

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, May 13, 2025

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

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

Pastor Gary McLamore of Jesus Supernatural Life Center offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[25-334](#) Joint Special Meeting of City and CRA Minutes of April 7, 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.

[25-335](#) Regular City Commission Meeting Minutes of April 8, 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 15 under the Regular Agenda would be stricken and a new item, 10 A, would be added.

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 4 and 6 would be pulled for City Commission discussion.

SPECIAL RECOGNITION

Comr. Fesik expressed gratitude for a special Mother's Day, highlighting the return of her son, Joe, who has been stationed overseas in the Air Force. This was the first time she saw him in almost a year.

SPECIAL UPDATE

Mayor Hardin introduced Principal Tavures Williams to give a presentation about Blanche Ely High School.

Principal Williams thanked the city officials and staff for their support and provided updates on the school. He mentioned improvements in student assessment scores, noted community contributions for the basketball team's state rings, and highlighted various school achievements, including a successful engineering program and upcoming events like Senior Awards Night. He also discussed a new food truck project for students and collaborations for a school art show.

Mayor Hardin praised Principal Williams for the outstanding work done at Blanche Ely High School and stressed the need to replicate his success. Principal Williams expressed gratitude for the Mayor's visit and congratulated Blanche Ely High on its achievements.

A. PROCLAMATIONS

[25-339 Proclamation Honoring Mae Jo Fulton](#)

Mayor Hardin read a proclamation to celebrate Mae Jo Fulton's 108th birthday. He acknowledged Ms. Fulton's life accomplishments and contributions and, most of all, her zest for life.

Comr. Perkins shared that Ms. Fulton, a resident in her district, just celebrated her 108th birthday on Mother's Day. She expressed her happiness about her daughter, Edith, being there to care for her. For the past four to five years, Comr. Perkins and the Mayor have been honoring Ms. Fulton's birthdays, and they look forward to continuing this tradition. She then invited Ms. Fulton to say a few words.

Ms. Fulton reflected on her journey to Pompano Beach, recalling the early days when it had just been a dirt road and expressed gratitude for the community's growth. She emphasized the power of prayer in achieving their current success and shared her heartfelt appreciation for the people and the life she led. She encouraged everyone not to forget the importance of prayer, which she believed underpinned all the good in their lives.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

25-330 Jewish American Heritage Month

Mayor Rex Hardin read a proclamation declaring May as Jewish American Heritage Month in Pompano Beach. He encouraged all residents to join him in honoring the legacy, achievements, and cultural heritage of Jewish Americans. Following the reading of the proclamation, he presented it to Arthur Dubov, the Government Projects and Data Manager, on behalf of the Combat Antisemitism Movement (CAM). He then invited Mr. Dubov to address the audience.

Mr. Dubov expressed gratitude to the Mayor and the City Commission for adopting a proclamation in recognition of Jewish American Heritage Month on behalf of the Combat Antisemitism movement. He highlighted that their leadership reinforced the City's commitment to tolerance and celebration of Jewish contributions while standing against hate. The Combat Antisemitism movement seeks to unite individuals to combat antisemitism and promote tolerance and human dignity. Mr. Dubov emphasized the importance of partnerships between civic leaders and advocacy organizations in fostering stronger and more united communities.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

25-288 National Safe Boating Week

Mayor Hardin read a proclamation declaring May 17 through May 23, 2025, as National Safe Boating Week in Pompano Beach. He encouraged all residents and visitors who enjoy recreational water activities to observe this week by committing to safe boating practices. He emphasized wearing life jackets at all times while on the water and spreading awareness of boating safety within the community. Following the reading of the proclamation, he presented it to Commander George Jeandheur of the Pompano Beach U.S. Coast Guard Auxiliary-Flotilla

34, who accepted it and thanked the City Commission.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

25-323 Water Reuse Week

Mayor Hardin read a proclamation declaring May 18 through May 24, 2025 as Water Reuse Week in the City of Pompano Beach, and encouraged all residents, businesses, and institutions to help protect our shared water future by using reclaimed water wisely and conserving water every day. Following the reading of the proclamation, he presented it to Aliya Moktadier, the City's Utilities Reuse Outreach and Water Conservation Coordinator. He then invited her to address the audience.

Ms. Moktadier expressed gratitude for ongoing support for water conservation efforts in Pompano Beach, specifically mentioning the Oasis program, which promotes the use of reuse water for irrigation. Since 1989, this initiative has saved over 25 billion gallons of drinking water. Oasis operates cost-effectively and safely, fully complying with state and federal regulations. For more information, interested individuals can visit the City's website or call for details on how to participate in water-saving efforts.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

B. PRESENTATIONS

25-326 Vulnerability Assessment Presentation

Mayor Hardin introduced Christina Viala, the Sustainability Coordinator, who will give a presentation on the City's vulnerability assessment. This presentation is a crucial step in completing the requirements for a \$213,500 grant from the Resilient Florida Program. The full report was included in the agenda backup and will also be available on the City's website.

Ms. Viala presented the vulnerability assessment for the City as part of the Resilient Florida program. The assessment identifies how City assets are exposed to flooding risks, including sea level rise, rainfall, and storm surge, through nine different flood scenarios. Key findings indicate high risks to critical infrastructure such as wastewater treatment facilities, healthcare facilities, and schools. An interactive online map was developed to help guide planning and public awareness. Numerous recommendations were made, including evaluating vulnerable sites and coordinating emergency preparedness with various community stakeholders. The next steps will involve creating an adaptation action plan with secured funding to prioritize implementation projects.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

25-287 Actuarial Valuation Report

Presentation of the Actuarial Valuation Report for the City of Pompano Beach Police & Firefighters' Retirement System as of October 1, 2024, as prepared by Nyhart Company, Inc and presented by Mr. Lawrence Watts, Board Actuary.

Mayor Hardin introduced the next presentation regarding the Actuarial Valuation Report for the city of Pompano Beach Police and firefighters' retirement system as of October 1, 2024 as prepared by Nyhart Company, Inc and presented by Mr. Lawrence Watts, Board Actuary.

Mr. Watts discussed the recent 2024 actuarial valuation results, highlighting that despite market volatility, the pension fund assets returned 19.1% on a market value basis. However, after smoothing out gains and losses, the realized actuarial return was about 6%, below the assumed rate of 7%. He pointed out that increased retirements and higher-than-expected raises led to greater liabilities, thus requiring higher contributions. An experience study revealed that assumptions used to calculate liabilities were more conservative, resulting in higher liability numbers. The board has implemented a strategy to mitigate contribution volatility, and the funded percentage has decreased slightly but reflects a good outcome given the tightened assumptions. Finally, Mr. Watts mentioned ongoing monitoring of interest rates and asset levels, noting the challenging market conditions.

Vice Mayor Fournier expressed concerns over a 20% decline in the funded ratio over three years. She questioned whether this decline is the new normal and how it compares to similar plans. Mr. Watts explained that the drop in the funded ratio was influenced by a significant asset loss in 2022, coinciding with changes in collective bargaining. He noted that many cities are facing similar issues regarding asset loss, but not necessarily the contractual changes that occurred. However, he reassured that the recent data for 2024 shows both the smoothed actuarial value and market value lines have converged, indicating a positive trend with no overestimation of funds in the plan.

Vice Mayor Fournier commented on the stability of the situation based on certain lines tracking together. Mr. Watts explained that the gray line's movement should fluctuate around the red line, indicating a stable condition, although the drastic changes in 2022 make it difficult to visualize this behavior.

Mayor Hardin inquired about tracking the fund's investment returns in comparison to benchmarks like the S&P 500. Mr. Watts responded that this responsibility falls to the plan's investment consultant and suggested reviewing his report for historical performance while recommending obtaining the consultant's reports.

Mayor Hardin questioned the report's lack of benchmark comparisons, to which Mr. Watts responded that he was limited in what he could provide and could not give investment advice.

The Presentation 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:

Elaine Hall, 938 SE 10th Court, stated that neither the City of Pompano Beach nor Eddie Accardi, past or present, holds title to the Nancy Canal. A subsequent public records request revealed a title search conducted by Attorney Greenberg for Lots 29 through 41-comprising 13 homes on the west side of the canal-which confirmed fee simple title vested in those homeowners. Ms. Hall emphasized that these homeowners have not executed quitclaim deeds transferring ownership of the canal land adjacent to their eastern property lines to the City and cited documents from Coastal Systems International and Florida South Water Management District that applications would require signatures from the homeowners. Currently, 1001 South Federal Highway, across the canal have a dock and boat lift have been installed beyond the property line into the canal, with no evidence that the property owner was listed on the permit.

Cindy Duarte, 932 SE 10th Court, addressed concerns regarding the property at 943 South Federal Highway. She noted that a structure located on the bulkhead of the Nancy Canal was declared an unsafe structure in both 1994 and 2002. Despite this, minimal action has been taken, and a permit for building improvements expired on April 1 of this year. Ms. Duarte referenced an email dated August 18, 2022, from Fawn Powers to John Sfiropoulos that pertained to a CRA Bond Detail Project for the CIP Fiscal Years 2014-2018, identifying a \$10,000 expenditure related to the Accardi matter in 2008. Additionally, a 2001 title report outlines a timeline of financial transactions, including \$41,000 in payments made by the City of Pompano Beach to a company associated with Eddie Accardi, between 2001 and 2002. Ms. Duarte questioned whether these payments were related to a CRA project, particularly in connection with a seawall that was reportedly to be built on land for which the City does not hold title. She requested assistance in obtaining answers and clarification regarding the city's involvement and use of public funds in this matter.

Paul Nadaf, 305 SE 12th Avenue, Apt. 1B, reported an incident involving a local bank where he and his employer conducted business. On April 22, during a visit to the bank, Mr. Nadaf stated that the bank manager acted in an unstable and unprofessional manner, responding to a compliment with insults, subsequently ejecting him from the premises, and freezing their accounts the following day. A corporate complaint was filed with the bank’s Chief Legal Officer on April 22. On April 29, Mr. Nadaf and his employer were the targets of a non-violent swatting incident, resulting in a response from state officials, local police, the Broward Sheriff’s Office (BSO), and the City of Pompano Beach. He believes this action was retaliatory in nature. Mr. Nadaf also cited a history of unprofessional conduct by officials and a pattern of disregarded concerns brought to their attention.

Matthew Walsh, 23 E Atlantic Boulevard, highlighted that cities such as Lowell, Berkeley, Oakland, San Francisco, and Washington D.C. have implemented laws to address long-term commercial vacancies. These cities have used grants and tax credits to encourage businesses to occupy long-abandoned spaces, thereby revitalizing downtown areas. They also provide incentives to fill vacant properties and impose penalties on owners who allow properties to remain dormant for extended periods. Mr. Walsh pointed out that properties at 2310 E Atlantic Boulevard and 505 North Federal Highway have remained vacant for years, creating public health hazards. Although he would like to relocate his business to one of these spaces, he noted that the

properties are held by shell LLCs with absentee ownership. He proposed the introduction of a modest, escalating vacancy tax, alongside a requirement for property owners to register and maintain vacant buildings. Additionally, he suggested offering credits to small local businesses that would occupy and utilize these vacant spaces as done by other cities.

Pat Anderson, 2650 NE 24th St., attended a summons court hearing on April 25, 2025 at 3:30 pm and was informed her case was not being heard that day regarding a hit and run at her home which is held in a trust. Ms. Anderson expressed concern over the changing of house numbers and zip codes.

Ken Stolar, 806 NE 5th Avenue, expressed his concern regarding the existing speed humps and traffic calming devices on his street. While he does not want the speed humps removed, he highlighted an incident where he was transported by ambulance to a hospital, during which the 11 speed humps on 5th Avenue posed challenges. While the speed humps are effective in controlling traffic, Mr. Stolar raised the concern that, in the event of a back or spinal injury or severe trauma, the humps could exacerbate the situation. He proposed the consideration of speed cushions, which are designed to accommodate emergency vehicles more effectively. Mr. Stolar suggested offsetting the current speed humps to match the axle width of rescue vehicles to improve the ride for emergency responders. He requested that the City engage in discussions with Fire Rescue to explore potential solutions to address these concerns.

Comr. Fesik has spoken with Fire Rescue and EMS and in addition to Mr. Stolar's concern they have expressed concern over road pavement conditions. She would like more information or a workshop for traffic calming and safety measures.

Ryan McNichols, 777 S Federal Highway, clarified that he is neither a business owner nor has any financial interest in commercial real estate. While he acknowledged that Pompano Beach does not face a widespread commercial real estate vacancy issue, he noted that certain areas of the city, particularly stretches of Atlantic Boulevard and Federal Highway, contain storefronts that have remained vacant for years. Mr. McNichols questioned why these properties remain empty, especially as the City continues to grow, and what steps can be taken to address the issue. He highlighted that numerous cities have implemented local legislation to tax long-vacant properties, with tax rates based on market impact studies. These programs are often paired with grants and tax credits, which have contributed to increased business activity, higher occupancy rates, and overall economic growth. He proposed that Pompano Beach conduct a small market impact study to explore the potential for enacting similar legislation to address the vacancy issue.

Rubin Young, a Miami resident with strong ties to Pompano Beach, expressed concerns regarding the treatment of individuals who speak at Commission meetings. He noted that many residents have voiced dissatisfaction with the perceived indifference they experience and the manner in which the City engages with developers. Mr. Young emphasized that a significant number of residents, including those with dissenting opinions, feel excluded and disconnected from the decision-making process.

Terry Williams, 757 NW 15th St, recounted instances where she felt disrespected by the City Commission and asked for greater respect to be shown to all citizens who come before the City Commission.

Mikelange Olbel, a Pompano Beach resident and CEO of Community-Based Connections, expressed pride

in the organization's ongoing commitment to providing mental health resources to the community. He highlighted that the organization offers therapy for children as young as 9 and as old as 17, as well as family therapy. Mr. Olbel also announced a partnership with the Broward County School Board District to reopen a clinic on the Blanche Ely Campus, which will provide a range of social services and primary care health services, all under one roof, to better serve the community.

Comr. Perkins expressed appreciation to Mr. Olbel's dedication to the community and noted he will be honored on Friday as Man of the year.

Tundra King, 124 NW 15th Street, expressed appreciation for Major Ellwood and Captain Stallings for their efforts in addressing the presence of trucks on 15th Street. Ms. King acknowledged the significant improvements made and thanked the Commission for their assistance. While speed remains a concern, she noted that there has been a marked improvement in the situation.

Jackie Moreland, 1526 NW 7th Lane, expressed gratitude to Major Ellwood and Captain Stallings for their efforts in reducing the truck presence on 15th Street, noting the significant improvement. She also thanked Captain Stallings for collaborating with the Canal Point community to install speed bumps and acknowledged the city maintenance workers for keeping Canal Point well-maintained. She expressed confusion regarding a push for a project in the district, noting that one of the Mayor's consultants has been going door-to-door, mentioning specific individuals and businesses benefiting from the project, including her sister's business. Ms. Moreland requested that the consultant be more cautious, as her family is not benefiting from the project.

D. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 1 through 3, 5 and 7 through 10 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. [25-317](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND POMPANO BEACH FIREFIGHTERS BENEVOLENT ASSOCIATION, INC. TO UTILIZE ALSDORF PARK BOAT RAMP TO CONDUCT A FISHING TOURNAMENT AND WEIGH IN; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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. 2025-119

2. [25-324](#) 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 BETWEEN THE CITY OF POMPANO BEACH AND FLORIDA CHAMPION FOOTBALL LEAGUE INC. TO UTILIZE ATHLETIC FIELDS IN VARIOUS CITY PARKS TO CONDUCT A SEMI-PRO ADULT FOOTBALL PROGRAM; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Mark A. Beaudreau)

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. 2025-120

3. [25-246](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN APPROPRIATIONS CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY SHERIFF'S OFFICE TO SUPPORT THE SUMMER CAMP PROGRAM IN PREVENTING YOUTH VIOLENCE, GANG PARTICIPATION, ANTI-BULLYING AND THEIR LEGAL CONSEQUENCES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$23,000.00)

(Staff Contact: Liliana Alvarez)

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. 2025-121

4. [25-298](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING STAFF'S SUBMISSION OF A GRANT APPLICATION TO THE STATE OF FLORIDA DEPARTMENT OF MANAGEMENT SERVICES FOR THE PURPOSE OF OBTAINING FUNDS FOR CYBERSECURITY TECHNICAL ASSISTANCE; AND, IF AWARDED, AUTHORIZING THE CITY MANAGER TO ACCEPT THE FUNDS AND EXECUTE ALL APPROPRIATE DOCUMENTS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Gene R. Zamoski)

Comr. Fesik expressed her interest in learning more about a technology initiative and invited staff to share their insights on the item.

Gene Zamoski, Chief Information Officer, explained that the initiative aimed to improve the City's infrastructure through two key solutions: endpoint-based asset discovery and network-based asset discovery. The first solution focused on creating a comprehensive inventory of network-connected hardware and software assets, while the second provides visibility into both managed and unmanaged internet devices by analyzing network traffic.

Comr. Fesik expressed her support for the grant but raised concerns about the need for transparency regarding the technology aspects related to the funds. She emphasized the importance of being informed about the technology developments in the city before moving forward with the grant's acceptance and implementation.

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

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2025-122

5. [25-300](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A STATE HIGHWAY LIGHTING, MAINTENANCE, AND COMPENSATION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION, FOR LIGHTING IMPROVEMENTS ON VARIOUS STREETS WITHIN THE CITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$448,000 Revenue)

(Staff Contact: George Buenaventura)

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. 2025-123

6. [25-308](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, CHANGING THE DESIGNATION OF A CERTAIN RIGHT-OF-WAY WITHIN THE CITY OF POMPANO BEACH CURRENTLY KNOWN AS NW 27TH AVENUE WITH SOUTHERN BOUNDARY OF ATLANTIC BLVD. AND NORTHERN BOUNDARY OF NW 16TH STREET TO A DUAL DESIGNATION OF REV EVANDER DERICO SR AVENUE, WITH NW 27TH AVENUE TO BE DISPLAYED ON THE UPPERMOST PORTION OF SIGNAGE; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$500 provided by requester and cost of signage TBD)

(Staff Contact: Robert McCaughan)

Mayor Hardin stated he had pulled the item because the family had requested the opportunity to speak, as they had certain things they wanted to share regarding the matter.

Pastor Evander Derico, Jr., 5310 NE 9th Terrace, Pompano Beach, FL, expressed gratitude for the honor of having a street named after his father. He made a request for the name to be placed at the top of the street sign with the street number below it, though he was uncertain about the standard rules regarding this arrangement. He emphasized the importance of the request and noted that there were streets in the city with similar layouts, asking for consideration on the matter. He thanked everyone again and wished them a great day.

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

Mayor Hardin asked if the names could be placed at the top of the street sign. Robert McCaughan, Public Works Director, explained that the City's policy regarding street signage dated back to 2012. This policy addressed concerns about confusion due to street name changes along certain routes, such as SW 3rd Street, which has multiple name changes before reaching Powerline Road. To help drivers navigate better, the numeric street designation was placed on top of the sign. Mr. McCaughan noted that while local residents might not have paid much attention to street signs, people from other areas often relied on their phones for navigation rather than on physical signs, indicating a shift in how people found their way.

Mayor Hardin inquired about the policy's origin, and Mr. McCaughan acknowledged that it had been implemented by the Commission. He mentioned uncertainty about the specific sign change but recalled it was around 2011 or 2012 when the policy had been implemented. Mayor Hardin recognized the existing policy and proposed that it be reconsidered. He made a motion to revisit the policy, which was seconded by Comr. Perkins.

Mayor Hardin proposed revisiting and eliminating the specific policy provision. The motion had been moved and seconded, and he invited discussion on the matter. Mr. McCaughan asked if the Mayor was referring to this specific sign, to which Mayor Hardin responded that a change in policy was needed before the sign could be implemented. Therefore, the Mayor suggested that the proposed change should be brought back to determine if it would be accepted.

City Attorney Berman suggested amending the resolution regarding the signage order. He offered to bring back adjustments if needed, but since everyone was present, he proposed making the changes that day. Mayor Hardin agreed and withdrew his original motion to instead propose an amendment specifying that the name should be on top and the street number on the bottom, which was seconded by Comr. Fesik.

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

Mayor Hardin stated this motion is to amend the resolution and confirmed that the name will be placed on top of the signage.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2025-124

7. [25-307](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AMENDMENT NUMBER ONE (1) TO DISTRICT FOUR (4) MAINTENANCE MEMORANDUM OF AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION FOR IN-ROAD CROSSWALK SOLAR LIGHTING ASSEMBLIES WITHIN THE RIGHT-OF-WAY OF STATE ROAD A1A SOUTH OF ATLANTIC BOULEVARD FROM MILE POST 8.687 AND MILE POST 12.045; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$1,000 annually)

(Staff Contact: Fernand Thony/Robert McCaughan)

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. 2025-125

8. [25-331](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DOCKING EXTENSION AGREEMENT AMONG RUBEN AYALA AND MARTA AYALA AND RUBEN AYALA AND MARTA AYALA, AND THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: John Sfiropoulos)

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

Enactment No: RES. No. 2025-126

9. [25-321](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A TEMPORARY EASEMENT FOR CONSTRUCTION ACCESS BETWEEN THE CITY OF POMPANO BEACH AND COPANS MOTORS, INC. FOR A TEMPORARY, NONEXCLUSIVE ACCESS THROUGH THE SOUTHSIDE OF THE CITY'S FIRE STATION 61 PARCEL; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Scott Reale/David Recor)

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. 2025-127

10. [25-314](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING ROBERT HENDREN TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF SCOTT SCHOEN AS ALTERNATE 1; SAID TERM TO EXPIRE ON JULY 1, 2025;

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. 2025-128

E. REGULAR AGENDA

10A. [25-350](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SUBORDINATION AGREEMENT IN FAVOR OF TRUIST BANK AS SENIOR LENDER TO PERMIT REFINANCING OF ITS \$10.5 MILLION DOLLAR LEASEHOLD MORTGAGE TO REHABILITATE THE 182-UNIT GOLDEN SQUARE AFFORDABLE HOUSING DEVELOPMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Alex Goldstein)

Alex Goldstein, Programs Compliance Manager, presented a request to assist the Pompano Beach Housing Authority with the refinancing of the Golden Square housing development. The original loan for the property matured on May 1, 2025, prompting the need for refinancing. Truist Bank has been selected as the new first mortgage lender, and the Housing Authority aims to close the transaction quickly. They need the City's approval of the subordination by May 18th to proceed with the refinancing. Lenar Robinson, the executive director of the Housing Authority, is available to answer questions.

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

Vice Mayor Fournier mentioned that an urgent matter had been added at the last minute due to a maturity date on May 1st. Mr. Goldstein confirmed that the refinance closing needed to be completed by May 18th.

The Vice Mayor noted that she hadn't had time to review all the documents related to the refinancing. Mr. Goldstein confirmed that the refinancing was straightforward and that the City would maintain its current subordinate position.

Comr. Perkins asked about the City's position, and Mr. Goldstein confirmed that it was in second place. Comr. Perkins mentioned that she had received the information just before the meeting and hadn't reviewed it yet. Mr. Goldstein clarified that without the approval of a new refinancing, they wouldn't be able to proceed with a closing, which also needed to be completed by the May 18th deadline.

Comr. Perkins inquired about the refinancing of the project, asking if it had been known in advance. Mr. Goldstein responded that they had learned about the refinancing recently from the housing authority. Comr. Perkins emphasized their eagerness to move forward with the apartments they had been anticipating.

Comr. Fesik asked Mr. Goldstein about the notice period regarding the agenda item that was moved to this meeting on short notice. Mr. Goldstein confirmed that there had been no more than two weeks' notice and explained that the item was originally set for the May 27th meeting but had been classified as an emergency and added to the agenda for the current meeting.

Comr. Fesik appreciated the explanation regarding the expiration date that had caught everyone off guard. Mr. Goldstein mentioned that they had not been informed about the expiration and noted that it pertained to a loan dating back to 2008.

Comr. Fesik emphasized the urgent need for housing and expressed a desire to delve into the details of the situation. She highlighted the importance of being proactive to prevent emergencies related to housing from occurring frequently, as had been observed recently.

Mayor Hardin explained that the urgency for the item arose from the Housing Authority's need to include it on the agenda to maintain their timeline. The matter pertained to refinancing, and the City agreed to stay in a second position to allow the Housing Authority to proceed.

Comr. Perkins inquired about the expected completion of apartments by year-end, emphasizing the importance of having a traffic light at the intersection when they open.

Lenar Robinson from the Housing Authority provided context, noting that the apartments in question were existing units near a new development. He explained that they were currently refinancing outdated bonds, having received an extension until the 18th despite the original expiration date being May 1st.

Comr. Perkins asked whether this was the Golden Square project, located across from a new gated unit project, to which Mr. Robinson confirmed that it was.

Mr. Robinson mentioned that they would be refinancing Golden Villas, a smaller project near the 302-unit complex.

Vice Mayor Fournier asked Mr. Robinson if the units had already been rehabbed, to which he replied that they had not. He explained that while they had maintained the units due to bond transactions, they were preparing to refinance and planned to add new roofs and perform further renovations.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: RES. No. 2025-129

11. [25-333](#) **P.H. 2025-45: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3703., "ATLANTIC BOULEVARD OVERLAY DISTRICT (AOD)," BY EXPANDING PERMITTED USES IN THE DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss)

Max Wemyss, Principal Planner, presented a proposed text amendment to Chapter 155, focusing on the addition of "Museums" and "Other Indoor Commercial or Membership Recreation/Entertainment Uses" as permitted uses within the Atlantic Overlay District (AOD). Mr. Wemyss outlined the key elements of the discussion. He delved into the purpose of the Atlantic Overlay District, highlighting its significance in guiding development in the area. He then discussed the Proposed Text Amendment, the B-2 Affected Properties, and proposed uses. This amendment is significant for a potential "Jellyfish Museum" at 199 N Ocean Blvd, which currently falls under the B-2 zoning which doesn't allow museums. The Planning and Zoning Board recommended approval of the amendment during their March 26, 2025 meeting. The Jellyfish Museum received support from various organizations, including the Economic Development Council and the Greater Pompano Chamber of Commerce, with related documentation provided in the backup.

Irina Pelypkanych, Jellyfishes Inc, 1919 SE 10th Avenue, began her presentation and reviewed the following: Who We Are and Our Experience; Educational Excursions and Social Programs; Visualization of The Jellyfish Project Pompano Beach; Before and After Asphalt Repair and Sealcoating; Interactive and Immersive 3D simulation of the Underwater World; Educational Panels on Marine Biology; Family Cafe; Souvenir Store.

Nathan Werner, representative of the property owner, 2037 Ocean Mist Drive, Lauderdale by the Sea, stated that the company, with nearly fifty years of experience in commercial real estate, has handled the initial leasing for the Pompano Beach Fishing Village. He emphasized that the location, near the Pier and Fishing Village, has significant potential as a major attraction. The landlord believes this use would be the best fit for the building and the community. Although other prospective tenants have shown interest in the space-requiring no changes to the building or parking lot-the landlord prefers to work with Jellyfishes Inc. An agreement has been made, in writing, to amend the lease agreement through an addendum. This amendment will require the museum

operators to resurface and restripe the parking lot, and they are committed, in writing, to renovating the exterior of the building.

Mayor Hardin sought public input on the item.

Kim Sherman, 1027 E 5th Avenue, expressed strong support for the proposed project, noting that the City is focused on promoting the waterfront and Fishing Village, and stating that the opportunity to have a unique project come to the area should not be missed.

John Rayson, first elected Mayor of Pompano Beach, expressed strong support for the proposed project, highlighting its educational value and potential benefit to the city. He emphasized that the project would be a positive addition, particularly given the limited number of museums in the area. Mr. Rayson noted that the location, within the Atlantic Boulevard Overlay District and near the ocean, makes it an ideal site to attract tourism.

Sighla Finazzo, 340 SE 14th Avenue, expressed strong support for this amendment and believed this entertainment use would synergize with the town.

Vicente Thrower, a Pompano Beach resident, was glad to see the applicant come back and said he supports the project.

Jackie Moreland, 1526 NW 7th Lane, expressed strong support for the proposed idea, praising it as an excellent educational opportunity. As an educator, she highlighted the value of the simulation as a potential field trip, noting that it would be a valuable asset to both the City and the education department.

Brian Seavitt, 3204 Colony Club Road Apartment 5, expressed his support for the proposed project, emphasizing the importance of environmental education. He noted that increasing awareness of the pressures on marine biology, particularly in the context of climate change and its impact on coral reefs, is always beneficial.

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

Vice Mayor Fournier reiterated her continued support for the project, highlighting its beauty, educational value, and potential as a regional attraction. Regarding the proposed amendment, she noted that its impact is currently limited to the specific parcel in question, as the other three parcels are well established.

Comr. Fesik disclosed having met with the property owner to address questions regarding the property. She expressed support for the museum, emphasizing its value as a unique and needed addition to the area, offering activities beyond bars and restaurants. However, she raised a concern about certain language in the resolution, specifically whether the language regarding other indoor commercial or membership recreation/entertainment uses would affect the Jellyfish Museum. Mr. Wemyss responded that it would not.

Comr. Sigerson-Eaton inquired about examples of other indoor commercial uses. Mr. Wemyss provided a broad list, including health and fitness centers, spas, gymnastics facilities, and dance halls, noting that nightclubs

are classified separately. He also mentioned emerging uses such as axe-throwing venues and indoor mini-golf facilities, which are not commonly defined by code. This provision is also included in B3 zones, addressing ambiguous uses found in both B3 and B4 districts.

Mr. Berman reminded the Commission that he spent years in litigation with regard to removing a dance hall and the problems it has been in the past.

Vice Mayor Fournier's question was addressed; the scope is limited to four parcels.

Mayor Hardin supports the amendment and suggested that the additional use could be added later if requested.

Comr. Smith stated that if the proposed changes align B2 with B3, then she supports leaving the subsection in place.

Comr. Fesik inquired about the number of properties rezoned from B2 to B3 in the past ten years. Mr. Wemyss responded that more properties have been rezoned to Planned Development rather than B3, although he was unable to provide a specific number at that moment.

A motion was made by Commissioner Fesik, seconded by Commissioner Perkins, to remove subsection C.(1)(a)(viii) from the ordinance.

Mayor Hardin opened public input for the amended motion.

Don Smith, 170 SE 13th Street, would like to see the amendment kept as originally presented to promote future progress.

Dennis MacDonald, 1401 N Riverside Dr., built museum exhibits, interpretive centers, educational centers, and entertainment venues. He would like to see the amendment kept as originally presented, as the definition of a museum is not necessarily what is presented in a traditional museum, which could be an educational entertainment venue, and would be similar.

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

Vice Mayor Fournier, on the motion, stated that the public expressed that they would like to see more movement on long vacant commercial parcels, and this amendment could assist with this issue.

Comr. Fesik withdrew her motion.

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

Comr. Fesik requested clarification on whether this was a joint project. Ms. Pelypkanych responded no.

Comr. Sigerson-Eaton expressed support for the project.

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. 2025-40

12. [25-304](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE CHANGE ORDER NO. 2 PURSUANT TO THE CONSTRUCTION MANAGER AT-RISK CONTRACT IN THE AMOUNT OF \$597,139.42 BETWEEN THE CITY OF POMPANO BEACH AND BURKHARDT CONSTRUCTION, INC. FOR INSTALLATION OF PEDESTRIAN LIGHTED CROSSWALKS AS PART OF THE SR A1A STREETScape IMPROVEMENTS PROJECT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$597,139.42)

(Staff Contact: Fernand Thony)

Fernand Thony, G.O. Bond Director, introduced a proposal for a change order to the Behar contract for the installation of five new solar pedestrian lighting crosswalks. He highlighted this change as a final safety feature for an almost completed project and recommended its approval.

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

Comr. Fesik expressed gratitude for the efforts on the project and emphasized community feedback about the need for lighted crosswalks to enhance safety, especially with the area becoming darker due to ongoing FPL work. She also thanked Mr. Thony for making sure this feature was incorporated.

Vice Mayor Fournier supported the proposal but highlighted the significant cost of the solar crosswalks, totaling \$100,000 for five units. He cited limited suppliers and specific requirements like turtle lighting impacting prices. Mr. Thony acknowledged that while he wasn't solely responsible for restricting the project locations, economic factors influenced that decision.

Vice Mayor Fournier emphasized the hope that new developers would help cover infrastructure costs, as it would benefit them, and highlighted the importance of sharing financial responsibilities over time.

Comr. Fesik acknowledged her initial surprise at the pricing but recognized that some of the costs are balanced out by the incorporation of solar power. Mr. Thony confirmed that the crosswalks would indeed be solar-powered. However, he raised concerns about the rising costs driven by economic fluctuations and the possibility of manufacturing overseas, pointing out that prices are on the rise.

Comr. Fesik suggested negotiating a bulk purchase for crosswalks, proposing that buying 10 instead of 5 could result in a better deal. In response, Mr. Thony indicated that he would explore the possibility of a bulk deal and recommended putting the item forward for consideration, highlighting that the current pricing might change.

Comr. Fesik inquired about the lifespan of the solar-powered crosswalks and questioned whether the \$600,000 investment was warranted. Mr. Thony responded by noting that the manufacturer claimed a life expectancy of ten years or more, referencing comparable systems that have shown satisfactory performance over four years. He also recognized that this technology remains relatively new.

Comr. Fesik inquired about the timeline between the vote and the installation, making it clear that she wouldn't hold anyone accountable for the timeline given. In response, Mr. Thony estimated that the procurement process would take around eight weeks, indicating that they could expect installation to occur in approximately ten weeks.

Comr. Sigerson-Eaton raised a concern regarding the integration of crosswalks into the pavement, highlighting potential challenges posed by street flooding and rain when it came to hardwiring them. Mr. Thony clarified that the crosswalks were indeed hardwired and installed with conduit, much like signal loops. He explained that these systems were designed to be controlled by pedestrians, allowing them to activate the crosswalk for safe crossing.

Comr. Sigerson-Eaton inquired about the possibility of using hardwired electricity, either with two 20-amp connections or one 20-amp connection, instead of relying on solar power. She sought clarification on the reasons behind the preference for solar energy and asked about the cost differences between solar and traditional electrical options. Mr. Thony stated that the product did not support a hardwired option. He explained that most installations utilized solar power due to its reliability, as it minimized maintenance issues typically associated with grid electricity.

Comr. Sigerson-Eaton expressed her gratitude for the illuminated crosswalks, highlighting their significance in ensuring safety due to the high number of pedestrians. She also raised a question about the possibility of finding a more cost-effective solution to achieve the same safety benefits.

Comr. Fesik advocated for exploring sponsorship opportunities to help cover the costs associated with crosswalk signs for future installations. She believed that seeking sponsorships could be an effective strategy for managing expenses, especially in light of the anticipated costs for adding more crosswalks.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2025-130

13. [25-301](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PIGGYBACK AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ODYSSEY MANUFACTURING CO. TO PURCHASE AS NEEDED CHEMICAL SUPPLIES; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed the amount appropriated in the chemicals accounts lines for the current Fiscal year)

(Staff Contact: Nathaniel Watson)

Nathaniel Watson, Utilities Field Superintendent, presented a piggyback contract with Odyssey Manufacturing Incorporated to procure sodium hypochlorite, commonly known as bleach. This chemical is essential for processing both drinking water and reuse water. The piggyback contract aimed to help manage rising costs due to market conditions for sodium hypochlorite. He recommended approval of this item.

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

Comr. Fesik raised concerns regarding the pricing in relation to the proposed agreement, questioning whether they were still receiving the best possible rates, especially in light of a slight increase compared to the City's previous contract. Mr. Watson clarified that there are only two manufacturers supplying the specific solution they need. He assured her that they are securing competitive pricing through a cooperative arrangement and indicated that seeking options in the open market would likely result in higher costs. Furthermore, he provided insights about the budget allocated for chemicals and acknowledged the variable demand for water treatment.

Vice Mayor Fournier raised concerns regarding a 16% increase in costs and specifically questioned the expenditures related to chemicals, seeking clarification on whether any additional chemicals were included in the relevant budget line item. Mr. Watson followed up by confirming that the budgeted amount for the fiscal year is approximately \$1.2 million and clarified that this line item pertains exclusively to sodium hypochlorite.

A motion was made by Vice Mayor Fournier, seconded by

Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be ADOPTED. The motion carried by the following roll call vote:

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: RES. No. 2025-131

14. [25-291](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PIGGYBACK AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ETR, LLC TO PURCHASE FIRE & RESCUE VEHICLES, BOATS & EQUIPMENT IN THE AMOUNT OF \$530,874.00 AS IDENTIFIED AND APPROVED IN THE FY 2025 BUDGET; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$530,874)

(Staff Contact: Peter McGinnis)

Peter McGinnis, Fire Chief, introduced the item, stating it was regarding a rescue truck that is part of the capital replacement plan. He pointed out that the budget for this vehicle is set at \$530,000, which is lower than the planned amount of \$725,004. Chief McGinnis emphasized the importance of addressing this issue early in the planning process.

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

Vice Mayor Fournier raised a question regarding the stationing of the new rescue truck and the future of the existing truck that it will replace. In response, Chief McGinnis explained that the fleet consists of 13 trucks, with one having been totaled in an accident. He confirmed that the new truck would take over the role of the damaged vehicle and would be stationed at the new fire station once it opens. Additionally, Mr. McGinnis noted that the fate of the existing truck is currently under litigation, with the hope of obtaining compensation from the insurance company. This process may allow for another truck to be assigned to a different station in the future.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: RES. No. 2025-132

MEETING BREAK

Mayor Hardin recessed the meeting for five minutes and then resumed it afterward.

15. [24-290](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO DECLARATION OF VOLUNTARY RESTRICTIVE COVENANTS MADE BY DIXIE PROPERTIES & INVESTMENTS, LLC AND UPPER POMPANO PROPERTIES & INVESTMENTS, LLC FOR THE BENEFIT OF THE CITY OF POMPANO BEACH; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

POSTPONED FROM JUNE 11, 2024, SEPTEMBER 10, 2024, DECEMBER 10, 2024, AND FEBRUARY 11, 2025

(Staff Contact: Scott Reale/David Recor)

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

16. [25-269](#) **P.H. 2025-46: (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 LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BLUEWATER MOVEMENTS, INC. TO UTILIZE THE EMMA LOU OLSON CIVIC CENTER, CHARLOTTE BURRIE CIVIC CENTER AND ALSDORF PARK TO CONDUCT ITS ANNUAL POMPANO BEACH SALTWATER CIRCUIT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: APRIL 22, 2025

(Staff Contact: Mark A. Beaudreau)

Mark Beaudreau, Recreation Director, stated that there have been no changes since the first reading.

Mayor Hardin sought public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Ordinance / 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. 2025-36

17. [25-210](#) **P.H. 2025-43: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, TO REDUCE CERTAIN RESTRICTIONS TO DEVELOPMENT WITHIN REAR YARD CORNER TRIANGLES, BY AMENDING SECTION 155.4303., "STANDARDS FOR SPECIFIC ACCESSORY USES AND STRUCTURES," TO MODIFY THE STANDARDS FOR A GAZEBO; BY AMENDING SECTION 155.5203., "LANDSCAPING," TO APPLY GENERAL LANDSCAPING REQUIREMENTS TO PLANTS MAINTAINED WITHIN A REAR YARD CORNER TRIANGLE; BY AMENDING SECTION 155.5302., "FENCES AND WALLS," TO ELIMINATE REQUIREMENTS FOR STANDARDS RELATED TO REAR YARD CORNER TRIANGLES ADJACENT TO WATERWAYS AND MODIFYING REQUIREMENTS PERTAINING TO SEAWALLS; AND BY AMENDING SECTION 155.9301., "REAR PROPERTY LINE AS RELATED TO MEASUREMENTS," TO REMOVE REFERENCE TO REAR YARD CORNER TRIANGLES AS A MEASUREMENT FOR REAR PROPERTY LINE WHEN ABUTTING THE HISTORIC DUNE VEGETATION LINE; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: APRIL 8, 2025

POSTPONED FROM APRIL 22, 2025

(Staff Contact: Max Wemyss)

Max Wemyss, Principal Planner, presented the proposed Text Amendment regarding Tiki, Chickee, and the Rear Yard Corner Triangle. He outlined plans to eliminate all standards for the rear yard corner triangle, including restrictions on fence and vegetation transparency and height limits for structures exceeding 3 feet. The amendment will allow Gazebos, Tikis, and Chickees to be placed within 3 feet of a rear lot line adjacent to waterways or canals. Currently, these structures can be within 3 feet of an interior side lot line with a six-foot solid fence; otherwise, a 5-foot setback is required.

Additionally, the maximum height for structures will increase from 10 feet to 15 feet, accommodating true chickee huts. However, if a chickee incorporates plumbing or electrical work, it must be reduced to 10 feet due to code compliance. The proposed changes also include allowing fences to extend along the property line uniformly up to 6 feet without transparency requirements and permitting landscaping in the rear corners. While the amendment focuses on structural allowances, it may reduce visibility across shared spaces.

Mayor Hardin sought public input on the item.

Don Smith, 170 SE 13th Street, emphasized the significance of the matter, noting that it will impact over two thousand people. He suggested that if the fence is a concern, it should be addressed as a separate issue.

Elina Smith, 170 SE 13th Street, noted that the new code requires a five-foot seawall, but highlighted a discrepancy in height regulations. Additionally, Ms. Smith raised concerns about the prevalence of Airbnb properties along the waterfront, which often operate late into the night, creating disturbances for residents.

Ivan Usztics, 361 SE 3rd Court, noted that a significant number of waterfront properties, ranging from 2,200 to 3,200, are currently non-compliant. County Commissioners representing these areas are in favor of the proposed ordinance, as it enhances setbacks and landscaping utilization, providing privacy for neighboring properties. It was further emphasized that if one property was cited for non-compliance, all similar properties would need to be addressed. Overall, there is support for this ordinance.

Frank Pelly, NE 28th Avenue, raised concerns about property owners' rights, referencing Florida Statute 253.141, which recognizes Riparian rights for properties abutting navigable waterways. These rights grant reasonable access for docks, boating, and recreation, as well as fair use of Riparian areas, provided they do not interfere with the public. Mr. Pelly highlighted that case law supports the use of fences for privacy and protection against trespassing. He noted that while 69% of properties are non-compliant, only five complaints were filed in 2024.

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

Comr. Sigerson-Eaton, reflecting on her experience living on a waterway property and expressed that referring

to these areas as rear yard triangles is misleading, as it undermines their value, and clarified that they should be properly termed site visibility triangles. The biggest concern she had is the fence and the wall height. All fencing should have visibility through for the site visibility triangle. Noted that possible solutions could include reducing the site visibility triangle or allowing poles within the site visible triangle or an agreement between neighbors. She does not support the ordinance as written and has received as many as sixty communications in opposition to this issue and five in support.

Comr. Fesik noted receiving considerable public input on the issue and inquired whether not approving the proposed change would create additional problems for staff. Mr. Wemyss responded that raising seawalls to the retaining wall could create conflicts, particularly regarding height definitions based on adjacent grade. If the grade change is significant, life safety concerns, such as the need for fall barriers like a four-foot security screening for pools, would take precedence over zoning codes. Mr. Wemyss concluded that the ordinance is currently misaligned and that these challenges are already present. Comr. Fesik stated that when she reviewed email communications, the individuals who provided their experience living on the waterfront properties were generally in favor of the proposal. Nevertheless, she would be comfortable in splitting the tiki/chickee issue from the fence issue.

Comr. Smith visited several properties, including one owned by Frank Pelly, where yellow tape marked the 25-foot site visibility triangle, which was found to be quite large. She noted that the obstruction of views was more related to boats on lifts, which are legal, rather than the site visibility triangle itself. Comr. Smith expressed that there would be minimal impact on site visibility and affirmed support for the ordinance. Additionally, she was not opposed to separating the fence issue if the Commission decides to do so.

Vice Mayor Fournier noted that the impact on waterfront properties in Districts 1 and 3 was formulated based on extensive community outreach. She also did several site visits and found that most homes were out of compliance. She understands the issue with the fence, but those issues would appear over time. If a resident installs a tiki kitchen, a fence is reasonable to protect privacy; however, the impact is minimal compared to the boats on lifts.

Comr. Sigerson-Eaton expressed appreciation for the consideration of installing fences but noted that not all households possess boats, or boats of a size sufficient to obstruct views. She raised concerns regarding existing solid fences that restrict visibility. Additionally, she voiced support for amending the ordinance to permit an agreement between neighboring property owners to eliminate the site visibility triangle requirement, provided that an existing condition is present and both parties' consent.

Mayor Hardin inquired of Mr. Berman whether the City's current ordinance is legally sound, referencing a court case mentioned by Mr. Pelly. Mr. Berman stated he is not familiar with that specific case, noting that it did not pertain directly to the City's ordinance, though there are aspects of the ordinance that may warrant further review. He will conduct research and provide an update at the next meeting. Mayor Hardin acknowledged that the City is actively enforcing the ordinance, as citations have been issued, but emphasized that enforcement remains challenging. He concurred with Comr. Sigerson-Eaton's perspective is that neighbors should be encouraged to resolve such matters among themselves.

Comr. Fesik inquired about the amount of staff time required to facilitate agreements between neighbors. Mr.

Wemyss deferred to Mr. Berman, who explained that the time commitment would depend on whether the Commission chooses to review each agreement individually, potentially placing them on the Consent Agenda, or opts for administrative approval. Comr. Fesik expressed her support for maintaining privacy through the use of fences

Comr. Perkins noted that her district does not contain waterfront properties affected by the ordinance; however, she is attentively considering the discussions and perspectives shared by commissioners representing impacted districts.

Vice Mayor Fournier noted that enforcement is complaint-based, emphasizing that if a property was purchased with a six-foot fence, it was likely because the buyer desired that feature. She explained that the goal is to provide options, recognizing that property owners may have either positive or contentious relationships with their neighbors.

Comr. Sigerson-Eaton commented on Vice Mayor Fournier's community outreach efforts, stating that eliminating the site visibility triangle was the solution.

A motion was made by Mayor Hardin, seconded by Commissioner Sigerson-Eaton, to direct staff to establish a process similar to a shared docking agreement, to address sight visibility triangles on waterfront properties, as well as to be handled administratively, not requiring action by the City Commission.

Mayor Hardin opened public input for the amended motion.

Elina Smith, 170 SE 13th Street, opposed this motion and supported the right to have a fence to limit access from the neighbors.

Don Smith, 170 SE 13th Street, opposed this motion because an unruly neighbor is not going to enter into an agreement.

Gunter Durdicz, 630 SE 5th Terrace, stated that he lives on the water, has a boat dock (but not a boat lift), and has two side fences that allow visibility through them. He expressed his preference for the proposed motion to avoid any additional obstructions.

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

Comr. Fesik affirmed that property owners have the right to use, maintain, develop, improve, and exclude others from their property, as well as the right to enjoy their backyard. She expressed support for the ordinance in its current form, noting that it reflects the wishes of a large number of residents.

Vice Mayor Fournier noted that the success of the motion would depend on maintaining good relationships with neighbors, as a more contentious neighbor could complicate things. While it's likely that taller fences will be constructed with or without these agreements over time, they tend to create more tension between neighbors.

Mayor Hardin noted that at least one public comment supported a measure like this to protect their view.

The motion failed by the following roll call vote:

Yes: Sigerson-Eaton
Hardin

No: Fesik
Perkins
Smith
Fournier

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
Smith
Fournier

No: Sigerson-Eaton
Hardin

Enactment No: ORD. No. 2025-37

18. [25-329](#) **P.H. 2025-51: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.2411., "TREE PERMIT," SECTION 155.2421., "ADMINISTRATIVE ADJUSTMENT," SECTION 155.5203., "LANDSCAPING," AND SECTION 155.5204., "TREE PRESERVATION," TO CLARIFY AND INTRODUCE LANDSCAPING INDUSTRY STANDARDS AND BEST PRACTICES AND INCORPORATE STATUTORY REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss)

Max Wemyss, Principal Planner, commenced his presentation with a thorough overview. He elaborated on several key topics, including a comprehensive summary of the proposal, to include the Tree Permitting process, Administrative Adjustments, Landscaping, and the principles of Tree Preservation. Each topic provided a clear

understanding of the processes involved, clarifying what is already required by the Code, introducing expected industry standards or learned best practices, and adjusting to changes in State Statutes.

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

Comr. Sigerson-Eaton stated that she would reserve her questions for the second hearing. She referenced Florida Statutes Section 163.045, which was included verbatim, and asked for clarification regarding tree removal. Specifically, she questioned what constitutes an "acceptable risk" when dealing with trees, citing concerns such as roots near a house, staining from leaves, trip hazards, and code complaints. Mr. Wemyss explained that the determination of risk falls under the responsibility of the arborist. Comr. Sigerson-Eaton further mentioned a previous experience where a permit was denied due to a tree near a resident's house, which was removed after the law passed, requiring mitigation with two Grade A Oaks at significant cost.

Comr. Fesik agreed with Comr. Sigerson-Eaton, stating that the proposed measures could be very costly. She questioned whether the ordinance is more focused on new development rather than existing residents. Mr. Wemyss noted that the tree removal or relocation application could apply to any property, but administrative adjustments would primarily pertain to new development. He highlighted that irrigation and site lighting requirements are less restrictive, with irrigation being a new temporary requirement aimed at reducing long-term costs. While Comr. Fesik supported the idea of relocating trees off-site; she raised concerns that the ordinance seems to favor developers by allowing smaller groupings of trees. She also pointed out that a reduction from 30% to 75% is significant and that the public should not bear the cost of mitigation for minor property improvements. Comr. Fesik indicated that she would reserve further questions for the second reading and expressed a desire for the ordinance to better protect residents and less for developers.

Mr. Wemyss clarified that the only mitigation-related item in this amendment, aside from those governed by State Statute 163, is a reduction in the valuation assigned to trees that are not classified as canopy trees. This 50% reduction already exists in the City's landscape code, which mandates superior landscaping. The amendment formalizes this in the Administrative Adjustment table, setting a minimum requirement of eight feet, whereas the current code allows as little as five feet, which does not support sustainable plantings. This change would encourage developers to seek a variance with proof of hardship if they request fewer plantings, thus providing more structure and enforcement to the process.

Vice Mayor Fournier requested clarification on whether a permit is required for the removal of an abused tree. Mr. Wemyss confirmed that a permit is indeed required. He explained that tree abuse occurs when a tree is intentionally damaged to the point where it cannot survive, rather than when the tree poses an unacceptable risk.

Vice Mayor Fournier also inquired about the necessity of micromanaging the use of a bubbler. Mr. Wemyss explained that tree mitigation is not required when trees fall in a storm or are removed, per State Statute 163.

Mr. Berman noted that if a neighbor damages a property owner's tree, the property owner gets cited. The City cannot be less restrictive than the County code. Mr. Wemyss confirmed that.

Comr. Fesik inquired about the cost of a permit. She noted that she had an appraiser visit once, and the fee

was \$400.

Mark Brumet, Landscape Inspector, noted that the cost of tree removal or relocation depends on the type of property. For single-family residences, the permit is free. For a commercial site, it's \$50 for the permit and \$10 per tree. For Multifamily, it's \$45 for the permit and \$7 per tree. In each case, the applicant provides their own appraiser.

Comr. Sigerson-Eaton would like the residential properties to be left alone with regard to mitigation. Residents behind commercial properties may experience grass-killing shade.

Mayor Hardin inquired about the protocol for commercial properties when a tree dies, and a bubbler is not required. He asked whether irrigation would need to be installed to accommodate the bubbler for tree replacement. Mr. Wemyss confirmed that irrigation would be necessary. Mayor Hardin acknowledged the intent behind the requirement but expressed concerns about its practical application, particularly for previously developed properties. He suggested that it should be the property owner's responsibility to water and maintain the tree, and address any issues with code enforcement if the trees consistently die.

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

No: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

19. [25-328](#) **P.H. 2025-52: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.5204., "TREE PRESERVATION," TO CREATE A NEW SUBSECTION REGULATING COASTAL DUNE MANAGEMENT AND PRESERVATION; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss)

Max Wemyss, Principal Planner, presented a new ordinance focused on beach dune management, restoration, and enhancement in the city. This ordinance aims to give the City more authority to enforce the protection and mitigation of dunes and dune vegetation on private properties. Previously, such enhancements were negotiated

during site planning and required Florida Department of Environmental Protection (FDEP) approval, which will still be necessary for work seaward of the coastal construction control line. The amendments align with city plans and zoning codes, emphasizing the removal of invasive vegetation and the enhancement of existing dunes based on FDEP guidelines. Overall, the City now has greater control over dune management on private lands.

Mayor Hardin sought public input on the item.

Lee Gottlieb supported the proposed ordinance, stating that it aims to give the City more authority over development projects affecting local dunes. He emphasized that the FDEP lacked the enforcement capability needed to uphold their regulations. By passing this ordinance, the city would have gained the ability to set guidelines for property owners and developers to ensure compliance and protect these vital resources, highlighting the importance of acting at that moment to prevent irreversible damage.

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

Mayor Hardin expressed gratitude to Mr. Gottlieb for his contributions to the city of Pompano Beach and for helping preserve its resources on behalf of the residents.

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. 2025-41

20. [25-294](#) **P.H. 2025-47: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND INTERCOUNTY ENGINEERING, INC. FOR SANITARY SEWER MANHOLE REHABILITATION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$140,000 per year)

(Staff Contact: Nathaniel Watson)

Nathaniel Watson, Utilities Field Superintendent, introduced a contract with Inner County Engineering to coat and rehabilitate sanitary sewer manholes and stormwater catch basins. This work is necessary to extend the useful life of these structures over time.

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

Comr. Perkins referred to a recent experience regarding sewer clean-up in the community. She inquired about the frequency of sewer cleaning in particular neighborhoods. Mr. Watson explained that the department conducts system cleaning and inspection periodically for the sewer system, emphasizing that they keep track of the areas cleaned for better condition assessment and future planning.

Comr. Perkins asked if older homes received more frequent sewer cleaning or if the department operated on a rotation basis. She noted that the Sanders Park community, built in the early 1950s, had not seen sewer cleaning until recently, and requested more consistency in older areas. Mr. Watson confirmed that they aim to distribute cleaning efforts evenly across the city. He mentioned the types of sewer materials used-clay and C 900 PVC-highlighting that clay is more prone to wear. He discussed their lining program to strengthen infrastructure, particularly in areas like Sanders Park, and detailed the preventative maintenance steps they take to avoid major issues such as backups and sewer overflows.

Comr. Perkins raised a concern regarding a sewer issue involving a young lady in Esquire Lakes, noting a lack of cleaning in that area. She requested an updated list detailing where sewer cleaning had been completed in the northwest community, ideally organized by their completion status. In response, Mr. Watson confirmed that notices are sent out whenever inspections and cleanings take place, ensuring that both commissioners and constituents are informed. The commissioner acknowledged his response but mentioned that she had not received a notice regarding the cleaning in her area, though she was pleased with the work being done. She reiterated her request for the requested information.

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. 2025-38

21. [25-264](#) **P.H. 2025-48: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MAXX ENVIRONMENTAL, LLC FOR SANITARY SEWER MANHOLE REHABILITATION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$140,000 per year)

(Staff Contact: Nathaniel Watson)

Nathaniel Watson, Utilities Field Superintendent, mentioned that this item is related to Item 20 and involves a secondary contractor for redundancy and competitive advantage in the work.

Mayor Hardin sought public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Ordinance / 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. 2025-39

22. [25-312](#) **P.H. 2025-53: (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 PIGGYBACK AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MUNICIPAL EQUIPMENT COMPANY, LLC TO PURCHASE AS NEEDED FIRE EQUIPMENT, SUPPLIES AND SERVICES IN AN AMOUNT NOT TO EXCEED \$1,632,300; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Not to exceed \$544,100 per year, contract total is \$1,632,300)

(Staff Contact: Peter McGinnis)

Peter McGinnis, Fire Chief, introduced the item, stating that it is the first reading of an ordinance concerning the purchase of various fire-related equipment, such as gas meters, hoses, bunker gear, and helmets. The agreement is set for three years and will expire on July 31, 2027. Additionally, any individual purchase exceeding \$200,000 will be brought back for approval.

Mayor Hardin sought public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

23. [25-302](#) **P.H. 2025-50: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 70, "GENERAL PROVISIONS," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 70.11, "ILLEGALLY-PARKED VEHICLES," IN THE CITY'S RIGHT OF WAY BY MODIFYING FINES FOR VIOLATIONS OF § 71.07 COMMERCIAL VEHICLES STORED IN THE RIGHT-OF-WAY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mark E. Berman)

Mark Berman, City Attorney, announced that, following a commission request, the fines for violations of Section 71.07 regarding commercial vehicles in the right of way have been increased from \$150 to \$350 per day. He believed this change was sustainable.

Mayor Hardin sought public input on the item and encouraged the Commission to share their thoughts, but no one provided any comments.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Ordinance / 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. 2025-43

24. [25-311](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND HANSA AND GIRISH PATEL ON VACANT LAND LOCATED AT SE 2ND STREET ON THE WEST SIDE OF BRINY AVENUE; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: 50/50 Revenue Split)

(Staff Contact: Jeff Lantz)

Jeff Lantz, Parking Manager, presented a resolution for a license agreement between the City and Hansa and Girish Patel regarding a parking lot adjacent to Southeast 2nd Street. This lot had been in use since 2021, primarily serving beachgoers and Hilton Hotel workers, with about 43 available parking spaces.

The City generated revenue through parking fees collected via two mobile apps and proposed a 50/50 revenue split of the net earnings with the Patels. He also mentioned that the City would continue to oversee parking enforcement for the property.

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

Comr. Fesik asked about the profit from the lot, and Mr. Lantz informed her that they had made about \$25,000 in total.

Comr. Fesik raised concerns about parking on empty grass lots, which had been allowed temporarily despite potential ecological impacts, especially given their proximity to the beach and water. She questioned the adherence to city rules since they had maintained a positive relationship with the property owners since 2021. Mr. Lantz responded by indicating that the temporary nature of the parking arrangement and the absence of permanent improvements aligned with city regulations.

Comr. Fesik pointed out that the timeframe extending from 2021 to 2026 suggested a long-term rather than temporary usage. Mr. Lantz clarified that the property owner had no immediate plans to develop the land and was open to collaborating with the City to maintain parking in the meantime.

Comr. Fesik expressed concerns about residents leasing yard space for parking, especially for friends and family, citing the need to uphold community standards. She called for better communication regarding decisions affecting code violations and noted that the issue had been ongoing for five years. Comr. Fesik emphasized avoiding parking on grass lots near the beach to prevent contamination. Mr. Lantz responded that construction would lead to parking on Briny Avenue and referred to discussions with the Patel family that allowed parking in a specific lot for everyone, including Hilton employees, to address these challenges.

Comr. Fesik raised a concern about the City's adherence to its own parking rules, questioning how they could maintain compliance. Greg Harrison, City Manager, responded by asserting that they were already following those rules. He clarified that the term "temporary" related to the current use of a grassy lot for parking. He suggested that the lot would only be considered permanent if it were developed with gravel or concrete.

Comr. Fesik expressed concerns about a temporary parking charge implemented by a resident, emphasizing the environmental issues related to their proximity to the water. She acknowledged the necessity for a parking space and mentioned that the Pompano Beach Club had inquired about renting spaces due to upcoming concrete restoration. Comr. Fesik urged for stricter adherence to existing rules, highlighting that the situation was not truly temporary, as it could last five to six years.

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. 2025-133

25. [25-315](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE GOLF ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF ROBERT HENDREN; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Francis D Santos - District 3

Roy A Wilhoite - District 3

Trevor Mankini - District 3

Stephen Botek - District 5

Other Board Memberships

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0

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(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2025-134

26. [25-327](#) 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 MAY 17, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

Applicants

Other Board Memberships

John Pancoast, **Incumbent** - District 1
Tobi Aycock, **Incumbent** - District 3
Dennis Macdonald - District 1
Hunter Ohanian - District 1
Shannon E Kenyon - District 3
Luciene Gomes - District 5

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(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 John Pancoast. The motion to appoint John Pancoast carried by a unanimous voice vote.

Enactment No: RES. No. 2025-135

27. [25-336](#) 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 MAY 17, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 25-327 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 Tobi Aycock and Commissioner Fesik nominated Dennis Macdonald. The motion failed by a 3 to 3 vote and the results were as follows:

Vote for Tobi Aycock:

Sigerson-Eaton

Smith

Hardin

Vote for Dennis Macdonald:

Fesik

Perkins

Fournier

Note:

A motion to reconsider the action taken on Item 27 was made by Vice Mayor Fournier, seconded by Commissioner Fesik. The motion carried by a unanimous voice vote.

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

Enactment No: RES. No. 2025-136

28. [25-337](#) 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 2, FOR A TERM OF THREE (3) YEARS; SAID TERM TO EXPIRE ON MAY 17, 2028; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

PLEASE REFER TO FILE ID 25-327 FOR APPLICANTS

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2025-137

F. ADDITIONAL AUDIENCE TO BE HEARD

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

G. NEXT SCHEDULED MEETING

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

May 14, 2025 at 6:00 p.m. - Joint Special Meeting City Commission/CRA

May 27, 2025 at 6:00 p.m. - Regular City Commission Meeting

June 10, 2025 at 1:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager's Report:

Josh Watters, Budget Director, was introduced by Mr. Harrison and welcomed by the City Commission.

Mr. Harrison announced that Michael Rada, the City's Building Official, has been appointed to the Broward County Board of Rules and Appeals. City Commission congratulated Mr. Rada. Next, Mr. Harrison announced Randolph Brown, City's Utilities Director, received 5 statewide awards that he would like to present. Mr. Brown came forward and presented the awards as follows:

Collection System of the Year Award Medium Size Utility - recognizes utilities for significant accomplishments fostering excellence in the operation and management of wastewater collection system which includes pumping system.

1) The City's Oasis treatment facilities received first place for Class C Treatment Plant. The City competed for the opportunity to receive a plaque recognizing excellence in safety programs with no lost days.

2) Public Education Award-recognizes organizations for events or campaigns that significantly accomplish fostering the support and development of public outreach programs and integrating public education as a core

element of water waste utility planning and management.

3) The David E Lee Award is awarded annually by the State Association based on the operator plants' accomplishments and contributions to the organization.

4) Special Recognition from the Department of Environmental Protection that celebrates Florida's drinking water and domestic wastewater facilities that demonstrate Excellence in operation, maintenance, innovative treatment, waste reduction, pollution prevention, recycling, and other special achievements.

City Attorney's Report:

City Attorney Berman announced a successful defense in a Title VII Civil Rights Discrimination case involving an employee. Deputy City Attorney Tracy Lyons represented the City, leading to a summary judgment in favor of the City, which was upheld by the 4th District Court of Appeals. The case was published in Florida Law Weekly. Additionally, Ms. Lyons was selected to present on sovereign immunity at a City County Local Government Law Certification Review Course and received excellent reviews for her presentation.

City Clerk's Report:

City Clerk Alfred requested a motion to reconsider the 3-3 vote regarding the appointment to the City's Architectural Appearance Committee, ultimately aiming to fill the vacancy on the committee.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Fesik, to reconsider Item 27. Motion carried by a unanimous voice vote. A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, to ADOPT the Resolution under Item 27. Mayor Hardin nominated Tobi Aycock. Motion to appoint Tobi Aycock carried by a unanimous voice vote.

Comr. Fesik's Report:

Comr. Fesik expressed concerns that were raised regarding the marketing campaign for the Downtown project, with feedback indicating that some newsletters appeared one-sided. A request was made for a breakdown of marketing expenses, including consultant fees related to the media campaign, in preparation for tomorrow's meeting at Noon. Additionally, inquiries were made about the payment for outside counsel hired last year to assist with the contract. Mr. Berman responded that the City and CRA are splitting the cost, and that every invoice is reviewed by the CRA counsel and himself. A request for those invoices was made. In addition, Comr. Fesik inquired about the G.O. Bond North Riverside Grant Project, with a request for updates. Mr. Harrison clarified that North Riverside Drive was not part of the G.O. Bond and is being funded through the City's own budget. The City has applied for multiple state and federal grants but has not yet received responses. Comr. Fesik concluded by expressing appreciation for the citizens who came to speak and be involved in the process.

Comr. Perkins' Report:

Comr. Perkins expressed gratitude to the Police Chief and BSO for their work in resolving the tractor-trailer

issue on 15th Street.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton thanked everyone, stating that her husband is doing well. Additionally, she said the Cresthaven Civic Association will meet on Thursday at 7:00 PM.

Comr. Smith's Report:

Comr. Smith expressed appreciation for BSO's efforts on 15th Street. She also extended congratulations to Mae Jo Fulton on her 108th birthday, celebrating her remarkable age and continued involvement in the community. The Greater Collier City Civic Association will hold its Scholarship Award Banquet on June 1st at the Pompano Beach Cultural Center, with tickets priced at \$60 and tables available for \$500. Additionally, the Community Appearance Committee hosted a beach cleanup on Saturday, with twelve volunteers participating, and plans to potentially hold this event quarterly. Comr. Smith concluded with a quote from Henry Ford: "If everyone is moving forward together, then success takes care of itself."

Vice Mayor Fournier's Report:

Vice Mayor Fournier expressed gratitude to the Community Appearance Board for its cleanup efforts. She agreed with Comr. Fesik's concerns regarding the marketing campaign, noting that the newsletter did not accurately reflect the matters to be voted on in tomorrow's meeting. She also acknowledged the efforts of the Environmental Services Department for the Clean Streets initiative in Avondale and Fairview on May 15th. Next, she expressed appreciation for Principal Williams' update from Blanche Ely High School and suggested inviting a different principal each month to foster stronger partnerships with local schools. She recognized Ken Stolar and Jim Jankowski for their contributions to the temporary Memorial Day cross installations at Community Park. Additionally, she noted a community meeting will be held at the American Legion on May 28th at 7:00 PM. In closing, Vice Mayor concluded her report with a quote from Mae Jo Fulton: "Enjoy this life, it's a beautiful life."

Mayor Hardin's Report:

Mayor Hardin extended a heartfelt call for thoughts and prayers for the grieving family of George Brummer, a respected former Vice Mayor who left a lasting impact on the community.

I. ADJOURNMENT

The meeting adjourned at 6:10 PM.

Rex Hardin, Mayor

Kervin Alfred, City Clerk