner is seeking approval for a revocable license regarding a wall on land already dedicated to the City. He emphasized that without approval, the wall will remain in poor condition and won't be improved, as it is on city property. The owner offers to enhance the wall, provide insurance, and maintain landscaping if the license is granted. If not approved, the wall would stay as it is, or the City may have to pay for its demolition, potentially requiring a fence. Mr. Scott considered this

arrangement a minor matter that ultimately benefits the City.

Comr. Fesik expressed her support for the item, highlighting its importance. She also identified a potential opportunity for further development as they move forward.

There being no further speakers, the Mayor closed public input and invited further Commission discussion on the item.

Comr. Sigerson-Eaton mentioned she has had multiple communications over the years with various development groups involved with a particular property, noting that there have been significant changes throughout this time. She also met with Mr. Scott on several occasions regarding this project and acknowledged having had direct discussions with him about it, although these conversations were ex parte.

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. 2025-202

6. [25-535](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, DESIGNATING TWO SIGNS AT THE SHOPPER'S HAVEN SHOPPING CENTER LOCATED AT 3301-3572 FEDERAL HIGHWAY, AS LANDMARK SIGNS PURSUANT TO SECTION 156.17(E)(1) OF THE CITY'S CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Resolution / Consent Agenda be POSTPONED to the September 23, 2025 City Commission meeting. The motion carried by a unanimous voice vote.

7. [25-555](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE STUDENT RIDE SHARE

AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND EMERGENCY EDUCATION INSTITUTE, LLC TO PROVIDE EDUCATIONAL AND TRAINING OPPORTUNITIES FOR PARAMEDIC AND EMT STUDENTS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Peter McGinnis)

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

Enactment No: RES. No. 2025-203

8. [25-558](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BRYCER, L.P. TO PROVIDE THE FIRE PREVENTION BUREAU WITH SOFTWARE SOLUTION FOR FIRE SAFETY INSPECTIONS; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Revenue share estimate up to \$81,229 in a 3-year term.)

(Staff Contact: Peter McGinnis)

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

Enactment No: RES. No. 2025-204

9. [25-554](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING WAYNE BURRELL TO THE CULTURAL ARTS COMMITTEE OF THE CITY OF POMPANO BEACH AS APPOINTEE OF COMMISSIONER DARLENE SMITH TO FILL THE UNEXPIRED TERM OF DAVID SMITH; SAID TERM TO COINCIDE WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

motion carried by a unanimous voice vote.

Enactment No: RES. No. 2025-205

E. REGULAR AGENDA

QUASI-JUDICIAL PROCEEDING

Mark E. Berman, City Attorney, advised that items 10 and 11 are listed under Quasi-Judicial Proceeding and are quasi-judicial in nature; therefore, anyone who wishes to testify must be sworn in and may be subject to cross-examination by the City Commission or any other interested party. The individuals addressing the City Commission must state his or her name, whether he or she has been sworn, and understands the rules which governs these proceedings. Thereafter, Mr. Berman outlined the order in which they would follow: City staff would make its presentation for each item, followed by the applicant or any other person(s) wishing to speak, closing argument, and the Commission's discussion.

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

10. [25-476](#) **P.H. 2025-61: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING THAT CERTAIN 30-FOOT WIDE CROSS ACCESS EASEMENT FOR 1 N. ANDREWS AVENUE LOCATED APPROXIMATELY 340 FEET WEST OF THE NORTHWESTERN CORNER OF ATLANTIC BLVD. AND ANDREWS AVENUE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: JULY 22, 2025

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan from the Development Services Department stated that this is the second reading regarding a request to abandon a 30-foot-wide cross-access easement located on the west side of the Wawa site at 1 North Andrews Avenue. There have been no changes since the first reading of the ordinance.

Mayor Hardin invited the Applicant, the public and the Commission to provide input on the motion. 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. 2025-47

11. [25-529](#) **P.H. 2025-67: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ABANDONING A PORTION OF A 14-FOOT-WIDE ALLEY LYING WITHIN THE BLOCK BETWEEN NW 2ND STREET AND NW 3RD STREET OF THE EAST AND WEST APPROXIMATELY 265 FEET BETWEEN NE 2ND AVENUE AND NE 3RD AVENUE; RESERVING A UTILITY EASEMENT FOR THE CITY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan from the Development Services Department stated that this is a request to abandon a 14-foot-wide alley located between Northeast 2nd and Northeast 3rd Avenues, measuring approximately 265 feet. The proposed use for most of the alley area is a pickleball facility. One other property owner on the block has approved the abandonment. The Planning and Zoning Board recommended approval on July 23, 2025, with the condition of reserving a utility easement for FPL and Comcast. Staff also supports the approval. The applicant is working on revising the utility easement language to possibly cover a smaller area or relocate utilities. If approved, the second reading will be postponed until October 14, 2025, or until the revised easement is finalized.

Mayor Hardin invited the Applicant, the public and the Commission to provide input on the motion. 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 APPROVED FIRST READING. The motion carried by the following roll call vote:

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

END OF QUASI-JUDICIAL PROCEEDING

12. [25-409](#) Approving and authorizing the award of ITB #25-030 for runway 10-28 rehabilitation and correction of expansive pavement on runway 10 end to the lowest responsive, responsible bidder, General Asphalt Co. in the amount of \$5,259,091.50, and authorizing the proper city officials to execute the contract as provided in ITB25-030.
(Fiscal Impact: \$5,259,091.50 - 95% from FAA grant; 2.5% from FDOT grant; 2.5 % City Match)

(Staff Contact: Dr. Tammy Good)

Comr. Fesik noted that since this item involves spending funds and authorizing a contract, it presents an opportunity to hold the planned workshop and discuss concerns with residents. She moved to postpone the item to a date certain of October 14th to allow for that conversation before voting on the expenditure. The motion was seconded, and Comr. Perkins confirmed that the postponement would facilitate the workshop prior to the vote.

A motion was made by Commissioner Fesik, seconded by Commissioner Perkins, to postpone the item to the September 23, 2025 City Commission meeting.

Mayor Hardin asked Dr. Tammy Good, CIP Manager, about time constraints on the contract. Dr. Good explained that delays could lead to contractor cost escalations due to tariffs and waiting for the FAA grant. She noted that the upcoming workshop would not affect the project scope and respectfully recommended approval of the award. Turning it down could reflect poorly with the FAA, as the grant was intended for construction. Mayor Hardin acknowledged that the runway rehabilitation is a separate issue from broader community concerns.

Comr. Fesik noted that while government processes can be slow, postponing the contract would allow residents to have a voice without affecting the project scope. She expressed support for awarding the contract after the workshop, emphasizing that there was sufficient time to schedule it alongside the contract approval.

Vice Mayor Fournier noted that the contractor's bid prices are valid for 90 days and the bid was done in May, and any delay beyond that could risk cost increases. She emphasized the importance of scheduling a workshop with residents and FAA participation to address safety and operational concerns. Comr. Fesik noted she was willing to amend her motion to postpone the item for two weeks to allow for a workshop before the item is voted on.

Mayor Hardin asked about FAA participation in the workshop, emphasizing the need to coordinate dates with the city manager and residents to ensure broad engagement.

Vice Mayor Fournier clarified that the ITB allows 120 days, making September 18th the deadline, so a September 23rd postponement would be reasonable.

Dr. Good stated that this ITB involves improvements to Runway 10-28 and the connectors at Taxiway Alpha, which will be renamed Taxiway Kilo 1 and Kilo 2, with the primary goal of enhancing safety. She emphasized that the entire project is focused on safety and that residents will likely gain a clearer understanding of its scope during the upcoming workshop.

Mayor Hardin sought public input on the item.

Clayton Mueller, 1080 NE 28th Avenue, Pompano Beach, FL, inquired whether, if a future workshop recommends repurposing Runway 10-28 for taxiing and emergency use only, completing the \$5 million construction could conflict with FAA requirements tied to the grant. FAA clarified they currently intend for the runway to remain operational as a runway. He also asked about safety concerns regarding minimum pattern altitudes and emergency landing options for departing aircraft, noting pilots had identified limited safe areas. Staff explained that the project reduces pavement expanse to clarify taxiways, enhancing safety, and confirmed the runway is not being expanded.

Anne Bosworth, 4015 West Palm Air Drive, Pompano Beach, FL, suggested improving planning by creating a calendar to track grant deadlines and required actions. This would reduce last-minute pressure and ensure timely coordination.

There being no further speakers, the Mayor closed public input and invited further Commission discussion on the item.

Comr. Fesik emphasized the importance of pre-planning and allowing sufficient time for questions, noting that earlier preparation could have streamlined approval. She stressed the need to apply these lessons in the future to improve efficiency and avoid last-minute pressure.

Vice Mayor Fournier supported moving forward with the construction project while ensuring the workshop is held to address resident concerns. She is confident that both objectives can be achieved without delaying essential safety improvements at the Air Park.

Mayor Hardin explained that apparent time pressures often result from procedural requirements, such as awaiting FAA grants and coordinating ITBs, rather than self-imposed issues.

Comr. Fesik emphasized the importance of holding the workshop with all interested parties, regardless of FAA participation, to engage residents and collaboratively address concerns. Comr. Fesik agreed with Vice Mayor Fournier that the paving project does not affect the hiring decision and supports moving forward. She emphasized the importance of increased transparency and open communication in city processes and noted that

today's discussion highlighted the need for this approach.

The motion to postpone failed by the following roll call vote:

Yes:Fesik

Perkins

Fournier

No:Sigerson-Eaton

Smith

Hardin

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

13. [25-530](#) Approving and authorizing the award of RFP25-040 Non-Sewer Area C Sanitary Sewer Improvements to the highest-ranked proposer, DBF Construction LLC in the amount of \$4,816,773.89, and authorizing the proper city officials to execute the contract as provided in RFP25-040.
(Fiscal Impact: \$4,816,773.89)

(Staff Contact: Dr. Tammy Good)

Dr. Tammy Good, CIP Manager, presented the item, stating staff is requesting approval for a proposal to convert septic systems to sanitary sewer systems. The project requires careful handling of private property and decommissioning existing septic systems. A ranking committee evaluated the firms, and while DBF Construction was not the lowest bid, it was the highest-ranked firm, closely priced within 5%. Staff recommends awarding the project to DBF.

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

Vice Mayor Fournier emphasized the necessity of including selection committee notes in the backup for Requests for Proposals (RFPs) to clarify the rationale behind choosing higher bidders. She pointed out the importance of understanding the specific percentage differences in bids, as well as the factors that led to the

selection of more expensive options. Dr. Good noted that she had observed committee members' notes included in the purchasing department's documentation, which provided details about their rankings.

Vice Mayor Fournier noted that while there was a recommendation table included in the supplementary materials, it was missing detailed notes that would help clarify the overall scores. She highlighted her ability to interpret handwritten notes but confirmed that those notes were not available in the current documentation, raising concerns about how to move forward without that essential information. In response, Dr. Good expressed her confidence that she had seen the notes previously and agreed to search for them to provide the necessary details.

Vice Mayor Fournier emphasized that the absence of this information is hindering her understanding of the issue at hand. In response, Dr. Good noted that committee notes are usually included in the backup materials. She also shared that a \$1.5 million grant has been received and approved. This funding will be allocated for decommissioning septic systems on private properties, with no cost to the homeowners.

Vice Mayor Fournier raised a question regarding any time constraints associated with the project. In response, Dr. Good confirmed that there are indeed time constraints concerning the \$1.5 million grant. Additionally, she expressed confidence that she had seen the relevant details, as it is customary to include this information in the backup documentation.

Vice Mayor Fournier expressed the importance of including specific items in backup documentation for project bids, emphasizing that the committee should not always select the lowest bidder. Dr. Good explained that the selected firm, which was only about 2% higher than the lowest bid, was chosen due to its prior experience with city projects, particularly those involving private property and sewer connections. The current project involves decommissioning septic systems and connecting to the City's sewer main. The committee unanimously decided to select this firm based on its relevant experience and positive track record with the City.

Vice Mayor Fournier commented on the importance of understanding the grant process and asked if there were potential issues with delaying the decision until September 23, 2025. Nathaniel Watson, Field Superintendent, explained that they have renewed the grant twice and want to secure it before its sunset period in August of next year. He highlighted the urgency of proceeding with the necessary work funded by the grant to benefit the City.

Vice Mayor Fournier mentioned wanting to see the ranking and details regarding cost differences in future agenda items.

Comr. Fesik raised concerns about the procurement process for vendor selection. Dr. Good responded by explaining that the City sets strict qualifications based on project complexity and requirements, with the aim of selecting qualified contractors. The City prioritizes best value over the lowest bid, recognizing that lower costs may not always be the most effective choice. In the current agenda item, a low bidder was chosen through competitive bidding, but contractor experience and qualifications were also key factors in the decision.

Comr. Fesik explained the importance of understanding the contractor's qualifications and the decision-makers in the selection process. She asked about the contract awards to DBF, highlighting their long-term relationship.

Dr. Good clarified that DBF secured contracts through competitive bidding as the lowest bidders, ensuring fair pricing from the contractor.

Comr. Fesik raised concerns about a disclosure page in the backup, noting that a construction company, which claimed no legal issues in their bid, is currently a co-defendant in an active lawsuit against the City of Pompano Beach. She emphasized the importance of honesty in the procurement process. Dr. Good mentioned that the claimant in the lawsuit had withdrawn and hinted at possible similar circumstances for the construction company. Mark Berman, City Attorney added that the lawsuit is stalled due to the claimant lacking legal representation, and it may be dismissed for lack of prosecution if no action is taken.

Dr. Good stated that DBF Construction did not perform services for the project in question and confirmed they are not currently in any litigation.

Comr. Fesik raised additional concerns regarding the procurement process, particularly questioning DBF's assertion that there had been no litigation or disputes in the past five years. She highlighted the importance of honesty and transparency, citing discrepancies in the legal concerns she discovered. Comr. Fesik also addressed the potential ramifications of dishonesty in submissions, emphasizing the high standards that must be maintained. Mr. Berman pointed out the serious consequences that could arise from fraudulent activity in procurement, including the potential denial or revocation of contracts. He noted, however, the challenges in proving fraud, especially when it does not seem to be a significant issue.

Dr. Good clarified that DBF is currently not in litigation, and therefore, the firm is also not involved in any litigation with the parties involved. Mr. Berman added that he is in correspondence with the firm's litigator, but there seems to be a misunderstanding about the firm's involvement.

Comr. Fesik highlighted the importance of having proper backup information to ensure transparency and honesty from contractors when working with the City. She expressed a strong desire to gather additional details before making any decisions, suggesting that these matters be addressed collectively at the next meeting. However, she also acknowledged the urgency of the situation, understanding that the City does not want to risk losing the grant money if there is a time constraint.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

14. [25-531](#) Approving and authorizing the award of ITB25-058 for Charlotte Burrie Plaza & Passive Park end to the lowest responsive, responsible bidder, Waypoint Contracting Inc. in the amount of \$1,713,452.00, and authorizing the proper city officials to execute the contract as provided in ITB25-058.

(Fiscal Impact: \$1,713,452.00)

(Staff Contact: Dr. Tammy Good)

Dr. Tammy Good, CIP Manager, presented the item for approval regarding the invitation to bid for the Charlotte Burrie Plaza and Passive Park project. The recommendation from staff is to accept the lowest responsive bid from Waypoint Inc., amounting to over \$1.7 million.

Mayor Hardin sought public input on the item.

Clinton Mueller, 1080 NE 28th Avenue, Pompano Beach, FL, suggested adding estimated completion dates for projects on agenda items to enhance transparency for citizens. He acknowledged that while construction timelines could change, having an estimated duration would have been helpful. Dr. Good responded that the backup documents contained an actual schedule from the contractor, but completion dates depended on various factors, like Commission approval and permits. She mentioned that project statuses were available on the website. Mr. Mueller emphasized that citizens might not have actively searched for this information, proposing instead to provide a general expected timeline from the start of the project, allowing for better accountability to voters.

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

Comr. Perkins expressed frustration that her district had not seen progress on several funded projects over the past three to four years, including improvements on NW 6th Avenue and the Ultimate Sports Park. She questioned the decision-making process behind project approvals, suggesting that some commissioners might have received preferential treatment. Dr. Good responded by stating that designs for the projects were complete, including the Ultimate Sports Park, which she stated had been put out to bid. Comr. Perkins remained dissatisfied, emphasizing the lack of movement on the projects and the impact on the community. She planned to request regular updates on the status of these projects at future meetings.

Mayor Hardin raised a question regarding the ongoing developments on NW 6th Avenue. He recalled seeing emails related to the project and noted the recent artwork installations along the avenue, which are part of a broader tactical urbanism initiative. Mr. Harrison confirmed that the NW 6th Avenue project is indeed a Community Redevelopment Agency (CRA) project and mentioned that it includes improvements to a small park. He assured the Mayor that these efforts are currently in progress, though Mayor Hardin pointed out that the project has been ongoing for seven years.

Comr. Perkins addressed issues related to her district and expressed concerns about the Mayor's relationship with the city manager, suggesting favoritism. She emphasized the need for three projects in District 4 to be

completed and noted that she would continue to advocate for them at future meetings. Comr. Perkins asserted her commitment to representing the people rather than engaging in political maneuvering, while criticizing others for complicating the progress of essential projects.

Comr. Sigerson-Eaton discussed the ongoing issues related to the development of the connectivity project to the Burrie Center, which was initiated during her first official duty in mid-2019. She highlighted that this project has taken six years to progress, has been budgeted year after year, and has faced several postponements. The community is eager for its completion as it will allow children to access the community center safely without using Federal Highway.

Comr. Perkins stressed the importance of connections in her district projects. She wants to build stronger ties between herself, the residents, and the community.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

15. [25-443](#) **P.H. 2025-62: (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 SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND A-EXCELLENT SERVICE, INC. FOR HVAC MAINTENANCE AND REPAIR SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: A-Excellent Service, Inc. shall not exceed \$250,000.00 per fiscal year.)

FIRST READING: JULY 22, 2025

(Staff Contact: George Buenaventura)

George Buenaventura, Director of Facilities Maintenance Operations, stated that this is the second reading of the item and there have been no changes.

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. 2025-48

16. [25-495](#) **P.H. 2025-63: (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 SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND FLO-TECH MECHANICAL, LLC FOR AS-NEEDED SPECIFICALLY DESIGNATED HVAC MAINTENANCE AND REPAIR SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Flo-Tech Mechanical LLC shall not exceed \$100,000.00 per fiscal year.)

FIRST READING: JULY 22, 2025

(Staff Contact: George Buenaventura)

George Buenaventura, Director of Facilities Maintenance Operations, stated that this is the second reading of the item and there have been no changes.

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. 2025-49**17. [25-444](#) P.H. 2025-57: (PUBLIC HEARING 1ST READING)**

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

(Fiscal Impact: N/A)

***With regard to this Item, the applicant requested to postpone this matter to the October 14, 2025 Commission Meeting Agenda.**

POSTPONED FROM JULY 8, 2025

(Staff Contact: Jean Dolan/David Recor)

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be POSTPONED to the October 14, 2025 City Commission meeting. The motion carried by a unanimous voice vote.

18. [25-537](#) P.H. 2025-69: (PUBLIC HEARING 1ST READING)

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

(Fiscal Impact: N/A)

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

Comr. Fesik proposed a motion to postpone the item to October 28, 2025. This request was made following an email indicating that further discussions were needed with Mr. Berman to clarify various points of agreement and disagreement. The intention behind the postponement is to allow sufficient time for these discussions to take place.

A motion was made by Commissioner Fesik, seconded by Commissioner Perkins, that the Ordinance / Regular Agenda be POSTPONED to the October 28, 2025 City Commission meeting. The motion carried by the following roll call vote:

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Hardin

Absent: Fournier

19. [25-518](#) **P.H. 2025-71: (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 SIXTH AMENDMENT TO THE AGREEMENT FOR POLICE SERVICES BETWEEN THE CITY OF POMPANO BEACH AND THE SHERIFF OF BROWARD COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$64,928,065.00)

(Staff Contact: Brian Donovan)

Brian Donovan, Assistant City Manager, presented the first reading of an ordinance to extend the contract with the Broward Sheriff's Office (BSO) for an additional year. The proposed annual amount for this extension is \$64.9 million.

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

Comr. Fesik expressed gratitude to the management team for their efforts in maintaining a positive working relationship with BSO. She appreciated their diligence and the collaborative, friendly approach they had taken. Additionally, she bid farewell to Captain Frank and congratulated Captain Ryan on taking over his position in District 1, looking forward to seeing more of him on the beach.

Comr. Perkins asked if the extension was for the police services study or the contract itself. Mr. Donovan clarified that it is for the contract itself.

Comr. Perkins inquired about the timeline for the study, initially suggesting it would take a year. Mr. Donovan responded that it would likely be completed sooner. He confirmed that the study had already started and that Assistant City Manager Earl Bosworth and City Manager Harrison would provide communication soon to outline the schedule.

A motion was made by Commissioner Sigerson-Eaton, seconded by Commissioner Fesik, 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. 2025-51

20. [25-445](#) **P.H. 2025-58: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," SECTION 34.004, "FEES FOR PUBLIC RECORDS REQUESTS AND NOTARY SERVICE,"; BY DELETING IN ITS ENTIRETY AND CREATING SECTION 34.004, "FEES FOR PUBLIC RECORDS REQUESTS AND NOTARY SERVICE," TO PROVIDE FOR THE LOCATION OF THE FEE SCHEDULE FOR PUBLIC RECORDS REQUESTS AND NOTARY SERVICE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

Kervin Alfred, City Clerk, presented the ordinance to remove the fee schedule for various services (such as public records requests, copy fees, and notary fees) from the City's code and instead place it on the city's website. This change aims to enhance visibility and transparency for the public, while maintaining fees set by Florida Statute (e.g., 15 cents per page). The updated fee schedule will be presented to the Commission during the Ordinance's second reading and will align with the fee structures of other cities for similar services. This effort follows a similar procedure previously applied to building code fees.

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

Comr. Fesik expressed her appreciation for staff's efforts in handling public records requests. She inquired about the decision to remove certain records from the code and place them on the website, seeking clarification on how this would affect accessibility and the ability to modify fees.

Mr. Alfred clarified the removal of the listed fees from the code. He mentioned that future changes would be submitted to the Commission for their attention. He also discussed a fee for recordation at City Hall, which

would simplify the process of recording documents like the notice of commencement for building permits. This change aims to help residents avoid the inconvenience of traveling to the County office. Additionally, an administrative fee was added to the updated fee schedule.

Comr. Fesik emphasized the importance of keeping public records accessible and affordable while suggesting the use of technology to improve access, including recording public meetings. Mr. Alfred acknowledged her points and agreed to the need for further discussions.

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. 2025-53

21. [25-548](#) **P.H. 2025-70: (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 MASTER SUBSCRIPTION AND SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND GRANICUS, LLC; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$147,631.81 total for 3-year contract)

(Staff Contact: Kervin Alfred)

Kervin Alfred, City Clerk, presented the contract agreement with Granicus LLC for legislative management software, specifically Legistar, which is used to manage the City Commission agenda and four (4) advisory boards. The contract allows for paperless access to the agenda online and through iPads, as well as electronic advisory board management and online video access to broadcast meetings. The City has been with Granicus since 2016, and the new contract amounts to a total of \$147,631.81 over three years.

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

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

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: ORD. No. 2025-52

22. [25-533](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2028; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

Applicants

Other Board Memberships

Joby L. Balint, Incumbent - District 1	0
Robert H. Zbikowski, Incumbent - District 1	0
Salah Elroweny, Incumbent - District 3	0
Brian A. Campbell, Incumbent - Coral Springs	1
Ray Lubomski, Alternate 1 - District 3	1
Hunter Ohanian - District 1	0
Abel Crean - District 2	0
Shannon E Kenyon - District 3	0
Stefano Fontana - District 3	0
Russell Morris - District 3	0
William Savarese - District 3	0
Luciene Gomes - District 5	1

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2025-206

23. [25-534](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO

BEACH, FLORIDA, APPOINTING _____ TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 25-533 ABOVE FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be **ADOPTED**. Mayor Hardin nominated Robert H. Zbikowski and Commissioner Fesik nominated Hunter Ohanian. The motion failed by a 3 to 3 vote and the results were as follows:

Vote for Robert H. Zbikowski:

Sigerson-Eaton

Smith

Hardin

Vote for Hunter Ohanian:

Fesik

Perkins

Fournier

Enactment No: RES. No. 2025-227

24. [25-549](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON JULY 27, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 25-533 ABOVE FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

Comr. Fesik expressed concern about frequently facing deadlock situations during meetings when votes ended in ties (three to three). She suggested finding a more efficient way to handle board appointments, such as grouping them and having members nominate their top choices to speed up the process. City Clerk Alfred acknowledged the issue and admitted that he had mainly been bringing items back for further review, but he agreed to look into possible improvements. Comr. Fesik emphasized the need for a quicker resolution by streamlining the nomination process for open positions.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. Commissioner Perkins nominated Brian Campbell. Commissioner Fesik nominated Hunter Ohanian and Vice Mayor Fournier nominated William Savarese. The motion carried by the following roll call vote to appoint Brian Campbell.

Vote for Brian Campbell:

Perkins

Sigerson-Eaton

Smith

Hardin

Vote for Hunter Ohanian:

Fesik

Vote for William Savarese:

Fournier

Enactment No: RES. No. 2025-207

25. [25-550](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 18, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 25-533 ABOVE FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor Fournier, seconded by

Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. Mayor Hardin nominated Salah Elroweny. The motion to appoint Salah Elroweny carried by a unanimous voice vote.

Enactment No: RES. No. 2025-208

26. [25-551](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING_____TO THE ARCHITECTURAL APPEARANCE COMMITTEE OF THE CITY OF POMPANO BEACH, AS ALTERNATE 1, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON SEPTEMBER 18, 2028; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 25-533 ABOVE FOR APPLICANTS.

(Staff Contact: Kervin Alfred)

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. Mayor Hardin nominated Ray Lubomski and Commissioner Fesik nominated Hunter Ohanian. The motion failed by a 3 to 3 vote and the results were as follows:

Vote for Ray Lubomski:

**Sigerson-Eaton
Smith
Hardin**

Vote for Hunter Ohanian:

**Fesik
Perkins
Fournier**

Enactment No: RES. No. 2025-228

27. [25-496](#) 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 AMY VARO-HAUB; SAID TERM TO EXPIRE APRIL 26, 2026; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

POSTPONED FROM JULY 22, 2025**Applicants**

Nancy Olson - District 1

Lisa Nothardt - District 3

Other Board Memberships**0****0****(Staff Contact: Kervin Alfred)**

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

Enactment No: RES. No. 2025-209**F. ADDITIONAL AUDIENCE TO BE HEARD**

The following are the names of additional speakers who spoke under Audience to be Heard:

Bill Savarese, 761 NE 8th Street, Pompano Beach, FL, an artist in Pompano Beach, addressed concerns regarding the state's mandate to paint over street art. He created four (4) large murals and eight storm drain artworks, which are non-political. He compared local art to Orlando's rainbow crosswalk murals, which were painted over despite being a memorial for the Pulse nightclub shooting. Mr. Savarese argued that erasing such art violates First Amendment rights and criticized the State's threats to withhold funding from cities that resist these mandates as bullying. He emphasized that the legality of removing art depends on whether regulations are content-neutral and serve a significant government interest. Mr. Savarese believes if the City's art is painted over, it should sue the state for installation costs and redirect those funds to new public art projects. He also cited Florida State Senator Carlos Guillermo Smith's statement about the State's actions against LGBTQ visibility, asserting that municipalities have the right to administrative appeal and review.

Jason Fuller, 613 NW 16th Avenue, Pompano Beach, FL, is a plaintiff in a lawsuit against the board of Westview Cemetery. He emphasized that the cemetery is community-owned and should not be controlled by the current board. Mr. Fuller pointed out that the city, represented by the Mayor through the Community Redevelopment Agency (CRA), has purchased the cemetery office despite opposition from the community regarding the existing board. The community desires that the cemetery be managed by a legitimate new board without any involvement from the City. Litigation is currently underway to remove what Mr. Fuller alleges is a "fraudulent" board, yet the City continues to engage with it.

G. NEXT SCHEDULED MEETING

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

September 15, 2025 at 6:00 p.m. - First Public Budget Hearing

September 22, 2025 at 6:00 p.m. - Final Public Budget Hearing

September 23, 2025 at 6:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager's Report:

City Manager Harrison provided the following updates:

- Comr. Perkins was notified of a "Clean Streets" event in her district on September 18th in the areas of Blanche Ely, Sanders Park, and Canal Point.
- The 2025-26 residential garbage rate will increase 4.83%, or \$1.36 per month for single-family households.
- A ribbon-cutting and mural dedication at "The Hive" is scheduled for September 13 at 11:00 AM.
- Consultants secured a \$7.2 million grant for a new Deep Well, with an additional \$7 million sought for next year.
- An Unsung Heroes Celebrity Ceremony will be held at Founders Park on September 11 at 6:00 PM.
- Renuka Mohamed was introduced as the new Utilities Director.
- The OHUI program received the 2025 Statewide Home Matters Award for its demolition and reconstruction strategy, which replaces unsafe homes with code-compliant, energy-efficient residences. Recipient Lucinda Grinder shared her positive experience, highlighting the program's impact on her family and community.

Mr. Harrison concluded by commending city staff for their efforts and the program's transformative impact on residents.

City Attorney's Report:

City Attorney Berman provided a legal update. The City has received two payments from 3M-\$2.3 million initially and \$7,191,261.28 recently-toward rebuilding the water plant and addressing the PSAF chemical issue. Eight (8) additional annual payments are expected through 2033, along with potential payments from Dupont, Tyco, and BASF, which will be reported as received.

Additionally, pursuant to Florida Statute 447.605, Mr. Berman requested an executive session regarding the Professional Firefighters Local 1549 Union contract. The session is scheduled for Tuesday, September 30 at 10 a.m. in the City Commission Chamber. Attendees will include the Mayor, City Commissioners, City Manager Greg Harrison, Assistant City Manager Brian Donovan, Deputy City Attorney Tracy Lyons, and the City's labor counsel Lindsey Ryder. The session will be private and focus solely on contract negotiations.

City Clerk's Report:

City Clerk Alfred welcomed back the Commission from its August hiatus.

Comr. Fesik's Report:

Comr. Fesik provided several updates and reminders. She highlighted the Cypress Lakes Estates Preservation Society's request for enforcement of an ongoing investigation to resolve longstanding concerns. She also emphasized the need for better advance notice for city projects, particularly regarding tree protection and construction scheduling, to ensure transparency and resident awareness. She addressed concerns about the use of city resources in public communications and stressed that volunteers and residents should feel respected and free to express their opinions without bullying or personal attacks. Comr. Fesik offered positive recognition as well, congratulating a city consultant on her new home and acknowledging staff support for Brewfish's new owners during the McNab Park construction. She praised the new Parks and Recreation Director, Scott Moore, for his proactive engagement. She announced upcoming events, including her District 1 Dialogue meeting at the Emma Lou Olson Center to discuss transitional homes, and the first annual Heroes Run at the pier on November 29. She also encouraged attendance at Music Under the Stars at the Pompano Beach Great Lawn on September 12.

Comr. Perkins' Report:

Comr. Perkins suggested adding all commissioners' names to proclamations, alongside the mayor's signature, to acknowledge the full Commission and better serve constituents requesting proclamations, such as for funerals or memorials. The proposal was supported as a way to reflect the collective body and provide families with a meaningful keepsake. It was agreed that this practice could also extend to other city-issued materials.

Additionally, Comr. Perkins requested that Public Works address hazards on 6th Avenue roundabouts and she reminded residents that the E. Pat Larkins Center is open Monday through Friday, 9:00 AM to 5:00 PM, for election-related services. She also noted a need to discuss burglary concerns in her district with Major Ellwood after the meeting.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton noted that the Crest Haven Civic Association will hold its meeting on Thursday evening at 7:00 PM at the Charlotte Burrie Center and wished everyone a pleasant evening.

Comr. Smith's Report:

Comr. Smith highlighted the Parks and Recreation Department's work with the swim team, noting the positive feedback received. She also reported on affordable housing assistance over the past 12 months: 114 people served citywide, totaling \$5,176,000. District breakdowns are: District 1 - 2 people, \$47,009; District 2 - 20 people, \$580,800; District 3 - 22 people, \$280,951; District 4 - 55 people, \$3.1 million; District 5 - 15

people, \$1.7 million. She commended Alex Goldstein and his team for their efforts and reminded residents to visit the City's OHUI website for program information. Comr. Smith concluded with a positive quote from Dr. Seuss, "You have brains in your head, you have feet in your shoes. You can steer yourself in any direction you choose."

Comr. Perkins thanked Comr. Smith for the affordable housing update, noting it remains the top priority in her district. She encouraged continued attention to city services, particularly at McNair Park, where repairs and improvements are needed, and requested ongoing oversight to support residents effectively.

Vice Mayor Fournier's Report:

Vice Mayor Fournier expressed appreciation for community contributions, highlighting Bill Savarese's mural at Cypress Elementary and a resident's volunteer efforts at Emma Lou. She congratulated Captain Franks on his new role at the City of Tamarac, noted ongoing district capital projects including pickleball courts and a bridge, and announced the next community meeting on September 24 at 7:00 PM at the American Legion.

Mayor Hardin's Report:

Mayor Hardin highlighted the dedication of Station 52 in honor of Woody Portier, the City's first Black firefighter, and addressed FDOT's notice to remove the City's street art, including crosswalk designs and geometric shapes. He recommended pursuing all available avenues to retain the artwork, noting its funding from city and community grants and its positive impact on safety and public expression. Mr. Berman added that similar requests in other cities were denied, but the upcoming informal hearing in Orlando on September 16 is an important procedural step. Mayor Hardin expressed support for the arts and suggested exploring ways to celebrate artists if removal is required.

Additionally, Mr. Alfred proposed revisiting Architectural Appearance Committee appointments, suggesting the retention of incumbent Robert Zbikowski on the regular seat and the consideration of Hunter Ohanian for the alternate position. However, the Mayor suggested placing the matter on a future agenda.

I. ADJOURNMENT

The meeting adjourned at 7:52 PM.

Rex Hardin, Mayor

Kervin Alfred, City Clerk