



City of Pompano Beach

100 West Atlantic Blvd.
Pompano Beach, FL 33060

Detailed Minutes - Final

City Commission

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

Gregory P. Harrison, City Manager
Mark Berman, City Attorney
Kervin Alfred, City Clerk

Tuesday, December 10, 2024

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 Sharon Stone-Walker of Dove Ministries International offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[25-86](#) City & CRA Board Joint Special Meeting Minutes of November 12, 2024

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.

[25-87](#) Regular City Commission Meeting Minutes of November 12, 2024

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.

[25-88](#) Special City Commission Meeting Minutes of November 19, 2024 - Induction Ceremony

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

APPROVAL OF AGENDA

Mayor Hardin announced Item 8 under the Regular Agenda will be postponed until the February 11, 2025 City Commission meeting.

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

CONSENT AGENDA DISCUSSION

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

Mayor Hardin announced that Items 1 through 5 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION

[25-84](#) **Special Appreciation to the City of Pompano Beach**

Mayor Hardin recognized the Honorable Commissioner Honorio Luis Guevara and Finance Director Angel Edmundo Carvajai, who were present on behalf of Mayor Marciana Valdivieso de Poveda and the City of Manta, Ecuador. In his remarks, Commissioner Guevara expressed gratitude to the City Commission and the Pompano Beach Fire Department for their thoughtful donation of 18 sets of surplus bunker gear to support the Fire Department in Manta. Pompano Beach Fire Chief Steve Hudson, along with the City's Facilities Operations Director George Buenaventura, coordinated this effort.

A video featuring the lively coastal City of Manta, Ecuador, was shared. The footage showcases the City's beautiful beaches, entertainment venues, and vibrant culture.

The Special Presentation was READ AND PRESENTED INTO THE RECORD.

B. AUDIENCE TO BE HEARD

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

Pat Anderson, 2650 NE 24th Street, Pompano Beach, FL, expressed frustration over unresolved issues related to her property, including alleged address change from 2640 to 2642 and title fraud. She stated the issue affects Google Maps and referenced a code hearing citation from August 8, 2018, for which she claims no resolution or record exists. Ms. Anderson accused Chris Eva of altering addresses to conceal fraud and criticized City Attorney Berman for not acknowledging the matter. She also noted the involvement of Assistant City Attorney Saunders and stated the issue has caused significant financial loss as a senior widow. Ms. Anderson concluded by highlighting her work as an artist teaching children, teens, and seniors and urged the City to address her concerns.

Quenton Thompkins, 436 NW 19th Street, Pompano Beach, FL, raised concerns about delayed paramedic response times in the City. He described an incident during a church service where a woman fell unconscious, and paramedics took nearly 30 minutes to arrive. Mr. Thompkins stated that responders came from McNab Road to Northwest 21st Avenue, which he found unacceptable. He emphasized the urgency of medical calls, noting that such delays could endanger lives, and urged the City to address the issue to ensure timely emergency response and prevent similar occurrences.

Mayor Hardin asked Mr. Thompkins to connect with the Fire Chief to provide the date and location for further investigation.

Mike Skversky, 1630, SW 5th Avenue, Pompano Beach, FL, suggested raising the thermostat by one or two degrees at City Hall to save on energy costs, estimating significant monthly savings. He advocated for moving City Commission meetings back to 6:00 PM, stating that the current 1:00 PM schedule limits public participation. He thanked Comr. Fesik for her prompt assistance with a parking issue, praising her leadership and commitment to helping residents. Mr. Skversky concluded by proposing that two streets in Pompano Beach be named after Jerry Myrick, who supported the community, particularly during COVID, and Dolores Bullard, the City’s first black female police officer who served from 1978 and later ran a local business for over 30 years.

Jocelyn Jackson, Pompano Beach, FL, expressed disappointment that Comr. Sigerson-Eaton was not given the opportunity to serve as Vice Mayor, calling it unfair and disheartening after her eight years of service. She encouraged officials to be respectful and professional. She also addressed Comr. Perkins’ remarks at the tree-lighting event, encouraging commissioners to set aside egos, focus on serving residents, and work together to address homelessness and economic growth. She concluded by calling for unity as they move into 2025.

Comr. Perkins reiterated her remarks from the District 4 tree lighting event, stating the Mayor's name should not appear on flyers for events in her district. She emphasized her long-standing service since 1983, her commitment to fighting for her constituents, and her refusal to tolerate disrespect.

Kenneth Lewis, 2513 Third Street, Pompano Beach, FL, addressed concerns about property tax increases,

noting a significant rise since his parents' passing. He stated the taxes had increased from \$1,000 to \$6,400, causing financial strain for him and his brother. He requested a decrease rather than continued increases.

Mel Steffen, 98 SE 6th Avenue, Pompano Beach, FL, referenced a November special meeting between the City and the CRA, stating that former Comr. Moss made a rude comment about Vice Mayor Fournier. Mr. Steffen expressed disappointment that the Mayor did not address the comment and concluded by stating a loss of confidence.

George H. Berlenge, 41 Haven Drive, Pompano Beach, FL, praised Vice Mayor Fournier and Comr. Sigerson-Eaton for their dedication to the homeless community and commended the HOT team for their efforts and personal contributions. He highlighted Cassandra Rhatt's significant work and urged the Commission to allocate more resources to support her efforts. Emphasizing that addressing homelessness requires community involvement, he called on residents to volunteer, donate, and contribute, stating it "takes a village" to tackle the issue effectively.

Jackie Moreland, Pompano Beach, FL, welcomed the new commissioners, congratulating them and highlighting the "girl power" on the dais. She expressed hope for greater collaboration, particularly in supporting Comr. Perkins' efforts for the community. Addressing the City Manager, she urged progress in finding a location for the substation in the Northwest Community and offered to assist in the effort. She also echoed concerns about a former commissioner's disrespectful behavior toward women and emphasized the need for mutual respect between officials and citizens. Finally, Ms. Moreland requested that City Commission meetings return to evening hours, stating the current 1:00 PM schedule excludes working residents. She concluded by wishing everyone a happy holiday.

Vicente Thrower, Pompano Beach, FL, asked about progress on the local preference draft and related discussions. Mayor Hardin responded that a meeting will be scheduled after the holidays to review the matter, including updates on current policies and efforts. He confirmed staff will share what has transpired and work toward codifying a stronger policy. Mr. Thrower concluded by stressing the importance of codifying a policy to ensure local small businesses can actively participate.

Lawrence Thompson, 1870 North 58th Terrace, Pompano Beach, FL, shared his journey from homelessness, recalling how he once slept under City Hall and panhandled nearby. He credited receiving a ticket that led him to community court, where he met Cassandra Rhatt, describing her as life-changing. He thanked the Mayor, Commission, and Cassandra Rhatt for their support, noting he and his brother now have a home. Mr. Thompson praised the community court, emphasized the power of faith, and expressed deep gratitude to the city for helping him rebuild his life.

Carlene Duncan, 1851 NW 15th Street, Pompano Beach, FL, a business owner for 34 years, introduced her outreach initiative, Faith, Hope, and Love, focused on feeding the homeless. She announced plans to serve meals on Christmas Day in Collier City and throughout Pompano Beach, Miami, and Palm Beach County. Ms. Duncan requested donations from the Commission or individuals to support her efforts and encouraged everyone to visit and assist with her outreach. She also suggested naming a street after Richard Macon, recognizing his contributions to the community. Ms. Duncan concluded by congratulating the newly elected officials.

C. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Item 6 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. [25-82](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA, DIVISION OF HISTORICAL RESOURCES, ACCEPTING A GRANT IN AN AMOUNT OF \$25,000 FOR THE PROJECT, "EXPANDING FLORIDA HERITAGE: PRESERVING THE LEGACY OF CULTURAL CHANGEMAKERS,;" PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$25,000 in grant funds)

 **Strategic Plan Initiative**

(Staff Contact: Ty Tabing)

Vice Mayor Fournier explained pulling items from the consent agenda to benefit new commissioners, noting it would have been helpful when she started. Regarding this specific item, she inquired about the focus and location of the exhibit, the inclusion of signs and displays, whether the project would be out in the community, and whether community input or city staff were involved.

Ty Tabing, Cultural Affairs Director, explained that the project builds on the 2020 Exhibit - African American Women Change Makers, which highlighted national figures. With the grant funding, the exhibit will integrate key local figures. The project will include mobile exhibits to be displayed at schools, parks, and other public settings, with extensive community input throughout the process. Partners include Rock Road Historic Restoration and the African American Research Library and Cultural Center. Mr. Tabing noted this effort aligns with prior Commission discussions and demonstrates the Cultural Affairs Department's long-standing commitment to the subject.

Mayor Hardin sought public input on the item.

Pastor Dr. Sherry Abram, Pompano Beach, FL, asked how many African Americans are involved in the project team, emphasizing the need for their insight. Mr. Tabing responded that Adrian Clark, an African American programming manager with six years of experience in the department, will lead community-based programs for the project. Dr. Abram also noted her role as a board member of the Northwest Branch Library, which will be available to assist with the initiative.

Jocelyn Jackson, Pompano Beach, FL, asked about the project timeline, and Mr. Tabing stated it would begin in spring, with design concepts by mid-summer and completion by year-end. Ms. Jackson requested

community involvement in viewing the designs and praised an existing mural for its emotional impact. Mr. Tabing explained the new exhibit would focus on education and historic storytelling with some art elements. Ms. Jackson emphasized the importance of sharing African American women's stories and asked about funding, to which Mr. Tabing confirmed the \$25,000 grant, along with departmental resources, would be sufficient.

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

Comr. Perkins questioned the lack of detail in the backup materials regarding the use of funds for the exhibit, particularly the inclusion of prominent African American women like Blanche Ely and Florence Ali. She expressed concern about approving the item without a clear breakdown to ensure the funds are used as described. Mr. Tabing explained the grant disburses funds in increments upon meeting certain thresholds and referenced prior grant narratives mentioning the women. He offered to provide additional information or revisit the item at a future meeting. Comr. Perkins agreed, stating she supports the project concept but would prefer to see a detailed breakdown in writing before voting.

Vice Mayor Fournier explained that she pulled the item due to a lack of detail in Attachment A, noting the absence of content, names, and specifics on how the funds would be used. She assumed it was a Northwest-focused grant but requested more clarity in writing. She also emphasized the importance of outlining the community input process to ensure meaningful involvement and avoid future concerns about lack of engagement.

A motion was made by Mayor Hardin, seconded by Commissioner Perkins, that the Resolution / Consent Agenda be POSTPONED to the January 14, 2025 City Commission Meeting. The motion carried by the following roll call vote:

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

2. [25-39](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE PUBLIC ART FOR THE ARCHI ONE DEVELOPMENT PROJECT TO EXERCISE THE DENSITY BONUS OPTIONS CONTAINED WITHIN SECTION 155.3709 OF THE CITY'S CODE OF ORDINANCES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Max Wemyss/Pamela Stanton)

Vice Mayor Fournier expressed concerns about the effectiveness of overlay districts and their impact on

development incentives. She highlighted issues with the density bonus policy, where a minimal investment in public art could yield significant financial benefits for developers. She suggested a workshop to review the overlay districts, including boundaries and incentives, to ensure they align with the City's goals and market conditions.

Greg Harrison, City Manager, agreed to plan the proposed workshop.

Vice Mayor Fournier formally requested a public workshop for the Commission to review the overlay districts and their effectiveness.

Mayor Hardin redirected the discussion back to the Resolution and opened the floor for public input, which was closed without contributions from the public. He then invited further Commission discussion.

Comr. Sigerson-Eaton reflected on the complexity of overlay districts, noting that their formulation involved extensive planning and public outreach over several years. She expressed reservations about revisiting the entire framework based on dissatisfaction with specific elements like the density bonus and emphasized the effort required to create the existing structure.

Mayor Hardin acknowledged Comr. Sigerson-Eaton's comments but reiterated the focus on the Resolution.

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

Yes: Sigerson-Eaton

Smith

Hardin

No: Fesik

Perkins

Fournier

3. [25-77](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE PARKING LICENSE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND SANDS HARBOR RESORT & MARINA LLC; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$86,400 Annual Net Revenue)

(Staff Contact: Jeff Lantz)

Vice Mayor Fournier expressed concerns about the City's lack of a long-term parking plan, particularly at the beach. She cited increasing challenges and the need for an independent parking strategy. She emphasized the

impact of current policies, including potential parking reductions due to future developments.

Mayor Hardin sought public input on the item.

Mike Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, voiced frustration over the City's parking issues, criticizing the prevalence of parking meters and their financial burden on residents.

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

Comr. Perkins deferred to other commissioners with districts affected by parking issues.

Comr. Fesik confirmed that parking concerns were common among her constituents, particularly regarding accessibility and affordability. She inquired about the specifics of the parking agreement, including the increase in spaces and its financial implications.

Jeff Lantz, Parking Manager, clarified that the amendment allowed Sands Harbor to purchase up to 120 spaces at a discounted rate while maintaining flexibility for public parking.

Comr. Sigerson-Eaton pointed out the long-term goal of building another parking garage through a public-private partnership, emphasizing the critical need for parking to support economic growth.

Vice Mayor Fournier reiterated her concerns, noting that while Sands Harbor could still use the lot without the agreement, the City would retain more flexibility and possibly generate additional revenue. She highlighted the broader implications for businesses if parking issues remained unresolved.

Comr. Smith advocated for supporting Sands Harbor, emphasizing the importance of providing parking for longstanding local businesses.

Mr. Lantz confirmed that the public and other businesses also used the lot, even under the current agreement.

Comr. Sigerson-Eaton underscored the strategic necessity of additional parking solutions, referencing ongoing and planned projects to address the issue.

Comr. Perkins suggested postponing the decision to allow new commissioners to gain more context on the matter.

Mr. Lantz indicated that the contract's expiration on the 25th of the month made it time-sensitive.

Mark Berman, City Attorney, clarified that Sands Harbor was granted a variance allowing them to use the city lot to meet their parking requirements. He noted that failing to renew the agreement could lead to a legal issue by creating a nonconformity in their parking arrangement, which the City would be responsible for causing.

Greg Harrison, City Manager, emphasized the importance of the agreement to Sands Harbor and urged the commission to consider approving it for six months instead of postponing it entirely. He noted the lack of

resolution on parking, stressing the necessity of fees or taxes to address the issue effectively.

Mayor Hardin reiterated the urgency of the decision, given the current contract's expiration.

Vice Mayor Fournier suggested modifying the motion to provide a two-month extension, allowing time to sort out unresolved concerns. However, the motion to postpone remained intact as neither the motion nor the second was withdrawn.

A motion was made by Commissioner Perkins, seconded by Vice Mayor Fournier, to postpone the item. The motion failed by the following roll call vote:

Yes: Fesik

Perkins

Fournier

No: Sigerson-Eaton

Smith

Hardin

Mayor Hardin resumed the discussion of the parking agreement, clarifying that the commission could modify the agreement term if Sands Harbor Resort agreed to the changes.

Mr. Berman confirmed that Sands Harbor would need to approve any changes, as they had already signed a one-year agreement.

Comr. Sigerson-Eaton emphasized the importance of supporting Sands Harbor, noting that the longstanding arrangement benefited both the City and the business.

Comr. Fesik reiterated the critical role of parking in her district and expressed a preference for a shorter, two-month extension to allow time for further review. She emphasized the need to gather more information and engage with stakeholders before making a long-term decision.

Mayor Hardin sought public comment on the item.

Pastor Dr. Sherry Abram, a resident, shared insights from her experiences in other countries, suggesting time-limited parking intervals and expressing concerns about the lack of free parking for disabled residents. She highlighted the importance of equitable access for residents and visitors alike.

Mr. Lantz clarified that Pompano Beach allows free parking for up to four hours for vehicles with proper ADA placards or license plates. He also noted that residents could receive a 20% parking discount through an app and explained the City's existing time-limited parking options.

Mr. Skversky added that disabled individuals could park in any available spot for four hours, not just designated handicapped spaces. He opposed introducing a one-hour parking limit, arguing it would be

unnecessarily restrictive.

A motion was made by Commissioner Sigerson-Eaton, seconded by Mayor Hardin, to postpone the item for six months. The motion failed by the following roll call vote:

Yes: Sigerson-Eaton
Smith
Hardin

No: Fesik
Perkins
Fournier

Mr. Berman cautioned that modifying the agreement term could introduce legal complications, as the one-year term had already been negotiated. He highlighted potential risks related to longstanding variances and the lack of time for further negotiations before the contract expired on December 20th.

Mayor Hardin and Mr. Harrison strongly opposed a short-term extension, arguing it was unfair to Sands Harbor and sent a negative message to the development community. They emphasized the longstanding agreement's benefits and urged the commission to approve the one-year term while committing to future workshops to address broader parking issues.

Comr. Smith echoed these sentiments, stating that punishing a prominent business would be detrimental and that the commission should instead plan discussions well in advance to avoid similar situations in the future.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Fesik, to postpone the item for two months and hold a workshop to discuss the parking plan for the East and NW CRAs. The motion failed by the following roll call vote:

Yes: Fesik
Perkins
Fournier

No: Sigerson-Eaton
Smith
Hardin

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

Yes: Sigerson-Eaton
Smith
Hardin

No: Fesik
Perkins
Fournier

4. [25-67](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND THE BROWARD SHERIFF OFFICE RELATED TO THE SAFE NEIGHBORHOOD GRANT; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$30,331)

(Staff Contact: Brian Donovan/Major Ellwood)

Comr. Perkins confirmed the \$75,000 grant is for overtime pay and asked if this was the first time the grant was received. Brian Donovan, Assistant City Manager, replied it was the second time. Comr. Perkins questioned the City's approximate \$50 million payment to BSO and the need for additional funds for overtime. Major Ellwood clarified the grant comes from the State, not the City, and is specifically for the crime suppression team. He explained \$30,000 would cover costs not funded by the State, such as FICA and benefits. Comr. Perkins acknowledged the clarification but noted the details were not in the agenda backup.

Mayor Hardin sought public input on the item.

Jocelyn Jackson, Pompano Beach, FL, asked Major Ellwood for clarification on the grant's use. Major Ellwood explained the \$75,000 Project Safe Neighborhood grant, provided by the State, funds overtime for the crime suppression team. He noted the State does not cover retirement benefits and FICA, which the City must cover. Major Ellwood compared its use to Operation Trigger Lock, highlighting its role in seizing guns, drugs, and money, with proceeds benefiting the Law Enforcement Trust Fund. He added the grant allows additional officers to respond to incidents, enhancing public safety at events and during crime suppression efforts.

Pastor Dr. Sherry Abram confirmed the City must contribute \$30,000 to receive the State's \$75,000 grant. She also inquired about expungement events in Pompano Beach. Mayor Hardin explained these are handled by the State Attorney's Office, which has previously held them at E. Pat Larkins Center, and noted the City welcomes hosting such events.

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

Vice Mayor Fournier asked if the \$30,000 required for the grant comes from the general fund or existing BSO payments, with the answer being the general fund. She noted the disparity between the progress of projects like the skate park and the Northwest substation, reflecting on discussions from the July budget session. While acknowledging the value of grants like this, she emphasized the need for a substantial, long-term investment in the Northwest to address safety concerns beyond incremental measures.

Comr. Perkins stated she supports efforts to improve safety and security but does not agree with using \$30,000 from the general fund, given the City already pays BSO approximately \$50 million. She suggested seeking alternative grants that do not require a city contribution and reiterated her opposition to using general fund money for this purpose.

Comr. Sigerson-Eaton noted that after subtracting \$30,000 from the \$75,000 grant, the remaining \$45,000 could be seen as “free money” and expressed no issue with accepting the grant. She thanked the State for its contribution.

Comr. Smith and Mayor Hardin agreed with Comr. Sigerson-Eaton.

Major Ellwood explained that the \$75,000 grant supports operations the City is repeatedly asked to conduct and would likely fund with city resources if the grant were unavailable. He noted that while \$30,000 is needed for FICA and benefits, the remaining funds provide \$45,000 for operations, effectively making it "free money" for work the City would likely undertake regardless.

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

Yes: Sigerson-Eaton
Smith
Hardin

No: Fesik
Perkins
Fournier

5. [25-71](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND BROWARD COUNTY FOR FILM PERMITTING SERVICES; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Chris Clemens)

Vice Mayor Fournier asked if the item impacts the current process for handling filming inquiries within districts or citywide and whether it introduces additional requirements, such as needing County permission. She also inquired about any assurances the City is receiving from the County regarding the changes.

Chris Clemens, Economic Development Manager, explained that the item formalizes a handshake agreement in

place for 20 years and does not add any new burdens or requirements to the existing process. The new film commissioner was asking it of all municipalities.

Mayor Hardin sought public input on the item.

Jocelyn Jackson, Pompano Beach, FL, expressed dissatisfaction with the outcome of the vote on Item 4. Mayor Hardin reminded her that the vote had already been taken and the discussion had moved on to Agenda Item 5.

Comr. Fesik shared her experience working with the Las Olas Association and Broward County, praising Christy, the city's film coordinator, for exceptional communication regarding filming schedules and disruptions. She noted continued strong communication and acknowledged frequent filming activity near the beach.

Mayor Hardin read a proclamation acknowledging Mr. Clemens' remarkable dedication and contributions to the City of Pompano Beach. As Mr. Clemens prepares to embark on his retirement journey, the Mayor highlighted the significant impact of his years of service and celebrated the legacy he leaves behind in the city.

Mayor Hardin concluded public input and welcomed further Commission discussion; however, no one further commented on the item.

A motion was made by Commissioner Sigerson-Eaton, seconded by Vice Mayor Fournier, 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. 2025-31

6. [25-79](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MELISSA BANNER TO THE RECYCLING AND SOLID WASTE ADVISORY COMMITTEE OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF TASHAWNA THOMAS AS ALTERNATE 1; SAID TERM TO EXPIRE ON MAY 24, 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. 2025-32

Meeting went into Recess at 3:00 PM.

Meeting Reconvened at 3:12 PM.

D. REGULAR AGENDA

7. [25-66](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND ACCEPTING THE CITY'S FISCAL YEAR 2025 ANNUAL PUBLIC ART PLAN AND DIRECTING STAFF TO PROCEED WITH THE PROJECTS INCLUDED THEREIN; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$282,464.00)

 **Strategic Plan Initiative**

(Staff Contact: Ty Tabing)

Ty Tabing, Cultural Affairs Director, mentioned he was available to answer any questions the Commission may have on the item.

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

Comr. Smith praised the presence of art throughout Pompano Beach, expressing appreciation for the work being done to enhance the City's visual landscape.

Vice Mayor Fournier expressed satisfaction with the planned mural on Atlantic Boulevard, calling it a key statement piece. She asked about ongoing investments in the Cultural Center amid downtown redevelopment. Mr. Tabing confirmed plans for a marquee, a mosaic installation, and future improvements to the theater, as the center will remain the City's main cultural facility. Regarding the underwater sculpture program in District 1, Mr. Tabing noted the current public art plan ends in 2025, with a new five-year master plan to determine its future. Vice Mayor Fournier suggested considering alternative public art options for District 1.

Comr. Sigerson-Eaton asked for clarification on the mural referenced on Atlantic Boulevard. Mr. Tabing confirmed it is the Southern Boating Media mural in District 3, with a cost of \$37,000, and directed her to Page 3 of the 2025 Public Art Plan. He noted the description may continue onto Page 4 and clarified that the artwork has not yet been selected, as the project is scheduled for FY 25.

Comr. Perkins questioned the Black Box Theater mural and emphasized prioritizing local artists and community

input in public art projects. Mr. Tabing explained a previous plan with artist Say Adams was postponed due to theme concerns and noted artist selection involves competitive calls. Comr. Perkins highlighted past issues, such as the McNair mural and MLK underpass art, where the community felt excluded, stressing the need for better communication to ensure projects reflect community identity. She encouraged using local talent, referencing a recent display at the Bailey. Mr. Tabing acknowledged lessons learned and committed to improving outreach, which will be included in the upcoming five-year Public Art Master Plan.

Vice Mayor Fournier praised the efforts to engage with youth and commended Mr. Tabing for his willingness to attend community meetings. She acknowledged his outreach efforts and appreciated his commitment to promoting the department's work.

Mayor Hardin shared support for the beach sculpture program, emphasizing its dual purpose of showcasing public art on land and serving as an economic development tool by attracting divers to the area. He described the program as a great idea and expressed his belief in its long-term value despite differing opinions.

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. 2025-33

8. [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 AND SEPTEMBER 10, 2024

***With regard to this Item, the Applicant requests to postpone this matter to the February 11, 2025, Commission Meeting Agenda.**

(Staff Contact: Scott Reale/David Recor)

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, that the Resolution / Regular Agenda be POSTPONED until the February 11, 2025 City Commission meeting. The motion carried by a unanimous voice vote.

9. [25-56](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A DESIGN-BUILD CONSTRUCTION AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND NEW LINE SKATEPARKS FL, INC. TO PROVIDE PROFESSIONAL DESIGN-BUILD SERVICES FOR A MULTIPURPOSE SKATEPARK TO BE LOCATED AT COMMUNITY PARK; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$1,798,000.00)

(Staff Contact: Mark Beaudreau/Tammy Good)

Dr. Tammy Good, CIP Manager, introduced the item, explaining the item is to award a design build contract to design and construct a skatepark at Community Park. Dr. Good informed that in 2012 the Parks and Recreation Master Plan recommended the skatepark and again the skatepark surfaced in 2019 as part of the G.O. Bond. Dr. Good shared that the Commission approved the budget for this item with the approval of the Capital Improvement Plan, and that approximately \$1.5 million of the project is funded by ARPA funds and the remaining \$200,000 funded from the Park Impact Fund.

Mayor Hardin sought public input on the item.

Rafal Dradrach, 3225 NE 13th Street, Pompano Beach, FL, stated that he has been leading the advocacy for this project since 2012 and wanted to thank the Parks and Recreation Department and City Manager's Office for all their assistance and dedication of their time to get this project to this point. Mr. Dradrach stressed that this will not be a concrete monstrosity, this is designed to be a park with rolling hills, pedestrian walkways, and mature trees. Mr. Dradrach informed that there are two Olympian professional skateboarders from Pompano Beach who supported the project.

Toni Frallicciardi, 2006 NW 48th Avenue, Coconut Creek, FL informed that she ran a skatepark at Calvary Chapel for 15 years and now runs a STEAM education program that teaches STEAM through surfing and skating. She expressed the need for a new skatepark in the area, as there are over 53,000 skaters in Broward County and the skateparks available are constructed by playground companies, not skate companies. Continuing, she explained all the things the children are taught while skating and the benefits to them both physically and mentally.

There were several children in attendance who spoke of their support on the item and expressed why the skatepark was needed and how skating has positively influenced their lives. Those that spoke were:

Lua, Zerick, Mateo, Jax, Liana, Kai, Mason, Sebastian, Vince, Chloe, Gabby and Eden.

Jocelyn Jackson from Pompano Beach, FL, expressed her support for the skatepark and stated the need for those who enjoy skateboarding to have a place to go.

Cio Marquez, 753 SW 17th, Pompano Beach, FL, stated that the one thing skating has changed in the lives of all the kids they support, and the kids that have yet to come, is community. Taking away this skatepark opportunity will leave them with nowhere else to go.

W.R. Carney, 101 NW 30th Avenue, Pompano Beach, FL, declared that skating is not just for kids. Mr. Carney informed that he picked up skating in his later years and has used skating as a way to improve his mobility. He also proposed an indoor skatepark.

Maui Goodbear, Director of Streetwaves, said that for 16 years he has been bringing intercity kids to Pompano Beach to swim, surf, and boat, and that a skatepark would be another after school activity. He gave the kids who showed up and voiced their support of the skatepark a round of applause. Continuing, he stated that the only options for them to skate are either far north or far south, with many of the children not having transportation, which puts them in a situation to find trouble. He then thanked the Commission for the opportunity to have a skatepark in the community.

Linda Dradrach, 3225 NE 13th Street, Pompano Beach, FL, expressed that they have been working on getting this skatepark for 12 years so a “yes” vote from the Commission would be greatly appreciated. She explained how she drives 4 days a week to either Boynton Beach or Miami to get her children to a skatepark and she does it to support their passion and wants to show support to all the children that are in need of this skatepark closer to home. She informed that every year, they do a “Skatesgiving” where all of those in the skate community do a potluck and feed the skaters at Lot 11 in Miami and then give all remaining food to the homeless around the area.

Brian Bila, 320 SE 11th Avenue, Pompano Beach, FL, praised how far the City has come over the years, specifically the beach area and parks. He expressed that there are many places to play basketball, soccer, baseball, swimming, and pickleball, but there is nowhere to skate. The skatepark will be a destination for kids in the City, County, State, and possibly the country.

Carlos Guerrero, 320 SE 11th Avenue, Pompano Beach, FL, gave his support for the skatepark.

Scott Fogle, 300 SE 12th Street, Pompano Beach, FL, stated his respect for all the Commission does for the City and expressed his amazement at the beautification of the City throughout the last 13 years. He stated that all the children there are in need of this skatepark, as they are all good kids.

Diego Orton, 1116 NW 29th Court, Pompano Beach, FL, previously worked at Ramp 48, a skatepark that closed. Mr. Orton explained that when that park closed some children stopped skating and others started street skating and getting into trouble with security, and this skatepark will help to stop that from happening.

Montinola, Director at Colossal Academy, stated that she has seen a change in her students who come in and start skating, it builds their confidence and sense of community. She informed that they currently travel about 45 minutes away to a skatepark, so having something here in Pompano Beach would be amazing.

Ulises Frallicciardi, 2006 NW 48th Avenue, Coconut Creek, FL, stated that sometimes skateboarding can have a bad image, but sometimes you have to be the change in order to change other people's mind, and he is encouraged by what he just saw. Furthermore, skateboarding brings people together and builds confidence, and their STEM program teaches science and even Civics.

Mayor Hardin concluded public input and welcomed further Commission discussion.

Comr. Smith asked for clarification on what the ARPA funding is, to which Dr. Good explained is the American Rescue Plan Act, which is an economic stimulus that was awarded to the City from Covid. These are remaining funds that were put forth for the project and the deadline to spend these funds is December 20th.

Vice Mayor Fournier thanked all the people that stayed to express their support of the project. She expressed her concern that the RFP went out prior to the budget being approved. Dr. Good stated that they knew this was an extremely time sensitive project so they wanted to have that time-consuming part of the process taken care of. If the budget was not approved for this project, they would have just withdrawn the solicitation. Vice Mayor Fournier emphasized her discomfort with that and stated she may have follow-up questions later. Continuing, she asked if there was still any debate about where this would be built and expressed that a flat field would be lost in constructing this skatepark. Mr. Beaudreau, Recreation Director, stated that no other location is being considered. Community Park already has all the proper lighting and infrastructure. He stressed that moving it to a different location would add approximately \$1.5-2 million to the project cost. Vice Mayor Fournier asked if another flat field has been found to replace this location. Mr. Beaudreau stated that there is the Ultimate Sports Park and that there may need to be rescheduling done to accommodate all the soccer programs currently taking place in Pompano Beach.

Comr. Sigerson-Eaton inquired how long this project will take to complete. Dr. Good stated that with design and construction it is expected to be complete in 400 days. Comr. Sigerson-Eaton asked if there would be places for onlookers and parents to watch, to which Dr. Good explained that there would be bleachers. Comr. Sigerson-Eaton wanted to clarify that she did speak with Tammy and Mark about the potential of this being placed in her district because most of her parks are "pocket parks", but there is not enough land for it to be placed there.

Comr. Fesik thanked those who stayed through the meeting to show their support for the item. She stated that she has seen many different skateparks in her travels and the ones in Europe had the rolling hills and lots of greenspace, so she is looking forward to seeing the design. Continuing, she said she thinks anything that gets the kids off their phones, brings them outside and together is a positive thing.

Mayor Hardin stated he was sorry it took so long and thanked everyone for their help getting it to this point.

A motion was made by Commissioner Sigerson-Eaton, seconded by

Vice Mayor Fournier, 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. 2025-34

- 10. [25-81](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SECOND AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF POMPANO BEACH AND AIRGAS USA, LLC; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$200,000)

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, explained that this is a second amendment to a contract pertaining to the Co2 chemical that is utilized to adjust the pH at the water treatment plant.

Mayor Hardin opened the item for public input, but none was received.

Vice Mayor Fournier inquired if there was an invitation to bid or if this was just an extension to a previous contract. Mr. Brown replied that this was an extension of a previous bid and that there are only two companies in the state that provide this service. Vice Mayor Fournier expressed concern over the cost increase with this contract and asked if it can be put out to bid again. Mr. Brown stated that if it went out to bid again now, the cost would be even higher than this contract.

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

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

No: Fournier

Enactment No: RES. No. 2025-3511. [25-44](#) **P.H. 2025-17: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 131, "OFFENSES AGAINST PERSON AND PROPERTY," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 131.24, "UNLAWFUL LODGING AND STORAGE OF PERSONAL PROPERTY," TO PROVIDE ADDITIONAL ENFORCEMENT OPTIONS AND PROCEDURES FOR VIOLATION COMPLAINTS AND NOTICE OF SAME; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 12, 2024

(Staff Contact: Mark E. Berman)

Mark Berman, City Attorney, presented the item and stated that this is the second reading of the Ordinance, and there have been no changes since the first reading.

Mayor Hardin opened the item for discussion and public input, but none was received.

Vice Mayor Fournier expressed concerns about the Ordinance, emphasizing that it served as a legal safeguard in response to state legislation (HB 1365) but lacked practical measures to address homelessness. She advocated for establishing a board of stakeholders to improve outreach and resource allocation, noting the City's disproportionate burden due to hosting one of two county homeless shelters.

Mr. Berman clarified the Ordinance's purpose as a mechanism to comply with state law, safeguard the City from lawsuits, and provide additional tools for offering services to unhoused individuals. He explained that the Ordinance would require notice to the City about public camping, enabling timely intervention by law enforcement and outreach teams.

Comr. Perkins sought clarification on the Ordinance's function.

Mr. Berman reiterated its dual purpose: protecting the City legally and assisting individuals in need. He noted that while the Ordinance did not solve homelessness, it represented a necessary step to address potential legal and logistical challenges.

Comr. Sigerson-Eaton highlighted the Ordinance's role in providing a structured response to public camping complaints, helping the City avoid lawsuits while addressing issues through proper channels. She acknowledged the importance of demonstrating that the City had taken reasonable steps to address homelessness.

Vice Mayor Fournier criticized the Ordinance as a legal "CYA" measure and reiterated her call for a

coordinated board to tackle homelessness. She stressed the need for the City to advocate effectively for resources, such as dedicated shelter beds and other solutions tailored to local needs. She concluded by proposing the formation of a homeless advisory committee composed of appropriate stakeholders to develop actionable strategies and advocate for the City's needs. She proposed modifying her motion to establish a homeless task force instead of an advisory board, aiming to actively address homelessness by facilitating collaboration between stakeholders, advocating for resources, and improving coordination with county, state, and federal agencies. She emphasized the need for elected officials, BSO representatives, and key personnel like Cassandra Rhett to form a group focused on actionable solutions rather than discussions.

Mayor Hardin expressed concerns about creating another board, arguing that current resources could be better utilized by enhancing support for existing staff rather than forming a new task force. He highlighted concerns about diverting time and effort from ongoing homelessness initiatives and reiterated the need for practical action rather than policy discussions.

Comr. Perkins supported the task force concept, citing significant homelessness issues in her district and emphasizing the urgency to address hidden homeless encampments. She suggested leveraging city resources creatively, including potentially employing homeless individuals for community cleanups. She criticized the current efforts as insufficient and called for more proactive measures to tackle the growing problem.

Vice Mayor Fournier elaborated on her vision for the task force as a mechanism to advocate for resources and policy changes at higher levels of government. She shared examples of challenges, such as the lack of dedicated shelter beds for Pompano residents and the difficulty in implementing new initiatives like a triage plan proposed by Cassandra Rhett.

Comr. Sigerson-Eaton expressed concerns about the task force's potential impact, citing longstanding systemic issues, resource constraints, and existing efforts by County and community organizations. She noted that many homelessness-related challenges require broader policy changes at the county or state level and pointed out opportunities for commissioners to participate in existing county-level initiatives.

Vice Mayor Fournier clarified her position, stating she had been invited to attend, not join, the Continuum of Care (COC) meetings and emphasized the importance of fostering relationships and dialogue with county officials to address Pompano Beach's homelessness challenges. She highlighted the need for a task force to advocate for resources, streamline processes, and support Cassandra Rhett and BSO in their efforts to address homelessness more effectively. She pointed out that each city faces unique challenges, with homelessness being a significant issue for Pompano Beach, unlike other cities that focus on different priorities.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, to create a Homeless Taskforce. The motion carried by the following roll call vote:

Yes: Fesik
Perkins
Fournier
Sigerson-Eaton
Smith

Hardin

Comr. Fesik sought clarification about the ordinance from Mr. Berman.

Mr. Berman confirmed that the ordinance served as a precautionary measure to comply with the new state law, providing notice to the City about public camping and enabling proactive responses while minimizing litigation risks.

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

Sigerson-Eaton

Smith

Fournier

Hardin

No: Perkins

Enactment No: ORD. No. 2025-12

12. [25-19](#) **P.H. 2025-11: (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 FOURTH AMENDMENT TO THE CONSTRUCTION MANAGER-AT-RISK AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND THE WHITING-TURNER CONTRACTING COMPANY FOR THE CONSTRUCTION OF SEGMENT 3 OF THE DIXIE HIGHWAY STREETScape IMPROVEMENTS FROM NE 10TH STREET TO COPANS ROAD AT A GUARANTEED MAXIMUM PRICE OF \$12,984,223.34, AND TO EXECUTE THE SECOND AMENDMENT TO THE INTERLOCAL AGREEMENT WITH BROWARD COUNTY UNDER THE COUNTY TRANSPORTATION SURTAX PROGRAM TO INCREASE THE SCOPE OF WORK, EXTEND THE TERM AND INCREASE MAXIMUM FUNDING AMOUNT, AND TO AUTHORIZE THE PROPER CITY OFFICIALS TO MAKE NONSUBSTANTIVE AMENDMENTS WITHOUT FURTHER COMMISSION APPROVAL AS MAY BE REQUIRED BY BROWARD COUNTY FOR PROGRAM FUNDING, NOT INCLUDING THE GUARANTEED MAXIMUM PRICE, AND TO PROVIDE COPIES OF SUCH AMENDMENTS TO THE CITY COMMISSION AND CITY CLERK; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$12,984,223.34 - transportation surtax and tree canopy funds)

FIRST READING: NOVEMBER 12, 2024

(**Staff Contact:** Fernand Thony/Horacio Danovich)

Horacio Danovich, Consultant, presented the second reading of the Ordinance and stated that no changes have been made since the first reading on November 12th.

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

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

Yes: Perkins

Sigerson-Eaton

Smith

Hardin

No: Fesik

Fournier

Enactment No: ORD. No. 2025-13

13. [25-58](#) **P.H. 2025-18: (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 MASTER SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MCCI, LLC AND ADDENDUM NO. 1 TO THE MASTER SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND JUSTFOIA, INC., A SUBSIDIARY OF MCCI, LLC, FOR SOFTWARE SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Cost for 1st year \$12,897.12 with annual fee of \$12,300.00)

FIRST READING: NOVEMBER 12, 2024

(**Staff Contact:** Kervin Alfred)

Kervin Alfred, City Clerk, presented the item on second reading and stated that no changes have been made since the first reading. He provided a brief overview of the item, explaining that it is a Master Service Agreement with MCCI, LLC and JustFOIA, Inc. for the continued use of their software to process public records and lien search requests. The agreement includes provisions for upgrades aimed at enhancing efficiency in tracking and managing record requests, as well as incorporating redaction tools to remove information that is exempt under various statutes. Additionally, the public will be able to track the status of their request online and make payments using credit cards at any time. The duration of this agreement is set for three years. The cost for

the first year of service is \$12,897, followed by an annual fee of \$12,300 for the remaining years. This initiative represents a collaboration between the City Clerk's Office and the Building Department, and staff recommends approval of the agreement.

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

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: ORD. No. 2025-14

14. [25-31](#) **P.H. 2025-13: (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 LABOR AGREEMENT BETWEEN THE FEDERATION OF PUBLIC EMPLOYEES AND THE CITY OF POMPANO BEACH FOR THE CONTRACT PERIOD BEGINNING OCTOBER 1, 2024, AND ENDING SEPTEMBER 30, 2027; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$6.18M over 3 years)

FIRST READING: NOVEMBER 12, 2024

(Staff Contact: Brian Donovan/Lisa Sonego)

Brian Donovan, Assistant City Manager, provided an overview of the second reading of the agreement with the General Employees Union, which covers most city employees except for the Fire Department. The previous agreement expired on September 30th, and after negotiations, a tentative agreement has been reached. Key changes in the new agreement include the addition of Columbus Day as a holiday, an increase in merit raises from a maximum of 3% to 4%, and proposed cost-of-living adjustments (COLA) of 3% for the current fiscal year, followed by 3.5% for the next two years. The agreement spans three years but can be shorter if needed. Additionally, there will be incentive pay for certain licenses and certifications, along with an annual stipend for utilities personnel, in line with state statutes. The agreement also includes various cleanup language to clarify terms.

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

Vice Mayor Fournier inquired about the possibility of tying COLA to the Consumer Price Index (CPI) to adjust for economic fluctuations. Mr. Donovan stated that this approach had not been discussed during negotiations, but he acknowledged that similar research and benchmarking with other municipalities had been conducted.

Vice Mayor Fournier raised concerns about the City's four-day work week and its impact on residents, particularly in accessing building inspections. She emphasized that extended delays caused by holiday schedules and the workweek structure frustrated residents. Mr. Donovan responded by highlighting the City's customer satisfaction surveys, which indicated that complaints about the four-day workweek were minimal. However, he acknowledged the need for better communication and process improvements to ensure timely service for residents and committed to addressing any gaps.

Vice Mayor Fournier concluded by emphasizing the importance of creating consistent processes for residents to access services without relying on personal connections to expedite their concerns.

Mr. Donovan agreed and reaffirmed the City's commitment to improving customer service.

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

Yes: Sigerson-Eaton

Smith

Hardin

No: Fesik

Perkins

Fournier

Vice Mayor Fournier explained that her vote against the agreement stemmed from longstanding concerns about the four-day workweek and its impact on customer-facing services, particularly in the building department. She highlighted frequent complaints from residents about delays and limited service availability during extended weekends.

Mayor Hardin challenged Vice Mayor Fournier's concerns, pointing to surveys and specific cases where issues had been resolved.

Vice Mayor Fournier argued that the recurring complaints she received indicated broader systemic problems. She emphasized that the contract gave flexibility for work schedules and that her concerns about the four-day workweek had not been addressed over the past two years.

Greg Harrison, City Manager, clarified that the four-day workweek was not directly part of the labor agreement, though the contract allowed for flexibility in scheduling. He expressed frustration that this unrelated

issue was holding up the agreement.

Mark Berman, City Attorney, outlined two possible actions: holding a shade meeting to discuss the City's strategy or voting directly on the four-day workweek. He emphasized the urgency of resolving the matter, especially given the financial implications for employees during the holidays.

A motion was made by Commissioner Sigerson Eaton to change the days of operation of the City from a 4-day work week to a 5-day work week. The motion failed for lack of a second.

Mayor Hardin and Mr. Berman proposed holding a shade meeting to address the labor contract impasse.

Mr. Berman explained the procedural requirements for scheduling a shade meeting, noting it would require at least 48 hours' notice and could not be held immediately.

After consulting their schedules, the Commission agreed to hold the shade meeting on Monday, December 16, 2024, at 1:00 PM, following a scheduled water taxi ribbon-cutting event.

Mr. Berman confirmed he would coordinate with the City Clerk to ensure proper notice was posted for the meeting. The Commission concluded the discussion on Item 14 and prepared to move forward with the next agenda item.

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

Yes: Sigerson-Eaton
Smith
Hardin

No: Fesik
Perkins
Fournier

Enactment No: ORD. No. 2025-15

15. [25-46](#) **P.H. 2025-14: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 34, "CITY POLICY," TO COINCIDE WITH THE TERMS OF THE 2024-2027 GENERAL EMPLOYEES COLLECTIVE BARGAINING AGREEMENT BY AMENDING SECTION 34.108, "PAY PLANS," TO ADJUST THE PAY AMOUNTS FOR TEMPORARY POSITION UPGRADES; BY AMENDING SECTION 34.110, "MERIT SALARY INCREASES," TO REFLECT PERFORMANCE PAY INCREASES; BY DELETING SECTION 34.113 "LONGEVITY INCREASES," IN ITS ENTIRETY; BY AMENDING SECTION 34.126,

“PROBATIONARY PERIOD,” TO CHANGE THE PERIOD TO SIX-MONTHS FOR NEW HIRES; BY AMENDING SECTION 34.127, “HOURS OF WORK,” TO INCORPORATE THE TEN HOUR WORKDAY; BY AMENDING SECTION 34.128, “LEGAL HOLIDAYS,” TO ADD NEWLY OBSERVED HOLIDAYS; BY AMENDING SECTION 34.129, “VACATION LEAVE,” TO ADJUST THE APPLICABLE VACATION CREDITS FOR FULL TIME EMPLOYEES; BY AMENDING SECTION 34.130, “SICK LEAVE,” TO ADD ACCUMULATED TIME FOR THE TEN HOUR WORK DAY AND TO REFLECT THE MAXIMUM PAYOUT UPON SEPARATION FROM THE CITY; BY AMENDING SECTION 34.132, “LEAVE OF ABSENCE,” TO INCREASE LEAVE WITH PAY BENEFITS; AND BY AMENDING SECTION 34.135, “OUTSIDE STUDY COURSES,” TO CHANGE THE ELIGIBILITY PERIOD; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Brian Donovan/Lisa Sonego)

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

16. [25-38](#) **P.H. 2025-15: (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 SOFTWARE SERVICES AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CAMINO TECHNOLOGIES, INC. FOR WEB-BASED SOLUTIONS TO IMPROVE THE PERMIT AND LICENSING PROCESSES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: \$126,000; \$42,000 annually for three years)

(Staff Contact: Max Wemyss)

Max Wemyss, Principal Planner, explained the request to approve a contract with Camino LLC, a software provider used for zoning application intake, routing, and communication with applicants. He noted the software has been in use for three years, and the price is increasing incrementally. To stabilize costs, the City proposes entering a three-year contract, which requires a resolution.

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

Comr. Fesik asked if the Camino software could include a public-facing component to reduce FOIA and information requests. Mr. Weymss explained that while zoning-related applications and business submissions are subject to public records requests, the software does not currently have a public-facing feature. He clarified that items going to public hearings are handled through the Granicus software, where they are made publicly available, but general administrative applications remain accessible only through formal public records requests.

In response to Vice Mayor Fournier's inquiry about the prior contract amount, Mr. Weymss confirmed it was \$40,000. Vice Mayor Fournier requested copies of previous contracts be included in the backup in the future.

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

17. [25-13](#) **P.H. 2025-16: (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 FOR ROOFING INSPECTION, MAINTENANCE AND REPAIR SERVICES BETWEEN THE CITY OF POMPANO BEACH AND ADVANCED ROOFING, INC.; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: Cost will be determined on a project-by-project basis, not to exceed \$150,000)

POSTPONED FROM NOVEMBER 12, 2024

(Staff Contact: George Buenaventura/Mary Rivero)

George Buenaventura, Facilities Director, presented the Ordinance for approval regarding city roof inspection, maintenance, and repairs, with a contract not to exceed \$150,000. The agreement is being facilitated through the City of Cape Coral.

Mayor Hardin sought public input on the item.

Vicente Thrower, Pompano Beach, FL, asked about the length of the contract, to which Mayor Hardin stated one year.

Mary Rivero, Procurement Director, explained that the piggyback agreement with Advanced Roofing serves as a stopgap solution, allowing the City to achieve savings of up to 30%. She noted the City currently uses this vendor and plans to issue a solicitation in the future to provide opportunities for local vendors to participate.

Jocelyn Jackson, Pompano Beach, FL, praised the Department for their hard work and asked about the vendor's location. Mr. Buenaventura confirmed the vendor, Advanced Roofing, is located in Fort Lauderdale and registered with the City of Pompano Beach, having previously completed work for the City. Ms. Jackson inquired about the piggyback process. Ms. Rivero explained that while Advanced Roofing is the same vendor currently used, the piggyback through Cape Coral's contract allows the City to access lower pricing, providing savings. She added that a future solicitation will provide opportunities for local vendors to compete. Ms. Jackson emphasized the importance of utilizing local contractors and vendors and encouraged the City to give them fair opportunities in future bids.

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

Vice Mayor Fournier agreed with Ms. Jackson, stating future bids should prioritize local companies and include considerations for minority inclusion and local procurement. She asked for clarification on the \$150,000 amount. Staff confirmed it is a total annual cap, with multiple projects contributing to the amount but not exceeding \$150,000 over the year.

Mayor Hardin asked how long the City has used Advanced Roofing and was told four to five years. He acknowledged the need to put the contract out for bid soon but commended the savings achieved through piggybacking with Cape Coral. Mr. Buenaventura noted that other vendors, including local Pompano companies like Vantage Roofing, are also used. Mayor Hardin agreed with prioritizing local companies when possible but emphasized the importance of securing the best price for taxpayers.

Comr. Perkins confirmed that the roofing services include repairs and inspections for city buildings and asked if a list of buildings needing work already exists. Mr. Buenaventura explained the inspections will cover all large city buildings. Comr. Perkins specifically requested an inspection of the Blanche Ely House. Mr. Buenaventura noted the roof was cleaned and sealed a year ago but agreed to reinspect it.

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

18. [24-558](#) **P.H. 2025-19: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 51, "SEWERS," OF THE CODE OF ORDINANCES OF THE CITY OF POMPANO BEACH BY AMENDING SECTION 51.05, "WASTEWATER TARIFF," TO MODIFY RATES AND CHARGES FOR SEWER SERVICE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: A. Randolph Brown)

Randolph Brown, Utilities Director, explained the proposed wastewater rate increase is due to Broward County raising its rates by 8.4%, higher than the City's planned 4%. He noted the City has been paying the increased rate since October 1 and emphasized the need to adjust rates to catch up and cover future costs, as it is a pass-through expense.

Mayor Hardin sought public input on the item.

Peter Colelli, 1410 SE 4th Avenue, Pompano Beach, FL, asked for clarification on the rate increase. Mayor Hardin explained that Broward County, which handles all wastewater treatment for the City, increased its rates based on volume. Mr. Colelli emphasized the effects that high-rise apartment developments have on the wastewater system, noting how they replace single-family homes and place additional strain on the City's infrastructure. He proposed implementing impact fees on developers of rental properties, as renters typically do not pay taxes. This approach could help avoid raising costs for homeowners and taxpayers.

Mr. Brown clarified that the rate increase applies only to the volumetric portion of the sewer bill, based on the amount of wastewater produced. It does not affect the base charge, availability charge, or customer service charges.

Mayor Hardin requested a presentation from Elaine Conti, the Executive Vice President of Raftelis Financial Consultants, Inc. During her presentation, Ms. Conti covered a range of important topics, including the rates that were approved by the Commission for the year 2023. She discussed the anticipated changes in wastewater treatment cost projections, outlining the factors driving these adjustments. Additionally, she provided an overview of the revised increases in wastewater rates. To provide context, Ms. Conti also included a local comparison analyzing the average costs for single-family customers, highlighting how the

proposed changes would impact them.

Mayor Hardin invited Mr. Colelli back up to the podium. Mr. Colelli opposed wastewater rate increases for long-term residents, arguing that developers of multi-story apartment buildings should pay impact fees to cover the strain their projects place on the system. He urged the Commission to address the costs fairly.

Mr. Brown explained that wastewater billing is based on water usage, with homes capped at 10,000 gallons due to irrigation not entering the system. He noted that rising expenses must be shared by all users and referenced the City's master plan, which outlines how the wastewater system will support future growth and development.

Pastor Dr. Sherry Abram, 704 NW10th Avenue, Pompano Beach, FL, asked if wastewater leaks contribute to flooding in Broward County. Mr. Brown clarified that any identified wastewater leaks are repaired promptly. Dr. Abram recounted a flash flood incident on November 23rd that resulted in the loss of her vehicle and noted an investigation suggested wastewater issues and poor drainage were contributing factors. She emphasized the need to address both sewage and drainage concerns, particularly for lower-elevation areas, and expressed concern that increasing bills without solving these problems is counterproductive.

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

Vice Mayor Fournier expressed disappointment with the situation, recalling previous infrastructure discussions and efforts to balance costs. She questioned the lack of sensitivity built into the models to account for Broward County's sudden rate increases and suggested reexamining ways to pass some costs to developers, particularly as dense development strains the wastewater system.

Mr. Brown and Ms. Conti explained the City had already adjusted project timing in the capital improvement plan to mitigate costs and noted delaying further could increase expenses due to rising costs. They clarified that Broward's volumetric charges apply to all wastewater and cannot be shifted disproportionately to specific groups. Ms. Conti added that while capacity fees for development primarily fund new infrastructure, they cannot typically be applied to repairs or regulatory requirements. Vice Mayor Fournier urged continued exploration of development fees to address growth impacts and reduce the burden on residents.

Comr. Smith asked why Broward County's rates increased significantly. Mr. Brown explained the rise was primarily due to higher operational costs, including electricity and chemicals, as well as recent investments to upgrade the treatment plant, which improved environmental outcomes. He added that the city has no alternative but to use Broward County's system, as a long-term agreement was made when the City's former plant site was repurposed for the parking garage.

Comr. Sigerson-Eaton asked about concurrency and impact fees paid by developers, specifically whether the fees are set or scaled. Ms. Conti clarified that the fees are based on meter size.

Comr. Perkins expressed concern that residents will blame the City for rate increases caused by Broward County and asked if staff could find alternative funding to avoid impacting residents. Ms. Conti explained that shifting the cost could mean raising taxes and using general fund money, which would not eliminate the burden

but only relocate it. She added that future rates depend on Broward County's increases, which the City cannot control.

Further discussion ensued concerning the unexpected increases in wastewater rates imposed by Broward County. Mayor Hardin asked for clarification on the consequences of not approving the rate increase. Mr. Brown explained that failing to pay the wastewater bill to Broward County would put the City in contract violation. Additionally, if the City cannot meet bond coverage requirements, it risks defaulting on bonds, halting infrastructure projects, and allowing the wastewater system to fall into disrepair. It was confirmed that lawsuits would likely follow.

Comr. Fesik shared questions received from residents, including whether the recycled water project relates to the wastewater rate increase, which Mr. Brown confirmed it does not. She noted residents' concerns about the October 1 rate adjustment, the annual rate study process, and whether infrastructure and sewer repairs are correctly budgeted. Comr. Fesik emphasized that these questions are recurring among residents and requested clearer answers to better address their concerns.

Comr. Smith urged the Commission to approve the rate increase, warning that failure to do so would harm the City. She noted impact fees for developers are a separate issue and emphasized the need to maintain Pompano Beach's high water quality. She added that the increase amounts to about \$8 per month for a household using 8,000 gallons.

Comr. Fesik expressed concern for residents, particularly those on fixed incomes, noting they are already burdened with rising costs and new condo assessments. She asked if there was any way to reduce the impact or for the City to shoulder some of the costs. Mr. Brown explained that reserves have already been spent down and the City must maintain 35% of revenues in restricted assets for bond requirements, leaving project cuts as the only alternative.

Vice Mayor Fournier compared the rising costs to "death by a thousand cuts," noting residents face increasing expenses at every turn, such as new parking meters. She emphasized that while the rate increase may be unavoidable, it places greater responsibility on the Commission to be thoughtful and deliberate about all other spending decisions.

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: Sigerson-Eaton
Smith
Fournier
Hardin

No: Fesik
Perkins

A motion was made by Commissioner Sigerson-Eaton, seconded by Mayor Hardin, to declare an emergency second reading on the item. The motion carried by unanimous voice vote.

City Attorney Berman read the Ordinance title into the record.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, to approve the emergency second reading declaration on the item.

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

Vice Mayor Fournier expressed disagreement with moving forward at this time, anticipating backlash from her vote. She emphasized the need to hear feedback from residents and stated that some of her questions remain unanswered. She requested more time before proceeding to a second vote.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Sigerson-Eaton, to approve the emergency second reading declaration on the item. The motion failed by the following roll call vote:

Yes: Sigerson-Eaton
Smith
Hardin

No: Fesik
Perkins
Fournier

19. [25-74](#) **P.H. 2025-20: (PUBLIC HEARING 1ST READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE CONTRACT BETWEEN THE CITY OF POMPANO BEACH AND MILLER ELECTRIC COMPANY; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$210,000)

(Staff Contact: Gene Zamoski)

Gene Zamoski, Chief Information Officer, stated that the City uses the Genetec video security system, which includes video security and Automatic License Plate Recognition (ALPR) cameras, monitored by BSO. Miller

Electric is the certified AutoView partner for the Southeast U.S. and provides unique preventative maintenance services for the Genetec system. The City has designated Miller Electric as a sole source vendor for a three-year agreement at a cost of \$70,000 per year, funded by the IT department. This agreement will also encompass the installation of new video security projects, with materials charged at a 15% markup, requiring City Commission approval for expenditures. The terms and pricing are the same as the previous agreement.

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

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

Yes: Fesik
Sigerson-Eaton
Smith
Fournier
Hardin

No: Perkins

- 20. [25-47](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING _____ TO THE AIR PARK ADVISORY BOARD OF THE CITY OF POMPANO BEACH TO FILL THE UNEXPIRED TERM OF LARRY ERD AS ALTERNATE 2; SAID TERM TO EXPIRE ON JULY 1, 2025; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

<u>Applicants</u>	<u>Other Board Memberships</u>
Tauhidul Khan - District 1	0
Jason L. Smith - District 3	0
Scott McClary - District 3	0

POSTPONED FROM NOVEMBER 12, 2024

(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 to appoint Jason Smith. The motion to appoint Jason Smith carried by a unanimous

voice vote.

Enactment No: RES. No. 2025-36

21. [25-76](#) Discussion and consideration item for the annual performance evaluation for Mr. Kervin Alfred, City Clerk.
(Fiscal Impact: To be determined by City Commission)

(Staff Contact: Lisa Sonogo/Bobby Bush)

Lisa Sonogo, Human Resources Director, stated that an email regarding details about Mr. Alfred's performance was sent to the City Commission last week. It was noted that any potential pay increase could be effective as of December 1st. Ms. Sonogo also mentioned that this was an opportunity for the Commission to evaluate Mr. Alfred's performance and provide a review of his conduct.

Mayor Hardin expressed his appreciation for Mr. Alfred's "marvelous work" in modernizing the office and effectively utilizing new technologies. He commended Mr. Alfred for his efforts and proposed a motion to grant him a 5 percent pay increase.

A motion was made by Mayor Hardin, seconded by Commissioner Sigerson-Eaton, to award the City Clerk a 5% merit increase.

Comr. Sigerson-Eaton expressed her appreciation for the recent improvements made in the City Clerk's Office, noting its modernization and streamlined processes. She highlighted the City Clerk's attentiveness in managing essential aspects such as ethics training, advisory board schedules, and election-related paperwork. She praised his performance, stating that he has excelled in his role and has grown significantly in the position.

Comr. Perkins stated that Mr. Alfred is very skilled and detailed in his work and communicates effectively and promptly. She believes he deserves a 5 percent raise, noting that he is an excellent team player and collaborates well with other departments. Comr. Perkins appreciates his willingness to help others and commends his leadership skills, encouraging him to continue his good work.

Comr. Fesik addressed Mr. Alfred's performance, expressing her appreciation for his consistent positive demeanor and responsiveness over the past two years. Despite the challenges of the meetings, she noted that he always greeted people with a smile, demonstrating his commitment to the community. As she got to know him better, her admiration grew, and she thanked him for his dedicated service.

Vice Mayor Fournier noted that if her phone rings late on weekends from a city number, she knows who it is. She praised Mr. Alfred for his dedication, saying no one puts in more effort and that it indeed shows. She expressed appreciation for the respect and responsiveness received from Mr. Alfred and encouraged him to continue the modernization of the advisory boards' application process and the office overall.

Comr. Smith highlighted Mr. Alfred's professionalism and proactive approach, noting that she has known him for nearly a decade. She appreciates his keen ability to anticipate questions and have relevant documents ready

before they're requested, acknowledging his attentiveness and good work.

A motion was made by Mayor Hardin, seconded by Commissioner Sigerson-Eaton, to award the City Clerk a 5% merit increase. The motion carried by the following roll call vote:

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

E. ADDITIONAL AUDIENCE TO BE HEARD

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

F. NEXT SCHEDULED MEETING

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

January 14, 2025 at 1:00 p.m. - Regular City Commission Meeting

January 28, 2025 at 6:00 p.m. - Regular City Commission Meeting

G. REPORTS

City Manager's Report:

City Manager Harrison shared Carlene Duncan's address for follow-up relating to her homeless outreach initiative: 1851 NW 15th Street, Pompano Beach, FL. He then announced that the water taxi service would open on Monday, December 16th. Additionally, Mr. Harrison recognized and congratulated Sandra King, Strategic Communications Administrator, for winning the 2023 Outstanding Event Award from the City-County Communications and Marketing Association (3CMA) for the annual drone show.

Mark Beaudreau, Recreation Director, highlighted that the Pompano Beach Tennis Center received the 2024 USTA Outstanding Facility Award from the United States Tennis Association, recognizing excellence in tennis facility construction and renovation. Pompano Beach was named one of 41 national winners.

City Attorney's Report:

City Attorney Berman expressed concerns about three agenda items, beginning with Item 14 related to the union contract. He clarified that the 4/10 workweek was not a negotiated item and, therefore, could not be discussed in a shade meeting. He recommended a motion for reconsideration by a member of the prevailing side, emphasizing the potential risk of an unfair labor claim due to the rejection of the contract based on non-negotiated terms. He proposed addressing specific concerns in a workshop or other setting rather than

during the shade meeting. He also outlined the participants for the scheduled shade meeting and they were as follows: City Manager Greg Harrison, Assistant City Manager Brian Donovan, HR Director Lisa Sonogo, Deputy City Attorney Tracy Lyons, outside labor counsel Lindsey Reiter, and himself. He reiterated concerns about an unfair labor claim, emphasizing that the contract was rejected for a reason-the workweek schedule-that was not part of the negotiations. Mr. Berman cautioned that this approach poses legal risks for the City and described the situation as a “dangerous game.”

Mayor Hardin questioned the implications of rejecting versus delaying the contract approval. He explored options to protect the City from potential legal issues, suggesting a motion to reconsider and postpone the decision to a specified date. However, he noted the lack of willingness from the prevailing side to take such steps.

Vice Mayor Fournier pointed out that negotiated items, such as an additional day off, were included in the contract, challenging Mr. Berman’s assertion that certain concerns were not negotiated. She later inquired about options for postponement rather than outright denial of another agenda item.

Max Wemyss, Principal Planner, provided clarification on the development process related to the rejection of a density bonus under the City’s code. He outlined the potential consequences of denial, including requiring the applicant to redesign their project and go through the review process again. He highlighted the timeline and approvals already obtained for the development, emphasizing the significant costs and risks involved in restarting the process.

Comr. Sigerson-Eaton questioned Mr. Wemyss about the project’s timeline and approvals, highlighting the financial and legal risks associated with denying a project that met all criteria. She stressed the potential for a multi-million-dollar lawsuit due to vested rights being denied.

Mayor Hardin reiterated the need for someone from the prevailing side to call for reconsideration on both the union contract and the density bonus, but no such motion was made. The discussion concluded without any resolution to reconsider or postpone the items.

Mr. Berman addressed Item 3 concerning the Sands Harbor Hotel, discussing the historical parking variance granted to the property in 1986 and amended in 1997. He explained that the variance allowed the hotel to operate without meeting certain parking requirements and instead provided an alternative arrangement to use city parking spaces. He stressed that the variance is a legal right tied to the property and that denying the current agreement without offering a solution could have legal and financial consequences for the City. He advocated for a one-year extension to allow time to find a permanent parking solution while ensuring continuity for the business.

Mayor Hardin asked if there was interest from the prevailing side in reconsidering the decision on this item to allow further discussion.

Vice Mayor Fournier proposed a motion to reconsider the item and suggested a short-term three-month agreement instead of a full year. She confirmed with Mr. Berman that such an arrangement, while not ideal, would be better than outright denial.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Fesik, to reconsider Agenda Item 3. The motion carried by the following roll call vote:

Yes: Fesik

Sigerson-Eaton
Smith
Fournier
Hardin

No: Perkins

City Attorney Berman read the Resolution into the record.

A motion was made by Vice Mayor Fournier to amend the parking license agreement to be a three-month agreement during which the City is briefed independently from RMA about parking options in the east and northwest CRA.

Mayor Hardin raised concerns about a motion from Vice Mayor Fournier, which appeared to dictate to the administration who they should use to develop a plan. He questioned whether it was within the Commission's purview to mandate administrative decisions, particularly regarding vendor selection. The Mayor expressed discomfort with the potential overreach of such a motion.

Mr. Berman explained that while the Commission could strongly suggest using alternative vendors, mandating vendor selection was typically a management decision and not within the Commission's authority. He acknowledged that urging management to consider alternatives was reasonable but noted that, ultimately, the decision rested with the administration.

Mayor Hardin reiterated his concern about the language of the motion and sought clarification from Mr. Berman.

Mr. Berman stated that the Commission does not have the authority to dictate vendor selection. He explained that staff is tasked with executing functions for the City and is responsible for determining the best resources to complete the work.

Vice Mayor Fournier declined to rephrase her motion, stating she required a source she trusted.

The motion failed for lack of second.

A motion was made by Mayor Hardin to approve the parking license agreement for a three-month contract and ask the city manager to get some parking information. The motion failed for lack of second.

A motion was made by Commissioner Sigerson-Eaton, seconded by Commissioner Smith, to

approve the parking license agreement for a six-month contract with the expectation of receiving a parking strategy for the Barrier Island and for the East and Northwest CRAs. The motion failed by the following roll call vote:

Yes: Sigerson-Eaton

Smith

Hardin

No: Fesik

Perkins

Fournier

City Clerk's Report:

City Clerk Alfred expressed appreciation to the City Commission for the performance evaluation feedback.

Comr. Fesik's Report:

Comr. Fesik thanked volunteers for their support during the campaign and city staff for their help with her onboarding process. She announced a monthly email newsletter, encouraging residents to sign up at Audrey4Pompano.com. Additionally, Comr. Fesik highlighted upcoming events and they were as follows: the District 1 Parks Master Plan meeting on December 11th at 6:00 PM at Ocean Lifeguard Headquarters, her first Coffee and Conversation on December 12th from 9:00 AM to 10:00 AM at How You Brewin, and the Wild Heart Foundation beach cleanup on December 15th from 10:00 AM to 1:00 PM at Pompano Beach Pavilion #3. Finally, she wished everyone a happy holiday season and New Year.

Comr. Perkins' Report:

Comr. Perkins questioned the seating order on the dais, acknowledging the positions of Mayor, Vice Mayor, City Manager, and City Attorney

A motion was made by Commissioner Perkins, seconded by Vice Mayor Fournier, to change the seating order on the dais for Commissioners.

No vote was taken but Comr. Fesik agreed to change seats with Comr. Perkins.

Comr. Perkins asked about the timeline for the Parks and Recreation Master Plan survey. Mr. Beaudreau confirmed the survey is active, with over 840 responses so far. The first round of district meetings will conclude tomorrow, with a second round and one-on-one meetings with the Commission planned, making the process approximately a year long. He assured Comr. Perkins that it was not too late to gather input from her community after the holidays and that future meetings will be coordinated to accommodate her schedule.

Comr. Perkins shared frustrations about loud music in her district, citing a December 1st incident at Pine Tree Park. She noted the lack of direct communication with BSO since Major Atkins' departure and mentioned

being told to use the non-emergency number or 911, which she felt was unhelpful. She also described a personal incident on October 16th, where she was involved in a car accident and received a citation despite providing proof of insurance. She expressed dissatisfaction with the officer's conduct, the delay in assistance, and errors on the citation. Comr. Perkins highlighted the lack of communication from BSO about incidents in her district and expressed concern about being excluded from updates. She concluded by wishing everyone happy holidays and commending the recent tree lighting event.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton expressed enjoyment of the Yuletide Parade. She noted missing the tree lightings on MLK Blvd. due to being under the weather but shared hopes to attend next year. She concluded by wishing everyone a Merry Christmas and encouraging time with family and friends.

Comr. Smith's Report:

Comr. Smith reflected on her first preparation for a City Commission meeting, noting the tight timeline for reviewing the agenda and requesting agendas be sent a day earlier, which City Manager Harrison agreed to. She praised the professionalism of city staff and the City's award-winning water quality after visiting the water treatment plant. She highlighted upcoming tours of the BSO command center, Air Park, and golf course, commending department collaboration. She concluded by sharing a welcoming message from her business card and wishing everyone Merry Christmas and happy holidays.

Vice Mayor Fournier's Report:

Vice Mayor Fournier shared resident concerns for transparency and accountability, stating it is her responsibility to ask questions and avoid being blindsided by issues such as special meetings or rate increases. She expressed frustration with limited communication, citing an example of receiving minimal feedback on detailed inquiries about the golf course. She inquired about the status of a flagship Publix near the Cordish project, with City Manager Harrison confirming no updates from Cordish. Vice Mayor Fournier also proposed moving Commission meetings to 6:00 PM and sought clarification on whether this requires Commission approval.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Perkins to change the City Commission meeting times to 6:00 PM.

City Attorney Berman noted per Section 30.02. subsection B of the City's code of ordinances, it must be done by Resolution. So, the appropriate motion would have to be to bring back a Resolution before the Commission.

An amended motion was made by Vice Mayor Fournier, seconded by Commissioner Perkins to bring back a Resolution to change the City Commission meeting times to 6:00 PM.

There was no commission discussion.

The motion failed by the following roll call vote:**Yes:** Fesik

Perkins

Fournier

No: Sigerson-Eaton

Smith

Hardin

Vice Mayor Fournier expressed disappointment with the current state of leadership, describing the body as ungovernable and noting unanswered questions from recent years. She wished everyone Merry Christmas and Happy Holidays, announcing her final community meeting of the year on December 16th at 7:00 PM at the American Legion.

Mayor Hardin's Report:

Mayor Hardin announced the upcoming Mayor's Gala, scheduled for Saturday, April 26, 2025, at the Hard Rock Hotel and Casino, noting Shelley will contact commissioners closer to the event regarding attendance. Reflecting on the meeting, he acknowledged it had been challenging and expressed hope for smoother future discussions despite differing ideas and perspectives on various issues.

Comr. Perkins and Comr. Sigerson-Eaton had a brief personal exchange.

Mayor Hardin emphasized the Commission's responsibility to represent residents and govern effectively, expressing concern over recent votes that disregarded legal counsel's warnings about risks to the City. He acknowledged differing views but highlighted the City's progress and achievements, crediting the hard work of staff and leadership. He urged thoughtful decision-making and wished everyone a Merry Christmas and Happy New Year.

City Clerk Alfred asked for a vote on the earlier motion about the seating arrangements.

There was consensus that a commissioner could simply ask another commissioner to switch seats.

Comr. Perkins rescinded the motion. Vice Mayor Fournier rescinded her second to the motion.

H. ADJOURNMENT

The meeting adjourned at 7:02 p.m.

Rex Hardin, Mayor

Kervin Alfred, City Clerk