

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, January 13, 2026

1:00 PM

Commission Chamber

City Commission Meeting

CALL TO ORDER

The Honorable Rex Hardin, Mayor, called the Regular City Commission meeting to order at 1:03 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

Bishop Louis Sanders of Dr. Dr. Ministries Inc. offered the invocation.

PLEDGE OF ALLEGIANCE

Led by Kervin Alfred, City Clerk

APPROVAL OF MINUTES

[26-158](#) Regular City Commission Meeting Minutes of December 9, 2025

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

APPROVAL OF AGENDA

Mayor Hardin inquired with City Manager Harrison whether there were any changes to the Agenda. Mr. Harrison confirmed that there were none. However, the Mayor mentioned that a request was made to move Item 15 to the beginning of the Regular Agenda.

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 and 2 would be pulled for City Commission discussion.

A. SPECIAL PRESENTATION

26-155 Florida Section of American Water Works Association (FSAWWA) awards

Mayor Hardin introduced Emeliz Torrez, the Chair of Region VI for the Florida Section of the American Water Works Association (AWWA), who was invited to present the Pompano Beach Utilities Department with four Achievement Awards. Ms. Torrez explained that she serves as the chair of Division VI of AWWA, which encompasses Broward and Palm Beach counties. For those unfamiliar, AWWA is a professional organization dedicated to ensuring safe and sustainable water systems for communities. Ms. Torrez expressed her pleasure in being there to present these awards, recognizing the City of Pompano Beach for its outstanding achievements, which were as follows:

- Region VI Best Tasting Water
- Landmark Award - Pump House 1
- Distribution Award - Division 4
- Water Conservation Award

The Presentation was READ AND PRESENTED INTO THE RECORD.

26-156 Pre-Apprenticeship Award for Water and Wastewater Operators

Mayor Hardin introduced Felix Collazo, Junior Achievement of South Florida Pre-Apprenticeship Program Director, who was invited to present the Pompano Beach Utilities Department with the Pre-Apprenticeship Award for Water and Wastewater Operators. Mr. Collazo explained the pre-apprenticeship initiative designed to familiarize teens and young adults with trade industries over the course of 6 months. Launched in 2022, the program expanded to include the water utilities trade in addition to maritime and construction. Mr. Collazo highlighted the City's role, noting that over 300 students were exposed to careers in

the water utilities sector. The program is aimed at high school students and young adults up to age 24 who may not pursue traditional degrees. He emphasized the importance of municipal support for providing these career opportunities and shared a short video of the students' experiences. He then invited the City's water utilities staff to accept the award.

The Presentation was READ AND PRESENTED INTO THE RECORD.

B. PROCLAMATION

26-165 Proclamation for Chief Judge Jack Tuter

Mayor Hardin introduced retiring Chief Judge Jack Tuter and honored him for his efforts in establishing the Pompano Beach Community Court, as well as for his many years of public service in the judicial system. He highlighted the community court as a transformative resource for individuals facing hardships in Broward County, crediting Chief Judge Tuter for its creation and acknowledging his significant impact on the local community. The Mayor also recognized the contributions of Cassandra Rhett and the City Attorney's Office, mentioning that while the community court's efforts may not be widely known, they have greatly benefited many in Pompano Beach. He concluded by reading and presenting a proclamation in recognition of Chief Judge Tuter's contributions and his longstanding public service.

Chief Judge Tuter acknowledged the collaborative effort that led to the establishment and success of community courts, crediting local mayors and the dedicated judges and staff who work in these courts. He emphasized that the initiative took seven years to develop and is based on community resources rather than costing taxpayers. Chief Judge Tuter expressed gratitude for the recognition but insisted that the real credit belongs to the cities and individuals involved. He hopes the community courts will continue to help those underserved in the justice system for many years to come.

Mayor Hardin expressed gratitude to the City Attorney's Office for their efforts and acknowledged the City Manager's Office for ensuring proper staffing. He emphasized that the success was a group effort.

The Proclamation was READ AND PRESENTED INTO THE RECORD.

C. AUDIENCE TO BE HEARD

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

Mark Intregila, 1401 S. Ocean Boulevard, Pompano Beach, FL, spoke on behalf of the Pompano Beach Men's Golf Association. He noted that while the Pines golf course was renovated two years ago, the Palms course remains in poor condition and lacks meaningful investment. He expressed concern that the absence of improvements has reduced participation and revenue, particularly as association members are required to play

the unrenovated course regularly. He stated that this has resulted in fewer players and, ultimately, lower revenue for the City. Mr. Intregila requested that the City consider making incremental improvements to the Palms golf course to restore playability and support long-standing community golf programs.

Luis Rosado, 2267 SE 11th Street, Pompano Beach, FL, requested that the City revisit its zoning, permitting, and regulatory requirements related to tiki huts. He stated that tiki huts contribute positively to the character and aesthetic of Pompano Beach, reflect the City's waterfront and tropical lifestyle, and align with the community's identity as a vacation destination. Mr. Rosado expressed concern that current regulations are more restrictive than those of neighboring jurisdictions and may be impractical for properties with limited backyard space. He respectfully asked that the matter remain under consideration and offered assistance as needed.

Brandi Zabadal, resident of the Pompano Beach Highlands, expressed concern regarding the lack of City representation at recent neighborhood meetings, noting growing frustration among residents who feel their concerns are not being adequately heard. She stated her willingness to appear in person to ensure that neighborhood issues are communicated to City leadership. Ms. Zabadal also acknowledged and thanked Parks and Recreation staff, including Scott Moore, Kaitlyn Kerr, and Tommy Bright, for recent park improvements and collaborative efforts within the neighborhood. Additionally, she reported identifying 62 streetlights in the Highlands that are not fully operational and advised that she is coordinating with the City Engineer to address the issue. She emphasized the importance of street lighting for neighborhood safety and appreciated the City's attention to these ongoing matters.

Comr. Fesik noted similar streetlight outages in the Hillsboro Shores area and suggested that lighting issues be reviewed comprehensively across all districts.

Comr. Sigerson-Eaton explained that streetlight installation and repairs are coordinated with Florida Power & Light and emphasized the significant improvements these lights have made to public safety and crime deterrence. She encouraged residents to report malfunctioning lights directly to their commissioners to assist with timely repairs and noted recent lighting improvements on 10th Way. She also acknowledged Ms. Zabadal for raising community concerns.

Vice Mayor Fournier added that residents may also report streetlight issues directly through Florida Power & Light's website, particularly for older lights, and suggested that the City consider additional outreach to increase awareness of this reporting option.

Michael Skversky, 1630 SW 5th Avenue, Pompano Beach, FL, commented positively on the quality of Pompano Beach's municipal water supply. He then raised a concern regarding parking at the new pickleball courts at Kip Jacobi Park, noting limited parking availability and instances where visitors have parked on the grass. He expressed concern that vehicles could be subject to towing due to the lack of designated parking and requested that this issue be addressed to avoid inconvenience to park users.

Vice Mayor Fournier responded that the courts have been very successful and acknowledged existing parking challenges. She advised that the City is working on plans to improve parking at the park and encouraged continued feedback as the City addresses these initial operational issues.

Rodrick Phillips, 2620 NW 10th Street, Pompano Beach, FL, announced the upcoming Tiger Trail Festival, founded by the Blanche Ely High School Class of 1970 to celebrate African-American heritage and community progress in Pompano Beach. The festival, now in its 30th year, promotes unity, inclusion, and multicultural engagement, particularly during Black History Month. Mr. Phillips invited all City officials and residents to participate in the series of events, beginning February 1st in District 5, and encouraged the community to visit the festival's website for additional details.

Wayne Vereen, 2420 NW 7th Street, Pompano Beach, FL, expressed concern about the need for low-income housing in Pompano Beach, noting challenges faced by elderly residents with property maintenance, such as overgrown trees. He encouraged the City to address these issues and improve support for residents in need. Mr. Vereen also emphasized the importance of honoring Dr. Martin Luther King Jr.'s legacy this month and thanked the City Commission, City Manager, and BSO for their ongoing efforts to serve and maintain the community.

Melissa Weekley, 2680 NE 23rd Street, Pompano Beach, FL, expressed concern about the scheduling of the first and second readings of a proposed citywide zoning code amendment. She noted that holding both readings during weekday afternoon meetings limits participation by working residents and may reduce meaningful public engagement. Ms. Weekley respectfully requested that the Commission consider whether the process reflects transparency, accessibility, and community involvement.

Comr. Fesik proposed staggering the timing of first and second readings for agenda items so that one occurs in the afternoon and the other in the evening, allowing greater access for residents who cannot attend daytime meetings. The motion prompted discussion regarding scheduling complexities, particularly around holidays and urgent matters. Comr. Fesik later amended the approach to request staff conduct public outreach to assess optimal meeting times and report back with recommendations. The amended motion did not receive a second and therefore did not move forward.

Paul Livingway, 812 N. Ocean Boulevard, Pompano Beach, FL, raised a concern about a large, labeled buoy located in the sand dunes in front of his condominium. He noted that it is not visible from the beach but can be seen from his apartment, and requested that the buoy be identified, removed, and returned to the proper authority. Additionally, he expressed concern that a new condominium development has eliminated a dune previously planted to address beach erosion, and suggested the City review the site to ensure erosion protection measures remain effective.

D. CONSENT AGENDA

Mayor Hardin requested a motion to Approve/Adopt Items 3 through 5 under the Consent Agenda.

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

1. [26-148](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY

OFFICIALS TO EXECUTE A PIGGYBACK AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ROYAL AUCTION GROUP, INC. FOR PROFESSIONAL AUCTIONEER SERVICES OF VEHICLES, SUPPLIES AND EQUIPMENT; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Rob McCaughan)

Mayor Hardin noted that the item had been pulled by Vice Mayor Fournier for discussion, then called on her to speak.

Vice Mayor Fournier explained that she wanted to discuss fleet management as an important budget topic with potential opportunities, noting the item showed no fiscal impact, and asked Public Works Director McCaughan about the City's process for disposing of vehicles at the end of their useful life.

Robert McCaughan, Public Works Director explained that leased vehicles through Enterprise are returned to Enterprise for disposal, while city-owned equipment had previously been auctioned through the Renee Bates online auction service. He described how the previous service required the City to pay a 4% seller's fee and handle all documentation and photography, which was time-consuming. He highlighted that the Royal Auction Group would have buyers pay the fees, pick up vehicles, handle all documentation and photos at no cost to the City, and hold more frequent auctions due to reduced staff workload.

Vice Mayor Fournier followed up by asking about the revenue the City receives from vehicle auctions, acknowledging that it varies year to year, and inquired about approximate annual amounts and what happens to the money when vehicles are returned to Enterprise. Mr. McCaughan responded that auction revenue varies depending on market conditions and vehicle types, citing an example of a Ford F-150 truck that the City used for seven years and sold for only \$1,000 less than the original purchase price. He explained that revenue depends on vehicle type and market demand, noting that construction market conditions and nationwide used vehicle demand affect prices. Regarding Enterprise vehicles, he stated that after five-year leases, vehicles are sold and the proceeds are rolled back into future lease costs.

Vice Mayor Fournier asked for clarification about what "rolled back into" meant and what happens if they don't re-lease a vehicle.

Allison Feurtado, Finance Director, clarified that when vehicles are returned to Enterprise, the City has two options for excess cash: to receive it upfront or apply it to reduce the costs of new vehicle acquisitions or principal payments on existing vehicles.

Vice Mayor Fournier concluded by noting that while the agenda showed no fiscal impact, there is actually a net positive fiscal impact when vehicles are sold.

Mayor Hardin sought public input on the item and, upon receiving none, closed the public portion and called for further Commission discussion.

Comr. Fesik asked about the size of the City's fleet, how many vehicles are typically auctioned annually, and the percentage breakdown between rental and owned vehicles. Mr. McCaughan explained that they limit Enterprise leases to general-purpose vehicles, such as sedans and small trucks, but don't lease specialized equipment, such as dump trucks and loaders. He noted that the leasing program had grown over the years, but couldn't provide exact percentages off the top of his head.

Comr. Fesik expressed interest in conducting a deeper analysis to compare the long-term costs of leasing versus purchasing and holding vehicles for resale, suggesting this information could be valuable for upcoming budget planning.

Vice Mayor Fournier provided additional data, stating that the City has approximately 403 vehicles, of which about 70 are leased through Enterprise, and noted that 70% of those leased vehicles are driven less than 5,000 miles annually. She expressed concern about light-vehicle usage and questioned how Enterprise calculates vehicle values upon return, comparing them to market-based auction pricing.

Mr. McCaughan admitted he did not know Enterprise's specific valuation process, but noted that Enterprise has various disposal channels through its broader leasing operations, including airports and general public rentals.

Vice Mayor Fournier concluded by reiterating her concern that the City returns low-mileage, low-wear vehicles to Enterprise after several years, suggesting that if they're going to lease vehicles, they should use them heavily, while considering purchasing vehicles that could perform well in the resale market given strong used-vehicle values.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: RES. No. 2026-56

2. [26-154](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, RESCINDING RESOLUTION NO. 2026-33, AND APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AMENDMENT TO THE AGREEMENT MODIFYING CERTAIN CROSSING AGREEMENTS BETWEEN THE CITY OF POMPANO BEACH, FLORIDA EAST COAST RAILWAY, LLC (FEC) AND BRIGHTLINE TRAINS FLORIDA LLC IN

FURTHERANCE OF THE BROWARD COUNTY SEALED CORRIDOR PROJECT
ALONG THE FLORIDA EAST COAST RAILWAY AND BRIGHTLINE CORRIDOR
WITHIN BROWARD COUNTY, FLORIDA; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: approx. \$70,000 annually)

(Staff Contact: Rob McCaughan)

Mayor Hardin mentioned that the item had been pulled by Comr. Perkins for discussion, then invited her to speak.

Comr. Perkins expressed her ongoing concerns about Brightline being one of the most dangerous passenger trains in the United States, citing over 157 deaths since 2017. She inquired about how to eliminate train noise and requested more city action with FEC to secure crossings, specifically asking how many crossings exist in the city that Brightline passes through.

Robert McCaughan, Public Works Director, responded that there were six crossings on the FEC line, but the City didn't hold agreements for all of them, explaining that Broward County controlled some crossings while FDOT controlled others. He clarified that only three crossings were affected by this sealed-corridor project, with 33rd Street excluded.

Comr. Perkins continued by reiterating her desire for the City to implement additional safety measures at crossings under its control, emphasizing that if people couldn't see trains, they should at least hear them to save lives, noting that she had to cross railroad tracks 80% of the time while traveling. She requested that staff and the City Manager look into securing rail crossings further.

Mayor Hardin sought public input on the item and, upon receiving none, closed the public portion and called for further Commission discussion.

Vice Mayor Fournier sought clarification on what they were rescinding from November 13th and asked about the differences beyond the fiscal impact, noting that the previous agenda item had no fiscal impact listed. Mr. McCaughan confirmed there was no fiscal impact from the changes and explained that the memo applied to all six cities and 21 crossings affected by the sealed corridor project. He detailed that while some cities had different agreements allowing FEC to pay portions of costs, the City was paying full costs anyway, so there was no impact before or now, but they wanted transparency about the memo changes.

Vice Mayor Fournier followed up on the \$70,000 annual cost mentioned, asking whether this represented what they were already paying. Mr. McCaughan confirmed this was correct and explained that it was an estimate, noting that roughly \$7,000 annually covered signal maintenance, while crossing repairs varied significantly in cost and timing. He provided examples of repair costs ranging from \$100,000-\$220,000, with one CSX track repair costing \$810,000, and estimated repairs occurred approximately every five years.

Vice Mayor Fournier summarized her understanding that they had always maintained these crossings, that safety improvements would be made, that they would continue maintaining them, and that costs likely wouldn't

increase materially after the work was completed.

Comr. Sigerson-Eaton expressed happiness about improvements made to Dixie Highway's median strips and repaving, referencing the City of Deerfield Beach's successful fencing work while acknowledging complications with right-of-way restrictions since it was not city land. She noted the complexity was similar to Florida Power and Light's streetlight grid, mentioned recent ownership changes that have created challenges for a large company, and emphasized that improvements require funding. She thanked staff for their hard work on Dixie Highway improvements in her district, which she had supported in the G.O. Bond issue, and acknowledged the complex nature of implementing safety measures like fencing at crossings, while expressing a wish that progress could be faster.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2026-57

3. [26-150](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE AGREEMENT FOR COMMISSIONED ARTWORK BETWEEN THE CITY OF POMPANO BEACH AND INNOVATIVE SCULPTURE DESIGN, LLC TO FABRICATE AND INSTALL A SCULPTURE ENTITLED "VIVACIOUS" ON THE EAST SIDE OF POWERLINE ROAD BY THE SOUTH ENTRANCE TO HARRAH'S POMPANO BEACH CASINO; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)



Strategic Plan Initiative

(Staff Contact: Ty Tabing)

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

Enactment No: RES. No. 2026-58

4. [26-153](#) 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 TOWN OF NARRAGANSETT, RHODE ISLAND TO ESTABLISH A FRIENDSHIP CITY AFFILIATION; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Ty Tabing)

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

Enactment No: RES. No. 2026-59

5. [26-152](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPOINTING MELISSA BANNER TO THE ZONING BOARD OF APPEALS OF THE CITY OF POMPANO BEACH AS ALTERNATE APPOINTEE OF COMMISSIONER BEVERLY PERKINS TO FILL THE UNEXPIRED TERM OF ADA ROGERS, FOR A TERM TO BE CONCURRENT WITH THE TERM OF THE APPOINTING OFFICIAL; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Kervin Alfred)

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

Enactment No: RES. No. 2026-60

E. REGULAR AGENDA

15. [25-444](#) **P.H. 2025-57: (PUBLIC HEARING 2ND READING)**
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE CITY OF POMPANO BEACH CODE OF ORDINANCES BY AMENDING SECTION 155.4209, "INSTITUTIONAL HEALTH CARE USES" TO FURTHER DEFINE LISTED USES AND STANDARDS FOR SEPARATION FROM RESIDENTIAL USES AND FOR OVERNIGHT TREATMENT, AND TO CREATE A NEW USE FOR HOSPITAL-BASED OFF-CAMPUS EMERGENCY DEPARTMENT; PROVIDING FOR DEFINITIONS IN ARTICLE 9, "DEFINITIONS AND INTERPRETATION," PART 5, "TERMS AND USES DEFINED,"; BY AMENDING APPENDIX A: "CONSOLIDATED

USE TABLE," TO REFLECT EXISTING AND NEW HEALTHCARE USES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: DECEMBER 9, 2025

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan from the Development Services Department, informed that there had been no changes since the first reading, and that herself and the applicant were there to answer any questions. Dennis Mele, the attorney representing the applicant, stated that he was there to answer any questions and after public input, would like the opportunity to respond.

Mayor Hardin invited public input on the item.

Mark Intreglia, 1401 S. Ocean Boulevard, Pompano Beach, FL, questioned the difference between the stand-alone emergency room and an urgent care. He mentioned that the Planning and Zoning Board voted against the amendment, so why would the Commission vote in favor of it.

James Scott, 2761 NW 4th Court, Pompano Beach, FL, spoke in favor of the item.

Melissa Weekley, 2680 NE 23rd Street, Pompano Beach, FL, expressed her opposition to the item due to the amendment not correcting an error in the code or implementing a comprehensive plan goal. She stated that she believes this change would weaken urgent care standards. Ms. Weekley suggested a comprehensive medical use study or site-specific zoning tools. She requested Commission disapproval of the item.

Dr. Craig Kushner, 9180 Benedetta Place, Boca Raton, FL, provided an overview of the difference between the care received at a free-standing ER versus an urgent care facility, including imaging capabilities and board-certified staff. He continued by explaining that even though free-standing ERs have a more comprehensive ability to treat patients, EMS would not transport critical patients there; therefore, there would not be lights and sirens when transporting patients. Dr. Kushner disclosed that he works for HCA and works with EMS for several municipalities.

Courtney Carter, District 4 resident, made a statement regarding jobs within the City not being given to those in the Pompano Beach community.

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

Comr. Fesik expressed concern with loosening City regulations and the potential unintended consequences of doing so. She explained that the Planning and Zoning Board's recommendation of denial was a significant issue for her. Comr. Fesik added that the residents of District 1 had been vocal in their disagreement with the item; therefore, she would not support it.

Vice Mayor Fournier informed that she received many emails within the last week from residents expressing that they would like to attend but could not attend an afternoon meeting. Vice Mayor Fournier asked City Attorney Berman clarifying questions about making a particular motion regarding tying the second reading to the outcome of the first reading's vote.

Mr. Berman suggested that while implementing a new procedure could be challenging, it was possible to manage the scheduling of items effectively. He emphasized that the Commission had the flexibility to postpone discussions to future meetings as needed, especially if a night meeting was deemed beneficial for public participation.

Mayor Hardin made a motion to postpone the item to the next 6:00 p.m. meeting. Before the vote was taken, Mayor Hardin asked the applicant if there would be any issue with postponing the item for two more weeks. Mr. Mele expressed his hope that the Commission would vote on the item that evening.

Comr. Fesik stated that it is important for residents to have the opportunity to speak and ask questions, and she supports the motion to postpone the item.

Mayor Hardin stated that he made the motion because he felt it was fair to give residents a chance to speak.

A motion was made by Mayor Hardin, seconded by Commissioner Sigerson-Eaton, that the Ordinance / Regular Agenda be POSTPONED to the January 27, 2026 City Commission Meeting. The motion carried by the following roll call vote:

Yes: Fesik

Sigerson-Eaton

Smith

Fournier

Hardin

No: Perkins

6. [26-147](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, ACCEPTING THE DONATION OF TWO AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs) FROM THE FRANKIE FOUNDATION TO BE PLACED AT VARIOUS CITY PARKS; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: N/A)

(Staff Contact: Scott Moore)

Scott Moore from the Parks and Recreation addressed the Commission, explaining that the donation from the Frankie Foundation represented more than just equipment but provided peace of mind by ensuring help would be available when needed most in city parks. He made a lighthearted comment about hoping the donation

would not come as a shock while emphasizing its life-saving potential, then invited Dave McGirr from the Frankie Foundation to speak.

Mr. McGirr introduced himself as a resident of Pompano Beach and the City's chief engineering inspector, then explained that the Frankie Foundation was created to turn tragedy into triumph following the death of his dear friend Frank Special, who died of cardiac arrest at age 42 while playing soccer at a facility that lacked an AED on February 15, 2007. Mr. McGirr described the foundation's two-part mission: first, raising funds to purchase and place AEDs in parks and athletic fields throughout South Florida, noting that AEDs are the only effective treatment for most sudden cardiac arrests. He conducted an informal poll asking who knew how to use an AED, then explained that while the devices are user-friendly once someone is trained, CPR alone is insufficient according to first responders. Mr. McGirr shared that several trained first responders were present the night Frank died, including a Deerfield Beach firefighter, a BSO deputy, and a Pompano Beach lifeguard, but emphasized that survival rates are significantly higher when AEDs are available and used quickly. He reported that the foundation had donated 72 AEDs total, with Pompano Beach receiving 10 units, including the two being donated that evening. The foundation's second mission is to award annual \$1,000 scholarships to local high school student-athletes who embody Frank's selfless spirit, with 66 scholarships awarded to date and a 67th pending. Mr. McGirr shared Frank's background as a Long Island native who moved to Pompano, graduated from Pompano Beach High School in 1982, and coached youth baseball and soccer. He described how he met Frank as a freshman when alumni soccer players supported the high school team, and explained that the foundation was based in Pompano with board members who were all local graduates. Mr. McGirr detailed their fundraising efforts, including an annual bowling fundraiser and volunteering at the Tortuga Music Festival, and shared a success story about an AED they donated to Manor Lanes in 2013 that saved someone's life just three months later. He mentioned an upcoming fundraising event called "Dying to Donate" at Dangerous Minds Brewery and concluded by noting that Frank had the biggest heart, which ultimately failed him, expressing hope that the AEDs would never need to be used but would be available if needed.

Mayor Hardin thanked Mr. McGirr and asked if there was anything further. Mr. Moore added information about new standalone AED machines the City had purchased, explaining that five units had been acquired in the past budget year, with one placed in each commissioner's district. He described the advanced features of these machines, including automatic photos of whoever opens them and automatic 911 calls that trigger the entire emergency action plan. Mr. Moore noted that they would be requesting funding for additional units in the upcoming budget.

Mayor Hardin sought public input on the item and, upon receiving none, closed the public portion and called for further Commission discussion.

Vice Mayor Fournier shared that the issue was personally meaningful to her because her father had died at her current age from cardiac arrhythmia due to overexertion before AEDs were prevalent, noting that the lack of an AED at his hotel and the delayed response time contributed to his death. She thanked the foundation for already saving a life and family, emphasizing that children would have their parents as a result of their work.

Mayor Hardin added his thanks, acknowledging that while some people might view the foundation as just organizing bowling events, their work actually saves lives, which he described as priceless and remarkable.

Comr. Perkins expressed appreciation for the life-saving tool and donation, recalling her CERT team training from the 1990s, when such devices weren't available, and suggested incorporating AED training into current CERT team programs, noting that the devices are largely self-explanatory.

Comr. Fesik reiterated everyone's sentiments and discussed how technology had advanced, mentioning wearable devices that detect arrhythmias and the active lifestyle common in South Florida. She offered to help support the foundation and suggested creating educational videos through the City's marketing team to teach proper AED usage, hoping to provide additional safety measures even if the devices were never needed. Mr. Moore responded that they were working on an unveiling event with full demonstrations that would be recorded and distributed.

Comr. Sigerson-Eaton concluded the discussion by thanking the foundation members for their dedication, efforts, service, and caring.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: RES. No. 2026-61

7. [26-121](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE AN AGREEMENT FOR UNIFORM COLLECTION OF NON-AD VALOREM SPECIAL ASSESSMENTS BETWEEN THE CITY OF POMPANO BEACH AND THE BROWARD COUNTY TAX COLLECTOR; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Estimated reduction to FY 2026 Fire Assessment Fee revenues of \$339,923)

(Staff Contact: Joshua Watters)

Joshua Watters, Budget Director, presented the item requesting approval of an agreement between the City of Pompano Beach and the Broward County Tax Collector for the collection of the City's non-ad valorem fire assessment fee on the annual tax bill. He explained that recent voter-approved constitutional and county charter changes resulted in Broward County having an elected tax collector who assumed responsibilities previously handled by the county, requiring municipalities to enter into formal agreements to place non-ad valorem assessments on tax bills. He stated that the agreement allowed the tax collector to collect and remit the fire

assessment fees while recovering actual collection costs within statutory limits. He noted that staff worked closely with the Tax Collector's Office, other Broward County municipalities, the Vice Mayor, and the City Attorney to ensure the agreement was clear, consistent, and uniformly applied, and he recommended approval of the resolution.

Mayor Hardin sought public input on the item.

Thomas Jerry Siebo, Jr. addressed the Commission and spoke at length on topics unrelated to the agenda item, including personal experiences, medical and physiological claims regarding nerve endings and the heart, energy, humanity, and existential statements. He questioned the timing of public comment relative to agenda discussion. Mayor Hardin repeatedly attempted to redirect Mr. Siebo, explained that he was speaking on the wrong agenda item.

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

Vice Mayor Fournier asked questions regarding whether other cities had approved similar agreements and whether more municipalities were now moving forward with them. Mr. Watters responded that the final draft agreement was completed in December and that Fort Lauderdale was the first city to approve it, with other cities beginning the process. City Attorney Berman added that discussions among city attorneys had resolved earlier disagreements and that cities were now placing the agreement on their agendas as part of a new process.

Vice Mayor Fournier further discussed concerns about the new costs associated with tax collection and asked about the possibility of eliminating or defunding taxing districts. Mr. Watters and Mr. Berman explained that the EMS taxing district was created by voter referendum and could only be repealed by referendum, but that the City could potentially reduce the millage rate to zero while keeping the district in place for future flexibility. Vice Mayor Fournier acknowledged the uncertainty surrounding state property tax policy and expressed support for maintaining flexibility.

Comr. Fesik asked about the term of the agreement and whether it was capped. Mr. Watters explained that the agreement was for a one-year term with automatic annual renewal unless canceled, similar to an existing agreement with the Property Appraiser, and that state law capped the Tax Collector's fee at 2% of revenue collected, with any excess costs refunded to the cities on a pro rata basis.

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: RES. No. 2026-62

8. [26-151](#) A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A FIRST AMENDMENT TO THE STATE REVOLVING LOAN AGREEMENT DW0624A0 BETWEEN THE CITY OF POMPANO BEACH AND THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION; PROVIDING AN EFFECTIVE DATE.
(Fiscal Impact: \$9.595 million with 100% principal forgiveness)



Strategic Plan Initiative

(Staff Contact: Renuka Mohammed)

Renuka Mohammed, Utilities Director, explained the amendment request, stating that it would extend the project completion date from January 15, 2026, to April 15, 2027, for a \$9.595 million loan with 100% principal forgiveness for water facility upgrades to comply with PFAS regulations effective in 2029, noting that delays in the South Florida Water Management District permit process necessitated the extension.

Mayor Hardin sought public input on the item and, upon receiving none, closed the public portion and called for further Commission discussion.

Vice Mayor Fournier questioned the timing, since the original deadline was only two days away, and Ms. Mohammed confirmed that the urgency had been identified only recently by the State and the consultant.

Vice Mayor Fournier inquired about the new deadline's adequacy, and Ms. Mohammed explained that Phase 1 design was proceeding to reach 20 MGD capacity, but Phase 2's additional 10 MGD faced uncertainty about water allocation from the district, potentially requiring alternative technologies such as reverse osmosis.

Vice Mayor Fournier asked about the district's timeline. Ms. Mohammed indicated the application was pending with no definitive response date, acknowledging they might need future extensions but confirming Phase 1 would provide adequate capacity for 5-10 years.

Comr. Sigerson-Eaton asked about the chosen filtration method, and Ms. Mohammed clarified that Phase 1 would use nano-filtration while discontinuing lime softening, but Phase 2's technology remained undetermined due to cost considerations for alternative methods. Comr. Sigerson-Eaton then shared information about PFAS breakdown, which requires 12,000 degrees Fahrenheit compared to typical incinerator temperatures of 2,000

degrees, and discussed her experience on the county water advisory board and the challenges of PFAS remediation.

Comr. Fesik thanked Ms. Mohammed for the facility tours and congratulated the department on its awards, expressing understanding of the upcoming challenges posed by new regulations and offering support for adequate project timelines. Ms. Mohammed appreciated the support and promised to update the Commission on project progress in the near future.

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

Enactment No: RES. No. 2026-63

9. [26-103](#) **P.H. 2026-17: (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 AN AGREEMENT FOR TRANSPORTATION SERVICES (POINT TO POINT) BETWEEN THE CITY OF POMPANO BEACH AND CIRCUIT TRANSIT, INC. TO PROVIDE MICRO-TRANSIT TRANSPORTATION SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

FIRST READING: DECEMBER 9, 2025

(Staff Contact: Jeff Lantz)

Maribel Rodriguez, Parking Operations Coordinator, stated that this was the second reading of the item with no changes since the first reading.

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

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: ORD. No. 2026-10

10. [26-84](#) **P.H. 2026-15: (PUBLIC HEARING 2ND READING)**

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

(Fiscal Impact: N/A)

FIRST READING: NOVEMBER 13, 2025

(Staff Contact: Max Wemyss/David Recor)

Max Wemyss, Principal Planner, clarified that this was technically the third reading of the ordinance but had to be re-advertised due to an advertising mishap, noting there had been no changes since the first reading and that he was available for questions.

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

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

be ADOPTED. The motion carried by the following roll call vote:

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

Enactment No: ORD. No. 2026-11

11. [26-125](#) P.H. 2026-19: (PUBLIC HEARING 2ND READING)

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

(Fiscal Impact: N/A)

FIRST READING: DECEMBER 9, 2025

(Staff Contact: Max Wemyss)

Max Wemyss, Principal Planner, explained that this was the second reading of the ordinance with no changes since the first reading.

Mayor Hardin sought public input on the item.

Ted Bohne, President of Z Construction, advocated for the amendment to fence-height regulations for new homes. He argued that not adopting it would unfairly penalize new construction, as homeowners must elevate their properties to comply with flood regulations. Measuring fence heights from lower neighboring grades would limit new builds to four- or five-foot fences rather than the intended six-foot standard, creating inequities in property rights. Mr. Bohne distinguished retaining walls as necessary engineering structures for flood mitigation and emphasized that a longstanding city precedent supported the use of six-foot fences atop these walls. He warned that changing the standard could undermine trust in the permitting process and lead to inconsistent enforcement.

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

Comr. Sigerson-Eaton reiterated her concerns from the previous meeting, stating that waterway properties would be affected by this change. While acknowledging that FEMA required raising the first finished floor, she argued it didn't require using dirt to achieve that elevation. She worried that neighboring properties would be

adversely affected when developers brought in 4 feet of dirt, surrounded by retaining walls, essentially building the adjacent properties "into a hole." She expressed particular concern about waterway properties, noting that, with the elimination of site visibility triangles, there was no longer a right to a view, and the City was now allowing six-foot fences all the way to the water. She believed putting six-foot fences on top of four-foot retaining walls would adversely affect adjacent properties, diminishing their value and quality of life. She stated she would not support the ordinance and wanted her concerns about unintended consequences on the record.

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

Yes: Fesik

Perkins

Smith

Fournier

Hardin

No: Sigerson-Eaton

Enactment No: ORD. No. 2026-12

POINT OF ORDER

As Mayor Hardin was introducing Item 12, Comr. Fesik raised a point of order regarding upcoming Air Park-related items. She objected that, although the items were presented as separate actions, they were in fact a coordinated sequence. She stated that county adoption materials indicated the City had recommended approval when the Commission had not yet taken final action, creating a material inaccuracy that county and state bodies relied upon. She argued that proceeding would create a cascading reliance on a defective predicate, making the City's process vulnerable. She asked Mr. Berman whether a first reading constituted a governing body recommendation under Chapter 163, to which City Attorney Berman replied he had no idea.

Jean Dolan from the Development Services Department explained that transmittal hearings were first readings and adoption hearings were second readings under Chapter 163. She clarified that approval of the first reading was required to transmit the ordinance to the County and State, and that without a yes vote on transmittal, the process could not proceed. She emphasized that both she and the County had over 40 years of experience with growth management law and knew the proper process.

Comr. Fesik continued to question whether county documents that represented a city recommendation before final action were inaccurate. Ms. Dolan reiterated that the transmittal hearings were first readings and that they had received a 5-to-1 vote in favor of transmittal. Comr. Fesik requested either deferring the Air Park items or receiving a written explanation from the City Attorney about the procedural concerns.

Mr. Berman stated he had no legal concerns about the process that had been followed. Mayor Hardin overruled Comr. Fesik's point of order, and the meeting continued.

12. [25-173](#) P.H. 2025-33: (PUBLIC HEARING 2ND READING)

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

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 11, 2025

(Staff Contact: Jean Dolan/Steve Rocco)

Jean Dolan from the Development Services Department stated that her presentation addressed agenda items 12 and 13, explaining that the comprehensive plan map amendment for the 46.4-acre parcel at the north end of Runway 15 changes its land use designation from open space/recreation to transportation. She noted that Broward County unanimously approved the amendment on September 16, 2025. Additionally, four areas on the airport's environmentally sensitive lands map were removed, as they are aviation deed-restricted and not eligible for such designation. The county approved this amendment on December 9, 2025 and that the approval aligns with FAA guidance, federal grant assurances, and the 1947 Surplus Property Act deed restrictions, ensuring aviation operations and safety are maintained. She noted that the conditions include gopher tortoise surveys and relocations, tree plantings along multi-purpose paths, and detailed plant surveys with the collection of native seeds for transplanting into existing sand pine preserves. Staff recommended approval of both amendments to ensure compliance with federal, state, and county requirements while maintaining aviation safety. A copy of Ms. Dolan's full presentation is available in the City Clerk's office.

Mayor Hardin sought public input on the item.

Caryl Iseman, 4020 W. Palm Aire Drive, Pompano Beach, FL, expressed concern about the proposed removal of green space at the airport. She questioned the need for the change, noting the area provides habitat for wildlife and opportunities for youth, and encouraged the Commission to preserve the greenery rather than replace it with development.

Marilyn De Martini, 1110 NE 27th Avenue, Pompano Beach, FL, raised concerns about removing environmentally significant land, including habitat for tortoises and other wildlife, for a trade school. She questioned why existing paved areas could not accommodate the school and urged the Commission to maintain the environmental designation and preserve the green space.

Anne Bosworth, 4015 W. Palm Aire Drive, Pompano Beach, FL, commented that the public has not had a full opportunity to engage in discussion about the proposed changes and that more transparent communication and outreach are needed. She suggested the City improve messaging and public engagement to address community

concerns before proceeding.

Pastor Dr. Sherry Abram, a veteran teacher and Pompano Beach resident since 2000, spoke in support of establishing an aviation mechanics school. She emphasized the importance of expanding educational opportunities, particularly for underrepresented communities, and noted that the federal designation of the land for aviation supports the project. She encouraged the Commission to approve the school to provide new learning opportunities for local students.

Gary Phillips, 1210 NE 27th Avenue, Pompano Beach, FL, expressed strong concern about the potential loss of green space at the airport property. He emphasized the area's natural value, wildlife habitat, and community character, and urged the Commission to prioritize thoughtful and responsible development that preserves open space while accommodating growth.

Jocelyn Jackson emphasized the importance of providing educational and career opportunities for children in Northwest Pompano Beach. She expressed strong support for the aviation project, noting its potential to benefit the community, and urged the Commission to prioritize meaningful development that advances local youth while enhancing the area beyond existing entertainment and facilities.

Barrington Irving addressed the Commission to clarify the purpose of the aviation program at Pompano Beach. He emphasized that the initiative focuses on workforce development and skilled trades, not flight schools, and highlighted successes with local students, including employment and educational advancement. Mr. Irving explained that the program's lease is ending and that efforts will continue to serve students from Pompano while respecting environmental and airport regulations. He stressed his commitment to creating a sustainable educational and industry ecosystem and emphasized the importance of proactively maintaining opportunities for the community.

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

Comr. Fesik addressed the Commission regarding the proposed land use changes for the 46.4-acre parcel at the north end of Runway 15. She reiterated her support for Barrington Irving's aviation training program but emphasized that the agenda items-while related-should be considered separately. She asked Ms. Dolan and City Attorney Berman to clarify several points regarding the land use and charter implications. Questions included the current and proposed future land use designations, the parcel's status in the Parks and Recreation Inventory, and whether converting the land to transportation use would constitute a "conversion" under the City Charter requiring voter approval. Comr. Fesik noted that while Ms. Dolan had indicated the parcel is designated for future park use, she sought a clear legal interpretation.

City Attorney Berman explained that the parcel is listed for future potential park use, not existing park use, and that the proposed change to transportation does not constitute a sale or disposal of city property. He emphasized that charter requirements must be followed, but a repurposing for transportation or aviation infrastructure does not inherently violate the charter. Mr. Berman also clarified that land use and zoning designations control allowable uses and that the Parks and Recreation Inventory serves as an accounting tool rather than legally protecting the land as a park. Mr. Berman offered to provide a written legal opinion

addressing Comr. Fesik's questions in detail once proper questions are submitted. Comr. Fesik requested this written clarification before any vote is taken and indicated her objection to proceeding with the approval of the land use change until she receives this guidance. She also raised a procedural concern regarding her ability to ask questions and receive answers during Commission meetings.

Comr. Sigerson-Eaton noted the complexity of reconciling zoning, land use, and the comprehensive plan, while emphasizing the value of the Air Park and its historic Sand and Spurs. She highlighted ongoing negotiations with the FAA, the Air Park's recreational amenities, and the importance of maintaining open space for community use. Comr. Sigerson-Eaton affirmed that the proposed aviation technical training school is not a flight school, and expressed confidence that the City is acting legally and in compliance with FAA requirements. She also noted that Mr. Irving has committed to preserving existing landscaping and minimizing impacts on neighboring facilities, including the stables at Sand and Spurs.

Vice Mayor Fournier raised concerns about respect for commissioners during meetings, noting instances of staff laughter during discussion. She sought clarification from Mr. Irving regarding the scope and location of his programs, and he confirmed that while a smaller program operates at Fort Lauderdale Executive Airport, his primary plans remain in Pompano Beach. Vice Mayor Fournier emphasized the need to balance development with the protection of green space and neighborhood character, noting that residents have repeatedly expressed a desire to slow the pace of development. She also expressed concern about the environmentally sensitive land (ESL) designation, noting that staff slides may overstate the FAA's objections compared to the actual letter. While affirming support for aviation uses and Mr. Irving's educational programs, she underscored the importance of accurately representing environmental constraints and protecting city green space.

Comr. Smith noted that the airport lands, while visually green, are not publicly accessible and are restricted from recreational use. She emphasized the potential to repurpose the land for aviation-related development, supporting Mr. Barrington Irving's proposed technical training school as a unique opportunity for the city. Comr. Smith clarified that ESLs would be mitigated through required environmental permitting, with developers responsible for addressing any protected species prior to development. She affirmed that approving the land use change does not mean abandoning environmental protections but shifts the responsibility to the developer.

Comr. Fesik raised concerns about ESL designations, particularly the Florida scrub pine habitat and presence of gopher tortoises, noting a need for additional environmental assessments before proceeding. She expressed support for Mr. Irving's program but emphasized the importance of thorough review and compliance with city charter and county processes. She recommended postponing action until all questions are addressed and site access is provided for environmental review.

Comr. Perkins suggested the city work with Mr. Irving to identify a temporary location for his program while permanent arrangements are determined.

A motion was made by Commissioner Fesik, seconded by Vice Mayor Fournier, to postpone the item to the January 27, 2026 City Commission. The motion failed by the following roll call vote:

Yes:Fesik

Fournier

No: Perkins

Sigerson-Eaton

Smith

Hardin

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

Yes: Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

No: Fesik

Enactment No: ORD. No. 2026-13

13. [25-174](#) **P.H. 2025-34: (PUBLIC HEARING 2ND READING)**

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

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 11, 2025

(Staff Contact: Jean Dolan/Steve Rocco)

Jean Dolan from the Development Services Department incorporated the prior presentation into the current agenda item and stated that there will be no additional staff presentation.

Mayor Hardin sought public input on the item.

Anne Bosworth, 4015 W. Palm Aire Drive, Pompano Beach, FL, spoke against trusting developers to handle mitigation, comparing it to "putting the inmates in charge of the asylum." She referenced what she called an embarrassment at the Cordish site where violators received only a \$10,000 fine despite having millions of dollars. She suggested that Mr. Irving could open his school at the Cordish site instead, which had already been

rezoned multiple times and would put him near both airports while remaining in Pompano. She expressed frustration with claims of loving the environment while allowing developers to proceed.

Charmaine Hills, 1021 NE 27th Avenue, Pompano Beach, FL, expressed disappointment with the proceedings, but praised Comr. Fesik for standing up for the environment. As a 23-year resident and taxpayer of Pompano Beach, she complained about expensive taxes and increasing noise pollution in the city. She criticized the approval of multiple schools and questioned whether runway lighting would lead to nighttime lessons. She felt that longtime residents who helped grow the city were being overlooked in favor of money-making ventures, expressing concern about diminishing green space and inadequate parking for new developments.

Pastor Dr. Sherry Abram, representing Exit 36, thanked commissioners who voted yes, calling it just the start. She questioned why Comr. Fesik expected Mr. Irving to share his vision with competitors and noted that he couldn't make detailed plans until the vote was taken. She commended those who voted yes for providing educational opportunities for all people in Florida through the trade school. While acknowledging the importance of wildlife and her experience with classroom and home pets, she believed there was a place for both people and animals, and she was comfortable with animal relocation since experts indicated other suitable locations existed. She noted that environmental assessments didn't need to cover all 80 acres since only specific areas were in question for the change.

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

Vice Mayor Fournier expressed concerns about developers' mitigation efforts, emphasizing that natural nature cannot be recreated and that South Florida has very little left. She distinguished between parks and natural nature, stating that both are valuable. She worried about losing the green space, ecosystem, and natural beauty of that part of the city, which she described as irreplaceable through mitigation efforts.

Comr. Sigerson-Eaton pointed out that the item had been under consideration since February of the previous year, giving almost a full year for preparation, questions, and explanations. She agreed with the Vice Mayor about the natural beauty, referencing "Sand and Spurs" and recalling her previous desire to clear it out. While supporting preservation efforts where possible, she emphasized the need to look at ground realities and reiterated that there had been ample time to address the issue.

Comr. Fesik focused specifically on the environmentally sensitive land designation, expressing concerns about the systematic destruction of 97-98% of gopher tortoise natural habitat in Florida's unique scrub habitat. She noted that relocated gopher tortoises traditionally don't do well and felt the process was being rushed based on resident feedback. After questioning Mr. Harrison about consultant involvement, she requested a two-week extension to allow Mr. Rocco to conduct a free wildlife study with a state and federally licensed expert, and for Mr. Berman to provide additional answers. She made a motion to table the item until January 27 at 6:00 PM, appealing to the spirit of working together in 2026.

A motion was made by Commission Fesik, seconded by Vice Mayor Fournier, to postpone the item until the January 27th City Commission Meeting. The motion failed by the following roll call vote:

Yes:Fesik

Fournier

No:Perkins

Sigerson-Eaton

Smith

Hardin

Comr. Fesik requested that her objections to all three related items be noted verbatim in the minutes and expressed her intent to seek written legal and wildlife opinions. *Attached as Exhibit A is a verbatim transcription of Comr. Fesik's objections to all three Air Park items.*

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. 2026-14

14. [25-172](#) **P.H. 2025-35: (PUBLIC HEARING 2ND READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 155, "ZONING CODE," OF THE POMPANO BEACH CODE OF ORDINANCES, BY AMENDING SECTION 155.3505. TRANSPORTATION (T), TO MODIFY HEIGHT STANDARDS, SETBACKS AND TREE MITIGATION AREAS AND LANDSCAPE REQUIREMENTS; AND BY AMENDING SECTION 155.4207. VOCATIONAL OR TRADE SCHOOL TO PERMIT THE USE IN THE TRANSPORTATION (T) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

FIRST READING: FEBRUARY 11, 2025

POSTPONED FROM FEBRUARY 25, 2025

(Staff Contact: Jean Dolan/David Recor)

Jean Dolan from the Development Services Department provided a comprehensive presentation of the zoning code text amendment for the transportation zoning district. She explained that during their project review, staff realized the existing regulations made no sense for the Air Park, particularly the tabular format and setback requirements that referenced the edges of the entire Air Park rather than individual parcels. She detailed how they rewrote the regulations, using footnotes rather than the tabular format, establishing 100-foot setbacks from all edges for lease parcels to create tree-mitigation areas around perimeter roads. She clarified that setbacks and heights for interior parcels would be determined by aviation engineers due to complex vertical and horizontal controls, and explained special landscaping requirements that would relocate required trees to mitigation areas when airport operations prevented their placement in standard locations. She also mentioned adding vocational and trade schools as a permitted use, noting it wasn't previously allowed, and provided the timeline of approvals from Planning and Zoning Board and first reading by the City Commission. A copy of Ms. Dolan's full presentation is available in the City Clerk's office.

Mayor Hardin sought public input on the item and, upon receiving none, closed the public portion and called for further Commission discussion.

Comr. Fesik asked about tree-related matters and whether an RFP had been issued for Air Park mitigation efforts earlier in the year. When Ms. Dolan indicated no knowledge of such an RFP, Comr. Fesik pressed further, asking City Manager Harrison about requests for quotes or proposals related to Air Park contractor selection.

Mr. Harrison clarified that they had requested a proposal for an environmental study that came back over \$600,000, but indicated that it was the only related item he knew about. Ms. Dolan suggested that might be what Comr. Fesik was referring to, but Comr. Fesik disagreed and continued questioning about the procurement processes she had been tracking.

Comr. Fesik continued her inquiry, referencing regular procurement updates she had received and specifically remembering an Air Park mitigation item with a selected vendor scheduled to come before the Commission in September or October.

Ms. Dolan then clarified that Comr. Fesik was likely referring to the Cutting-Edge contract for environmental analysis to determine tree removal requirements, explaining that it became an iterative process between tree removal and environmental consultants, which became too expensive for the budget, and that she had sent a memo about this issue.

Comr. Fesik acknowledged they had indeed had such a contract, expressed that residents felt the process was being rushed, agreed with that sentiment, and stated she was doing her best to address concerns.

Comr. Sigerson-Eaton asked about a circular or oval feature in the upper right corner of a schematic on Page four of the presentation, noting difficulty reading the small screen display. Ms. Dolan explained that the feature was a drainage area outside the lease parcel, prompting them to add footnote number four to clarify that drainage must be provided on the lease parcel due to this historical issue. Comr. Sigerson-Eaton thanked Ms. Dolan for the clarification.

Comr. Fesik asked one final question to address rumors, specifically whether there were any plans to expand the runway or increase the size of planes using this process. Ms. Dolan definitively answered no, explaining that Planning and Zoning doesn't handle runway matters and that the Air Park is landlocked, making runway expansion impossible.

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

Yes: Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

No: Fesik

Enactment No: ORD. No. 2026-15

16. [26-159](#) **P.H. 2026-24: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, AMENDING CHAPTER 97, "NOISE CONTROL," OF THE CODE OF ORDINANCES BY AMENDING SECTION 97.60, "NOISE DISTURBANCE," TO PROVIDE FOR ALTERNATIVE ENFORCEMENT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: N/A)

(Staff Contact: Mario Sotolongo/Jill R. Ziluck)

Jill Ziluck, Assistant City Attorney, explained that the code amendment would allow code enforcement officers to issue citations for noise disturbances, particularly loud music, rather than requiring law enforcement to issue criminal notices to appear. She detailed that the change was prompted by several problematic properties where noise volume or repetitiveness disturbed neighbors. She explained that the new system would allow citing the property directly rather than trying to identify specific individuals responsible. She noted the citations would carry fines of \$200 for first offenses and up to \$500 for repeat offenses, and would be handled civilly by a special magistrate rather than in criminal court.

Mayor Hardin sought public input on the item.

Anne Bosworth, 4015 W. Palm Aire Drive, Pompano Beach, FL, expressed support for the ordinance, acknowledging a specific issue in her community affecting neighborhood residents, while expressing sympathy for the business involved.

Dennis Burnham, 2500 NE 9th Terrace, Pompano Beach, FL, shared that he had logged 130 noise

disturbances over three years, which had forced him to relocate within his home to avoid bass penetration and to use his backyard only to let his dogs out. He urged unanimous support for the ordinance and thanked the Commission.

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

Vice Mayor Fournier thanked Mr. Burnham for his persistence and credited him as a significant reason the ordinance was being considered, noting it would help many residents, provide another enforcement tool, and reduce some burden on BSO.

Comr. Sigerson-Eaton thanked Mr. Burnham, who lived in her district. She commented on the distinction between typical one-off noise complaints and persistent issues. She requested that Mario and Jill provide a public service announcement clarifying the ordinance details, specifically addressing the misconception that loud music was acceptable until 11:00 PM. She also mentioned concerns about loud music from special events in parks and indicated interest in exploring additional controls for community events.

Mario Sotolongo, Code Compliance Director, clarified that there was no time-based cutoff for noise violations in the city code of ordinances, explaining that disturbances could occur at any time of day. He explained that decibel measurements were used for mechanical equipment but not amplified music, and that the focus was on how music disturbed affected residents. He emphasized the ordinance targeted repeat offenders and noted that civil citations would provide more immediate resolution than lengthy court processes, while still allowing appeals to a special magistrate.

Comr. Fesik thanked Mr. Burnham for his patience and persistence over three years, crediting him with initiating change that would benefit all residents. She praised Mario and Jill for their efforts in working with BSO to find a legal solution. She noted the ordinance would be particularly helpful for Airbnb-related noise violations in her district, suggesting it might even become a revenue source for the code enforcement department.

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. [26-48](#) **P.H. 2026-02 (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 FOR AS-NEEDED REPAIR AND MAINTENANCE OF ELECTRICAL SWITCHGEARS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Up to \$150,000 per fiscal year, not to exceed \$450,000 over the contract term)

⚙️ **Strategic Plan Initiative**

(Staff Contact: Renuka Mohammed)

Renuka Mohammed, Utilities Director, explained that her briefing applied to items 17, 18, and 19. She detailed that the request was to approve three service agreements resulting from RFP 25-010 for electrical switch gear repair and maintenance to support the City's utilities infrastructure, including water treatment plants, well fields, and pumping stations. She provided the timeline of the RFP process, noting it was advertised on January 13, 2025, closed on February 4, 2025, received 10 proposals, and resulted in one disqualification due to non-disclosure of a corporate sale. She identified the three recommended companies as Miller Electric Company, Electric Power Switchgear Inc., and Mills Electric Service Inc., with initial three-year terms, two one-year renewal options, and annual expenditure limits of \$150,000 per agreement.

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

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

18. [26-49](#) **P.H. 2026-21: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND ELECTRIC POWER SWITCHGEAR, INC. FOR AS-NEEDED ELECTRICAL SWITCHGEAR MAINTENANCE AND REPAIR SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Up to \$150,000 per fiscal year, not to exceed \$450,000 over the contract term)

**Strategic Plan Initiative**

(Staff Contact: Renuka Mohammed)

Renuka Mohammed, Utilities Director, briefly stated that the previous briefing applied to this item as well.

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

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

Yes: Fesik

Perkins

Sigerson-Eaton

Smith

Fournier

Hardin

19. [26-144](#) **P.H. 2026-22: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND MILLS ELECTRIC SERVICE, INC. FOR AS-NEEDED ELECTRICAL SWITCHGEAR MAINTENANCE AND REPAIR SERVICES; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

(Fiscal Impact: Up to \$150,000 per fiscal year, not to exceed \$450,000 over the contract term)

**Strategic Plan Initiative**

(Staff Contact: Renuka Mohammed)

Renuka Mohammed, Utilities Director, briefly stated that the previous briefing applied to this item as well.

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

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

20. [26-145](#) **P.H. 2026-23: (PUBLIC HEARING 1ST READING)**

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF POMPANO BEACH, FLORIDA, APPROVING AND AUTHORIZING THE PROPER CITY OFFICIALS TO EXECUTE A SERVICE AGREEMENT BETWEEN THE CITY OF POMPANO BEACH AND CARUS LLC FOR THE PURCHASE OF CORROSION CONTROL CHEMICALS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE

(Fiscal Impact: Maximum annual expenditure not to exceed the Utilities Department's annual approved Chemical /Horticultural operating budget)

(**Staff Contact:** Renuka Mohammed)

Renuka Mohammed, Utilities Director, presented the item and explained that it was a request to approve a service contract with Caris LLC for the sole-source purchase of Aquidine SK 7641, a corrosion-control inhibitor required to maintain compliance with EPA lead and copper rules. She detailed that the Utilities Department had successfully used this proprietary blend since 2007 and that operational regulatory monitoring had demonstrated that it was the only product to date to consistently stabilize water quality and ensure continuous regulatory compliance. Ms. Mohammed further explained that her department had previously evaluated alternative products but found results were inconsistent with the evident risk of non-compliance, and that, in accordance with Florida Statute, the single-source procurement process was advertised from July 21st through August 5th with no equivalent products identified. She concluded by stating that the proposed contract term was five years, with annual expenditures not to exceed amounts within the utilities operating budget, and that approval would support the City's strategic goals for the safe delivery of high-quality drinking water.

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

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

Yes: Fesik
Perkins
Sigerson-Eaton
Smith
Fournier
Hardin

21. [26-78](#) Discussion and consideration item for the annual performance evaluation for Mr. Mark E. Berman, City Attorney.
(Fiscal Impact: To be determined by City Commission)

POSTPONED FROM DECEMBER 9, 2025

(Staff Contact: Lisa Sonego)

Lisa Sonego, Human Resources Director, presented the item, noting that any pay adjustments would be effective September 18, 2025. She reported that, based on a review of 12 comparable regional city attorneys, City Attorney Berman's salary is at the 75th percentile. With 10 years as city attorney and 30 years with the city, his recent merit increases have ranged from 3-5%, consistent with increases awarded to other city officials.

Comr. Sigerson-Eaton noted the complexity and responsibility of the City Attorney's role, highlighting Mr. Berman's expertise in City, Commission, and federal matters, including environmental and litigation issues. She expressed confidence in his work and the protection it provides the Commission and the City.

Mayor Hardin acknowledged Mr. Berman's efforts and expressed appreciation for his work. He proposed a motion to award a 3% merit increase, suggesting that while it may not place Mr. Berman at the very top of performance rankings, it would elevate him above the 75% mark.

Vice Mayor Fournier expressed appreciation for Mr. Berman's accessibility and responsiveness, noting his willingness to address questions even outside normal hours. However, she raised concerns about budget constraints and potential property tax legislation, and stated she would not support a merit increase this year.

Comr. Perkins acknowledged differing perspectives on the City Attorney's role. While recognizing Mr. Berman's strong work with staff, she noted personal concerns about the City Attorney's responsiveness to the Commission and indicated she would not support an increase at this time, while expressing willingness to improve the working relationship.

Comr. Fesik acknowledged the City Attorney's responsiveness, professionalism, and willingness to provide clear and specific legal guidance. She recognized the complexity of the role, including navigating internal and external dynamics, and framed her comments as opportunities for improvement rather than criticism. She emphasized the importance of maintaining neutrality in City materials, ensuring appropriate legal review of documents and contracts, and remaining resident-focused in all actions. Comr. Fesik also expressed concern

about meeting decorum and requested greater legal support to maintain order and fairness during proceedings. Given current budget constraints, she stated she could not support an additional increase at this time but expressed interest in revisiting the matter in the future.

Comr. Smith expressed appreciation for the City Attorney's accessibility, communication, and support, and stated her support for the proposed 3% merit increase.

A motion was made by Mayor Hardin, seconded by Commissioner Sigerson-Eaton, to award the City Attorney a 3% merit increase. The motion failed by the following roll call vote:

Yes: Sigerson-Eaton
Smith
Hardin

No: Fesik
Perkins
Fournier

F. ADDITIONAL AUDIENCE TO BE HEARD

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

G. NEXT SCHEDULED MEETING

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

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

February 10, 2026 at 1:00 p.m. - Regular City Commission Meeting

H. REPORTS

City Manager's Report:

City Manager Harrison provided updates on upcoming community events, including the Clean Streets initiative on January 15 in Cresthaven, the annual Nautical Flea Market on January 17-18, and four Martin Luther King Day events. He also introduced Captain Shonda Martin as the new Area 1 Captain.

City Attorney's Report:

City Attorney Berman expressed appreciation for the consideration offered for his annual performance, extended New Year's greetings, and had no further report.

City Clerk's Report:

No report.

Comr. Fesik's Report:

Comr. Fesik requested that staff provide information on how other cities regulate Tiki structures to ensure Pompano Beach remains comparable and resident-focused. She also emphasized the need for improved communication between the CRA Board and RMA and inquired about scheduling a workshop to discuss coordination. She also emphasized the importance of collaboration and requested that the workshop focus on City and CRA consultants, including marketing firms, to facilitate open discussion, share information, and address concerns collectively. She highlighted that such a workshop would allow commissioners to review contracts, ask questions, and ensure transparency, particularly for those not fully included in ongoing communications.

A motion was made by Commissioner Fesik, seconded by Vice Mayor Fournier, to schedule a public workshop within 45 days to review the scope, involvement, oversight of RMA and all City and CRA consultants, including marketing firms, communication partners, subcontractors, and any affiliated entities with required disclosures of conflicts of interest property ownership, revenue sources, and ties to City or CRA initiatives.

Comr. Perkins suggested focusing the motion on CRA contracts and marketing firms. Comr. Fesik agreed and stated she would amend his motion accordingly.

Mayor Hardin expressed his intention to vote against a proposal, stating he sees no need for extensive discussions. He mentioned that information regarding contracts for CRA consultants and city marketing firms can be obtained by simply asking staff, without the need for public records requests. He noted that some requests have led to excessive resource use and emphasized that staff should be approached directly for information.

Vice Mayor Fournier emphasized the importance of collaborative discussions among board members regarding contracts. She highlighted the need for a collective understanding of the purpose and necessity of hiring external services rather than relying on city staff. She expressed concern about getting inconsistent answers to their questions and advocated for joint learning and decision-making to ensure everyone is aligned.

Comr. Perkins expressed concerns about a lack of communication between staff and certain commissioners. She noted that while some colleagues receive the information they need to perform their jobs well, others feel left out and disconnected. Comr. Perkins emphasized the need for better collaboration and understanding within the Commission, highlighting that many feel unsupported in their roles. She believed that improving communication could facilitate better teamwork.

An amended motion was made by Commissioner Fesik, seconded by Commissioner Perkins, to schedule a public workshop within 45 days to review the scope, involvement, oversight of CRA contracts and the marketing firms. The motion failed by the following roll call vote:

Yes: Fesik

Perkins

Fournier

No:Sigerson-Eaton

Smith

Hardin

Comr. Fesik requested a written opinion from the City Attorney regarding the inconsistent application of Robert's Rules by the Mayor. Additionally, she will be hosting a "Coffee and Conversations" event on Thursday morning at How You Brewing from 9:00 AM to 10:00 AM, inviting residents to discuss any concerns or questions in person. She noted that these events might have been less frequent in summer due to decreased community engagement, but would continue through spring. Lastly, she planned to announce a second district meeting later in the month. She then concluded by extending New Year's greetings to everyone.

Comr. Perkins' Report:

Comr. Perkins expressed her gratitude to Parks and Recreation Director Scott Moore for organizing upcoming events, noting that having all the information in one place was incredibly helpful. She thanked the residents of Northwest for their patience during construction on NW 6th Avenue, noting that the roundabouts had been removed and that the project was expected to be completed by the end of the month. During her visits to the area, she found that residents were surprisingly supportive of the construction, as it reduced traffic speeds and improved their peace of mind at home. Comr. Perkins also suggested that BSO consider adding speed humps near Blanche Ely High School, clarifying that, contrary to what she had been told previously, the school board actually favored such measures to enhance safety. She believed this would benefit the community and alleviate concerns about fast traffic in the community.

Comr. Perkins proposed moving all city commission meetings to 5:00 PM, beginning in February to accommodate residents and improve accessibility.

Comr. Smith noted that previous meeting times were set to accommodate residents who prefer not to travel at night. She suggested considering a 9:00 AM to 5:00 PM schedule and recommended gathering feedback from residents who watch meetings remotely before finalizing any changes. She proposed addressing the matter at the next meeting after further consideration.

Comr. Fesik noted that, per Mr. Berman's suggestion to proceed as a resolution, the amended motion allows discussion at the next meeting, providing two weeks for commissioners to consult constituents and consider their positions. She expressed support, highlighting that a future workshop could help streamline meetings by addressing concerns in advance.

Comr. Perkins noted that, based on resident feedback in her district, a 1:00 PM meeting time is inconvenient and expressed support for moving meetings to 5:00 PM. She acknowledged differing opinions among commissioners and emphasized her hope for a collaborative and productive year.

A motion was made by Commissioner Perkins, seconded by Commissioner Vice Mayor Fournier, to

move all City Commission meetings to 5:00 PM starting in February 2026, with the change to be presented as a resolution. The motion failed by the following roll call vote:

Yes:Fesik

Perkins

Fournier

No:Sigerson-Eaton

Smith

Hardin

Lastly, Comr. Perkins concluded by extending New Year's greetings to everyone.

Comr. Sigerson-Eaton's Report:

Comr. Sigerson-Eaton wished everyone a happy New Year and highlighted the upcoming Clean Streets initiative, emphasizing proper disposal of tires and other items. She noted outreach efforts, including her newsletter to residents, and encouraged participation in the Cresthaven Civic Association meeting. She expressed enthusiasm for continued progress in Pompano Beach, particularly in downtown redevelopment, economic and business opportunities, blight elimination, and community beautification, and looked forward to a productive year ahead.

Comr. Smith's Report:

Comr. Smith highlighted positive developments in the city, including the high quality of Pompano Beach drinking water and the installation of AEDs in parks. She noted a successful resolution of a noise and dust complaint in Gulfview Estates and emphasized the value of resident input. Comr. Smith also reflected on recent community events, including holiday parades, tree lightings, and senior choir performances, and encouraged participation in upcoming Tiger Trail activities. She concluded a quote from Saint Jerome, "Better best never let it rest till your good is better and your better is best."

Vice Mayor Fournier's Report:

Vice Mayor Fournier reported that she began the year with a procurement meeting and requested a workshop to further discuss procurement matters. She also expressed support for competitive bidding on long-term city contracts. She raised concerns regarding the golf course professional services contract, noting it has not been bid in approximately 11 years. Vice Mayor Fournier emphasized that periodic bidding promotes transparency, competition, and fiscal responsibility.

Comr. Smith stated opposition to placing contracts out for bid when a long-standing contractor has demonstrated satisfactory performance and maintains a positive working relationship with the City. She emphasized the value of established relationships and indicated that rebidding should occur only when performance concerns arise.

Vice Mayor Fournier responded that periodic competitive bidding can provide valuable perspective, encourage continued excellence, and ensure the City is obtaining the best value for residents. She noted that the bidding process is a standard procurement practice and is not a reflection of dissatisfaction, but rather a means of fiscal responsibility and transparency.

Comr. Fesik expressed support for issuing a request for proposals, noting that periodic competition encourages innovation, accountability, and confidence in service delivery. She stated that after an extended period, it is appropriate to reassess operations to ensure they align with evolving community needs and industry standards.

Comr. Sigerson-Eaton acknowledged the City Manager's contractual authority and highlighted the golf course as a valuable and successful asset within her district. While recognizing significant improvements and increased revenue, she cited occasional constituent concerns regarding customer service and facility conditions. She emphasized the importance of maximizing the course's potential but stated she was not prepared to support the motion at this time, preferring further review and discussion.

Vice Mayor Fournier noted the City's substantial investment in the golf course and suggested that a competitive process could generate new ideas or potential private investment for facility enhancements. She emphasized that exploring options through an RFP poses no downside and allows staff to present a future vision for the facility.

Comr. Fesik added that existing advisory boards could provide valuable input and reiterated that the goal of an RFP is to ensure the City is achieving best value and operational efficiency following the contract's expiration.

A motion was made by Vice Mayor Fournier, seconded by Commissioner Fesik, to direct the City Manager to solicit bids for golf course services. The motion failed by the following roll call vote:

Yes:Fesik

Perkins

Fournier

No:Sigerson-Eaton

Smith

Hardin

Vice Mayor Fournier shared a quote from Dr. Martin Luther King Jr, "In a real sense, all life is interrelated. The agony of the poor impoverishes the rich, the betterment of the poor and riches the rich. We are inevitably our brother's keeper because we are our brother's brother. Whatever affects one directly, affects all indirectly."

Mayor Hardin's Report:

Mayor Hardin encouraged attendance at the upcoming MLK parade. He extended New Year's greetings, commended staff for their efforts during the year-end festivities, and expressed optimism for the year ahead,

noting the strength of the City and its residents.

I. ADJOURNMENT

The meeting adjourned at 7:05 PM.

Rex Hardin, Mayor

Kervin Alfred, City Clerk

Exhibit A

Verbatim account of Commissioner Fesik's objections regarding the Air Park-related items at the January 13, 2026, City Commission Meeting. Note: This transcript was prepared at the request of Commissioner Fesik at the meeting of January 13, 2026, during the discussion on Agenda Item 13. It is limited strictly to her **objection statements, procedural objections, and expressions of opposition, and excludes questions asked purely for clarification.**

Point of Order

Commissioner Fesik:

"Point of order. So before we take up any of the Air Park related items, I just want to raise a threshold procedural objection that applies to all three of them. The items that are being presented are separate actions, and in reality, they're actually a coordinated sequence, which we discussed before in February, the county adoption materials in the backup for the ESL amendment state that the City of Pompano Beach recommended approval at a time when this commission had not taken final action. And that's a material inaccuracy for the record, and county and state bodies relied on it. Yep. So proceeding today would create a cascading reliance on a defective predicate. And so once we advance downstream land use and zoning actions on top of a defective predicate city process then becomes vulnerable. So I'm not making any sort of, you know, accusations of any or ethics accusations. It's just basically making sure that we're following procedural, procedural guidelines ...I move to remove all Air Park related agenda items from today's agenda. The cascading procedural defects arising from material, inaccurate representations of City Commission action relied upon by county and state agencies. And if that is not done, I would like a written I would like a written note explanation from our city attorney prior to moving forward."

Item 12

Commissioner Fesik:

"I do object to proceeding on this due to its reliance on some material question."

"I am not going to vote on this, and I cannot vote on this until these questions are answered. That is my duty."

"I would like to make one final question for the record and let you know that I do object to proceeding on this due to its reliance on some material question."

Commissioner Fesik asked multiple questions, some of which were as follows:

- **Does the Pompano Beach City Charter control and limit the City Commission's zoning and land use authority?**
- **Must ordinances and zoning actions comply with the City Charter and not conflict with it?**
- **Does Chapter 2.09 of the City Charter apply to this action?**

- Does “alienation of city property” include conversion of land from one public use to a fundamentally different public use (not just sale)?
- If land is listed in the City’s Parks and Recreation inventory, is it treated as land held for public recreational purposes?
- If such land is converted to a non-park use (e.g., transportation/aviation), does that constitute a conversion from park use?
- Does the City Charter require voter approval (referendum) before park or recreational land is converted to non-park use?
- Can the City lawfully avoid a charter requirement for voter approval by accomplishing the same result through rezoning or future land use map amendments?
- Is the legal analysis based on the functional outcome of the action rather than the label applied to it?
- Absent a written charter opinion, is it procedurally sound to proceed on these items?
- Can the City Attorney provide a written legal opinion addressing the Charter issues Is the 46.4-acre parcel currently designated as Parks and Recreation (PR)?
- How many acres of this parcel are listed in the Parks and Recreation inventory (identified as approximately 33 acres)?
- Does reclassifying this land to Transportation remove it from park or recreational use?
- Would Transportation zoning be compatible with continued park or arboretum use?
- Who initiated the request to remove the environmentally sensitive lands designation — the FAA or City staff?
- Was removal of ESL designation required by the FAA or proposed by the City?
- Is the City, by approving Items 12 and 13, formally de-designating environmentally sensitive land?
- Once ESL designation is removed, can it be reinstated later?
- Why was no additional independent environmental assessment conducted before removal?
- Can environmental experts or wildlife rehabilitators be allowed access before proceeding?
- Does Mr. Irving currently have a lease or even a contingent lease for this property?
- Why is the City proceeding with land use and ESL changes without a signed or draft lease?
- What happens if the proposed aviation training project does not materialize?

“With the information I have now and or the lack of information I have now, I cannot support designating environmentally sensitive land in a Florida Scrub pine habitat that is known to have gopher tortoises, is known to have burrowing owls, is known to been, has been in and designated as such for over 40 years.”

“I just cannot, in any any bone in my body, look at my future grandchildren and say I did that.”

Item 13

Commissioner Fesik:

“...Item is specifically related to the environmentally sensitive land the designation. So, so I don't have to drag on, and I won't. My point is, is that I think it's very important. Like Vice Mayor said, There's in the Florida, in the Florida Scrub habitat we have systematically in the state of Florida, it's a very unique habitat. And we have systematically, in the state of Florida, destroyed nearly 90 something, 97 98% of gopher tortoise natural habitat. I believe Ms. Bosworth came up in because I was again watching the meeting and noted that traditionally, they don't do well when they're relocated. Relocated. I have, I have some big concerns. And listen, I'm trying to be very structured and follow the right processes, and the right processes mean that now that we've gotten the county sign off, which, again, I still have some questions that I would like to have answered related to how that was done with even the temporary or the initial first reading. I feel like it's from what I'm hearing from residents. I feel like it's being pushed...”

Item 14

Commissioner Fesik:

Okay, look, I've heard residents really feel like, this is being pushed along, and it's and it's, and I would say I fully agree...